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# Comparative analysis of dual citizenship legislation in Ukraine and other countries: Opportunities for adapting Ukrainian practice

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## Abstract

The purpose of the study was to determine the state of Ukrainian legislation on dual citizenship, compare it with the provisions of legal acts of Canada and Germany, and identify possible ways to adapt Ukrainian practice to European norms. For an effective study of the topic, it was important to apply hermeneutical, comparative and historical methods. The publication highlighted the essence of dual (multiple) citizenship and argues for the need for its recognition by state governments. It analysed the urgent problem in Ukraine of the spread of bipatriotism and the relevance of amending the provisions prohibiting dual citizenship. The article examined the legislation of Ukraine, Germany and Canada on dual citizenship. Based on the results of the study, it formulated a legal definition of the concept of dual citizenship and outlines the positive and negative aspects of its acquisition. The legal norms regulating bipatriotism are compared. This helped to identify the main ways of legal regulation of this issue and to formulate recommendations for relevant reforms of the legislation on citizenship in Ukraine (recognition of dual citizenship by the State, creation of a unified State register of bipatriots and their cross-border movement, development of requirements for acquiring citizenship and provisions on certain restrictions for bipatriots (regarding their participation in the activities of public authorities), etc.). Importance of ensuring effective legal regulation of dual citizenship in Ukraine as a key element of integration into the global world is substantiated

## Keywords:

legal act; citizenship; bipatriotism; multipatriotism; human rights and freedoms

## Introduction

The matter of dual citizenship has gained particular relevance in Ukraine due to the evolving legal landscape, geopolitical shifts, and increased mobility of its citizens. Under martial law, the growing discourse on dual citizenship at the national level reflects citizens' aspirations for greater stability and security. With a significant number of Ukrainians forced to leave the country, introducing dual citizenship would not only bolster the

legal standing of these individuals and protect their interests but also promote a more cohesive and integrated society. Research on dual citizenship contributes to the advancement of legal science and underscores the necessity of an adaptive legal framework that aligns with evolving societal norms and international relations. A comparative analysis of Ukraine's experience alongside that of Germany and Canada could enhance

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the relevance and efficacy of legal systems in addressing contemporary dual citizenship issues.

V. Bereziuk (2024) examined the potential consequences of legally permitting dual citizenship in Ukraine. His analysis highlighted potential benefits for the state, such as increased national engagement of Ukrainians abroad and the retention of citizenship for those displaced by the armed conflict. However, author also identified significant risks, particularly concerning national security and legal conflicts under the current citizenship framework. Author emphasised the importance of a balanced approach, advocating for public discussions and constitutional clarifications (particularly regarding Article 4 of the Constitution of Ukraine<sup>1</sup>, which stipulates that Ukrainian citizens may hold only Ukrainian citizenship). V. Bereziuk (2024) recommended resolving these issues before implementing legislative changes.

In a parallel study, Y.B. Kliuchkovskiy (2024) explored the current status and future prospects of Ukraine's citizenship laws, particularly in the context of post-war reconstruction. Author examined the key constitutional provisions regulating citizenship, referencing the Law of Ukraine No. 2235-III "On Citizenship of Ukraine"<sup>2</sup> and the Constitution of Ukraine. Researcher pointed out that the current legal framework lacks clear regulations on dual citizenship, despite its increasing relevance. Researcher advocated for reforms that align Ukrainian legislation with global trends, emphasising the advantages of dual citizenship for both individuals and the state. I.V.A. Örsel (2024) investigated the relationship between dual citizenship and immigrant integration, focusing on naturalisation rates. Drawing on the experiences of Sweden and the Netherlands, author observed that legislative changes permitting dual citizenship positively influenced immigrants' decisions to naturalise. Y.B. Kliuchkovskiy (2024) posited that allowing dual citizenship significantly boosts naturalisation rates, particularly among immigrants from less developed countries, while restrictive policies hinder societal integration. The findings suggest that adopting more open citizenship policies could foster greater immigrant integration.

P.J. Spiro (2024) analysed the global dynamics of dual citizenship, highlighting its recognition in many states while noting opposition from countries like China, Iran, and India. Author observed that the rise in states permitting dual citizenship occurred without coordinated international efforts, driven instead by the increasing prevalence of bipatriism among individuals seeking to maintain ties with multiple countries. P.J. Spiro (2024) noted that states recognising dual citizenship are often motivated by economic and social considerations, and international law grants them

the autonomy to establish citizenship policies. Finally, L. van der Baaren (2024) developed a methodology for systematically comparing citizenship laws across legal systems. Author introduced the concept of "dual implementation", which demonstrates how one state's application of citizenship laws can depend on interpretations adopted in other states. This interdependence arises from differing political, legal, and cultural contexts, leading to varying practical outcomes in the enforcement of citizenship laws.

Despite the increasing relevance of dual citizenship in Ukraine, previous studies have primarily concentrated on theoretical aspects. As a result, practical applications of other countries' experiences and existing legislative gaps have received insufficient attention. Notably, there is a lack of comprehensive research analysing the experiences of countries with well-developed dual citizenship legislation and evaluating the potential for adapting these practices to Ukraine. The purpose of this study was to examine the legislative frameworks of Germany and Canada concerning dual citizenship and to explore opportunities for incorporating such norms into potential reforms of Ukraine's dual citizenship legislation. The main objectives of the study were as follows:

- 1) to define the concept of dual (or multiple) citizenship and assess its legal regulation in Ukraine;
- 2) to analyse the legislative provisions on dual citizenship in Germany and Canada;
- 3) to compare the current legal frameworks of Ukraine, Germany, and Canada on this issue, identifying potential reforms for Ukraine based on the experiences of the two other states.

## Materials and Methods

The study employed several methods of scientific inquiry, including hermeneutic, terminological, comparative, and historical approaches. The hermeneutic method was utilised to interpret and analyse the regulatory legal acts of Ukraine, Germany, and Canada accurately and comprehensively. The terminological method was applied to investigate the concept and essence of Ukrainian citizenship, as well as dual and multiple citizenship. A prominent role among the theoretical methods and research techniques was played by the comparative method. This approach involved a direct comparison of the regulatory legal acts of Ukraine, Germany, and Canada, chosen for their distinct approaches to recognising multiple citizenships (in Ukraine, dual citizenship is not recognised; in Germany, reforms have permitted citizens to hold citizenship in other countries; and in Canada, dual citizenship has been recognised and protected for several decades). By analysing these three fundamentally different approaches and

<sup>1</sup> Constitution of Ukraine. (1996, June). Retrieved from <https://zakon.rada.gov.ua/laws/show/en/254%D0%BA/96-%D0%B2%D1%80#Text>.

<sup>2</sup> Law of Ukraine No. 2235-III "On Citizenship of Ukraine". (2001, January). Retrieved from <https://zakon.rada.gov.ua/laws/show/en/2235-14#Text>.

their effectiveness, the study assessed the feasibility of citizenship reforms in Ukraine.

The comparison included examining the content of citizenship, the grounds and procedures for acquiring dual citizenship, and potential reforms to the regulatory framework on this issue. The comparative analysis also identified potential amendments to Ukrainian legislation by leveraging the experiences of Germany and Canada. It revealed significant differences in the legal approaches to dual citizenship and their implications for an individual's legal status.

The study of the legal regulation of dual citizenship in Germany and Canada was significantly informed by an analysis of key legislative acts in these countries, including: German Citizenship Act<sup>1</sup> (StAG); Basic Law for the Federal Republic of Germany<sup>2</sup>; Act on the Modernisation of Citizenship Law<sup>3</sup> (StARModG); German Income Tax Act<sup>4</sup> (EStG); Citizenship Act<sup>5</sup>; Income Tax Act<sup>6</sup>; and An Act to amend the Citizenship Act<sup>7</sup>. For Ukraine, the research focused on analysing the provisions of domestic legal documents concerning the concept and content of citizenship, the recognition of dual citizenship by Ukraine, and the potential introduction of dual citizenship in Ukrainian law. The analysed legislative acts included: the Law of Ukraine No. 2235-III "On Citizenship of Ukraine"<sup>8</sup>; the Constitution of Ukraine<sup>9</sup>; Draft Law No. 4142-IX "On Amendments to Certain Laws of Ukraine on Ensuring the Realisation of the Right to Acquire and Retain Ukrainian Citizenship"<sup>10</sup>; the Law of Ukraine No. 1135-IX "On the All-Ukrainian Referendum"<sup>11</sup>; and the European Convention on Citizenship<sup>12</sup>.

