

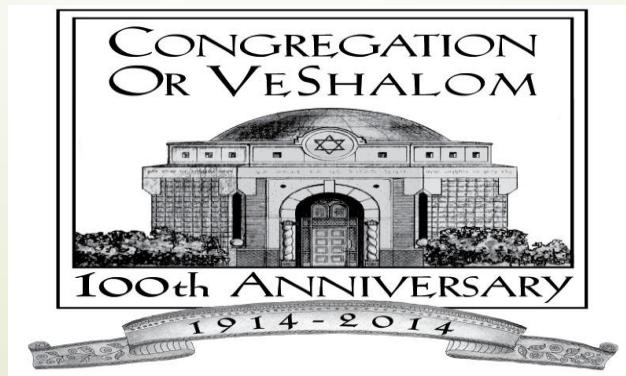
PATH TO SPANISH CITIZENSHIP

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Abogado**

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CONGREGATION OR VESHALOM
1681 N. Druid Hills
Atlanta (Georgia), March 19, 2017

April 22, 2018



1) THANK YOU WORDS

2) HIGHLIGHTS

- It is neither a perfect Law nor the Law that FCJE wanted: the Spanish Government sought to fairly balance the expectations of the worldwide Sephardic communities and the limited resources of the Spanish Administration to handle a very high number of applications.

3) OVERVIEW OF THE SPANISH LAW

Structure: Two articles, four additional provisions, one transitional provision and six final provisions.

PREAMBLE

- Lyrically beautiful Preamble of high symbolic value.
- The Law seeks reconciliation and reunion

It recognizes the enormous pain and suffering caused by humiliations, attacks, persecutions to Jews. It assumes that the expulsion decree in 1492 was cruel and unjust.



It intends to open a new era of coexistence and fruitful relations between Judaism and Spain

- ▶ **Relevant role assigned to FCJE** (in accordance with the Cooperation Agreement with the Spanish State approved by Act 25/1992, dated November 10, 1992). The FCJE shall issue certificates to prove that one of the two requirements that applicants must meet in order to acquire the Spanish citizenship.
- ▶ **Law is open to Jews and Non-Jews**, provided that applicants show evidence that they descend from Jewish Spanish families expelled between 1492 and 1498.

TIME FRAME

- ▶ **Effective date: October 1, 2015.**
- ▶ **Time frame to submit applications: Deadline date ends October 1, 2019** (as accorded by the Council of Ministers of the Spanish Government on March 9, 2018).
- ▶ **Time frame to for the Spanish Government to make up a decision on every case:** 12 months from the date on which the Directorate General for Registries and Notaries receives application (average wait time in the US of 16-18 months), pursuant to paragraph 2 of First Additional Provision. If this term elapses without an express resolution, the application will be considered rejected.

ARTICLE 1: LEGAL REQUIREMENTS

- **Two requirements:** Applicants are required to prove their Sephardic origin and a special connection to Spain.
- **Broad, but non-exhaustive, list of evidence:** the more pieces of evidence an applicant submits, the better.
- **In all cases, applicants must provide his or her birth certificate, duly apostilled and translated into Spanish by a Sworn translator. For applicants of legal age: provision of a criminal record certificate from the applicant's home country and, if applicable, country of residence (articles 1.4 and 2.3).**

Requirement 1: How to prove your Sephardic ancestry

Evidence applicable to Jews (certificates issued by the President of the applicant's Jewish congregation where he or she lives or was born, or from the competent Rabbinical Authority duly recognized as such in the applicant's country of residence, ketubah or marriage certificate that evidences its celebration according to the customs of Castile).

FCJE's certificate may apply.

See <https://certificadosefardies.fcje.org/>

Evidence that may apply to non-Jews (certificate issued by the JFNM, a reasoned report issued by a recognized organization evidencing that the applicant's last name are of Sephardic lineage, evidence of the use of Ladino or Hakatía as the home language).



BIENVENIDOS

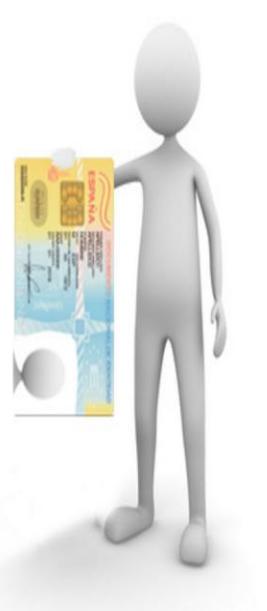
Bienvenido a la plataforma digital de la Federación de Comunidades Judías de España para la solicitud y en su caso la emisión de certificados acreditativos de la condición de sefardí.

Tras la entrada en vigor de la Ley 12/2015, de 24 de junio, en materia de concesión de la nacionalidad española a los sefardíes originarios de España y el Real Decreto de Nacionalidad por residencia, la FCJE ha habilitado esta herramienta informática para poder gestionar las solicitudes de certificación a los solicitantes de la nacionalidad española ya sean residentes o no en España.

La FCJE recibirá por este medio toda la documentación que el solicitante crea procedente para probar su origen sefardí, la analizará y emitirá en su caso un certificado.

