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Pathways to citizenship for third-country nationals in EU Member States

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Elaboration of the study was conducted by the International Organization for Migration (IOM) Bratislava as the coordinator of the EMN National Contact Point for the Slovak Republic. The Slovak EMN National Contact Point comprises of the Ministry of Interior of the Slovak Republic (the Bureau of Border and Foreign Police of the Police Force Presidium, the Migration Office, the Department of Foreign and European Affairs of the Office of the Minister of Interior), the Ministry of Labour, Social Affairs and Family of the Slovak Republic (the Department of International Relations and European Affairs), the Statistical Office of the Slovak Republic (the Section of Social Statistics and Demography) and IOM.

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Preface

The study aims to map and compare various ways of acquiring citizenship for third-country nationals in the Member States. The study follows the process, conditions and requirements related to the acquisition of citizenship through naturalisation (i.e. the length of regular stay, language proficiency, economic situation, etc.), function and the role of citizenship in the state, as well as the administrative procedure leading to determining an individual's entitlement to acquire citizenship. The study also maps the possibilities of dual (or multiple) citizenship. The study covers the years 2014-2019. Statistical data regarding the numbers of people acquiring citizenship in a Member State covers the period 2014-2018.

The national contribution from Slovakia was drafted by the International Organization for Migration (IOM), which serves as an EMN Coordinator in the Slovak Republic.

In terms of methodology, the study was prepared based on secondary sources: legislative and strategic documents, academic sources, studies, media outputs and internet websites of relevant institutions. The Ministry of Interior of the Slovak Republic (MoI SR), Department of Citizenship of the Public Administration Section was approached with a request to provide materials, supplementary information and statistics necessary for the preparation of the study. Other entities, such as the Ministry of Labour, Social Affairs and Family – Department of International and European Affairs, Association of Towns and Communities of Slovakia and the Migration Information Centre of the International Organisation for Migration (IOM) were also consulted. Apart from the above, the Department of Citizenship of the Public Administration Section of MoI SR, Bureau of the Border and Foreign Police of the Police Force Presidium also submitted their comments.

Based on the questionnaires from each EU Member State, the European Commission prepared a synthesis report covering the main findings from the Members States. The questionnaire form of the study from the Slovak Republic as well as the synthesis report are available on the Slovak EMN National Contact Point website www.emn.sk.

List of abbreviations

Coll. – Collection of Laws of the Slovak Republic

EC – European Commission

EMN – European Migration Network

EU – the European Union

IOM – International Organization for Migration

MoI SR – Ministry of Interior of the Slovak Republic

MoLSAF SR – Ministry of Labour, Social Affairs and Family of the Slovak Republic

SR – Slovak Republic

Summary

The European Migration Network (EMN) study on *Pathways to citizenship for third-country nationals in EU Member States* was commissioned by the EMN Steering Board within the scope of the Work Programme 2019. The study is prepared by each EU Member State using a common specification – questions listed in the text below. Based on the national reports submitted, European Commission (EC) will draft a synthesis report summarising the main findings from individual Member States.

The study target group comprises third-country nationals who came to the Member State as the so-called “first generation” of migrants and have acquired citizenship of an EU Member State, i.e. the second and third generations of migrants should not be included in the study (if possible).

In line with the specification applicable to all EU Member States, the Slovak contribution targets third-country nationals. In this context it needs to be specified, however, that the Slovak legislation concerning acquisition of citizenship applies to all foreigners who are not citizens of the Slovak Republic (hereinafter also referred to as “SR”), i.e. even to EU citizens, equally, and thus all conditions and processes of the procedure are the same for all foreigners.

The first chapter concerns the legislative and policy framework of citizenship of the SR, possibilities for its acquisition, and relevant public as well as parliamentary debates. The main legislative norms governing the conditions and requirements of the state citizenship acquisition are: the Constitution of the SR, Act on Citizenship of the SR and the Decree of the Ministry of Interior of the SR No. 1/2015 on the Granting of Citizenship of the SR on the Grounds of Extraordinary Reasons. This part also briefly discusses legislative changes occurring in the period of years 2014-2018, with the two latest amendments to the Act dated in the 2018-2019 period concerning mainly with the reduction of administrative and bureaucratic burdens. The chapter also explains basic principles that the concept of citizenship relies on in the SR, namely the combination of the *ius soli* and *ius sanguinis* principles in the sense of using the advantages of both principles while correcting the shortcomings of the main principle by the application of the subsidiary principle as a supporting one. Currently, citizenship of the SR can be acquired by birth, by adoption or by granting. This study concerns only the last of the above-mentioned ways of acquisition of citizenship – by granting. Acquisition of citizenship of the SR is not a priority topic of parliamentary, media or public debates. The topic resonated mainly in connection with the loss of Slovak citizenship due to the acquisition of a foreign country citizenship by an explicit expression of a person’s will in relation to dual citizenship.

The second chapter introduces eligibility conditions and criteria of the granting of citizenship of the SR as stipulated by the Act on Citizenship of the SR. Citizenship can only be granted to a person complying with the criteria, i.e. he/she has had permanent residence in the territory of the Slovak Republic for at least 8 consecutive years prior to his/her submission of an application, he/she has a clean criminal record and has not been sentenced to expulsion by a court; he/she is not under current criminal prosecution, he/she is not under proceedings of administrative expulsion or proceedings on the withdrawal of his/her asylum status, he/she is not under extradition proceedings and a European arrest warrant has not been issued against him/her; he/she has demonstrated his/her command of the Slovak language both in its oral and written form and he/she complies with all the obligations defined by the law. The Act defines exemptions from these criteria applicable to some categories of individuals, e.g. to persons granted asylum, spouses of Slovak citizens or to some categories of minors, etc.

The third part concerns procedural matters of the application for granting citizenship of the SR procedure, including appeals against a decision, and relevant periods and fees. The actual procedure commences by the submission of the application for granting citizenship of the SR in person at the District Authority at the regional seat (Department of General Internal Administration) or at a diplomatic mission or consular office of the Slovak Republic. The procedure ends by the taking an oath of the Slovak citizenship and by receiving a Certificate on the Granting of Slovak Citizenship, or on the day of entering into effect of the decision on the refusal to grant citizenship. The social and economic situation of an applicant as well as the public interest and, especially, security aspects are taken into consideration during the application examination process. The Ministry of Interior of the SR decides on the basis of an absolute discretion. There is no legal right for granting of citizenship of the SR. The Ministry of Interior of the SR shall decide on the application for granting citizenship of the SR not later than within 24 months from its filing. However, this period shall not run during the periods of delivering of opinions of the relevant state authorities requested by the administrative body, necessary for the decision in the matter. The most frequently grounds for refusing to grant of citizenship include insufficient command of the Slovak language, existence of an entry in the applicant’s criminal record, insufficient duration of

permanent residence, etc. Applicants have the right to lodge an ordinary legal remedy – a remonstrance – against a not yet final decision on rejecting the application for granting citizenship of the SR within the period of 15 days from receiving such decision. The fee for granting of Slovak citizenship to a person over the age of 18 is EUR 700.

The fourth part concerns dual citizenship. In general, Slovak legislation allows dual citizenship. There are, however, particular conditions, defined by the law, which may lead to the loss of Slovak citizenship under specific circumstances. It follows that dual citizenship is not prohibited and a person is not obliged to renounce his/her original citizenship in order to acquire citizenship of the SR (with the exception of citizens of the Russian Federation). However, if a person voluntarily acquires a foreign citizenship based on an explicit manifestation of his/her will, he/she shall automatically lose his/her Slovak citizenship as of the day of such acquisition. A person losing his/her Slovak citizenship in such way is obliged to notify the District Authority at the regional seat of this fact. The Act on Citizenship stipulates two exceptions to this rule – if a person acquires foreign citizenship in connection with conclusion of marriage with a foreign citizen or at birth.

The fifth part concerns citizenship within a context of integration, support provided to “new” citizens, differences in the rights of Slovak citizens and foreigners with permanent residence permits in the territory of the SR, and the integration of new Slovak citizens in the labour market. Acquisition of citizenship of the SR is considered a completion of the foreigners’ integration process in the SR. Within the Integration Policy of the Slovak Republic, the SR supports foreigners’ integration process, seeks to create the most suitable conditions for their lives in the territory of the SR and, subsequently, to facilitate their lives as naturalised citizens. As a naturalised citizen of the SR, a person gains more rights mainly in the field of civil rights (having complied with all basic requirements stipulated by the law, they have passive and active electoral rights to the National Council of the SR, presidential elections and European Parliament elections), while foreigners with a registered residence in the SR only have the right to vote in the municipal elections (i.e. mayors and municipal council members) and in the elections to the bodies of communal/regional self-government (i.e. regional chairmen and members of regional councils), provided they have a permanent residence in given municipality/district. Once naturalised, they can also apply for state service positions even in the areas which, according to the law, have been reserved only for Slovak citizens.

Based on the available statistical data it can be concluded that the numbers of naturalised foreigners in the SR in the last 5 years remains stable and relatively low. In 2014, the number of persons granted citizenship was 305. In 2015 the number increased to 316 and it remained unchanged also in 2016. In 2017 the number grew to 479, while in 2018 it was 381. Most frequently, the original or first citizenship of the persons granted Slovak citizenship in 2018 was Serbian, Ukrainian or Vietnamese. However, it is not possible to disaggregate the statistical data for individual years based on the means/grounds of granting citizenship of the SR, as such type of data is not collected.

Section 1: Legal and policy overview

Q1. With reference to international law, is your Member State a party to the:

a) 1961 UN Convention on the Reduction of Statelessness?

Yes.

No. Please explain why:

b) 1997 European Convention on Nationality?

Yes.

No. Please explain why:

Q2. Which are the main legal instruments covering the acquisition of citizenship for third-country nationals in your Member State? For example, is the acquisition of citizenship laid out in the constitution?

Please explain in the form of a short, succinct narrative, starting from general principles to application rules. Please provide references to the main relevant laws and (name and date).

The institution of citizenship of the SR is stipulated by the Constitution of the Slovak Republic¹, which includes the following provisions:

Art. 5

(1) Acquisition and loss of citizenship of the Slovak Republic shall be regulated by law.

(2) No one shall be deprived of citizenship of the Slovak Republic against his or her will

Thus, the Constitution of the SR does not specifically regulate citizenship in detail, rather it refers to a specific law, in this case Act of the National Council of the Slovak Republic No. 40/1993 Coll. on the Citizenship of the Slovak Republic, as amended (hereinafter referred to as the "Citizenship Act")². This act provides for the conditions of acquisition and loss of citizenship of the SR, verification of citizenship, as well as the offences concerning citizenship of the SR.³ Enforcement of the Citizenship Act falls within the scope of authority of the Ministry of Interior of the SR.