Using the historical method, the research traced the evolution of the regulatory frameworks for dual citizenship in Germany, Canada, and Ukraine. This approach not only highlighted legislative changes but also clarified the conditions under which these changes occurred. This analysis is particularly relevant for dual citizenship, as its legal regulation has undergone

significant transformations influenced by political, economic, and social factors.

## Results

**Legal regulation of dual citizenship in Ukraine.** According to paragraph A of Article 2 of the European Convention on Citizenship<sup>13</sup>, the concept of citizenship refers to the legal relationship between a state and an individual, without regard to the individual's ethnic origin. Similarly, paragraph 1 of Article 1 of the Law of Ukraine No. 2235-III On Citizenship of Ukraine<sup>14</sup> defines Ukrainian citizenship as the legal relationship between an individual and the Ukrainian state, establishing mutual rights and obligations.

The legal regulation of dual citizenship in Ukraine remains ambiguous, as Ukrainian legislation does not explicitly prohibit its existence. This ambiguity extends to the broader concept of multiple citizenship, which refers to individuals holding more than one citizenship. Article 4 of the Constitution of Ukraine establishes the principle of single citizenship and provides that the conditions for acquiring and terminating citizenship are determined by national legislation. Paragraph 1 of Article 2 of the Law of Ukraine No. 2235-III<sup>15</sup> offers further clarification, stipulating that Ukrainian citizenship precludes the recognition of any other citizenship within the territory of Ukraine. Specifically, if a Ukrainian citizen acquires another citizenship, only Ukrainian citizenship is recognised by the state. Similarly, a foreigner who becomes a Ukrainian citizen will be regarded exclusively as a Ukrainian citizen in their legal relations with the state. This suggests that while a Ukrainian citizen may hold another citizenship, it will not be recognised by Ukraine (Kushnir *et al.*, 2021; Kalynovskiy, 2023). National legislation, therefore, frames citizenship as a legal relationship between the state and the individual, but it provides detailed clarification only regarding the state's perspective (Article 2

<sup>1</sup> German Citizenship Act (StAG). (1913, July). Retrieved from <https://www.gesetze-im-internet.de/stag/BJNR005830913.html>.

<sup>2</sup> Basic Law for the Federal Republic of Germany. (1949, May). Retrieved from [https://www.gesetze-im-internet.de/englisch\\_gg/englisch\\_gg.html](https://www.gesetze-im-internet.de/englisch_gg/englisch_gg.html).

<sup>3</sup> Act on the Modernisation of Citizenship Law of Germany (StARModG). (2024, March). Retrieved from <https://dip.bundestag.de/vorgang/gesetz-zur-modernisierung-des-staatsangeh%C3%B6rigkeitsrechts-starmodg/303313>.

<sup>4</sup> Income Tax Act of Germany (EStG). (1934, October). Retrieved from <https://www.gesetze-im-internet.de/estg/>.

<sup>5</sup> Citizenship Act of Canada. (1985, March). Retrieved from <https://laws-lois.justice.gc.ca/eng/acts/c-29/page-1.html#h-81636>.

<sup>6</sup> Income Tax Act of Canada. (1985). Retrieved from <https://laws-lois.justice.gc.ca/eng/acts/i-3.3/>.

<sup>7</sup> An Act to amend the Citizenship Act. (2008, April). Retrieved from [https://laws-lois.justice.gc.ca/eng/annualstatutes/2008\\_14/page-1.html](https://laws-lois.justice.gc.ca/eng/annualstatutes/2008_14/page-1.html).

<sup>8</sup> Law of Ukraine No. 2235-III "On Citizenship of Ukraine". (2001, January). Retrieved from <https://zakon.rada.gov.ua/laws/show/en/2235-14#Text>.

<sup>9</sup> Constitution of Ukraine. (1996, June). Retrieved from <https://zakon.rada.gov.ua/laws/show/en/254%D0%BA/96-%D0%B2%D1%80#Text>.

<sup>10</sup> Draft Law No. 4142-IX "On Amendments to Certain Laws of Ukraine on Ensuring the Realisation of the Right to Acquire and Retain Ukrainian Citizenship". (2024, August). Retrieved from <https://itd.rada.gov.ua/billInfo/Bills/Card/44687>.

<sup>11</sup> Law of Ukraine No. 1135-IX "On the All-Ukrainian Referendum". (2023, March). Retrieved from <https://zakon.rada.gov.ua/laws/show/1135-20#Text>.

<sup>12</sup> European Convention on Citizenship. (1997, November). Retrieved from [https://zakon.rada.gov.ua/laws/show/994\\_004#Text](https://zakon.rada.gov.ua/laws/show/994_004#Text).

<sup>13</sup> *Ibidem*, 1997.

<sup>14</sup> Law of Ukraine No. 2235-III "On Citizenship of Ukraine". (2001, January). Retrieved from <https://zakon.rada.gov.ua/laws/show/en/2235-14#Text>.

<sup>15</sup> *Ibidem*, 2001.

of the Law). The individual's rights or restrictions in holding another citizenship are not explicitly addressed in Ukrainian legal acts, effectively leaving the door open for additional citizenships to coexist under other legal systems. The principle of single citizenship in Ukraine emphasises the unitary nature of the state rather than explicitly prohibiting multiple citizenships (Kovalevska, 2024; Tomkina, 2024).

Given the concept and principle of single citizenship in Ukraine, Ukrainian legislation does not explicitly recognise the concepts of dual (or multiple) citizenship or bipatridism, resulting in legal uncertainty regarding their regulation. However, in compliance with its obligations under the European Convention on Citizenship<sup>1</sup>, Ukraine has accepted the definitions established by the Convention. The Convention defines multiple citizenship as the simultaneous possession of citizenships from more than two states, which also encompasses dual citizenship (holding citizenships of two states) (Fenysh, 2024). Article 14 of the European Convention specifies circumstances under which a person may hold multiple citizenships, including: 1) At birth, when a child acquires multiple citizenships simultaneously, the state must allow the individual to retain these citizenships. 2) Upon the automatic acquisition of citizenship resulting from marriage to a citizen of another state. These provisions are applicable to Ukraine. However, under Ukrainian law, individuals with multiple citizenships are recognised exclusively as Ukrainian citizens within the legal framework of Ukraine (Cherepenko & Kostenko, 2024). The concept of dual citizenship, also referred to as bipatridism, involves an individual acquiring citizenship of two states, thus becoming a bipatrid.

Part 1 of Article 19 of the Law of Ukraine No. 2235-III<sup>2</sup> specifies that Ukrainian citizenship is lost if a person voluntarily acquires the citizenship of another state. This provision applies only to individuals who have reached the age of 18. Furthermore, the Article outlines specific circumstances where voluntariness is not considered present, thereby exempting individuals from losing their Ukrainian citizenship. These circumstances include: multiple citizenship at birth, when an individual acquires citizenships of several states simultaneously at birth; adoption, when a child with Ukrainian citizenship is adopted by citizens of another state; automatic acquisition through marriage, when citizenship of another state is automatically acquired due to marriage with a citizen of that state; automatic acquisition at adulthood, when an individual automatically acquires the citizenship of another state upon reaching the age of majority, provided there is no supporting document

confirming the existence of foreign citizenship. Part 2 of Article 19 stipulates that Ukrainian citizenship will also be revoked if it was obtained through fraudulent means, such as the forgery of documents. Part 3 adds that citizenship may be lost if a Ukrainian citizen voluntarily joins the military service of a foreign state, except when this service is considered a military obligation or alternative service under the laws of the foreign state.

The primary challenge in the legal regulation of dual citizenship in Ukraine lies in the absence of provisions for monitoring whether a Ukrainian citizen holds citizenship of another state. This gap makes it virtually impossible to identify cases of dual citizenship, enables individuals to avoid liability for failing to disclose such citizenship, and significantly limits the potential for revoking Ukrainian citizenship. Consequently, a Ukrainian citizen can acquire the citizenship of another state, and even if this is discovered by state authorities, the likelihood of losing Ukrainian citizenship remains low due to the procedural complexity involved (Derevyanko, 2024).

