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# HUNGARY AND UKRAINE – THE INEVITABILITY OF THE STATUS QUO



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# INTRODUCTION

Once an example of good friendship and partnership, Ukraine and Hungary's current relations continue to go through a crisis marked by mutual mistrust and diplomatic hostilities. Neither country is ready to make any concessions, while both overestimate their capabilities and underestimate the risks and losses resulting from the conflict. For more than two years their bilateral relations have been marked by sharp controversies, triggered mostly by the new Law on Education, which was adopted by the Ukrainian parliament on September 5, 2017.

The Hungarian reaction, which initially concerned the protection of the rights of the Hungarian minority in Ukraine to receive education in the Hungarian language, quickly spilled-over to the issues of Euro-Atlantic integration of Ukraine, citizenship and political cooperation. The conflict has escalated and quickly got the taste of a scandal. Hungarian-Ukrainian relations have dropped to the lowest point in recent history. All of this is happening against the backdrop of Russian aggression and at a moment in time where Ukraine desperately needs friendly relations with its Western neighbors.



## A HUNGARIAN POINT OF VIEW

### BACKGROUND

Following the dissolution of the Soviet Union in 1991, Hungary was the first country to open an embassy in Kyiv. The immediate establishment of diplomatic relations was a clear indication that Budapest wanted to make ground for friendly relations with Ukraine. There were several reasons for this decision: Ukraine, which has just gained independence, became Hungary's largest neighbour, which was an important factor in economic and security policy as well. Hungary was already one of the leading importers of Ukrainian electricity, so energy aspects also played a role in establishing relations. At the same time, the presence and

fate of about 150,000 ethnic Hungarians living in Ukraine, above all, was the most important issue for the Hungarian government in building bilateral relations.

Balanced relations between the two countries continued further on, and this did not change significantly after Hungary's accession to NATO (1999) and the European Union (2004) either. Simultaneously, the local Hungarians continued to be a priority for Budapest. Therefore, close attention was paid to the issue of education and language usage in Ukraine. Hungary was later a supporter of Ukraine's Euro-Atlantic integration efforts. It was among the first countries to ratify the Association Agreement between

the EU and Ukraine and also supported visa-free travel for Ukrainian citizens to EU countries. Hungary has generally followed the NATO and EU mainstream in supporting Ukraine politically, just like its Western allies, and continued to support the sanctions and resolutions against Russia.

## THE CONTROVERSIAL LAW ON EDUCATION

In the fall of 2017, Ukrainian-Hungarian political relations, previously considered to be balanced, changed rapidly and dramatically. The Ukrainian parliament (Verkhovna Rada) adopted the new law on education, which stipulates, among other things, that compulsory school-age citizens must study subjects in Ukrainian starting from the fifth grade of primary school. This obviously had a significant impact on the Hungarians living in Transcarpathia, as there are almost a hundred pure Hungarian-language schools in the region, where so far all classes have been taught in Hungarian except for Ukrainian language classes. The Hungarian government, which had previously been vigorous in its defence of the rights of the local Hungarian minority, was upset and immediately protested against the introduction of the law. The primary reference was that once acquired rights (the right to education and study in the mother tongue – which is also included in the Hungarian-Ukrainian Basic Agreement signed in 1991) – cannot be taken away by a subsequent decree or law. Despite this, the Kyiv leadership insisted on introducing these changes in education, which led to a significant deterioration in bilateral relations. Budapest was not alone with its concerns: the foreign affairs ministers of Bulgaria, Hungary, Greece and Romania have written to the Ukrainian foreign minister expressing their concern over the new law regarding education, and they have also sent a joint letter to the OSCE. Poland voiced criticism as well.

The controversial law on education has obviously triggered many debates on political and professional levels as well. Experts say that it is hardly disputable that citizens living in Ukraine should know the official language of the country and that the law can only be seen as an advantage for the members of the national minorities as well. Turning the law into practice, however, seems a lot harder than what may have been expected in Kyiv. In Hungarian schools, mostly close to the border, it will be a real challenge to find teachers who can speak fluent Ukrainian and can teach subjects in the language. Not only will the children not know Ukrainian, but they won't be able to understand professional subjects either. This was the main reason the Hungarian government insisted on postponing the introduction of the law till 2023.

