

The Modernised German Nationality Law and the Pitfalls of Allowing Unrestricted Multiple Nationality

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For a long time, the avoidance of multiple nationality, that is, the simultaneous possession of two or more nationalities by the same person, was one of the principles of German nationality law. This changed on 26 June 2024, when the Law to Modernise the Nationality Law entered into force. The modernisation law abandoned the principle of avoiding multiple nationality and allowed Germans to hold multiple nationalities. One of the declared aims of the law was to adapt the existing Nationality Law to 'the requirements of an immigration society'. In 2024, some 14 per cent of the population in Germany did not hold a German passport – just over twelve million people. Of these, some 5.3 million had been living in Germany for at least ten years. It was hoped that by allowing multiple nationality many immigrants would acquire German nationality in addition to the nationality of their home State. In its explanatory memorandum on the Bill to Modernise the Nationality Law, the Federal Government stated: The principle of avoiding multiple nationality, which is anchored in German nationality law, represents an obstacle for many people wishing to be naturalised. Many foreigners consider themselves to belong to Germany, but do not want to completely cut off their ties with their country of origin, which they see manifested in their previous nationality. The change in the law to some extent aligned the legal situation with reality. For some time, the principle of avoiding multiple nationality had no longer corresponded to the actual naturalisation practice. For the last fifteen years, on average more than half of all naturalisations led to multiple nationality and the trend was rising. In 2018, 59.3 percent of naturalised persons retained at least one other nationality; 2019: 61.9 per cent; 2020: 63.2 per cent; 2021: 69 per cent; and 2022: 74.1 per cent. This resulted in the number of Germans with multiple nationality steadily increasing since 2000. By 2024, the principle of avoiding multiple nationality was therefore no longer the rule, but the exception.