

## **Discussion paper: TO BiH or NOT to BiH**

### ***Dual citizenship issue in Bosnia and Herzegovina***

Sarajevo – Brussels  
September 2010

## Introduction

The majority of the 1.3 million Bosnians living abroad are at risk of losing their Bosnian citizenship in 2013. Remarkably, the awareness of this issue among the majority of relevant stakeholders appears minimal.

The Constitution<sup>1</sup> of Bosnia and Herzegovina (BiH) has restricted the possibility of having dual citizenship, so that it is possible only with countries that BiH has a relevant bilateral Agreement signed.<sup>2</sup> This concept is also reflected in the BiH Law on citizenship<sup>3</sup>, which, in addition, states the deadline for signing the relevant bilateral agreements – 2013<sup>4</sup>.

Since BiH has one of the highest Diaspora to population ratios in the world, it would be logical to assume that signing the dual citizenship bilateral agreements has been an issue of huge importance for Bosnian government. However, until this day, only three have been signed.

Altering the controversial articles of the Citizenship Law would require an amendment to the constitution of BiH, something that portions of Bosnia's political elites are reluctant to undertake. This reluctance has made it impossible for a common solution to be found during the past decade, and has left the Law on Citizenship as an unresolved issue. When one considers that diaspora includes some of the most educated of Bosnia's citizens, then 2013 could represent a significant brain drain for BiH.

Citizenship, aside from certain obligations, implies "a bundle of rights - primarily, political participation in the life of the community, the right to vote, and the right to receive certain protection from the community."<sup>5</sup> In addition to these practical dimensions, there is a huge sentimental value linked with keeping Bosnian citizenship within the majority of the diaspora population.

The responsibility of the resolution of the dual citizenship issue does not belong to any single ministry within the BiH Government. Effectively that has resulted in the lack of a unified policy concerning dual citizenships. This paper describes the background of events related to the dual citizenship issue in Bosnia and Herzegovina, discusses its effects, both domestically and internationally, and underlines its importance.

---

<sup>1</sup> "The General Framework Agreement for Peace in Bosnia and Herzegovina," December 14, 1995, Annex 4: Constitution of Bosnia and Herzegovina

<sup>2</sup> Constitution of Bosnia and Herzegovina, Article 1.7d: „Citizens of Bosnia and Herzegovina may hold the citizenship of another state, provided that there is a bilateral agreement, approved by the Parliamentary Assembly in accordance with Article IV(4)(d), between Bosnia and Herzegovina and that state governing this matter. Persons with dual citizenship may vote in Bosnia and Herzegovina and the Entities only if Bosnia and Herzegovina is their country of residence.“

<sup>3</sup> Parliamentary Assembly of Bosnia and Herzegovina, Law on Citizenship of Bosnia and Herzegovina (Sarajevo, 1999).

<sup>4</sup> The initial deadline was 2003, but just weeks before it expired, the HR Peddy Ashdown extended it until 2013

<sup>5</sup> Virginia Leary, Citizenship, Human Rights and Diversity, (McGill-Queen's University Press, 1999), 247.

## Controversial Articles

**“Citizens of Bosnia and Herzegovina may hold the citizenship of another state, provided that there is a bilateral agreement, approved by the Parliamentary Assembly [...], between Bosnia and Herzegovina and that state governing this matter. Persons with dual citizenship may vote in Bosnia and Herzegovina and the Entities only if Bosnia and Herzegovina is their country of residence.”**

Article I.7.d, Constitution of BiH

***“Citizens of BiH may hold the citizenship of another State, provided that there is a bilateral agreement between BiH and that State governing this matter, approved by the Parliamentary”***

Article 4, Law on Citizenship of BiH

***“Citizenship of BiH is lost by the voluntary acquisition of another citizenship, unless a bilateral agreement between BiH and that State, approved by the Parliamentary [...], provides otherwise”***

Article 17, Law on Citizenship of BiH

These articles (hereinafter jointly referred to as the “Controversial Articles”), have a potential to create hardship for Bosnian citizens, aptly reflected in the words of Emir Causevic - a Bosnian emigrant living in Boston, USA where he pursues his Masters in Business Administration degree:

*“This law punishes Bosnian citizens who left the country against their will. Its articles put many people in a situation where they are forced to choose between two citizenships, in which one is more powerful than the other.”*

Emir echoed the sentiment of many Bosnians living abroad that they had no choice but to leave their homeland.

