



Pathways to citizenship for third-country nationals in EU Member States

HUNGARY

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Pathways to citizenship for third-country nationals in EU Member States

National Contribution from *Hungary*

Top-line factsheet

In Hungary, the acquisition of citizenship is based on the *ius sanguinis* principle. In accordance with the Fundamental Law of Hungary, the child of a Hungarian citizen shall be a Hungarian citizen by birth. At the same time, as a supplementing principle, however, the *ius soli* principle is also present in the framework to avoid statelessness.

The general conditions for a foreign national to acquire citizenship are the following: continuous residence in Hungary over a period of eight years prior to the submission of the application; clean criminal record of the applicant; the applicant has sufficient means of subsistence and a place of abode in Hungary; the naturalization is not considered to be a threat to the public order or to the national security; passing the citizenship test in Hungarian language.

Favourable conditions apply for family members of Hungarian citizens, minors, and persons with a refugee or stateless status.

Since 2010, simplified naturalisation is possible for non-Hungarian citizens whose ascendants were Hungarian citizens or who are able to substantiate of being of Hungarian origin, if they prove that they are sufficiently proficient in the Hungarian language. In case of this simplified naturalization, no continuous residence in Hungary is requested and the applicant also does not need to have sufficient means of subsistence and a place of abode in Hungary. Since its introduction, more than 1,1 million foreign national ethnic Hungarians acquired Hungarian citizenship via this procedure. However, the majority of them are Romanian nationals.

The misuse of simplified naturalization by non-Hungarian third country nationals has been an issue of the recent years. In order to combat the problem, legislative reforms are expected in the policy area.

In 2018, a total number of 17 073 third-country nationals acquired Hungarian citizenship. The top 10 countries of former citizenships were the following: Serbia, Ukraine, USA, Israel, Canada, Russia, Brazil, Argentina, Turkey, Vietnam. The total number of acquired Hungarian citizenships by third-country nationals was 25 124 in 2017, 33 698 in 2016, 51 095 in 2015 and 57 368 in 2014.

In Hungary, the Government Office of the Capital City Budapest processes every application for citizenship. The final decision on the applications is made by the President of Hungary.

Hungary allows for dual citizenship and dual citizenship does not confer fewer rights. Once citizenship is granted to an applicant, he or she enjoys the same rights and obligations as every other citizen.

Section 1: Legal and policy overview

Q1. With reference to international law, is your Member State a party to the:

a) 1961 UN Convention on the Reduction of Statelessness?

Yes.

Hungary acceded to the 1961 UN Convention on the Reduction of Statelessness on 12 May 2009.

b) 1997 European Convention on Nationality?

Yes.

Hungary signed the Convention on 6 November 1997, and ratified it on 21 November 2001. It entered into force on 1 March 2002.

Q2. Which are the main legal instruments covering the acquisition of citizenship for third-country nationals in your Member State? For example, is the acquisition of citizenship laid out in the constitution?

Please explain in the form of a short, succinct narrative, starting from general principles to application rules.

The Article G of the Fundamental Law of Hungary (constitution) lays out the following on citizenship:

(1) The child of a Hungarian citizen shall be a Hungarian citizen by birth. A cardinal Act may specify other instances of the origin or acquisition of Hungarian citizenship. (2) Hungary shall protect its citizens. (3) No one shall be deprived of Hungarian citizenship established by birth or acquired in a lawful manner. (4) The detailed rules for citizenship shall be laid down in a cardinal Act.

The cardinal Act regarding the detailed rules for citizenship is Act LV of 1993 on Hungarian Citizenship (Ápt.).

Q3. Have the laws and policies regarding third-country nationals' acquisition of citizenship in your country undergone any major changes in recent years which significantly changed the procedures or requirements of the acquisition of citizenship ¹? If yes, what have been the main drivers for the change? (e.g. EU /national case law, changes in other aspects of (national) migration law or policy etc.)

Yes.

No.

Since the introduction of simplified naturalization for non-national ethnic Hungarians living outside the country in 2010, there were no major changes in the policy area.

¹ In the framework of this study, the aim is to identify and assess potential changes that may have occurred in the past five years. Please limit your analysis to the 2014-2019 period. However, should important changes occurred in 2013, you can still mention those and explain the impact on the current rules in place.

