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EXPERT:

Magdalena Świtajska from Wardyński & Partners writes about the ways in which foreigners may obtain Polish citizenship.

EVER SINCE ITS INCEPTION 30 YEARS AGO, ONE OF THE MOST FUNDAMENTAL FUNCTIONS OF AMCHAM HAS BEEN TO MAINTAIN PLATFORMS FOR SHARING PROFESSIONAL KNOWLEDGE AND EXPERIENCE BETWEEN ITS MEMBERS. THERE ARE SEVERAL SUCH PLATFORMS, INCLUDING AMCHAM MONTHLY MEETINGS, THE AMCHAM COMMITTEES, AND THE EXPERT SECTION OF THE CHAMBER'S MAGAZINE.

IN THIS DISPATCH, **MAGDALENA ŚWITAJSKA**, ADVOCATE AT THE EMPLOYMENT AND GLOBAL MOBILITY PRACTICE OF WARDYŃSKI AND PARTNERS, DESCRIBES THE FORMAL PROCESSES THROUGH WHICH ONE CAN BECOME A POLISH CITIZEN.

EXPERT Polish citizenship

WELCOME!



By **Magdalena Świtajska**, *Advocate, Employment & Global Mobility practice, Wardyński & Partners*

How to become a Polish national

The growing interest of non-EU citizens in living and working in one of the European Union countries has become an important driver for them to seek EU citizenship, including citizenship in Poland. Polish citizenship can be obtained at birth or through naturalization in one of two ways: being recognized as a Polish citizen or by the President of Poland's discretionary decision to grant citizenship.

CITIZENSHIP AT BIRTH

Children acquire Polish citizenship regardless of where they are born if at least one of their parents is Polish. If someone born to a Polish parent does not have any documents confirming their Polish citizenship, they may apply for formal confirmation of their Polish citizenship.

Polish citizenship handed down by a parent can be proven with documents or copies including the parent's passport, birth certificate, military service book, certificate of baptism, or membership in a local community or residence on Polish territory (and also on lands formerly belonging to Poland).

The entire procedure usually takes 4–6 months and is conducted in Poland by the governor of the province where the parent is registered.

CITIZENSHIP THROUGH RESIDENCY

A person can apply for recognition as a Polish citizen in a variety of cases. The most common route is through long-term continuous legal residence in Poland for at least three years (two years for foreign citizens who have been married to a Polish citizen for at least three years) based on a permanent residence permit, permission to settle, or a long-term EU resident permit.

The required period of continuous stay in Poland is only one year for persons staying in Poland based on a permanent residence permit granted on the basis of a "Pole's Card," or Polish origin.

In all cases, being recognized as a Polish citizen requires passing a Polish language exam at the B1 level or higher. Other requirements include having a stable source of income in Poland and a place of residence in Poland. The entire procedure

usually takes 2–6 months and is conducted in Poland by the province governor.

PASSPORT FROM THE PRESIDENT

The President of Poland may grant Polish citizenship to a foreign citizen at the foreigner's request. The decision to grant citizenship is entirely discretionary, which means that the president may grant Polish citizenship to any foreigner irrespective of whether the statutory provisions regarding Polish citizenship have been met. Therefore, no fixed criteria or requirements apply to this procedure.

The decision-making process takes all of the foreigner's circumstances into consideration, including their family situation (family members in Poland), employment in Poland, social, civic, political, business, cultural, sports, and other activities in Poland. This also includes a recommendation from the Ministry of Internal Affairs and Administration and other institutions, and a possible background check.

The procedure is not demanding in terms of the required documents, but is time-consuming. Currently, it takes about a year to obtain a presidential citizenship decision. In 2019, there were

2,157 applications for granting Polish citizenship submitted to the President, and over 80 percent of them were successful. In practice, the majority of favorable decisions were issued to applicants who have made a significant contribution to the Polish economy, politics, culture, or sports.

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