**Submission of Hungary in response to the OHCHR’s call for submissions with regards to a Virtual Roundtable on the Importance of Equality and Non-discrimination in Nationality Matters to End Statelessness**

**Survey on nationality (citizenship) frameworks and equality in matters of nationality**

1. Are the State’s legal rules and regulations regarding the acquisition, conferral, change and retention of nationality (citizenship) the same for everyone, irrespective of one’s real or perceived racial or ethnic origin, or do they restrict (in law or practice) certain groups from acquiring or conferring nationality, or from being protected from deprivation of nationality?
2. Yes, the rules are the same and they do not restrict any specific groups protected by international ban on racial discrimination from equal access to nationality/citizenship.
3. No, please explain:
4. Are the State’s legal rules and regulations regarding the acquisition, conferral, change and retention of nationality the same for everyone, irrespective of one’s religious affiliation, religious or spiritual beliefs, or do they restrict (in law or practice) members of certain religious or belief minorities from acquiring or conferring nationality or from being protected from deprivation of nationality?
5. Yes, they are the same and do not restrict any minorities having specific religious or spiritual beliefs.
6. No, please explain:
7. Do members of any minorities face particular burdens or obstacles as concerns the acquisition, conferral, change and retention of nationality (citizenship)?
8. No.
9. Yes, please explain:
10. Are the State’s legal rules and regulations regarding the acquisition, conferral, change and retention of nationality the same for everyone, irrespective of one’s sex (i.e., are the rules identical for women and men), or do they restrict (in law or practice) women from acquiring or conferring nationality or from being protected from deprivation of nationality?
11. Yes, they are the same and do not restrict either sex.
12. No, please explain:
13. Are the State’s legal rules and regulations regarding the acquisition, conferral, change and retention of nationality the same for everyone, irrespective of one’s sexual orientation, gender identity and/or expression, and sex characteristics (SOGIESC), or do they restrict (in law or practice) persons with diverse sexual orientations, gender identities or expressions, or sex characteristics from acquiring or conferring nationality, or from being protected from deprivation of nationality?
14. Yes, they are the same and do not restrict persons with diverse SOGIESC.
15. No, please explain:
16. Are the State’s legal rules and regulations regarding the acquisition, conferral, change and retention of nationality the same for everyone, irrespective of one’s age, or do they restrict (in law or practice) certain age groups from acquiring or conferring nationality, or from being protected from deprivation of nationality?
17. Yes, they are the same and do not restrict any specific age group.
18. No, please explain:
19. Are the State’s legal rules and regulations regarding the acquisition, conferral, change and retention of nationality the same for everyone, irrespective of disability, or do they restrict (in law or practice) persons with physical, mental, psychosocial, intellectual or sensory impairments from acquiring or conferring nationality or from being protected from deprivation of nationality?
20. Yes, they are the same and do not restrict persons with physical, mental, psychosocial, intellectual or sensory impairments.
21. No, please explain:
22. Is the acquisition, conferral, change or non-retention of nationality contingent on the ability to be self-reliant (i.e. that the person can „contribute” to society or not be a „burden”)?
23. No.
24. Yes, please explain:

According to Section 4 (1) of Act LV of 1993 on Hungarian Citizenship, a non-Hungarian citizen may be naturalized if:

*a)* the petitioner has resided in Hungary continuously 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 public policy 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.

In special cases, it is not a condition and not necessary to certify the applicant has sufficient means of subsistence and a place of abode in Hungary.

1. Is the acquisition, conferral, change or non-retention of nationality contingent on the ability to read or speak a certain language (e.g. language requirements)?
2. No.
3. Yes, please explain:

The knowledge of Hungarian language is one of the main conditions of naturalization and repatriation, the language of the procedure is Hungarian, and the naturalized or repatriated must be taken the citizenship oath or pledge in Hungarian . An applicant can prove his/her language skills in several ways, which is depend on the type of the citizenship procedure.

In case of traditional naturalization procedure, the applicant provides proof that he/she has passed the examination in basic constitutional studies in Hungarian. Among others, applicants shall not be required to take the examination, if he/she graduated in the Hungarian in a school or educational institution or institute of higher education.

In the case of a simplified naturalization or repatriation, the applicant's declaration of knowledge of Hungarian and its verification and certification by the authority receiving the application proves the existence of legal condition for acquiring Hungarian citizenship, namely the applicant understands and speaks Hungarian.

Because of the fact that the knowledge of Hungarian language is one of the main conditions for naturalization, if the applicant makes a false statement during the procedure, misleads the authorities may result in the withdrawal of the Hungarian citizenship.

1. Is the conferral of nationality to children of nationals contingent on the ability to prove a biological relationship to the child?
2. No.
3. Yes, please explain:

According to the Paragraph (1) of Article G) of the Fundamental Law, the child of a Hungarian citizen shall receive Hungarian citizenship by birth. In this context the Act LV of 1993 on Hungarian Citizenship states, as regards the acquisition of Hungarian citizenship under Paragraph (1) of Article G) of the Fundamental Law, the relevant provisions of the Civil Code on descent, and on paternity and maternity shall apply.

Although the adoption establishes a family relationship between the adopter and the adoptee, the adoption does not automatically generate Hungarian citizenship. A non-Hungarian citizen who has been adopted by a Hungarian citizen may be naturalized on preferential terms.

1. Are there any other ground-based limitations in nationality/citizenship law, rules, procedures, guidance, policy or practice?
2. No.
3. Yes, please explain:

In all cases, conditions of naturalization or repatriation are: 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 policy or national security of Hungary.