

CROATIAN CITIZENSHIP ACT

I. GENERAL PROVISIONS

Article 1

This Act regulates Croatian citizenship, prerequisites for its acquisition and termination.

Article 2

A citizen of the Republic of Croatia who also has foreign citizenship is considered exclusively a Croatian citizen by Government bodies of the Republic of Croatia.

II ACQUISITION OF CITIZENSHIP

Article 3

Croatian citizenship is acquired:

1. by origin;
2. by birth within the area of the Republic of Croatia;
3. by naturalisation;
4. pursuant to international treaties.

Article 4 (Official Gazette 102/19)

A child acquires Croatian citizenship by origin:

1. if both parents are Croatian citizens at the time of the child's birth;
2. if one of the parents is a Croatian citizen at the time of the child's birth and the child is born in the Republic of Croatia;
3. a foreign citizen or one without citizenship who has been adopted by Croatian citizens pursuant to the provisions of a special law.

Article 5 (Official Gazette 102/19)

A person born abroad, one of whose parents at the time of birth is a Croatian citizen, if the child is registered at the diplomatic mission or consular post of the Republic of Croatia abroad or at the registry office in the Republic of Croatia for entry in the records as a Croatian citizen by the age of 21, acquires Croatian citizenship by origin.

A person older than 21 years, born abroad, one of whose parents at the time of its birth is a Croatian citizen, acquires Croatian citizenship by origin if the person submits a request for entry into the register of Croatian citizens within two years from the day this Act enters into force, and the Ministry of the Interior has previously determined that there are no obstacles referred to in Article 8, paragraph 1, item 5 of this Act.

A person born abroad, one of whose parents is a Croatian citizen at the moment of the person's birth, but who does not fulfil any of the requirements under paragraph 1 of this Article, acquires Croatian citizenship if he or she would otherwise remain without citizenship.

Article 6

Deleted.

Article 7

A child born or found within the area of the Republic of Croatia, if both parents are unknown or of unknown citizenship, or without citizenship, acquires Croatian citizenship. The child's Croatian citizenship shall cease if, by his or her fourteenth birthday, it is confirmed that both of his or her parents are foreign citizens.

Article 8 (Official Gazette 102/19)

A foreigner can acquire Croatian citizenship by naturalization if he or she has submitted a request for Croatian citizenship and fulfils the following requirements:

1. he or she is 18 years old;
2. he or she is released from foreign citizenship, or submits proof that he or she will acquire release if granted Croatian citizenship;
3. he or she has lived and has had a registered residence in the Republic of Croatia for at least 8 years without interruption until the submission of the request and has been granted foreigner status with permanent residence;
4. he or she is proficient in the Croatian language and Latin script, and is familiar with Croatian culture and social arrangement;
5. by respecting the legal order of the Republic of Croatia, by paying public contributions, and that there are no security obstacles for him or her to receive Croatian citizenship.

The requirement under point 2 of paragraph 1 of this Article shall be considered fulfilled if the request has been submitted by a person without citizenship or a person who will lose his or her citizenship simply by naturalization, pursuant to the laws of the country of his or her citizenship.

If a foreign country does not permit release from its citizenship, or if it places requirements for release that cannot be fulfilled, a statement of the applicant who has submitted a request shall be sufficient to renounce his or her foreign citizenship under the conditions of acquisition of Croatian citizenship.

The fulfilment of the requirement under point 4, paragraph 1 of this Article is determined by verification of the proficiency in the Croatian language and Latin script, and in the culture and social arrangement.

Persons over 60 years of age are not obligated to fulfil the requirements under point 4, paragraph 1 of this Article.

Article 8A

A foreigner who has submitted a request for Croatian citizenship, and who has not yet been granted release from foreign citizenship at the moment of the submission of the request or does not have proof that he or she would gain release in the event of acquiring Croatian citizenship, may be issued a guarantee of acceptance to Croatian citizenship if he or she fulfils the rest of the requirements under Article 8, paragraph 1 of this Act.

The guarantee shall be issued for a period of two years.

Article 9 (Official Gazette 102/19)

A person who was born on the territory of Republic of Croatia and lives in the Republic of Croatia, and has been granted permanent residence, can acquire Croatian citizenship by naturalization even if he or she does not fulfil the requirements under Article 8, paragraph 1, points 3, and 4 of this Act.

