*Information about interviewee:*

*The interviewee was the legal advisor to the Ministry of Foreign Affairs of Hungary. The Interview was conducted Budapest, Hungary.*

*R= Respondent - Legal Advisor to the Ministry of Foreign Affairs*

*I=Interviewer – Sam Wrighton*

I: What is the biggest challenge for the national minorities?

R: Without a doubt, it is the lack of collective rights. Much of the issue is the framing. They considered some individual rights as the following. Rights that can be exercised in a community with others. It is a definition that has caused problems as they always refused to speak about collective rights. They say they are simply individual rights. Even with regards to language and schooling. It is a big difference.

I: How does the Prosperitati Foundation differ between countries?

R: Well in Romania and Slovakia, they are EU countries, their situation is different, their living standards are much higher than they are in Serbia or Ukraine. They are full EU member countries, and things work like England or these types of market. There are many trans-border cooperation issues between Hungary Serbia and Hungary-Ukraine. There are also European programmes for this, and for the development of these cross-border regions. We also have in the ministry a department who is responsible for bi-lateral economic cooperation and they are dealing with these bi-lateral agreements. Because everything is based on bi-lateral negotiations and agreements. We have the European territorial agreements, this EGTC European agreement.

I: Can you explain about the ID card?

R: In 2001, the Hungarian state distributed an ID card that was called the Hungarian card, based on a self-decision of the bearer to belong to the so-called cultural nation. It gave some benefits for those only in Hungary but today, it still exists but the situation is not based on ethnicity but on objective criteria like language and ascendance from Hungarian citizens and it has nothing to do with the actual Hungarian citizenship system. Because the system is based, there is a possibility to get Hungarian citizenship in a simplified way if the person speaks Hungarian and has accidence of Hungarian citizenship. These criteria are not at all based on ethnic affiliations. It is practically open for anyone, who speaks Hungarian and who has ancestors of Hungarians. It is very important to prove this. These criteria were introduced in 2010, just after the elections. This simplified procedure for naturalisation. It is very important that this occurred before the new government. It was voted for by the parliament by absolute majority, only 5 abstentions.

I: The voting rights, used to only be come with the ID card, correct?

R: Every Hungarian citizen has the right to vote. There is no discrimination whether they live in Hungary or not.

I: Has that always been the case?

R: Yes, that has always been the case. There is a difference, if you have Hungarian residents, there is a difference in the method of voting. If the elector does not Hungarian residents, you can vote by correspondence. If the they do, they should vote in person, at the embassies or consulates. They can also establish voting stations at consulates, not only at embassies. All Hungarian citizens have the same rights, there is no difference between Hungarians abroad and Hungarians living in Hungary, the kin state, with Hungarian state.

This ethnic issue is not applied any more. This was only applied during the period 2001 – 2010. These Hungarian cards gave these Hungarians only benefits in Hungary. Travel and museums, they could get discounts. That was a cultural issue, the aim was to help Hungarians culturally, but that was not at all a citizenship issue and neither an ID card. Not a legal status. It was not possible because of the situation. The aim was to help, not to create an external legal citizenship or to create a second-class citizenship. Now citizenship is unique and the same for everyone.

I: Do the Hungarian embassies still process these applications in Slovakia?

R: Yes, they do it, but there is a risk because the Slovakian law states that if a Slovakian citizen acquires another citizenship, voluntarily, they will lose their Slovakian citizenship immediately. That hinders many to apply for Hungarian citizenship. By law, it is very interesting that they did not require documents to prove it. They do not require or proof of another citizenship. There are some problems with the administration. If they just state they have another citizenship, just declaring it is enough to consider them not a Slovakian citizen. The Slovakian citizenship do not wait for originals, that is why it is risky. This was our big problem with the system. A good functioning state administration relies on originals or certified copies. I don’t think many Hungarians send them original copies, those who lost them. We have a distinction here between citizenship and nationality. Usually nationality, means citizenship, you have the passport of the state the ID of the state. French nationals, no question. Political and ethnical question of citizenship. Yes, the Hungarian ID cards were based on an ethnic affiance, on a sentiment or cultural ties. Citizenship is based on objective ties because of this changing Hungarian concept of nation. Because it was a long considered as an ethnic based nationality and many who have criticised the fundamental law, they say this is based on ethnic ties and it is nationalistic, and it is something which is from the 19th Century. There are many experts who say the opposite. We considered that the Hungarian fundamental law opened civic based nationality, civic based citizenship. Based on documents, independent of the national sentiment. That was always present in the Hungarian system, before the two world wars in the 19th Century, Hungary was a multi-ethnic state and even with Austrian-Hungarian it was even bigger and even more mixed. The citizenship was something political. There was one king, one country or two or three with Croatia. One country with one citizenship with several nationalities called minorities but we still have this distinction between nationality, which means your ethnic alliance and sentiments and your culture or languages, because many of the newly emerged states are based on language. Hungarian nationality or feelings are always based on language, this is very important. But we have this second level, the political level, and these two can live together. If you read the Hungarian fundamental law you will see that there are many many references on this political unity, based on citizenship, objective criteria and there are also references of cultural ties, that Hungary should bear responsibility for Hungarians abroad, this is something cultural because of the historical events. But on the other hand, the Hungarian citizenship concept is based on a political nation because we the Hungarian nation, that means we are all citizens of Hungary. Citizen can be anyone, anywhere in the world. This is something more political. We call them nationalities and we don’t call them ethnic minorities, and nationalities are recognised founding parts of the state. The state should not be ethnically homogenous, as this is impossible. We can’t do it. It is not possible. Steps have been made to consider the Hungarian nation as a political nation, and it is not by chance that the fundamental law recognises nationalities as founding parts of the state. This is something unique with nationality self-governance, we would like to be an example with the recognition of collective rights, to show an example for neighbouring countries in order to treat Hungarians like this. That is the utopia, but we are working on it. Then Hungary doesn’t want them to emigrate. They like to live there. They love their country, they love their villages, they love the place they are living for at least 1000 years, they still have the same place, the same traditions and they don’t want to emigrate. That is why Hungarian politics is always based on this concept that they should stay there and preserve their identity and to negotiate with the neighbouring state in order to treat them or recognise them as at least founding parts of the state. Until now this is not the case in these countries, in the future, why not. We are optimistic. Because we have a unicameral parliament, we do not have a senate, a senate would be great, where the nationalities were represented there, because that is the purpose of the senate. But we did not want to create a situation where they have an over representation, as the vote they represent is less than 10 percent, much less 1 to 5 percent. The role these nationalities may be much more important than the people they represent, then they would be in the battlefield of the parties. Who gives me more? If I vote for the party now and then there is a rightist party, what will I do when the winds change and the left comes, then I won’t get anything? That is what we see in the neighbouring countries. It is a situation that needs to be dealt with prudence, yes there is preferential treatment, but if there are a few people, they might be in a position where the preferential vote and the whole concept will change, and they will be the toys of the party. The whole system is something preferential and an exception to give more rights than they are proportionally. We have heard from the Slovenian representative in the Hungary that they are happy with the situation, they can vote of legislation before it is voted on in parliament and they have received double the funding in the last year. They can go to any party and any government independent of their views because they don’t have a voting right, and they are like an independent person with a strong lobby power. Very strong lobby power. Everyone wants to give them money to get supported by them. They are fulling fledged parliamentarians with all the privileges and everything. They speak in their own language in the parliament and can propose the laws, they have all the rights except voting yes or no on the final vote. Strong lobby power. They can very easy influence. Their goal is to represent their community and their minority, they are doing well.