Q4. Have there been any major debates or national issues about third-country nationals holding or acquiring the citizenship of your Member State in recent years? If so, have these debates included the acquisition also of EU citizenship rights (such as right to vote, right to free movement including labour mobility, consular protection and right to protection, etc.)? Please specify in which framework these debates were held (e.g. policy-makers, media, general public).

Yes.

The misuse of simplified naturalization by non-Hungarian third country nationals (mostly Ukrainian citizens) has been an issue of the recent years. In order to combat the problem, legislative reforms are expected in the policy area (cross-checking of the applicants' biometric data within national databases).

Q5. From a legal perspective, is there a distinction between nationality and citizenship in your Member State? If so, what are the differences?

In Hungarian, the distinction between nationality (external aspect) and citizenship (internal aspect) does not exist. The Hungarian word "állampolgárság" - closely connected to the German term "Staatsbürgerschaft" – covers both the meanings of nationality and citizenship (although originally being closer to the latter). At the same time the Hungarian word "nemzetiség" means being a member of a nation (like the Italian nazionalità or German Nationalität), with no regard to citizenship.

Q6. Is the acquisition of citizenship in your Member State based on the *ius sanguinis* or the *ius soli* principle, on a mixture of these principles, or on other principles? Please check the appropriate box and explain.

ius sanguinis.

The acquisition of Hungarian citizenship is based on the *ius sanguinis* principle. In accordance with the Fundamental Law of Hungary, the child of a Hungarian citizen shall be a Hungarian citizen by birth.

As a supplementing principle, however, the *ius soli* principle is also present in the framework to avoid statelessness.

As set out by Section 3 (3) of Act LV of 1993 on Hungarian Citizenship:

"Until proven to the contrary, the following persons shall be recognized as Hungarian citizens:

- a) children born in Hungary of stateless persons residing in Hungary;
- b) children born of unknown parents and found in Hungary."

Q7. In which modes can third-country nationals acquire the citizenship of your Member State?

By ordinary naturalisation.

The general process of the acquisition of Hungarian citizenship for foreigners with no former relationship to Hungary.

General requirements (Section 4 of the Act LV on Citizenship (Ápt)):

- a) the applicant's continuous residence in Hungary over a period of eight years prior to the submission of the petition;
- b) according to Hungarian laws, the applicant has a clean criminal record and is not being indicted in any criminal proceedings before the Hungarian court;
- c) the applicant has sufficient means of subsistence and a place of abode in Hungary;

d) his/her naturalization is not considered to be a threat to the public order or to the national security of Hungary; and

e) the applicant provides proof that he/she has passed the examination in basic constitutional studies in the Hungarian language, or that of being exempted by virtue of this Act.

By special naturalisation (e.g. based on considerations such as historical / ethno-cultural considerations, for political or other discretionary reasons, investment scheme). *Please explain, briefly outlining the different types of special naturalisation available in your Member State:*

Simplified naturalisation is possible for a non-Hungarian citizen whose ascendant was a Hungarian citizen or who is able to substantiate of being of Hungarian origin, if he/she proves that he/she is sufficiently proficient in the Hungarian language. In case of this simplified naturalization, no continuous residence in Hungary is requested and the applicant also does not need to have sufficient means of subsistence and a place of abode in Hungary.

The conditions of simplified naturalisation also apply to a non-Hungarian citizen who has lived in lawful marriage for at least ten years with a person holding a Hungarian citizenship at the time the application for citizenship is submitted, or who has lived in lawful marriage for at least five years with a person holding a Hungarian citizenship at the time the application for citizenship is submitted, and they have a child together.

If the applicant has a clean criminal record and is not being indicted in any criminal proceedings before the Hungarian court and his/her naturalization is not considered to be a threat to public order or to the national security of Hungary; the President of Hungary may also grant exemption based on a proposal presented by the minister in charge of naturalization and nationality from other naturalisation elements if naturalizing the applicant is in the overriding interest of Hungary (for example, sportspeople).

By declaration/notification.

For various categories (deprived of citizenship by socialist Hungary; born in Hungary and has not acquired the non-Hungarian parent's citizenship; born before 1 October 1957 and has a Hungarian mother and foreign father, and did not become Hungarian citizen by birth) of persons who are entitled to Hungarian citizenship.