Article 10

A foreign citizen married to a Croatian citizen who has been granted permanent residence within the area of and who lives in the Republic of Croatia can acquire Croatian citizenship by naturalization even if he or she does not fulfil the requirements under Article 8, paragraph 1, points 1 - 4 of this Act.

Article 11 (Official Gazette 102/19)

An emigrant and his or her descendants can acquire Croatian citizenship by naturalization even if they do not meet the requirements under Article 8, paragraph 1, points 2 - 4 of this Act.

An foreigner who is married to a person under paragraph 1 of this Article can acquire Croatian citizenship by naturalization even if they do not meet the requirements under Article 8, paragraph 1, points 2 - 4 of this Act.

An emigrant under paragraph 1 of this Article is a person who has emigrated from the area of the Republic of Croatia before 8 October 1991 with the intention of living permanently abroad.

Exceptionally, an emigrant under paragraph 1 of this Article is also a member of the Croatian people who emigrated from the territory of the former states in which, at the time of the emigration, the territory of the present-day Republic of Croatia was located.

A person who has emigrated from the area of the Republic of Croatia on the basis of an international treaty or has renounced Croatian citizenship, a person who has changed his or her place of residence to that of one of the other countries that were

formerly part of the state union of which the Republic of Croatia was also a part, and the person did not have former Croatian citizenship, i.e. his or her homeland was not the Republic of Croatia, is not considered to be an emigrant.

Article 12 (Official Gazette 102/19)

A foreigner whose acceptance for Croatian citizenship would be in the interest of the Republic of Croatia can obtain Croatian citizenship by naturalization even if he or she does not fulfil the requirements under Article 8, paragraph 1, points 1 - 4 of this Act.

A spouse of the person referred to in paragraph 1 of this Article can also acquire Croatian citizenship even if he or she does not fulfil the requirements under Article 8, paragraph 1, points 1 - 4 of this Act, if he or she has been living in the Republic of Croatia for one year with the authorised stay.

At the request of the Ministry of the Interior, the competent ministry, i.e. the central state office, shall give a reasoned opinion from which undoubtedly arises the existence of the Republic of Croatia's interest in receiving the foreigner referred to in paragraph 1 of this Article into Croatian citizenship.

Article 13 (Official Gazette 102/19)

A minor acquires Croatian citizenship by naturalisation:

1. if both parents acquire Croatian citizenship by naturalization, or
2. if only one parent acquires Croatian citizenship by naturalization, and the child lives in the Republic of Croatia and has been granted permanent residence, or
3. if one parent acquires Croatian citizenship by naturalization pursuant to Article 11, paragraph 1, or Article 16 of this Act, or
4. if only one parent acquires Croatian citizenship by naturalization, while the other does not have citizenship or is of unknown citizenship, and the child lives abroad.

An application for the acquisition of Croatian citizenship for a minor child is submitted by one of the parents with the written consent of the other parent or guardian of the child.

Exceptionally from paragraph 2 of this Article, a request may be submitted independently by one of the parents:

- if the other parent is dead, or is declared deceased,
- if the other parent is deprived of legal capacity in the part related to deciding the child's status issues,
- if, on the basis of a court decision, he or she independently realises parental care in whole or in part, i.e. if the other parent is rested from exercising parental care on the basis of a court decision,
- if the other parent's whereabouts are unknown.

In the case referred to in paragraph 3, subparagraph 4 of this Article, the application may only be submitted with the prior consent of the competent social welfare centre.

Article 14

Deleted.

Article 15

A Croatian citizen who has requested and received release from Croatian citizenship in order to acquire foreign citizenship, which was imposed on him or her as a requirement to be able to exercise a profession or activity by the foreign state wherein he or she has domicile, may again acquire Croatian citizenship even if he or she does not fulfil the requirements under Article 8, paragraph 1, points 1 - 4 of this Act, and if he or she lives in the Republic of Croatia and has been granted residence.

Article 16 (Official Gazette 102/19)

A person who belongs to the Croatian people with no domicile in the Republic of Croatia can acquire Croatian citizenship if he or she fulfils the requirements under Article 8, paragraph 1, point 5 of this Act.

Belonging to the Croatian people is determined by previous declarations and legal transactions, by stating that affiliation in certain public documents, through the protection of rights and promoting the interests of the Croatian people, and by active participation in Croatian cultural, scientific and sports associations abroad.

Exceptionally from paragraph 2 of this Article, evidence of belonging to the Croatian people need not be enclosed by a person whose parents' affiliation with the Croatian people is indisputably established.

