

LAW ON CITIZENSHIP OF THE REPUBLIC OF MACEDONIA

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I. GENERAL PROVISIONS

Article 1

This law governs the manner and conditions of acquisition and cessation of citizenship of the Republic of Macedonia, verification of citizenship, the state body competent for making decisions in such cases, proving the citizenship and keeping records of nationals of the Republic of Macedonia.

Article 2

A national of the Republic of Macedonia may also hold citizenship of another state.

A national of the Republic of Macedonia who holds citizenship of another state is considered within the Republic of Macedonia to be exclusively a national of the Republic of Macedonia, unless otherwise stipulated by an international agreement.

II. ACQUISITION OF CITIZENSHIP OF THE REPUBLIC OF MACEDONIA

Article 3

Citizenship of the Republic of Macedonia is acquired by:

- 1) origin,
- 2) birth in the territory of the Republic of Macedonia,
- 3) naturalisation, or
- 4) international agreements.

1. By Origin

Article 4

A child acquires citizenship of the Republic of Macedonia by origin if:

- 1) At the time of her/his birth both parents are nationals of the Republic of Macedonia;
- 2) At the time of her/his birth one of the parents is a national of the Republic of Macedonia, while the child is born in the Republic of Macedonia, if the parents have not determined by mutual consent that the child acquires citizenship of the other parent and
- 3) At the time of her/his birth one of the parents is a national of the Republic of Macedonia, while the other parent is unknown or holds unknown citizenship, or respectively she/he is stateless, and the child is born abroad.

An adopted child acquires also citizenship of the Republic of Macedonia by origin in the case of full adoption when both of her/his adoptive parents are nationals

of the Republic of Macedonia or when one of her/his adoptive parents is a national of the Republic of Macedonia.

Article 5

A child born abroad one of whose parents at the time of her/his birth is a national of the Republic of Macedonia while the other is a foreign national, acquires citizenship of the Republic of Macedonia by origin if she/he has been reported for registration as a national of the Republic of Macedonia before reaching 18 years of age or if before reaching 18 years of age she/he has settled permanently in the Republic of Macedonia together with her/his parent who is a national of the Republic of Macedonia. In the case of a lawsuit over the custody of a child, the citizenship shall be acquired after the court decision has gone into effect.

Citizenship of the Republic of Macedonia may be acquired under the requirements of paragraph 1 of this Article by a person who has not been reported by both parents and who has reached 18 years of age, if she/he submits an application for registration in the citizenship of the Republic of Macedonia before reaching 23 years of age.

The application of paragraphs 1 and 2 of this Article is submitted to the body competent for keeping the registries in which the birth of the child is additionally registered or to a diplomatic-consular mission of the Republic of Macedonia abroad.

The child who acquires citizenship of the Republic of Macedonia in the sense of Article 4 of this law and paragraphs 1 and 2 of this Article is considered a national of the Republic of Macedonia from the moment of her/his birth.

2. By Birth in the Territory of the Republic of Macedonia

Article 6

Citizenship of the Republic of Macedonia is acquired by a child who is found in the territory of the Republic of Macedonia whose parents are unknown.

The citizenship of the Republic of Macedonia of the child of paragraph 1 of this Article shall cease if it has been established that her/his parents are foreign nationals before she/he has reached 15 years of age.

3. By Naturalisation

Article 7

An alien who has submitted an application for admission into citizenship of the Republic of Macedonia may acquire citizenship of the Republic of Macedonia by naturalisation, if he fulfils the following requirements:

- 1) To have reached 18 years of age;
- 2) Until the submission of the application, to have been legally and continuously residing in the territory of the Republic of Macedonia for at least 15 years;

- 3) To be psycho-physically healthy;
- 4) To have provided a place of living and a permanent source of means;
- 5) There should be no criminal proceedings instigated against him in the state of his nationality or in the Republic of Macedonia;
- 6) To be proficient in the Macedonian language;
- 7) His admission into citizenship of the Republic of Macedonia should not threaten the security and defence of the Republic of Macedonia ;
- 8) To have a release from his foreign citizenship or a proof that he will obtain a release if he is admitted into the citizenship of the Republic of Macedonia;

The fulfilment of the requirement of paragraph 1, item 6 of this Article shall be determined by a special commission established by the Government of the Republic of Macedonia.

The requirement of paragraph 1, item 8 of this Article shall be considered fulfilled if the person who has submitted an application is stateless.

Upon exception of paragraph 1 item 8 of this Article, the person may acquire citizenship of the Republic of Macedonia if she/he gives a statement that he renounces her/his foreign citizenship.

The decision rejecting the application for acquisition of citizenship of the Republic of Macedonia by naturalisation pursuant to paragraph 1, item 7 of this Article, does not have to state the reasons by which the competent state body was guided when reaching the decision.

Article 8

An emigrant from the Republic of Macedonia, as well as his first generation descendant may acquire citizenship of the Republic of Macedonia by naturalisation although he does not fulfil the requirements of Article 7 paragraph 1 items 2 and 8 of this law.

