

# Statistics on Loss of Nationality in the EU

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## 1. Introductory remarks

Within the European Union (EU), much progress has been made over the past years with regard to the collection of comparable and reliable information on the regulations with regard to the acquisition and loss of nationality in the Member States of the EU.<sup>1</sup> The ILEC project provides much-needed additional information on the regulation and administrative practices on involuntary loss of nationality in the EU.<sup>2</sup> While EU and international law provide important normative standards for the evaluation of these regulations and practices, in order to understand their practical relevance it is also important to have an insight in how many people are affected by such rules and practices. Hence statistics can provide an important additional perspective when assessing

varying rules and practices on the involuntary loss of nationality across EU Member States.

However, collecting comparable and reliable information on the regulations and administrative practices on involuntary loss of nationality in the European Union (EU) is one thing; collecting comparable and reliable statistics on the involuntary loss of nationality is quite another challenge. While within the EU significant progress has been made over the past years with regard to statistics on the acquisition of nationality (including but not restricted to naturalisation rates among immigrant groups), the data on how many EU citizens each year lose the nationality of an EU Member State are very limited. Moreover, in as far as statistics on loss of nationality are available, useful statistics on *involuntary* loss of nationality are even harder to find.

<sup>1</sup> See especially the European Union Democracy Observatory on Citizenship, which currently provides

information about all EU Member States and 19 neighbouring countries, at [www.eudo-citizenship.eu](http://www.eudo-citizenship.eu).

<sup>2</sup> See [www.ilecproject.eu](http://www.ilecproject.eu).



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In this policy brief we discuss the kinds of statistics on (involuntary) loss of nationality in the EU that are currently available from Eurostat and national sources, introduce a new Statistical Database on Loss of Nationality, outline the limitations of these available statistics and discuss what needs to be done to improve the current situation.

We highlight three recommendations:

1. Regulation 862/2007 on Community statistics on migration and international protection should be extended to cover not only statistics on the acquisition, but also on the loss of nationality.
2. Statistics on the loss of nationality should be provided by Member States with reference to the specific legal ground on the basis of which nationality is lost.
3. Statistics on the loss of nationality should be disaggregated by age and sex, and by the nationality of the other state which is held by the person who has lost the nationality of the Member State concerned.

## 2. Available sources

The primary source of available statistical data on loss of citizenship is the European Union's Eurostat Database on International Migration and Asylum.<sup>3</sup> Under Regulation 862/2007 on Community statistics on migration and international protection,<sup>4</sup> the Member States have the obligation to supply to the European Office of Statistics (Eurostat) statistics on, inter alia, the acquisition of the nationality of the relevant Member State by immigrants.<sup>5</sup>

However, there is no similar obligation in the Regulation for statistics on the loss of nationality. According to the metadata of the Eurostat Database on the acquisition and loss of citizenship, the data on the loss of nationality is supplied on a voluntary

basis.<sup>6</sup> In particular, the Member States were requested to provide data on “persons having their usual residence in the territory of the Member State and having lost during the reference year the citizenship of the Member State”<sup>7</sup>. Thus, while the Eurostat Database has the most comprehensive statistics of loss of Member States' nationality and precisely has been constructed with the goal to increase the uniformity of data collection, the fact that national data suppliers remain free to use any appropriate data sources, according to national availability and practice significantly affects the availability and comparability of data. Currently, only Belgium, Bulgaria, Croatia, Denmark, Estonia, France, Greece, Ireland, Lithuania, Luxembourg, Netherlands, Poland, Romania, Slovakia, Slovenia, Sweden, and the United Kingdom have supplied Eurostat with data on the loss of their nationality. The Eurostat database on loss of nationality presents statistics on the total number of persons losing nationality of one of the Member States, and provides further differentiation of these statistics by gender and by country of which new nationality is acquired. Data are available for the years 2008-2012, though only 10 Member States report statistics for all 5 years.<sup>8</sup> Figure 1 summarises those data.

In addition to Eurostat, statistical data can be obtained directly from the national statistical offices, and the relevant Government Ministry or Department in charge of nationality issues. The availability of data on the loss of nationality from the Member States is scarce. For the Estonia, Ireland, Greece, Poland, Slovenia, and Sweden, the data published by Eurostat is not (publicly) available from national sources. In the majority of Member States, however, there is no indication that the statistics on the loss of citizenship is actively being collected by the national authorities and, even where the countries actively collect data on the loss of their nationality, the available data available is limited.