To ensure a unified approach of various agencies within the jurisdiction of the Ministry of Interior of the SR, a *Decree of the Ministry of Interior of the SR no. 1/2015 on the Granting of Citizenship of the SR on the Grounds of Extraordinary Reasons* was issued. This decree specifies extraordinary circumstances for the granting of citizenship and other reasons in the interest of the SR. Other reasons in the interest of the SR shall mean a fact, the existence of which is of crucial importance for the society, and the consideration of which in terms of the state roles comprises an eligible interest of the SR – it mainly concerns family reunification, health reasons, humanitarian reasons and the fact that the applicant is a former citizen of the SR. The Decree further determines the course of actions applied by relevant bodies in this procedure from the filing of an application to the issuance of the decision.⁴

For the purpose of this study it is important to mention that regarding the rights and obligations of natural persons, the SR applies the so-called dual legal regime based on the legal relationship of the person to his/her state of residence, distinguishing between the persons with a specific legal relationship – citizens of the SR or the persons without such relationship – foreigners who are

¹ The Constitution of the Slovak Republic of 1 September 1992 No. 460/1992 Coll., Art. 5 (1) and (2)

² A constitutional basis for the approval of this special law act, apart from the Constitution of the Slovak Republic, was also the constitutional Act No. 542/1992 Coll. on the Dissolution of the Czech and Slovak Federal Republic.

³ SVÁK J., CIBULKA L., KLÍMA K. Ústavné právo Slovenskej republiky, 2nd edition. Bratislava, BVŠP, 2009, p. 278;

PALÚŠ, I.- SOMOROVÁ, Ľ. Štátne právo Slovenskej republiky. 2nd edition. Košice: UPJŠ, 2008, p. 107

⁴ Source: Decree of the MoI SR No. 1/2015, MoI SR Questionnaire.

citizens of another state (irrespective of whether it concerns citizens of other EU Member States or third-country nationals) or stateless persons.⁵

Q3. Have the laws and policies regarding third-country nationals' acquisition of citizenship in your country undergone any major changes in recent years which significantly changed the procedures or requirements of the acquisition of citizenship? If yes, what have been the main drivers for the change? (e.g. EU /national case law, changes in other aspects of (national) migration law or policy etc.)

Yes.

Please elaborate:

No.

The Slovak Citizenship Act was amended 13 times in total. The two latest amendments to the Act occurring in the period of years 2018-2019 concerned mainly the reduction of administration, digitalization and the passing of the so-called Anti-Bureaucracy Act⁷. The 2015 amendment followed the amendment to the Asylum Act⁸ and introduced only minor changes.⁹

Q4. Have there been any major debates or national issues about third-country nationals holding or acquiring the citizenship of your Member State in recent years? If so, have these debates included the acquisition also of EU citizenship rights (such as right to vote, right to free movement including labour mobility, consular protection and right to protection, etc.)? Please specify in which framework these debates were held (e.g. policy-makers, media, general public).

Yes.

No.

The topic of Slovak citizenship in relation to third-country nationals was not a topic in the centre of political or media debates in the time period in question.

At the parliamentary level, the topic of dual citizenship was open several times.¹⁰ In most cases, however, the debate was connected with the effort to change the amendment to the Citizenship Act from 2010, passed by the National Council of the SR in reaction to the Hungarian amendment to the Act on Hungarian citizenship concerning the simplification of granting dual citizenship to Hungarians living abroad. The last time Slovak MPs deliberated on this topic was in March 2019, when an amendment to the Act in Citizenship of the SR was presented and one of the arguments supporting the abolition of the amendment from the year 2010 concerned the status of Slovaks living in the UK in relation to the expected withdrawal of the United Kingdom of Great Britain and Northern Ireland from the UK (Brexit).¹¹

Q5. From a legal perspective, is there a distinction between nationality and citizenship in your Member State? If so, what are the differences?

Yes.

⁵ PALÚŠ, I.- SOMOROVÁ, L. Štátne právo Slovenskej republiky. 2nd edition. Košice: UPJŠ, 2008, p. 102

⁶ In the framework of this study, the aim is to identify and assess potential changes that may have occurred in the past five years. Please limit your analysis to the 2014-2019 period. However, if important changes occurred in 2013, you can still mention those and explain the impact on the current rules in place.

⁷ Act on Certain Measures for Reducing Administrative Burden Through Use of Public Information Systems and on changes and amendments to some acts.

⁸ Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended, amending some acts.

⁹ E. g. Section 15 (3): Legal acts executed by a public authority or a natural or legal person in the procedure pursuant to this Act shall be exclusively executed in a paper form.

¹⁰ In most cases, however, the debate was connected with the effort to change the amendment to the Citizenship Act from 2010, passed by the National Council of the SR in reaction to the Hungarian amendment to the Act on Hungarian citizenship concerning the simplification of granting dual citizenship to Hungarians living abroad. (Act No. 250/2010 Coll. amending and supplementing the Act of the National Council of the Slovak Republic No. 40/1993 Coll. on Citizenship of the Slovak Republic as amended).

¹¹ Explanatory Report accompanying the Motion by a Group of Members of the National Council of the Slovak Republic on the Issuance of the Act amending and supplementing the Act of the National Council of the Slovak Republic No. 40/1993 Coll. on Citizenship of the Slovak Republic as amended available at: <https://www.nrsr.sk/web/Dynamic/DocumentPreview.aspx?DocID=464105>, (cited on 30 October 2019).

No.

Although Slovak legislation does not contain an explicit definition of the term "citizenship", it is usually understood as a (relatively) permanent and spatially unlimited legal relationship of a natural person to the SR, the content of which comprises a set of mutual rights and obligations stipulated by the Slovak legislation.¹² In this sense, the English terms "citizenship" and "nationality" are considered synonyms.¹³

Q6. Is the acquisition of citizenship in your Member State based on the *ius sanguinis* or the *ius soli* principle, on a mixture of these principles, or on other principles?

- Ius sanguinis*.
- Ius soli*.
- Unconditional *ius soli*.
- Conditional *ius soli*.¹⁴
- Automatic double *ius soli*.¹⁵
- Conditional double *ius soli*.¹⁶

Mixed *ius soli* and *sanguinis*.

The Slovak Republic applies the combination of the *ius sanguinis* and *ius soli* principles in the sense of linking the advantages of both principles and preventing or correcting of the unwanted effects (dual citizenship or statelessness) of the main principle by the application of the other principle as a supporting one.¹⁷

The Act on Citizenship of the SR in its Section 5 (1) stipulates that a child at birth acquires Slovak state citizenship if at least one parent of the child is a Slovak state citizen. A potential negative effect of this principle which could occur (e.g. if the child's parents are unknown or stateless) is remedied by the Act in para 2 of the same section, which determines that the Slovak state citizenship is acquired by a child at birth also if he/she was born in the territory of the Slovak Republic to parents who are stateless or are foreign nationals and this child does not acquire citizenship of either of the parent by birth (e.g. in case the child is born in the territory of the Slovak Republic to parents who are citizens of the state which applies only the *ius soli* principle). Section 5 (2) also stipulates that if it is not proven that the child is a citizen of another state, the child is considered a citizen of the Slovak Republic, if he/she was born in the territory of the Slovak Republic, or he/she was found in the territory of the Slovak Republic and their parents are unknown (unless it is proven that this child acquired citizenship of another state by birth).¹⁸

Other.

Q7. In which modes can third-country nationals acquire the citizenship of your Member State? (see also the statistical annex)

By ordinary naturalisation.

At present, citizenship of the SR can be acquired by birth, by adoption or by granting. All of these fall under the umbrella term "ordinary naturalisation" and are considered standard individual means of acquiring citizenship. For the purpose of this study, the most relevant way of citizenship of the SR acquisition is by granting (pursuant to Section 7 of the Slovak Citizenship Act).¹⁹

¹² SVÁK J., CIBULKA L., KLÍMA K. Ústavné právo Slovenskej republiky, 2nd edition. Bratislava, BVŠP, 2009, p. 271, IOM Migration information centre, State citizenship of the SR.

¹³ In Slovak context, however, the term "nationality" is sometimes incorrectly translated as [a Slovak equivalent of] "ethnicity" and not as citizenship.

¹⁴ This means that certain conditions have to be fulfilled, e.g. minimum period of residence in the country of the parents.

¹⁵ This means that children born in the country to foreign citizens can automatically acquire citizenship at birth if at least one of their parents was also born in the country

¹⁶ This means that children born in the country to foreign citizens can acquire citizenship at birth if at least one of their parents was also born in the country under certain conditions, e.g. minimum period of residence for parents.

¹⁷ PALÚŠ, I.- SOMOROVÁ, L. Štátne právo Slovenskej republiky. 2nd edition. Košice: UPJŠ, 2008, p. 108

¹⁸ Section 5 (1) and (2) of Act No. 40/1993 Coll. on the Citizenship of the Slovak Republic as amended.

¹⁹ PALÚŠ, I.- SOMOROVÁ, L. Štátne právo Slovenskej republiky. 2nd edition. Košice: UPJŠ, 2008, p. 110

- By special naturalisation (e.g. based on considerations such as historical / ethno-cultural considerations, for political or other discretionary reasons, investment scheme). *Please explain, briefly outlining the different types of special naturalisation available in your Member State:*
- By declaration/notification.
- Other (e.g. reinstatement of former citizenship). *Please explain, briefly outlining any other modes of naturalisation not covered above:*

Q8. What is the most common / frequent way from those mentioned above for third-country nationals to acquire citizenship in your Member State?²⁰ (see also the statistical annex)

The most common way for third-country nationals to acquire citizenship is by granting (naturalization). However, it is not possible to disaggregate the data into the categories listed in the statistical annex no. 1.2 as these are not available.

Section 2: Conditions and requirements for the acquisition of citizenship after birth through ordinary naturalisation

In cases where citizenship is not acquired at birth, what are the requirements and conditions that third-country nationals have to fulfil to obtain citizenship of your Member State? *Please provide a brief overview of the conditions and requirements. Further details are to be provided in the subsequent questions.* ²¹

In case of the acquisition of citizenship by grant (naturalization), an applicant must submit the application for granting of Slovak citizenship in person and comply with all requirements stipulated in the Act on Citizenship of the SR.

No entitlement exists to the granting of citizenship of the SR, not even after the fulfilment of all conditions stipulated by law. This means the MoI SR may reject the application.