The law in 2017 was presented to the Council of Europe's Venice Commission, as well as the Parliamentary Assembly, which has formulated several recommendations in relation to the Regulation. The Assembly deplored the fact that there was no real consultation with representatives of national minorities in Ukraine on the new version of Article 7 of the act adopted by the Verkhovna Rada. The Assembly has also laid down some principles: according to which knowledge of the official language of a State is a factor of social cohesion and integration and it is legitimate for States to promote the learning of their official language and to ask that the State language be the language of education for all. At the same time, regarding the national minorities, the Assembly also stated that "*Language is an essential component of individual and collective identity. For many persons belonging to national minorities, language is one of the main factors of their minority identity and identification.*"

Following the recommendations of the As-

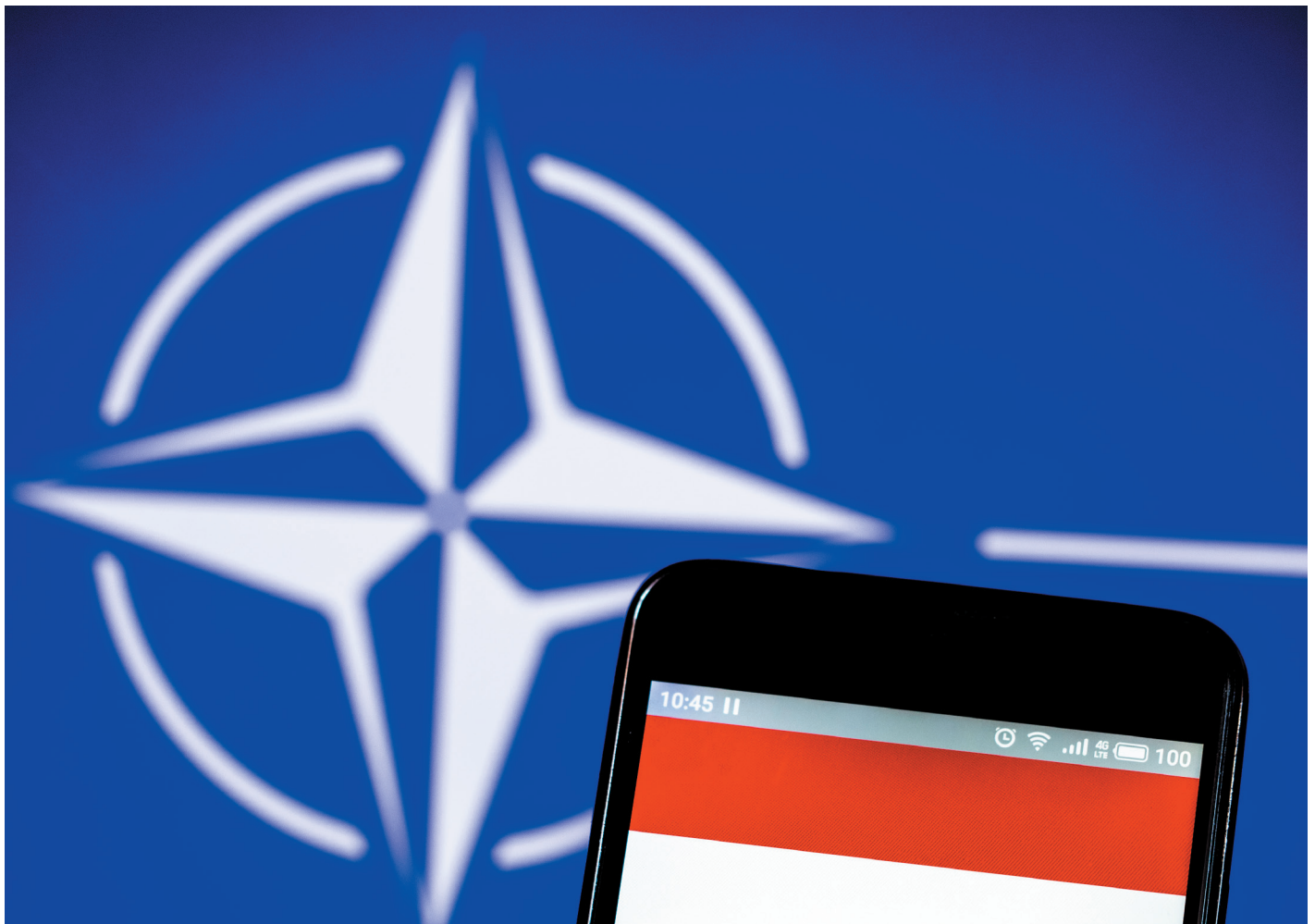
sembly and the Venice Commission, On February 14, 2018, the Cabinet of Ministers approved to postpone the transitional period for the implementation of the language article until 2023.