<sup>3</sup> See <http://epp.eurostat.ec.europa.eu/>.

<sup>4</sup> Regulation (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers [2007] OJ L 199, p. 23-29.

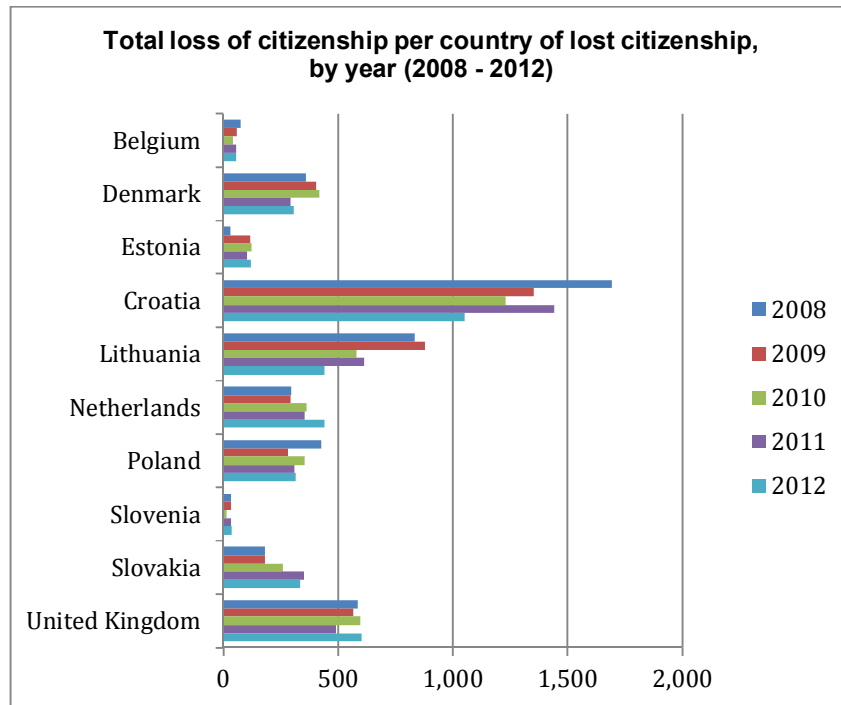
<sup>5</sup> See Reg. (EC) No. 862/2007, Article 3(1)(d).

<sup>6</sup> See “Acquisition and loss of citizenship (migr\_acqn). Reference Metadata in Euro SDMX Metadata Structure (ESMS)”.

<sup>7</sup> Email correspondence with Eurostat, European Statistical Data Support, correspondence # ESTA31334, 20 October 2014.

<sup>8</sup> See Eurostat, ‘Loss of citizenship by sex and new citizenship’ dataset, [http://epp.eurostat.ec.europa.eu/portal/page/portal/product\\_details/dataset?p\\_product\\_code=MIGR\\_LCT](http://epp.eurostat.ec.europa.eu/portal/page/portal/product_details/dataset?p_product_code=MIGR_LCT).

Figure 1. Loss of nationality in 10 Member States for which statistics are available from Eurostat, 2008-12



Source: Eurostat.

In five Member States for which statistics on the loss of nationality are available from Eurostat, the loss of nationality is actively monitored and reported with reference to the precise legal basis for the loss of nationality; these are Bulgaria, Estonia, Lithuania, the Netherlands and the United Kingdom.

In Bulgaria, data are available from the Ministry of Labour and Social Policy (2001-07) as well as the President's Office (2002-13) and can be matched to the data reported by Eurostat for 2008 and 2009. In 2008, 192 persons were released from Bulgarian nationality after a voluntary renunciation and 2 persons lost Bulgarian nationality involuntarily after the discovery of fraud resulted in the nullification of their naturalisation. In 2009, these numbers were, respectively, 138 and 2 persons. Bulgarian sources report similar data for 2010-13, but these are not available through Eurostat.

