

Matters of citizenship have been regulated by the Law on Citizenship of the Republic of Serbia and the Law on Amendments to the Law on Citizenship of the Republic of Serbia.

HOW CAN ONE ACQUIRE THE CITIZENSHIP OF THE REPUBLIC OF SERBIA

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HOW CAN YOU ACQUIRE THE CITIZENSHIP OF THE REPUBLIC OF SERBIA

I. Acquiring of citizenship by origin

Citizenship of the Republic of Serbia based on origin is acquired, under different conditions, by children if both or one parent is a national of the Republic of Serbia at the moment of the child's birth.

You should make sure to report in good time the child's birth to the relevant diplomatic or consular mission of the Republic of Serbia in order that its name may be entered in the register of citizens of the Republic of Serbia.

If your parents were nationals of the Republic of Serbia at the time of your birth, if you are of age, but under 23, and if, as a child, you were left without citizenship and were not registered, you should file an application to that effect with the relevant diplomatic or consular mission of the R. of Serbia.

II Acquiring of citizenship by admission

A) If you are a foreigner and you have permanent residence in the Republic of Serbia, you may acquire citizenship of the R. of Serbia if you fulfil the following requirements:

1. that you have turned 18 and have not been deprived of business capacity;
2. that you have been released from a foreign citizenship or that you have presented evidence that you will be released from it, if admitted to citizenship of the Republic of Serbia;
3. that you had registered permanent residence in the territory of the Republic of Serbia for at least three years without interruption before submitting the application;
4. that you submit a signed statement that you consider the Republic of Serbia to be your country.

B) If you are a foreigner who has been married for at least three years to a national of the Republic of Serbia and who has been granted permanent residence in the Republic of Serbia, you may be admitted to citizenship of the Republic of Serbia if you submit a signed statement that you consider the Republic of Serbia to be your country.

C) If you are an emigrant from the Republic of Serbia or a descendant thereof you may be admitted to citizenship of the Republic of Serbia if you have turned 18 and have not been stripped of business capacity and if you submit a signed statement that you consider the Republic of Serbia to be your country.

No release from foreign citizenship is required for admission to citizenship of the Republic of Serbia, which means that you may have dual citizenship (you need not live in the Republic of Serbia and you need not have permanent residence there).

D) If you do not have permanent residence in Serbia, and belong to the Serbian people, you may be admitted to citizenship of the Republic of Serbia under Article 23 of the Law, without having been released from a foreign citizenship. All you need is to have turned 18 years of age, that you have not been deprived of your business capacity, and that you submit a statement in writing that you consider the Republic of Serbia to be your country.

III You may become a citizen of the Republic of Serbia, under certain conditions, by being entered in the register of citizens of Serbia

This manner of acquiring Serbian citizenship has been regulated under Article 52 of the Law which reads:

"For the purposes of this Law, a citizen of the Republic of Serbia shall be understood to mean also any citizen of the SFRY who, on 27 February 2005, was a citizen of some other republic of the former SFRY or of some other state emerged in the territory of the former SFRY and who has registered permanent residence in the territory of the Republic of Serbia for at least nine years, if he/she submits a signed statement that he/she considers himself/herself a citizen of the Republic of Serbia and has filed an application for being entered in the register of citizens of the Republic of Serbia.

The signed statement referred to in paragraph 1 of this Article should be filed with the authority in charge of internal affairs in whose area the citizen has permanent residence.

For the purposes of this Law, a citizen of the Republic of Serbia shall be understood to mean a citizen of Montenegro who had registered residence in the territory of the Republic of Serbia on 3 June 2006, if he/she submits a signed statement that he/she considers himself/herself to be a citizen of the Republic of Serbia and has filed an application for being entered in the register of citizens of the Republic of Serbia.

The signed statement referred to in paragraphs 1 and 2 of this Article should be filed within a period of five years from the date of the coming of this Law into force.

