

# Acquisition of citizenship in Luxembourg



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# **1. Citizenship acquisition procedures in Luxembourg**

**Modified Law of 8 March 2017 on Luxembourgish nationality**

## **1) Ordinary naturalisation**

Acquisition after birth by first generation migrants that did not previously hold the citizenship

## **2) Option**

For persons with a particularly close link to Luxembourg

## **3) Reclamation**

For persons who lost Luxembourgish citizenship and wish to reclaim it

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## 1) Ordinary naturalisation (main conditions)

- **Period of residence of 5 years** (last year must be uninterrupted)
- **Language proficiency test** (spoken test A2; listening test B1)
- **Choice between citizenship course or citizenship test**  
« Living together in the Grand Duchy of Luxembourg » →
- **Good conduct**

### Modules

- 1) Fundamental rights of citizens (6h)
- 2) State and local institutions of Luxembourg (12h)
- 3) History of Luxembourg and European Integration (6h)

## **Not taken into account / not required**

- Economic or housing situation of the applicant
- No legal or symbolic commitment to certain values or norms
- No formal pledge of allegiance

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## 2. Option

- **Simplified and accelerated form of naturalisation**

waivers for conditions for some of the options + shorter processing time

- **10 specific cases:**

- adults with a parent, adoptive parent or grandparent who is or was Luxembourgish
- persons over the age of 12 who were born in Luxembourg
- adults having completed 7 years of schooling in Luxembourg
- adults residing legally in Luxembourg for at least 20 years
- adults with stateless person, refugee or subsidiary protection status
- (...)

For more information on each of the 10 specific cases:

<https://guichet.public.lu/en/citoyens/citoyennete/nationalite-luxembourgeoise/acquisition-recouvrement/option.html>

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No residence period required

## 3. Reclamation procedure

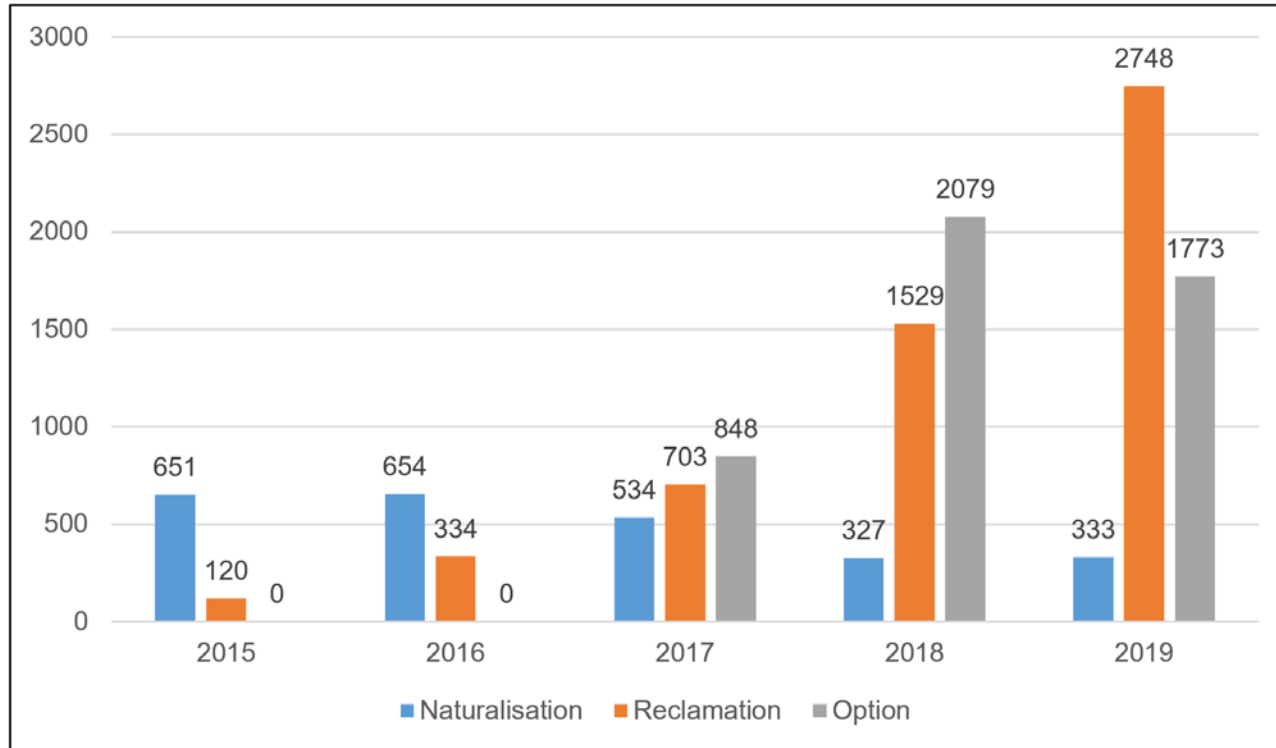
- Direct descendants of an ancestor who held Luxembourgish citizenship on 1 January 1900, where the latter or one of their descendants lost this citizenship
  - transitory measure (introduced in 2008)
  - deadline of 31 December 2018: submission of the request
  - deadline of 31 December 2021\*: signing of the declaration (in person in Luxembourg)
- Adults who have lost Luxembourgish citizenship
- Women who have lost Luxembourgish citizenship as a result of having acquired the citizenship of their husband through marriage