Statistics on the loss of nationality in Estonia is collected and published by the Estonian Police and Border Guard Board. Data are available for the loss of Estonian nationality by renunciation (1993–2013), and by voluntary acquisition of a foreign nationality (2003-13). The Eurostat data as regards Estonia for the years 2008-12 match (nearly) to the

national data on loss of Estonian nationality by voluntary acquisition of a foreign nationality (e.g. 2008: 29 v. 20; 2009: 115 v. 108; 2010: 123 v. 141; 2011: 101 v. 103; 2012: 119 v. 119). This indicates that the statistics provided to Eurostat only pertain to one ground of loss of Estonian nationality, namely loss of Estonian nationality due to the voluntary acquisition of another nationality.

Lithuanian statistics on loss of nationality are collected and published by the Migration Department of the Ministry of the Interior of Lithuania. The data cover both voluntary and involuntary losses of Lithuanian nationality, and are categorized by ground of loss. The national data on the total loss of Lithuanian nationality correspond nearly to the data from Eurostat (e.g. 2008: 926 v. 835; 2009: 878 v. 878; 2010: 579 v. 580; 2011: 614 v. 614; 2012: 445 v. 440). Data on voluntary renunciation and involuntary loss due to acquisition of a foreign nationality are available for the entire period for which national data is available (i.e. 2001-13).

For the Netherlands, Statistics Netherlands publishes data by year on the total loss of the Dutch nationality, from 1985 to 2013. These data cover, at least since 2010, voluntary renunciation of

nationality and match precisely with the data reported by Eurostat for the years 2008-12. Hence, in the case of the Netherlands, we can assume that the Eurostat data on loss of nationality only refer to *voluntary* renunciation of nationality as reported by Statistics Netherlands, but do not cover the available data on *involuntary* loss of nationality as reported by the Immigration and Naturalisation Service. Such additional statistics are published, however, in Nationality Reports produced by the Immigration and Naturalization Service. These reports cover statistics on the loss of Dutch nationality due to the discovery of fraudulent acquisition and loss of nationality due to the non-renunciation of a previous nationality. The data available in this manner is limited to the period between 2005 and 2011. The numbers vary between 13 (2005) and 91 (2007). The reports show that the statistics were mostly driven by loss due to non-renunciation until 2008 (with a maximum of 80 persons seeing their naturalisation nullified in 2007), but in the period 2009-11 the majority of persons losing Dutch nationality involuntary on these grounds were cases of fraudulent acquisition (around 20-30 cases per year).

For the United Kingdom, data on the loss of British nationality are collected by the Home Office. As is the case with the Netherlands, the data for the loss of the British nationality is limited to certain grounds/modes of loss, particularly renunciation of the British nationality. These statistics on voluntary renunciation of nationality provided by UK Home Office match nearly (but not completely) the statistics provided by Eurostat (e.g. 2010: 597 v. 596; 2011: 492 v. 491; 2012: 609 v. 604). The Home Office provides statistics on the number of refused applications for renunciation of nationality (18 in 2012 and 41 in 2013).<sup>9</sup> No information is provided on the grounds of the refusal. Statistics on deprivation of nationality are not regularly published by the Home Office, but have been made available on ad hoc basis in response to freedom of information requests or questions in parliament. Such reports indicate, for example, that between

2007 and 2013 the number of persons deprived of citizenship on the basis of public good concerns (Section 40 of the British Nationality Act) was not more than 6 per year; between 2006 and May 2014, 27 deprivations had occurred on conducive to the public good grounds. In addition, in that period 26 deprivations had occurred on fraud, false representations or concealment of material fact grounds. The nationality of the individuals who have been deprived of British citizenship since 2012 are as follows: Afghanistan, Albania, Bangladesh, Egyptian, Iran, Iraq, Lebanon, Morocco, Nigeria, Pakistan, Somalia, Sudan, Uganda and Yemen.<sup>10</sup> These numbers are evidently not included in the statistics reported by Eurostat for the UK.

In none of the other Member States are we able to match the data provided by Eurostat with data available at the national level. Sometimes this is because there are no data available for overlapping years covered by both Eurostat and the national statistical office. For example, data on loss of Belgian nationality are available through the Belgian Statistical Office from 1988 to 2007 and since 2008 only through Eurostat. Data on loss of nationality are available in Sweden for the years 1997-2004 (only voluntary renunciation) and subsequently through Eurostat since 2009. In Greece, data on loss of nationality are available in some detail from the Hellenic Statistical Authority<sup>11</sup> for the years 1985-2002 and from Eurostat for the years 2008-2011.

