

# EUAA Query System

PCY.2024.010

Compilation of  
original replies

## PCY.2024.010 - Afghan citizenship

Query type: **Policy**

Status of query: Open for replies

Launch date: 09/04/2024

Deadline for replies: 23/04/2024

Requester: Denmark

Dissemination policy: **Restricted** to national asylum administrations

Date and time of exporting to Word: 15/05/2024 (04:10)

**Response rate: 17 out of 31 EU+ countries replied**

**Countries that replied: (BE, CZ, EE, FI, DE, HU, IE, IT, LU, NL, NO, PL, SK, SI, ES, SE, CH)**

For any questions, please contact [queries@euaa.europa.eu](mailto:queries@euaa.europa.eu).

### Background information/reasons for asking query






The Naturalisation Committee of the Danish Parliament (Folketinget) has tabled a question for the Danish Minister of Immigration and Integration in which they have requested the minister to ascertain whether or not the Taliban in Afghanistan complies with the Afghan Naturalization **Law of 24 June 2000**. The committee specifically wishes to know if the Taliban comply with the **Article 9, 2** of the law in question, which states that persons born of Afghan parents in or outside Afghanistan inherits Afghan citizenship. To this end, Denmark would like to know if other EU+ countries have more insight as to how the Taliban in Afghanistan consider the citizenship status of e.g. the children born of Afghani parents outside Afghanistan.

Please note that information collected through this query will be shared with the Naturalisation Committee of the Danish Parliament (Folketinget). At the end of the query responding countries are asked to indicate whether they grant their consent to this end.










**NB:** Kindly note that while the primary recipients for this query are members of the network for policy queries, members of the 'Country Guidance Network- Afghanistan' are copied in the dissemination of this query for their information (as 'read-only' recipients without possibility to provide input on the portal). No action is required from their end.

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## Individual replies to questions

Question 1	How do you verify the nationality of claimed Afghan applicants, including in cases when the applicants possess no official documentation?
 Belgium	<p>During the asylum interview the CGRS performs a check of origin. Different questions with regard to Afghanistan and his/her region of origin are asked.</p>
 Czechia	<p>If the applicants for international protection possess no official documentation, an affidavit of identity of the applicant is sufficient. This situation is regulated by the provisions of the Act on Asylum, No. 325/1999 Coll, Section 10 (3):</p> <p>“When providing information in support of his/her application for international protection, an applicant for international protection is required to identify him/herself with a valid travel document or other identity document or valid public instrument issued by the country of which the an applicant for international protection is a citizen or by his/her last country of permanent residence in the case of a stateless applicant for international protection, if information concerning his/her state citizenship and identity can be determined from such instrument and if it contains a photograph of the holder, or to affirm such by statutory declaration.”</p> <p>If any doubts regarding the identity or nationality arise during the administrative procedure, the administrative authority will focus on these facts during the interview in order to verify the claims. If the uncertainty persists, a language examination may also be taken. As far as Afghan applicants for international protection are concerned, after August 2021, most of the applicants had travel documents, as they participated in the evacuation program, and thus were known to the Czech authorities. Currently, there has been a small number of applications for international protection from Afghanistan, and there are generally no doubts about nationality or identity.</p>
 Estonia	<p>Through a process of questioning and using country of origin information.</p>
 Finland	<p>Applicants are always asked if they have any original identity documents to support their identity. If not, the identity and nationality is registered based on coherent claim of the applicant or his/hers parents and other possible supporting documentation such as copies of identity documents or other documents such as birth certificates. If the applicant does not provide any documents to support their claim of nationality, he/she will be asked questions related to the place of origin, family, residence history etc. There is also a possibility to do a language analysis if the applicant’s Afghan origin is questionable.</p>
 Germany	<p>The Federal Office uses various IT-tools to determine the country of origin of an applicant and to verify the identity of the applicant. These tools are as follows:</p> <ol style="list-style-type: none"> <li>1. reading of mobile data carriers</li> <li>2. speech and dialect recognition</li> <li>3. name transcription</li> </ol> <p>The tools are used during the registration of the asylum application or at the latest during the filing of the asylum application. This provides information and evidence that can help to verify identity and nationality. If the aforementioned tools provide indications of an identity or country of origin other than that stated by the applicant, these points must be clarified during the interview, for example by asking questions specific to the country of origin.</p>













