

Ministeren

Indfødsretsudvalget
Folketinget
Christiansborg
1240 København K



Udlændinge- og Integrationsministeriet

Indfødsretsudvalget har den 3. juli 2023 stillet følgende spørgsmål nr. 198 (Alm. del) til udlændinge- og integrationsministeren, som hermed besvares endeligt.

Spørgsmål nr. 198:

Vil ministeren redegøre for, hvordan et barn som er født i Østrig får østrigsk statsborgerskab, hvis barnets forældre ikke har østrigsk statsborgerskab, og om Østrig har en lignende proces som den danske for bipersoner, eller om det er nemmere at få statsborgerskab i Østrig, hvis man er født i Østrig?

Svar:

Til brug for besvarelsen har Udlændinge- og Integrationsministeriet via den danske ambassade i Wien indhentet bidrag fra det østrigske indenrigsministerium, der har oplyst følgende:

“There is no automatic acquisition of Austrian citizenship for children born in Austria to non-Austrian parents. In Austrian citizenship law, *ius sanguinis* (“right of the bloodline”) is one of the principles, meaning that at least one of the two parents has to be an Austrian citizen to pass on Austrian citizenship to a child at the time of its birth (acquisition by descent). Please note that if the parents are not married and only the father of the child is an Austrian citizen, however the mother is a national of another country, the child acquires Austrian citizenship, when within 8 weeks the Austrian father recognizes his parenthood or the fact that he is the father is determined by court. In all cases where recognition of fatherhood or the determination by court is done after his timeframe, children may be awarded Austrian citizenship in a simplified procedure (legitimation of a child).

Moreover, there are simplified criteria for children born in Austria to non-Austrian parents. They can acquire Austrian citizenship by award (application) after a minimum of six years of legal and uninterrupted residence in Austria (whereas the standard requirement is ten years of legal and continuous residence in Austria, therefrom a minimum of five years with a residence permit) and upon fulfilling the general naturalization requirements which basically have to be fulfilled by any applicant. For more information

27. september 2023

Udlændinge- og
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in English, please be referred to: [Citizenship \(migration.gv.at\)](https://www.migration.gv.at) and [General conditions for naturalisation \(oesterreich.gv.at\)](https://www.oesterreich.gv.at)

Children can acquire Austrian citizenship by extension of the award of citizenship – i.e. when one of their parents (having parental custody for the respective children) is awarded Austrian citizenship, this award of citizenship can be extended to his/her children. The criteria for extension of the award to children are set out in [§§ 17 - 19 Austrian Citizenship Act \(Staatsbürgerschaftsgesetz\)](#). An extension of the award is possible only to minor and unmarried children and only at the same time as the award of Austrian citizenship to one of the parents is effected. Furthermore, the child has to be legally settled in Austria at the time of application for Austrian citizenship or must have been granted asylum in Austria or must have a legitimation card (“Legitimationskarte”). However, there is no requirement concerning a minimum duration of residence or settlement for the children in cases of extension of the award. Moreover, the child has to fulfill the general naturalization requirements specified in § 17 Austrian Citizenship Act (namely § 10 para 1 lit 2 – 8, paras 2 and 3 Austrian Citizenship Act). Vienna provides more detailed information on the extension of the award in German on the following website: [Erwerb der österreichischen Staatsbürgerschaft durch Erstreckung \(wien.gv.at\)](#)“.

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