This Law on Citizenship of BiH (“CL”) was enacted in 1997, after being imposed by the High Representative (HR), and envisaged a transitional five years period (until January 1, 2003) during which BiH had to conclude bilateral agreements with other countries.<sup>6</sup> However, there was a problem related to the practical application of the Controversial Articles in an international context. The majority of countries worldwide do not conduct the practice of signing bilateral citizenship agreements,<sup>7</sup> most significantly, the United States and Canada, where more than 400,000 Bosnian citizens reside.<sup>8</sup>

This has led to disputes between the political parties in BiH. Several proposals for amendments to the Controversial Articles reached the Parliamentary Assembly of Bosnia and Herzegovina (PA BiH)<sup>9</sup> with the House of Representatives adopting the propositions. The proposals, however, were rejected in the House of Peoples by the representatives from Republika Srpska (RS).<sup>10</sup>

Paddy Ashdown, the high representative at the time, imposed the amendments on the Law on Citizenship, prolonging the deadline (article 39.1 of the CL) until 2013.<sup>11</sup> Apart from his direct

---

<sup>6</sup> [OHR website, “Decision Enacting the Law on Amendments to the Law on Citizenship of Bosnia and Herzegovina,” OHR, December 31, 2002](#)

<sup>7</sup> Nedim Jahić, “Obračun kod OK državljanstva,” *BH Dani* (Sarajevo), August 27, 2010.

<sup>8</sup> Ibid.

<sup>9</sup> Svjetski Savez Dijaspore BiH, “Otvoreno pismo Predsjedništvu BiH,” *SSD BiH*, June 9, 2009.

<sup>10</sup> [Dženana Karabegović, “Veto na dvojno državljanstvo sa Crnom Gorom,” Radio Free Europe, March 20, 2009](#)

<sup>11</sup> [OHR website, “Decision Enacting the Law on Amendments to the Law on Citizenship of Bosnia and Herzegovina,” OHR, December 31, 2002](#)

involvement,<sup>12</sup> the Office of the High Representative (OHR) restrained from interfering, instead offering sporadic commentaries, such as:

*“Most countries allow citizens to enjoy dual citizenship where they qualify, without restricting this right to those cases where a bilateral agreement has been concluded with another country. Bosnia and Herzegovina should do the same.”<sup>13</sup>*

Since the Citizenship Law’s enactment BiH signed bilateral citizenship agreements with Serbia<sup>14</sup> (2003), Sweden (2006) and Croatia (2007). In late February 2008 the Bosniak member of the Presidency of Bosnia and Herzegovina Haris Silajdžić (Party for Bosnia and Herzegovina) refused to ratify the Agreement on dual citizenship between BiH and Croatia.<sup>15</sup> In rejecting the agreement he stated that the issue could not be tackled prior to solving the status of Controversial Articles.<sup>16</sup>

In March 2009, Silajdžić also blocked the ongoing dual citizenship negotiations with Montenegro.<sup>17</sup> At this occasion he stated:

*“...I appeal again to those who already rejected the idea of the modification of articles for the fifth time in the Parliament to change their mind. By doing this, they put in an equal position all citizens of Bosnia and help us in resolving the issue with countries that are expecting to resolve the issue of the abolition of Article.”<sup>18</sup>*

Nebojša Radmanović, the Bosnian Serb member of the Presidency, emphasized that Silajdžić’s veto would not produce any appreciable results because in practice almost all Bosnian Croats in the country have Croatian passports and some other nationalities are in the same position.<sup>19</sup>

The overall perspective on these disputes was offered by Milan Zjajic, Assistant Minister of Civil Affairs:

*“Because there has been a veto by a member of Presidency on the bilateral citizenship agreements with Montenegro and Croatia, there is no impetus in the political bodies of the country to start new initiatives with other states. Politicians are not willing to propose new initiatives because they think that they would only be blocked anyway.”<sup>20</sup>*

---

<sup>12</sup> Extending the period for the conclusion of relevant bilateral agreements by ten years.