Under Section 7 of the abovementioned Act citizenship can be granted to an applicant who is not a citizen of the SR and:

- has had permanent residence in the territory of the Slovak Republic for at least 8 consecutive years directly prior to submitting his/her application for the granting of Slovak citizenship;
- has a clean criminal record²²;
- has not been sentenced to expulsion by a court judgment;
- is not under current criminal prosecution;
- is not under extradition proceedings or a European arrest warrant has not been issued against him/her;
- is not under proceedings of administrative expulsion;
- is not under proceedings on the withdrawal of his/her asylum status;
- has demonstrated command of the Slovak language both in oral and written form and general knowledge on the Slovak Republic²³;

²⁰ Please note that statistics on the number of third-country nationals who have acquired the citizenship of your country each year between 2014-2018, differentiated by the grounds of acquiring citizenship are requested in the Statistical Annex.

²¹ Please note that the questions below only refer to cases when the primary grounds of acquisition of citizenship is through ordinary naturalisation (i.e. the legal process whereby a third-country national who is legally present on the territory of a Member State may acquire citizenship of an EU Member State. A new migrant is described as a third country national who does not have a pre-existing historical tie with the Member State (ethnic, family, historical). The conditions and requirements in place for second- or third-generation migrants and those migrants with special (e.g. ethnical or linguistic) ties to the country are not covered.

²² For the purpose of this Act, a person with clean criminal record shall not mean a person who was finally convicted of an intentional crime and less than five years have lapsed from the conviction erasure; whose criminal prosecution for an intentional crime was finally conditionally stayed and less than five years have lapsed from the expiration of the probationary period; whose criminal prosecution for an intentional crime was stayed by a court judgment concerning the approval of settlement or by a prosecutor's decision on the approval of settlement and less than five years have lapsed from the entering into force of said decision.

- complies with the obligations arising from the legal regulations governing: the stay of foreigners in the territory of the Slovak Republic, public health insurance, social insurance, old-age pension insurance, taxes, deductions, fees, employment of foreigners and other obligations of foreign nationals arising from the legal system of the Slovak Republic.²⁴

Information on the documents to be submitted with the application for the granting of citizenship is provided in Q24.

Section 2.1 Eligibility

Period of residence

Q9. After how many years or months of (interrupted/continuous) residence in your country can a third-country national acquire the citizenship of your Member State?

As stipulated in the Act on Citizenship of the SR, Slovak citizenship can be granted to an applicant who is not a citizen of the SR and has had permanent residence (in accordance with the Act on Residence of Aliens) in the territory of the Slovak Republic for at least 8 consecutive years directly prior to submitting his/her application for the granting of Slovak citizenship. Exemptions from said conditions are defined in the Act, accommodating some groups of migrants, such as spouses of a Slovak citizen, persons granted asylum or persons representing a significant benefit for the Slovak Republic²⁵ (more information is provided in Q10).

Q9a: Is this period of residence based on legal residence (i.e. registration at the city hall or in a population registry) or is habitual residence (e.g. proved by house rental, school attendance, tax reports) in the Member State also counted?

Legal residence required.

This period of permanent continuous residence in the territory of the Slovak Republic is calculated on the basis of the granted legal residence permit. Habitual residence proven by a house rental or a tax report does not form the grounds for determination of continuous permanent residence in the territory of the SR. The abovementioned documents only have a supporting function.

- Presence in the country sufficient
- No residence / presence in the Member State is required and citizenship is granted upon entry (e.g. investor schemes).
- Other.

Q9b: Is this period of residence based on effective residence (i.e. physical presence for a regular and extended period in the territory) or is holding a residence permit for the required timeframe sufficient?

Yes, physical presence necessary.

Permanent residence in the territory of the Slovak Republic for at least 8 consecutive years directly prior to submitting his/her application with the assumption that a person actually resides in the territory of the SR forms one of the conditions for the granting of Slovak citizenship. The MoI SR may request other documents proving this fact, e.g. confirmation of employment, confirmation that the applicant is registered with the Labour Office as a job seeker, confirmation of the filing of a tax report, etc.²⁶

²³ This does not apply to an applicant who has made a significant contribution for the benefit of the Slovak Republic in the field of economy, science, technology, social affairs, culture or sports; or who was released from the state union with the Slovak Republic at his/her own request and has had permanent residence in the territory of the Slovak Republic for at least two consecutive years directly prior to submitting his/her application for the granting of Slovak citizenship. This too does not apply to an applicant who has not reached the age of 14 at the time of submitting the application.

²⁴ Granting of citizenship of the SR. Ministry of Interior of the SR, available at: <https://www.minv.sk/?udelenie-statneho-obcianstva-slovenskej-republiky>, (cited on 28.10.2019), Section 7 of the Act on Citizenship of the SR as amended.

²⁵ IOM Migration information centre, Citizenship of the SR, more information available at: <https://www.mic.iom.sk/sk/obcianstvo/podmienky-na-udelenie-statneho-obcianstva-sr.html>, (cited on 28.10.2019).

²⁶ Section 8 (3) (i) of the Act on Citizenship of the SR as amended.

- No, holding a permit is sufficient.
- Other:

Q9c: What proof (e.g. documentary evidence) is required to demonstrate that the minimum period of residence has been met?

Permanent residence in the territory of the Slovak Republic for at least 8 consecutive years directly prior to submitting of an application shall be proven by a document confirming applicant's residence in the territory of the SR issued by the appropriate police department.²⁷

Q9d: Can the period of residence be interrupted? If yes, how long can this interruption last?

- Yes.
- No
- Other:

Pre-existing legal residence status

Q10. What pre-existing legal residence status of the citizenship applicant is accepted?

Please also indicate for how long each of the given legal statuses has to be held in order for the third-country national to be able to acquire the citizenship of your country. For temporary permits, please indicate to what extent the number of years the third-country national possesses such a permit count towards being granted access to citizenship.

- Permanent residence permit. Number of years to get this permanent status and number of years necessary to hold it for citizenship acquisition:

An applicant is obliged to prove he/she has had permanent residence in the territory of the Slovak Republic for at least 8 consecutive years directly prior to submitting his/her application by a document confirming the applicant's residence in the territory of the SR issued by the appropriate Police department.

Under the Act No. 404/2011 Coll. on Residence of Foreigners and Amendment and Supplementation of Certain Acts, permanent residence shall mean residence entitling a third-country national to stay, repeatedly leave and enter the territory of the Slovak Republic within the time period determined by the Police department, unless provided otherwise in this Act. Permanent residence shall be granted for the period of 5 years or indefinitely²⁸.

Appropriate Police department shall grant permanent residence for 5 years to a foreigner who is:

- a spouse of a Slovak citizen with permanent residence in the territory of the SR or a direct dependant of a Slovak citizen with permanent residence in the territory of the SR;
- an unmarried child under the age of 18 under personal guardianship of a foreigner who is a spouse of a Slovak citizen with permanent residence in the territory of the SR;
- an unmarried child under the age of 18 of a foreigner granted a permanent residence permit for a period of 5 years or a child under the age of 18 under personal guardianship of a foreigner granted a permanent residence permit for a period of 5 years;
- a dependant child older than 18 years of age, incapable of taking care of himself/herself due to their long-term adverse health status, of a foreigner granted a permanent residence permit;
- or if such granting is for the benefit of the Slovak Republic.²⁹

The appropriate Police department shall grant permanent residence for an unlimited period of time to a foreigner who:

- has held a permanent residence permit granted for a period of 5 years for at least 4 years;

²⁷ Section 8 (3) (e) of the Act No. 40/1993 Coll. on Citizenship of the SR as amended.

²⁸ Act on Residence of Foreigners provides also another type of the permanent residence, and that is a residence of a person with admitted status of the person with long-term residence of the EU (hereinafter referred to as "long-term residence").

²⁹ IOM Migration information centre, more information available at:

<https://www.mic.iom.sk/sk/obciansstvo/podmienky-na-udelenie-statneho-obciansstva-sr.html> (cited on: 26.10.2019).

- is a child under the age of 18 of a foreigner granted permanent residence for an unlimited period of time.³⁰

Refugee status. Number of years:

The Act on Citizenship of the SR defines exemptions from the abovementioned conditions applicable to, among other categories, persons granted asylum who are required to have had permanent residence in the territory of the Slovak Republic for at least four years (not 8 years like other foreigners). They shall prove this fact by a document confirming the applicant's residence issued by the appropriate Police department. In this document, a police department shall make a note "person granted asylum" to a foreigner granted asylum. The validity period of a residence document of a person granted asylum is ten years; if it concerns a person granted asylum who has been granted asylum for the period of three years, the validity period of such document is three years.³¹

Temporary residence permit. *Number of years:*

Other protection statuses. *Number of years:*

Other status:

The Act on Citizenship of the SR admits an exemption from the condition concerning the length of the required residence to an applicant who has had a residence permit in the territory of the SR but does not comply with the requirement of eight consecutive years of permanent residence in Slovakia, in case it is:

- a person who has entered into marriage with a Slovak citizen, provided that the marriage still lasts and he/she and his/her spouse have lived together in a common household in the territory of the Slovak Republic for at least 5 years directly prior to submitting his/her application for granting of citizenship of the Slovak Republic;
- a person representing a significant benefit for the Slovak Republic in the field of economy, science, technology, social affairs, culture or sports, or if granting him/her Slovak citizenship is in the interest of the Slovak Republic³²;
- a person who has had a continuous permanent residence in the territory of the Slovak Republic for at least 3 years before reaching the age of 18 years;
- a minor whose legal representative or guardian is a Slovak citizen or a legal entity appointed by the Slovak court and who has had a continuous residence in the territory of the Slovak Republic for at least 2 years directly prior to submitting his/her application for citizenship of the SR; the length of the residence period shall not apply to children younger than 2 years of age;
- a person who was born in the territory of the Slovak Republic and has had permanent residence in Slovakia for at least 3 years directly prior to submitting his/her application for citizenship of the SR;
- a person who has had continuous residence (i.e. even temporary residence) in Slovakia for at least 10 years and who had been granted permanent residence at the time of submitting his/her application for citizenship of the SR;
- a stateless person who has had continuous residence in the territory of the SR for at least 3 years prior to submitting his/her application for citizenship of the SR;
- a person who was released from the state union with the Slovak Republic at his/her own request³³ and who has had continuous residence in the territory of the SR for at least 2 years prior to submitting his/her application for citizenship of the SR;

³⁰ IOM Migration information centre, more information available at: <https://www.mic.iom.sk/sk/obciansstvo/podmienky-na-udelenie-statneho-obciansstva-sr.html>, (cited on: 28.10.2019).

³¹ O.z, Marginal, <https://marginal.sk/wp-content/uploads/2018/02/2.AZYL-A-DOPLNKOVA-OCHRANA.pdf> (cited on: 28.10.2019).

³² Another reason in the interest of the SR is the fact, the existence of which is of cardinal importance for the society, and the consideration of which in terms of the state roles comprises an eligible interest of the Slovak Republic. This mainly concerns family reunification, health reasons, humanitarian reasons and the fact that the applicant is a former citizen of the Slovak Republic.