Other (e.g. reinstatement of former citizenship).

Former Hungarian citizens may request the reinstatement of their citizenship. Apart from proving the knowledge of Hungarian language, they are required to have a clean criminal record and not being indicted in any criminal proceedings before Hungarian court. Also, their naturalization cannot be considered to be a threat to public order or to the national security of Hungary.

Q8. What is the most common / frequent way from those mentioned above for third-country nationals to acquire citizenship in your Member State?

By far, the most frequent way of Hungarian citizenship for third country nationals is through the simplified naturalization. Since 2010, 1,1 million ethnic Hungarians acquired citizenship through simplified naturalisation.² However, it is important to note that the majority of them are members of the Hungarian ethnic minority of Romania (According to the Romanian census of 2011, there were 1,227 000 ethnic Hungarians in the country).

However, it is also estimated that many members of the Hungarian ethnic minorities in Serbia (253 000 ethnic Hungarians according to the 2011 census), and Ukraine (156,566 ethnic Hungarians according to the 2001 census) have also acquired Hungarian citizenship. The number of acquisitions through ordinary naturalisation is significantly lower.

In 2018, a total number of 17 073 third-country nationals acquired Hungarian citizenship. The top 10 countries of former citizenships were the following: Serbia, Ukraine, USA, Israel, Canada, Russia, Brazil, Argentina, Turkey, Vietnam. The total number of acquired Hungarian citizenships by third country nationals was 25 124 in 2017, 33 698 in 2016, 51 095 in 2015 and 57 368 in 2014.

² <http://www.atv.hu/belfold/20191114-semjen-mar-1-1-millio-az-ujonnan-honositott-magyar-allampolgar>

Section 2: Conditions and requirements for the acquisition of citizenship after birth through ordinary naturalisation

In cases where citizenship is not acquired at birth, what are the requirements and conditions that third-country nationals have to fulfil to obtain citizenship of your Member State? Please provide a brief overview of the conditions and requirements. Further details are to be provided in the subsequent questions.

Section 2.1 Eligibility

Period of residence

Q9. After how many years or months of (interrupted/continuous) residence in your country can a third-country national acquire the citizenship of your Member State?

8 years of continuous residence is required. Such residence is counted from the registration of address (issue of an address card) by non-Hungarians who has been granted an immigrant or permanent resident status; a refugee status or who exercises his/her right of free movement and residence in Hungary.

Preferential terms apply for refugees and stateless persons (3 years of continuous residence), direct family members of Hungarian citizens (3 years of continuous residence) and minors.

Q9a: Is this period of residence based on legal residence (i.e. registration at the city hall or in a population registry) or is habitual residence (e.g. proved by house rental, school attendance, tax reports) in the Member State also counted?

Legal residence required.

Registration of address is checked in the national registry.

Q9b: Is this period of residence based on effective residence (i.e. physical presence for a regular and extended period in the territory) or is holding a residence permit for the required timeframe sufficient?

Yes, physical presence necessary.

No, holding a permit is sufficient.

Other:

Q9c: What proof (e.g. documentary evidence) is required to demonstrate that the minimum period of residence has been met?

Registration of address (address card) is checked in the national registry.

Q9d: Can the period of residence be interrupted? If yes, how long can this interruption last?

Yes.

Before the acquisition of the citizenship the immigration authority may withdraw the national permanent residence permit/immigration permit if the third-country national has departed from the territory of Hungary and remained absent for a period of over six months. EC permanent residence permit can be withdrawn, if the third-country national was absent from the territory of the EU for a period of over twelve months; or was absent from the territory of Hungary for a period of over six years.

Pre-existing legal residence status

Q10. What pre-existing legal residence status of the citizenship applicant is accepted?

Please also indicate for how long each of the given legal statuses has to be held in order for the third-country national to be able to acquire the citizenship of your country. For temporary permits, please indicate to what extent the number of years the third-country national possesses such a permit count towards being granted access to citizenship.

- Permanent residence permit. *Number of years to get this permanent status and number of years necessary to hold it for citizenship acquisition:*

General rule: The acquire a national permanent residence permit in Hungary, at least 3 years of continuous residence is required (favourable terms apply for spouses and dependent relatives of permanent residents)

EC permanent residence permit may be issued based on 5 years prior residence, according to EU law.

