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Judgment of the Court in Joined Cases C-684/22 to C-686/22 | Stadt Duisburg (Loss of German nationality)

EU law does not, in principle, preclude the automatic loss of German nationality in the event of recovery of Turkish nationality

However, where that loss is also liable to entail the loss of EU citizenship, it must be possible to carry out an individual examination of the consequences of that loss for the person concerned

A number of Turkish nationals have challenged before a German court the loss of their German nationality, which they acquired by naturalisation in 1999. In order to become German, they had had to renounce their Turkish nationality. However, after their naturalisation in Germany, and more specifically after 1 January 2000, they reacquired Turkish nationality at their own request. As a result of an amendment to the German legislation which entered into force on 1 January 2000, that recovery of Turkish nationality resulted in the automatic loss¹ of German nationality.

The German court has doubts as to the compatibility with EU law of that automatic loss of German nationality. Since the persons concerned do not possess nationality of another Member States, it also entails the loss of EU citizenship and therefore the right to move and reside freely in the whole of the European Union. The German court therefore referred questions to the Court of Justice on that point.

The Court notes² that it is for each Member State to lay down the conditions for acquisition and loss of nationality. If, however, as in the present cases, loss of nationality also results in the loss of EU citizenship, due regard must be had to certain requirements of EU law, in particular the principle of proportionality.

EU law does not, in principle, preclude a person who voluntarily acquires the nationality of a third State from automatically losing the nationality of the Member State concerned and, consequently, EU citizenship too. It is legitimate for a Member State to wish to protect the special relationship of solidarity and good faith between it and its nationals and also the reciprocity of rights and duties, which form the bedrock of the bond of nationality.

However, the person concerned must be able to apply to the national authorities and courts for an examination of whether the loss of EU citizenship has disproportionate consequences³ for him or her. If that is the case, that person must be able to retain his or her nationality and accordingly EU citizenship or, where necessary, recover them with retroactive effect.

NOTE: A reference for a preliminary ruling allows the courts and tribunals of the Member States, in disputes which have been brought before them, to refer questions to the Court of Justice about the interpretation of EU law or the validity of an EU act. The Court of Justice does not decide the dispute itself. It is for the national court or tribunal to dispose of the case in accordance with the Court's decision, which is similarly binding on other national courts or tribunals before which a similar issue is raised.

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The [full text and, as the case may be, an abstract](#) of the judgment is published on the CURIA website on the day of delivery.

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¹ That loss would not have taken place if the person concerned had, after recovering Turkish nationality, applied for and obtained permission from the German authorities to retain German nationality. Moreover, the acquisition of a nationality of another EU Member State, Switzerland, or a State with which Germany has concluded an international treaty did not entail the loss of German nationality.

² See judgments of 2 March 2010, *Rottmann*, [C-135/08](#) (see also [Press Release No 15/10](#)); of 12 March 2019, *Tjebbes and Others*, [C-221/17](#) (see also [Press Release No 26/19](#)), and of 5 September 2023, *Udlændinge- og Integrationsministeriet (Loss of Danish nationality)*, [C-689/21](#) (see also [Press Release No 131/23](#)).

³ In relation to the objective pursued by the national legislature.