



Information sheet

Acquisition of German citizenship by declaration

- for persons living abroad -

As of 20 August 2021, persons born after the entry into force of the Basic Law (*Grundgesetz*, 23 May 1949) may acquire German citizenship **by declaration**. This applies to persons who, due to gender-discriminatory regulations formerly in place under German citizenship law, were either unable to acquire German citizenship by birth or lost their German citizenship which they had acquired by birth (section 5 of the Nationality Act – *Staatsangehörigkeitsgesetz*).

This sheet provides information on the criteria and procedure for acquiring German citizenship in this way. For further information, please contact the Federal Office of Administration or the German diplomatic mission abroad responsible for your area of residence.

If you live in Germany, please contact your local citizenship authority (*Staatsangehörigkeitsbehörde*), e.g. in the relevant town or district administration. There you will obtain the necessary information on the procedure, documents and forms.

1. Who is entitled to acquire German citizenship by declaration?

Before you hand in the declaration, please check whether you are entitled to do so. The following checklist will help you:

Checklist

No acquisition of German citizenship from a German mother

- ✓ I was born after 23 May 1949 and before 1 January 1975.
- ✓ My mother was a German citizen on the day of my birth.
- ✓ My father was not a German citizen on the day of my birth.
- ✓ My parents married before my birth.

No. 1

No acquisition of German citizenship from a German father

- ✓ I was born after 23 May 1949 and before 1 July 1993.
- ✓ My mother was not a German citizen on the day of my birth.
- ✓ My father was a German citizen on the day of my birth.
- ✓ My parents were not married to each other before 1 July 1998.
- ✓ My father's parenthood was recognized / the procedure for ascertaining his parenthood was initiated before my 23rd birthday.

No. 1

No acquisition of German citizenship due to loss of citizenship through marriage.

- ✓ I was born after 23 May 1949.
- ✓ My mother lost her German citizenship by marrying a foreigner before 1 April 1953*.
- ✓ My father was not a German citizen on the day of my birth.
- ✓ I was born after my mother had lost her German citizenship.

No. 2

Loss of German citizenship through legitimation

- ✓ I was born after 23 May 1949 and before 1 April 1953.
- ✓ My mother was a German citizen on the day of my birth.
- ✓ My father was not a German citizen on the day of my birth and on the day of his marriage to my mother.
- ✓ My parents married after my birth, but before 1 April 1953, which led to the loss of my German citizenship*.

No. 3

No acquisition of German citizenship as a descendant

- ✓ I was born after 23 May 1949.
- ✓ My ancestor is entitled to make a declaration pursuant to nos.1 – 3 section 5 of Form EER.

No. 4

*Loss of German citizenship did not always result from this

2. Who is not entitled to acquire German citizenship by declaration?

Applicants may not acquire German citizenship if they already did so on a previous occasion but subsequently lost their acquired German citizenship on other grounds

If you already once acquired or re-acquired German citizenship (after your birth or after loss through legitimation) on other grounds (e.g. through naturalization), but then subsequently lost it once more (e.g. through renunciation, release, or acquisition of a foreign citizenship), you may not reacquire German citizenship by declaration. This also applies to descendants who were born or adopted as children after this (renewed) loss of German citizenship.

Generational cut-off point (section 4 (4) of the Nationality Act)

If your child did not acquire German citizenship by birth

- because it was born abroad,
- and the German parent or parents were also born abroad after 31 December 1999 and,
- within a year after the child's birth, no application for certification of the birth under section 36 of the Civil Status Act (*Personenstandsgesetz*) was filed or if it can still be filed,

German citizenship cannot be acquired by declaration either.

No criminal record

The following may conflict with the acquisition of German citizenship: terms of imprisonment or youth custody of at least two years, even if imposed abroad; orders of preventive detention for serious offenders ordered in connection with the most recent incontestable conviction, and the existence of grounds for exclusion pursuant to section 11 of the Nationality Act.

3. Are there any deadlines?

The declaration must be submitted by 19 August 2031 at the latest.

The date of submission is considered the date when the declaration is received by the Federal Office of Administration. Declarations received by the Federal Office of Administration after 19 August 2021 will not lead to the acquisition of German citizenship.

4. Where do I have to submit my declaration?

The declaration must be received on time by the Federal Office of Administration. You can also submit the declaration to the German diplomatic mission abroad responsible for your area of residence which will then forward it without delay to the Federal Office of Administration. However, the declaration must still be received by the Federal Office of Administration in time to meet the deadline.

5. When do I acquire German citizenship?

You acquire German citizenship on the day the Federal Office of Administration receives your declaration.

As soon as the Federal Office of Administration has established that all conditions for acquiring German citizenship are met, you will receive a certificate confirming that you acquired German citizenship by declaration (*Urkunde über den Erwerb der deutschen Staatsangehörigkeit durch Erklärung*). This confirms the [date of acquisition](#) of German citizenship.

6. Do I have to renounce my current citizenship on acquiring German citizenship?

No.