(Decree of the Ministry of Interior concerning the granting of citizenship of the Slovak Republic under extraordinary circumstances, Art. 1 (3)).

³³ Pursuant to Section 7 of the Act on Citizenship of the SR.

- a person, whose one parent was a Czechoslovak citizen at the time of his/her birth while the other parent was a foreigner and, pursuant to Section 1 (2) of Act No. 194/1949 Coll. on Acquisition and Loss of Czechoslovak Citizenship, the parent who was a Czechoslovak citizen failed to apply to appropriate regional council for the approval of acquisition of Czechoslovak citizenship, and who has had continuous residence in the territory of the SR for at least 2 years prior to submitting his/her application for citizenship of the SR;
- a person who, at the time of submitting his/her application for citizenship, has been granted the status of a Slovak Living Abroad and who holds a certificate of a Slovak Living Abroad and has had continuous residence in the territory of the Slovak Republic for at least 3 years directly prior to submitting his/her application for citizenship of the SR.³⁴

Section 2.2 Conditions

Language

Q11. Is knowledge of the national language(s) required for all naturalisation grounds, and if so, what is the required level?³⁵

Yes.

One of the requirements for granting citizenship of the SR is the demonstration of command of the Slovak language both in oral and written form. The Act on Citizenship of the SR stipulates that during the filling of the questionnaire (while submitting the application for granting of citizenship of the SR) the District Authority at the regional seat, diplomatic mission or consular office of the SR verifies the applicant's command of the Slovak language. Verification of command of the Slovak language shall be done in a way which is appropriate with regard to the applicant's health status.

In the past, persons granted asylum and stateless persons were not obliged to prove their command of the Slovak language as one of the conditions of granting citizenship of the SR. This changed as of 1 October 2007, since when these persons too must prove their command of the Slovak language just like all the other applicants.³⁶

No.

Q11a. If yes, how is this proven or evaluated? What evidence is required, and which authority is responsible for assessment (e.g. ministry officials, language experts, private language institutions contracted by state, etc.)?

Command of the Slovak language is verified by a 3-member committee appointed by a Head of the District Authority at the regional seat, an Ambassador or a Consul. Defining of the criteria and selection of the members of the committee lies fully within the competence of the Head of the District Authority, the Ambassador or the Consul. Participation of all members of the committee is required for the committee's decision. The committee's decision is taken if at least two of its members support the approval of said decision. Command of the Slovak language is verified by the following means:

- a personal interview, when the applicant shall answer questions concerning himself/herself and persons close to him/her, as well as general questions related to history, geography and social and political development of the Slovak Republic;
- reading aloud of a randomly selected text from a newspaper in the Slovak language, which is at least 500 words long and which is provided to the applicant directly before he/she reads it;
- writing of a summary of the article content within a 30-minute time limit.³⁷

Minutes of the course and outcome of the applicant's command of the Slovak language verification shall be provided in written form. These minutes shall include:

³⁴ IOM Migration information centre, <https://www.mic.iom.sk/sk/obciansstvo/podmienky-na-udelenie-statneho-obciansstva-sr.html> (cited on: 28.10.2019); Act on Citizenship of the SR.

³⁵ Please indicate the level according to the Common European Framework of References for Languages -CEFR (A1-C2)

³⁶ *ibid.*

³⁷ Section 8 (6) of Act No. 40/1993 Coll. on the Citizenship of the Slovak Republic as amended

- Assessment by the three-member committee of the applicant's for citizenship of the Slovak Republic command of the Slovak language in the form of a the expression "passed" or "did not pass".
- A written statement by the three-member committee of the applicant's for citizenship of the Slovak Republic command of the Slovak language, in which each of the three members of the committee states whether the applicant understood the questions asked, comprehended the article provided to him/her directly before he/she read it and whether he/she was able to write a summary of said article content within a 30-minute time limit.
- Resolution on the final result of the committee's assessment pertaining to whether the applicant demonstrated or failed to demonstrate his/her command of the Slovak language both in oral and written form and of general knowledge of the Slovak Republic pursuant to Section 7 (1) (h) of the Act and in the extent stipulated in Section 8 (6) of the Act.³⁸

Common European Framework of Reference for Languages is only used as a supporting assessment criterion.³⁹

Q11b. If your Member State uses a language test, has this test ever been evaluated, e.g. has the test led to better knowledge of the national language(s)?

Yes.

No.

Citizenship tests and commitments

Q12. Are citizenship applicants required to pass a citizenship or integration test for all naturalisation grounds? *Please note that this could also include oral interviews.*

Yes.

No.

An applicant for citizenship of the SR does not take any formal citizenship test, however, the interview during which he/she is asked questions concerning, inter alia, socio-political development of the Slovak Republic forms a part of process of verification of the applicant's command of the Slovak language.⁴⁰

Q12a. If yes, has the citizenship test ever been evaluated?

Yes.

No.

Q13. Is the applicant required to legally or symbolically commit to certain values or norms (such as human rights, democracy, quality and the rule of law) for all naturalisation grounds and if so, which ones?

Yes.

Yes, a legal obligation exists for the applicant to take the Slovak citizenship oath (more about this in Q14), by which he/she pledges to abide by, above all, rule of law principles.

No.

Q14. Are applicants required to pledge formally allegiance to your Member State (e.g. oath of allegiance?) If yes, does this apply to all naturalisation grounds? Please explain the differences.

Yes.

³⁸ Source: MoI SR Questionnaire

³⁹ Source: MoI SR Questionnaire

⁴⁰ Section 8 (6) (a) of the Act on the Citizenship of the SR as amended.

Yes, citizenship of the SR is acquired by receiving a Certificate on the Granting of Slovak Citizenship. The Certificate is given to the applicant by the District Authority at the regional seat, diplomatic mission or consular office of the Slovak Republic, after he/she has taken the oath. Taking of the oath is an obligation applicable to each applicant and it is conditional to the acquisition of citizenship. Wording of the oath is as follows:

"I swear on my honour and conscience that I shall be faithful to the Slovak Republic, that I shall abide by the Constitution of the Slovak Republic, the constitutional laws, acts and other generally binding legal regulations, and that I shall duly fulfil all the obligations of a citizen of the Slovak Republic."⁴¹

No.

Good conduct

Q15. Is the third-country national expected to fulfil any requirements regarding good conduct (e.g. clean criminal record, fulfilment of civic requirements such as payment of taxes), public order, public health and if so, which ones?

Yes.

An applicant is obliged to attach to his/her application for granting of citizenship of the SR a Criminal Registry Extract of each state of which he/she is or was a national or in he/she has had residence in the past 15 years prior to submitting the application. These documents may not be older than 6 months. The Criminal Registry Extract may be replaced by another document issued by the competent authority of the state confirming the applicant's clean Criminal Record, if the state in question does not issue Criminal Registry Extracts.

Apart from the applicant's Criminal Record, the Ministry of Interior of the SR also examines whether the applicant complies with all his/her obligations resulting from applicable laws and regulations. An applicant is obliged to submit the confirmation of the tax office, customs office and the municipality on the payment of taxes and other fees; confirmation of the public health insurance payments and the period of public health insurance coverage, issued by the health insurance company; and the confirmation of the income tax payments, public health insurance payments, social insurance payments, and retirement pension contributions, issued by his/her employer.⁴²

No.

Q15a. If yes, what proof (e.g. documentary evidence) is required to demonstrate that the criteria for good conduct has been met?

See answer to Q15.

Economic resources

Q16. Is the applicant's economic/financial situation or standard of living taken into account and if so, how (e.g. a minimum income level and assets)? Does this apply to all naturalisation grounds? Please explain the differences.

Yes.

Yes, the applicant's financial situation can represent an obstacle for the granting of citizenship of the Slovak Republic. Apart from the applicant's continuous physical presence in the territory of the Slovak Republic during the entire relevant period, the applicant's proof of his/her source of income and his/her ability to finance his/her stay and the stay of his/her close persons in the territory of the Slovak Republic is also examined.⁴³ The assessment criterion is in each individual case providing a statement on the regular income from remunerated activity, business activity or by submitting the bank account statement.

No.

⁴¹ Section 8a (12) of the Act on the Citizenship of the SR as amended.

⁴² IOM Migration information centre, available at: <https://www.mic.iom.sk/sk/obciansstvo/podmienky-na-udelenie-statneho-obciansstva-sr.html> (cited on: 28.10.2019);

⁴³ Source: MoI SR Questionnaire.

Q16a. If yes, what proof (e.g. documentary evidence) is required to demonstrate that the minimum income level / assets have been met?

An applicant is obliged to submit confirmation of sufficient income with respect to his/her stay and that of his/her close persons in the territory of the Slovak Republic, if the applicant is voluntarily unemployed. The Ministry of Interior of the SR may also require the applicant to submit additional documents, if these are necessary for reaching a decision or if such documents serve as proof of a specific fact related to the applicant's entire stay in the territory of the Slovak Republic (e.g. documents concerning the applicant's labour or business activities, documents proving drawing of maternity or parental benefits, etc.)⁴⁴.

Q17. Is the third-country national's housing situation taken into account?

Yes.

This is already examined by the Bureau of the Border and Foreign Police of the Police Force Presidium in the process of granting temporary residence permit to applicants who are third-country nationals. When submitting his/her residence permit application, the applicant is obliged to submit a document confirming his/her accommodation and the consent of the municipality in question proving that the applicant's accommodation in the municipality which he/she will reside in during his/her stay complies with the requirements stipulated in the specific regulation.⁴⁵ Subsequently, the Ministry of Interior of the SR requires the applicant to attach a document proving his/her residence in the territory of the Slovak Republic to his/her application for granting of citizenship of the SR, which, with respect to the abovementioned, should in itself be a satisfactory proof of the applicant's compliance with the accommodation requirements.

Moreover, the District Authority at the regional seat requests an opinion of the applicable Police department on the application for granting of citizenship of the SR and subsequently sends the application together with said opinion to the Ministry.⁴⁶

No.

Q17a: If yes, what proof (e.g. documentary evidence) is required to demonstrate that any housing requirements have been met?

See question Q17.

Others

Q18. Are there any other requirements not listed above?

Yes.

No.

Section 2.3 Security

Q19. Are there any specific exclusion criteria (e.g. threats to national security and public order)?

Yes.