For Latvia, Eurostat does not report any statistics on loss of nationality, even though data are available back to 1999 from the Central Statistical Bureau of Latvia on the loss of the Latvian nationality. Similarly, the Hungarian national authorities collect and publish data on loss of the Hungarian nationality (voluntary renunciation and withdrawal due to fraudulent acquisition), which have not been reported to Eurostat. For Finland, the Finnish Statistical Office provides statistics on the renunciation of Finnish nationality (2006-12) and

<sup>9</sup> Only in Hungary could similar data be found on refused applications for voluntary renunciation of nationality.

<sup>10</sup> For a summary of these findings, see M. Gower (2014), "Deprivation of British citizenship and withdrawal of passport facilities", House of Commons Library, SN/HA/6820, pp. 4-5.

<sup>11</sup> As reported by H. Waldrauch (2006), "Chapter 6: Statistics on acquisition and loss of nationality in EU15 Member States", in: R. Bauböck et al., *Acquisition and Loss of Nationality. Policies and trends in 15 European Countries*, Amsterdam: Amsterdam University Press, p. 34 (extended version available at <http://www2.law.ed.ac.uk/citmodes/files/chapter6statist.ics.pdf>).

other loss of Finnish nationality (2011-13), none of which is reflected in the Eurostat database.

In Croatia, Denmark, Ireland (2009-12), Poland, Romania (only 2009), Slovakia, and Slovenia data on the loss of nationality is exclusively available through Eurostat, since 2008. Since Eurostat does not provide any information on the legal basis for the loss of nationality, it is impossible to interpret the relevance of these statistics. For Luxembourg information is only available through Eurostat for the year 2010, indicating that no person lost Luxembourgian nationality in that year. Finally, we did not find any information, either through national sources or through Eurostat, for Austria, Cyprus, the Czech Republic, Germany, Italy, Malta, Portugal and Spain.

### 3. A new database

The ILEC Statistical Database on Loss of Citizenship is the first comprehensive database on loss of citizenship of the Member States of the European Union. The ILEC Statistical Database is presented explicitly in addition, rather than as alternative to the Eurostat Database in order to facilitate cross-national comparison of statistics about the loss of nationality. The ILEC Statistical Database contains the following information:

- Source documents with details for each Member State about available data, through Eurostat and/or additional national sources (including hyperlinks to these sources). Additional comments on the interpretation of these data are included, where available, as well as contacts details of national authorities responsible for the collection of statistics about loss of nationality.
- Data on the total number of loss of nationality of each Member State per year, based on the data available from national sources since 1985. These numbers are graphically visualised in a bar chart on a separate country page in the Database (available through a search option at the start page of the Database) and available for download in .xls format.

- Data on the number of loss of nationality by legal basis of each Member State per year, based on the data available from national sources since 1985. These numbers are graphically visualised in a pie chart on a separate country page in the Database and available for download in .xls format. The downloadable files include information on the precise legal basis with reference to the national law, as well as the EUDO CITIZENSHIP comparative typology on modes of loss of nationality.<sup>12</sup>

The ILEC Statistical Database is available through the website of the European Union Democracy Observatory on Citizenship (EUDO CITIZENSHIP) (<http://eudo-citizenship.eu/statistics-on-loss-data/>).

The ILEC Statistical Database is set up in such a manner that in the future, if available, statistics on loss of nationality by legal basis can be disaggregated further by gender and by country of which another nationality is acquired or maintained.

### 4. Limitations of available data and recommendations on how to improve

Our overview of available data on loss of nationality in the EU, as presented in a comprehensive manner in the ILEC Statistical Database, highlights a number of limitations of the current situation. We discuss these below and provide targeted recommendations on how to improve data collection in the field.<sup>13</sup>

#### Data availability

The most important conclusion from our survey of available data on loss of nationality in the EU is that data is available only to a very limited extent and, where available, collected in an unsystematic manner. For eight Member States we could not find any statistics on the loss of nationality, neither through national sources nor through Eurostat. For eight other Member States we could find data through Eurostat, though only since 2008 and without any clarification about whether these statistics entail voluntary or involuntary loss of

<sup>12</sup> Available at <http://eudo-citizenship.eu/databases/modes-of-loss>.