Whether or not you retain or lose your previous citizenship is solely governed by the law of the state whose citizenship you currently possess. We therefore advise you to inquire with the responsible authorities of your country of origin well in advance to clarify whether making the declaration to acquire German citizenship will affect your current citizenship.

The Federal Office of Administration cannot give you advice as to foreign laws.

7. What are the relevant forms?

Form EER: to make the declaration (for persons over or below the age of 16)

If necessary

Appendix EER: for persons making the declaration who are not currently conducting citizenship proceedings (e.g. naturalization, confirmation of German citizenship) at the Federal Office of Administration.

Appendix AV: for additional information on other ancestors

Power of attorney: giving power of attorney to a third party

You can find the forms

- on the website of the Federal Office of Administration www.bundesverwaltungsamt.de, under: Staatsangehörigkeit > Einbürgerung / Erklärung > Erwerb durch Erklärung

or

- request the forms directly from the Federal Office of Administration.

8. How do I fill in Form EER?

Section 5: *“Entitlement to make a declaration“*

Please indicate the basis on which you are entitled to acquire German citizenship by declaration. This determines which information and documents we need in order to check your entitlement.

See also the checklist in section 1 above: *“Who is entitled to acquire German citizenship by declaration?”*

Section 6: *“Current citizenship proceedings at the Federal Office of Administration.”*

Persons entitled to acquire German citizenship by declaration who are currently conducting citizenship proceedings (e.g. naturalization, confirmation of German citizenship) at the Federal

Office of Administration do not have to submit all their information and documents once again. If you provide the reference number of the relevant citizen proceedings, the Federal Office of Administration will consult the files from those proceedings. The Federal Office of Administration will contact you if additional information or documents are needed.

Persons entitled to acquire German citizenship by declaration, who are not currently conducting citizenship proceedings are requested also to complete [Appendix EER](#). This information is needed in order to check the entitlement of such persons.

Section 7: *“Previous citizenship proceedings or expellee proceedings in Germany”*

This information is voluntary.

Persons entitled to make this declaration and have conducted citizenship proceedings and/or proceedings under the Federal Expellees Act (*Bundesvertriebenengesetz, BVFG*) are requested to complete this section. This will help us to process your application. If you provide the reference number and details of the authority involved, the Federal Office of Administration can refer to the files from those proceedings and use any certificates and other documents they contain. This will generally save you having to resubmit those documents to the Federal Office of Administration.

Nevertheless, in view of limited retention periods under data protection law, it is possible that old files may no longer be available, or that documents may no longer be used as proof after a certain period of time. In such cases we will ask you to resubmit the documents.

Section 8: *“Criminal offences in Germany and abroad”*

Together with your application, please submit a valid document issued by your country of residence providing comprehensive information confirming that you have no criminal record (certificate of good conduct / police clearance certificate).

The information in this certificate must be no more than six months old and must relate to the whole of the country of residence, not just particular states, provinces or districts (e.g. counties). You must submit the original certificate, not a copy.

Example: Applicants living in the USA must provide information from the Federal Bureau of Investigation (FBI).

Section 9: *“Legal representation”*

Please fill in only if applicable

The right to legally represent someone is based either on law (e.g. right of custody of a minor child) or on a court or administrative order (e.g. order of a guardianship court, appointment of a legal guardian).

No proof is necessary for legal representation based on law. If a legal representative was appointed based on a court or administrative order, please enclose proof (e.g. the decision issued by the relevant authority; the court judgement on custody).

The declaration must be signed by all legal representatives.

Persons aged 16 or over act on their own behalf in citizenship proceedings and may acquire German citizenship by their own declaration (section 5 (1) sentence 1 in conjunction with section 37 (1) sentence 1 of the Nationality Act). They require no legal representative in citizenship proceedings and sign the declaration themselves.

9. How to complete Appendix EER?

Please complete this form only if you have no other citizenship proceedings currently pending at the Federal Office of Administration (see section 6 regarding Appendix EER).

Section A2: “My citizenships”

Other citizenships may affect your situation under nationality law and your entitlement to acquire German citizenship by declaration. Please clearly enter your citizenships in the relevant spaces according to whether you currently hold them or previously held them.

It is essential to declare any previously held German citizenship. Please enclose relevant proof (e.g. German passports, certificate of nationality, certificate of renunciation). Even a notice of rejection from previous proceedings for confirmation of German citizenship may be helpful.

Section A3: “Where I have lived”

Please do not include any visits, holiday trips, business trips or school exchange visits etc. of less than six months.

Section A4: “My parents”

Information about your parents may affect your situation under nationality law and your entitlement to acquire German citizenship by declaration. Please make sure that the information you enter is as complete as possible, and enclose the requested documents concerning your parents.

