



Information sheet

on naturalization within the context of restitution
pursuant to Article 116 (2), first sentence, of the Basic Law (GG) for the Federal
Republic of Germany

- for persons living abroad -

(as at June 2020)

1. Who is entitled to have his/her citizenship restored?

Former German citizens who between 30 January 1933 and 8 May 1945 were deprived of their citizenship on political, racial or religious grounds may have their citizenship restored. This applies equally to their descendants.

1.1 In what cases was citizenship deprived on political, racial or religious grounds?

The citizenship was deprived on political, racial or religious grounds wherever it was

- lost automatically pursuant to Section 2 of the 11th Decree Implementing the Reich Citizens Act of 25 November 1941 (this applied to all German citizens of Jewish faith who had their habitual residence abroad when the ordinance entered into force or later)
- or
- deprived on an individual basis under the Act on Revocation of Naturalizations and Deprivation of German Citizenship of 14 July 1933. Individual cases of deprivation of German citizenship were published in the Reich Gazette (*Reichsanzeiger*).

1.2 What happens if I have meanwhile acquired another citizenship by application?

Anyone who after being deprived of their German citizenship acquired a foreign citizenship by application is entitled to have his/her German citizenship restored. This also applies to descendants.

1.3. Which descendants are entitled to claim restoration of German citizenship?

Descendants for the purposes of Article 116 (2) GG are all descendants to a person who was deprived of his/her German citizenship between 30 January 1933 and 8 May 1945. The Federal Office of Administration follows in its practice the decision of the Federal Constitutional Court of 20 May 2020 (2 BvR 2628/18).

2. How do I file my claim?

Whoever was deprived of his/her German citizenship will not be treated as a German citizen unless he/she requests German citizenship. This is done by filing an application for naturalization pursuant to Article 116 (2) GG. This also applies to descendants.

If your permanent residence is located abroad, the Federal Office of Administration (BVA) is responsible for processing your application for naturalization pursuant to Article 116 (2) GG.

Note if you currently have or once had your residence in Germany:

Persons entitled to naturalization pursuant to Article 116 (2) GG and their descendants are automatically considered to have re-acquired German citizenship upon establishing residence in Germany, unless they have stated otherwise. This also applies if they once had their residence in Germany (after 8 May 1945), but now live abroad (again).

In such cases, they do not need to be naturalized.

The competent local citizenship authorities can carry out specific procedures to determine whether or not applicants are German citizens:

- the Federal Office of Administration is the competent authority for persons currently residing abroad.
- for persons currently residing in Germany, the local citizenship authority (domestic authority) for their place of residence is the competent authority.

3. What do I have to do if I want to file an application for naturalization pursuant to Article 116 (2) GG?

You may file an informal application. You are recommended to use the application forms provided by the Federal Office of Administration, producing all necessary information for the naturalization process and facilitating the processing of your application. This helps avoid that further information or additional documents are asked for.

If you need help filing the claim, please address yourself to the next German mission abroad. It will provide you with the application forms and advice, where necessary.

3.1. Which forms are there?

- Application A: application form for persons aged 16 years or over (English)
Minors aged 16 years or over are treated as adults with respect to citizenship matters; they shall make all declarations themselves.
- Application AK: application form for children under the age of 16 years (English)
The application is to be signed by all holders of rights of custody as legal representatives.
- Annex VA: information on your German ancestors
- Vollmacht*: giving a power of attorney to a third party

The application forms are provided

- at the website of the Federal Office of Administration on www.bundesverwaltungsamt.de; go to *Staatsangehörigkeit > Einbürgerung beantragen > Einbürgerung im Rahmen der Wiedergutmachung > Vordrucke*,
- at request directly from the Federal Office of Administration or
- by the German mission abroad.

4. How do I have to fill in the application?

Fill in the application form in German, clearly, accurately, and completely. Also any further correspondence with the Federal Office of Administration is to be made in German.

You can fill in the PDF forms comfortably on the computer and print them out. If you fill in the forms by hand, do so readably (if possible, in print script) and accurately, please.

Single points of the application forms A and AK are explained below. If you have further questions, ask the competent German mission abroad for advice.