## INCREASING CHALLENGES

The situation was only worsened by the increase in the number of atrocities with nationalist backgrounds against the local Hungarians. Hungarian monuments were repeatedly damaged in Transcarpathia, and the office of the Hungarian Cultural Association in Transcarpathia was set on fire by unknown perpetrators. Three allegedly pro-Russian Polish citizens were later arrested and charged with terrorism. Between April 2014 and April 2018, 182 cases of Ukrainian anti-Hungarian actions were recorded by the Association. The increasing number of cases has shown that the dete-

rioration of bilateral relations has many effects.

Following the adoption of the law on education which is understandably disadvantageous to the Hungarian minority in Ukraine, the Hungarian government has stated that, until a positive change in the law is made, it will prevent the convening of the NATO-Ukraine Committee (NUC). It is important to note, however, that the NUC is not the only forum for NATO-Ukraine dialogue. NATO continues to provide support to Ukraine after the adoption of the mentioned law; former President Petro Poroshenko participated at the NATO summit in July 2018; and officials of the NATO have regular meetings with the Ukrainian government. Although the NUC hasn't convened since September 2017, the military alliance continues to provide practical and political support to Ukraine. Newly elected President



Volodymyr Zelensky also had an official meeting with NATO Secretary General Jens Stoltenberg in Brussels in June.

Following the deterioration of bilateral relations, other events with a negative impact have also taken place. In October 2018 a number of billboards calling to “stop the separatists” were put up in Ukraine’s Zakarpattia region with photos of the three leaders of the Hungarian community, triggering anti-Hungarian calls. This period might have been the lowest point in the history of recent years’ bilateral relations, as this happened just after a video was released revealing a scene where Ukrainians in the Hungarian Consulate in Zakarpattia’s Berehove were issued Hungarian passports. This was followed by mutual expulsion of consuls from both countries. Also, in October, Mirotvorets internet database listed individuals, who “pose a threat to the country’s security”. The list included residents of Ukraine’s Zakarpattia region holding public servants’ posts and being members of local councils.

Another controversial law was adopted by the Verkhovna Rada in April 2019. The language law that was passed by the parliament in July aims to expand the usage of the Ukrainian language in the media, education, and business and to establish a state apparatus to oversee the development of the language and language relations. As a result of the law, minority languages can only be spoken at home or during religious events. According to Budapest, the law is “unacceptable.”

Despite the deterioration of the relationship between Kyiv and Budapest, communication

between the two parties has been continuous. Former Ukrainian minister of foreign affairs Pavlo Klimkin and his counterpart Péter Szijjártó constantly discussed the issue and often held personal meetings. It is also important to note that, despite the change in the nature of political relations so far, economic relations have not suffered in the last two years. Hungary remains the second largest reverse gas supplier to Ukraine after Slovakia. Despite blocking the convening of the NATO-Ukraine Commission, Hungary continues to support the territorial integrity of its eastern neighbour, while continuously providing camping facilities for children and war veterans from the eastern Ukrainian region since 2014. Since the beginning of the armed conflict in Ukraine, more than two thousand people have participated in such camps in Hungary.

## **FUTURE OUTLOOK**

No significant progress has been made so far since the 2017 changes to the Education Act, with the exception of the 2023 postponement. However, in 2019, significant political changes took place in Ukraine, with Volodymyr Zelensky winning the presidential elections in April, and the victory of previously unrepresented People’s Servant in the early parliamentary elections in July. Zelensky and his new government have promised many changes in a wide array of areas that could possibly include the question of law on education as well. Budapest reacted positively to the political changes with the change of head of state and government (Hungarian President János Áder visited Zelensky’s inauguration in Kyiv), but a real shift in bilateral relations is yet to come.





