

— MEMORANDUM —

Italian citizenship law update (March 28, 2025 Decree): understanding your rights and next steps

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① Introduction & background

On March 28, 2025, the Italian Government published a decree-law introducing significant restrictions on obtaining Italian citizenship through ancestry ("jure sanguinis"), effective retroactively from March 27, 2025. This memo provides clarity on the decree's impact, reassures clients already engaged with our firm, and outlines steps moving forward.

While these restrictions may seem concerning, it is crucial to understand they are not yet final.

② Understanding the Italian legislative procedure

In Italy, a decree-law is a provisional measure issued by the government that takes immediate effect but must be approved and converted into law by the Parliament within 60 days. The current decree is temporary and could be confirmed, modified, or rejected entirely by May 27, 2025.

If Parliament does not approve the decree, all changes it introduces will become void.



③ What does the March 28, 2025 decree say?

The decree restricts citizenship recognition for descendants born abroad, limiting it effectively to two generations from the Italian-born ancestor (specifically, up to the grandparent level). This means descendants beyond the grandparent generation (third generation or later) may no longer request citizenship recognition via Italian consulates.

Anyone who had already filed an application with a consulate or a court before March 27, 2025, is NOT affected and will have their case processed under the previous, more favourable conditions.

④ Special Case: parents of second generation with children of third generation

- For children who are minors at the time their parent (second generation) receives Italian citizenship recognition, there will be no issues. They will automatically be registered as Italian citizens alongside their parent.
- For children who are already adults or will become adults before their parent's citizenship recognition is finalized, the situation is more complex and currently uncertain. Potential solutions include:
 1. Filing a separate court petition independently, based on their parent's newly recognized Italian citizenship.
 2. Filing a joint court case with their parent, highlighting the possible constitutional invalidity of the decree.

Currently, it is premature to define the best strategy definitively, as it will depend on the forthcoming legal developments and decisions.

⑤ Is my right to Italian citizenship lost?

Your right to Italian citizenship through ancestry is not lost.

Italian law and courts have consistently recognized citizenship "jure sanguinis" as a fundamental and permanent right that cannot simply be revoked or denied arbitrarily.

If the decree becomes law, it will likely be challenged in Italy's Constitutional Court. Such challenges have historically protected citizens' rights, especially those already considered legally entitled under previous laws and court decisions.

⑥ Possible future scenarios

Here are the main scenarios you can expect:

- **Scenario A (best case):** The decree is not converted into law by May 27, 2025. Restrictions disappear, and previous rules continue.
- **Scenario B (modification):** Parliament converts the decree into law but modifies it, perhaps extending eligibility to additional generations.
- **Scenario C (constitutional review):** The decree is approved as is, triggering judicial challenges that may lead to Constitutional Court review, likely within 12 months. The court could then invalidate restrictive provisions.



7 When will we have a definitive answer?

We expect clarity by May 27, 2025, regarding whether the decree will become permanent law. If constitutional challenges arise, expect further clarity approximately 12 months afterward.

At this time, it is premature to make definitive decisions or to assume negative outcomes.

8 What should I do now?

- Stay calm and patient: The situation remains fluid. Premature decisions are unnecessary.
 - Continue gathering documents: Maintain readiness so we can act promptly if needed.
 - Stay in touch: Follow updates from our firm closely; we are monitoring developments continuously.
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9 How will our firm support you?

Our team, led by experienced citizenship attorneys, is actively monitoring legislative developments and preparing strategic responses. If the decree is confirmed, we will immediately challenge its constitutionality. We are committed to defending your rights, and our firm has a proven record of successful constitutional challenges in Italian citizenship cases.

10 Final thoughts & reassurances

Your right to citizenship is grounded in solid constitutional principles and decades of court precedents. We are confident that even if current restrictions remain, judicial pathways exist to uphold your right. We encourage patience and trust on the thorough preparation and strategy we have in place to advocate on your behalf.

11 Contact information & further resources

For personalized inquiries or to discuss your specific case, please contact us through our website:

🌐 **Website:** <https://eligibility.apriglianos.com/>

Stay informed, stay prepared, and remain assured—we are working diligently to safeguard your rights and heritage.

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