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THE IMPACT OF EUROPEAN INTEGRATION ON THE SYSTEM
OF MINORITY REPRESENTATION AND RIGHTS PROTECTION
IN UKRAINE, WITH SPECIAL REGARD TO THE SITUATION OF
THE HUNGARIAN MINORITY

Propositions of the Doctoral Dissertation

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I. Concise Summary of the Research Objectives and Aims of the Dissertation

The dissertation focuses on the status, representation, and legal protection of national minorities in Ukraine, with particular emphasis on the Hungarian community, in the context of the country's European integration efforts. The relevance of the research lies in the fact that Ukraine's social, political, and legal processes have undergone fundamental transformations over the past decade, significantly affecting both the legal status and the practical opportunities available of national minorities.

The starting point and main objective of the study is to explore to what extent the regulation of national minorities complies with international and European standards, and how these norms are implemented in practice with specific reference to the Hungarian community in Transcarpathia.

The dissertation addresses, among others, the following key questions:

- How have linguistic, educational, and representative rights evolved in Ukrainian legislation since 2014, and what impact have these changes had on the legal practice of the Hungarian community in Transcarpathia?
- What role do international organizations (the European Union, the Council of Europe, the Venice Commission, and the OSCE)

play in ensuring the enforcement and safeguarding of minority rights in Ukraine?

- Which legal-political, historical, and institutional factors hinder the effective functioning of minority protection, and what possible solutions may be envisaged?

The aim of the research is to provide a comprehensive overview of Ukraine's system of minority representation and rights protection, and to formulate well-founded proposals for the effective improvement of the situation of the Hungarian community in Ukraine.

II. Brief Description of the Research Conducted and the Methodology Applied

The research topic was examined through an interdisciplinary approach, combining normative, historical, functional, analytical, and comparative methods. In its introductory part, the dissertation outlines the significance of minority rights in the context of global and European processes, highlighting that the treatment of minorities is not merely a legal matter but also a deeply social and political issue. The historical and geopolitical context is of particular importance, as Ukraine's dual identity – between a Western-oriented Ukrainian national consciousness and a strong cultural attachment to Russia – has been a persistent source of tension. Consequently, the minority question has become a strategic dimension of state-building and national security.

The dissertation examines the legal-historical development of Ukraine, with particular attention to the status of national minorities following the dissolution of the Soviet Union. It presents the tensions between efforts aimed at strengthening Ukrainian statehood – which have often resulted in a narrowing of minority rights – and the country's international commitments, the contested elements of the European integration process, as well as areas of friction with neighboring states.

One of the pillars of the research was a detailed dogmatic analysis of the Ukrainian Constitution and minority protection legislation, complemented by the examination of relevant international and European Union norms. The legal material was further enriched by the documents of the Council of Europe, which carry significant weight in the context of international minority protection. The historical analysis traced the process of Ukrainian state-building, including comparative insights into the constitutional development of Romania. Shedding light on this legal-historical background contributes to understanding contemporary processes in Ukraine, particularly in relation to legislation aimed at reinforcing national identity

The dissertation presents the current legal framework and institutional system of minority representation and rights protection, highlighting its specific characteristics that often adversely affect citizens belonging to national minorities in this multi-ethnic country. It provides a detailed account of the evolution of Ukrainian minority policy from

1991 to the present day, with particular emphasis on the critical turning points in language and education policy.

The functional approach made it possible to explore how formal legal norms are implemented in practice, and to identify the guarantees and obstacles that affect the effective realization of minority rights. Through comparative analysis, Ukrainian practice was contrasted with certain solutions adopted in neighboring states, as well as with European human rights standards.

In analyzing the country's shift toward European integration, the dissertation identifies the measures required to bring Ukraine's normative framework on national minorities into alignment with the expectations of the European Union.

One of the major research components is the examination of the regulatory measures concerning national minorities in Ukraine, with particular focus on the development of state language policy and its impact on minority communities. The strengthening of Ukrainian as the sole state language has generated significant tensions, as it has restricted the use of minority languages almost entirely to the private sphere. Decisions of the Constitutional Court concerning national minorities, the disregard of international norms, and assimilation-oriented policy measures collectively undermine social cohesion and may jeopardize the success of European integration.

III. Summary of the Scientific Findings of the Doctoral Dissertation and their Potential for Further Utilization

A state's notions of national identity (or its concept of nationhood) are clearly reflected in its legislation on national minorities, as well as in its laws relating to language and education. Ukraine's minority policy raises serious questions with regard to its compatibility with international and European legal frameworks. Although certain legislative amendments have been introduced, they have generally failed to bring meaningful improvement in the legal status of minority communities, particularly the Hungarian population of Transcarpathia.

The Ukrainian political elite has amended linguistic and educational rights in ways that contravene both the Ukrainian–Hungarian and Ukrainian–Romanian basic treaties, despite the fact that, under Article 9 of the Constitution of Ukraine and Article 19 of the Law on International Treaties of Ukraine, international agreements ratified by the Verkhovna Rada form an integral part of the country's domestic legislation. Furthermore, Article 22 of the Ukrainian Constitution explicitly provides that 'in the adoption of new laws or in the amendment of existing laws, the content and scope of existing rights and freedoms shall not be diminished.'

