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Requirements for acquiring a Swiss passport



Photo: Bildagentur Baumann

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Swiss citizenship is currently granted based on descent or through naturalisation. The following article

provides a brief insight into the main legal provisions for facilitated naturalisation.

Naturalisation in Switzerland

The requirements for statutory naturalisation in Switzerland are more difficult to meet than those in other European countries. Due to Swiss naturalisation criteria, only a small proportion of foreign residents in Switzerland acquire a Swiss passport.

According to a report by the Federal Office of Statistics on naturalisation in Switzerland over the last 20 years, 244,040 changes of citizenship were registered between 1981 and 1998. Of the 1.5 million foreigners living in Switzerland in 1999, 20,400 or 1.5 percent acquired Swiss citizenship.

Many members of EU states choose not to apply for a Swiss passport. One of the main deciding factors is whether or not the country of origin permits dual citizenship. Higher naturalisation statistics are recorded in the case of persons from politically unstable nations.

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The legal provisions governing naturalisation are covered by the Naturalisation Law of 29 September 1952. A major reform of this law came into force on 1 January 1992, defining a distinction between statutory and facilitated naturalisation processes.

In the case of facilitated naturalisation, the government is solely responsible for the decision. Prior to this the canton is consulted and, along with the community, has right of appeal. Normally the process is simpler than the statutory procedure. Under defined legal conditions, the following persons can take advantage of facilitated naturalisation: non-Swiss persons married to Swiss as well as children of a Swiss parent who do not yet have Swiss citizenship.

Spouses

Since 1992 the non-Swiss wife of

a Swiss is no longer automatically granted Swiss citizenship on marriage. On the other hand, a Swiss woman resident abroad who marries a non-Swiss no longer loses her Swiss citizenship.

The spouse of a Swiss Abroad can apply for facilitated naturalisation if, for six years or more, he or she has been married to and co-habiting with a Swiss citizen and has had close connections with Switzerland.

The criterion of close connections with Switzerland is, for instance, fulfilled if the following conditions are met:

- Regular holidays spent in Switzerland
- Close contacts with Swiss Abroad associations
- Close relationships with persons living in Switzerland (especially with the Swiss spouse's relatives and acquaintances)



- Ability to make oneself understood in a Swiss national language or Swiss dialect

Birth abroad

According to the Swiss naturalisation law, the child of a Swiss woman or of a Swiss man married to a non-Swiss mother is automatically granted Swiss citizenship. (Exception: if the mother has acquired Swiss citizenship through a former marriage and is married to the non-Swiss father of the child.) It is important that every child born abroad and already in possession of another citizenship applies in person or writes to a Swiss authority in Switzerland or abroad before reaching age 22 to declare his or her intention of retaining Swiss citizenship, since this will otherwise be withdrawn.

Children of a Swiss father who is not married to the non-Swiss mother are entitled to facilitated naturalisation if they are recognised by the father before reaching majority age, are no older than 22, and fulfil one of the following conditions:

- They must have been living in Switzerland for at least one year
- They must have been living with their father in the same household for at least one year
- They must be able to prove a permanent close personal relationship with the father
- They must be stateless

If the Swiss father marries the non-Swiss mother after the birth of the child, the child automatically acquires Swiss citizenship if under minority age.

Deadline 1 July 1985

Generally speaking, a child born before 1 July 1985 of a Swiss mother married to a non-Swiss could not automatically acquire Swiss citizenship according to the law of the time.

On reaching age 32, a person can apply for facilitated naturalisation if living in Switzerland. If they are older than 32, they can apply for facilitated naturalisation if they have lived in Switzerland for a total of three years and have been resident in Switzerland for one year directly prior to application.

Irrespective of age, a child of a Swiss woman presently living abroad or who has lived abroad can apply for facilitated naturalisation if he or she has close connections with Switzerland. See above for the definition of "close connections".

Dual citizenship

Since 1992 Swiss law permits non-Swiss to acquire Swiss citizenship

Changes of address

Please not to Berne

You should notify changes of address to your Swiss embassy or consulate only. Your diplomatic post alone is responsible for processing the addresses of our compatriots abroad and for distributing "Swiss Review".

By doing this you will help us to reduce the time-consuming research work which the Service for the Swiss Abroad has to carry out after publication of each issue because of the large number of wrongly addressed "Swiss Review" copies which are returned.

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and simultaneously retain their original citizenship. However the same is not always granted in reverse and depends on the prevailing law in the state of origin. Only the authorities of the state of origin can provide binding information on this topic.

Procedure

Application forms for naturalisation are available from Swiss representatives. The Federal Aliens Office decides on facilitated naturalisation after consulting the canton in which the applicant has his or her domicile community.

Since the last revision of the naturalisation law the annual

number of applications has risen dramatically. This sharp rise has led to backlogs at government as well as cantonal level. The duration of the procedure depends on the type of naturalisation as well as the cantons participating in the process.

For questions concerning naturalisation, particularly on special cases, contact the relevant Swiss representatives abroad or the Service for the Swiss Abroad, Bundesgasse 32, CH-3003 Berne. They also provide information pamphlets on naturalisation for spouses or children.

Patricia Messerli, Service for the Swiss Abroad EDA



Current popular initiatives

The following popular initiatives are still open for signature:

"For a minimum basic insurance at affordable health insurance premiums ('mini-Max' Initiative)"

(until 9 July 2002)

Federal Democratic Union, EDU, National Councillor Christian Waber, c/o Central Secretariat, PO Box, CH-3607 Thun

Swiss Abroad statistics for 2000

At the end of June 2000, 580,396 Swiss were registered at Swiss embassies and consulates around the world. Compared with the end of June 1999 this represents an increase of 7,439 persons (or 1.3 percent) divided into 693 "Swiss-only" and 6,746 of dual nationality.

405,921 Swiss Abroad (69.9 percent) are dual-nationality and

345,208 (59.5 percent) live in EU countries (see table). Outside Europe, most Swiss Abroad live in the USA (67,929).

72,854 of Swiss Abroad of voting age have registered with Swiss embassies and consulates to exercise their voting rights. This constitutes 16.55 percent of the 440,325 potential voters.

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The Fifth Switzerland in the EU

| | |
|--------------|----------------|
| Austria | 12,421 |
| Belgium | 6,579 |
| Denmark | 2,572 |
| Finland | 1,212 |
| France | 151,037 |
| Germany | 67,728 |
| Greece | 2,776 |
| Ireland | 1,222 |
| Italy | 41,140 |
| Luxembourg | 861 |
| Netherlands | 6,624 |
| Portugal | 2,569 |
| Spain | 19,239 |
| Sweden | 4,185 |
| UK | 25,043 |
| Total | 345,208 |