## A UKRAINIAN PERSPECTIVE

### BACKGROUND: HISTORY AND SYNDROMES

The relations between Hungary and Ukraine had seen much better times. Neighbors, united by common problems and challenges in the area of security, geography and history, have for a long time remained friends. Hungary was one of the first countries to recognize Ukraine's independence, and has soon become one of Ukraine's key regional partners. Political cooperation deepened after Hungary joined NATO and the EU, and Ukraine made European and Euro-Atlantic vectors a priority in its foreign policy.

However, at some point the situation started to change. Budapest began to focus more

of its attention on the rights of ethnic minorities in neighboring states; Ukrainians started to build up national identity against the backdrop of occupation of Crimea and an armed conflict in the eastern part of the country. In both states speculations over historical and national issues received additional attention. Combined with a regional trend in Eastern Europe of a rising popularity of right political ideas and parties, these developments have gradually set a scene for a serious political conflict. Low level of economic interdependence and mutual trade also contributed to a large extent: the benefits of hostility dominated the existing benefits from cooperation. Hungary as a member of NATO and the EU received additional leverage against Ukraine, since the latter made



membership in both organizations a priority in foreign policy. Even without any “Kremlin hand” there were enough motives for both sides to raise the bets.

Escalation occurred quickly and could have been foreseen beforehand. Following the adoption of the Law on Education in a new edition by the Verkhovna Rada, which narrowed the right of ethnic minorities to receive education in their native language, Budapest promised to block Ukraine's further rapprochement with NATO and the EU. A practical step in this direction was taken through blocking of the work of the NATO-Ukraine Commission (NUC) at the highest level.

Subsequently, the Hungarian government scheduled the appointment of “an authorized minister responsible for the development of Transcarpathia”, which provoked strong protests by Kyiv.

The next scandal centered the issuing of Hungarian passports in the Consulate of Hungary in Berehovo – an incident which got filmed and released online. After this incident, described by Deputy Minister of Foreign Affairs of Ukraine Vasyl Bodnar as proof “that Hungary behaves like Transcarpathia is its territory”, Ukraine sent back a Hungarian consul and Hungary replied symmetrically.

The distribution of Hungarian passports in Transcarpathia has been taking place since 2011 at latest, but it is the peculiarities of the current mutual perception of the parties that exacerbate the situation. Of course, the reactions of both parties are conditioned by the logic of the already existing confrontation, and each step is perceived to be extremely hostile, while the actions and intentions of the other party cause maximum suspicion. In this atmosphere of mutual distrust, awaiting the next crisis remains a matter of time.

## INCREASING CHALLENGES AND THEIR COMPLEXITIES

Today relations between Hungary and Ukraine are pretty tense, and in the near future these tensions are unlikely to disappear. The reaction of Budapest to adoption of the new edition of the Law on Education by the Ukrainian parliament was resolute, demonstrative and well thought out. Ukraine's rhetoric response has also been quite hard-lined, even emotional, and very quickly both countries came to a standstill of mutual accusations and threats. Can Kyiv and Budapest afford the luxury of a long-lasting conflict in the current geopolitical situation?

It looks like they can. Each of them can even benefit from it if under certain conditions and applying some specific skills. Confrontation with neighbors may become a powerful and inexpensive factor for internal mobilization, which will be a temptation for both Hungarian and Ukrainian politicians, recently prone to populism. However, it will come at a price of the weakening the international positions of both states. For Ukraine such a turn of events looks less desirable, as in general, Ukraine's position in the conflict with Hungary seems weaker. Ukraine is bigger, but Hungary can effectively use its membership in the EU and NATO as a tool of pressure.

If things are going to continue as they are, a further development of events can be labeled "collision of identities". It will fall short of the clash of civilizations, but in many ways demonstrate a similar logic, including gaps in perception. Identities will be based on symbolic elements, opposition to neighbors, mythologization and heroism of one's own history. As a result, cultural division lines will be stressed, while chances for a dialogue will be reduced. Ukrainians and Hungarians are at risk of speaking different languages pretty soon – not only in linguistic terms,

but also in terms of mutual understanding on a meaningful level.