Third-country nationals with a permanent resident status can apply for Hungarian citizenship after a continuous residence of 8 years in Hungary.

Favourable conditions apply to family members of Hungarian nationals:

3 years of continuous residence requested from the applicant, if

- he/she has lived in the household of a Hungarian citizen in lawful marriage for at least three years, or the marriage has been terminated upon the spouse's death;
- his/her minor child is a Hungarian citizen;
- he/she has been adopted by a Hungarian citizen;

Favourable conditions apply also for minors:

5 years of continuous residence requested from the applicant, if he/she

- was born in the territory of Hungary;
- had established residence in Hungary before reaching adulthood.

- Refugee status.

Favourable conditions: 3 years of continuous residence is required in Hungary

- Temporary residence permit.

Terms before the acquisition of the permanent residency are not counted in for naturalization conditions

- Other protection statuses.

Beneficiary of subsidiary protection -Same conditions apply as in the case of a permanent residence permit.

- Other status:

Stateless status – 3 years of continuous residence in Hungary

Section 2.2 Conditions

Language

Q11. Is knowledge of the national language(s) required for all naturalisation grounds, and if so, what is the required level?

Yes

No simple language test is set, as testing the knowledge of Hungarian language is generally included in the citizenship test. The required citizenship test is in Hungarian and contains written and oral elements as well. For those applicants who are exempted from the test (simplified naturalisation), the knowledge of Hungarian is tested by other means.

Q11a. If yes, how is this proven or evaluated? What evidence is required, and which authority is responsible for assessment (e.g. ministry officials, language experts, private language institutions contracted by state, etc.)?

The citizenship test is administered by the Government Office of the Capital City Budapest. The test is regularly adjusted.

Q11b. If your Member State uses a language test, has this test ever been evaluated, e.g. has the test led to better knowledge of the national language(s)?

Yes.

No.

Citizenship tests and commitments

Q12. Are citizenship applicants required to pass a citizenship or integration test for all naturalisation grounds? *Please note that this could also include oral interviews.*

The required citizenship test is in Hungarian and contains written and oral elements as well.

The following groups are exempted from passing the test:

- applicants for simplified naturalisation (ethnic Hungarian foreign nationals; lawful marriage of 10 years with a Hungarian citizens or lawful marriage of 5 years with a Hungarian citizens and they have a child together)
- persons who are legally incompetent or with diminished capacity;
- persons who graduated in the Hungarian language in a school or educational institution or institute of higher education;
- persons over sixty years of age at the time of submission of the application;
- persons who are able to verify of lacking the capacity to take the exam due to suffering in a permanent and irreversible sickness.

Q12a. If yes, has the citizenship test ever been evaluated?

Yes.

No.

The test is regularly adjusted.

Q13. Is the applicant required to legally or symbolically commit to certain values or norms (such as human rights, democracy, quality and the rule of law) for all naturalisation grounds and if so, which ones?

Yes.

A citizenship oath or pledge of allegiance is required for every form of naturalisation. If the naturalized person is legally incompetent, the oath or pledge of allegiance shall be taken in his/her name by his/her guardian.

The citizenship oath shall read as follows:

I,, do solemnly swear that I will consider Hungary my homeland. I will be a loyal citizen of and bear true faith and allegiance to Hungary, I will support and observe the Fundamental Law and other legislation. I will defend and serve my country to the best of my abilities. So help me God.

The citizenship pledge of allegiance shall read as follows:

I,, do solemnly swear that I will consider Hungary my homeland. I will be a loyal citizen of and bear true faith and allegiance to Hungary, I will support and observe the Fundamental Law and other legislation. I will defend and serve my country to the best of my abilities.

Q14. Are applicants required to pledge formally allegiance to your Member State (e.g. oath of allegiance?) If yes, does this apply to all naturalisation grounds? Please explain the differences.

Yes.

See answer to Q13

Good conduct

Q15. Is the third-country national expected to fulfil any requirements regarding good conduct (e.g. clean criminal record, fulfilment of civic requirements such as payment of taxes), public order, public health and if so, which ones?

Yes.

Clean criminal record is necessary.

Q15a. If yes, what proof (e.g. documentary evidence) is required to demonstrate that the criteria for good conduct has been met?