\* Initial deadline of 31 December 2020 was extended due to Covid-19

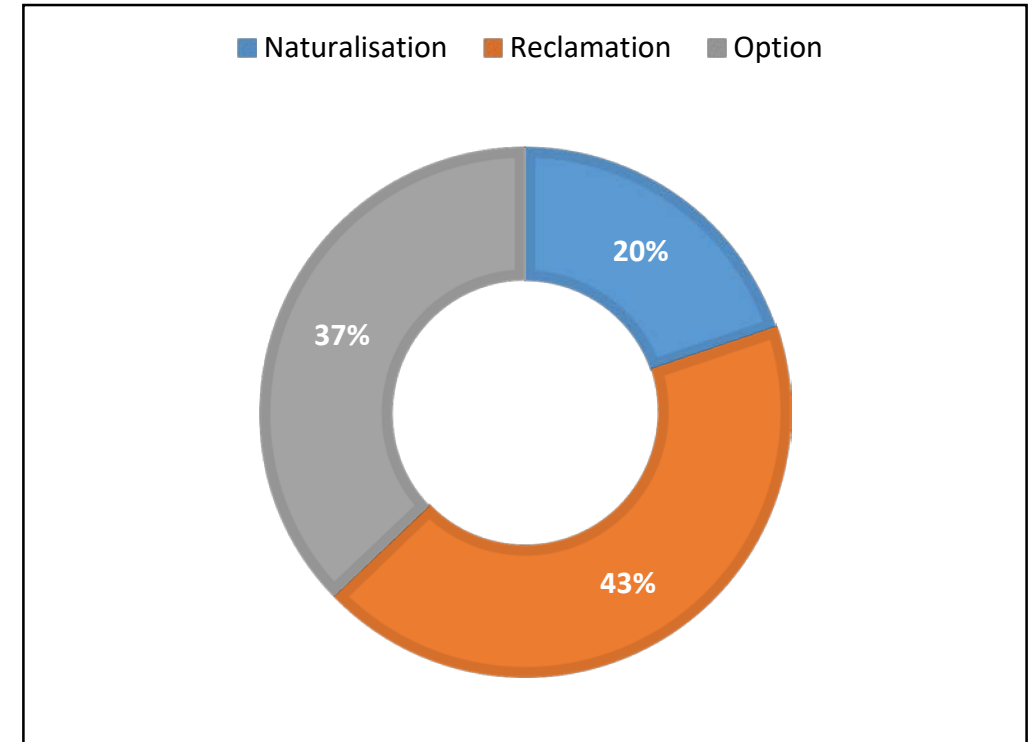
For more information on the reclamation procedure:

