



Information sheet

on naturalization pursuant to Section 14 of the
Nationality Act (*Staatsangehörigkeitsgesetz, StAG*)
for persons whose ancestors lost their German citizenship
in connection with National Socialist persecution

- for persons living abroad -
(As at: September 2019)

This information sheet provides an overview of the naturalization requirements regulated in decrees issued by the Federal Ministry of the Interior, Building and Community for persons whose ancestors lost their German citizenship in connection with National Socialist persecution, but who do not come under terms of Article 116 (2) of the Basic Law (GG).

For more information, please contact the Federal Office of Administration (*Bundesverwaltungsamt*) in Cologne.

1. Who may be naturalized?

1.1. Children who are not entitled to naturalization pursuant to Article 116 (2) of the Basic Law as descendants of their mothers because they were born inside marriage to German mothers and foreign fathers prior to 1 April 1953, and for this reason alone could not acquire German citizenship by descent.

1.2. Children who are not entitled to naturalization pursuant to Article 116 (2) of the Basic Law as descendants of their father because they were born outside marriage to German fathers and foreign mothers prior to 1 July 1993, and for this reason alone could not acquire German citizenship by descent.

► For information on the entitlement to naturalization pursuant to Article 116 (2) of the Basic Law please see **Information Sheet on naturalization within the context of restitution**.

1.3. Children, irrespective of their date of birth, born to a parent or parents who were not deprived of their German citizenship between 30 January 1933 and 8 May 1945 on political, racial or religious grounds, but who lost their German citizenship in connection with other Nazi persecution measures:

- Their father or mother, in connection with National Socialist persecution, lost their German citizenship as a consequence of having acquired foreign citizenship (naturalization) in the period covering 30 January 1933 to 25 February 1955 .
- Their mother lost her German citizenship prior to 1 April 1953 by marrying a foreign or stateless man.

Entitlement to naturalization also extends to the descendants of such children up to the generational cut-off point specified in Section 4 (4) of the Nationality Act. This means that children born abroad to a parent from whom German citizenship might be derived, and who themselves was

born abroad after 31 December 1999, can only acquire German citizenship according to the requirements stipulated therein. This means that descendants born in the first generation after 31 December 1999 will be the last ones to stand to benefit from facilitated naturalization. However, for their children under the age of 18, a transitional arrangement is in place up to and including 31 December 2020.

If applicants meet the following requirements, it is deemed to be in the public interest to naturalize them. Applicants who did not make use of earlier opportunities to be naturalized will not be penalized for this.

2. What requirements do I have to meet to become naturalized?

2.1 German language skills and knowledge of the legal and social order and of the living standards prevailing in Germany

Applicants should have basic German language skills and basic knowledge of the legal and social order and of the living standards prevailing in Germany. A member of staff at the relevant diplomatic mission abroad will meet with the applicant in person to determine that these requirements have been met. This will be done in a spirit of goodwill.

2.2. No criminal record

Fines or terms of imprisonment, even if imposed abroad, may conflict with naturalization (Section 12a of the Nationality Act).

2.3. Requirements as a citizen

Applicants aged 16 or older must pledge their allegiance to the free and democratic system anchored in Germany's Basic Law and make a declaration of loyalty.

3. Do I have to renounce my existing citizenship upon being naturalized?

No. Becoming naturalized based on the above-mentioned criteria does not require you to renounce your existing citizenship.

Whether or not you retain or lose your previous citizenship is solely governed by the law of the state whose citizenship you currently possess. We therefore advise you to inquire with the responsible authorities of your country of origin well in advance of becoming naturalized. The Federal Office of Administration cannot give you advice as to foreign laws and regulations.

4. Can my children be naturalized with me?

As a general rule, children under the age of 18 can be naturalized with you as the naturalization applicant, provided you hold the right to their custody and are living in one household.

If you were born abroad after 31 December 1999 (known as the generational cut-off point), your children under 18 may only be naturalized with you if the following requirements are met:

- The child was born before the end of the transitional period, i.e. prior to 31 December 2020 and
- the application is filed together with that of the parent standing to benefit from the decree and
- the child's application is received by the Federal Office of Administration prior to 1 January 2021.

5. How do I file an application for naturalization?

Please file your application for naturalization in person at the relevant German diplomatic mission abroad.

The German diplomatic mission abroad will **certify** your **personal signature** on the application for naturalization (lines 19.4 to 19.5).

The German diplomatic mission abroad will check the information and documents you provide and will forward your application to the Federal Office of Administration, together with an assessment of your German language skills and your knowledge of the legal and social order and of the living standards prevailing in Germany.

Please do not send the application directly to the Federal Office of Administration, because this will delay processing. Applications must be submitted to the relevant German diplomatic mission abroad.

If you need help filing your application, please contact your nearest German diplomatic mission abroad. It can provide you with the application forms and give you advice should you need it.