III TERMINATION OF CITIZENSHIP

Article 17

Croatian citizenship shall cease:

1. by release;
2. by renouncement;
3. pursuant to international treaties.

Article 18

Release from Croatian citizenship can be granted to a person who has submitted a request for release and fulfils the following requirements:

1. he or she is 18 years old;
2. there are no impediments for release from citizenship by reason of military conscription;
3. he or she has paid due taxes, fees and other public charges, and has fulfilled all the obligations towards legal entities and natural persons in the Republic of Croatia that have been imposed by an executive body;
4. he or she has fulfilled any such financial obligations that he or she might have towards a spouse, parents and children who are Croatian citizens, and towards persons who remain living in the Republic of Croatia;
5. he or she is a foreign citizen, or he or she has proved that he or she will acquire foreign citizenship.

Release from Croatian citizenship cannot be obtained by a person who, at the time when release is requested, is ex-officio charged and prosecuted for a criminal offence, or punished by imprisonment in the Republic of Croatia, until he or she has served that sentence in full.

Article 19

The decision on release from Croatian citizenship shall be revoked upon the request of the person who has acquired the release if he or she does not acquire foreign citizenship within three years, and has informed a diplomatic mission or consular office of the Republic of Croatia abroad or a body directly competent to enact a decision on release within three years.

Article 20 (Official Gazette 102/19)

The Croatian citizenship of a child up to 18 years of age shall cease by release:

1. upon the request of both parents whose Croatian citizenship has ceased by release, or
2. if Croatian citizenship has ceased in a way under point 1 of this paragraph in the case of one parent, while the other parent is a foreign citizen, or
3. if Croatian citizenship has ceased in a way under point 1 of this paragraph in the case of one parent, and the other parent who is a Croatian citizen gives written consent to release the child from Croatian citizenship.

A child up to 18 years of age, adopted by foreign citizens, shall be released from Croatian citizenship upon the adopters' request.

Article 21 (Official Gazette 102/19)

An adult Croatian citizen with a domicile abroad and of foreign citizenship may renounce Croatian citizenship.

A person who has renounced Croatian citizenship as an adult may not regain Croatian citizenship.

Article 22 (Official Gazette 102/19)

The Croatian citizenship of a child up to 18 years of age shall cease by renouncement:

1. upon the request of parents whose Croatian citizenship has ceased by renouncement; or
2. if Croatian citizenship has ceased by renouncement for one parent, and the other parent is a foreign citizen.

A child up to 18 years of age adopted by foreign citizens shall be released from Croatian citizenship upon the adopters' request.

Article 23

A person whose Croatian citizenship ceased pursuant to Article 20 or 22 of this Act when he or she was a minor acquires Croatian citizenship again if he or she has resided within the area of the Republic of Croatia for at least one year without interruption and if he or she provides a written statement saying that he or she considers himself or herself a Croatian citizen.

IV PROCEDURAL PROVISIONS

Article 24 (Official Gazette 102/19)

Persons who have acquired Croatian citizenship by origin or by birth within the area of the Republic of Croatia are entered into the records on citizenship while being entered into the register of births. A request to be entered into the records can also be submitted abroad, at a diplomatic mission or consular office of the Republic of Croatia.

Affairs related to the acquisition of Croatian citizenship by origin and birth within the area of the Republic of Croatia are handled by the competent public County administration offices, i.e. the authority of the City of Zagreb, within the scope of which it is entrusted with the state administration tasks related to the acquisition of Croatian citizenship.

A request for the acquisition of Croatian citizenship by naturalization, for the termination of Croatian citizenship, and for determining Croatian citizenship is submitted personally to a police administration, i.e. to a police station, according to the place of temporary or permanent authorised residence.

Exceptionally from paragraph 3 of this Article, in the case of a person with a disability, the request referred to in paragraph 3 of this Article may be submitted through a legal representative or an authorized person.

A request for the acquisition of Croatian citizenship by naturalisation, for the termination of Croatian citizenship and for determining Croatian citizenship may also be submitted through a diplomatic mission or consular post of the Republic of Croatia abroad.

Article 24A

Persons who have acquired Croatian citizenship by origin have been considered Croatian citizens since birth.

Croatian citizenship is acquired by naturalization on the day of notice of the decision on the acceptance to Croatian citizenship.

Croatian citizenship is acquired, if granted on the basis of a given statement, on the day of the submission of the statement.