El importe de cada certificado es de 60,50 € (IVA incluido). Que deberá ser abonado una vez la FCJE ratifique la certificación.

La FCJE remitirá al solicitante una copia del certificado emitido.

[Aviso legal - Política de privacidad](#)



Solicitud de certificado

Datos del solicitante

Tipo de solicitud:**Nombre:****Apellidos:****Nacionalidad:****Sexo:****Pasaporte:****País de expedición:****Email:****Idioma comunicaciones:****5393** Escriba estos dígitos de control: He leído el [Aviso legal](#) y acepto la [Política de privacidad](#)[Solicitar](#)[Cancelar](#)



► Requirement 2: How to prove “special connection” with Spain

Study certificates of Spanish history and culture issued by official educational institutions.

Certificate of knowledge of *Ladino* or *Haketía*.

Development of any charitable, cultural or economic activities in favor of Spanish or Spain-based people or organizations, as well as any other activities aimed at promoting the study, preservation and spreading of the Sephardic culture. **Letter certifying donation/s to the JFNM will work as one proof.**

The inclusion of the applicant, or his/her parents, in the lists of Sephardic families protected by Spain, by means of either the Royal Decree of 29 December 1948 regarding Greece and Egypt, or those who obtained naturalization by means of Royal Decree of 20 December 1024

Continued

Any other circumstance clearly evidencing a connection between the applicant and Spain (kinship to a Spanish parent or son, a property in Spain, having studied or lived in Spain for 6 months, etc).

The “special connection with Spain” requires the passing of two tests at Instituto Cervantes

Passing of the DELE A-2 test to prove basic knowledge of Spanish.

Passing of the CCSE test to prove basic knowledge about the Spanish Constitution and Spanish social and cultural life.

Applicants under 18, those who are 70 years or older, and applicants without full legal capacity are EXEMPT from taking the tests

ARTICLE 2: PROCEDURE

- 4 steps or stages:
- **Phase 1:** Filing application online and attached documents to sign before the presence of a Notary Public in Spain. Applicant must select the Spanish town in which they want to sign.
<http://www.justicia.sefardies.notariado.org>
- **Phase 2:** Meeting btw the Notary and the applicant in Spain. Provision of original documents and signing of the official application to gain Spanish citizenship.

[Los pasos a seguir](#)[Mi solicitud](#)

ESPAÑA ★ CONSEJO GENERAL DEL NOTARIADO

Solicitud de nacionalidad española para sefardíes de origen español

[1.Inicio](#)[2.Datos](#)[3.Pruebas](#)[4.Documentación](#)[5.Notario](#)[6.Acta](#)**1. SOLICITE LA TRAMITACIÓN DEL ACTA DE NOTORIEDAD**

Si Ud. todavía no ha solicitado la tramitación del acta de notoriedad, proporcione los siguientes datos y guarde en lugar seguro el código de solicitud que le proporcionaremos. Cuando quiera acceder a él, se deberá identificarse con el número de su documento de identificación y el de su solicitud.

Le recomendamos no solicitar la tramitación del acta si todavía no puede acreditar oficialmente su conocimiento de la lengua española (nivel A2 o superior) y sus conocimientos de constitucionales y socioculturales españoles. Para ello, debe superar las pruebas correspondientes del Instituto Cervantes, o aportar la documentación oficial alternativa si está exento de realizar dichas pruebas.