6. What are the relevant forms?

Application EB:	application form for persons aged 16 or over Minors aged 16 or over are treated as adults with respect to citizenship matters; they shall make all declarations themselves.
Application EBK:	application form for children under the age of 16 The application is to be signed by <u>all</u> holders of rights of custody as legal representatives.
Appendix VA:	information on your ancestors
<i>Vollmacht</i> :	giving power of attorney to a third party

For the application forms:

- please visit the website of the Federal Office of Administration at www.bundesverwaltungsamt.de, and go to: Staatsangehörigkeit > Einbürgerung beantragen > Einbürgerung
- request the forms directly from the Federal Office of Administration or
- contact the German mission abroad.

7. How do I fill in the application?

Fill in the application form in German, clearly, accurately, and completely. Also any further correspondence with the Federal Office of Administration is to be made in German.

You can fill in the PDF forms comfortably on the computer and print them. If you fill in the forms by hand, do this readably (if possible, in print script) and accurately, please.

Specific points of the application forms EB and EBK are explained below. If you have further questions, ask the competent German mission abroad for advice.

Lines 1.8-1.9: “Marital status”

The marital status “in a civil partnership” and “civil partnership dissolved” and the term “civil partnership” refer to the registered partnership of same-sex partners (also called “registered life partnerships”).

Line 2.2: “Previous citizenships”

Mention only citizenships which you previously possessed but no longer possess.

Example: You lost this citizenship due to naturalization in another country. Enter as precisely as possible the period during which you possessed the previous citizenship.

Line 3: “My application is based on the (previous) German citizenship of:”

Please check the box to indicate which of your ancestors lost his/her German citizenship in connection with National Socialist persecution.

Check one box only.

Please follow the instructions provided in relation to the box you checked. Please use **Appendix VA** to provide information about your ancestors.

If you checked one of the boxes in **lines 3.3 to 3.5**, you may make reference to the information provided by another member of your family regarding your common ancestors (**line 3.6**). For instance, if you submit an application together with your sibling/s or with a parent, it is sufficient for one of you to provide the information on your ancestors and for all others to make reference to that application, specifying the full name and the date of birth of the person/s to whom you are referring. If the application to which you are referring has already been fully processed, please cite the reference number given on documentation resulting from the application (e.g. certificate of naturalization, other official document or notice).

Line 4: “Information concerning my spouse or civil partner”

This information is voluntary. However, it may be relevant for processing your application, in particular if your spouse/partner possesses German citizenship.

Line 5: “Where I have lived since birth” and “Where the child has lived since birth”
(Application EBK, line 4)

Please enter your places and periods of residence as precisely as possible for any place of residence outside your current home country.

You do not need to mention any visits, holiday trips, periods of being away on a job (e.g. in construction) of up to six months.

If you have already had a case processed under nationality law (e.g. an application for naturalization pursuant to Art. 116 (2) of the Basic Law), you only need to update the information you provided at that time. Please use line 12 to refer to any previously processed cases.

Line 6: “School education” (Application EBK, line 5)

No information required.

Line 7: “Vocational training or university education”

No information required.

Line 8: “Employment or self-employment up to the present day”

No information required.

Line 9: “My ability to support myself”

No information required.

Line 10.3: “German language courses”
(Application EBK, line 6.3)

This line is for information concerning German language courses you may have attended (e.g. at the Goethe Institute) or German language certificates you may have acquired. Please state when you passed any language tests (e.g. the date of the certificate) and their level within the Common European Framework of Reference for Languages (e.g. A1, B1).

Line 11: “My ties with Germany”

No information required.

Line 13: “Avoiding multiple nationality”

No information required.

Line 14: “Reasons why I am applying for naturalization”

No information required.

Line 15: “Criminal offences or pending criminal investigations”

Please file, together with your application, a valid document issued by your home country or your country of residence providing comprehensive information confirming that you have no criminal record (certificate of good conduct/police clearance certificate).

Line 18: “Children to be included in the application for naturalization”

Children (under the age of 18) may be included in a parent’s application for naturalization.

Please state whether you want to include any of your children in the application, and if so, how many. For children under 16, you must complete an EBK application. If your child is aged 16 or older, he or she must file a separate EB application:

▶ **Application EBK for children aged under 16, line 2: “Parents’ applications”**

Please state whose application for naturalization (the mother’s or father’s) is to include the child’s application. This is to ensure that the child’s application is kept together and processed with the application filed either by their mother or their father.

▶ **You are aged 16 or older, but you want to be included in the application of one of your parents:**

You may be included in the application for naturalization of one of your parents, provided he or she comes under the terms of the decree referred to in the opening paragraph of this document, and provided you are under the age of 18. Please state your request for inclusion in **line 14** of your own application (Application EB), and provide the name and date of birth of the parent concerned.

Instructions for completing lines contained only in Application EBK for children under the age of 16:

Lines 1.10-1.15:

“Child’s personal details”; persons with parental responsibility

Please list all holders of rights to custody (persons having the right to represent the child). Usually, those are both parents, or the mother, or the father. To facilitate the process, please choose the person via whom you wish the correspondence to be made (**line 11.2**).