An analysis of the often contradictory new laws reveals that Ukraine approaches its international obligations in principle only, without serious practical implementation. Neither the Framework

Convention for the Protection of National Minorities nor the European Charter for Regional or Minority Languages is consistently applied, and in their current form these international norms have proven inadequate to restrain the majority political elite from pursuing assimilationist policies.

The most important finding of the research is that although Ukraine's legal framework formally approximates European standards, in practice there are significant discrepancies and inconsistencies at the level of implementation and institutional functioning. The study established that the wartime environment and security narratives take precedence over efforts at international legal harmonization; moreover, certain laws – temporarily justified by reference to Russian aggression – discriminatorily restrict the rights of individuals belonging to the Russian minority.

At the same time, the dissertation also highlighted that Ukraine's minority protection system essentially seeks to ensure only the *minimum rights required* by international standards, while the preservation of social equality and the dominant unified nation-state narrative prevail. The analysis underscored the destabilizing effect of the restriction of linguistic and educational rights and pointed out that the mechanisms of international organizations have, on their own, proved insufficient to address these rights violations.

The scientific novelty of the dissertation lies in its integrated approach to examining the interconnections between normative regulation, historical background, and political-social factors, thereby

providing a comprehensive picture of Ukraine's system of minority protection. The findings of the research may be utilized on several levels: they can contribute to Hungarian and international constitutional scholarship, provide a foundation for further comparative studies, and serve as guidance for policymakers in shaping a more coherent and rights-centered regulatory framework.

As a further outcome, the research is expected to foster new channels of dialogue by thoroughly exploring the structures of minority representation and rights protection and by framing the underlying problems. Such dialogue may emerge not only between minorities and Ukraine's central and regional administrative bodies, but also among different minority groups, as well as within individual minority communities between various actors of interest representation.

The subject under examination raises undeniably topical questions in relation to Ukraine's accession to the European Union. In a country moving closer to the EU, the highest level of protection for minority rights would be best ensured through the institution of autonomy, a framework for community self-determination that has proven effective in preserving and fostering minority identity in many contexts. While the aspiration to create Ukrainian national unity is understandable, rather than restricting minority rights, the emphasis should be placed on building trust, fostering cooperation, respecting each other's cultures and identities, and cultivating a socio-political environment that fosters mutual enrichment through diversity.

The dissertation also formulates *de lege ferenda* proposals for Ukraine – both for the present wartime situation and for the post-conflict period – to ensure the success of European integration.

IV. List of Publications Related to the Topic of the Doctoral Dissertation

Móré, Sándor – Kovács, Viktória: The nature of administrative activities related to Hungarian communities beyond the borders. *Acta Universitatis Sapientiae Legal Studies*, 2025/1 (forthcoming).

Kovács, Viktória: The process of European integration in Ukraine: *Pacta sunt servanda* – Concluded contracts must be respected. *KRE-DIT*, 2024/1, 109–120.

Kovács Viktória: A különleges jogrend szabályozása Ukrajnában. *Kisebbségvédelem*, 2024/9, 7–40.

Kovács Viktória: Ukrajna államközi szerződéseinek nemzetiségi vonatkozásai. *Studia Iuris*, 2024/2, 120–138.

Kovács Viktória: Hadiállapot és mozgósítás Ukrajnában. In: Móré Sándor – Szilvássy György Péter (eds.): *Új védelmi és biztonsági dimenziók az orosz–ukrán konfliktus fényében*. Budapest, Károli Gáspár Református Egyetem, Állam- és Jogtudományi Kar, 2024, 151–170.

Kovács Viktória: Ukrajna alkotmányfejlődése a XX. század elejéig. *Jog és Állam*, 2023/45, 157–162.

- Kovács, Viktória: Defining the concept of national minorities in Ukraine. *De Iurisprudentia Et Iure Publico*, 2023/1, 82–93.
- Kovács Viktória: Ukrajna alkotmányfejlődése a XX. századtól napjainkig. *Jog és Állam*, 2023/46, 179–186.
- Kovács Viktória: Nemzeti kisebbségek Ukrajnában – definíciós kísérletek. *Jog és Állam*, 2022/41, 71–89.
- Kovács Viktória: Ukrajna és az európai integráció valósága. *Jog és Állam*, 2022/42, 135–143.
- Bicskei Tamás – Kovács Viktória – Rideg Gergely: Szabályozáskomplexitás: jogon kívüli szabályozási eszközök és jogállamiság. In: Homicskó Árpád Olivér – Birher Nándor (eds.): Szabályozáskomplexitás. Budapest, Károli Gáspár Református Egyetem, Állam- és Jogtudományi Kar, 2021, 57–98.
- Kovács Viktória: Ukrajna önkormányzati rendszere a reformok tükrében. *Jog és Állam*, 2020/32, 113–124.
- Birher Nándor – Bicskei Tamás – Kovács Viktória: Szabályozáskomplexitás. *Glossa Iuridica*, 2020/7, 285–313.
- Kovács Viktória – Móré Sándor: A határon túli magyar közösségekkel kapcsolatos igazgatási tevékenységek természetrajza. *Glossa Iuridica*, 2020/7, 239–267.
- Kovács Viktória: Nemzetiségi jogok Ukrajnában: Jár-e a kutyáknak morzsa? *Jog és Állam*, 2020/29, 151–160.