<sup>13</sup> [OHR website, “Schwarz-Schilling: Diaspora a National Asset that BiH Should Make the Most of,” OHR, April 13, 2007](#)

<sup>14</sup> Federal Republic of Yugoslavia, referred from 2003 as the State Union of Serbia and Montenegro, was formed by two former Yugoslav republics (Serbia and Montenegro) following the breakup of Tito’s Yugoslavia in 1992. The state union effectively came to an end after Montenegro’s formal declaration of independence in summer 2006.

<sup>15</sup> Even though, the agreement was ratified by the Parliament, in order to be valid it needed unanimous approval from all three members of the Presidency. The other two members, Bosnian Croat member Željko Komšić (Social Democratic Party of Bosnia and Herzegovina) and Bosnian Serb member Nebojša Radmanović (Alliance of Independent Social Democrats) approved the agreement. For more information please see: [Maria Arnautović, “Dvojna državljanstva moguća samo za tri države,” Radio Free Europe, September 2, 2008](#)

<sup>16</sup> [Dženana Karabegović, “Veto na dvojno državljanstvo sa Crnom Gorom,” Radio Free Europe, March 20, 2009.](#)

<sup>17</sup> [Haris Silajdžić’s website, “Silajdžić pokreće pitanje zaštite entitetskog interesa,” Haris Silajdžić, March 18, 2009](#)

<sup>18</sup> [Dženana Karabegović, “Ugovorno’ dvojno državljanstvo,” Radio Free Europe, February 20, 2008](#)

<sup>19</sup> FENA, “Radmanović: Silajdžić ‘koči’ dvojna državljanstva,” *Federal News Agency* (Sarajevo), August 18, 2010.

<sup>20</sup> Milan Zjajic (Assistant Minister, Head of Citizenship and Travel Documents Department) in the discussion with Populari, September 1, 2010, Sarajevo.

## Perspectives and Points of View

While this issue provoked disagreement and differing representations by the political elites, some Bosniak politicians have perceived the stalemate as a deterrent to the return of displaced people<sup>21</sup>. Silajdzic claims that the dual-citizenship issue has to be resolved in its entirety and not by individual bilateral agreements, supporting this claim with: "...half a million of our citizens who were displaced...will be lost forever unless the Article 17 is abolished"<sup>22</sup>. Bosniak politicians also claimed that the diaspora should not be dismissed solely because of their perceived political inactivity. They claim that even though Bosnians abroad do not vote in large numbers at the moment, this does not mean that they will never be willing to vote in the future.<sup>23</sup>

Meanwhile, Bosnian Serbs politicians have claimed that they rejected this proposal because, in order to amend or delete the Controversial Articles, a change in the constitution would be necessary.<sup>24</sup> Any issue linked to the constitution is a delicate topic for the Bosnian Serb political leadership, and they have stated that this is not an area for compromise.<sup>25</sup> To the public, Bosnian Serb politicians have explained this position with a claim that many countries are willing to sign these bilateral agreements and energy would be better spent fostering these relationships without changing the constitution. Additionally, they also have offered that the diaspora, representing the largest segment of the Bosnian citizens affected by this issue, has a low voting record, a claim supported by the Central Electoral Commission data.<sup>26</sup>

Some Bosnian Croat politicians claim that the preponderance of foreign states that reject the notion of dual citizenship indicates that Controversial Articles are in need of revision. They point to Germany and Austria, which are home to a large Bosnian diaspora and forbid dual-citizenship, as evidence for this stance.<sup>27</sup> Others countered the Bosnian Serbs' argument stating that energy would be better spent signing bilateral agreements. They pointed to the largest Bosnian diaspora groups currently living in the United States and Canada and to the policies of these two countries not to sign bilateral agreements.<sup>28</sup> Consequently, they suggest that these Controversial Articles be amended or removed.