Croatian citizenship shall cease by release on the day of notice of the decision on release from Croatian citizenship.

Croatian citizenship shall cease by renouncement on the day of the submission of the statement on the renouncement of Croatian citizenship.

Article 24B (Official Gazette 102/19)

A person who acquires Croatian citizenship by naturalization gives a solemn oath.

The text of the oath reads: "I swear by my honour that as a Croatian citizen, I will abide by the Constitution and the law and respect the legal order, culture and customs in the Republic of Croatia."

The minister responsible for internal affairs shall prescribe by an ordinance the manner and procedure for solemn oaths.

Article 25

The Ministry of the Interior handles affairs related to the acquisition of Croatian citizenship by naturalization and international treaties, as well as affairs related to the termination of Croatian citizenship.

Article 26

The Ministry of the Interior shall reject a request for the acquisition or termination of citizenship if the requirements have not been fulfilled, unless stipulated otherwise by this Act.

The Ministry of the Interior can reject a request for the acquisition or termination of citizenship even if the requirements are fulfilled if, in its judgment, the request for the acquisition or termination of citizenship should be rejected for reasons of interest to the Republic of Croatia.

Article 27

Records are kept on Croatian citizenship.

The records on citizenship are kept by the registrar's office.

Persons born in the Republic of Croatia are entered into the citizenship records kept by the registrar's office of the person's place of birth.

Persons born abroad are entered into the citizenship records kept by the registrar's office of the domicile of the person submitting the request for the acquisition of Croatian citizenship.

Persons who acquire Croatian citizenship pursuant to the provisions of this Act and do not have a domicile in the Republic of Croatia are registered in the central records.

The central records are kept by the competent authority for general administrative affairs in the City of Zagreb.

Corrections of the data in the records on Croatian citizenship can only be performed on the basis of a decision of the competent body that handled the entry into citizenship records.

Article 28

A Certificate of Citizenship is an official document serving as proof of Croatian citizenship issued by a registrar's office.

Article 29

Croatian citizenship shall be proven by a valid identity card, military identification card or passport.

A Croatian citizen who does not have any of the documents listed in paragraph 1 of this Article proves Croatian citizenship with a Certificate of Citizenship issued by a registrar's office on the basis of records of citizenship.

Article 30 (Official Gazette 110/15)

A person is considered to be a Croatian citizen if he or she acquired this status pursuant to legislation valid until the day this Act entered into force.

A Croatian citizen is any member of the Croatian people who does not have Croatian citizenship on the day on which this Act enters into force, but does have a registered domicile in the Republic of Croatia and provides a written statement that he or she considers himself or herself a Croatian citizen.

A Croatian citizen is also any person who was entered into the records on citizenship in the period from 1 March 1978 to 8 October 1991 and who has been issued with an official document serving as proof of Croatian citizenship.

The written statement referred to in paragraph 2 of this Article is submitted to a police administration or to a police station of the municipality where the person has his or her domicile.

The police administration or the police station determines whether the requirements under paragraphs 1 and 2 of this Article have been fulfilled. If it is ascertained that all the requirements have been fulfilled, it shall order the entry into the records of citizenship, without issuing a written decision to that effect. If it determines that all the requirements have not been fulfilled, it shall decline the request by a decision.

Article 30A (Official Gazette 102/19)

At the proposal of the ministry competent for Croatian veterans, as of 8 October 1991, a missing and dead Croatian Homeland War veteran who has no entry in the records of Croatian citizens is considered a Croatian citizen.

A Croatian citizen is also considered to be a person born between 8 January 1977 and 8 October 1991, whose parents at the time of his or her birth both had Croatian citizenship, but whose nationality registered in the citizenship record is different, if within two years from the date of entry into force of this Act, they submit an application for determining Croatian citizenship.

V TRANSITIONAL AND FINAL PROVISIONS

Article 31

Forms for keeping records of citizenship, the content of the Certificate of Citizenship, and the way of keeping the records of citizenship are regulated by the Minister of the Interior.

The Minister of the Interior determines the cost of the form of the Certificate of Citizenship borne by the person submitting the request.

Article 32

Impediments for release from citizenship concerning military conscription (Article 18, paragraph 1, point 2) are regulated by the Minister of Defence with the prior consent of the Minister of Interior.

Article 33

Regulations relating to the provisions of Articles 31 and 32 of this Act shall be enacted within 60 days after this Act has come into force.