Article 9

An alien who has been married to a national of the Republic of Macedonia for at least three years and who until the submission of the application has been residing legally and continuously for at least one year in the territory of the Republic of Macedonia , may acquire citizenship of the Republic of Macedonia by naturalisation although he does not fulfil the requirements of Article 7 paragraph 1 items 2, 6 and 8 of this Law.

Article 10

The application for admission into citizenship of the Republic of Macedonia pursuant to Article 8 of this Law shall be rejected unless three years, at least, have elapsed from the cessation of citizenship of the Republic of Macedonia by release or renunciation until the submission of the application for readmission into citizenship of the Republic of Macedonia.

Article 11

Upon exception of Article 7 of this law, an alien who has reached 18 years of age may acquire citizenship of the Republic of Macedonia by naturalisation, if that is of a special scientific, economic, cultural, and national interest, and that particularly for all Macedonians by origin who live outside the borders of the Republic of Macedonia.

The Government of the Republic of Macedonia gives its prior opinion on the existence of the special interest in the sense of paragraph 1 of this Article.

In addition to the alien of paragraph 1 of this Article her/his spouse may also acquire citizenship of the Republic of Macedonia by naturalisation under the requirements of Article 9 of this law.

Article 12

If both parents have acquired citizenship of the Republic of Macedonia by naturalisation, their child under 18 years of age also acquires citizenship of the Republic of Macedonia.

If one of the parents has acquired citizenship of the Republic of Macedonia by naturalisation, his child under 18 years of age also acquires citizenship of the Republic of Macedonia if so requested by that parent and if the child lives in the Republic of Macedonia, or if so requested by both parents irrespective of where the child lives.

In the case of full adoption, if at least one of the adoptive parents has acquired citizenship of the Republic of Macedonia by naturalisation, the adopted child who has not yet reached 18 years of age and who has been living with the adoptive parent in the Republic of Macedonia also acquires citizenship of the Republic of Macedonia.

If the child has reached 15 years of age, the consent of the child for acquisition of citizenship of the Republic of Macedonia in the sense of paragraphs 1, 2 and 3 of this Article is also necessary.

Article 13

A person acquires citizenship of the Republic of Macedonia by naturalisation on the day of delivery of the decision for admission into citizenship of Republic of Macedonia.

Article 14

The decision for admission into citizenship of the Republic of Macedonia may be revoked after the delivery if it is established that the alien has given false or incorrect data, respectively has used forged documents when submitting the application for admission into citizenship by naturalisation.

The decision of paragraph 1 shall be revoked before the prescribed period of limitation for criminal prosecution has lapsed for the crime of paragraph 1 of this Article .

In the case of paragraph 1 of this Article the decision for admission into citizenship of the Republic of Macedonia of the minor children who have acquired citizenship simultaneously with their parents shall be also revoked, pursuant to the provisions of this law.

Article 15

A person whose citizenship of the Republic of Macedonia ceased by release when she/he was a minor, may reacquire it if by the time he reaches 25 years of age if he has been legally and continuously residing for at least three years in the Republic of Macedonia and if she/he has submitted an application for reacquisition of citizenship of the Republic of Macedonia.

III. CESSATION OF CITIZENSHIP

Article 16

Citizenship of the Republic of Macedonia ceases:

- 1) by release
- 2) according to international agreements.

Article 17

Citizenship of the Republic of the Republic of Macedonia ceases by release if the person who has submitted an application for release fulfils the following requirements:

- 1) to have reached 18 years of age;
- 2) not to have obstacles with respect to his military service obligations;
- 3) to have settled her/his property, fiscal and other legal obligations towards state bodies, organisations, enterprises and other legal entities and physical persons;
- 4) to have regulated her/his property, fiscal and other legal obligations arising from a marital relationship and from the relationship between parents and children towards persons who live in the Republic of Macedonia;
- 5) There should be no criminal proceedings instigated against her/him in the Republic of Macedonia for a crime which is prosecuted *ex officio*, or to have served the sentence if she/he has been sentenced to imprisonment; and
- 6) To hold foreign citizenship or to have proven that she/he will be admitted into foreign citizenship.

The consent stating that the requirements of paragraph 1 item 2 of this Article are fulfilled is issued by the Ministry of Defence.

The competent state body shall reject the application for release from citizenship of the Republic of Macedonia even when the requirements of paragraph 1

of this Article are fulfilled, if so imposed by reasons of protection of the security and defence of the Republic of Macedonia or by reasons of reciprocity or other reasons pertaining to relations with a foreign state.

The decision rejecting the application for release from citizenship of the Republic of Macedonia in the sense of paragraph 3 of this law, does not have to state the reasons by which the competent state body was guided when reaching the decision.

The citizenship of the Republic of Macedonia of the person ceases on the day of delivery of the decision for release from citizenship of the Republic of Macedonia.

Article 18

The decision for release from citizenship of the Republic of Macedonia shall be revoked, if the person who has been granted release continues to live in the Republic of Macedonia, or respectively has emigrated abroad and has not acquired foreign citizenship within one year from the day of delivery of the decision for release.

The person who has been granted release from citizenship of the Republic of Macedonia shall submit the application for revocation of the decision to the diplomatic-consular mission of the Republic of Macedonia abroad or to the competent state body in the Republic of Macedonia.