Section A5: “Ancestors of the parent from whom my entitlement is derived (my grandparents)”

Only for descendants in terms of no.4 (i.e. if you checked box no.4 in section 5 of Form EER)

For descendants of a person entitled to acquire German citizenship by declaration (i.e. descendants of a person listed under nos.1 – 3 of section 5 of Form EER; see also the checklist in section 1 above: “Who is entitled to acquire German citizenship by declaration?”), the Federal Office of Administration must use the information you provide on this person’s parents (i.e. your grandparents) to check whether the parent from whom your entitlement is derived is/was entitled to acquire German citizenship by declaration. The entitlement to acquire German citizenship by declaration is derived from the parent that meets the criteria under section 5 no.1, no.2 or no.3.

Please indicate, first of all, which of your parents is entitled in terms of nos.1 – 3 to acquire German citizenship by declaration. Please then provide information that is as complete as possible on this person’s parents (your grandparents) and add the necessary documents.

The Federal Office of Administration will contact you if information is also required on the grandparents or other ancestors of a person whose entitlement is based on nos.1 – 3 of section 5 of Form EER (if, for example, that person’s German citizenship cannot be directly proved with German documents).

10. Which documents need to be submitted with the application?

- Copy of your current foreign passport / identity document (pages with photograph and personal details), (see section 2 of Form EER)
- Your birth certificate / certificate of descent
- Your marriage certificate (if you are married)
- Birth certificate or certificate of descent of the parent or grandparent from whom the entitlement to acquire German citizenship by declaration is derived

- Marriage certificate of your parents and, if necessary, of your grandparents
- Documents to prove the German citizenship of your parent or grandparent from whom you derive your entitlement to acquire German citizenship by declaration:

for example, naturalization certificates; certificates confirming that the holder acquired German citizenship by declaration or by opting for it; ethnic German repatriate's certificate pursuant to section 15 of the Federal Expellees Act (*Bundesvertriebenengesetz*); letters of appointment for civil servants; citizenship cards; certificates of native country; documents certifying the holder's legal status as a German; passports; identity cards and other ID documents (including old ones); registration certificates; expellees' cards

Additional documents, if applicable:

- adoption documents (certificate of adoption, court order)
- divorce documents (judgement dissolving a marriage carrying a remark that it is a final divorce judgement)
- civil partnership certificate
- documentation with respect to the acknowledgement or establishment of paternity
- documentation on any changes of name, such as change of name certificates, marriage certificates, or other official documents on the use of the name

Other necessary documents:

- Current certificate of good conduct/police clearance certificate issued by your country of residence (original document, not a copy)

11. In what form should I produce the documents?

Documents (in particular certificates) must be submitted in their original form or as photocopies of original certificates officially certified or certified by a notary. Photocopies must be complete, which means that both sides of the certificate must be produced. As a general rule, uncertified photocopies and copies will not be accepted.

Only the following persons and bodies may certify photocopies:

- notaries (public) or
- registrars of the body having made the entry in the civil-status register or
- German authorities (such as the residents' registration office, registry office, or diplomatic mission abroad).

As a general rule, certifications by other bodies will not be accepted.

It is important that it is certified that the copy is completely faithful to the original in terms of content.

The original certification statement is required, including

- the notary's or registry office's original stamp and
- the original signature of the notary or of the registry's office.

Copies of certification statements or statements certifying only the translator's signature are not sufficient.

As a rule, foreign public documents (such as civil status documents) must be legalised or carry a Hague apostille.

This is not required for

- civil status documents from EU member states or Switzerland, or

- international multilingual documents (certificates of birth, marriage certificates, death certificates) from: Bosnia and Herzegovina, the Republic of Moldova, the Republic of North Macedonia, Montenegro, the Republic of Serbia, and the Republic of Turkey.

For information on the legalisation process, contact the German diplomatic mission abroad responsible for your area of residence. They can also provide you with further information on what kind of verification you require when submitting certificates from your home country.

All foreign-language documents are to be accompanied by a translation made by a sworn translator; it must be clear which translation goes with which document. Translations made by persons who are not sworn translators will not be accepted.

Please note: As a rule, original documents can only be returned upon special request after the process has been completed. It is recommended to send certified copies only. If, in exceptional cases, the original of a document is needed, you will be specifically asked to submit it.

12. What fees will be charged?

You will not be charged any fees.

Please note, however, that you cannot be reimbursed for any costs you may incur in the process (e.g. for the procurement of documents, translations, and certifications).

13. Note with respect to data protection pursuant to Articles 13 and 14 of the EU General Data Protection Regulation (GDPR)

Pursuant to Section 31 of the German Nationality Act, the Federal Office of Administration is the citizenship authority for persons abroad and, as such, entitled to collect, store, modify and use personal data insofar as this is necessary to perform its tasks (purpose).

For detailed information on the processing of personal data pursuant to Articles 13 and 14 of the GDPR, please visit the website of the Federal Office of Administration (BVA): see under *Staatsangehörigkeitsverfahren in Bundeszuständigkeit / Datenschutz* for general information, and see also the specific pages on the relevant proceedings. The contact details of the data protection officer are also provided there.

14. Contact information

Postal address

Bundesverwaltungsamt
50728 Köln
GERMANY

Website

www.bundesverwaltungsamt.de

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