Article 34

The data in the records of citizenship referred to in Article 4, paragraph 2, and Article 20, paragraph 2 of this Act are an official secret.

Article 35

Proceedings set in motion on the basis of the Act on Citizenship of the Socialist Republic of Croatia (Official Gazette no. 32/77) shall be completed according to the provisions of this Act.

Article 36

The ministry with competence for internal affairs and the ministry with competence for administration supervise the implementation of this Act and other regulations enacted on the basis of this Act.

The ministry competent for internal affairs supervises the implementation of provisions related to the acquisition of Croatian citizenship by naturalization and according to international treaties, and the termination of Croatian citizenship.

The ministry competent for administration supervises the implementation of the provisions related to the acquisition of Croatian citizenship by origin and birth within the area of the Republic of Croatia.

Article 37

When this Act enters into force, the Act on Citizenship of the Socialist Republic of Croatia (Official Gazette no. 32/77) shall cease to have effect.

Until the enactment of the provisions of Article 31 of this Act, the Ordinance on Keeping Records on Citizenship, Record Forms and the Certificate of Citizenship Forms (Official Gazette no. 7/78, 42/81) shall be in force.

Article 38

This Act enters into force on the day of its publication in the Official Gazette.

TRANSITIONAL AND FINAL PROVISIONS FROM THE OFFICIAL GAZETTE 130/11:

Article 18

The minister competent for administration provides an ordinance on the content and the way of keeping records of Croatian citizenship, prescribes the content and form of the Certificate of Citizenship and sets the price of the form for the Certificate of Citizenship.

The minister competent for internal affairs prescribes through an ordinance the forms for the request for the acquisition of Croatian citizenship by naturalization and for the termination of Croatian citizenship, as well as the way of keeping and the content of the records on the acquisition of Croatian citizenship by naturalization and by international treaties, and the records on the termination of Croatian citizenship.

The nature of the verification of proficiency in the Croatian language and the Latin script, and in the culture and social arrangement shall be prescribed by an ordinance by the minister competent for internal affairs, with the consent of the ministers competent for education and culture.

The competent ministers shall pass the regulations under paragraphs 1, 2 and 3 of this Article within 6 months following the day this Act enters into force.

Article 19

It is considered that persons who were domiciled in the Republic of Croatia on 8 October 1991 and who had been granted permanent residence fulfil the requirements for necessary residence in proceedings for the acquisition of Croatian citizenship.

Article 20

All the proceedings set in motion before the day this Act comes into force shall be completed according to the provisions of the Croatian Citizenship Act (Official Gazette no. 53/91, 70/91 – amendment, 28/92 and 113/93).

Article 21

Throughout the text of the Croatian Citizenship Act (Official Gazette no. 53/91, 70/91 – amendment, 28/92 and 113/93), the words: "territory of the Republic of Croatia", "police station" and "diplomatic or consular mission" are substituted with the words: "area of the Republic of Croatia", "precinct", "diplomatic mission or consular office", in the appropriate number and case.

Article 22

This Act shall be published in the Official Gazette and shall enter into force on 1 January 2012.

Transitional and Final Provisions from the Official Gazette 102/19

Article 15

The Ordinance referred to in Article 24B, paragraph 3, which has been added by Article 14 of this Act, shall be adopted by the minister competent for internal affairs within six months from the day this Act enters into force.

The minister competent for internal affairs shall harmonise the Ordinance on the forms for the request for the acquisition of Croatian citizenship by naturalization and for the termination of Croatian citizenship, and the way of keeping and the content of the records on the acquisition of Croatian citizenship by naturalization and by international treaties, and the records on the termination of Croatian citizenship (Official Gazette no. 65/12.), and with the prior consent of the heads of the central bodies of the state administration competent for science, education, sports and culture, the Ordinance on the manner of verification and proficiency of the Croatian language and Latin script, Croatian culture and social arrangement in the procedures for acquiring

Croatian citizenship (Official Gazette no. 118/12) with the provisions of this Act within six months from the day this Act enters into force.

Article 17

All the proceedings set in motion before the day this Act enters into force shall be completed according to the provisions of the Croatian Citizenship Act (Official Gazette no. 53/91, 70/91 – amendment, 28/92, 113/93 - Decision of the Constitutional Court of the Republic of Croatia 4/94, 130/11 and 110/15).

Article 18

This Act shall be published in the Official Gazette and shall enter into force on 1 January 2020.