<https://guichet.public.lu/en/citoyens/citoyennete/nationalite-luxembourgeoise/acquisition-recouvrement/recouvrement.html>

# 1. Most common procedure for third-country nationals (2015-2019)



Source: Ministry of Justice © EMN Luxembourg



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## 2. Legislative changes

### **Law of 23 October 2008 on Luxembourgish nationality (abrogated)**

- Introduction of the principle of multiple citizenships
- Abolition of the option procedure
- Introduction of the reclamation procedure for descendants of an ancestor who held Luxembourgish citizenship on 1 January 1900
- Residence period increased from 5 consecutive to 7 consecutive years

## **2. Legislative changes**

### **Law of 8 March 2017 on Luxembourgish nationality**

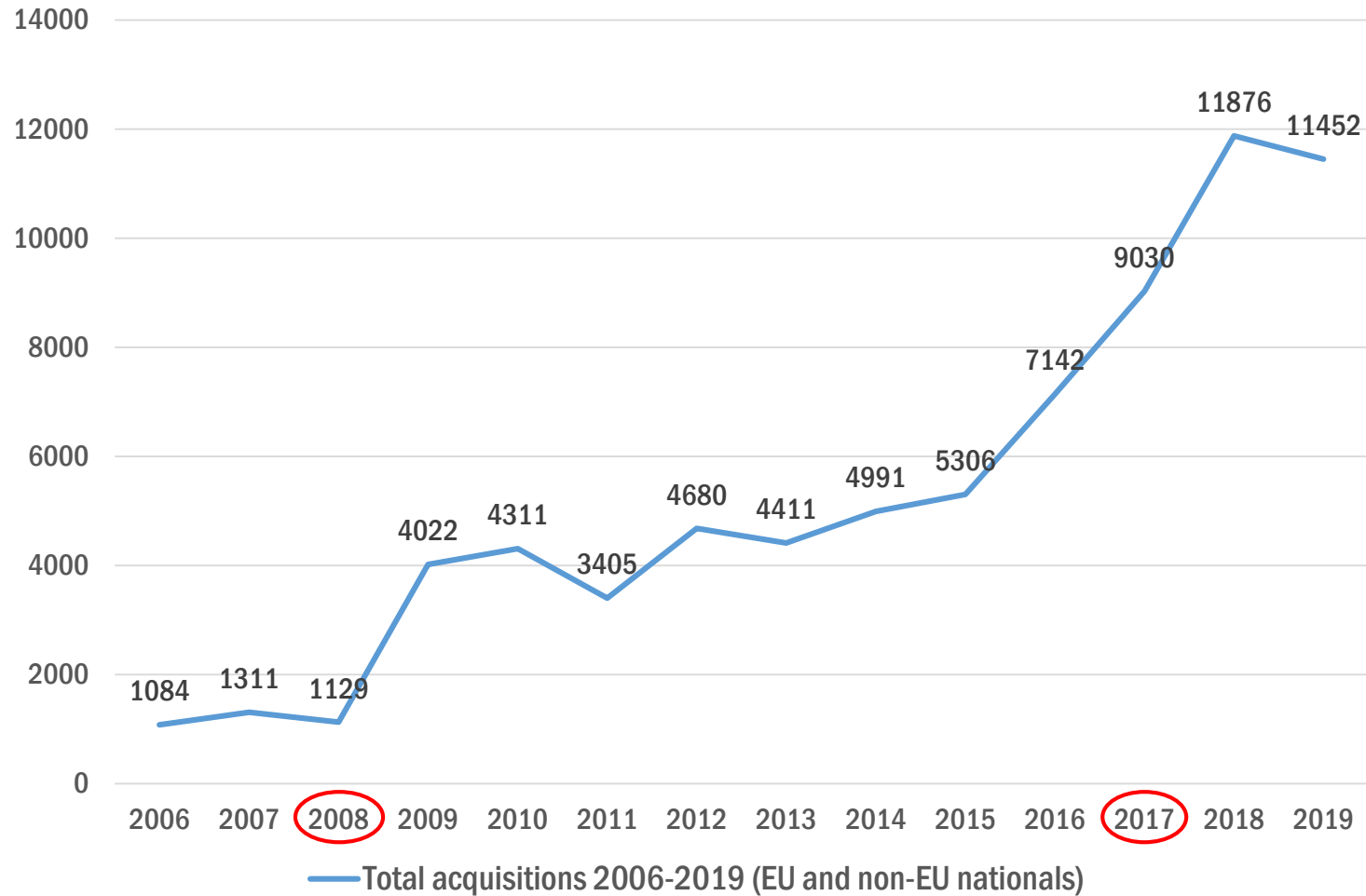
#### **Main drivers for a new Nationality Law**