Dragan Čović (Croatian Democratic Union of Bosnia and Herzegovina) supports the idea that every citizen of Bosnia and Herzegovina, even if he/she is in the process of acquiring the citizenship of another country, should not be prevented from holding Bosnian citizenship. He claims that additional pressure on the citizenry is unnecessary, adding:

*"I do not see a reason why would a Bosnian Croat be more privileged and hold a dual citizenship, while on the other hand a Bosniak would have to renounce his Bosnian citizenship, because in the meantime he became a citizen of, say, Slovenia."<sup>29</sup>*

While politicians remain unable to reach a compromise on this issue and the 2013 deadline with the impending loss of citizenship looms over the horizon, the Bosnian diaspora started to mobilize. Organizations estimate that already more than 40,000<sup>30</sup> Bosnians have had to renounce their Bosnian citizenship for various reasons<sup>31</sup>. Bosnian citizens who hold dual citizenships, if deprived of the Bosnian

<sup>21</sup> [Dženana Karabegović, "Veto na dvojno državljanstvo sa Crnom Gorom," Radio Free Europe, March 20, 2009](#)

<sup>22</sup> [Livno Online website, "Parlament BiH: Veto na ugovor o dvojnomo državljanstvu sa RH dobio potporu," HINA, September 25, 2010](#)

<sup>23</sup> Nedim Jahić, "Obračun kod OK državljanstva," *BH Dani* (Sarajevo), August 27, 2010.

<sup>24</sup> [Slobodan Popadić, "Silajdžićev udar na Ustav BiH," Blic, August 21, 2010](#)

<sup>25</sup> Patrice C. McMahon and Jon Western, "The Death of Dayton: How to Stop Bosnia from Falling Apart," *Foreign Affairs* 88, no.5 (September/October 2009): 72-73.

<sup>26</sup> [Slobodan Popadić, "Silajdžićev udar na Ustav BiH," Blic, August 21, 2010](#)

<sup>27</sup> Nedim Jahić, "Obračun kod OK državljanstva," *BH Dani* (Sarajevo), August 27, 2010.

<sup>28</sup> Nedim Jahić, "Obračun kod OK državljanstva," *BH Dani* (Sarajevo), August 27, 2010.

<sup>29</sup> Faruk Vele, "Milion Bošnjaka imaće pravo na državljanstvo," *Dnevni Avaz* (Sarajevo), January 29, 2009.

<sup>30</sup> [Gordana Sandić-Hadžihanović, "Državljanstva BiH odreklo se preko 40,000 ljudi," Radio Free Europe, September 14, 2009](#)

<sup>31</sup> The reasons, inter alia, include the need to take citizenships of many EU member states, Australia, United States and Canada in order to make their immigration status less complicated. For more information please see: [Maria Arnautović, "<Dvojina državljanstva moguća samo za tri države," Radio Free Europe, September 2, 2008,](#)

citizenship, will lose a number of rights granted by the citizenship, including the right to vote in the elections, and will sever the links to their homeland, thereby greatly impacting the future of Bosnia and Herzegovina.

In December 2002, the Congress of North American Bosniaks and the Diaspora Alliance of Bosnia and Herzegovina initiated a petition asking for the Controversial Articles to be abolished.<sup>32</sup> This was the first serious attempt by the Bosniak diaspora community to address the Controversial Articles. A series of letters of petition were addressed to the PA BiH and HR Paddy Ashdown, including signatures of more than 35,000 Bosnian citizens.<sup>33</sup> These organizations have been particularly active in lobbying foreign legislatures, especially American politicians. They continue a concerted media campaign through national newspapers and websites whose aim is to raise awareness of the pressing nature of the dual-citizenship issue.<sup>34</sup>

Diaspora is far more active working for various causes in Bosnia than the politicians' statements would allow. An outstanding example of citizen activism can be found in a story of Narcis Skelić. An employee of the transport company in Amsterdam and a dual-citizen of Bosnia and the Netherlands, Narcis was forced to leave his native country in 1995 during the war. While working hard to (re)build his new life abroad, he organized a 3 million EUR project for the Amsterdam's municipal transport company to donate sixteen used trams and four lorries filled with maintenance equipment for the municipal transport company in Sarajevo. The project also provided extensive training to the employees. The Amsterdam company originally planned to sell these tramcars for profit, but has agreed to donate them as part of this humanitarian initiative. Narcis is currently working to develop another project that will facilitate donation of passenger cars to the railway companies in both entities in BiH. When asked for the reasons or motivation powering his actions, Narcis states: *"I feel an obligation to help to my country, it is my duty."* This and other extraordinary stories tell us that, despite the challenges to build new lives abroad, Bosnian diaspora remains greatly concerned with the future of BiH.

