

Slovak-Hungarian dispute over double citizenship

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On 17 May the Hungarian right wing submitted a draft law to parliament that makes it possible to grant Hungarian citizenship to Hungarians living abroad. This move was met with decided opposition from Slovakia where the Hungarian minority represents 9.5% of the population. The draft law did not cause protests from Hungary's other neighbours but its passage by parliament will reinforce the tendency to see the granting of citizenship to inhabitants of other countries as an instrument of internal and foreign policies.

The project of "reintegrating the nation"

In line with the draft amended law on citizenship, submitted to the Hungarian parliament, descendants of Hungarian citizens that have a clean criminal record and speak Hungarian will be able to apply for Hungarian citizenship in a simplified way. The new law is part of the first package of draft laws that is being debated by the national assembly after the April parliamentary election. The winning party Fidesz, along with a smaller coalition partner, the Christian Democratic People's Party (KDNP), are presenting the initiative as a token of responsibility for their compatriots abroad and a consistent implementation of the policy of reintegrating the nation, which has been emphasized in the electoral campaign of the right wing. Fidesz while in opposition in 2004 tried to push for similar provisions for citizenship in a referendum. The work on the draft law is a symbolic part of the commemoration of the 90th anniversary of the Treaty of Trianon (4 June 1920) that considerably reduced the territory of the Kingdom of Hungary and left millions of Hungarians in neighbouring countries (see Appendix).

The slogan of uniting the nation is aimed at helping the right wing maintain support in society in times of difficult reforms. Granting citizenship will not equate to giving the right to vote. In line with the constitution the right to vote is conditional on residing in the territory of Hungary. If one has an address in Hungary, one can apply to be registered in the registry of voters. It cannot however be ruled out that the right wing, which now has a constitutional majority, will in the future seek to make voting rights equal, more so that Hungarians from neighbouring countries would strengthen the electorate of the right wing.

Slovakia's strong reaction

The draft law provoked a further escalation of tension in Slovak-Hungarian relations. The Slovak government has expressed its indignation at the range of the proposed amendments and the mode of their introduction. According to the Slovak government, Hungary has not observed consultation mechanisms set out in the Slovak-Hungarian treaty on a good neighbourhood and friendly cooperation. The Slovak authorities stress that a unilateral adoption of the new law will mean ignoring the recommendations of the High Commissioner of the Organization for Security and Co-operation in Europe on National Minorities and the position of the European Commission for Democracy through Law (the Venice Commission, one of the Council of Europe's bodies). The Slovak Ministry of Foreign Affairs called the ambassador in Budapest for consultations, the state's security council also gathered for talks. The Slovak authorities called for an urgent session of the mixed Slovak-Hungarian commission and announced interventions in the institutions of the Council of Europe, the Organization for Security and Co-operation in Europe and the European Union.

The exceptionally strong reaction of the Slovak authorities is connected with the electoral campaign before the parliamentary election, scheduled for 12 June. The ruling party, Smer, of Prime Minister Robert Fico is competing to win voters with the Slovak National Party (SNS) that in response to the Hungarian draft laws called for radical measures. The objection to the Hungarian actions united the ruling parties and all parliamentary opposition parties (apart from those of the Hungarian minority).

Prospects

This new conflict will affect relations between Slovakia and Hungary for the next few months. It will complicate prospects for the normalisation of these relations after the parliamentary election in Slovakia. Irrespective of the form in which Hungary adopts the amendments to the law on citizenship, Slovakia will supposedly take measures to prohibit double citizenship. This step will most likely require a change in the constitution as its current provisions do not allow for the removal of somebody's citizenship. Introducing these restrictions may, however, prove difficult to enforce in practice and beside the propaganda effect would not bring benefits to Slovakia. Nor is a massive interest in taking Hungarian citizenship among Slovak Hungarians to be expected. The new law would be attractive above all to Hungarians from outside the European Union – Ukraine and Serbia.

Slovakia has launched an offensive on the international scene. Its arguments can bring Hungary round to bilateral talks. It is however difficult to expect that Hungary's new authorities, being under scrutiny from the opposition party – the extreme right wing Jobbik, has given up the implementation of their flagship project of the "national policy". Hungarian politicians point out that the protests are an element of the Slovak electoral campaign and mention that Slovakia itself did not consult the law on the official language that entered into force in 2009 and was criticised by the Hungarian minority.

That fact that Hungary has managed to separate the problem of the Hungarian minority in Slovakia from issues of Hungarian minorities in other neighbouring countries can be an argument for ignoring Slovak objections. Romania, where the largest Hungarian minority

lives (over 1.4 million) has so far not taken a stand on this question (only local politicians express their concerns). This results from various factors: the policy pursued by Bucharest that since 2009 has been liberalising the criteria for granting Romanian citizenship to Moldovan citizens; good relations between Romania and Hungary; the willingness to maintain the status quo in the question of the minority; and cooperation in regional (among other issues – the Danube strategy) and energy policy in the EU.

We should not expect harsh reactions from Serbia, whose policy towards national minorities has been put forward by Hungarian politicians as an example to follow for Slovakia and Ukraine, more so that Serbia allows double citizenship and is interested in the possibility of granting Serbian citizenship to Serbs abroad. Furthermore, Ukraine tolerates dual citizenship only in certain cases – by birth or automatically upon marriage – in all other cases it is forbidden. Infringement is punishable by forfeiture of Ukrainian citizenship. In practice, however, this sanction is not applied. The Hungarian draft law has not caused any reactions from the Ukrainian authorities and they are not to be expected in the immediate future. The possibility of obtaining Hungarian citizenship by a population of over 150,000 Ukrainian Hungarians can however lead to a discussion in the EU about the consequences that could produce an unprecedented decision about granting citizenship to inhabitants of a country from outside the Schengen zone, subject to the visa regime.

Appendix

The Hungarian minority in Central European countries:

Country (year of the census)	Number of Hungarians (in thousands)	Percentage
Romania (2002)	1434	6.6%
Slovakia (2007)	513	9.5%
Serbia (2002)	293	3.9%
Ukraine (2001)	156	0.3%
Austria (2001)	40	0.5%
Croatia (2001)	16	0.4%
Slovenia (2002)	6	0.3%