When examining the application for granting of citizenship of the SR, MoI SR also considers public interest and, especially, security aspects. Therefore, the Ministry requests opinions of the Special Unit of the Police Force and, if necessary, of the Slovak Intelligence Service or of other relevant state authorities. The Ministry also requests a Criminal Registry Extract concerning the applicant for granting of citizenship of the SR from the Office of the Prosecutor-General. Moreover, the applicant should not have had been sentenced to expulsion by a court; should not be under current criminal prosecution, should not be under extradition proceedings and a European arrest warrant should not

⁴⁴ IOM Migration information centre, available at: <https://www.mic.iom.sk/sk/obciansstvo/podmienky-na-udelenie-statneho-obciansstva-sr.html> (cited on: 28.10.2019);

⁴⁵ Act No. 404/2011 Coll. on Residence of Aliens.

⁴⁶ Source: MoI SR Questionnaire.

have been issued against him/her; and he/she should not be under proceedings of administrative expulsion or proceedings on the withdrawal of his/her asylum status.⁴⁷

No.

Section 2.4 Specific groups of third-country nationals

Q20. Are the above-mentioned requirements different for specific groups of third-country nationals, such as the groups listed below. For each group, please briefly explain the main differences that apply:

- a. Refugees
- b. Other beneficiaries of international protection statuses
- c. Specific categories of legal migrants
- d. Other groups that are significantly represented in your Member State, incl. stateless persons

The pathway to citizenship acquisition is the same for all categories of foreigners – by granting of citizenship. Differences occur in some conditions of granting citizenship depending on the specific category the applicant can fall into. Exemptions from these conditions are defined in the Act, accommodating some groups of migrants, such as spouses of Slovak citizens, persons granted asylum or persons representing a significant benefit for the Slovak Republic⁴⁸ (see question Q10).

Q20a. Refugees

The Act on Citizenship of the SR stipulates that if the applicant has been granted asylum in the territory of the Slovak Republic for at least four years directly prior to submitting his/her application and he/she holds a residence permit, he/she does not have to comply with the requirement to have had permanent residence in the territory of the SR for 8 years like other foreigners. The applicant should prove this by a document confirming applicant's residence issued by the appropriate Police department. Police department makes a note "person granted asylum" in such document issued to the foreigner granted asylum.⁴⁹

Q20b. Other beneficiaries of international protection statuses

This category of applicants has to comply with same requirements as all other aliens and the Act does not stipulate any exemptions applicable to this category.

Q20c. Specific categories of legal migrants e.g. people with disabilities or people in old age.

The Act defines further exemptions from the abovementioned requirement of the applicant's permanent residence in the territory of the SR for at least 8 years directly prior to submitting his/her application for the following categories (irrespective of their share in the country):

- a spouse of a Slovak citizen, provided that the marriage still lasts and he/she and his/her spouse have lived together in a common household in the territory of the Slovak Republic for at least 5 years directly prior to submitting his/her application;
- a person representing a significant benefit for the SR⁵⁰ or if it is in the interest of the SR for another reason (in particular, this includes facts the existence of which is of cardinal importance for the society, and the consideration of which in terms of the state roles comprises an eligible interest of the Slovak Republic – it mainly concerns family

⁴⁷ Section 7 (1) (c) through to (g) of the Act on Citizenship

⁴⁸ IOM Migration information centre, more information available at:

<https://www.mic.iom.sk/sk/obciansstvo/podmienky-na-udelenie-statneho-obciansstva-sr.html> (cited on 28.10.2019)

⁴⁹ O.z, Marginal, Asylum and subsidiary protection, available at: <https://marginal.sk/wp-content/uploads/2018/02/2.AZYL-A DOPLNKOVA-OCHRANA.pdf> (cited on 21.10.2019)

⁵⁰ Pursuant to the Decree of the Ministry of Interior of the SR No. 1/2015 extraordinary circumstances comprise the fact that a person represents a significant benefit for the Slovak Republic in the field of economy, science, technology, social affairs, culture or sports, or some other circumstance in the interest of the Slovak Republic.

- reunification, health reasons, humanitarian reasons and the fact that the applicant is a former citizen of the Slovak Republic).⁵¹
- a person who has had continuous legal residence (the Act does not specify which type of residence) in the territory of the SR for at least 10 years and who had been granted permanent residence at the time of submitting his/her application.

Q20d. Other groups that are significantly represented in your Member State (e.g. stateless persons, minors, investors, citizens of neighbouring countries).

Despite the fact that stateless persons and minors are not represented in high numbers in the SR, pursuant to the law they enjoy simpler requirements concerning obligatory length of the continuous permanent residence in the territory of the SR. Stateless persons who have had continuous residence in Slovakia for at least 3 years prior to submitting their application for Slovak citizenship may be granted citizenship of the SR. Similarly, a minor whose legal representative or guardian is a Slovak citizen or a legal entity appointed by the Slovak court and who has had a continuous residence in the territory of the Slovak Republic for at least 2 years directly prior to submitting his/her application for citizenship of the SR may also be granted Slovak citizenship. Children younger than 2 years of age are exempt from this rule. Children born in the territory of the Slovak Republic who have had permanent residence in Slovakia for at least 3 years directly prior to submitting their application for citizenship of the SR are also eligible applicants pursuant to this Act. Similar conditions apply to minors who have had continuous permanent residence in the territory of the Slovak Republic for at least 3 years before reaching the age of 18 years.⁵² Minors younger than 14 years of age do not take the Slovak citizenship oath and are not obliged to demonstrate their command of the Slovak language.⁵³

Citizens of third countries (Ukraine in the case of neighbouring countries of the SR) enjoy simpler requirements only in case they have been granted status of a Slovak Living Abroad. For an applicant who has been issued a certificate of a Slovak Living Abroad it is sufficient if he/she has had continuous residence in the territory of the Slovak Republic for at least 3 years directly prior to submitting his/her application (instead of 8 years).

Section 3: Procedural aspects for the acquisition of citizenship in the Member State

Please note that, consistent with Section 2, the questions below again only refer to cases when the primary grounds of acquisition of citizenship is through naturalisation based on a minimum period of residence in the country (i.e. 'ordinary naturalisation', not the conditions and requirements in place for second- or third-generation migrants and those migrants with special (e.g. ethnic or linguistic) ties to the country).

Q21. Please briefly describe the procedure in place for third-country nationals to obtain citizenship through ordinary naturalisation.

A person applying for citizenship of the SR is firstly obliged to fill in a written form of application for granting the citizenship of the SR and submit it in person at the District Authority at the regional seat (Department of General Internal Administration) or at a diplomatic mission or consular office of the Slovak Republic. The actual procedure commences by the submission of the application and ends by receiving the Certificate on the Granting of Slovak Citizenship, or on the day of entering into effect of the decision on the refusal to grant citizenship.

The applicant shall submit the application for a grant of citizenship with all required attachments. The Ministry may require the applicant to submit additional documents, if these are necessary for reaching a decision in the matter.

⁵¹ Decree of the Ministry of Interior No. 1/2015 concerning the granting of citizenship of the Slovak Republic under extraordinary circumstances

⁵² Section 6 (2) (a) to (h) of the Act on Citizenship of the SR

⁵³ Praktická príručka pre žiadateľov o štátne občianstvo SR (*Practical Guidelines for Applicants for Citizenships of the SR*), Ministerstvo vnútra SR, 2008, available at: https://www.minv.sk/swift_data/source/verejna_sprava/obu_kosice/slobodny_prístup_k_informaciám/obca_n/vzory/ovvs/alica_sk.pdf (cited on 20.11.2019)

When submitting the application, an applicant fills in a questionnaire in line with the instructions given by the employee of the District Authority at the regional seat. During filling the applicant's questionnaire, the body receiving the application verifies whether the applicant's command of the Slovak language is sufficient by means of an interview, reading of an article and writing down of its content. This shall be done in a way which is appropriate with regard to the applicant's health status. The District Authority shall request the opinion of the appropriate Police Force unit and then sends the applicant's file, complete with the opinion of the appropriate Police Force unit to the Ministry of Interior to reach a decision.⁵⁴ The Ministry of Interior of the SR shall request the Criminal Registry Extract concerning the applicant from the Office of the Prosecutor-General of the SR. Also, it can request opinions of the Slovak Intelligence Service and other authorities.

The Ministry of Interior of the SR, which subsequently examines the application, may invite the applicant for a personal interview, in particular to get explanation of specific facts pertaining to his/her background.

Following the fulfilment of all statutory requirements and after the demonstration of satisfactory command of the Slovak language, the Ministry of Interior of the SR may – but is not obliged to – grant the applicant Slovak citizenship. In the decision-making process, the Ministry considers the interests of the Slovak Republic, especially aspects pertaining to security, internal legal system, foreign policy interests, obligations of the Slovak Republic towards third countries and socio-economic situation in the country, as well as the opinions issued by the state authorities affected and those of the Police Force.⁵⁵

Q21a. Are children automatically naturalised once their parents are granted citizenship?

Yes.

No.

The Act on Citizenship distinguishes between minors under 14 years of age and minors between 14 and 18 years of age. In case of acquisition of citizenship of the SR by granting, children do not acquire citizenship of their parents automatically. For a minor child up to 14 years of age, the application shall be submitted by his/her legal representative, guardian or carer. Most often, it is a parent of the child. A minor child up to 14 years of age listed in his/her parent's application for the granting of citizenship of the SR acquires citizenship together with his/her parent. The applicant shall submit following documents with his/her application for the granting of citizenship of the SR to a minor child younger than 14 years of age: the child's birth certificate, document proving the child's residence in the territory of the SR, confirmation from the appropriate Police Force unit, confirmation of the public health insurance payments on behalf of the child and the period of public health insurance coverage.⁵⁶

An applicant who has reached the age of 14 years shall also fill in the "Questionnaire for Applicants for the Granting of Citizenship of the SR", issued by the Ministry of Interior of the SR, when submitting his/her application. If it concerns an applicant under the age of 18 years, the Questionnaire should also be signed by his/her parents. In case only one of the applicant's parents signs the document, consent of the other parent, with officially certified signature, should be attached. Some of the citizenship granting requirements do not apply to minor children, e.g. an applicant younger than 14 years of age is not required to demonstrate his/her command of the Slovak language and the general knowledge of the SR, he/she must have had a continuous permanent residence in the territory of the Slovak Republic for at least 3 years before reaching the age of 18 years (instead of 8 years), he/she is not required to take the oath, a lower fee is paid (under the age of 15 – 100 EUR, from the age of 15 to the age of 18 – 150 EUR)⁵⁷, etc. (see Q20d).

⁵⁴ IOM Migration information centre, available at: <https://www.mic.iom.sk/sk/obciansstvo/konanie-o-udeleni-statneho-obciansstva.html> (cited on 20.10.2019)

⁵⁵ Ibid.