Lines 1.11-1.15: 'Data concerning the child', specifically: holder of rights of custody

(only in Application AK for children under 16 years)

Specify all holders of rights of custody (persons having the right to represent the child). Usually, those are both parents, or only the mother, or only the father. To facilitate the process, please choose the person via whom you wish the correspondence to be made (**line 8.2**).

In the event that neither the mother nor the father exercises custody, explain this on a separate sheet and submit it with the application.

Lines 1.9-1.10: 'Marital status'

The marital statuses 'in a civil partnership' and 'civil partnership dissolved' as well as the term 'civil union' refer to a registered partnership of same-sex couples (also called 'registered same-sex partnership').

Line 3.2: 'Previous citizenships'

Mention only citizenships you currently do not possess any more, but you once used to possess.

Example: you have lost this citizenship owing to naturalization in another country. Enter the period during which you possessed the previous citizenship as precisely as possible.

Line 4: 'Information on naturalization procedures of other family members' and 'Other members of the child's family have already been naturalized'

(Application AK, line 2)

Please inform us if you know that other members of the family have already applied for naturalization or have been naturalized. A copy of the certificate of naturalization can help process your application.

In addition to the parents, brothers and sisters, such members of the family also include, uncles, aunts, cousins, and other relatives (no in-laws).

It is insufficient to state that German passports were issued (indicating the passport number).

Line 5: 'My residence periods since birth' and 'The child's residence periods since birth'

(Application AK, line 3)

Please enter your places and periods of residence as precisely as possible for any places of residence outside your current home country.

You do not need to mention any visits, holiday trips, periods of being away on a job (f. i. in construction) etc. of up to six months.

Line 6: 'I derive my naturalization claim pursuant to Article 116 (2) of the Basic Law (GG) from' and 'The child's naturalization claim pursuant to Article 116 (2) of the Basic Law (GG) is derived from:' (Application AK, line 5)

Please specify which ancestor was deprived of his or her German citizenship between 30 January 1933 and 8 May 1945 on political, racial or religious grounds.

Check one box only.

Follow the instructions given behind the box you have checked.

If you have checked the box in **line 6.3** (in Application AK, line 5.3), you may also refer to the information provided by another family member with respect to the common ancestor (**line 6.4**). F. i. if you submit an application together with your brothers and sisters or with a parent, it is sufficient for one of you to provide the information on your ancestors and for all others to make reference to that applica-

tion. Specify the full name and the date of birth of the person who has provided that information. For a completed process, cite the reference number stated on the certificate of naturalization handed over.

You are nevertheless asked to provide at least information with respect to your parents in this case (lines 7.1 to 7.14; in Application AK, lines 6.1 to 6.14).

Line 7: **'Information with respect to my parents' and 'Information on the child's parents'** (in Application AK, line 6)

Please provide information with respect to your parents (as well as for all your ancestors relevant for your application). This information should be as precise as possible to help us process your application and to avoid that we ask further questions or request additional documents. If you do not know certain information, please indicate this in the respective line.

Line 7.7: **'Descent'**

State whether f. i. your father is his parents' (thus, your grandparents') natural child or whether he was adopted.

Line 7.9: **'(Previous) citizenships'**

Mention only citizenships your parents currently do not possess any more or they once used to possess, f. i. because they lost this citizenship due to naturalization in another country or because your father freely decided for only one of his two citizenships and gave up the other one.

Enter the period during which your father and/or your mother possessed the previous citizenship as precisely as possible.

Line 7.10: **'Marriage'**

Please enter the date when your parents were married to each other. The date and place of marriage are important. In the case of a divorce or of the death of one of the spouses, specify the date in the column 'to (date)'.

Line 7.11: **'Previous or later marriages'**

Please indicate whether f. i. your father had already been married before his marriage to your mother or whether he was remarried later. Please enter the period ('from – to ') as precisely as possible (date).

Line 7.14: **'My parents' places of residence since birth'**

Please enter your parents' places and periods of residence from their year of birth until today as precisely as possible.

Line 8: **'Information with respect to my German grandparents'** (only in application form A)

Indicate whether the German grandparents are your father's or your mother's parents. If both parents have German parents (or one German parent), you are recommended to choose your father's parents. For your mother's parents, you can fill in **Annex VA** in addition.

