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The implementation of the Hungarian citizenship law

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Since 1 January 2011, ethnic Hungarians who live in other countries on a permanent basis may apply for Hungarian citizenship according to a simplified procedure. These regulations, introduced under the act of 26 May 2010, have been consistently criticised by Slovakia, which has a significant ethnic Hungarian population in the south. The Slovakian government has criticised for example the lack of intergovernmental consultations before the law was adopted. However, the prime ministers of the two countries declared at the time of their meeting on 28 January that they would try to settle the dispute by a bilateral agreement. The other countries where ethnic Hungarians live have raised no objections. According to initial data, relatively few people are interested in obtaining Hungarian citizenship. The law is an important element of the governmental policy of supporting Hungarian minorities abroad and is aimed at preventing the progressing assimilation processes. The dispute between Slovakia and Hungary over minority issues is long-lived. However, the new citizenship law is unlikely to complicate the implementation of strategic co-operation tasks in Central Europe.

The implementation of the new law

The May citizenship law was one of the first legal acts adopted since the most recent parliamentary elections in Hungary. It has significantly liberalised the procedure of applying for Hungarian citizenship and has lifted the obligation of permanent registered residence in Hungary. According to the Hungarian government's estimates, between 250,000 and 400,000 people, approximately 10% of the Hungarian community living in neighbouring countries (see Appendix), will be interested in obtaining Hungarian citizenship in the first year of the law being in force. The largest number of applications is to be expected in Ukraine and Serbia, which are not EU members. A significant interest in the simplified procedure of obtaining Hungarian citizenship has also been reported by the Hungarian embassy in Israel (the local community of Hungarian Jews consists of approximately 200,000 people, around 15,000 of whom already hold Hungarian passports).

According to information published by the Hungarian Ministry of Internal Affairs, around 12,000 applications for citizenships were received in the first three weeks of January from other countries. However, the press has reported that the number of applications reached 8,000 in Romania and Serbia each and around 5,000 in Ukraine within that period. Relatively few people are interested in obtaining Hungarian citizenship in Slovakia. This is because, firstly, Slovakia belongs to the Schengen Area and, secondly, it has adopted restrictive regulations in response to the Hungarian law. The regulations provide for the possibility of the revocation of Slovakian citizenship in case the person has voluntarily obtained

citizenship of another country and impose fines on those who have failed to report the fact of holding dual citizenship to the Slovak officials. Ethnic Hungarians living in neighbouring countries are also less interested in Hungarian citizenship because of the 'Hungarian Card', which was introduced in 2001 (by Viktor Orban's government). This document, which guarantees its holders a number of facilitations related to visas, education and the labour market, is held by around 900,000 people.

The citizenship law in the context of Hungarian domestic policy...

Supporting the national identity of ethnic Hungarians living in other countries and creating a new legislative framework to institutionalise their bonds with their mother country is one of the key issues on the agenda of the political right, which governs the country at present. At the same time, the government is paying special attention to Hungarian minority issues so as to prevent radical groupings from taking over this topic. These activities have brought tangible effects: the law is evaluated positively by the Hungarian public and has contributed to the fall in support for the nationalist party Jobbik (from 17% in last year's elections to 7% at present). The citizenship law has also been supported since spring 2010 by the socialists, who in 2004 appealed to the Hungarian public to boycott the referendum regarding this issue initiated by the political right. At the time, the socialists threatened Hungarians with a vision of their compatriots invading Hungary and taking their jobs (the referendum was invalid because the turnout was as low as 37%).
The citizenship law does grant voting rights to Hungarian citizens living abroad, since the constitution does not provide for such a possibility. Voting regulations are likely to be amended when a new constitution is passed. This is being prepared by the right-wing government holding a constitutional majority in parliament. However, the issue of granting voting rights to citizens living abroad is also a matter of discussion inside the government coalition. Minister of Foreign Affairs Janos Martonyi represents a cautious approach to this issue. However, many influential politicians, including Deputy Prime Minister Zsolt Semjen, see the right to vote as a natural consequence of granting citizenship. If voting rights are extended to Hungarians living abroad, the Hungarian political right will certainly be the main beneficiary of this move.

... and international politics

The possibility of being granted citizenship may motivate ethnic Hungarians to declare their nationality in the upcoming censuses. This is to counteract assimilation processes, as a consequence of which the share of ethnic Hungarians in numerous local communities in neighbouring countries may fall below 20%, which may lead to the loss of such privileges as the right to use Hungarian when dealing with local authorities, bilingual naming and minority school education.
Romania, Serbia and Croatia have reacted calmly to the Hungarian citizenship regulations. Those countries have not made any objections, which is understandable because they have adopted a similar policy with regard to their compatriots living abroad (in Moldova and the former Yugoslavia) and have granted them the right to vote. Ukraine has also not objected

to the Hungarian law. Although formally this country does not allow the holding of dual citizenship (except in cases of gaining it through birth or marriage), in practice it has been tolerated for years.
The citizenship law and the likely amendments to voting regulations are unlikely to cause any unfavourable reaction from EU institutions (the *acquis communautaire* does not cover such issues). However, controversies cannot be excluded in the context of problems with the impermeability of the border of the Schengen Area, in case large groups of people from Ukraine, Serbia or Romania use Hungarian citizenship for the purpose of immigrating to the West.
Slovakia has criticised Hungary for its failure to observe the binding consultation mechanisms at the time of introducing the law and ignoring the recommendations from the OSCE's High Commissioner on National Minorities and the stance of the European Commission for Democracy through Law (known as the Venice Commission, an advisory body of the Council of Europe). The present Slovakian government is making efforts in parliament to push through a liberalisation of the regulations imposing sanctions on citizens applying for another country's citizenship adopted by the previous government coalition. However, the Slovakian government intends to uphold the ban on holding positions which offer access to state secrets and in security forces to Slovakian citizens who hold citizenship of another country.
A possible extension of the right to vote to citizens living abroad may cause new tensions in Slovakian-Hungarian relations. However, during the meeting of prime ministers Iveta Radicova and Viktor Orban on 28 January, both sides declared the will to resolve the dispute through a bilateral agreement, which would regulate dual citizenship issues. Negotiations regarding this matter will be tough since neither party is ready to make essential concessions.
Nevertheless, the Slovakian-Hungarian dispute has not complicated regional co-operation in such strategic areas as energy security. The two countries signed an agreement on 28 January regarding the construction of a Hungarian-Slovakian interconnector, an element of the planned North-South gas corridor. It is in the interest of both countries that this dispute does not impair the potential of the Visegrad Group in the EU.

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