



## Simplified naturalisation of the foreign spouse of a Swiss citizen living abroad

As of 1 January 1992, Swiss men and women who marry foreigners receive equal treatment, and a foreign woman no longer automatically becomes a Swiss citizen by marrying a Swiss man. Under certain circumstances, however, the foreign spouse of a Swiss citizen can apply for simplified naturalisation at the competent Swiss representation abroad (embassy or consulate general).

### 1. General requirements under the Swiss Citizenship Act

Article 28 of the Swiss Citizenship Act states:

- <sup>1</sup> The foreign spouse of a Swiss who is living or has lived in a foreign country can apply for simplified naturalisation if he or she:
  - a. has been married to and lived with a Swiss citizen for six years, and
  - b. has close ties to Switzerland.
- <sup>2</sup> The applicant receives the citizenship of the canton and commune of his or her Swiss spouse.

The applicant must have been married to and living with a Swiss citizen for at least six years. This does not mean that the spouse must have had Swiss citizenship for six years; he or she could also have obtained Swiss citizenship recently through recognition, simplified naturalisation or reinstatement (but not by way of regular naturalisation).

The following criteria are used to assess whether the foreign spouse has "close ties to Switzerland":

- Holidays and other sojourns in Switzerland
- Contact with individuals living in Switzerland
- Contact with organisations or groups representing Swiss living abroad
- Contact with Swiss citizens living abroad
- Working for a Swiss company or domestic or foreign organisation
- Ability to converse in one of the Swiss national languages or a Swiss dialect
- Interested in Swiss current affairs and basic knowledge of the Swiss geography and political system.

Simplified naturalisation also requires that the applicant respects the legal system of Switzerland (and by analogy the legal system of the foreign country) and does not endanger the internal or external security of Switzerland (Article 26 of the Swiss Citizenship Act).

### 2. Procedure and individual conditions

1. The application for simplified naturalisation must be submitted to the competent Swiss representation in the foreign country of residence, i.e. the representation that is responsible for the Swiss spouse (<http://www.eda.admin.ch/eda/en/home/reps.html>).
2. If you and your Swiss spouse will move to Switzerland, your application will be processed in accordance with Article 28 of the Swiss Citizenship Act. Both the foreign Swiss representation and the Federal Office for Migration must be informed of the change in domicile in good time.
3. Please note that you must have been married and lived with your Swiss spouse for at least six years to qualify to simplified naturalisation. If you are divorced or separated, you do not qualify for simplified naturalisation, although you can apply for regular naturalisation after you have lived in

Switzerland for 12 years. In this case you also have to meet the local domicile requirements of the canton and commune of residence.

4. The law also requires that you have close ties to Switzerland. More information is available on the website of the Federal Office for Migration:  
<http://www.bfm.admin.ch/bfm/en/home/themen/buergerrecht.html>, where you will also find a circular on the practice of establishing close ties to Switzerland.

### 3. Children

If you would like to obtain simplified naturalisation and you have minor children who are non-Swiss citizens and are still living with you, you must indicate this on the form that you receive from the Swiss representation so that the option of including your children in your naturalisation procedure can be checked. Minor children who are older than 16 can only be included in your naturalisation procedure if they give their written consent.

### 4. Registered partnership

Since the entry into force of the Partnership Law on 1 January 2007, the registered same-sex partner of a Swiss citizen can obtain regular naturalisation. A partnership of a same-sex couple that was registered abroad or a same-sex marriage that took place abroad can be recognised in Switzerland and thus be treated on an equal footing under civil law as a partnership between same-sex partners that was registered in Switzerland. Only regular naturalisation is possible; the foreign partner has to have lived in Switzerland for at least five years in total, one year of which was immediately prior to the filing of the application, provided that the foreign partner has been living in a registered partnership with a Swiss citizen for at least three years. The cantonal and communal residence requirements must also be fulfilled. If the registered same-sex partners are domiciled abroad, naturalisation is not possible.

The foreign registration of cohabiting couples is not recognised in Switzerland and such individuals can only apply for regular naturalisation after living in Switzerland for 12 years.

#### Important note

As Swiss legislation permits naturalised persons to hold dual citizenship, you can in principle retain your prior citizenship. It is possible, however, that you could lose your prior citizenship if you acquire Swiss citizenship if the law of your country of origin so provides. Binding information should be obtained from the authorities of your country of origin.

### 5. Fees

The competent Swiss representation abroad ([www.eda.admin.ch/eda/en/home/rebs.html](http://www.eda.admin.ch/eda/en/home/rebs.html)) will provide you with information on the fees for the processing of your application for naturalisation (fees charged by the Swiss Confederation and possibly by the canton and the Swiss representation).

### 6. Do you have any questions?

Your competent Swiss representation abroad as well as the Delegate for Relations with the Swiss Abroad of the FDFA, which can be contacted by mail at Bundesgasse 32, CH-3003 Berne, Switzerland or by e-mail at [helpline@eda.admin.ch](mailto:helpline@eda.admin.ch) will be pleased to provide you with further assistance.

General information, in particular regarding the term "close ties to Switzerland", is also available on the website of the Federal Office for Migration at [www.bfm.admin.ch](http://www.bfm.admin.ch) – Topics – Swiss citizenship/Naturalisation.

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