To address these challenges, the development of an effective regulatory and legal framework for dual and multiple citizenship is crucial for Ukraine. In 2024, the President of Ukraine proposed amendments to Draft Law No. 4142-IX<sup>3</sup>. These amendments aimed to facilitate the return of Ukrainian citizens who were forced to relocate to other countries due to the full-scale invasion. Specifically, they addressed cases where Ukrainian citizens acquired foreign citizenship to gain greater protection during the war, thereby encouraging their reintegration into Ukraine. An additional objective of the Draft Law was to simplify the process of obtaining Ukrainian citizenship for specific categories of individuals, thereby addressing broader citizenship issues in Ukraine.

Draft Law No. 4142-IX<sup>4</sup> introduces provisions for multiple citizenship under specific circumstances, including: 1) the simultaneous acquisition of Ukrainian citizenship and the citizenship of another state at birth; 2) acquisition of a foreign citizenship by a Ukrainian child as a result of adoption by foreign parents; 3) acquisition of foreign citizenship by a Ukrainian citizen through marriage to a foreign national; 4) automatic acquisition of another citizenship by an adult Ukrainian citizen based on the laws of the foreign state, provided that the individual has not timely obtained a document certifying their belonging to that state; 5) acquisition of Ukrainian citizenship by a foreign national through a simplified procedure (as outlined in Article 101 of the Draft Law), provided they are a citizen of a state included in the category of countries whose citizens are eligible for this procedure; 6) cases where a Ukrainian

<sup>1</sup> European Convention on Citizenship. (1997, November). Retrieved from [https://zakon.rada.gov.ua/laws/show/994\\_004#Text](https://zakon.rada.gov.ua/laws/show/994_004#Text).

<sup>2</sup> Law of Ukraine No. 2235-III "On Citizenship of Ukraine". (2001, January). Retrieved from <https://zakon.rada.gov.ua/laws/show/en/2235-14#Text>.

<sup>3</sup> Draft Law No. 4142-IX "On Amendments to Certain Laws of Ukraine on Ensuring the Realisation of the Right to Acquire and Retain Ukrainian Citizenship". (2024, August). Retrieved from <https://itd.rada.gov.ua/billInfo/Bills/Card/44687>.

<sup>4</sup> Ibidem, 2024.

citizen also holds citizenship of a state included in the category of countries eligible for the simplified procedure of obtaining Ukrainian citizenship (Who will be eligible for multiple citizenship..., 2024).

Additional amendments to Draft Law No. 4142-IX<sup>1</sup> include the removal of the provision allowing individuals to acquire Ukrainian citizenship based solely on the prior residence of their relatives in Ukraine. Citizenship will now be granted only if such relatives were not only residents but also born in Ukraine. Furthermore, the Draft Law eliminates the option for individuals with temporary residence permits to apply for Ukrainian citizenship. Previously, this provision allowed individuals who had resided in Ukraine for five years to qualify. The proposal also includes the introduction of mandatory language examinations for citizenship applicants. However, this requirement will not apply to individuals obtaining citizenship through the simplified procedure (Zatulko, 2024).

Despite proposals to expand Ukrainian citizenship legislation by simplifying the acquisition process and recognising dual citizenship, such draft laws remain illegal under the current legal framework of Ukraine. Most notably, these proposals violate Article 4 of the Civil Code<sup>2</sup>, which stipulates the principle of single citizenship in Ukraine. Consequently, the adoption of Draft Law No. 4142-IX would necessitate amendments to the Civil Code and other legislative acts governing citizenship. This requirement presents a significant legal challenge: under Article 17 of the Law of Ukraine No. 1135-IX "On the All-Ukrainian Referendum"<sup>3</sup>, amendments to Sections I, III, and XIII of the Civil Code require the approval of an all-Ukrainian referendum. However, holding such a referendum is prohibited during martial law, as stipulated in Part 1 of Article 20 of the same law. Therefore, during martial law, state authorities are unable to adopt projects requiring constitutional amendments. Furthermore, similar proposals have faced constitutional scrutiny in the past. For instance, two draft laws submitted by the President in 2021 and January 2024 were not adopted due to their incompatibility with the current legal framework (Katsimon, 2024). The legal regulation of citizenship in Ukraine undeniably requires substantial reforms to both simplify citizenship acquisition procedures and permit dual citizenship. While the proposed Draft Law has the potential

to enhance the state's legal framework, any progress in this direction depends on the cessation of martial law.

**Dual citizenship legislation in Germany and Canada.** The primary legal acts regulating citizenship in Germany StAG<sup>4</sup> (Citizenship Act) and the Basic Law for the Federal Republic of Germany<sup>5</sup>, which serves as the country's constitution. Notably, Article 16 of the Basic Law stipulates that a citizen of the Federal Republic of Germany cannot be deprived of their citizenship except under circumstances explicitly provided for by law. If such deprivation occurs against the individual's will, authorities must ensure that the person does not become stateless.

Until June 2024, German legislation strictly prohibited dual or multiple citizenship. However, systematic amendments to the German Citizenship Act (StAG)<sup>6</sup> have eliminated this prohibition. Since 2007, citizens of EU member states and Switzerland who naturalised in Germany were permitted to hold multiple citizenships. Moreover, as of June 27, 2024, with the entry into force of StARModG<sup>7</sup>, individuals from any country who naturalise in Germany are allowed to acquire multiple citizenship. Prospective applicants for multiple citizenship are advised to confirm that the laws of their country of origin also permit multiple citizenship to avoid legal conflicts (Federal Foreign Office, 2024). A significant factor that facilitates Germany's adoption of multiple citizenship reforms is the absence of a constitutional provision similar to Article 4 of the Ukrainian Civil Code<sup>8</sup>, which enforces the principle of single citizenship. This absence in Germany's Basic Law significantly simplifies the process of reforming the legal framework concerning multiple citizenship.

The main changes to German citizenship legislation include the following: 1) German citizens who voluntarily acquire the citizenship of another state will no longer lose their German citizenship, as was previously the case; 2) The provision requiring German citizens with multiple citizenships to choose a single citizenship upon reaching the age of 21 has been removed; 3) The process of being released from German citizenship upon naturalisation in another state has been abolished. Previously, individuals seeking naturalisation elsewhere had to apply for release from German citizenship, which was contingent on confirmation of naturalisation by the other state (Article 26, StAG<sup>9</sup>,

<sup>1</sup> Draft Law No. 4142-IX "On Amendments to Certain Laws of Ukraine on Ensuring the Realisation of the Right to Acquire and Retain Ukrainian Citizenship". (2024, August). Retrieved from <https://itd.rada.gov.ua/billInfo/Bills/Card/44687>.

<sup>2</sup> Civil Code of Ukraine. (2003, January). Retrieved from <https://zakon.rada.gov.ua/laws/show/435-15#Text>.

<sup>3</sup> Law of Ukraine No. 1135-IX "On the All-Ukrainian Referendum". (2021, January). Retrieved from <https://zakon.rada.gov.ua/laws/show/1135-20#Text>.

<sup>4</sup> German Citizenship Act (StAG). (1913, July). Retrieved from <https://www.gesetze-im-internet.de/stag/BJNR005830913.html>.

<sup>5</sup> Basic Law for the Federal Republic of Germany. (1949, May). Retrieved from <https://surl.li/jxuvxc>.

<sup>6</sup> German Citizenship Act (StAG). (1913, July). Retrieved from <https://www.gesetze-im-internet.de/stag/BJNR005830913.html>.

<sup>7</sup> Act on the Modernisation of Citizenship Law of Germany (StARModG). (2024, March). Retrieved from <https://dip.bundestag.de/vorgang/gesetz-zur-modernisierung-des-staatsangeh%C3%B6rigkeitsrechts-starmodg/303313>.

<sup>8</sup> Civil Code of Ukraine. (2003, January). Retrieved from <https://zakon.rada.gov.ua/laws/show/435-15#Text>.

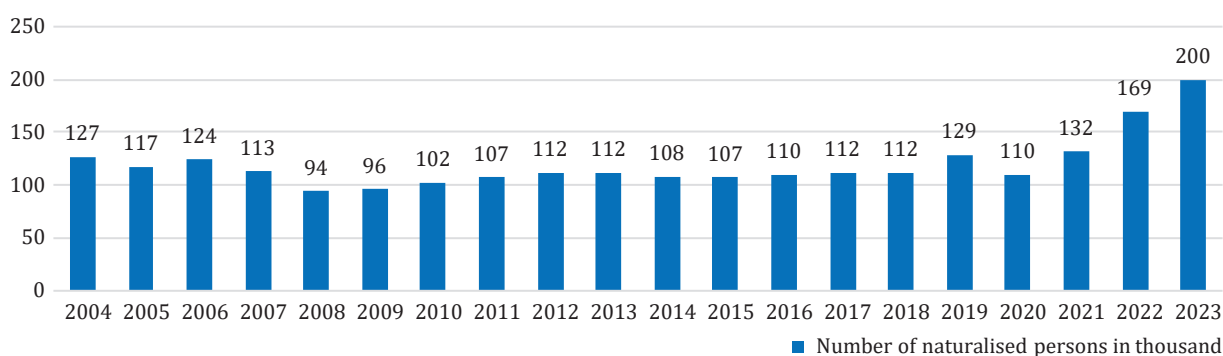
<sup>9</sup> German Citizenship Act (StAG). (1913, July). Retrieved from <https://www.gesetze-im-internet.de/stag/BJNR005830913.html>.

