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## Law on Yugoslav Citizenship

Date of entry into force: 24 December 1976

### I - GENERAL PROVISIONS

#### Article 1

This is to establish the basis and requirements for acquiring and cessation of the citizenship of the Socialist Federal Republic of Yugoslavia (hereinafter referred to as: SFRY citizenship).

#### Article 2

Citizens of Yugoslavia have a unique SFRY citizenship.

### II - ACQUIRING OF SFRY CITIZENSHIP

#### Article 3

SFRY citizenship may be acquired by the following:

1. origin;
2. birth on the territory of the Socialist Federal Republic of Yugoslavia;
3. naturalization;
4. in accordance with international agreements.

#### Article 4

A child may acquire SFRY citizenship by origin:

1. if both of its parents were citizens of the Socialist Federal Republic of Yugoslavia at the moment of its birth;

2. if one of its parents was a citizen of the Socialist Federal Republic of Yugoslavia at the moment of its birth, and if the child was born on the territory of the Socialist Federal Republic of Yugoslavia;
3. if the child was born abroad and if one of its parents was a citizen of the Socialist Federal Republic of Yugoslavia at the moment of its birth, while the other parent is stateless.

#### **Article 5**

The child who was born abroad and whose one parent was a SFRY citizen at the moment of its birth, shall acquire SFRY citizenship by origin provided that by the time it attains the age of 18 it has been registered for the purpose of being entered in SFRY citizens' register with the competent Yugoslav authority at home or abroad, or, provided that it has taken up permanent residence in the Socialist Federal Republic of Yugoslavia.

If a child who was born abroad and whose one parent is a citizen of the Socialist Federal Republic of Yugoslavia is left without a citizenship, it shall acquire SFRY citizenship despite the fact that it does not meet a requirement under paragraph 1 of the present article.

A child acquiring SFRY citizenship in accordance with paragraphs 1 or 2 of the present article shall be considered a citizen of the Socialist Federal Republic of Yugoslavia as of the moment of its birth.

#### **Article 6**

A child who was born or found on the territory of the Socialist Federal Republic of Yugoslavia and whose parents have not been identified, or whose parents' citizenship has not been identified, or whose parents are stateless, shall acquire SFRY citizenship. The child's SFRY citizenship shall cease if, by the time the child has attained the age of 14, it is established that its parents are foreign citizens.

#### **Article 7**

A foreign national may acquire SFRY citizenship by naturalization if he/she has applied for SFRY citizenship provided that he/she meets the following requirements:

1that he/she has attained the age of 18,

2that he/she has a release from his/her previous citizenship and provided that he/she furnishes evidence proving that he/she will obtain the release if granted SFRY citizenship;

3that prior to applying for the citizenship he/she has spent three years without interruptions on the territory of the Socialist Federal Republic of Yugoslavia;

4that judging by his/her conduct it can be decided that he/she will be a loyal citizen of Yugoslavia. It will be considered that the requirement under item 2, paragraph 1 of the present article has been met if the person who has submitted the request is stateless or shall lose his/her citizenship by the very naturalization, according to the law of the country whose citizen he/she is.

If a foreign state permits no releases or makes conditions for the releasing which cannot be met, it will be sufficient if the person applying for citizenship makes a statement that he/she will renounce his/her foreign citizenship if he/she acquires SFRY citizenship.

The decision rejecting an application for SFRY citizenship by naturalization need not state the reasons which guided the competent authority in its taking of the decision.

**Article 8**

An emigrant from Yugoslavia and a member of family may acquire SFRY citizenship by naturalization even if they do not meet the requirements under article 7, paragraph 1, items 2 and 3 of the present Law.

A foreign national who has contracted marriage with a SFRY citizen may acquire SFRY citizenship by naturalization provided that he/she meets the requirements under article 7, paragraph 1, items 1 and 3 of the present Law.

A citizen of the Socialist Republic of Serbia may apply for SFRY citizenship to be granted to his adopted child who is under age by naturalization even if the requirements under article 7 have not been met. If the adopted child is older than 14, it is necessary to have its approval as well.