Documentary evidence is not requested, as the clean criminal record is tested by the authority.

Economic resources

Q16. Is the applicant's economic/financial situation or standard of living taken into account and if so, how (e.g. a minimum income level and assets)? Does this apply to all naturalisation grounds? Please explain the differences.

Yes.

The applicant needs to have sufficient means of subsistence and a place of abode in Hungary.

Applicants of simplified naturalisation are exempted from these requirements.

No minimum income level or asset is set in the legislation.

No.

Q16a. If yes, what proof (e.g. documentary evidence) is required to demonstrate that the minimum income level / assets have been met?

In the ordinary naturalisation procedure, the existence of a place of abode in Hungary needs to be verified (by providing a property deed or a rental contract. The sufficient means of subsistence is tested on the basis of a certification of income made by the tax authority (concerning the 3 previous years before the application)

Q17. Is the third-country national's housing situation taken into account?

Yes.

No.

See the answer to Q16

Q17a: If yes, what proof (e.g. documentary evidence) is required to demonstrate that any housing requirements have been met?

See the answer to Q16

Others

Q18. Are there any other requirements not listed above?

Yes.

No.

Section 2.3 Security

Q19. Are there any specific exclusion criteria (e.g. threats to national security and public order)?

Yes.

The applicant cannot be considered a threat to the public order or to the national security of Hungary

Section 2.4 Specific groups of third-country nationals

Q20. Are the above-mentioned requirements different for specific groups of third-country nationals, such as the groups listed below. For each group, please briefly explain the main differences that apply:

Q20a. Refugees

Refugees and stateless persons only need 3 years of continuous residence in Hungary. Otherwise, the general rules apply.

Q20b. Other beneficiaries of international protection statuses

The general rules apply.

Q20c. Specific categories of legal migrants e.g. people with disabilities or people in old age.

Exemption from passing the citizenship test (See answer to Q12)

Q20d. Other groups that are **significantly represented** in your Member State (e.g. stateless persons, minors, investors, citizens of neighbouring countries).

Applicants of simplified naturalisation (ethnic Hungarians with foreign nationality, family members of Hungarian citizens) - no continuous residence in Hungary is requested and the applicant also does not need to have sufficient means of subsistence and a place of abode in Hungary. (See answer to Q7)

Section 3: Procedural aspects for the acquisition of citizenship in the Member State

Please note that, consistent with Section 2, the questions below again only refer to cases when the primary grounds of acquisition of citizenship is through naturalisation based on a minimum period of residence in the country (i.e. 'ordinary naturalisation', not the conditions and requirements in place for second- or third-generation migrants and those migrants with special (e.g. ethnical or linguistic) ties to the country).

Q21. Please briefly describe the procedure in place for third-country nationals to obtain citizenship through ordinary naturalisation.

The application for naturalisation can be lodged at diplomatic representations abroad, and at (county) district offices of Government Offices inside Hungary. After the preparation of decision by the authority competent regarding citizenship (Government Office of the Capital City Budapest), the President of Hungary – on a proposal of the Minister – decides on the application with discretion.

After the decision of the President, the applicant takes the oath or pledge of allegiance before the mayor or the head of the Hungarian representation abroad. On this day, the applicant acquires the Hungarian citizenship and receives the certificate of naturalization.

Q21a. Are children automatically naturalised once their parents are granted citizenship?

Yes.

No.

If the children are born after the naturalisation, they automatically acquire Hungarian citizenship. In other cases, the legal representative(s) of the children need to apply for Hungarian citizenship in their stead, via simplified or ordinary naturalisation.

Q22. What public authorities/agencies are involved in procedures for third-country nationals' acquisition of the citizenship of your Member State?

On the basis of the Governmental Decree 125/1993 (IX.22.) on the Execution of Act LV of 1993 on Hungarian Citizenship, the authority competent regarding citizenship is the Government Office of the Capital City Budapest. Other authorities involved are the district (Budapest district) offices of Budapest and county Government Offices, to the integrated customer service centers of the competent Budapest or county Government Offices (where applications can be lodged) and the Police and other state security services who have naturalisation-related duties.

Q23. Are these procedures digitised? Can applications for citizenship be made online?

No.

Applications for naturalisation can only be made in person at certain offices set out by legislation, online application is not possible.