Release from German citizenship, 2024); 4) Individuals acquiring German citizenship are no longer required to renounce their previous citizenship (Articles 13 and 14, StAG). This change formally allows multiple citizenship in Germany (Faster naturalisation under stricter conditions, 2024); 5) A child born in Germany to foreign parents will automatically receive German citizenship if one parent has legally resided in Germany for over five years and holds a permanent residence permit; 6) Instead of requiring integration into German society, specific disqualifying conditions have been established. These include cases involving polygamy, disregard for gender equality, racism, anti-Semitism, and other inhumane actions that contradict German law and the principle of protecting human dignity; 7) For former migrant workers, oral proficiency in German will suffice for naturalisation, eliminating the need for a formal language test. In exceptional cases, the requirement for sufficient German knowledge may be waived entirely in favour of basic oral proficiency; 8) An accelerated and digitalised procedure for security checks has been introduced, accompanied by an expanded range of authorised bodies for consultations with security authorities (Faster naturalisation under stricter conditions, 2024).

StARModG<sup>1</sup> introduced significant changes to the naturalisation process in Germany – in the future, German citizenship can be obtained through the standard procedure after five years of residence in the country, rather than the previous eight years, provided all other requirements are met. These requirements include: the ability to provide for one's own financial needs, as well as proficiency in German language at a minimum level of B1 according to the Common European Framework of Reference for Languages. Additionally, candidates for German citizenship must commit to the principles of a free

democratic system and acknowledge Germany's historical responsibility for the establishment and consequences of the inhumane National Socialist regime. This acknowledgment particularly emphasises the importance of protecting Jewish life as part of Germany's historical accountability (Many have been waiting for..., 2024).

The reform allowing multiple citizenship in Germany not only enhanced the existing legal framework governing citizenship but also fostered stronger integration processes within the country. However, the establishment and regulation of multiple citizenship in Germany present both advantages and challenges. The primary benefit of allowing multiple citizenship is its potential to enhance integration. Migrants can maintain a meaningful connection with their country of origin by retaining their original citizenship, which reinforces their cultural identity and sense of belonging. This dual connection facilitates their integration into German society while preserving ties to their homeland. Furthermore, multiple citizenship simplifies international mobility and provides access to rights and services across different countries. This aspect is particularly advantageous for professionals and students, who benefit from increased opportunities and flexibility. Despite these advantages, concerns about loyalty to the new homeland have been raised. Critics argue that holding multiple citizenships may lead to conflicts of interest or divided loyalties. Additionally, administrative and legal complications can arise in the international context. For instance, differences in the legal systems of the countries of citizenship may create uncertainty about which laws should apply in specific situations. This is particularly relevant in areas such as tax obligations, military service, and inheritance procedures, which often vary depending on citizenship (Fig. 1).



**Figure 1.** Number of naturalised persons for the period of 2004-2023 in Germany (before reforms)

**Source:** created by the author based on Naturalisations in 2023: Record high of the last 20 years! (2024)

To assess the effectiveness of the reforms, it is essential to analyse statistics that track the number of individuals acquiring citizenship in Germany. For

example, figure 1 presents data on naturalised individuals from 2004 to 2023, a period preceding the implementation of the recent legislative reforms. According

<sup>1</sup> Act on the Modernisation of Citizenship Law of Germany (StARModG). (2024, March). Retrieved from <https://dip.bundestag.de/vorgang/gesetz-zur-modernisierung-des-staatsangeh%C3%B6rigkeitsrechts-starmodg/303313>.

to statistics from 2022 and 2023, the number of naturalised individuals has increased significantly over the past two decades, peaking at 200,000 in 2023. This growth reflects a consistent upward trend in citizenship acquisition in recent years. With the introduction of reforms aimed at further facilitating naturalisation and attracting more applicants, this trend is expected to continue (Naturalisations in 2023..., 2024). A comparative example is Canada, a country that also recognises and effectively regulates dual citizenship. The primary legal framework governing this issue in Canada is the Citizenship Act<sup>1</sup>, which explicitly permits multiple citizenship. Under this Act, individuals can acquire the citizenship of another country without forfeiting their Canadian citizenship.

Section 3, Part 1 of the Citizenship Act<sup>2</sup> stipulates that individuals born in Canada automatically acquire Canadian citizenship, irrespective of their parents' citizenship. This provision also extends to children born abroad to Canadian parents, allowing them to inherit Canadian citizenship by descent. Consequently, such children may hold dual citizenship, provided the other state also recognises this right. However, this right to citizenship by descent is limited to the first generation born outside Canada. Specifically, if a person born abroad to a Canadian citizen has children outside Canada, those children will not automatically acquire Canadian citizenship unless one of their parents was born in Canada (Singer, 2024).

Another pathway to obtaining dual citizenship in Canada is through naturalisation, where a foreign national acquires Canadian citizenship. The main requirements for naturalisation are outlined in Article 6, Part 1 of the Citizenship Act<sup>3</sup> and include the following: 1) applicants must have resided in Canada for at least three of the last five years prior to submitting their application, demonstrating their commitment to living in the country; 2) applicants must meet the requirements set out in the Income Tax Act<sup>4</sup>, including filing income tax declarations for three tax years within the qualifying period; 3) applicants must be at least 18 years old to submit their own application. Minors must be included in their parents' applications; 4) individuals aged 18 to 55 applying for citizenship must demonstrate knowledge of one of Canada's official languages (English or French); 5) applicants must show sufficient familiarity with Canadian history, values, and the rights and responsibilities of citizenship, and must be able to communicate this understanding in an official language; 6) the applicant must not be subject to a deportation order or have any ongoing ap-

plication under Section 20 of the Citizenship Act submitted by the Governor in Council.

A significant advancement in the legal regulation of dual citizenship in Canada was the development and proposal of the An Act to amend the Citizenship Act<sup>5</sup>. The primary objective of this Act is to expand the grounds for acquiring Canadian citizenship, particularly in cases of citizenship by descent. The An Act to amend the Citizenship Act introduces provisions allowing individuals born abroad to one parent who is a Canadian citizen – but who was also born in another country – to acquire Canadian citizenship prior to the Act's entry into force. Additionally, it permits children born outside Canada and adopted by a Canadian parent to acquire Canadian citizenship, provided the adoption occurs within the first generation. A crucial condition for acquiring citizenship under these circumstances is that one of the Canadian parents must have resided in Canada for at least 1,095 days (three years) prior to the birth or adoption of the child. Without meeting this residency requirement, the child will not be eligible for Canadian citizenship. Moreover, An Act to amend the Citizenship Act addresses the restoration of citizenship to individuals known as "lost Canadians", who either lost or were unable to acquire citizenship due to outdated provisions in earlier citizenship legislation. This restoration also extends to their descendants born abroad in the second and subsequent generations (Government of Canada, 2024).

Canadian citizens with dual citizenship enjoy numerous rights and benefits that foster personal development and expand professional opportunities (Abu-Laban, 2023). One notable advantage is the right to vote in elections in both countries of citizenship, enabling these individuals to participate actively in the democratic processes of both nations. Another key benefit is access to social services in both countries, such as healthcare, education, and other government programs. This dual access ensures a higher level of security and convenience for individuals with dual citizenship. Additionally, dual citizens experience greater ease in international mobility. They can travel between the two countries without significant barriers, often benefiting from simplified visa procedures or the ability to stay in their country of citizenship for extended periods without requiring special permits. Economically, dual citizens, or bipatrids, enjoy the ability to own property and conduct business within the legal frameworks of both countries. This dual access opens up broader economic opportunities, provides financial flexibility, and facilitates cross-border investments and entrepreneurship (Singer, 2024).