**Article 9**

A foreign national whose receiving of SFRY citizenship would be in the interest of Yugoslavia, may acquire SFRY citizenship by naturalization provided that he has applied for SFRY citizenship even if he does not meet the requirements under article 7, paragraph 1, items 2 and 3 of the present Law.

**Article 10**

The application for SFRY citizenship must indicate also the republican citizenship that the applicant wants to receive.

**Article 11**

If both parents have acquired SFRY citizenship by naturalization, so shall their child if younger than 18.

If one parent has acquired SFRY citizenship by naturalization, his/her child if younger than 18 shall also acquire SFRY citizenship, provided that parent makes such a request and provided that the child has been living in the Socialist Federal Republic of Yugoslavia.

If one of the parents has acquired SFRY citizenship by naturalization, his/her child if younger than 18 shall also acquire SFRY citizenship by naturalization provided that both parents make such a request, regardless of the fact where the child has been living.

If the child has attained the age of 14 it is necessary to have its approval in respect of acquiring the citizenship pursuant to paragraphs 1 and 2 of paragraph 3 of the present article.

**Article 12**

The person who has acquired SFRY citizenship by naturalization, shall become a citizen of the Socialist Federal Republic of Yugoslavia as of the date of delivery of the decision on acquiring the citizenship.

**III - CESSATION OF SFRY CITIZENSHIP****Article 13**

SFRY citizenship shall cease in case of the following:

1. release

2. renouncing
3. revocation
4. in accordance with international agreements

#### **Article 14**

A release from SFRY citizenship shall cease for a person who has applied for the release, provided that he/she meets the following requirements:

- 1that the person has attained the age of 18;
- 2that there are no obstacles with regard to his compulsory military service;
- 3that he/she has settled the contributions, taxes, and other liabilities due on his/her part in relation to socio-political communities, organizations of associated labor, and other self-management organizations and communities in Yugoslavia;
- 4that he/she has settled his/her proprietary-legal obligations in respect of his/her matrimony and relations between parents and children in respect of persons living in Yugoslavia;
- 5that no criminal proceedings have been instituted against him/her in the Socialist Federal Republic of Yugoslavia on the basis of a criminal offense which is prosecuted on grounds of official responsibility, or, if such person has been sentenced to prison in Yugoslavia, that he/she has served such sentence,
- 6that the person has a foreign citizenship or that he/she has proven that he/she will be granted a foreign citizenship.

The Federal Secretary of National Defence shall determine the obstacles in providing a release from SFRY citizenship which relate to compulsory military services.

The competent authority shall reject the application for releasing from SFRY citizenship even if the requirements under paragraph 1 of the present article have been met, if that is called for by security reasons or other particular interests of the state, or, if that is called for by the reasons of reciprocity or other reasons pertaining to relations with foreign states.

SFRY citizenship in case of a person who has been released from it, shall cease as of the date of delivery of the decision on the releasing from SFRY.

#### **Article 15**

The decision of releasing from SFRY citizenship shall become invalid and ineffective if the person who has been granted the release does not acquire the citizenship of a foreign state within a period of one year, and if such person goes on living in the Socialist Federal Republic of Yugoslavia.

The decision on the release may be invalidated upon the request of the person who has obtained the release or who has emigrated from Yugoslavia, if such person has not acquired a foreign citizenship within a period of one year as of the date of his/her emigration, provided that, within a period of three months, such person has informed thereof the diplomatic or consular office of the Socialist Federal Republic of Yugoslavia abroad or the authority designated by the regulation of the republic.

#### **Article 16**

SFRY citizenship of a child shall cease by the time it has attained the age of 18, upon the request of both of its parents whose SFRY citizenship has ceased by releasing, or if SFRY citizenship of one of the parents has ceased in that manner, provided that the other parent does not have SFRY citizenship.

