

Obtaining Brazilian Nationality through Naturalization

Find below some information on how to obtain Brazilian nationality.

Brazilian legislation sets forth that there can be no discrimination between Brazilian nationals and those who acquire Brazilian nationality through naturalization process.

In practice, those who are born in Brazil and those who acquire nationality later on are treated equally and have the same rights, except for the fact that some high-level public positions such as presidency, vice presidency, head of the Parliament, head of the Supreme Court, among others, are exclusive of Brazilian nationals who are born in Brazil. Additionally, individuals born in Brazil can never be extradited while naturalized persons can be extradited in case they have committed crimes before the naturalization process or they are involved in drug trafficking.

Foreign citizens can obtain Brazilian nationality through naturalization provided that he or she complies with certain requirements established in Brazilian Law.

Brazilian Immigration Law sets forth 4 (four) types of naturalization through which a foreign individual can obtain nationality:

- ✓ ordinary naturalization;
- ✓ extraordinary naturalization;
- ✓ special naturalization; and
- ✓ provisional naturalization.

Check below the requirements for each type of naturalization process and see if you are eligible to require Brazilian nationality:

Types of naturalization processes in Brazil and related requirements:

(i) *Ordinary naturalization:*

Brazilian nationality will be granted through ordinary naturalization to those individuals that (i) live in Brazil for at least 4 years*; (ii) can communicate in Portuguese and (iii) were not subject to any criminal conviction.

*This period of residence of 4 years can be reduced to 1 year in case the person has a Brazilian son or daughter or in case he or she has a Brazilian spouse or partner and they are not divorced by the time of the grant of the nationality.

*Additionally, in case the foreign individual has rendered relevant services to Brazil or is recommendable for his or her professional, scientific or artistic capacity, that period of 4 years can also be reduced for 2 years.

(ii) *Extraordinary naturalization*

Brazilian nationality through extraordinary naturalization will be granted to any foreign individual who has lived in Brazil for more than 15 years uninterruptedly and has not been subject to any criminal conviction.

(iii) *Special naturalization*

Brazilian nationality through special naturalization is granted under specific circumstances to spouses and partners of Brazilian citizens working in diplomatic missions abroad and to foreign individuals working in Brazilian diplomatic missions or consulates abroad.

(iv) *Provisional naturalization*

Nationality through provisional naturalization can be granted to foreign children or teenagers who have or have had residence in Brazil before completing 10 years

Procedural details:

Documents needed

Documents generally required by the Brazilian authority for the process of naturalization include:

- ✓ copy of the National Registry of Migration (*Carteira de Registro Nacional Migratório*, formerly known as “RNE”)
- ✓ proof of residence in Brazil for the required period
- ✓ proof that the person can communicate in Portuguese
- ✓ criminal records for the last 4 years issued by the Brazilian states where the foreign individual has lived;
- ✓ criminal record issued by the country of origin of the foreign individual

Proof of residence

Please note that the fact that the foreign individual owns properties in Brazil is not sufficient proof of residence. The Brazilian government may consult official databases to check if the individual was living in Brazil for the required period.

For the purposes of calculation of the periods of residence mentioned above, the Brazilian government will consider the period from which the immigrant has started to live in Brazil for an indefinite time. In this sense, if, for instance, the immigrant stayed in Brazil for 4 years, but he/she left the country for long period and several times, he/she may not be considered resident in Brazil because he/she is not showing intention to live in Brazil for an indefinite time. In other words, the immigrant has to prove that he/she has lived in Brazil for the required time and that during this time he/she always had intention to live in Brazil for an indefinite time.

A specialized lawyer can better evaluate your concrete situation and analyse if you comply with the residence requirement.

Duration of the process

In general, the process of naturalization takes up to 6 months to 2 years depending on the complexity of the case.



Please feel free to contact us should you need any assistance in immigration or other legal issues in Brazil.

We communicate in Arabic, English and Portuguese.

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