

Portuguese Citizenship Reform: A Structural Shift

1. Introduction: the legal nature of citizenship

Citizenship constitutes the legal bond between an individual and a State. It may be acquired at birth or throughout life, and, under certain circumstances, it may also be lost.

Traditionally, two core principles determine Citizenship:

- *Jus sanguinis* (right of blood), based on lineage;
- *Jus soli* (right of soil), based on place of birth or residence.

Modern legal systems tend to combine both approaches. However, European jurisdictions, including Portugal, have historically favored *jus sanguinis*, with *jus soli* operating in a complementary and often conditional manner.

The current reform must be understood against this structural backdrop: it represents not merely a legislative adjustment, but a recalibration of how the Portuguese State defines belonging.



2. Legislative background

The legislative process leading to the current reform of the Citizenship Law began in June 2025, at which point political and legal debate intensified regarding the revision of the regime, including the submission and discussion of several amendment proposals.

In October 2025, the Portuguese Parliament approved a significant amendment to the Citizenship Law, reflecting a policy shift toward stricter conditions for access to Citizenship and a stronger requirement of an effective connection to the national community.

One of the central elements of this reform, namely the extension of the regime for loss of nationality as a consequence of criminal conviction, was, however, **declared unconstitutional by the Constitutional Court**.

Following this decision, a **revised diploma was approved on April 1, 2026**, seeking to preserve the policy direction of the initial reform, while ensuring compliance with the constitutional limits identified.

3. Current status: a law in suspension

The reform is not yet in force. It is currently pending decision by the President of the Portuguese Republic, whose intervention is decisive.

At this stage, the President may:

- Promulgate the diploma, enabling its entry into force;
- Exercise a political veto, in an attempt to reopen parliamentary discussion, although the diploma was already approved with a qualified majority at Parliament and it's unlikely that Parliament will revise it; or
- Request further constitutional scrutiny.

This interim phase creates a **transitional window of legal uncertainty**, particularly relevant for individuals currently eligible under the existing regime.

4. Core amendments: from accessibility to selectivity

The reform introduces a set of measures that, taken together, mark a clear shift from an accessibility-driven model to a selective, integration-based framework.

a) Extended residence requirements

Naturalization timelines are significantly increased:

- Up to 7 years for EU and nationals of Portuguese Speaking Countries;
- Up to 10 years for other applicants.

This change alone materially alters the planning horizon for prospective citizens.

b) Reinforced “effective connection” standard

- The requirement of a genuine and demonstrable integration with Portugal is strengthened, as the reform moves beyond a predominantly formal assessment based on residence, towards the analysis of factors such as social, cultural, and civic integration.

This may lead to greater administrative discretion and increases the evidentiary burden on applicants, particularly in borderline or discretionary cases.

c) Restriction of *jus soli* mechanisms

- Citizenship for children born in Portugal to foreign parents becomes more conditional;
- Greater weight is placed on the legal status and duration of parental residence, reinforcing the need for a stable and lawful connection to the country.

This reflects a deliberate legislative shift to contain *jus soli* as an autonomous pathway, aligning it more closely with residence-based and integration criteria.



d) Elimination of derivative acquisition by parents

- Parents will no longer be able to acquire Portuguese Citizenship through children born in Portugal.

This represents a structural break with prior practice, effectively closing a widely used indirect route to Citizenship and reinforcing the autonomy of individual eligibility.

e) Stricter criminal and public order filters

- Expanded relevance of criminal records in Citizenship decisions;
- Reinforced emphasis on public security considerations.

This aligns Citizenship policy more closely with immigration control logic.

f) Reconfigured loss of Citizenship regime

- Reintroduction of loss of citizenship in narrowly defined cases;
- Adjusted to comply with constitutional limits set by the Constitutional Court.

Although more restrained, this mechanism signals a reassertion of citizenship as a conditional legal status for those who naturalize as Portuguese.



5. Strategic implications

This reform should be read as part of a broader European trend: Citizenship is no longer treated as an endpoint of residence, but as a status requiring demonstrable alignment with the State.

Key implications include:

- **Increased barriers to entry**, both in time and substance;
- **Reduced relevance of family-based pathways**, particularly indirect routes;
- **Greater legal uncertainty**, especially during the transition phase;
- **Heightened importance of timing**, for those currently eligible under the existing regime.

For investors, expatriates, and individuals with international mobility, this reform materially affects residency-to-citizenship strategies and long-term planning.

6. Next steps

The reform's immediate future depends on presidential action.

Until promulgation and publication:

- The **current Citizenship framework remains fully in force**;
- Applicants may still rely on existing rules.

This creates a **critical window for action**, particularly for those who may be adversely affected by the forthcoming changes.

This document is provided for general informational purposes only and does not constitute legal advice. The application of the law will depend on its final promulgated version and subsequent administrative practice.

For detailed guidance on the implications of these amendments, please contact the Immigration Department of Ana Bruno & Associados.



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