A release from SFRY citizenship may be granted exceptionally to a child who has been living abroad permanently, and whose one parent is a foreign national, provided that the child has been assigned to the parent who is a foreign national to be brought up and supported by the latter, and provided that the parent who is a SFRY citizen agrees with the release of the child.

If the child has attained the age of 14 it is necessary to have the approval of the child with regard to the cessation of its SFRY citizenship pursuant to paragraphs 1 and 2 of the present article.

#### **Article 17**

A citizen of the Socialist Republic of Serbia who is of age and who was born abroad and who has been living there, and who also has a foreign citizenship, may renounce his/her SFRY citizenship by the age of 25.

Likewise, a mature citizen of the Socialist Federal Republic of Yugoslavia who was born in the Socialist Federal Republic of Yugoslavia and who has been living abroad permanently and who has a foreign citizenship as well, has the right to renounce his SFRY citizenship, as does the person mentioned under paragraph 1 of the present article, after reaching the age of 25:

1if no criminal proceedings have been instituted against him/her in the Socialist Federal Republic of Yugoslavia on the basis of a criminal offense which is prosecuted on grounds of official responsibility, or, if he/she has been sentenced to prison in the Socialist Federal Republic of Yugoslavia, provided that he/she has served such a sentence.

2if he/she has settled his/her proprietary-legal obligations ensuing from his/her matrimony and from the relations between parents and children in respect of persons living in the Socialist Federal Republic of Yugoslavia;

3if he/she has settled the contributions, taxes and other obligations due on his/her part in relation to socio-political communities, organizations of associated labor, and other self-management organizations and communities in the Socialist Federal Republic of Yugoslavia.

The statement about renouncing SFRY citizenship shall be submitted to the diplomatic or consular office of the Socialist Federal Republic of Yugoslavia abroad or to the authority designated by the regulations of the republic.

The citizenship of a person whose statement about renouncing his/her SFRY citizenship has been acknowledged by the competent authority shall cease as of the date of submitting the statement.

#### **Article 18**

SFRY citizenship of a child shall cease by the time it has attained the age of 18 upon the request of both of its parents whose SFRY citizenship has ceased by their renouncement, or upon the request of one parent whose SFRY citizenship has ceased on the basis of his/her renouncement, provided that the other parent does not have SFRY citizenship. In case of a child who has attained the age of 14, it is necessary to have its approval.

#### **Article 19**

SFRY citizenship of a citizen of the Socialist Federal Republic of Yugoslavia who is absent from Yugoslavia, and who also has a foreign citizenship, may be revoked if he causes damage, by his

activities abroad, to the international or other broader interests of Yugoslavia or if he refuses to perform the duties of a citizen of Yugoslavia.

Activities which are considered to cause damage to the international and other interests of Yugoslavia are particularly the following:

1affiliation to organizations the activities of which are directed against the constitutional system of Yugoslavia;

2rendering services to another state in spite of explicit prohibitions by competent Yugoslav authorities;

3conduct abroad which causes damage to the reputation and essential interests of Yugoslavia;

4expressing readiness in some other undisputable way to repudiate loyalty to Yugoslavia;

The following are particularly considered to be refusals to perform to the duties of a citizen of Yugoslavia:

1refusal to execute the decisions of Yugoslav courts and administrative authorities, or rejection of the jurisdiction of Yugoslav authorities;

2refusal by an express statement or act to perform the duties of a citizen of the Socialist Federal Republic of Yugoslavia prescribed by the Constitution;

3active participation in the activities of organizations whose objectives are contrary to the general principles of the United Nations' Charter and to the General Declaration on Human Rights.

## **Article 20**

A person whose SFRY citizenship has ceased as to a minor pursuant to article 16 or 18 of the present Law, shall reacquire the citizenship provided that by the time he/she has attained the age of 25 he/she has taken up permanent residence in the Socialist Federal Republic of Yugoslavia and applies for reacquiring SFRY citizenship.

## **Article 21**

An application for receiving SFRY citizenship or releasing from SFRY citizenship shall be submitted through the authority designated by the regulations of the republic, and through the competent diplomatic and consular office of the Socialist Federal Republic of Yugoslavia abroad, respectively.