<sup>1</sup> Citizenship Act of Canada. (1985, March). Retrieved from <https://laws-lois.justice.gc.ca/eng/acts/c-29/page-1.html#h-81636>.

<sup>2</sup> *Ibidem*, 1985.

<sup>3</sup> *Ibidem*, 1985.

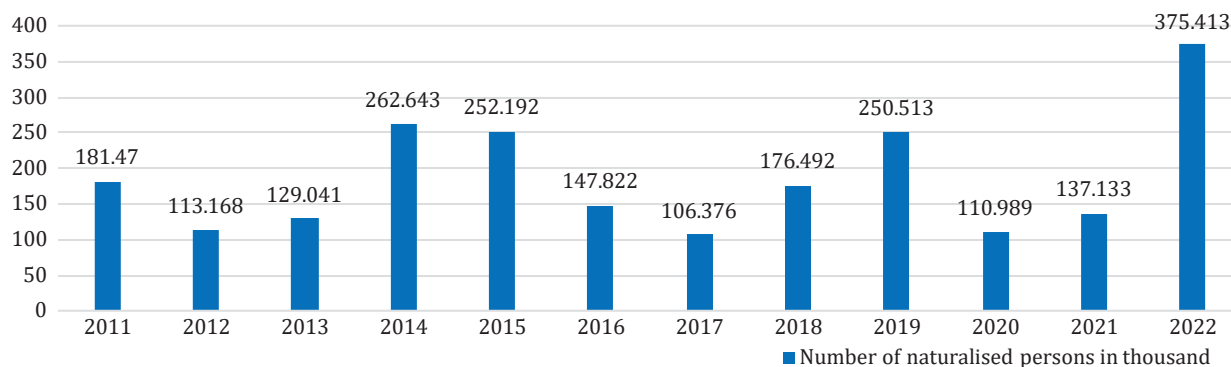
<sup>4</sup> Income Tax Act of Canada. (1985). Retrieved from <https://laws-lois.justice.gc.ca/eng/acts/i-3.3/>.

<sup>5</sup> An Act to Amend the Citizenship Act of Canada. (2008, April). Retrieved from [https://laws-lois.justice.gc.ca/eng/annualstatutes/2008\\_14/page-1.html](https://laws-lois.justice.gc.ca/eng/annualstatutes/2008_14/page-1.html).

Dual citizenship also entails specific obligations that must be carefully managed. One key responsibility is adherence to the laws of both countries, including tax compliance. This often requires dual citizens to fulfil tax obligations in both jurisdictions, potentially resulting in double taxation. In such cases, international agreements or solutions, such as tax treaties, may help mitigate the financial burden. Additionally, dual citizens must be mindful of travel regulations, particularly regarding the use of passports. They are typically required to use the appropriate passport when entering or exiting each country of citizenship. Legal conflicts can also arise from differing national laws on civic duties, such as military service or other obligations. This underscores the importance of thoroughly understanding the legal requirements in both jurisdictions to avoid potential issues. While dual citizenship in Canada

provides significant advantages, it also requires careful navigation of rights and responsibilities across multiple legal systems (Dual citizenship Canada..., 2024).

Figure 2 presents statistics on the number of naturalised persons in Canada from 2011 to 2022. The data indicate a significant surge in citizenship acquisitions in 2022, marking a notable increase compared to the previous 11 years. In 2023, the number of naturalised persons decreased slightly but remained substantial at 354,000-154,000 more than in Germany for the same year. In 2024, during the first quarter, 121,758 individuals were naturalised, followed by an additional 134,138 in the second quarter. These figures highlight the ongoing effectiveness of Canada's approach to citizenship policies, underscoring its ability to attract and integrate new citizens successfully (Canada's population estimates..., 2024).



**Figure 2.** Naturalised persons in Canada for the period of 2011-2022

**Source:** created by the author based on Canada's population estimates, first quarter 2024 (2024)

In comparing naturalisation statistics for 2023, both Canada and Germany demonstrated a growing trend in naturalised citizens. However, Canada's significant advantage over Germany lies in its explicit policy allowing naturalised individuals to retain the citizenship of their country of origin, which has contributed to its higher naturalisation rates.

Despite the steady increase in the number of naturalised citizens, dual citizenship raises social issues, particularly concerning inequality within society (Schweers, 2024). Inequities may arise between dual citizens (bipatrids) and individuals with sole Canadian citizenship, and vice versa. These disparities are especially pronounced when one country involved in dual citizenship arrangements has a more advanced socio-economic system than the other. Such inequalities can manifest in several domains, including employment, access to public services, education, political activity, etc. For instance, when one country imposes stricter requirements for community service or military service, dual citizens may encounter conflicting

obligations that can be difficult or even impossible to reconcile (Khan, 2021; Christou *et al.*, 2022). On the one hand, dual citizenship fosters equality in political participation. Dual citizens in Canada enjoy the same rights as sole Canadian citizens, including eligibility for civil service and political positions, such as membership in parliament. On the other hand, dual citizenship significantly influences social interaction and integration. Dual citizens bring diverse experiences and perspectives from multiple countries, enriching cultural diversity and promoting a more pluralistic societal environment (Citizenship in decline..., 2024). However, these cultural benefits can also pose challenges. Significant differences in values and customs between population groups may complicate efforts to achieve social cohesion and unity.

The approaches to multiple citizenship in the legislation of Germany and Canada reveal significant differences, shaped by the distinct political and historical development of each state. With the entry into force of StARModG<sup>1</sup> in Germany, citizens are now permitted to

<sup>1</sup> Act on the Modernisation of Citizenship Law of Germany (StARModG). (2024, March). Retrieved from <https://dip.bundestag.de/vorgang/gesetz-zur-modernisierung-des-staatsangeh%C3%B6rigkeitsrechts-starmodg/303313>.

hold multiple citizenships without the need to renounce their previous citizenship, a requirement that was in place before this reform. This legislative change has greatly simplified the naturalisation process, including a reduction in the required residency period from eight to five years, and under special circumstances, to three years. The primary aim of these changes is to enhance integration within German society, particularly for migrants who previously faced barriers due to the country's strict citizenship laws. The updated German approach to multiple citizenship is designed to attract skilled professionals and facilitate the integration of migrants, thereby enriching the demographic and economic fabric of the country. By removing restrictions on dual citizenship, Germany is expected to see a significant increase in demand for naturalisation, contributing to a more diverse and inclusive society. However, this approach also presents challenges, particularly in terms of public perception and the practical implementation of the rights and responsibilities associated with dual citizenship.

Since Canada has long embraced a liberal policy on multiple citizenship, allowing its citizens to hold citizenship in multiple states without requiring them to renounce their original citizenship. This approach preserves cultural ties and identity among immigrants while simultaneously fostering social cohesion in Canada's multicultural society (Bloemraad, 2022; Safdar *et al.*, 2023). The Canadian approach to multiple citizenship is marked by inclusiveness. Dual citizens enjoy the ability to work, travel, and live freely across multiple countries. This policy not only strengthens their sense of belonging to Canadian society but also enables them to actively participate in public life in Canada while maintaining connections with their country of origin. However, challenges do arise from the legal obligations associated with holding multiple citizenships. These challenges are particularly evident in areas such as taxation and military service, where differing legal frameworks between countries can create complexities. Overall, Canada's approach to multiple citizenship serves as a valuable model for other countries considering reforms to their dual or multiple citizenship legislation.

**Comparing dual citizenship practices in Germany, Canada, and Ukraine and insights for improving Ukrainian citizenship policy.** The legal regulation of dual citizenship varies significantly among Ukraine, Germany, and Canada. While Germany and Canada have adopted more inclusive policies on dual citizenship, Ukraine adheres to the principle of single citizenship as enshrined in its Constitution. This principle prohibits Ukrainian citizens from holding citizenship in another state. Although cases of dual citizenship exist in practice, such as children born to a foreign father and a Ukrainian mother, dual citizenship is not legally

recognised. In these cases, while the child may hold citizenship in both states, only Ukrainian citizenship is formally acknowledged within Ukraine. Current discussions in the Ukrainian parliament reflect an interest in aligning with global trends and considering dual citizenship policies. However, significant legislative and procedural obstacles remain. One of the main challenges is the need to amend the Civil Code<sup>1</sup>, which requires an all-Ukrainian referendum under existing law. This process is further hindered by the ongoing martial law in Ukraine, which prohibits referenda and complicates the implementation of such reforms (Legal regulation of dual citizenship in Ukraine, 2024).