The application for acquiring citizenship of the Republic of Serbia under Article 52, paragraphs 1 and 2, should be filed with the authority in charge of internal affairs according to the place of residence of the applicant."

HOW CAN THE CITIZENSHIP OF THE REPUBLIC OF SERBIA BE TERMINATED

Termination of the citizenship of the Republic of Serbia on the basis of release

Citizenship of the Republic of Serbia may be terminated on the basis of release if he/she files an application for release and fulfils the following requirements:

1. that he/she has turned 18;
2. that there are no objections on account of military service obligation;
3. that he/she has paid taxes and regulated other legal obligations in the Republic of Serbia;
4. that he/she has regulated proprietary obligations stemming from marriage and parent child relations in relation to persons living in the Republic of Serbia;
5. that criminal proceedings are not being conducted against him/her for criminal offences which are prosecuted ex officio and, if he/she has been sentenced to a prison term in the Republic of Serbia, that he/she has served such term;
6. that he/she has an alien citizenship or evidence that he/she will be admitted to alien citizenship.

Termination of citizenship on the basis of renunciation

If you are a citizen of age, if you were born and live abroad, and have an alien citizenship, you may renounce citizenship of the Republic of Serbia before the age of 25.

YOU HAVE BEEN RELEASED FROM THE CITIZENSHIP OF THE REPUBLIC OF SERBIA AND WISH TO RE-ACQUIRE IT

If you have been released from citizenship of the Republic of Serbia and have acquired an alien citizenship or your citizenship of the Republic of Serbia has been terminated on the basis of release or renunciation at your parents' request, you may re-acquire citizenship of the Republic of Serbia if you file an application for re-acquiring citizenship of the Republic of Serbia, in which case you should be 18 years old and should not be deprived of your business capacity, and if you submit a signed statement that you consider the Republic of Serbia to be your country.

Attention of these persons should be drawn to the fact that many countries, in their legislation regulating citizenship, provide for a prior consent of their competent authorities to re-acquisition of alien citizenship. Otherwise, stripping these persons of the acquired citizenship of the relevant country is provided for.

YOU HAVE NOT REGULATED YOUR CITIZENSHIP STATUS

If you have acquired citizenship of the Republic of Serbia and have not been entered in the birth register or the register of citizens of the Republic of Serbia kept in accordance with the previous regulations, the Ministry of Internal Affairs will establish your citizenship at your request or at the request of the authority conducting proceedings related to the realization of your right or ex officio.

The Ministry of Internal Affairs brings a decision on the establishment of citizenship of the Republic of Serbia.

WHERE TO FILE AN APPLICATION REGARDING CITIZENSHIP AND WHO DECIDES ON IT

Applications for acquisition and termination of the citizenship of the Republic of Serbia are decided upon by the Ministry of Internal Affairs of the Republic of Serbia in accordance with its competences as provided for by the Law.

Applications for the acquisition and termination of citizenship should be filed with the authority in charge of internal affairs according to the place of residence or temporary stay of the applicant and may also be filed with the relevant diplomatic or consular mission of the Republic of Serbia which will forward them without delay to the Ministry of Internal Affairs.

The application for the acquisition or termination of citizenship of the Republic of Serbia should be filed in person or through an authorized person; the application on behalf of a person deprived of his/her business capacity should be filed by his/her guardian, and for a child under the age of 18, the application should be filed by a parent, that is, the parent should file a signed statement that he/she considers the Republic of Serbia to be his/her country. For a child over the age of 14, the child's consent is also required.

The applicant seeking acquisition or termination of citizenship will be issued with an acknowledgement that the application has been filed.

NOTE:

Detailed information on the conditions, documents to be enclosed with the application, procedure and charges is provided by the relevant diplomatic or consular mission of the Republic of Serbia in whose jurisdiction you are staying. Attention is drawn to the fact that the information provided is of a general nature and that, in each individual case, the Law on Citizenship is applied in its entirety as well as the other applicable regulations.