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 Hungary	<p>Mainly on the basis of dialect and country knowledge.</p>
 Ireland	<p>In Ireland, the verification of Afghan nationality for applicants who lack official documentation typically involves a detailed assessment process. This includes interviewing the applicant to gather comprehensive information and gather any alternative documentation regarding their family background, family, place of birth, and other relevant details that could help establish their Afghan nationality. Where necessary, efforts are made to verify this information through relevant authorities or other credible sources to corroborate the applicant's claims.</p>
 Italy	<p>In case of lack of official documentation this Commission verifies the nationality of claimed Afghan applicants asking them questions about their background.</p>
 Luxembourg	<p><i>No answer provided</i></p>
 Netherlands	<p>With respect to persons who are documented (tazkera, passport) few additional questions are posed to conform the nationality/origins. In general further questioning is not considered necessary, because only rarely there are doubts with respect to nationality/origins in Afghan cases.</p> <p>If persons are undocumented (no tazkera or passport) specific questions are posed to check their origins (nationality and origins) and a language analysis is carried out. This investigation nearly always confirms the Afghan origins/nationality. It is very seldom that this investigation turns out to be negative, and provides an indication that the applicant in question is not an Afghan national/not originating from Afghanistan. Sometimes this is the case if the person in question speaks only Punjabi.</p>
 Norway	<p>We use different sources of information to assess the applicant's identity, including nationality. The main source of information is gathered through the asylum interview, through questions used as a control of nationality, place of origin and/or connection to Afghanistan if the applicant claims to have been borned/lived outside of Afghanistan for a long periode of time/since birth. In most cases we use open-source intelligence, if relevant, and the National Immigration Police may check content on the applicant's mobile phone, for documents, contact's phone numbers etc. The police also authenticate documents such as passports or national identity cards.</p>
 Poland	<p>Determination of the citizenship of a foreigner – citizen of Afghanistan is carried out in the first place on the basis of a valid document confirming identity, in particular, this document will be a passport document. In the absence of this document, an attempt to determine the personal data of the foreigner is made on the basis of other documents containing the data of the foreigner and databases available to Border Guard officers, in particular the central visa register, as well as, the POBYT system (Office for Foreigners).</p>
 Slovakia	<p>Since Taliban took power in Afghanistan, there has been no Afghan applicants without documentation.</p> <p>The ID document/s would be verified, especially by any indicator of forgery.</p>
 Slovenia	<p>In cases where a person has a document on the basis of which, in accordance with the Foreigners Act, it is possible to establish identity, then this document is forwarded to the National Forensic Laboratory (NFL), which gives its opinion on the authenticity of the document and possible signs of tampering. If there are no signs of tampering on the</p>