At the same time, Germany has made significant strides in implementing dual citizenship. Recent reforms have eliminated restrictions that required individuals to renounce their previous citizenship upon acquiring German citizenship. For instance, starting in 2024, individuals who have resided in Germany for five years will become eligible to apply for citizenship. Additionally, those who demonstrate active participation in integrating into German society will qualify to apply for citizenship after just three years. This reform is designed to attract skilled professionals and aligns with the broader European trend toward a comprehensive citizenship policy. The German government's approach stands in stark contrast to Ukraine's restrictive policy and reflects an increasing acknowledgment of the benefits that dual citizenship offers to both immigrants and the host country (Federal Foreign Office, 2024).

Another model for regulating dual citizenship is found in Canada, which is characterised by a favourable and expansive legal framework. Canadian law permits individuals to hold multiple citizenships concurrently without the requirement to renounce their original citizenship. This policy has positioned Canada as a leading example of utilising dual citizenship as a mechanism to cultivate a multinational and multicultural society (Chin & Reid, 2022). The Canadian approach underscores the dual objectives of preserving ties with one's country of origin while facilitating integration into Canadian society. This duality yields benefits not only for individuals but also for the broader social structure of Canada by enabling a more active exchange of cultural practices and knowledge resources (Singer, 2024). The divergent approaches to dual citizenship regulation observed in Canada, Germany, and Ukraine reflect distinct state priorities and historical contexts. Germany's recent reforms signify a strategic initiative aimed at addressing demographic challenges and labor shortages. Conversely, Canada's longstanding endorsement of dual citizenship aligns with its national identity as a multicultural society. Ukrainian legislation, however, continues to adhere to the traditional concept of single citizenship, wherein

<sup>1</sup> Civil Code of Ukraine. (2003, January). Retrieved from <https://zakon.rada.gov.ua/laws/show/435-15#Text>.

national security considerations are prioritised over the facilitation of international mobility. The ongoing discourse within Ukraine concerning potential legal reforms indicates an increasing awareness of global

trends in dual citizenship regulation. However, it also highlights the inherent difficulties in transitioning from an established legal framework to one that accommodates greater flexibility (Table 1).

**Table 1.** Comparative analysis of dual citizenship aspects in Ukraine, Germany, and Canada

Comparative aspect	Ukraine	Germany	Canada
Legal status of dual citizenship	Citizenship other than Ukrainian is not recognised; the principle of single citizenship applies (Article 4 of the Civil Code)	Bipatriism was allowed as a result of the 2024 reforms, and naturalisation no longer requires renunciation of previous citizenship	It is allowed – the citizens can have multiple citizenships at the same time, without renouncing the previous one
State register of persons with dual citizenship	–	No centralised registry: government agencies record multiple citizenships during the naturalisation procedure	There is no centralised registry
Naturalisation procedure	The procedure is quite complicated and lengthy, and also requires renunciation of citizenship of another state (Article 9 of Law of Ukraine No. 2235-III)	The requirements for residence in the state have been simplified – the period of residence has been reduced to five years, or to three years in certain cases (e.g. for professional achievements in Germany, language skills, etc.) (Article 10 StAG; Article 6 (3) StARModG)	For naturalisation in Canada, important conditions are residence for 5 years, knowledge of the language, as well as the applicants' awareness of Canada (Article 5 of the Citizenship Act)
Rights and obligations of bipatriids	–	Bipatriids enjoy the same rights and obligations as German citizens with a single citizenship (there is no specific provision on the scope of their rights, however, Article 1 of the StAG establishes that bipatriids are Germans, it follows that they have the same rights and obligations)	Having the same rights and obligations as a person who is a citizen of Canada exclusively (based on the provisions of Article 6)
Tax payment	–	The obligation to pay taxes is determined depending on the place of residence (Article 1 EStG), in particular, binationals may be taxpayers in both states, but at the same time they have the right to avoid double taxation by agreement of the parties (Double taxation agreements..., 2024)	For persons with dual citizenship, taxation is based on residency (section 126 of the Income Tax Act), in particular, Canada has double taxation agreements that provide for the crediting of taxes paid abroad (section 248 (1) of the Income Tax Act)
Military duty	–	Military or alternative service (according to Article 12 (a) Basic Law for the Federal Republic of Germany). Article 28 StAG provides for the loss of citizenship in the event of voluntary military service in another state unless prior permission has been granted to such a person	There is no mandatory military service for bipatriids, as in other cases, bipatriids have the same rights and obligations as ordinary citizens

**Source:** created by the author based on analyse Civil Code of Ukraine<sup>1</sup>, Constitution of Ukraine<sup>2</sup>, Law of Ukraine No. 2235-III On Citizenship of Ukraine<sup>3</sup>, German Citizenship Act (StAG)<sup>4</sup>, Basic Law for the Federal Republic of Germany<sup>5</sup>, Act on the Modernisation of Citizenship Law (StARModG)<sup>6</sup>, German Income Tax Act (EStG)<sup>7</sup>, Citizenship Act<sup>8</sup>, Income Tax Act<sup>9</sup>

A comparative analysis highlights the differing approaches to dual citizenship in Ukraine, Germany, and Canada, reflecting the unique historical contexts and political orientations of each state. In Ukraine, the principle of single citizenship is enshrined in law, alongside a provision that formally denies the recognition of dual citizenship. Although Ukrainian law does not explicitly

prohibit dual citizenship, its non-recognition creates a legal contradiction, leading to inconsistencies in its application. This lack of recognition has significant implications. Ukrainian citizens who are compelled to seek asylum abroad often lose the ability to maintain formal ties with their homeland while simultaneously facing challenges in integrating into their host society.

<sup>1</sup> Civil Code of Ukraine. (2003, January). Retrieved from <https://zakon.rada.gov.ua/laws/show/435-15#Text>.

<sup>2</sup> Constitution of Ukraine. (1996, June). Retrieved from <https://zakon.rada.gov.ua/laws/show/en/254%D0%BA/96-%D0%B2%D1%80#Text>.

<sup>3</sup> Law of Ukraine No. 2235-III "On Citizenship of Ukraine". (2001, January). Retrieved from <https://zakon.rada.gov.ua/laws/show/en/2235-14#Text>.

<sup>4</sup> German Citizenship Act (StAG). (1913, July). Retrieved from <https://www.gesetze-im-internet.de/stag/BJNR005830913.html>.

<sup>5</sup> Basic Law for the Federal Republic of Germany. (1949, May). Retrieved from [https://www.gesetze-im-internet.de/englisch\\_gg/englisch\\_gg.html](https://www.gesetze-im-internet.de/englisch_gg/englisch_gg.html).

<sup>6</sup> Act on the Modernisation of Citizenship Law of Germany (StARModG). (2024, March). Retrieved from <https://dip.bundestag.de/vorgang/gesetz-zur-modernisierung-des-staatsangeh%C3%B6rigkeitsrechts-starmodg/303313>.

<sup>7</sup> Income Tax Act of Germany (EStG). (1934, October). Retrieved from <https://www.gesetze-im-internet.de/estg/>.

<sup>8</sup> Citizenship Act of Canada. (1985, March). Retrieved from <https://laws-lois.justice.gc.ca/eng/acts/c-29/page-1.html#h-81636>.

<sup>9</sup> Income Tax Act of Canada. (1985). Retrieved from <https://laws-lois.justice.gc.ca/eng/acts/i-3.3/>.

In contrast, recent amendments to German citizenship legislation represent a gradual shift toward inclusiveness, allowing individuals to hold multiple citizenships without relinquishing their primary citizenship. Canada, which has long recognised dual citizenship, employs an approach that fosters cultural diversity and civic engagement among immigrants. This strategy facilitates integration into Canadian society without the fear of losing one's original citizenship. Neither Germany nor Canada maintains an official registry of dual citizens, reflecting a reliance on personal responsibility rather than comprehensive state monitoring. However, both countries do track whether their citizens hold the citizenship of another state. Germany's approach is more structured compared to Canada, which has not clearly specified such a registry. While this tracking helps prevent potential issues, it also raises concerns about effectively managing potential security risks. In the context of reforming Ukraine's citizenship legislation, adopting elements of both the Canadian and German models would be advisable. Specifically, Ukraine could develop and implement a more inclusive legislative framework that permits dual citizenship while safeguarding national interests and ensuring the loyalty of its citizens to the state. By incorporating these elements, Ukraine could enhance its investment attractiveness as a destination for migrants and strengthen its diaspora's sense of belonging and connection to their homeland.