<sup>13</sup> These recommendations build on those made already in 2007 as part of the NATAC project, especially those included in H. Waldrauch (2006), "Chapter 6: Statistics

on acquisition and loss of nationality in EU15 Member States", in R. Bauböck et al (eds), *Acquisition and Loss of Nationality. Policies and trends in 15 European Countries*, Amsterdam: Amsterdam University Press, pp. 312-313.

nationality; for 12 other Member States we were able to find some data through national sources and sometimes also through Eurostat, though often for a very limited number of years. In as far as they are available and without clarifying the complete extent of the phenomenon, it is clear from existing statistics that a significant number of persons each year lose the nationality of a Member State, either voluntarily or involuntarily. We consider it highly problematic that Community law does not provide for the systematic data collection on the loss of Member State nationality, which –after all- can imply *inter alia* the loss of Union citizenship.

*We recommend that Regulation 862/2007 on Community statistics on migration and international protection is extended to cover not only statistics on the acquisition, but also on the loss of nationality; Member States shall be required to collect statistics on the loss of nationality and to supply these to the Commission (Eurostat).*

This recommendation takes into account the explicit consideration from the European Commission that ‘[t]he data required under the Regulation should reflect the evolving needs of the users, taking into account the capacity of the data providers. This could lead to future amendments of the Regulation in order to add new data categories or specific disaggregations (...)’.<sup>14</sup>

#### Data comparability

In addition to limited availability, our survey highlights that even where available, data on the loss of nationality of EU Member States are often difficult to interpret and do not facilitate cross-national comparability of statistics. The most important limitation of publicly available data on the loss of nationality, in particular –but not exclusively- those data published by Eurostat, is that without providing information on the legal basis for the loss of a nationality these statistics are impossible to interpret within their national context, let alone in a comparative context. In particular, statistics should clearly distinguish between loss of nationality based on voluntary renunciation by individuals concerned, on the one hand, and all other forms of loss of nationality, on the other hand.

Member states should, in particular, refer to the specific legal basis in the national law that serves as ground for the loss of nationality in individual cases, be it voluntary renunciation or involuntary loss of nationality. While it is understandable that Member States cannot report statistics on all the different ways in which nationality can be lost, especially those forms where nationality is lost *ex lege* (hence without the need of an explicit administrative decision), at least for those statistics that are reported, a specific reference to the legal basis in national law should be included. Providing precise references to articles in national law will allow subsequent comparison of similar provision across Member States through existing comparative typologies of legal provisions in the area of loss of nationality.<sup>15</sup>

*We recommend that Regulation 862/2007 is amended in order to provide that Member States shall supply to the Commission (Eurostat) statistics on the numbers of persons who lose the nationality of a Member State disaggregated by the specific legal basis for the loss of a nationality;*

Our survey of available data highlights also that the evaluation of the impact of existing rules and practices is strongly hampered by the lack of basic information about the person’s other nationality. In this sense the Eurostat Database sets a good standard by already disaggregating data by sex and by nationality of the country of which the citizenship is acquired or retained. This goes beyond what most Member States do in their national statistics. With regard to information on the citizenship that is acquired or retained, especially relevant is the information on a) whether the loss of the nationality of a Member State also implies the loss of EU citizenship and b) if so, whether at least the nationality of a third country is acquired or retained. In addition, in order to facilitate analysis of these statistics, at least basic demographic information should be provided, as is currently already provided by Regulation 862/2007 with regard to statistics on the acquisition of nationality, namely information on the sex and age of the person involved.

<sup>14</sup> European Commission, ‘Report on the Implementation of Regulation (EC) No 862/2007 on Community statistics on migration and international protection’. COM(2012) 528 final, p. 15.

<sup>15</sup> Especially through the EUDO CITIZENSHIP Database on Modes of Loss of Citizenship (<http://eudo-citizenship.eu/databases/modes-of-loss>).

*We recommend that Regulation 862/2007 is amended in order to provide that Member States shall supply to the Commission (Eurostat) statistics on the numbers of persons who lose the nationality of a Member State disaggregated by age, sex, and by the nationality of the other state which is held by the person who has lost the nationality of the Member State concerned, specifying whether a person who loses the nationality of a Member State remains a citizen of the Union and, if not, whether and the nationality of a third country is acquired or retained.*

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