Article 19

The citizenship of the Republic of Macedonia of a child under 18 years of age ceases upon request of both parents whose citizenship of the Republic of Macedonia has ceased by release or if the citizenship of the Republic of Macedonia of one of the parents has ceased in that manner, while the other parent who does not hold citizenship of the Republic of Macedonia, has consented thereto.

If the child's parents live separately, the citizenship of the Republic of Macedonia of the child ceases by release upon request of the parent with whom the child lives, or who has been given the custody of the child respectively, and who has submitted himself an application for release from citizenship of the Republic of Macedonia or in the case when the parent with whom the child lives is an alien. In both cases the consent of the other parent is necessary.

The provisions of paragraphs 1 and 2 of this Article also apply to the minor adopted child.

If the other parent does not consent to the child's release from citizenship of the Republic of Macedonia, the child shall be granted release if in the interests of the child the competent guardianship body gives its consent for her/his release.

If the child has reached 15 years of age, the consent of the child for release from citizenship in the sense of paragraphs 1, 2 and 3 of this Article is also necessary.

Article 20

In the case of full adoption when the adoptive parents are foreign nationals the citizenship of the minor adopted child – national of the Republic of Macedonia shall cease by release upon request of the adoptive parents.

If the adopted child has reached 15 years of age, the consent of the adopted child for cessation of citizenship, in the sense of paragraph 1 of this Article is also necessary.

IV. STATE BODY COMPETENT FOR DECISION MAKING, RECORD KEEPING AND PROVING OF CITIZENSHIP OF THE REPUBLIC OF MACEDONIA

Article 21

The application for acquisition, cessation or verification of citizenship of the Republic of Macedonia is submitted to the Ministry of Interior according to the place of domicile of the person or to the diplomatic - consular missions of the Republic of Macedonia abroad, if the person lives abroad.

The decision for acquisition, cessation or verification of citizenship of the Republic of Macedonia is made by the Minister of Interior.

The decision of paragraph 2 of this Article is delivered according to the regulations for compulsory delivery in person.

Article 22

Records on nationals of the Republic of Macedonia and foreign nationals born in the territory of the Republic of Macedonia are kept in the Ministry of Interior.

Records on acquisition and cessation of citizenship of the Republic of Macedonia are kept by the Ministry of Interior according to the prescribed standards and in compliance with the law.

Article 23

Citizenship of the Republic of Macedonia is proven by a valid identity card or travel document.

Citizenship of the Republic of Macedonia is also proven by a certificate of citizenship of the Republic of Macedonia which is issued by the Ministry of Interior on the basis of records in the sense of Article 22 paragraph 1 of this law.

Article 24

If the person is not registered in the records of nationals of the Republic of Macedonia, the Ministry of Interior shall verify the citizenship of the Republic of

Macedonia and the data thereto shall be additionally registered in the records of nationals of the Republic of Macedonia. If the birth of the person has not been registered, the data about the birth and citizenship shall be simultaneously registered in accordance with the provisions of the Law on Registry Books.

Article 25

The competent state bodies and organisations which record the data about citizenship in the records which they are authorised to keep by law are notified about the acquisition or cessation of citizenship of the Republic of Macedonia respectively.

V. TRANSITIONAL AND FINAL PROVISIONS

Article 26

The person who according to the former regulations has held citizenship of the Republic of Macedonia, is considered a national of the Republic of Macedonia pursuant to this law.

The procedures for acquisition or cessation of citizenship of the Republic of Macedonia which have been initiated before the entry into force of this Law, shall be finalised according to the provisions of this law.

The nationals of the other republics of the former SFRY and the nationals of the former SFRY with registered place of domicile in the territory of the Republic of Macedonia may acquire citizenship of the Republic of Macedonia if within one year from the entry into force of this law they submit an application provided that they have a permanent source of means, are of major age, and have been lawfully residing in the territory of the Republic of Macedonia at least 15 years until the submission of the application.

Article 27

The Minister of Interior shall bring legislative sub-regulations on keeping the records on nationals of the Republic of Macedonia, nationals of the Republic of Macedonia who live abroad, the form of the application for acquisition of citizenship of the Republic of Macedonia, and the form of the certificate of citizenship of the Republic of Macedonia.

Article 28

The provision of Article 23 paragraph 1 of this law shall apply after the identity cards and travel documents issued before the entry into force of this law have been replaced.

Article 29

The legislative sub-regulations foreseen in this law shall be adopted within six months from the date this law has entered into force.

The former regulations shall apply until the adoption of the regulations of paragraph 1 of this Article provided that they are not in contravention of the provisions of this law.

Article 30

On the day of entry into force of this law the Law on Citizenship of the Socialist Republic of Macedonia ("Official Gazette of SRM" No. 19/77) shall cease to apply, while the Law on Citizenship of SFRY ("Official Gazette of SFRY" No 58/76) shall not apply in the territory of the Republic of Macedonia.

Article 31

This law shall enter into force on the eight day from the day of its publication in the "Official Gazette of the Republic of Macedonia".