5. Please, note with respect to 'Annex VA' (ancestors):

Annex VA is to be completed additionally if the ancestors who were deprived of their German citizenship between 30 January 1933 and 8 May 1945 on political, racial or religious grounds were neither your parents nor your grandparents, but belonged to a previous generation (such as your great-grandparents).

Complete an appendix VA for each generation up to the ancestor who lost his or her German citizenship as a consequence of National Socialist persecution.

For a child under 16 years, it is possible, in Application AK (**line 5.3**), to make reference to the information provided by the parents or by other members of the family in their applications if they have already provided information on the grandparents or on further ancestors.

Where several members of the family (parents and children, brothers and sisters, grandparents, the parents' brothers and sisters) apply for naturalization pursuant to Article 116 (2) GG at the same time, it is sufficient to provide the information on the same ancestors (Annex VA) in one application only. This information shall equally apply to all applications. Please, provide the respective information in line **6.4** (Application A) or line **5.3** (Application AK).

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

The following documents always need to be submitted with the application:

- a certified copy of your current foreign passport or identity document (pages with photograph and personal details), (see **line 10.1** in Application A)

In order to prove the conditions, certified copies of the following documents are to be presented accompanied by a translation made by a sworn translator:

Documents on descent and civil status

- certificate of birth or certificate of descent of the applicant
- marriage certificate of the applicant's parents

Only the parent or his/her ancestors who were deprived of their German citizenship between 30 January 1933 and 8 May 1945 on political, racial or religious grounds are important. Descent from this person is to be proven through appropriate documents (certificates of birth or descent, marriage certificates, family registers [if there are any]).

Such documents may also include:

- 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/establishment of paternity
- documentation on any changes of name (applicant and the relevant ancestors), such as change of name certificates, marriage certificates, or other official documents on the use of the name)

Documentation permitting inference on the former German citizenship and the persecution suffered

- Former German identity or other documents (such as registration documents) of the applicant, of his/her parents, or of the relevant ancestors, indicating former German citizenship (if you have any)
- certificate of acquisition of Palestine Mandate or another citizenship of the applicant, of his/her parents or of the relevant ancestors
- other documents indicating Jewish faith and former German citizenship

Further documents may be necessary in individual cases (such as certificates of birth and marriage certificates of other ancestors).

7. In which form do I have to produce the documents?

Original certificates or photocopies of original certificates are required. Any photocopies of original certificates must be officially certified or certified by a notary. Photocopies must be complete; this

means that both sides of the certificate must be produced. 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 administrations (such as the residents' registration office, registry office, or mission abroad).

Certifications by other bodies are generally not 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 registrar of births, marriages and deaths.

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) are to be legalized or to carry a 'Hague apostille', except for

- civil status documents of EU member states and of Switzerland as well as
- international multilingual documents (certificates of birth, marriage certificates, death certificates) from Bosnia and Herzegovina, the Republic of Moldova, Macedonia, Montenegro, Serbia, and Turkey

For information on the legalization process, contact your competent German mission abroad. They can also provide you with further information in which form (kind of certification) you may submit certificates of your home country.

All foreign-language documents are to be accompanied by a translation made by a sworn translator so that it is undoubtedly seen to which originals the translations belong. Translations made by persons who are not sworn translators will not be accepted.

Please note: Original documents may be returned upon special request only after the procedure 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 asked to submit it.

8. Which fees will be charged?

The naturalization procedure is free of charge.

Please note that any cost of materials incurred in the context of the procedure (e.g. for the procurement of documents, any costs for translations and certifications) cannot be reimbursed neither in the case of naturalization nor in the case of a refusal decision.

9. 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 (StAB), 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 EU GDPR, please visit the Federal Office of Administration (BVA) web page on citizenship and the pages providing further information on the respective procedure. The Data Protection Officer's contact details are provided there as well.

10. Contact data

Postal address

Bundesverwaltungsamt
50728 Köln
GERMANY

Internet address

www.bundesverwaltungsamt.de

E-mail address

staatsangehoerigkeit@bva.bund.de

Telephone numbers

+49 (0)228 99-358-4485 or +49 (0)221-758-4485 (general information service)
during our service hours from Mondays to Thursdays from 8:00 a.m. to 4:30 p.m. and on Fridays
from 8:00 a.m. to 3 p.m.

Fax numbers

+49 (0)228 99 358-2846 or +49 (0)221 758-2846