The naturalisation procedure is digitalised to such extent that after receiving the paper documents of application, they are filed within an electronic system with the personal data of the applicants. In that way, the security screening of the applicants for naturalisation by the responsible authorities can start immediately.

With regard to Section 16/A of Ápt., apart from providing information, the responsible authority does not communicate electronically regarding citizenship matters.

Q24. What documentation is required in order to submit the application (e.g. passport, birth certificate) (in addition to the evidence reported to meet the conditions set out in Section 2)?

During an application for naturalisation, the identity of the applicant always has to be checked. The applicant is required to present his/her identification document with picture for identity verification and the data provided in the application has to be checked against the data of the attached documents.

For naturalisation (both ordinary and simplified), the applicant is required to enclose the certifying documents for the conditions set in Ápt. In the ordinary naturalisation procedure, the existence of a place of

abode in Hungary needs to be verified (by providing a property deed or a rental contract). The sufficient means of subsistence is tested on the basis of a certification of income made by the tax authority (concerning the 3 previous years before the application). If the applicant is not exempted from passing the citizenship test, he/she needs to attach the certificate on successful exam. In case of simplified naturalisation, the applicant is required to enclose such a document which substantiates his/her Hungarian origin.

Both types of naturalisation require – on the basis of the Ápt. – the attachment of the applicant's birth certificate and the documents certifying his or her marital status (marriage certificate, divorce decision, death certificate of spouse).

Documents in foreign language attached to the application needs to be supplemented with a certified Hungarian translation.

Q25. What is the legally prescribed maximum time period for the procedure, if applicable, and how long do procedures take in practice? If the different stages of the procedure have maximum time periods (e.g., registration, application, etc.) please differentiate. Are certain types of cases prioritised or fast-tracked, and if so, which ones?

The naturalisation procedure has no maximum timeframe set. The Minister responsible for citizenship matters, however, shall submit the proposal on the application to the President of Hungary within 3 months after the receipt of the application (this can be extended once for an additional 3 months, when duly justified). The legislation, however, determine certain cases, which are not included in the three-month-long timeframe (the length of time elapsed from the time of notice for requesting the missing information until such information is supplied; the duration of any suspension of the proceedings; the time required for obtaining the opinions of government bodies; the length of time elapsed between the time of making a request for obtaining any data or information relating to nationality from another authority or government body until the reply is received).

The legislation set no timeframe for the President's decision.

Q26. What are the costs for the application for citizenship (in €)? Please note that this excludes costs for the translation of documents, trainings for language proficiency, etc. Please specify whether different costs apply to different grounds.

In case naturalisation, the application has no costs.

In case of ordinary naturalisation, the costs of the citizenship test is 50% of the present minimum wage (HUF 74 500 since 1 January 2019). The procedure directly does not require other additional costs for the applicant. (Indirect costs: certified translations of documents)

Q27. Are there any other evidence requirements to be fulfilled for a final decision to be taken on the citizenship application (in addition to those set out above, e.g. language certificate)?

If the applicant is not exempted from passing the citizenship test, he/she needs to attach the certificate on successful exam.

Those exempted applicants who graduated in Hungarian language in a school or educational institution or institute of higher education certification needs to be provided. The Hungarian language knowledge of other exempted applicants is tested by other means.

Q28. To what extent is discretion an element of the procedure/decision-making process? Is there absolute discretion or conditional discretion?

During the preparation of the decisions on naturalisation, the authority has no discretionary power. The President of Hungary decides on the applications with discretion.

Q29. What challenges if any have been experienced regarding the verification of the identity of naturalisation applicants?

In case of simplified naturalisation, it has been experienced that instead of applicants who have no adequate knowledge of Hungarian language, persons speaking Hungarian well with similar physical appearance to the applicants present themselves to lodge the applications (using fraudulent identification documents). In other occasions, the applicants present fake birth certificates.

Q30. Is there a right of appeal or basis for legal challenge if citizenship is refused? If yes, do the authorities have to provide information about the grounds for refusal?

Yes.

No.

Q31. What are the most common grounds for a negative citizenship application decision? If possible, please list the top 5 reasons. Grounds could include insufficient language skills, insufficient period of residence, criminal record, unestablished identity.