Facing the risk of losing their citizenship with these Controversial Articles, the Bosnian citizens in the country and abroad offer a many more grounded and personal perspectives, presenting them in terms of life-altering choices and leveraging them against the general well-being of their families and themselves. The nature of citizenship holds different meanings for each and every individual, often in stark contrast to the politicians' perspectives.

For some, the citizenship is a very emotional issue, one of rights and heritage. Narcis Skelić, who holds dual citizenship in the Netherlands and in Bosnia states:

*"When I look at my blue passport with the Bosnian golden coat of arms, I feel so proud and happy. For me, this passport represents an identity link with my homeland. Even though, Bosnian citizenship provides me with very limited socio-economic benefits, I would never be able to renounce it. It provides me with a sense of belonging to the Bosnian nation."*

Some people choose to view this issue merely as the question of choice of passports as the means of international travel. Ana Crnjac, who lives in Zagreb and holds both Croatian and Bosnian passports, commented:

*"If I was ever in the situation to choose between two citizenships I think that I would choose my Croatian one. A Croatian passport has a better international ranking than Bosnian passport. I am neither an active voter in Bosnia nor Croatia. Therefore, I am not too concerned about losing my right to vote. I like to travel a lot and at this time in my life this is bigger priority for me than voting."*

---

<sup>32</sup> Emir Ramić, "Otvoreno Pismo KBSA Željku Komiću," *Congress of North American Bosniaks*, February 14, 2008

<sup>33</sup> Svjetski Savez Dijaspore BiH website. "Vijesti iz Dijaspore," *Svjetski Savez Dijaspore*, February 3, 2009

<sup>34</sup> Emir Ramić, "Otvoreno Pismo KBSA Željku Komiću," *Congress of North American Bosniaks*, February 14, 2008

Most of the Bosnian citizens, however, share a deep concern over the looming 2013 deadline. Sara Čalkić is a pharmaceutical engineer from Sarajevo who was born in Skopje, Macedonia and grew up in Sarajevo. She was expelled in the war from her home and found refuge in Macedonia, only to return to Bosnia after the war. When asked about this issue, she offered the following:

*"I think that the citizens of Bosnia and Herzegovina should be allowed to hold multiple citizenships without it being conditioned and/or limited by the law. We are a multiethnic country with a huge diaspora community in relation to our population size. I assume that the dual citizenship issue is a common issue for most of Bosnians and Herzegovinians."*

Emir Čaušević, an MBA student living in Boston, summarized the complex set of personal and life considerations affected by the citizenship issue with the following:

*"For me, Bosnian citizenship is a symbol of connection with my homeland. It is also a kind of anchor that binds me to Bosnia and Herzegovina and reminds me that I did not leave my home voluntarily, but I was forced to do it. At my home in Boston, I keep all of my old Bosnian passports in a drawer... I am an active voter in the Bosnian diaspora in America and I closely follow the Bosnian political scene. Losing my Bosnian citizenship would mean that I would be unable to vote in Bosnian elections. I would be very disappointed and angry if I were to be deprived of the right to vote in the country of my origin which I love and respect..."*

*"...I didn't know about the controversial articles of the Bosnian citizenship law, however when I was informed of it I was quite shocked... At the moment I have dual Bosnian and American citizenships and if I was in the situation to choose which one I would keep at this stage of my life, it would be an American one. I live and study in the United States since 1994, and without an American citizenship my life would be complicated... There is also a chance that I could face expulsion from the country because it is much harder to find a job as a foreigner in the States... I think that this would be a great disadvantage for Bosnia and Herzegovina in the long run, because many young Bosnians are getting educated and starting their careers as we speak. Maybe, like some of their compatriots in the past, they would like to come and invest in Bosnia in the future. Taking their native citizenship from them would complicate the possibility of them investing in their home country. Having them as Bosnian citizens could only be an advantage. Also, I personally plan to return and invest in Bosnia one day..."*

## Conclusion

As the political elites either debate or altogether ignore this problem, the 2013 deadline is quickly approaching. Usually, the Controversial Articles are discussed by the political parties during election campaigns as a way to amass electoral vote through mobilizing ethnic sentiment. Once elections are finished, politicians lose all interest. Despite the importance of the Law on Citizenship, very few people inside and outside of BiH seem familiar with the issue.