To a certain extent, both countries have become hostages to regional processes and trends, in particular the growing influence of nationalism as a political ideology. The region of Eastern Europe was in the center of national feelings' mobilization a century ago. Then the collapse of the empires and the emergence of new states provoked the race for identity: the countries of the region created national myths and used them to overcome the severe consequences of World War I. These myths and the ideology of nationalism then caused new identities to be formed in Eastern Europe, mainly with reference to ethno-symbolism, with its emphasis on language, history, and symbols. Eventually it even made some theorists draw a line between rational civil nationalism in the West and mystical irrational and ethnic nationalism in East of Europe.

Today the key challenge for both countries is to find ways to avoid or limit collisions over identity and to implement a more optimistic scenario, which may be labeled "modus vivendi". Such a scenario would provide for the possibility of coexistence with differences, dialogue from different positions and a joint search for mechanisms to protect each other's interests.

As it often happens, the situation is complicated by historical factors. Both Ukraine and Hungary have had a difficult past, full of dramas and injuries, and the past has a strong influence on the ways of forming and developing national identities and perceptions of relations with neighbors. Briefly, this effect can be called a "battle of syndromes".

In case of Hungary this syndrome is often referred to as "Trianon". After losing World War I Hungary, under the terms and condi-



tions of the Treaty of Trianon signed in 1920, lost more than two-thirds of its territory and more than half of the population. Hungarian ethnic minority, more than three million people in total, found themselves within the borders of a number of neighboring states. In Hungary the tough conditions of peace were perceived as a national tragedy, which greatly contributed to the formation of a revanchist foreign policy between the World Wars. After the end of World War II the territory of Hungary as a whole was preserved within the borders defined by the terms of the Treaty of Trianon. And although the “Trianon syndrome” today should not be compared to what it was in the 1920–1930s, when the state flags were dropped to mourn for the signed agreement, it continues to exist in the public consciousness and, most importantly, is used by political forces for an easy and quick conquest of public support. Hungarian ethnic minorities in neighboring countries – and the biggest of them are 1.5

million minority in Romania – are an important part of the “Trianon syndrome”. In the modern world, where revision of state borders is an extremely expensive, ineffective, rare and questionable issue, the protection of the rights of ethnic minorities becomes the main instrument of ethnocentric policy, a type of contemporary analogue of irredentism. The concept of “great Hungary” during the period between the World Wars envisaged the gathering of territories; today, instead of it, there is the option of a state policy of active support for national minorities in neighboring states.

Ukraine has its own syndromes. They do not have such an obvious historical point of origin, but they are also related to historical memory, the struggle for statehood and the construction of national identity. Perhaps, at the moment, such syndromes as Crimea, Donbas or even Budapest, under the name of a well-known memorandum, are be-

ing formed, which in the future will affect Ukrainians' perceptions of history, neighbors and their own destinies in Europe. One way or another, these syndromes affect decision-making and political discourse both within the state and in relation to neighbors.

The construction of a national identity on the basis of ethno-symbolism with the use of linguistic, religious markers and historical symbols as well as with the praising certain periods of history and reconsidering historical mistakes, poses additional risks of exacerbating relations with neighbors. And if these neighbors also take decisions under the influence of historical memories, then such risks are doubling.

## **FUTURE OUTLOOK**

Both countries are losing as the conflict continues and escalates. Ukraine has to face absolutely unnecessary problems on its western frontiers and deal with additional brakes in further rapprochement with NATO and the EU. Hungary also runs certain risks. The sanctions against Budapest, which are occasionally discussed within the EU, are extremely unlikely, but the image of a country lacking European values will not benefit Hungary in the long run. At the same time, ethnic minorities – Hungarians in Ukraine and Ukrainians in Hungary – are only facing additional complications, instead of having their interests protected.