In the event that neither the mother nor the father exercises custody, explain this on a separate sheet and submit it with the application.

Line 2: "Parents' applications"

Please see explanations concerning line 18 of the Application EB.

8. Please note with respect to Appendix VA (on ancestors)

Please fill in one Appendix VA for each generation (e.g. your parents and your grandparents on your mother's side) up to and including the ancestor who lost his or her German citizenship as a result of National Socialist persecution.

9. Which documents need to be submitted with the application?

- Certified copy of your current foreign passport / identity document (pages with photograph and personal details), (see line 19.2 in Application EB)
- Your birth certificate / certificate of descent
- Marriage certificate of your parents
- Your marriage certificate (if you are married)
- Birth certificates or certificates of descent, as well as marriage certificates, family registers (if there are any) for all ancestors going back to and including the person who lost his or her German citizenship as a result of National Socialist persecution

Such documents may also include:

- adoption documents (certificate of adoption, court order)
 - divorce documents (judgement dissolving a marriage carrying a remark that it is a final divorce judgement)
 - civil partnership certificate
 - documentation with respect to the acknowledgement or establishment of paternity
 - documentation on any changes of name (applicant and the relevant ancestors), such as change of name certificates, marriage certificates, or other official documents on the use of the name
- Proof of German citizenship up to and including the ancestor who lost his or her German citizenship as a result of National Socialist persecution

Other necessary documents:

- Current certificate of good conduct issued by your country of residence (original document, not a copy)
- If possible a document showing the date when your ancestor affected by National Socialist persecution took on a foreign citizenship

Documentation indicating German citizenship

For instance: Naturalization certificates; certificates confirming that the holder acquired German citizenship by declaration or by opting for it; certificate pursuant to Section 15 of the Federal Expellees Act (*Bundesvertriebenengesetz*); letters of appointment for civil servants; citizenship cards; certificates of native country; documents certifying the holder's legal status as a German; passports; identity cards and other ID documents (including old ones); registration certificates; expellees' cards.

10. In what form should I produce the documents?

Documents (in particular certificates) must be submitted in their original form or as photocopies of original certificates officially certified or certified by a notary. Photocopies must be complete, which means that both sides of the certificate must be produced. As a general rule, uncertified photocopies and copies will not be accepted.

Only the following persons and bodies may certify photocopies:

- notaries (public) or
- registrars of the body having made the entry in the civil-status register or
- German authorities (such as the residents' registration office, registry office, or mission abroad).

As a general rule, certifications by other bodies will not be accepted.

It is important that it is certified that the copy is completely faithful to the original in terms of content.

The original certification statement is required, including

- the notary's or registry office's original stamp and
- the original signature of the notary or of the registry's office.

Copies of certification statements or statements certifying only the translator's signature are not sufficient.

As a rule, foreign public documents (such as civil status documents) are to be legalized or to carry a Hague apostille, except for

- civil status documents of EU member states and of Switzerland as well as
- international multilingual documents (certificates of birth, marriage certificates, death certificates) from: Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, Serbia, and Turkey

For information on the legalization process, contact your competent German mission abroad. They can also provide you with further information on what kind of verification you require when submitting certificates from your home country.

All foreign-language documents are to be accompanied by a translation made by a sworn translator so that there is no doubt that the text has been translated from the original document. Translations made by persons who are not sworn translators will not be accepted.

Please note:

Original documents may be returned upon special request only after the process has been completed. It is recommended to send certified copies only. If, in exceptional cases, the original of a document is needed, you will be asked to submit it.

11. What fees will be charged?

You will not be charged any fees.

Please note, however, that you cannot be reimbursed for any costs you may have incurred in the process (e.g. for the procurement of documents, translations, and certifications), irrespective of whether you are naturalized or are denied naturalization.

12. Note with respect to data protection pursuant to Articles 13 and 14 of the EU General Data Protection Regulation (GDPR)

Pursuant to Section 31 of the German Nationality Act (StAG), the Federal Office of Administration is the citizenship authority for persons abroad and, as such, entitled to collect, store, modify and use personal data insofar as this is necessary to perform its tasks (purpose).

For detailed information on the processing of personal data pursuant to Articles 13 and 14 of the GDPR, please visit the website of the Federal Office of Administration (BVA) dealing with → *Staatsangehörigkeit* and the pages providing further information on the respective procedure. The Data Protection Officer's contact details are also provided there.

13. Contact information

Postal address

Bundesverwaltungsamt
50728 Köln
GERMANY

Internet address

www.bundesverwaltungsamt.de

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Telephone numbers

+49 22899358-4485 or +49 221758-4485 (general information service)
during our service hours Monday to Thursday 8:00 a.m. - 4:30 p.m. and Friday 8:00 a.m. - 3 p.m.

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