

## **How to obtain citizenship**

Under which conditions you may obtain citizenship of a country differs greatly. Each nation is completely free to set their own laws and regulations. In practice there are the following methods to obtain citizenship:

- by birth (Jus sanguinis / Jus soli) or adoption
- by descent or registration due to ancestors
- by naturalization, declaration or grant (for long-term residents, due to marriage, for distinguished persons, through investment schemes, ...)

Note that the exact terms that describe these methods may differ from country to country. For example, 'by descent' often refers to a child's ordinary Jus sanguinis inheritance of citizenship from his or her parents at birth. I only use it to describe the potential inheritance or registration of citizenship from ancestors other than parents. In this way, there is a clearly defined category that represents the most common method to obtain citizenship: by birth. Here, we have to differentiate between the two main methods of determining who becomes a citizen at birth: Jus sanguinis and Jus soli.

Jus sanguinis is latin for 'right of blood' and means that the citizenship of the child is determined by the citizenship of the parents. In most nations, this is the main way of bestowing citizenship, and every country practices some form of it. The only exception is Vatican City. There are different things to consider in every nation as their legislation is distinct, but this essentially means:

If your child is born in a country you hold citizenship in, it is guaranteed to receive that citizenship. If your child is born in a country you do not hold citizenship in, it acquires your citizenship automatically in most of the cases. There are some

exceptions to this, where you have to request citizenship for your child within a certain timeframe, have to fulfill certain residence requirements, be a natural-born citizen yourself or other regulations. However, if your child is born in a foreign country this may grant him or her an additional citizenship if that country practices some form of Jus soli.

If a child has parents with differing or multiple citizenship, it will usually receive all of these citizenship at birth - if that is what the laws of the affected countries provide and allow. Transmission of citizenship is usually automatic. That means you, your parents or grandparents could have additional citizenship without even knowing it. Most likely an unknown or unintended citizenship was lost at some point on the way, but if you know for a fact that some of your direct ancestors did have another citizenship that you do not currently hold, it is very much worth having a look whether you could be entitled to this citizenship as well.

Jus soli is latin for 'right of soil' and means that the citizenship of the child is determined by the place it was born in. Common throughout the former British Empire but severely restricted in most places, today it is still practiced in almost all of North and South America and some other countries around the world. There are three forms of Jus soli you should know about:

- Unconditional Jus soli
- Conditional Jus soli
- Double Jus soli

Unconditional Jus soli is practiced in 29 nations, for example Argentina and Panama. This means a mother could never have been to the country and possibly just enter a week before and leave a week after birth on a tourist visa, it would be enough to give the child citizenship of these countries. The usual exception to the principle of Unconditional Jus soli are children

born to people in service of a foreign government, for example the children of foreign embassy officials, or children of parents that hold citizenship in an enemy country in times of war. Fears about birth tourism or mass immigration are the main reasons why this principle was abolished or restricted in most countries. However, notably Canada and the US are still practicing it in its unconditional form. In case of the US, Republican politicians have tried to limit Jus soli citizenship to permanent residents for decades, thus denying US citizenship to children of illegal immigrants, people on limited visa, tourists and all other non-residents. However, all of these attempts failed so far. The US currently has gone over to executive measures and instead makes sure women from certain countries, most notably China, simply can not enter the US at all if they are pregnant, by denying visa and limiting their entrance. But at least women eligible under the visa-waiver program are usually not denied entry even when pregnant, so entering the US for the purpose of birth tourism is still possible in many cases, albeit under increased scrutiny. Just remember this also subjects your child to worldwide taxation due to US citizenship as well as unwanted attention in some parts of the world, which is not really the nicest of gifts you could make to a newborn.

Conditional Jus soli applies further restrictions to this principle through residence requirements. For example, the United Kingdom abolished Unconditional Jus soli in 1981 - by introducing a condition. A child born in the UK to foreign parents is only granted UK citizenship if one parent is a permanent resident (which you become in the UK after living in the country for 5 years), or at age 10 at the latest if the child has been a continuous resident in the UK since birth.

Double Jus soli is a special form that may be unconditional or conditional. It means that citizenship is granted to a child born in the country when one of the parents was also born in the

same country. It was originally intended to make sure that at least third-generation immigrants automatically receive citizenship. Some countries have residence or other requirements attached to this principle, but some do not. If for example you really wanted your grandchild to become a Luxembourgian (provided this specific provision remains intact in the next decades), all you have to do is make sure your child is born in Luxembourg and the child of your child is as well. That would entitle your grandchild to Luxembourgian citizenship even though his parents and grandparents may never have actually lived in the country.

For the rare cases where a child is born on a ship in or a plane above international waters, it may still be able to get a Jus soli citizenship if the ship or plane is registered in a country that provides for this case in their legislation. More common is a birth in national waters or airspace that usually count as an ordinary part of a country, and thus legislation regarding Jus soli citizenship is in effect there even if the child is not born on solid ground.

Since the citizenship of parents, grandparents or even further ancestors as well as the place of birth may all be relevant, it is totally possible, by chance or deliberate planning, that a child gets 2, 3, 4, 5, 6, 7, 8 or even more citizenship directly at birth - if the laws of the affected countries interact in a way that makes this possible and all allow multiple citizenship.

Citizenship by adoption is not further explored in this book. Adopting minors always grants them the citizenship of the adopter, at least after a few years. Adopting other adults, which is possible in some countries, does not grant them citizenship. The potential for misuse is obvious and this does not work in any country as far as I am aware.