To successfully adapt its dual citizenship policy, Ukraine would benefit from examining the experiences of Germany and Canada. By analysing how these countries have integrated dual citizenship into their legal systems while safeguarding national interests, Ukraine can identify reform strategies that balance the protection of its citizens' rights abroad with the resolution of challenges associated with multiple dual citizenships within its borders. Such adaptations could enhance Ukraine's investment attractiveness by positioning it as a desirable destination for skilled migrants while also fostering stronger connections with its global diaspora (Ivanov, 2024). To improve its legal framework on dual citizenship, Ukraine should prioritize the development of a clear and comprehensive legal structure and accelerate procedures for both acquiring and relinquishing dual citizenship. Drawing on Germany's recent reforms, Ukraine could streamline its citizenship application process by reducing bureaucratic hurdles. Measures such as introducing specific time frames for processing applications and establishing transparent, well-defined criteria for eligibility would increase efficiency and fairness. Furthermore, implementing incentives for individuals who serve in the Ukrainian Armed Forces (UAF) or actively contribute to the protection of national interests would align the reforms with broader state priorities. These reforms would not only address existing issues but also simplify the dual citizenship process.

The introduction of a hybrid model of dual citizenship in Ukraine holds particular significance. Such a model would enable dual citizenship for Ukrainians, which is especially relevant in the context of martial law, as well as for foreigners seeking to acquire Ukrainian citizenship. This approach would be particularly applicable to states with a significant Ukrainian diaspora, such as Canada or Poland. It would facilitate the free movement of individuals between their countries of citizenship while maintaining ties with both states. This model would mirror Canada's inclusive policy, which allows individuals to preserve connections with their country of origin while integrating into Canadian society. By establishing conditions for dual citizenship with select countries, Ukraine could enhance its investment appeal to professional migrants and reinforce relationships with its global national community. However, such a policy must address key challenges, particularly those related to fulfilling citizens' obligations to the state. This includes tax compliance and military service. To address these concerns, a comprehensive legal framework must be developed to ensure that dual citizens meet these obligations equitably. For instance, mechanisms could be implemented to allow dual citizens to pay a unified tax and perform a single compulsory military service obligation, thus avoiding duplication of responsibilities (Bagan, 2018; Boldyriev, 2024).

It is imperative that Ukraine implement measures to safeguard national security in the context of dual citizenship. A key priority should be the establishment of a unified register of individuals with dual citizenship, drawing inspiration from practices observed in other countries. Although Germany and Canada have not yet implemented centralised registers, both states have mechanisms for monitoring citizenship status. In Germany, citizenship status is documented during the naturalisation process (Dual citizenship in Germany 2024..., 2024), while in Canada, it is tracked through citizenship documentation and the requirement for dual citizens to disclose their status when applying for government positions (Dual citizenship, 2024). The creation of such a register in Ukraine would serve as an effective tool for monitoring and mitigating potential security risks posed by dual citizens. This system would also surpass the monitoring capabilities currently in place in Germany and Canada. Furthermore, introducing regulations to restrict dual citizens' access to public office and military service could address concerns about loyalty and national security. These measures would ensure that individuals with single citizenship maintain priority in sensitive positions and serve as a preventative measure in conflict scenarios (Denysiuk *et al.*, 2024). By leveraging the experiences of Germany and Canada, Ukraine could develop a robust legislative framework that protects its national interests while fostering international cooperation. However, it is essential to acknowledge that not all aspects of foreign

models are directly applicable to Ukraine. For instance, Canada's inclusive approach, which imposes minimal restrictions on dual citizenship, aligns with Ukraine's aspirations to create a more inclusive citizenship policy. This approach could strengthen cultural ties, enhance immigrant engagement in public life, and encourage the return of Ukrainians who fled due to the ongoing hostilities. Additionally, it would ensure reliable legal protection for Ukrainian citizens both domestically and abroad. Nevertheless, such an inclusive model carries potential risks, particularly for individuals with close affiliations to states deemed hostile, such as Russia or Belarus (these risks must be carefully considered when designing a dual citizenship framework for Ukraine).

In contrast, recent changes in German legislation, which permit dual citizenship under specific conditions, reflect a more cautious approach that balances integration with the preservation of national identity. However, this approach may not align with Ukraine's current context, where Russian aggression necessitates a more restrictive citizenship policy. The introduction of such a system in Ukraine risks complications, particularly in the naturalisation of individuals from states with adversarial relations. A more suitable model for Ukraine would be a hybrid framework that selectively recognises dual citizenship. This model would allow bipatriism in relations with allied or friendly states while prohibiting it with adversarial states, such as Russia and Belarus. Such an approach would help mitigate risks while fostering connections with the global Ukrainian diaspora.

At the same time, introducing dual citizenship in Ukraine carries inherent risks that must be carefully considered. The ongoing geopolitical conflicts raise concerns about dual loyalty, particularly among individuals with ties to states whose interests conflict with Ukraine's. Additionally, there is a potential for dual citizenship to exacerbate societal tensions, especially if it is perceived as a privilege available only to certain groups. This perception could lead to feelings of inequality and dissatisfaction, ultimately undermining social cohesion (Verkuyten *et al.*, 2023; Iannario, 2024). Moreover, administrative challenges are likely to arise, including the complexity of processing dual citizenship applications and ensuring compliance with both national and international legal frameworks. To address these risks, Ukraine should adopt a phased approach to implementing dual citizenship. This strategy could include experimental pilot programs, initially granting dual citizenship rights to specific categories of individuals, such as Ukrainians who were compelled to leave the country due to martial law (Multiple citizenship in Ukraine..., 2024). This incremental approach would enable Ukraine to monitor the outcomes, address emerging issues, and refine its policies before implementing a broader dual citizenship framework.

## Discussion

The primary regulation governing dual citizenship in Ukraine is its Constitution<sup>1</sup>, which explicitly establishes the principle of single citizenship as outlined in Article 4. According to this provision, individuals who voluntarily acquire the citizenship of another state automatically lose their Ukrainian citizenship. This strict interpretation, however, results in significant legal uncertainty, particularly under the current conditions of martial law. Martial law in Ukraine has intensified debates over dual citizenship, as many Ukrainians seek to maintain ties with other countries to enhance their security and economic opportunities. The absence of clear and transparent legal provisions addressing dual citizenship exacerbates confusion and exposes individuals with dual citizenship (bipatrids) to potential legal consequences. This lack of regulatory clarity complicates the ability of bipatrids to fully exercise their rights and fulfill their obligations under Ukrainian law (Kalnytskyi & Havrylytsiv, 2023).

Thus, C. Gathmann & J. Garbers (2023) investigated the interaction between citizenship policies and integration outcomes in different countries. The authors conducted a comparative analysis, focusing on how different citizenship laws affect the social and economic integration of immigrants. They emphasised the importance of legal status for access to rights and social resources. In particular, they emphasised that more comprehensive citizenship policies contribute to better integration outcomes. In addition, the researchers noted that countries that allow and enshrine dual citizenship have demonstrated an increase in the level of civic engagement among immigrants. This, in turn, has had a positive impact on the social cohesion of society. Comparing this study with the study by C. Gathmann & J. Garbers (2023), both emphasised the important role of citizenship laws in shaping the integration experience. However, this study focuses directly on the study of the legislative framework in Ukraine and the possibility of its adaptation to the practice of dual citizenship observed in Germany and Canada. While C. Gathmann & J. Garbers (2023) analysed the general consequences of integration in different states, this study narrowed down the potential for reforming dual citizenship policies specifically in Ukraine. In addition, the results of their study indicated a direct connection between the inclusiveness of citizenship and the success of integration. And this coincided with the arguments in favour of legislative changes in Ukraine that should expand the opportunities for obtaining dual citizenship.

