

BULGARIAN CITIZENSHIP ON THE BASIS OF ORIGIN

Since 1 January 2007, Bulgaria has been a member state of the European Union (EU) and thereby of the 30-state European Economic Area (EEA).

This has coincided with a rise in economic growth, making it even more attractive for individuals and businesses from around the world to establish in Bulgaria, invest and work locally and benefit from the country's freer and deeper connections with the rest of the European continent.

As EU citizens, Bulgarian citizens now have the right to freely offer services, set up in business or relocate for the sake of employment, retirement, studies or simply as persons of independent means, throughout the EEA.

As of 2007, 6 west European and 9 east European EEA countries have fully opened their labour markets to Bulgarian citizens seeking employment. 8 further countries will do so by the end of 2008, with the remainder by the end of 2011. In all cases, self-employment or establishment for business, retirement, as a student or as a person of independent means are possible even now.

The attractions of Bulgarian citizenship

- *Visa-free travel to Europe, Latin America and much of Asia*
- *Right to establishment and employment in the EU*
- *Right to establishment and employment in Bulgaria itself*
- *Citizenship of a modern European society with a high human development attainment*
- *Bulgarian and EU public services encouraging and funding education, enterprise and culture*

Bulgarian Citizenship:

- Allows ownership of land in Bulgaria and other EU states that restrict ownership by foreigners
- Permits retaining multiple nationalities, but following a renunciation and reacquisition of the original nationality(ies)
- Has a higher reputation than non-EU nationalities with similar freedom of travel
- No personal taxation of non-residents
- No compulsory voting, conscription or other onerous obligations with citizenship

This brochure deals with the law and practice of acquiring Bulgarian nationality on the basis of Bulgarian origin. Please see our separate brochure 'Bulgarian Nationality through Investment, Residence or Marriage' for information on alternative routes.

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Requirements

Two main conditions obtain for Bulgarian Citizenship on the basis of origin:

- a. At least one of the applicant's predecessors is or was a Bulgarian
- b. The applicant has not been convicted of a criminal offence by a Bulgarian Court in a public prosecution nor is there a pending prosecution.

The definition of 'Bulgarian' is ethnic as well as cultural. An ancestor who self-identified as Bulgarian can provide the necessary nexus for claiming Bulgarian origin. Naturally, where the predecessor did not live on the territory of Bulgaria at any time, proof will be more difficult but by no means impossible through suitable evidence. At the same time, an ancestor who would have identified differently (eg, as an Armenian, a Russian or a Jew) but was a Bulgarian national, is sufficient to establish the necessary Bulgarian origin, too.

Unlike other nationality laws (eg Spain and Italy), it does not matter for the purposes of acquiring citizenship under this heading how long ago or in what previous generation to that of the applicant, the last Bulgarian ancestor lived.

Crucially also, there is no requirement for the applicant in this category to speak Bulgarian or to have lived in the country for a period of time before applying.

Documents

New Balkans Law Office will advise further in detail on the required documents. The list includes:

- a completed application form
- a Power of Attorney, authorising an application by a representative
- a birth certificate
- a copy of the national ID from the applicant's current country of nationality
- an original certificate/letter/document from a foreign or Bulgarian authority, certifying the applicant's predecessors' Bulgarian origin
- a certificate of good character from the countries of nationality of the applicant and from the country or countries of current residence
- a compliant photograph

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- in the absence of an official document proving Bulgarian origin, the Bulgarian government's Agency for Bulgarians Abroad is the competent body to certify the applicant's origin. An application to this agency is made in advance of the full application and permits a relatively free range of possible proofs of Bulgarian national awareness of the applicant's predecessor. The applicant is required to have a Bulgarian national awareness (based on their ancestry), too.

Timescale

Compared to Italy, Spain or Greece, the Bulgarian procedure can be quick. The Ministry of Justice is required to issue an Opinion within 12 months (but may in practice take up to 24 months). A passport can then be issued immediately.

Contacts and Further Information:

Feel free to contact us for further information on the citizenship requirements, the mechanics of the application and the concrete circumstances of your case or for other immigration law questions.

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