

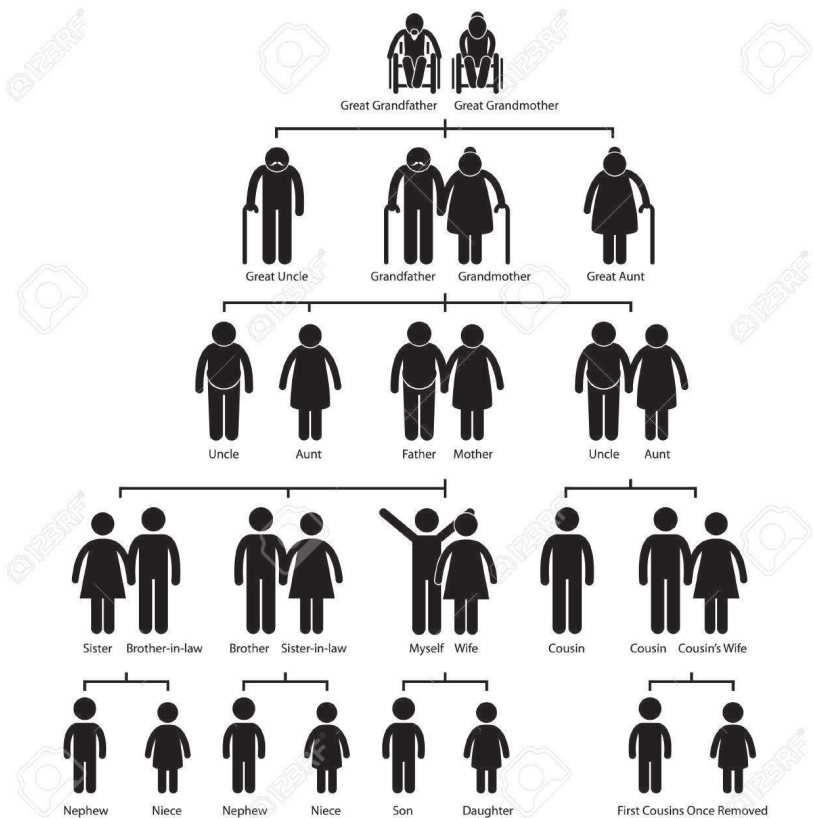
Italian citizenship for those descending to an Italian mother born before 1948



Italian citizenship law is based upon the principle of *jure sanguinis* (blood right)

Any child born of Italian parents is also an Italian citizen





Anyone who Italian ancestors may be able to acquire citizenship depending on a number of factors, such as the date and place of birth of their parents, grandparents, and even of their great-grandparents.

If you or your ancestors were born to a mother of Italian origin before January 1, 1948 the process may not be so straightforward.

Italian statutes before 1948 did not allow women to pass on citizenship to their children



The principles of gender equality were laid down only on 1 January 1948 when the Italian Constitution entered into force.



Before that date, Italian women were not allowed to pass the citizenship to their children. Only children born to Italian fathers had the right to be recognised as Italian nationals.

After 1948 the law changed, but it is not retroactive.

Accordingly children born to an Italian mother before January 1, 1948 are not automatically Italian.

There are also are some restrictions for children born after 1 January 1948 but whose mothers were married to foreigners before that date (at that time women would lose their Italian citizenship when getting married to a foreigner).



You can still obtain citizenship if your mother was of Italian origin, if:

- you were born before the fateful date of 01/01/1948, or*
- if she “lost” her citizenship when she got married, before you were born*



1948



The Italian Supreme Court confirmed that the principle of gender equality is retroactive and therefore applies also before January 1, 1948



How can you apply?

If application is filed at the Consulate it shall be rejected, because the law has not been changed yet.

