



## Up to 100 restorations of the Lithuanian citizenship each month: Lithuanian citizenship by reinstatement WITH SPECIAL FOCUS ON REPUBLIC OF SOUTH AFRICA

The Baltic states were part of various empires throughout their history before they each declared their independence. Due to this eventful history of the Baltic States, different constellations arise about the attainment of the citizenships of the respective countries.

### 1. Lithuanian community in South Africa

The Lithuanian community living in South Africa is a unique phenomenon in terms of its size. Today, up to 80% of South Africa's Jewish community has an ancestor from Lithuania (it is estimated that South Africa has the 3rd largest Lithuanian diaspora community in the world). This is due to persecution under Nazi and Soviet rule when thousands of Jewish Lithuanians were forced out of their country of birth. They were forcibly expelled from Lithuania by decisions of institutions or courts of occupation regimes, or they had to renounce their Lithuanian citizenship when naturalising in the Union of South Africa (1910 - 1961) or - in the case of women - they had to accept the citizenship of their partner. Many of the descendants living in South Africa today can claim the Lithuanian passport based on their ancestry back to their great-grandparents. Just for illustration, in the last 6 months, the Lithuanian Minister of Home Affairs has granted Lithuanian citizenship to up to 100 South African-born persons each month.

### 2. Reinstatement of Citizenship of the Republic of Lithuania

According to the Citizenship Act of 2010, an applicant has the right to restore citizenship of the Republic of Lithuania if that person (or descendants) had citizenship of the Republic of Lithuania before 15 June 1940 and demonstrably left the country before 11 March 1990 and were not re-naturalized before the entry into force of the 2002 Act (this term does not include persons who departed from the territory of the Republic of Lithuania to the territory of the former Soviet Union after 15 June 1940). This provision applies to three generations of descendants, i.e., children, grandchildren,

and great-grandchildren. The aforementioned persons have an indefinite right to reinstate citizenship of the Republic of Lithuania, irrespective of the country in which they reside - in the Republic of Lithuania or another state - and if they are not citizens of another state.

### 3. Dual citizenship

If the applicant wants to restore his Lithuanian citizenship, it is possible to renounce the citizenship of the other state or choose dual citizenship. The latter is in principle inadmissible in Lithuania under Article 12(2) of the Constitution of Lithuania but may be defended in exceptional cases. These exceptions are regulated in the Law on Lithuanian Citizenship article 7 subsections 2, 3, and 4, i.e., and apply to persons who were exiled from the occupied Republic of Lithuania prior to 11 March 1990 and have acquired citizenship of a different state; who left Lithuania prior to 11 March 1990 and acquired citizenship of a different state or who is a descendant of a person mentioned above.

Since 15 November 2021, the application for the restoration of citizenship of the Republic of Lithuania can only be submitted via the Lithuanian Migration Information System (MIGRIS).

### 4. Estonian and Latvian citizenship by restoration

For general information on the possibility of obtaining the Estonian or Latvian citizenship by restoration, see our article <https://klauberg.legal/en/explained-in-3-minutes-confirmation-of-the-state-citizenship-in-the-baltic-states-based-on-descent/>

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