The administrative procedures involved in bilateral agreements of this nature are delicate and likely to take more than one year on average to complete. In addition, there are countries with significant diaspora population that simply do not practice these agreements.<sup>35</sup> The current deadline for the signing of bilateral agreements is unrealistic in its expectations. Given that it took 8 months to sign a bilateral agreement with the former state of Serbia and Montenegro, and that the 42 months of long negotiations with Croatia are still ongoing, three years appears to be an extremely short timeframe.

The deadline seems particularly short when one concedes that the power to implement bilateral agreements rests not only on the will of Bosnia's elites, but also with the other states involved. BiH finds itself, in this instance, at the mercy of the political will in foreign states to sign such bilateral agreements. Furthermore, should this deadline not be extended or the articles removed, it would be logistically impossible for the Ministry of Civil Affairs and the Ministry of Foreign Affairs to implement the revocation of so many citizenship rights. These ministries would need to hire hundreds of additional employees to complete this task, for which they have neither the capacities nor the funds.<sup>36</sup>

It is high time for the BiH politicians and institutions to get their act together. The loss of citizenship will bear a serious emotional impact throughout the Bosnian diaspora. While the true social, economic, academic values of diaspora are difficult to translate into a present nationalist discourse, the BiH political parties need to deal with this issue transparently. As for all those in realistic danger of losing citizenship and the bond with their origin country, they have the right to be involved, free from misleading or biased information. This issue must be addressed by opening processes to solve it.

Political discord over this question, the lack of institutional cohesion, and no clear policy on this matter give little hope to Emir, Narsic and hundreds of thousands of Bosnian Citizens all over the world. There can be no hope of a political resolution if the BiH institutions continue to pursue separate, and sometimes differing, approaches to resolution of the Controversial Articles.

Bosnia can lose upwards to half a million of citizens, resulting with a tremendous brain drain at the time when the country needs all its smarts and might to rebuild its economy. Diaspora has had access to excellent education. The new generations are starting on their career paths with an emotional eye on their and their parents' homeland. Severing the links to this versatile group of citizens worldwide will reduce the country's human, intellectual, and economic potential<sup>37</sup>.

The starting point for any further discussion on this matter is a unified policy and common understanding of the Law on Citizenship. Furthermore, one ministry should be tasked with all the procedural, logistic and other matter concerning dual citizenships. One of the possible entry points lies with a ruling made by the European Court for Human Rights (ECHR). The Court's ruling in the *Sejdić and Finci v. Bosnia and Herzegovina*<sup>38</sup> case requires the amendment of Bosnia's constitution. This amendment could provide an opportunity for a more wide-ranging debate on Bosnia's constitution, with the issue of citizenship included.

---

<sup>35</sup> Milan Zjajić (Assistant Minister, Head of Citizenship and Travel Documents Department) in the discussion with Populari, September 1, 2010, Sarajevo.

<sup>36</sup> *ibid*

<sup>37</sup> [Dženana Halimović, "Kome \(ne\) trebaju iseljenici," Radio Free Europe, July 3, 2010](#)

<sup>38</sup> *Sejdić and Finci v. Bosnia and Herzegovina* was a case decided by the Grand Chamber of the European Court of Human Rights in 2009. The Constitution of Bosnia and Herzegovina provides that only ethnic Bosniaks, Bosnian Serbs and Bosnian Croats can be elected members of BiH Presidency and House of Peoples. The applicants, being a Roma and a Jew, contested these provisions. Applications were submitted in 2006 and communicated to the government in 2008. In 2009, the jurisdiction was relinquished to the Grand Chamber. In June, 2009, a public hearing was held and in December, 2009, the judgment was published. The Court has found that applicants' ineligibility to stand for election to the House of Peoples violates Article 14 of ECHR (ban of discrimination in the field of Convention rights).