- a) Promote societal and political integration of non-Luxembourgish nationals
- b) Demographical situation of the country
  - High share of foreign resident population (45,9% in 2015; 46,7% in 2016)
  - high yearly net migration
- c) Acceleration and simplification of applications
- d) Referendum of 7 June 2015 (Constitutional reform)

<b><u>Legislative change</u></b>	<b><u>Main driver</u></b>
Residence period → brought back to 5 years (last year uninterrupted)	Period of 7 years considered too long + periods of residence abroad should no longer reset the counters to zero
Adjustments to the language requirements → successful completion of spoken test (A2) sufficient	Prevent the language becoming an insurmountable obstacle
Increase of number of required hours of citizenship course → from 6 to 24 hours	Length of the course insufficient to teach the various elements of the course
Reintroduction of the option procedure	Simplified and accelerated form of naturalisation



## 2. Did the legislative changes have an effect on the number of acquisitions of citizenship in Luxembourg?



# 3. Public Debates

- **Acquisition of Luxembourgish citizenship, Luxembourgish identity and Luxembourgish language proficiency regularly subject to debate in the media and the general public**  
(not focused on third-country nationals)
- **Referendum of 7 June 2015 (consultative) proposed by the three governing parties**
  - **1 of 3 questions concerned the possible extension of voting rights for non-Luxembourgish residents in parliamentary elections**

<b>Luxembourgish citizenship as primary condition for the right to vote?</b>	<b>Decouple Luxembourgish citizenship from the right to vote? → residence-based citizenship?</b>
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- **One of the conditions:**
  - **Required residence period of 10 years (compared to 7 years for citizenship in 2015)**

### 3. Public Debates

- **Some political forces, including the main opposition party, proposed a reform of the citizenship law as an alternative to the referendum question**
  - acquisition of Luxembourgish citizenship, and in particular the language requirement, were subject of a larger controversial public debate between:
    - those advocating for (more) strict criteria for the Luxembourgish language requirement;
    - those arguing for less stringent criteria → avoid exclusion due to insufficient knowledge of the language
- **Result of the referendum question on voting rights: No = 78,02% (all 3 questions rejected)**
- **Political debate continued in the aftermath of the referendum**
  - seeking of a consensus of the governing parties with the parliamentary opposition



Law of 8 March 2017 on Luxembourgish nationality

# THANK YOU!

## For more information:

- EMN Luxembourg Study “Pathways to citizenship for third-country nationals in Luxembourg”
- EMN Synthesis Report Study “Pathways to citizenship for third-country nationals in the EU”
- EMN Luxembourg Annual reports on Migration and Asylum (ARM)
  - ARM 2015 → for more information on the referendum of 2015
  - ARM 2016 and ARM 2017 → for more information on the reform of the nationality law
- [Guichet.public.lu](https://www.guichet.public.lu) (official Government portal)
- [Website of the Ministry of Justice](https://www.justice.gov.lu) (responsible authority)

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