⁵⁶ Zákon o štátnom občianstve SR, Praktická príručka pre žiadateľov o štátne občianstvo SR (*Act on Citizenship of the SR, Practical Guidelines for Applicants for Citizenships of the SR*), Migration Office of the MoI SR, UNHCR, 2008, available at: https://www.minv.sk/swift_data/source/verejna_sprava/obu_kosice/slobodny_pristup_k_informaciam/obcan/vzory/ovvs/alica_sk.pdf (cited on 20.10.2019)

⁵⁷ Ibid, Act No. 145/1995 Coll. on Administrative Fees

Q22. What public authorities/agencies are involved in procedures for third-country nationals' acquisition of the citizenship of your Member State?

Please mention and describe their roles at each step of the process in order to identify the authorities by which the application is introduced and those taking the decisions.

Acting in the matter itself and granting citizenship of the SR is the Ministry of Interior of the SR (and the District Authority at the regional seat). Application for granting the citizenship of the SR can also be received and command of the Slovak language can be verified by the Ministry of Foreign and European Affairs of the SR (a diplomatic mission or consular office of the SR abroad). Other authorities that the Ministry requests additional information concerning relevant facts pertaining to the procedure or the applicant and his/her stay in the territory of the SR are also involved in the procedure. Mostly, this concerns the appropriate Police Force unit, Ministry of Justice of the SR and the Office of the Prosecutor-General of the SR, but also the Slovak Intelligence Service or the Migration Office of the MoI SR if persons granted asylum are concerned, and other authorities.

Q23. Are these procedures digitised? Can applications for citizenship be made online?

Yes.

No.

The application for a grant of citizenship of the SR shall be submitted in writing and in person at the District Authority at the regional seat, or at a diplomatic mission or consular office of the Slovak Republic; and the applicant is obliged to comply with all the requirements stipulated in the Act on Citizenship of the SR, including the submission of all necessary attachments to the application.⁵⁸

Q24. What documentation is required in order to submit the application (e.g. passport, birth certificate) (in addition to the evidence reported to meet the conditions set out in Section 2)?

A written application for the granting of citizenship of the SR must contain the following:

- First name, surname, maiden surname, birth identification number, if it has been issued, the date and place of the applicant's birth;
- Address of the applicant's permanent residence;
- Reasons for applying for the granting of citizenship of the SR;
- Date and signature of the applicant.

The applicant must attach the following to his/her application:

- His/her brief CV;
- A document of his/her identity;
- His/her birth certificate;
- A document proving his/her marital status⁵⁹;
- A document proving his/her residence in the territory of the SR⁶⁰;
- A proof of his/her clean criminal record not older than 6 months⁶¹;
- A certificate of being released from the state union with the Czechoslovak Republic, Czechoslovak Socialist Republic or the Slovak Republic, or the Naturalization Certificate or a confirmation of the acquisition of another state's citizenship if the applicant is a former citizen;
- A certificate proving the status of a Slovak Living Abroad (if applicable);

⁵⁸ Section 8 (1) of the Act on Citizenship of the SR.

⁵⁹ such as a marriage certificate, a final court ruling declaring the divorce or a divorce certificate or death certificate of the deceased spouse in case the applicant is married, divorced or widowed;

⁶⁰ In case of a former citizen, the document proving his/her last residence in the territory of the Slovak Republic or a statutory declaration concerning such residence.

⁶¹ such as the Criminal Registry Extract of each state of which the applicant is or was a national and his/her Criminal Registry Extract of each state in which he/she has had residence in the past 15 years prior to submitting the application for the granting of citizenship of the SR, or any other document issued by the competent authority of those states,

- Further documents: confirmation of the tax office, customs office and the municipality on the payment of taxes and other fees; information necessary to request a Commercial Register or Trades Register Extract; confirmation of the applicant's employment issued by his/her employer and a copy of his/her employment contract; confirmation of the public health insurance payments and the period of public health insurance coverage, issued by the health insurance company; confirmation of the income tax payments, public health insurance payments, social insurance payments, and retirement pension contributions, issued by the applicant's employer; confirmation of study; confirmation of pension drawing; confirmation that the applicant is registered as a job seeker; confirmation of sufficient income with respect to the applicant's stay and stay that of his/her close persons in the territory of the Slovak Republic, if the applicant is voluntarily unemployed.⁶²

Documents which do not concern the applicant shall be replaced by a statutory declaration giving the reasons for not submitting them. Pursuant to Section 8 of the Act an application for granting the Slovak citizenship on behalf of a minor child shall be submitted by his/her legal representative, guardian or carer.⁶³

Q25. What is the legally prescribed maximum time period for the procedure, if applicable, and how long do procedures take in practice? If the different stages of the procedure have maximum time periods (e.g., registration, application, etc.) please differentiate. Are certain types of cases prioritised or fast-tracked, and if so, which ones?

The procedure for granting citizenship of the SR commences by the submission of the application for granting citizenship of the SR in person at the Ministry of Interior of the SR – department of the appropriate District Authority at the regional seat and ends by receiving a Certificate on the Granting of Slovak Citizenship, or on the day of entering into effect of the decision on the refusal to grant citizenship. Pursuant to the Act on citizenship of the SR, the Ministry shall have a statutory period of 24 months from the filing of the application to decide in the matter. This period, however, shall not run during the periods of delivering of requested opinions necessary for the decision in the matter to relevant administrative bodies⁶⁴. The period of 24 months is however in most cases observed. The procedure takes about a year and half on average.

Fast-tracking only concerns procedures pertaining to the granting of citizenship of the SR under extraordinary circumstances⁶⁵ (former citizens), as in this case verification of some facts is not needed since they concern former citizens who are usually living outside of the territory of the SR.

Q26. What are the costs for the application for citizenship (in €)? Please note that this excludes costs for the translation of documents, trainings for language proficiency, etc. Please specify whether different costs apply to different grounds.

Act No. 145/1995 Coll. on Administrative fees as amended lists the administrative fees connected with the application for the granting of citizenship of the SR as follows:

1. Granting of citizenship of the SR to a person over the age of 18 – 700 EUR
2. Granting of citizenship of the SR to a child:
 - a. under the age of 15 – 100 EUR
 - b. between the age of 15 and 18 years – 150 EUR
3. Granting of Slovak citizenship to former Slovak or Czechoslovak citizens and those who opt to revert to their former citizenship pursuant to international law – EUR 20.

Foreigners granted asylum and Ukrainian displaced persons from the Chernobyl area are exempt from paying the fee.

The fee is paid only upon receiving the Certificate on the Granting of Slovak Citizenship.⁶⁶

⁶² IOM Migration Integration Centre, more information available at: <https://www.mic.iom.sk/sk/obciansstvo/konanie-o-udeleni-statneho-obciansva.html> (cited on 20.10.2019)

⁶³ Ibid.

⁶⁴ Pursuant to Section 8a (3) of the Act on Citizenship of the SR.

⁶⁵ Pursuant to the MoI SR Decree No. 1/2015.

⁶⁶ IOM Migration information centre, more information available at: <https://www.mic.iom.sk/sk/obciansstvo/konanie-o-udeleni-statneho-obciansva.html> (cited on 20.10.2019)

Q27. Are there any other evidence requirements to be fulfilled for a final decision to be taken on the citizenship application (in addition to those set out above, e.g. language certificate)?

The Act on Citizenship of the SR stipulates that the Ministry of Interior of the SR may require the Applicant to submit other documents, apart from the abovementioned ones, if they are necessary for taking the decision in the matter or if they are necessary to prove a particular fact concerning the applicant's stay in the territory of the SR (e.g. benefits drawing, etc.)⁶⁷.

Q28. To what extent is discretion an element of the procedure/decision-making process? Is there absolute discretion or conditional discretion?⁶⁸

The Ministry of Interior of the SR decides on the basis of absolute discretion⁶⁹.

Q29. What challenges if any have been experienced regarding the verification of the identity of naturalisation applicants?

In the process of deciding on the granting of citizenship of the SR, the Ministry of Interior of the SR has not registered any problems with the identity verification of applicants for the grant of citizenship so far.⁷⁰

Q30. Is there a right of appeal or basis for legal challenge if citizenship is refused? If yes, do the authorities have to provide information about the grounds for refusal?

Yes.

There is no legal entitlement to the granting of citizenship of the SR. The Ministry of Interior of the SR is not obliged to grant citizenship, even if the applicant fulfils all conditions stipulated by law. However, the applicant has the right to lodge an ordinary legal remedy – a remonstrance against a not yet final decision on rejection of application for the granting of citizenship of the SR issued by an administrative authority in administrative proceedings.⁷¹ The appeal should be filed within the period of 15 days from receiving of the rejection decision.⁷² The right to decide on the remedy lies with the Minister of Interior who decides on the basis of the proposal issued by the Remonstrance Committee.

The applicant may also file a new application for the granting of citizenship of the SR 2 years after the rejecting decision on the previous application came into force.

No.

Q31. What are the most common grounds for a negative citizenship application decision? If possible, please list the top 5 reasons. *Grounds could include insufficient language skills, insufficient period of residence, criminal record, unestablished identity.*

The most common grounds for not granting citizenship of the SR include unsatisfactory command of the Slovak language; insufficient duration of the applicant's residence in the territory of the SR; negative opinions of the Aliens Police Department of the Bureau of the Border and Aliens Police of the Police Force Presidium, Criminal Analyses Management Department of the Police Force and of the Ministry of Justice of the SR; Criminal Record entry, zero tax returns, etc.⁷³

Q32. Does your Member State organise a citizenship ceremony? If yes, is participation in such a ceremony mandatory or voluntary?

⁶⁷ IOM Migration information centre, more information available at:

<https://www.mic.iom.sk/sk/obciansstvo/konanie-o-udeleni-statneho-obciansstva.html> (cited on 20.10.2019)

⁶⁸ Absolute discretion means that the state may leave authorities absolute discretion to grant naturalisation to applicants, whether or not they meet the legal requirements. Conditional discretion means authorities only have limited grounds to reject applicants who meet the legal requirements.

⁶⁹ Consultation with the MoI SR (of 24.4.2020)

⁷⁰ Source: MoI SR Questionnaire

⁷¹ Source: MoI SR Questionnaire

⁷² Praktická príručka pre žiadateľov o štátne občianstvo SR (*Practical Guidelines for Applicants for Citizenships of the SR*), Migration Office of the MoI SR, UNHCR, 2008, available at:

https://www.minv.sk/swift_data/source/verejna_sprava/obu_kosice/slobodny_pristup_k_informaciam/obcan/vzory/ovvs/alica_sk.pdf (cited on 10.10.2019)

⁷³ Source: MoI SR Questionnaire

Yes.