## Annex 1: Dual Citizenship Provisions and the Largest Diaspora Communities

The question of whether or not an individual possesses the nationality of a country is settled solely by reference to the national law of the country concerned. Therefore, it is for each country to determine the conditions for the acquisition and loss of nationality. 97,45 %<sup>39</sup> out of total number of Bosnian Diaspora is in the 15 countries presented in the following table:

Country	No. of BiH Citizens <sup>40</sup>	Bilateral Agreement Status	National Law provisions on Dual Citizenship
United States of America	390.000	Not signed	Allows immigrants to retain the citizenship of their country of origin. <sup>41</sup>
Germany	157.000	Not signed	Although dual citizenship is restricted in Germany, their national law allows its existence under limited circumstances. <sup>42</sup>
Serbia	137.000 (Serbia and Montenegro combined)	With Federal Republic of Yugoslavia: Signed on 29.10.2002 Ratified on 7.5.2003	Until 2007, the Serbian Law on Citizenship prescribed the loss of citizenship in the case of a non-bilateral dual citizenship case. However, this was deleted in 2007, and Serbian citizenship may be terminated only on the basis of a ratified international treaty. <sup>43</sup>
Montenegro			Montenegrin law states that citizenship shall cease when a citizen acquires the passport of another state. Dual citizenship may be obtained under the condition that it is reciprocal. <sup>44</sup>
Austria	132.000	Not signed	Austrian national law proclaims that a citizen who acquires another citizenship by voluntary action automatically loses Austrian citizenship. <sup>45</sup>
Slovenia	100.000	Not signed	Dual citizenship is generally permitted in Slovenia, except for individuals seeking to become Slovenian citizens by naturalization. <sup>46</sup>
Sweden	75.000	Signed on 20.12.2004 Ratified on 30.3.2006	Swedish citizens acquiring a foreign citizenship do not lose Swedish citizenship. <sup>47</sup>
Canada	60.000	Not signed	Allows immigrants to retain the citizenship of their country of origin. <sup>48</sup>
Croatia	60.000	Signed on 29.3.2007 NOT ratified	No restrictions on Dual Citizenships. <sup>49</sup>
Australia	50.000	Not signed	No restrictions on Dual Citizenships. <sup>50</sup>
Switzerland	50.000	Not signed	There is no restriction on holding dual nationality in Switzerland. <sup>51</sup>

<sup>39</sup> 1.322.000 out of 1.356.619

<sup>40</sup> This number represents total number of Bosnian citizens living in each country. There are not precise data on those having dual citizenship. - Ministarstvo za ljudska prava i izbjeglice Bosne i Hercegovine, "Pregled Stanja Bosanskohercegovačkog Stanovništva," Bosnia and Herzegovina (Sarajevo, 2008)

<sup>41</sup> [US Government website, "U.S. Dual citizenship," U.S. Immigration Support Website](#)

<sup>42</sup> [German Government website, "Dual citizenship-multiple nationality," Ministry of Interior](#)

<sup>43</sup> Assembly of Serbia, Law on Citizenship of Republic of Serbia (Belgrade, 2007).

<sup>44</sup> Parliament of Montenegro, Law on Citizenship of Republic of Montenegro (Podgorica, 1999)

<sup>45</sup> [Austrian Foreign Ministry, "Dual citizenship," Austrian Embassy London](#)

<sup>46</sup> [Council of Europe, "Slovenian Citizenship Act," COE Human Rights and Legal Affairs](#)

<sup>47</sup> [Swedish Government website, "Dual or multiple citizenship," Migration Board](#)

<sup>48</sup> [Canadian Government website, "Dual citizenship," Citizenship and Immigration Canada](#)

<sup>49</sup> Parliament of Croatia, Law on Citizenship of Republic of Croatia (Zagreb, 1991).

<sup>50</sup> [Australian Government website, "Dual citizenship," Department of Immigration and Citizenship](#)