Top 5 reasons of refusals in simplified naturalisation procedures: lack of knowledge of Hungarian language; lack of certificate on Hungarian ascendants; no clean criminal record or being indicted in a criminal proceeding; naturalisation a threat to the public order or to the national security of Hungary; lack of documents to verify personal data.

Top reasons of refusals in ordinary naturalisation procedures: the applicants resides in Hungary, however, due to the lack of registration of address, he/she is not present in the registry; the criterion of the required of continuous residence in Hungary is not fulfilled; the applicant's sufficient means of subsistence in Hungary is not provided.

Q32. Does your Member State organise a citizenship ceremony? If yes, is participation in such a ceremony mandatory or voluntary?

Yes.

No.

At the end of the naturalisation procedure, the person concerned solemnly makes a citizenship oath or pledge of allegiance before the competent mayor or the head of the Hungarian representation abroad. Participation is mandatory, as the resolution on naturalisation (certificate on naturalisation) takes effect with the oath or pledge of allegiance. Thus, the applicant acquires Hungarian citizenship on the day of the ceremony.

If the naturalized person is legally incompetent, the oath or pledge of allegiance shall be taken in his/her name by his/her guardian. If the naturalized person dies before taking the oath or pledge of allegiance, or if he/she falls into a condition which prevents him/her from taking an oath or pledge of allegiance, he/she shall acquire Hungarian citizenship on the day of the issue of the certificate on naturalization.

Support provided during the application process

Q33. Does your Member States provide information to third-country nationals to consider applying for citizenship?

Yes.

Information on both ordinary and simplified naturalisation is available for future applicants on the website of the Government Office of the Capital City Budapest, where general information and forms are available.

Q34. Is governmental support provided to applicants during the application process?³ Have any good practices been identified in your Member State?

Yes.

No.

During the stages of application and the preparation of the decision, the authorities inform the applicants on deficiencies concerning the requirements set in the legislation or other formal defects.

Q35. Does your Member State organise, support or finance integration measures (classes, training, etc.) to facilitate the acquisition of citizenship? If yes, please specify whether these are prescribed by law.

No.

Apart from the available textbook containing the material for the citizenship test, the Government Office of the Capital City Budapest organizes preparatory consultations (mostly on a monthly basis) free of charge.

No mandatory measures are set out by the legislation.

Section 4: Dual citizenship

Q36. Is the third-country national required to renounce his/her other citizenship in order to acquire or hold citizenship in your Member State?

No

Q37. Is the requirement to renounce dependent on the person's other citizenship and are there exemptions from this requirement, for example for third-country nationals from third countries that do not allow a renunciation of citizenship ?

Not applicable

³ For the purpose of this study, only support under the control of the state should be included here (e.g. websites, telephone hotline), i.e. support by NGOs or private service providers is excluded unless contracted by the state.

Q38. Are there any particular requirements that third-country nationals have to fulfil if they want to acquire or hold the citizenship of your Member State while keeping their other one(s)? If so, which requirements?

Yes.

No.

Q39. Are there any particular restrictions placed on third-country nationals who hold dual citizenship? Does dual citizenship confer fewer rights? (e.g. access to specific types of employment)

Yes.

No.

Q40. If your Member State allows dual /multiple citizenships, have there been any particular benefits or challenges that this policy has brought?

Yes.

By allowing multiple citizenships, huge ethnic Hungarian communities living outside of Hungary could acquire Hungarian citizenship.

Section 5: Citizenship and integration

Q41. How does the integration policy of your Member State address the acquisition of citizenship? Is citizenship addressed in your national integration strategy/action plan?

Yes.

No.

Q42. Is there any evidence, e.g., from research or evaluation, indicating that the acquisition of citizenship facilitates integration, in particular on the labour market?

No relevant research is available.

Q43. What are the main differences and new rights and duties between being a citizen of your country compared to holding a permanent or long-term residence permit? Please elaborate on the following aspects:

Q43a: Participation in regional or national elections.

Only Hungarian citizens can participate in the national elections.

However, persons holding a permanent residence permit can participate in municipal elections and local referendums in Hungary.

Q43b: Access to certain types of employment (jobs that are only open to citizens of your country).

Professions which require a national security clearance (certain public and governmental officials, police) are only available for Hungarian citizens.

