



## Romania: Citizenship

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The following note describes the Romanian citizenship.

The note is based on an interview with the Romanian National Authority for Citizenship conducted in Bucharest in September 2021. The note does not include sources who could speak to any discrepancy between the law and its implementation.

### Romanian citizenship

The Romanian citizenship law was introduced in 1991. The National Authority for Citizenship, established in 2010 and subordinated to the Ministry of Justice, is responsible for Romanian citizenship.<sup>1</sup>

The National Authority for Citizenship is the single authority in Romania with the competence to grant citizenship, re-grant citizenship, to withdraw citizenship and renounce citizenship.<sup>2</sup>

The members of the Citizenship Commission and its president are appointed by the Minister of Justice. As of 2021, The Citizenship Commission is comprised of 19 members who are magistrates and employees of the National Citizenship Authority.<sup>3</sup>

Since 2010 and up until November 2021 the National Authority for Citizenship has received 920,000 applications for Romanian citizenship, equalizing about 77,000 applications per year. 96% of the applications are for reacquisition of Romanian citizenship under art. 11 from Law no. 21/1991. The vast majority of the applicants comes from the areas of former Greater Romania, today Moldova, parts of Ukraine, parts of Serbia and parts of Bulgaria.<sup>4</sup>

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<sup>1</sup> National Authority for Citizenship, Bucharest, September 2021.

<sup>2</sup> National Authority for Citizenship, Bucharest, September 2021.

<sup>3</sup> National Authority for Citizenship, Bucharest, September 2021.

<sup>4</sup> National Authority for Citizenship, Bucharest, September 2021.

It is possible to apply for Romanian citizenship at a Romanian embassy. The application is submitted at the embassy and sent to the National Authority for Citizenship. When the application has been processed, the oath of allegiance can be taken at the embassy, as the last step to finalise the acquisition of Romanian citizenship.<sup>5</sup>

### **Acquisition of Romanian citizenship**

In order to acquire Romanian citizenship, it is required to have had legal stay in Romania for 8 years in total. Permanent residency can be obtained after five years of legal stay in Romania, and after additional three years of permanent residency in Romania, the person can apply for Romanian citizenship.<sup>6</sup>

If the applicant is married to a Romanian citizen, he/her has to have had legal stay in Romania for five years in order to acquire Romanian citizenship.<sup>7</sup>

The exemptions of minimum required period of living in Romania are (among others) the following where the requirement of time period of legal stay in Romania can be halved:<sup>8</sup>

- EU citizens can apply after four years of legal stay in Romania or two and a half year if they are married with a Romanian citizen.
- Refugees considered refugees according to the 1951 Refugee Convention can apply after four years of legal stay in Romania. If the refugee is married to a Romanian citizen, he/she can apply for citizenship after two and a half year of legal stay in Romania.
- Persons investing a minimum of 1 million euro in Romania can have their minimum required period of living in Romania halved.

Since 2010 6,300 of applications for naturalisation under art. 8 have been handled, and 3,400 of the cases have been approved.<sup>9</sup>

### **Requirements**

In order to be granted Romanian citizenship, the person must present a legal certificate of criminal records of the home country. If the person was convicted in the country or abroad for an offence, which makes him/her unworthy of being a Romanian citizen, he/she can be denied Romanian citizenship based on a case to case evaluation.<sup>10</sup>

The National Authority for Citizenship checks with other authorities (e.g. Interpol) in order to evaluate the person's criminal records. The person can always challenge the decision of the President of the National Authority for Citizenship in court, also if he is denied due to security reasons.<sup>11</sup>

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<sup>5</sup> National Authority for Citizenship, Bucharest, September 2021.

<sup>6</sup> National Authority for Citizenship, Bucharest, September 2021.

<sup>7</sup> National Authority for Citizenship, September 2021.

<sup>8</sup> National Authority for Citizenship, Bucharest, September 2021.

<sup>9</sup> National Authority for Citizenship, Bucharest, September 2021.

<sup>10</sup> National Authority for Citizenship, Bucharest, September 2021.

<sup>11</sup> National Authority for Citizenship, Bucharest, September 2021.

The applicant also has to prove financial means with a stable income in Romania of minimum wage and a satisfactory level of knowledge of the Romanian language and culture by passing an exam.<sup>12</sup>

The person is tested in the Romanian constitution, the national anthem, general knowledge of Romanian culture, history and geography. The test is made out of 12 questions in total, three questions from each category. Information relevant in order to pass the exam, together with 500 relevant questions and answers, is available online in order for the applicant to practice before the exam. The person is only allowed to take the exam, if the preliminary conditions, which include the security check, is passed.<sup>13</sup>

If a person met the requirements and passed exam, the case will be approved by the president of the National Authority for Citizenship and afterwards the oath of allegiance is taken before the person is considered a Romanian citizen. After this, the person can apply for Romanian documents and a CNP number to prove the nationality.<sup>14</sup>

Moldovans, Ukrainians and Bulgarians from the former Greater Romania can also apply by naturalisation under art. 8 instead of Article 11 as described below.<sup>15</sup>