DENIED

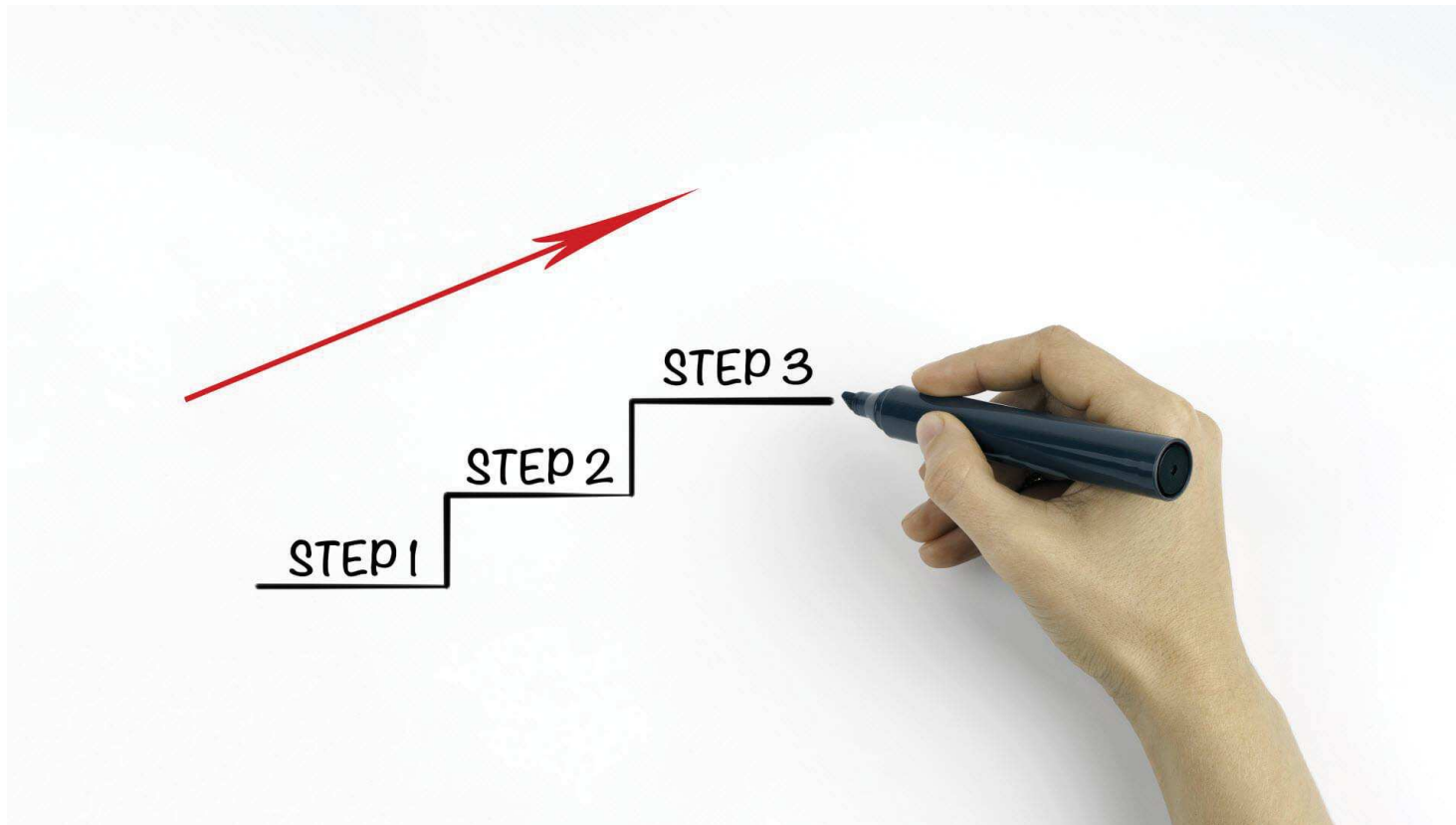
Court action

You need therefore to file a Court action in Rome to have your citizenship recognized by a Court decision

ROMA



What is the procedure?



1) Confirm your eligibility

Before starting any actions you will need to confirm that you are eligible. We can send you a questionnaire where you will need to provide all necessary information





2) Collect all documents

Once your eligibility is confirmed, you need to collect all documents proving you are entitled to citizenship. Certificates issued abroad will need to be legalized and translated

3) File a Court Motion

When all documents are ready we can file a Court motion. We will need a signed proxy and all original certificates



Processing time

The workload at the Rome Tribunal is heavy.

It can take from 6 months to 2 years to obtain the Court decision.

You will not need any personal appearance at the Court





When the Court issues the decision, we will need to pay the stamp duties and register it with Tax Office

The Court decision shall then be registered at the Town Hall of your ancestor/s and your birth act will be inserted into the Vital Records registry



You can then register with AIRE at the Italian Consulate which has jurisdiction on your place of residence



**ANAGRAFE
ITALIANI
RESIDENTI
ESTERO**



AIRE (Anagrafe Italiani Residenti all'Estero)
is the registry of Italian citizens residing abroad

After your registration into the AIRE Registry, you will be able to request your Italian passport at the Italian Consulate.