As Slovak citizenship is acquired by receiving a Certificate on the Granting of Slovak Citizenship following the taking of the Slovak citizenship oath, participation in this ceremony is an obligatory requirement of the Slovak citizenship acquisition. The Certificate is presented to the applicant by the District Authority at the regional seat, diplomatic mission or consular office of the Slovak Republic. Taking of the oath is conditional to the acquisition of Slovak citizenship. Children younger than 14 years of age, persons whose health status prevents them from doing so and persons deprived of their legal capacity shall not take the oath. The oath is made to the Head of the District Authority at the regional seat, an Ambassador, a Consul, or another person appointed by them. The Ministry will suspend the proceedings if the applicant fails to collect the Certificate on the Granting of Slovak Citizenship without any serious grounds within 6 months from the delivery of the written notification. The decision on the suspension of the proceedings will be entered into the applicant's file and the applicant will be notified of such suspension.⁷⁴

No.

Support provided during the application process

Q33. Does your Member States provide information and/ or encourages third-country nationals to consider applying for citizenship?

Yes.

No.

Q34. Is governmental support provided to applicants during the application process?⁷⁵
Have any good practices been identified in your Member State?

Yes.

No.

Support provided to applicants for citizenship is not institutionalized in the Slovak Republic. Integration services, consultancy services (also in the field of Slovak citizenship) and Slovak language courses/assistance are provided through various organisations operating in the SR.

The IOM Migration Information Centre offers legal and labour consultancy including consultancy in the area of citizenship of the SR and Slovak language courses free of charge to third-country nationals. Non-governmental organizations (ADRA, Human Rights League) provide legal consultancy and representation within the scope of authority of their projects to persons granted asylum and persons granted subsidiary protection. The civic association Mareena assists foreigners in the course of their integration process, organizes community activities with members of the majority population, promotes society-wide debate and helps foreigners with their language integration, too.⁷⁶

Q35. Does your Member State organise, support or finance integration measures (classes, training, etc.) to facilitate the acquisition of citizenship? If yes, please specify whether these are prescribed by law.

Yes.

No.

⁷⁴ IOM Migration information centre, available at: <https://www.mic.iom.sk/sk/obciansstvo/konanie-o-udeleni-statneho-obciansstva.html> (cited on 10.10.2019), Section 8a (10) of the Act on Citizenship of the SR;

⁷⁵ For the purpose of this study, only support under the control of the state should be included here (e.g. websites, telephone hotline), i.e. support by NGOs or private service providers is excluded unless contracted by the state.

⁷⁶ IOM Migration Information Centre, more information available at: <https://www.mic.iom.sk/sk/>, Human Rights League, more information available at: <http://www.hrl.sk/>, Mareena, more information available at: <https://mareena.sk/>, ADRA, more information available at: <https://www.adra.sk/>

Section 4: Dual citizenship

Q36. Is the third-country national required to renounce his/her other citizenship in order to acquire or hold citizenship in your Member State?

Yes.

No.

Other.

Slovak legislation allows for dual citizenship under specific circumstances only. A person is not required to renounce his/her other citizenship if he/she acquires citizenship of the SR. In this sense, Slovak legislation allows for dual citizenship. However, the law disadvantages Slovak citizens or persons with dual citizenship, of which one is citizenship of the SR, as it stipulates that if a Slovak citizen (i.e. also a "new" citizen of the SR) voluntarily acquires a foreign citizenship based on his/her explicitly manifested will, i.e. by means of an application, declaration or other act leading to acquisition of a foreign citizenship, he/she loses Slovak citizenship as of the day he/she manifested such will. This means that if a third-country national acquires citizenship of the SR and wishes to acquire citizenship of another state, he/she will lose Slovak citizenship. A person losing citizenship in such way is obliged to notify the District Authority at the regional seat of this fact. In practice, however, the Ministry can only find out about this situation when notified by the person in question or by other states (cooperation in this field has been established well e.g. with the Norwegian Directorate of Immigration - UDI concerning the granting of Norwegian citizenship). The Ministry of Interior of the SR does not verify acquisition of foreign citizenship on its own initiative.⁷⁷

The law also defines exceptions to the rule, in case of foreign citizenship acquisition by marriage or by birth.

Citizenship of the SR will not be lost if a citizen of the SR acquires a foreign citizenship in connection with conclusion of marriage with a foreign citizen, provided that he/she acquired the foreign citizenship of his/her spouse while the marriage lasts. Due to the differences among legal norms regulating acquisition of citizenship by marriage in various states, this exception to the rules regulating loss of Slovak citizenship should mean that if, on the day of entering into validity of the decision on acquisition of a foreign citizenship of a spouse the marriage lasts, citizenship of the SR shall not be lost, irrespective of the length of stay in the state in question or of the length of the marriage.⁷⁸

Similarly, Slovak citizenship shall not be lost if a foreign citizenship was acquired by birth, i.e. if a child acquired dual or multiple citizenship ex lege by birth, either in accordance with the ius sanguinis or ius soli principle or with their combination (e.g. a child born to two foreigners – a Slovak citizens in the US).⁷⁹

Q37. Is the requirement to renounce dependent on the person's other citizenship and are there exemptions from this requirement, for example for third-country nationals from third countries that do not allow a renunciation of citizenship?

A person is not required to renounce his/her (original) citizenship in order to be able to acquire citizenship of the SR.

There are, however, two international treaties, which are used to prevent the occurrence of dual citizenship. These are:

1. Treaty between the USSR and Czechoslovakia on the prevention of occurrence of dual citizenship, concluded in Moscow on 6 June 1980, published in the Collection of Laws of the SR under the number 71/1981 Coll., entered into effect on 7 July 1981; in practice it is only applied in relation to the Russian federation (i.e. if a Russian Federation citizen wants to apply for the granting of Slovak citizenship, he/she has to prove his/her renunciation of Russian citizenship. In case of a child being born to a Russian citizen and Slovak citizen the parents have the possibility to make a choice of the citizenship for the child up until three months since the child's birth).

⁷⁷ Source: MoI SR Questionnaire

⁷⁸ Source: MoI SR Questionnaire, Section 9 (17) of the Act on Citizenship of the SR

⁷⁹ Source: MoI SR Questionnaire, Section 9 (18) of the Act on Citizenship of the SR

2. Treaty between the Czechoslovak Socialist Republic and the Hungarian People's Republic concerning Regulation of Some Aspects of State Citizenship, concluded on 4 November 1960, published by Decree No. 37/1961 Coll., entered into effect on 19 March 1961; still valid today and currently applied only in case of birth of a child to a Hungarian citizen and Slovak citizen, when the parents of the child have a possibility to make a choice on the citizenship of the child up until one year since his/her birth.⁸⁰

Q38. Are there any particular requirements that third-country nationals have to fulfil if they want to acquire or hold the citizenship of your Member State while keeping their other one(s)? If so, which requirements?

Yes.

No.

A person is not required to renounce his/her (original) citizenship in order to be able to acquire citizenship of the SR. This rule applies in general, with the exception of circumstances when the abovementioned treaties apply (Q37).

Q39. Are there any particular restrictions placed on third-country nationals who hold dual citizenship? Does dual citizenship confer fewer rights? (e.g. access to specific types of employment)

Yes.

No.

Q40. If your Member State allows dual /multiple citizenships, have there been any particular benefits or challenges that this policy has brought?

Yes.

No.

Section 5: Citizenship and integration

Q41. How does the integration policy of your Member State address the acquisition of citizenship? Is citizenship addressed in your national integration strategy/action plan?

Yes.

Integration Policy of the Slovak Republic is considered the main document in the field of integration of foreigners in Slovakia. In Part 7, focused specifically on Citizenship of the Slovak Republic, the Integration Policy states that *"the granting of citizenship is the natural culmination of the process of the integration of a foreigner in the society"*. Therefore, due to the equality of Slovak citizenship regardless of the means of its acquisition, such granting is considered as crucial in terms of the integration process itself.⁸¹ A foreigner who has been granted citizenship of the SR becomes a Slovak citizen with same rights and obligations as all other citizens of the SR.

Integration Policy of the Slovak Republic further reads:

*"The Slovak Republic's Integration Policy strives to grant citizenship to foreigners who are part of Slovak society or who have significantly contributed to Slovak society through their activities. The decreasing demographic trend in our country indicates that the Slovak Republic should be more open to third-country nationals and provide them with the most suitable living conditions in Slovakia and subsequently facilitate their lives as naturalized citizens."*⁸²

⁸⁰ Source: MoI SR Questionnaire

⁸¹ Integration Policy of the SR, 2014, available at: <https://www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/vlastny-material-integracna-politika-januar-2014.pdf> (cited on 28.10.2019)

⁸² Integration Policy of the SR, 2014, available at: <https://www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/vlastny-material-integracna-politika-januar-2014.pdf> (cited on 28.10.2019)

No.

Q42. Is there any evidence, e.g., from research or evaluation, indicating that the acquisition of citizenship facilitates integration, in particular on the labour market?

No such research has been carried out in the SR. It generally applies that acquisition of citizenship promotes an individual's integration in society and, as such, is considered the culmination of an foreigner's integration process.⁸³

Q43. What are the main differences and new rights and duties between being a citizen of your country compared to holding a permanent or long-term residence permit?
Please elaborate on the following aspects:

Q43a: Participation in regional or national elections.

Pursuant to the Act on Conditions of the Exercise of Voting Rights⁸⁴, only a Slovak citizen who has reached the age of 18 years on the day of elections at the latest has the right to vote and elect members of the National Council of the Slovak Republic. Even despite registered permanent or long-term residence, foreigners do not have this right. The Slovak citizenship condition applies similarly to passive voting rights – the right to be elected into the National Council of the Slovak Republic.⁸⁵

Entitled to vote in regional elections, i.e. to elect representatives for regional self-governments (i.e. regional chairmen and members of regional councils) are inhabitants of self-governing regions, i.e. Slovak citizens and foreigners with permanent residence in the municipality within the self-governing regions or with permanent residence in a military district which, for the purpose of regional self-government elections, forms a part of the territory of the self-government region. To be eligible to vote, a self-governing region's inhabitant must have reached the aged of 18 years on the day of the elections at the latest. The same conditions apply to passive voting rights – the right to be elected into the regional self-governing bodies.⁸⁶

Similarly, the right to vote for the members of municipal self-governments in the local elections (i.e. mayors and municipal council members) lies with an inhabitant of the municipality in question who has had permanent residence in the municipality. An inhabitant of the municipality with permanent residence in the municipality he/she runs in who has reached the age of 18 years on the day of the elections at the latest can be elected a member of municipal assembly, in the capital city of Bratislava and in the city of Košice a member of local assembly.⁸⁷

Registration in the electoral register in Slovak local elections is automatic. At the moment a person registers his/her residence in the given state, he/she will be automatically included in the local election electoral register.⁸⁸

Q43b: Access to certain types of employment (jobs that are only open to citizens of your country).