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	<p>document and the NFL gives an opinion that the document could be authentic (although they can't make assessments with any high degree of probability), then we accept that the person has proven identity.</p> <p>If a person does not have a document to prove their identity, it is not possible to establish their identity beyond doubt. At that time, in doubt, the person is considered to be a citizen of Afghanistan. If there is serious doubt that a person is a citizen of Afghanistan, they are asked more detailed questions regarding their knowledge of Afghanistan and their family origins.</p>
 Spain	<p>We usually verify Afghan nationality through the following documents:</p> <ul style="list-style-type: none"> <li>Passport</li> <li>Afghanistan Central Civil Registration Authority – (taskira) or Digital identity card</li> <li>Birth registration</li> <li>Marriage registration</li> </ul>
 Sweden	<p>Asylum applicants may establish their identity, i.e. full name, date of birth and citizenship, by submitting their identity documents to the SMA. If the documents are deemed insufficient or if the applicant is unable to provide any documents, the SMA needs to determine if the applicant has made his or her identity probable based on the material in the case.</p>
 Switzerland	<p>If there are doubts about the Afghan identity and biography, the Swiss State Secretariat for Migration will examine these in more detail during an interview. In particular, the reasons for the lack of identity documents or the circumstances of obtaining an identity document are examined. In addition, detailed statements are expected on the claimed origin, all places of residence, school attendance, stays abroad and the family network within or outside Afghanistan. In certain constellations, it is possible to carry out a language analysis. However, this analysis only allows conclusions to be drawn about the place of main socialization, but not about the nationality.</p>
<b>Question 2</b>	Have you encountered cases where Afghan applicants or their children have acquired their Afghan citizenship while living abroad?
 Yes	Czechia, Hungary, Slovenia
 No	Belgium, Estonia, Finland, Ireland, Italy, Norway, Poland, Slovakia, Spain, Switzerland
<b>Question 3</b>	If YES to Question 2, do you ask or do you have knowledge as to how they acquired their citizenship while living abroad? Please elaborate.
 Belgium	We have no knowledge of such cases.
 Czechia	<p>There has been only one case. The legal representative (parent) of a minor child submitted a valid Afghan travel document for a child born in the Czech Republic after August 2021, which was issued (without any difficulties) at the Embassy of the Islamic Republic of Afghanistan in Prague on the basis of his request. However, we do not have a specific overview of how the Taliban in Afghanistan assesses citizenship status for a child born to Afghan parents outside Afghanistan.</p>
 Estonia	-
 n/a	n/a

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Finland	
 Germany	The Federal Office does not keep statistics on the acquisition of citizenship of the country of origin during the stay in Germany. Therefore, the Federal Office has no information available.
 Hungary	Yes, questions regarding the acquired citizenship are being asked.
 Ireland	While we have not encountered cases of Afghan applicants or their children acquiring Afghan citizenship while living abroad in our experience, we do not have specific knowledge on how such acquisition may occur under Afghan law.
 Italy	<i>No answer provided</i>
 Luxembourg	<i>No answer provided</i>
 Netherlands	With respect to questions 2 and 3 above: this Naturalization Law was adopted by the Taleban themselves, when they were in power in Afghanistan. It is in our view extremely unlikely to assume that the Taleban would not respect this law and we have not encountered any information which points to the contrary.
 Norway	We have no available information on any such cases the past years. We have country of origin information regarding the issuance of Afghan passports abroad after the Taliban takeover, however, we do not have information on naturalization of Afghan citizenships abroad after the Taliban takeover.
 Poland	<i>No answer provided</i>
 Slovakia	N/A
 Slovenia	According to the aforementioned naturalisation law, we understand that a person born to Afghan parents acquires Afghan citizenship. It is necessary to distinguish the acquisition of citizenship from the acquisition of documents that prove this citizenship. We had cases of people who lived in Iran for a long time, some were even born in Iran, and they never raised the issue of not having Afghan citizenship. Of course, they had no documents to prove it.
 Spain	<i>No answer provided</i>
 Sweden	<i>No answer provided</i>

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 Switzerland	No answer provided
<b>Question 4</b>	<b>CONSENT:</b> Information collected through this query will be shared with the Naturalisation Committee of the Danish Parliament (Folketinget). Do you grant your consent to this end?
<input type="radio"/> Yes	Belgium, Czechia, Estonia, Finland, Germany, Hungary, Ireland, Italy, Netherlands, Norway, Poland, Slovakia, Slovenia, Spain, Sweden, Switzerland
<input type="radio"/> No	

### Additional details



[Attachments to query](#)



[Attachments to individual replies](#)

- [Luxembourg 1](#)