I. Harbers & A. Steele (2023) conducted an analysis of the consequences of policies that prohibit the renunciation of citizenship in various states. Their study examined the impact of such bans on human rights and the relationship between individuals and the state. The

<sup>1</sup> Constitution of Ukraine. (1996, June). Retrieved from <https://zakon.rada.gov.ua/laws/show/en/254%D0%BA/96-%D0%B2%D1%80#Text>.

authors concluded that these policies create significant obstacles for individuals with dual citizenship, limiting their mobility and complicating their legal status. They emphasised that the inability to renounce citizenship can lead to complex legal conflicts for individuals attempting to hold multiple citizenships. Furthermore, the researchers noted that such restrictions often reflect a broader socio-political attitude of the state toward immigration and issues of national identity. While both studies address dual citizenship, I. Harbers & A. Steele (2023) focused specifically on the challenges posed by bans on renouncing citizenship. In contrast, the present study concentrates on the legislative framework that facilitates dual citizenship, offering practical recommendations for Ukraine. This distinction allows for an exploration of potential legislative pathways for Ukraine in this area. If Ukraine's provisions on dual citizenship remain unchanged, the state might consider introducing a ban on renunciation as a deterrent. However, this study prioritises identifying legislative adaptations that would support Ukrainian citizens seeking to acquire dual citizenship while protecting national interests. The analysis by I. Harbers & A. Steele (2023) employed a conceptual framework to examine the relationship between the state and its citizens. Conversely, this study adopts a comparative and practical approach, aiming to propose actionable solutions for Ukraine. This distinction underscores the differences in focus between the two works: one is primarily analytical and theoretical, while the other is comparative and practical.

J. Schultz & D. Nakache (2024) analysed the impact of immigration policies in Canada and Norway, emphasising how these policies, despite their reputations for security, have created conditions of permanent instability for individuals. The authors identified several key trends: the implementation of stricter and less predictable requirements for permanent residence and citizenship; the fragmentation of protection regimes, which complicates the ability of individuals to secure their rights and access the benefits of dual citizenship; and an increasing emphasis on the termination of citizenship. The researchers argued that these policies undermine the legal security traditionally associated with permanent residence and citizenship. This not only heightens vulnerability to deportation but also imposes restrictions on individuals' ability to fully integrate into society. While both studies address the complexities of immigration status and the legal frameworks regulating it, J. Schultz & D. Nakache (2024) focused on the concept of probationary immigration to explore how temporary legal statuses create instability and their broader consequences. In contrast, this study highlights the importance of establishing dual citizenship as a mechanism to enhance legal security and facilitate the integration of Ukrainian citizens abroad. Additionally, author's analysis centres on the domestic policies of Canada and Norway. Conversely, this study examines

the legal regulation of dual citizenship across multiple states, with the goal of leveraging their experiences to develop practical recommendations for Ukraine.

The study by S.A. Cherepenko & I.V. Kostenko (2024) offers a comprehensive analysis of the state of dual citizenship in Ukraine and other countries worldwide. The authors examined current legislation and highlighted the challenges faced by individuals with dual citizenship, particularly in Ukraine, where regulatory provisions do not recognise dual citizenship and mandate exclusive Ukrainian citizenship for its nationals. The researchers concluded that there is an urgent need to adapt Ukrainian legislation and practices to align with more progressive models. Their study underscored the importance of legislative reform in Ukraine, particularly in light of the global trend toward embracing dual citizenship. While both studies identify the restrictive nature of Ukrainian legislation, this study focuses on analysing how other countries effectively manage dual citizenship and identifying adaptable methods for Ukraine. In particular, this research highlights Germany's integration policies and Canada's more flexible approach to citizenship as exemplary models. It also emphasises specific aspects that could inform improvements in Ukrainian legislation. By contrast, S.A. Cherepenko & I.V. Kostenko (2024) focused primarily on identifying existing challenges in Ukraine's legal framework regarding dual citizenship. This study, however, centers on practical recommendations derived from the experiences of leading international models.

S.W. Goodman (2023) conducted an in-depth study on dual and multiple citizenship, comprehensively analysing the legal frameworks and consequences associated with this issue. The author explored how dual citizenship enables individuals to function as full members of multiple states, granting them corresponding rights and obligations at the international level. The study highlights that while dual citizenship enhances personal freedoms and opportunities, it also introduces complex legal challenges related to state loyalty and its influence on national policies. S.W. Goodman (2023) emphasised the necessity for states to adopt a thoughtful approach to address these challenges, ensuring a balance between individual rights and national interests. When comparing S.W. Goodman's (2023) study with this research, both examine the multifaceted nature of legal norms governing citizenship but from differing perspectives. Author study focuses on the broader global implications of dual citizenship, providing a theoretical and large-scale analysis. In contrast, this study addresses the practical and contextual challenges Ukraine faces in adapting its citizenship legislation. The key distinction lies in their focus: S.W. Goodman's (2023) work is theoretical and international in scope, while this research is pragmatic and localised, aimed at shaping potential reforms specific to Ukraine's legal framework.

Overall, the analysis of the aforementioned studies underscores common aspects of dual citizenship and highlights its importance for modern states. Specifically, the findings advocate for the implementation of dual citizenship in Ukraine, drawing on the experiences of leading nations such as Germany and Canada. This approach would not only help individuals maintain strong ties with multiple states but also contribute to increasing the number of future citizens and promoting their integration into society.

## Conclusions

During the study, the concept of multiple citizenship was repeatedly referenced. Although multiple and dual citizenship are not identical, they share a fundamental component that justifies the use of these terms when addressing potential reforms in Ukraine. This shared component is the possession of more than one citizenship by an individual, which results in similar legal and societal consequences for both dual and multiple citizenship, differing only in the number of states involved. A distinctive feature of Ukrainian legislation on dual citizenship is its strict adherence to the principle of single citizenship, enshrined in the Constitution of Ukraine, which precludes the recognition of any other citizenship for its nationals. However, contradictions arise as there is no explicit prohibition against Ukrainians holding multiple citizenships, nor is this phenomenon systematically monitored or regulated. This lack of regulation has the potential to foster intercultural relations and enhance the participation of immigrants in public life. Moreover, it could facilitate the return of Ukrainian citizens who were compelled to leave the country due to martial law and provide robust legal protection for them. Conversely, Canada employs a more liberal approach that permits dual citizenship

without restrictions, thereby promoting greater mobility and integration for its citizens. This inclusive policy not only enhances the social inclusion of immigrants but also fosters diversity and multiculturalism within Canadian society. Canada's model serves as a compelling example for Ukraine, illustrating how an open citizenship policy can strengthen societal unity and cultivate a cohesive national identity. Germany, on the other hand, has adopted a regulatory framework for dual citizenship, removing previous restrictions and allowing individuals to retain German citizenship while acquiring another. By permitting dual citizenship under specific conditions, Germany has effectively adapted to the challenges posed by globalisation and migration. For Ukraine, incorporating elements of Canada's inclusive policy and Germany's recent legislative reforms could significantly enhance its dual citizenship framework. However, any modifications must be approached with caution, ensuring careful consideration of their implications for national security and societal perceptions of loyalty among citizens. The proposed initiatives for reforming Ukraine's citizenship policies reflect a clear intention to balance these issues while modernising the legal framework.

Future research could involve analysing the experiences of additional countries, such as Australia and the United Kingdom. Another potential direction for investigation could focus on a detailed comparison of the constitutional provisions on single citizenship in Ukraine with the legal frameworks of these states.

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## Conflict of Interest

None.

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# Порівняльний аналіз законодавства про подвійне громадянство в Україні та інших країнах: можливості для адаптації української практики

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## Анотація

Метою дослідження було визначити стан українського законодавства з питань подвійного громадянства, порівняти його з положеннями нормативно-правових актів Канади та Німеччини, а також встановити можливі шляхи адаптації української практики до європейських норм. Для ефективного дослідження теми важливим було застосування герменевтичного, порівняльного й історичного методів. У публікації висвітлено сутність подвійного (множинного) громадянства, аргументовано необхідність його визнання урядом держав. Проаналізовано нагальну проблему в Україні щодо поширення випадків біпатризму, актуальності внесення змін до положень щодо заборони подвійного громадянства. Розглянуто законодавство України, Німеччини й Канади з питань подвійного громадянства. За результатами дослідження сформульовано правове визначення поняття подвійного громадянства, а також окреслено позитивні й негативні аспекти його набуття. Зіставлено законодавчі норми, що регламентують біпатризм. Це сприяло виокремленню основних способів правового регулювання цього питання та формуванню рекомендацій щодо відповідних реформ законодавства про громадянство в Україні (визнання державою подвійного громадянства, створення єдиного державного реєстру біпатридів та їх транскордонного переміщення, розроблення вимог щодо набуття громадянства й положень щодо певних обмежень для біпатридів (стосовно їх участі в діяльності державних органів) тощо). Обґрунтовано значущість забезпечення ефективного правового регулювання подвійного громадянства в Україні як ключового елемента інтеграції в глобальний світ

## Ключові слова:

нормативно-правовий акт; підданство; біпатризм; мультипатризм; права і свободи людини