

E.MA European Master's Degree in
Human Rights and Democratisation



Hungary's policy towards its kin minorities:

The effects of Hungary's recent legislative measures on the human rights situation of persons belonging to its kin minorities

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Academic Year 2012/2013

Abstract:

This thesis focuses on the recent legislative measures introduced by Hungary aimed at kin minorities in the neighbouring countries. Considering as relevant the ones with the largest Hungarian minorities (i.e. Croatia, Romania, Serbia, Slovakia, Slovenia and Ukraine), the thesis starts by presenting the background to the controversy, looking at the history, demographics and politics of the relevant states. After introducing the human rights standards contained in international and national legal instruments for the protection of minorities, the thesis looks at the reasons behind the enactment of the laws. To do so the politically dominant concept of Hungarian nation is examined. Finally, the author looks at the legal and political restrictions these measures face from the perspective of international law and the reactions of the affected countries, respectively. The research shows the strong dependency between the measures and the political conception of the nation, and points out the lack of amelioration of the human rights situation of ethnic Hungarians in the said countries. The reason given for this is the little effects produced on them by the measures adopted by Hungary and the potentially prejudicial nature of the reaction by the home states. The author advocates for a deeper cooperation between Hungary and the home states.

Keywords: citizenship, ethnic preference, Fundamental Law, home state, human rights, Hungary, kin state, minorities, nation, Nationality Law, preferential treatment, Status Law.

Wordcount: This thesis has 29,870 words. This includes footnotes but excludes the abstract, acknowledgement, table of abbreviations, table of contents and bibliography.

Acknowledgements

Although this thesis has my name as the author in the cover, it has not been the exclusive product of my work. Many people have helped me in elaborating it throughout the whole process, from the beginning in Venice when the idea first came up to the moment of finalising it and seeing it take physical shape. For this I need to thank everybody who has been a part of it.

I first place I need to thank all the E.MA staff, and in particular Angela Melchiorre, Monika Bartoszewicz and John Reynolds for their invaluable help and support. A special mention goes to the invaluable help and expertise Monika gave me while first formulating the topic. Without your help this would only be an idea lost in the air.

As a part of the E.MA organisation I would also like to thank Orsolya Salát, the national director for the programme, who has always been eager to help and watch after the three students who were in Budapest for the second semester. Köszönöm Orsi, hogy mindenben támogattál minket, és mindig ott voltál nekünk, amikor szükségünk volt Rád. I make this extensive to the ELTE and CEU faculty members who have been great hosts and educators during these almost six months.

The thesis also belongs to my supervisor, Zsolt Körtvélyesi, to whom I have to thank the great academic insight provided, and his comprehension, sympathy and willingness during the whole elaboration. Mindent köszönök, Zsolt. Nélküled nem sikerült volna. Ez a szakdolgozat két ember munkája, szavakkal nem tudom kifejezni, mennyire hálás vagyok a segítségéért.

Lastly, I need to thank all of my friends, in particular Ellen, for sharing library hours with me while *theseing* and Catalina, for her great humour that always lights the room with a great mood even in the darkest – and snowiest – days. And of course I need to finally thank my family, especially my parents for their constant support, even when things were not the easiest, gracias de corazón; and Réka, for her love and strength. Without you it would have been impossible. Szeretlek.

Table of abbreviations

In this thesis the following abbreviations will be used:

CERD	Committee on the Elimination of Racial Discrimination
CoE	Council of Europe
DAHR	Democratic Alliance of Hungarians in Romania
ECHR	European Convention on Human Rights
ECJ	European Court of Justice
ECtHR	European Court of Human Rights
EU	European Union
FCNM	Framework Convention for the Protection of National Minorities
HRC	Human Rights Committee
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Covenant on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
MSZP	Hungarian Socialist Party
TEU	Treaty on the European Union
TFEU	Treaty on the Functioning of the European Union
UDHR	Universal Declaration of Human Rights
UN	United Nations

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