<b>Italy</b>	40.000	Not signed	Italian legislation does not recognize the institute of dual citizenship. However, acquiring Italian citizenship does not condition renouncing of the citizenship of the origin country. <sup>52</sup>
<b>Netherlands</b>	25.000	Not signed	Although Dutch law restricts dual citizenship, it is possible for Dutch subjects to legally hold dual citizenship in a number of circumstances. <sup>53</sup>
<b>Denmark</b>	21.000	Not signed	It is a fundamental principle of the Danish legislation that dual nationality must be restricted as much as possible. Dual nationality is, of course, accepted in various situations, such as if persons are born with dual nationality. The Danish principle of avoiding dual nationality as much as possible is in accordance with the 1997 European Convention on Nationality. Due to the Danish principle of avoiding dual nationality as much as possible, you will only be listed in a naturalization bill if you are willing to renounce your present nationality. <sup>54</sup>
<b>Norway</b>	15.000	Not signed	If you wish to become a Norwegian citizen it is required as a principal rule that you renounce any other citizenship. In certain cases there are exemptions from this requirement, and double citizenship is allowed. <sup>55</sup>
<b>UK</b>	10.000	Not signed	Since the British Nationality Act of 1948, there is in general no restriction, in United Kingdom law, on a British national being a citizen of another country as well. So, if a British national acquires another nationality, they will not automatically lose British nationality. <sup>56</sup>

<sup>51</sup> [Switzerland's Official Web Portal, "Swiss citizenship," The Swiss Portal](#)

<sup>52</sup> Ministarstvo za ljudska prava i izbjeglice Bosne i Hercegovine, "Pregled Stanja Bosanskohercegovačkog Stanovništva," Bosnia and Herzegovina (Sarajevo, 2008).

<sup>53</sup> [Ministry of Foreign Affairs of Kingdom of Netherlands, "Acquiring a different nationality," Dutch Nationality.](#)

<sup>54</sup> [New to Denmark, "Dual Nationality," Ministry for Refugees, Immigration and Integration Affairs](#)

<sup>55</sup> [Norwegian Directorate of Immigration, "Dual Citizenship," UDI](#)

<sup>56</sup> [United Kingdom Border Agency, "Dual nationality," Home Office](#)

## **Annex 2: List of individuals and institutions interviewed/contacted**

Ms. **Ana Crnjac**- Operations Management Coordinator  
Zagreb, Croatia (Interviewed on August 26, 2010)

Mr. **Emir Čaušević**- Master of Business Administration (MBA) student,  
Boston, United States of America (Interviewed on August 25, 2010)

Ms. **Sara Čalkić**- Drug Regulatory Affairs Officer  
Sarajevo, Bosnia and Herzegovina (Interviewed on August 25, 2010)

Ms. **Maja Avdić**- Nurse  
Munich, Germany (Interviewed on August 28, 2010)

Mr. **Milan Zjajić** - Ministry of Civil Affairs of Bosnia and Herzegovina, Assistant Minister, Head of  
Citizenship and Travel Documents Department  
Sarajevo, Bosnia and Herzegovina (Interviewed on September 1, 2010)

Mr. **Narcis Skelić**- An employee of Amsterdam's municipal transport company (GVB)  
Amsterdam, Netherlands (Interviewed on September 17, 2010)

Mr. **Ostoja Kremenović**-Office for Public Complaints Public Procurement Agency – Procurement Review  
Body  
Sarajevo, Bosnia and Herzegovina (Interviewed on September 21, 2010)

Mr. **Bakir Dautbašić** (Ministry of Security-Secretary of the Minister)

Ms. **Emina Jahić** ( Parliamentary Assembly of Bosnia and Herzegovina Office of the Secretary of the Joint  
Committee on Human Rights, Rights of Children, Youth, Immigration, Refugees, Asylum and Ethics-  
Secretary of the Joint Committee)

Mr. **Jusuf Halilagić** ( Ministry of Justice- Secretary of the Minister)

Mr. **Miodrag Pandurević** (Milan Zjajić predecessor at the Ministry of Foreign Affairs of Bosnia and  
Herzegovina) who works now at the Ministry of Civil Affairs Sector for Legal, Human Resources and  
General Affairs;

**Public Procurement Agency** - Procurement Review Body of Bosnia and Herzegovina

**Parliamentary Assembly** of Bosnia and Herzegovina

**Ministry of Civil Affairs** of Bosnia and Herzegovina

**Ministry of Foreign Affairs** of Bosnia and Herzegovina

**Ministry of Justice** of Bosnia and Herzegovina

**Ministry of Security** of Bosnia and Herzegovina

*Populari is grateful to Mrs. Emine Bozkurt, S&D shadow rapporteur, who initiated this discussion paper*

---