Act on Civil Service⁸⁹ stipulates that the right to apply for admission to the civil service belongs to a citizen of the Slovak Republic, citizen of another EU Member State, citizen of a state which is a party to the Agreement on the European Economic Area, as well as a citizen of the Swiss Confederation (thus, third-country nationals are excluded). Furthermore, the Act narrows the group of potentially eligible applicants down as follows:

If lawful interests of the Slovak Republic require that the civil service at a civil service position be performed by a Slovak citizen, only Slovak citizens shall have the right to apply for admission to the civil service.⁹⁰

⁸³ Source: MoLSAF SR

⁸⁴ Act No. 180/2014 Coll. on the Conditions for the Exercise of Voting Rights and on Changes and Amendments to Some Acts.

⁸⁵ Ibid.

⁸⁶ Ibid.

⁸⁷ Ibid.

⁸⁸ Komunálne voľby (*Regional/Communal Elections*), available at:

https://europa.eu/youreurope/citizens/residence/elections-abroad/municipal-elections/index_sk.htm, (cited on 29.10.2019)

⁸⁹ Act No. 55/2017 Coll. on Civil Service and on Changes and Amendments to Some Acts.

⁹⁰ Ibid.

The Decree of the Government of the SR No. 114/2017 Coll. defines the civil service areas in which a civil service position may only be taken by a Slovak citizen. The areas are: judiciary, defence, industrial property, interior, classified information protection, cybersecurity, investments and informatization. Furthermore, only Slovak citizens within the civil service offices, such as the Ministry of Foreign and European Affairs of the Slovak Republic, Supreme Audit Office of the Slovak Republic, Office of the Prosecutor-General of the Slovak Republic or a Regional Prosecutor Office; can apply for admission to a civil service position or to a position of extraordinary importance or involving the handling of classified information.⁹¹

Q43c: Other differences / advantages, such as social and economic rights (social security, benefits, allowances, etc.)?

Social security in Slovakia has three basic forms: 1. Social insurance; 2. State social assistance; 3. Social welfare benefits. Social security is tied to the legal residence of foreigners in the territory of the Slovak Republic and to the compliance with statutory requirements. Hence, third-country nationals with residence in the SR have same access to the social security system as Slovak citizens, provided they comply with requirements stipulated by the law for different types of social security.⁹²

Q44. What support is given once citizenship has been granted to support the new citizen in their role as a citizen (e.g. information sessions organised at a local level, other information material)? Are there good practices in place in your Member State?

Since the granting of citizenship is deemed the culmination of the foreigner's integration in the society, the state does not provide such support.

Q45. With the acquisition of national citizenship there is also the acquisition of EU citizenship which confers rights such as the freedom to move or reside within the territory of the EU or the right to vote for and stand as a candidate in the European Parliament and municipal elections. What information or other support measures (if any) are given in your country to allow new citizens to enact their role as EU citizens (e.g. signposting to information material on the rights and responsibilities of EU citizens or specific, tailored information)? Is this different / additional to information provided to all citizens on their rights and responsibilities as EU citizens?

The "new" citizens are considered equal citizens of the SR in their rights and obligations. Therefore, information on the rights and obligations of EU citizens is provided equally to all Slovak citizens and are not specifically aimed or targeted at any particular groups of citizens.

Q46. Are there any indications (e.g. in reports, studies or statistics) that acquisition of citizenship facilitates mobility to other Member States and/or mobility or longer-term migration to non-EU countries?

Yes.

No.

Section 6: Conclusions and lessons learned

Please comment on the findings of your national report by drawing conclusions, identifying any key challenges and lessons learned, as well as outlining any planned policy developments in the upcoming years:

Based on the available statistical data it can be concluded that the numbers of naturalised foreigners in the SR in the last 5 years remain relatively stable and low. Acquisition of citizenship of the SR is not a priority topic of parliamentary, media or public debates.

As concerns state citizenship acquisition, the Slovak legal system applies a combination of the *ius soli* and *ius sanguinis* principles. Slovak citizenship can currently be acquired by birth, by adoption or by grant. This study concerns the latest of the mentioned means of citizenship acquisition – by granting.

⁹¹ Government Decree No. 114/2017 Coll. Laying down provisions applicable to civil service positions within which civil service may only be performed by a Slovak citizen.

⁹² Ad hoc question raised by EMN France concerning the conditions of access of third-country nationals to the social security system

No specific good practices or challenges in the field of Slovak citizenship granting were identified on the basis of the available data; and the SR does not plan to implement any major measures or changes concerning third-country nationals trying to acquire citizenship of the SR.

Table 1b) Number of third-country nationals who have acquired Slovak citizenship in 2018, differentiated by the 10 main former citizenships of the persons concerned and disaggregated by sex and age groups.

	Country of citizenship	15-19			20-24 years				Country of citizenship	25-29 years		
		total	male	female	Country of citizenship	total	male	female		Country of citizenship	total	male
Top 1 country of former citizenship	Ukraine	15	7	8	Serbia	15	5	10	Serbia	56	19	37
Top 2 country of former citizenship	Serbia	8	3	5	Ukraine	9	3	6	Ukraine	11	8	3
Top 3 country of former citizenship	Afghanistan*	2	1	1	Viet Nam	4	3	1	Russia	5	3	2
Top 4 country of former citizenship	Viet Nam*	2	1	1	Russia	3	2	1	Somalia	2	1	1
Top 5 country of former citizenship	Canada*	1	0	1	Canada*	1	1	0	Canada*	1	0	1
Top 6 country of former citizenship	China*	1	0	1	Somalia*	1	1	0	DRC*	1	0	1
Top 7 country of former citizenship	Moldova*	1	0	1	US*	1	0	1	Kyrgyzstan*	1	0	1
Top 8 country of former citizenship	Russia*	1	0	1	x	x	x	x	Mongolia*	1	0	1
Top 9 country of former citizenship	Somalia*	1	1	0	x	x	x	x	Viet Nam*	1	0	1
Top 10 country of former citizenship	x	x	x	x	x	x	x	x	X	X	X	X

Table 1c) Number of third-country nationals who have acquired Slovak citizenship in 2018, differentiated by the 10 main former citizenships of the persons concerned and disaggregated by sex and age groups.

	Country of citizenship	30-34 years			Country of citizenship	35-39 years			Country of citizenship	40-44 years		
		total	male	female		total	male	female		total	male	female
Top 1 country of former citizenship	Serbia	35	19	16	Ukraine	24	7	14	Ukraine	21	5	16
Top 2 country of former citizenship	Ukraine	21	5	16	Serbia	23	16	7	Serbia	11	5	6
Top 3 country of former citizenship	Viet Nam	12	6	6	Viet Nam	9	6	3	US	8	3	5
Top 4 country of former citizenship	Australia	3	1	2	US	7	5	2	Viet Nam	4	1	3
Top 5 country of former citizenship	Russia*	2	0	2	Canada	6	4	2	Canada	3	2	1
Top 6 country of former citizenship	Syria*	2	1	1	Belarus	5	0	5	Australia*	2	1	1
Top 7 country of former citizenship	AF/AL/DZ/ CN/EG/E C/ JO/CA/K Z/ MD/NG/ NI/ MK/US/ TH/ TN/UZ	1			Australia	3	2	1	Tunisia	2	2	0
Top 8 country of former citizenship					Albania*	2	2	0	Turkey	2	1	1
Top 9 country of former citizenship					Equador*	2	1	1	AF/BY/BO/ BA/BR/ EG/ PH/IN/I L/ JO/MD/ RU/ MK/TW	1		
Top 10 country of former citizenship					Moldova*	2	0	2				
					Turkey*	2	2	0				

Table 1d) Number of third-country nationals who have acquired Slovak citizenship in 2018, differentiated by the 10 main former citizenships of the persons concerned and disaggregated by sex and age groups.

	Country of citizenship	45-49 years			Country of citizenship	50-54 years			Country of citizenship	55-59 years		
		total	male	female		total	male	female		total	male	female
Top 1 country of former citizenship	Serbia	17	14	3	Ukraine*	11	2	9	Serbia	7	6	1
Top 2 country of former citizenship	Ukraine	16	7	9	Serbia*	11	7	4	Ukraine	5	2	3
Top 3 country of former citizenship	Russia	4	1	3	Armenia*	2	0	2	US	4	3	1
Top 4 country of former citizenship	Belarus*	3	0	3	Russia*	2	0	2	AU/IL/KZ/ SO/VN	1		
Top 5 country of former citizenship	US*	3	1	2	US*	2	1	1				
Top 6 country of former citizenship	Viet Nam*	3	2	1	Viet Nam*	2	1	1				
Top 7 country of former citizenship	AU/PH/MA/ SO/SY/T R	1			AF/CU	1						
Top 8 country of former citizenship												
Top 9 country of former citizenship												
Top 10 country of former citizenship												

Table 1e) Number of third-country nationals who have acquired Slovak citizenship in 2018, differentiated by the 10 main former citizenships of the persons concerned and disaggregated by sex and age groups.

	Country of citizenship	60-64 years			Country of citizenship	65 and over			Source
		total	male	female		total	male	female	
Top 1 country of former citizenship	US	4	2	2	US	11	9	2	
Top 2 country of former citizenship	Ukraine	2	0	2	Ukraine	9	1	8	
Top 3 country of former citizenship	Israel*	1	1	0	Serbia	3	2	1	
Top 4 country of former citizenship	Russia*	1	1	0	Argentina	2	2	0	
Top 5 country of former citizenship	Serbia*	1	1	0	Canada	2	2	0	
Top 6 country of former citizenship	x	x	x	x	Russia	1	0	1	
Top 7 country of former citizenship	x	x	x	x	x				
Top 8 country of former citizenship	x	x	x	x	x				
Top 9 country of former citizenship	x	x	x	x	x				
Top 10 country of former citizenship	x	x	x	x	x				

Source: MoI SR

*alphabetical order as all the values are identical for these countries

Table 2: Number of third-country nationals who have acquired Slovak citizenship each year between 2014-2018 disaggregated by sex

Ground of acquiring citizenship	2014			2015			2016			2017			2018		
	total	M	F												
Total	305	147	158	316	167	149	316	165	151	479	260	219	381	189	192

Source: MoI SR

Table 3: Share of third-country nationals who acquired Slovak citizenship among the total number of non-EU citizens residents in 2018, disaggregated by sex (in %).

	Total	Male	Female	Source	Comments
Share of non-EU citizens who have acquired citizenship (in %)	0,58%	n/i	n/i	Ministry of Interior	It is not possible to disseminate the data by sex as statistics

Note: Data on number of third-country nationals that have acquired dual citizenship between 2014-2018, differentiated by the mode of acquiring citizenship and disaggregated by gender are not available in the Slovak Republic.