### **Re-acquisition**

There are two different articles related to re-acquisition of Romanian citizenship describes in article 10 and 11.<sup>16</sup>

#### *Article 10*

Until 1991, Romania did not allow dual citizenship. Article 10 relates to Romanians who willingly renounced their citizenship.<sup>17</sup>

The applicant has to prove the relation to a Romanian citizen up to second-degree kinship. For instance, if a person renounces his/her citizenship, his/her children or grandkids can apply for re-acquisition of Romanian citizenship. The kinship is confirmed through Romanian data.<sup>18</sup>

There is no language exam or test in Romanian culture, however it is required that the person has a clean criminal record. The person can apply from Romania or from a Romanian embassy. If the application is approved, the re-acquisition process is finalised by taking the oath of allegiance. It is not a requirement that the person has lived in Romania.<sup>19</sup>

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<sup>12</sup> National Authority for Citizenship, Bucharest, September 2021.

<sup>13</sup> National Authority for Citizenship, Bucharest, September 2021.

<sup>14</sup> National Authority for Citizenship, Bucharest, September 2021.

<sup>15</sup> National Authority for Citizenship, Bucharest, September 2021.

<sup>16</sup> National Authority for Citizenship, Bucharest, September 2021.

<sup>17</sup> National Authority for Citizenship, Bucharest, September 2021.

<sup>18</sup> National Authority for Citizenship, Bucharest, September 2021.

<sup>19</sup> National Authority for Citizenship, Bucharest, September 2021.

There has been 17,000 applications related to article 10 since 2010 from which about 14,000 were approved.<sup>20</sup>

#### *Article 11*

Article 11 relates to Romanians who unwillingly renounced their citizenship, and regards the territories that was a part of Romania before 1940.<sup>21</sup>

The persons who lived in these areas in Moldova, parts of Ukraine and parts of Bulgaria and in June 1940 lost their citizenship unwillingly can prove their Romanian ancestry by presenting an official document. The person has to prove kinship to a Romanian up until great grandparents.<sup>22</sup>

Article 11 cases make up 96% of the citizenship applications of the citizenship-cases and about 81% of the applicants are Moldavian citizens. There is almost no cases with applicants with ancestors born in former Romanian territories that now are Bulgaria and therefore citizens of Bulgaria.<sup>23</sup>

It takes around two years for the case handling. The applicants need to submit documentation. The authorities do not investigate themselves.<sup>24</sup>

#### **Citizenship certificate**

After the oath of allegiance, the person can have a citizenship certificate issued from the National Authority for Citizenship or the Ministry of Foreign Affairs through consular missions. The citizenship certificate is issued centrally in Bucharest or at a Romanian embassy.<sup>25</sup>

The person has to present a birth certificate from the country of origin. Based on a birth certificate from the persons country of origin the person can apply for a Romanian birth certificate and have a CNP issued.<sup>26</sup>

The citizenship certificate is preprinted by National Printing House and the personal information is printed centrally at National Authority for Citizenship and at the Embassies. The citizenship certificate has changed layout over the years.<sup>27</sup>

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<sup>20</sup> National Authority for Citizenship, Bucharest, September 2021.

<sup>21</sup> National Authority for Citizenship, Bucharest, September 2021.

<sup>22</sup> National Authority for Citizenship, Bucharest, September 2021.

<sup>23</sup> National Authority for Citizenship, Bucharest, September 2021.

<sup>24</sup> National Authority for Citizenship, Bucharest, September 2021.

<sup>25</sup> National Authority for Citizenship, Bucharest, September 2021.

<sup>26</sup> National Authority for Citizenship, Bucharest, September 2021.

<sup>27</sup> National Authority for Citizenship, Bucharest, September 2021.

ROMÂNIA



## CERTIFICAT DE CETĂȚENIE

Nr. XXXXX/XXXXXXXXXX

Eliberat în temeiul Legii cetățeniei române nr. 21/1991, republicată,

Doamnei XXXXX XXX,

născută la XX.XX.XXXX, în localitatea XXXXXXX, fiica lui XXXXXXX și XXXXX, a cărei cerere de acordare a cetățeniei române a fost aprobată prin Ordinul Președintelui Autorității Naționale pentru Cetățenie nr. XXXX/P/XXXX din XX.XX.XXXX.

Astăzi, XX.XX.XXXX, doamna XXXXX XXX a depus jurământul de credință față de România, în condițiile art. 20 alin. 2 din Legea nr. 21/1991, republicată.

Drept urmare, în conformitate cu dispozițiile art. 20 alin. 1 din Legea nr. 21/1991, republicată, la data de XX.XX.XXXX, doamna XXXXX XXX a dobândit cetățenia română.

Președinte

Autoritatea Națională pentru Cetățenie

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Image 1: Specimen of the Romanian citizenship certificate (NIDC reference material).

## References

### *Oral source*

National Authority for Citizenship (September 2021): Interviewed in Bucharest, Romania.