* Campos obligatorios

Datos personales

Tipo de documento*

Pasaporte ▼

Número*

Expedido en*

Seleccionar país ▼

Fecha caducidad*

dd/mm/aaaa

Sexo*

Seleccionar ▼

Nombre*

1er Apellido*

2do Apellido

Acceso a mi solicitud

Nº de documento de
identidad

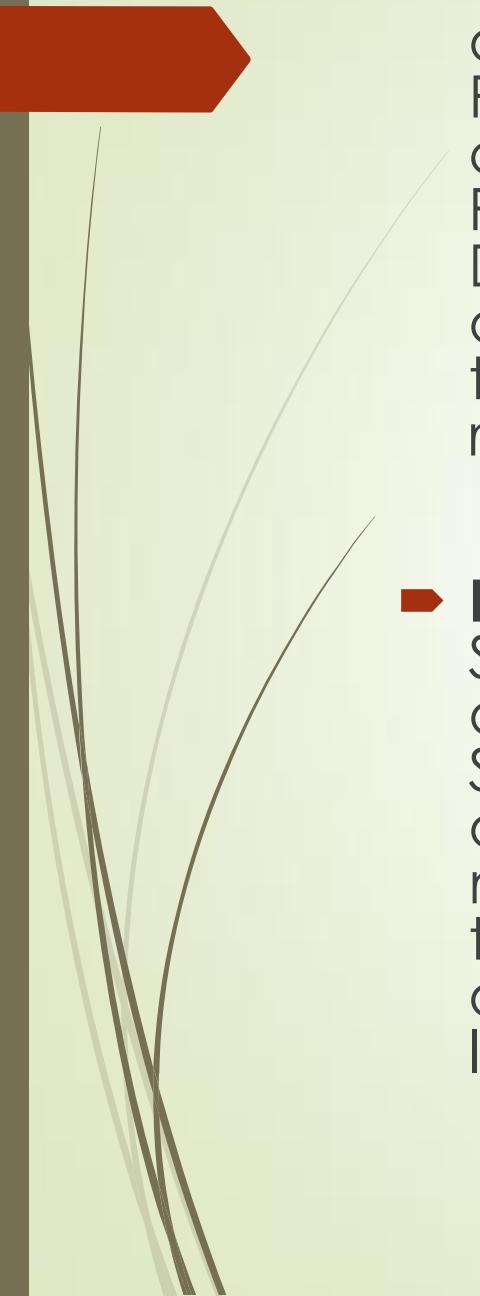
Identificación de la solicitud

[No recuerdo el código de identificación de mi
solicitud](#)[Acceder](#)

Legalización de documentos

Instituto Cervantes



- 
- ▶ **Phase 3:** The Notary officially files application and sends to the Directorate General for Registers and Notaries (DGRN). Petition of criminal background reports from the Spanish Police and Spain's Intelligence Agency. DGRN makes up a decision granting or denying citizenship. Referral of said resolution to the Spanish Consulate in the country of residence of the applicant.
 - ▶ **Phase 4:** The nearest competent Consulate of Spain in the USA will give notice to the applicant via email or mail. The Consulate of Spain in Miami has consular jurisdiction for applicants residing in Georgia. Applicant must show up before the Consulate of Spain to pledge allegiance to the Spanish King and obedience to the Spanish Constitution and laws. Registration as citizen of Spain.

ADDITIONAL PROVISIONS

- **Additional Provision 3:** Exception to the rule. Applicants alleging special or humanitarian circumstances are allowed to apply at any time, even after October 1, 2018 or 2019 (e.g. refugees, Jews of Syrian nationality or other nationals of countries in the middle of conflicts, *inter alia*).

- **Final Provision 1:** Amendment to article 23 of Spanish Civil Code, so that applicants do not have to give up their previous nationality.

4) OFFICIAL STATISTICS OF THE LAW AS OF DECEMBER 21, 2017

- ▶ **7,593** applications initiated at the Electronic Platform to sign before the presence of a Notary Public in Spain
- ▶ **5,429** applications sent requesting signature before a Notary Public in Spain.
- ▶ **4,002** actas de notoriedad (official applications) signed (**676** in December 2016)
- ▶ **1,706** Spanish citizenships approved (**2,000** as of January 1, 2018; just **100** in December 2016)

5) BALANCE OF THE LAW

- ▶ Volume of applications under the number initially estimated: **4,002** applications filed. In June of 2015, Alfredo Prada (President of the Justice Committee at the Spanish Congress) estimated between 90,000 and 200,000.

BALANCE (CONT.)

- ▶ Changes to the Law were recently implemented to make the Spanish right of return more attractive to Sephardim from non Spanish speaking countries:
 - Applicants of 70 years or older are now exempt from taking the Spanish language and civics tests.
 - The 3-year window to file applications has been extended another year, until October 1, 2019.

6) BENEFITS OF THE SPANISH CITIZENSHIP

- The Spanish Passport is the SECOND strongest Passport in the world

<http://www.expansion.com/directivos/2016/09/21/57e2419522601d88198b4651.html?cid=SIN8901>

<http://edition.cnn.com/2016/03/01/travel/worlds-best-worst-passports/index.html>

- Spaniards are required no VISA to visit 175 of the 218 countries in the world.
- Spain does not require that new Spanish citizens live or work in Spain.
- No need to give up or renounce your US citizenship.
- The Law does not require payment of taxes in Spain, provided that the recipient of the Spanish Passport does not reside more than 183 days in Spain, and that he or she does not have any assets or businesses in Spain.

MORE INFORMATION

- About documents needed and the procedure of the Spanish Law

<http://www.fcje.org/faqs/>

<https://sephardiccertificate.org/>

<http://www.seattlesephardicnetwork.org/>

<http://www.rhodesjewishmuseum.org/spanish-citizenship-for-sepradic-jews>

- Cervantes DELE A-2 and CCSE tests:

<https://examenes.cervantes.es/>

Apostille office in Atlanta:

1875 Century Blvd.
Atlanta, GA 30345

<https://www.gsccca.org/notary-and-apostilles/apostilles/general-apostille-information>

How to obtain FBI and US State-level criminal background checks

<https://travel.state.gov/content/passports/en/about/legal-matters/criminal-record-check.html>

List of sworn translators from English to Spanish

- ▶ Please see pages 612-614 at
<http://www.exteriores.gob.es/Portal/es/ServiciosAlCiudadano/Documents>Listado%20enero.pdf>
- ▶ All of the translators listed in the US are doing a good job, but you are suggested to work with Pedro Bujalance, Sarai Inmaculada Gutierrez, Celia Bravo, or Eva Alonso Calero
- ▶ Any documents produced in the US and drafted in English language must be translated to Spanish. The Apostille seal does not need to be translated to Spanish.



THANK YOU FOR YOUR ATTENTION

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