Q43c: Other differences / advantages, such as social and economic rights (social security, benefits, allowances, etc.)?

In most of the cases, the same level of social security and social benefits (access to higher education, unemployment benefits) are provided to the Hungarian citizens and persons holding a permanent or long-term residence permit.

Q44. What support is given once citizenship has been granted to support the new citizen in their role as a citizen (e.g. information sessions organised at a local level, other information material)? Are there good practices in place in your Member State?

Once citizenship is granted to the applicant, he/she enjoys the same rights and obligations as every other citizen. The local municipalities where the new citizen resides play the most important role in providing information and support.

Q45. With the acquisition of national citizenship there is also the acquisition of EU citizenship which confers rights such as the freedom to move or reside within the territory of the EU or the right to vote for and stand as a candidate in the European Parliament and municipal elections. What information or other support measures (if any) are given in your country to allow new citizens to enact their role as EU citizens (e.g. signposting to information material on the rights and responsibilities of EU citizens or specific, tailored information)? Is this different / additional to information provided to all citizens on their rights and responsibilities as EU citizens?

New citizens are informed the same way as every other citizen.

Q46. Are there any indications (e.g. in reports, studies or statistics) that acquisition of citizenship facilitates mobility to other Member States and/or mobility or longer-term migration to non-EU countries?

Yes.

According to estimates, many ethnic Hungarians from Ukraine⁴ and Serbia^{5,6} who acquired Hungarian citizenship uses the opportunity of freedom of movement provided for EU citizens

⁴ <https://www.youtube.com/watch?v=NqgCzm-zcjE>

⁵ <https://szabadfold.hu/orszag-vilag/elatkozott-vajdasag-szetszorodott-magyarok-274225/>

⁶ <http://confessio.reformatus.hu/a-vajdasagi-magyarok-helyzete-es-jovokepe#page6>

Section 6: Conclusions and lessons learned

The study provided a comprehensive overview on the pathways to Hungarian citizenship for third-country nationals. The policy area has not undergone major changes since the introduction of simplified naturalisation for ethnic Hungarians. Since 2010, 1,1 million ethnic Hungarians acquired citizenship through this simplified naturalisation – mainly Romanian nationals.

Concerning third-country nationals, the two most important countries of the applicants are Serbia and Ukraine. Both countries have significant Hungarian communities whose members acquire Hungarian citizenship in large numbers. To combat misuses, currently legislative reforms are in progress.

In 2018, a total number of 17 073 third-country nationals acquired Hungarian citizenship. The top 10 countries of former citizenships were the following: Serbia, Ukraine, USA, Israel, Canada, Russia, Brazil, Argentina, Turkey, Vietnam. The total number of acquired Hungarian citizenships by third country nationals was 25 124 in 2017, 33 698 in 2016, 51 095 in 2015 and 57 368 in 2014.

Hungary allows for dual citizenship and dual citizenship does not confer fewer rights. Once citizenship is granted to an applicant, he or she enjoys the same rights and obligations as every other citizen.

Annex 1 National statistics

Please fill in the attached excel sheet with the respective statistics for your Member State. Due to the limitations of Eurostat data and national data, statistics provided in this annex shall include all third-country nationals.

N.B. All Eurostat data will be extracted centrally by the EMN Service Provider. National data will be provided to the extent possible by each EMN NCP. In their national reports, NCPs should briefly describe and comment on the data.

The Statistical Annex consists of the following:

Annex 1.1: Number of third-country nationals that have acquired the citizenship of your Member State in 2018, differentiated by the 10 main former citizenships of the persons concerned and by sex and age groups. *N.B. Data for 2014-2017 will be extracted centrally from Eurostat (migr_acq).*

Annex 1.2: Number third-country nationals that have acquired citizenship between 2014-2018, differentiated by the mode of acquiring citizenship and disaggregated by sex, if possible.

Annex 1.3: Share of third-country nationals who acquired the citizenship of your Member State among all resident non-citizens in 2018. *N.B. Data for 2014-2017 will be extracted centrally from Eurostat (migr_acqs).*

Annex 1.4: Number of third-country nationals that have acquired dual citizenship between 2014-2018, differentiated by the mode of acquiring citizenship and disaggregated by sex, if possible. *N.B. This annex 1.4 is optional for those Member States which collect such data.*