Decision on the acquiring or cessation of SFRY citizenship shall be taken by the authority designated by the regulations of the republic.

## **IV - SETTLING OF DIFFERENCES BETWEEN THE REPUBLICAN CITIZENSHIP LAWS (COLLISION NORMS)**

### **Article 22**

The republican citizenship of a child shall be determined in accordance with the law of the republic the citizenship of which both parents had at the moment of its birth.

The child whose parents have different republican citizenship at the moment of its birth shall acquire the republican citizenship according to the law of the republic on the territory of which it was born, provided that one parent has that republican citizenship. Parents may

decide by agreement that the child should acquire the republican citizenship according to the law of the republic whose citizen is the other parent.

A child whose parents had different republican citizenship at the moment of its birth, and who was born on the territory of the republic the citizenship of which the parents do not have, shall acquire the republican citizenship according to the law of the republic on the territory of which it was born unless the parents decide by agreement that the child should acquire its republican citizenship according to the law of the republic the citizenship of which has one of the parents.

A child born abroad, whose parents had different republican citizenship at the moment of its birth, shall acquire the republican citizenship of one of the parents according to the law of the republic they chose by mutual agreement.

If the consent under paragraph 4 of the present article is not reached, the child shall acquire republican citizenship according to the law of the republic on the territory of which the child's birth has been registered in the birth registry, and according to the law of the republic the citizenship of which has the parent who has registered the child for the purpose of entering it in the birth registry kept in the diplomatic or consular office of the Socialist Federal Republic of Yugoslavia abroad, respectively.

If one of the parents is deceased or cannot exercise his/her parent's rights or has not been identified, the statement about the republican citizenship of the child shall be made by the other parent.

## **V - RECORDS OF SFRY CITIZENS AND PROVING OF SFRY CITIZENSHIP**

### **Article 23**

Records of SFRY citizens shall be kept by the authority designated by the regulations of the republic, and records of SFRY citizens living abroad on a permanent basis by the competent diplomatic or consular office of the Socialist Federal Republic of Yugoslavia abroad.

### **Article 24**

SFRY citizenship shall be proved by a personal identity card, military identity card or valid passport for SFRY citizens.

A SFRY citizen who does not have one of documents mentioned under paragraph 1 of the present article shall prove his/her SFRY citizenship by a certificate of SFRY citizenship, which is issued on the basis of records of SFRY citizens, by the authority designated by the regulations of the republic.

If a SFRY citizenship has not been entered in the records of SFRY citizens, the authority designated by the regulations of the republic shall establish SFRY citizenship for him and it shall enter the data about that in the records of SFRY citizens.

The certificate of SFRY citizenship shall also indicate republican citizenship.

### **Article 25**

Documents and records on Yugoslav citizenship on the basis of which the Federal Secretariat for Internal Affairs has acted shall be kept in the Federal Secretariat for Internal Affairs.

At the request of authorities, organizations or citizens interested, the Federal Secretariat for Internal Affairs shall issue data on the basis of the records mentioned under paragraph 1 of the present article.

## **VI - TRANSITIONAL AND FINAL PROVISIONS**

### **Article 26**

Considered to be SFRY citizen in terms of the present Law is any person who has had Yugoslav citizenship in accordance with previous regulations.

### **Article 27**

The Federal Secretary of Internal Affairs is hereby authorized to prescribe, by agreement with the Federal Secretary of Foreign Affairs, the manner of keeping records of SFRY citizens who live abroad on a permanent basis, and the form of the certificate of SFRY citizenship intended for use abroad.

### **Article 28**

The Yugoslav Citizenship Law ("The Official Gazette of the Socialist Federal Republic of Yugoslavia", No. 38/64) shall cease on the date of taking of effect of the present Law.

### **Article 29**

The present Law shall take effect on the eighth day as of the date of its publishing in "The Official Gazette of the Socialist Federal Republic of Yugoslavia".

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