To overcome the logic of confrontation, complex and non-standard decisions are required. Simple formulas, such as “to leave history to the historians” like in the similar Ukrainian-Polish conflict, will not work. Conflicts of this kind contain too many politics to rely on historians. It is unlikely that the hopes for interdependence will be justified, that is, the common economic interests will prevail over the motives behind the esca-

tion of inter-ethnic confrontation. Hungary's share in Ukraine's foreign trade is about 3 %, while Ukraine's share in Hungary's foreign trade is roughly halved. Therefore, the formula for a successful solution should be based on a political component.

One of the possible ways to accomplish this would be the creation of a wider regional context. If we accept that Ukraine and Hungary are part of a single region, establishing cooperation and maintaining a common consensus could significantly expand the capabilities of both countries. This would enable control over the level of escalation of the conflict. The context of the regional level can open up new horizons for both states, getting them out of their circular reasoning of only focusing on today's issues.

In Ukraine one will often hear references to the “Kremlin hand” and the fact that Ukraine's conflicts with its neighbors are in the interests of Moscow. Such an argument is unlikely to be convincing for Budapest: only 6 % of Hungarians consider possible escalation or expansion of the Russian-Ukrainian conflict a threat. It's safer and smarter to bet on the argument that a bilateral conflict undermines the potential of both Hungary and Ukraine.

It is also important to understand what interests are behind the voiced positions of both parties to the conflict. Sometimes such interests are simple enough, but more often they are rather complex. It's better not to guess or speculate on what the other party aspires, but smarter to open up the conversation and to actually know. Both Kyiv and Budapest are interested in an open dialogue on these issues. Expansion of communication, explanation of own motives and timely informing of intentions can strengthen bilateral trust, even in the context of a relationship crisis. In addition, understanding the

interests of the opponent opens the way to mutual concessions. The discovery of nuances will turn the black-and-white conflict between “good” and “evil” into a half-tone full picture. This, in turn, will allow looking at the possibilities for mutual concessions with the desire to find common solutions, rather than from the logic of a zero-sum game.

An additional useful step could be something like an informal agreement on the non-use of anti-Hungarian and anti-Ukrainian rhetoric in the internal narratives of both countries. It is obvious that national issues in both countries have become means of mobilizing the electorate and will remain for some time. National slogans, historical myths and ethnic symbols are much easier

to apply in a political struggle than unpopular and complex reforms. Nevertheless, it's necessary to discourage strong nationalistic rhetoric wherever possible. The boundary between patriotism and xenophobia or ethnic hostility must be drawn clearly.

Both countries could look for opportunities to implement joint projects in areas of significant interest to them: energy, regional security, ecology, and the fight against transnational threats. If it allows political elites to score more points than they do with aggressive rhetoric, then there will be a chance to get out of the most likely “collision of identities” and implement the “modus vivendi” scenario. A fully-fledged strategic partnership will still be far away, but the crisis, at the very least, can be overcome.

# CONCLUSIONS

Restoring good relations with Western neighbors and enhancing regional security could be one of the priorities for the new Ukrainian President and a quick win for his foreign policy. Regional dimension has always been important for Ukraine, and it is especially so today, when regional security institutions are significantly damaged by Russian revisionism. Geopolitical clashes between superpowers over Eastern Europe are escalating. Issues of energy security are getting more attention. The Eastern Partnership initiative is obviously not working properly. The region experiences the rise of nationalism and retreat of democracy – a combination which is not adding to stability and security. Ukraine is a part to these developments and has to make a contribution into restoring the regional security architecture. This task will also be of crucial importance for the new President.

A conflict with Hungary is mutually damaging. Conflicts between neighbors on the

basis of ethno-symbolism – languages, minority rights, interpretation of history – are dangerous and difficult to regulate. In such conflicts, the logic of zero-sum game dominates and, in the end, they often become a negative-sum game, in which all parties end up losing.

Both Ukraine and Hungary are losing out heavily by delaying the current crisis. They are losing time, opportunities, image and prospects. Ukraine has more to lose, probably, but the status quo can hardly be called a satisfactory relation between two potentially good partners. Both Kyiv and Budapest have experienced many sad and painful historical lessons that would have suggested that besides the interests of national selfishness, there are also regional security interests as well as an even broader transatlantic context. From overcoming the obstacle to cooperation, you can win much more than you have to pay for continuing them.



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