

Introduction

Recent headlines have been abuzz with criticism directed at Hungary for extending its National Card scheme to Russian and Belarusian nationals, easing bureaucratic hurdles when seeking work permits. Critics, most notably the European Parliament, but also the European Commissioner Ylva Johanson, argue that Hungary's new scheme, which allows for residence permits that can potentially last up to five years with the option for family reunification, poses a security risk to the European Union (EU)¹. In a second European Commission (EC) letter issued at the start of September, clarification was requested on Hungary's actions, especially in the context of the EU's suspension of visa facilitation agreements with Russia in the summer of 2022².

While Hungary faces backlash for supposedly letting in too many Russian and Belarusian nationals, there is a broader picture that needs consideration. In 2023, despite the visa restrictions, EU member states collectively issued a **record 3.7 million first residence permits to non-EU nationals**³, representing a 4.7% increase from the previous year. This statistic reveals a more complex reality: *Western-bloc EU countries – despite being more emphatic about their concerns – are issuing permits to Russian and Belarusian nationals at significantly higher rates than Hungary.*

1) The Larger EU Picture: First Residence Permits and Blue Cards

The right for third-country nationals to work in an EU Member State primarily depends on the laws of that Member State. However, various EU legislative instruments regulate their admission and residence for the purposes of employment. First residence permits⁴, or first permits, are essential for third-country nationals seeking to enter and work in the EU. While the decision to grant these permits rests with individual states – each with its own procedures and admission criteria – they must still operate within certain EU-established parameters.

¹ European Commission. (2024, September 04). Commissioner Ylva Johansson's speech at the exchange of views with the LIBE committee on Hungary's National Card Scheme. *LIBE Committee on Hungary's National Card Scheme - European Commission*. Speech. https://ec.europa.eu/commission/presscorner/detail/en/speech_24_4545.

² Liboreiro, J. (2024, September 04). EU and Hungarian officials clash over visa scheme for Russian citizens. *Euronews*. <https://www.euronews.com/my-europe/2024/09/04/eu-and-hungarian-officials-trade-barbs-over-visa-scheme-for-russian-citizens>.

³ Eurostat. (2024, September 11). Residence permits – statistics on first permits issued during the year. *Eurostat*. ISSN: 2243-8219. https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Residence_permits_-_statistics_on_first_permits_issued_during_the_year&oldid=643911.

⁴ Eurostat-Statistics Explained. (2019, March 22). Glossary: Residence permit. *Eurostat*. https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Glossary:Residence_permit.

According to Eurostat, in 2023, approximately 33% of permits were issued for employment-related reasons, 26% for family reunification, 14% for education, and 25% for other reasons, including international protection⁵. The validity for these permits varies between 3 to 5 months, 6 to 11 months, and 12 months or over. Notably, among the 27 EU Member States, **Spain, Germany, Italy, and France recorded the highest number of first residence permits issued to non-EU citizens** in 2023 for a duration of 12 months or over⁶.

Parallel to national schemes, the “EU Blue Card” Directive – a reformed set of rules and a key instrument in the New Pact on Migration and Asylum – is intended to facilitate the admission and mobility of highly qualified third-country workers into the EU through a streamlined entry process⁷. Introduced in October 2021, these new rules complement national frameworks with provisions that ensure EU Blue Card holders are not disadvantaged compared to those holding national permits. While some Member States have been slower to adopt the scheme, **Germany (with 69,353), Poland (with 7,402) and France (with 3,912) have led the charge in granting Blue Cards.**

This discussion focuses on 2023 figures for first residence permits issued for employment-related reasons and EU Blue Cards granted to Russian and Belarusian nationals lasting 12 months or more. In that year, **Germany and Spain** issued the highest number of permits for employment to Russian nationals for a validity of 12 months or more with **5,576 and 4,271 permits, respectively – a figure which dwarfs Hungary’s 852 permits** and clearly encapsulates the fact that other EU nations are far more predisposed to Russian and Belarusian nationals.

2) Double Standards: Security Concerns or Unfounded Criticism?

One of the main criticisms leveled against Hungary is that it allegedly created a "backdoor" for potential espionage or sanctions evasion by allowing too many Russian and Belarusian nationals to enter the EU – a concern raised during the September 4th European Parliament⁸ hearing and during the Plenary debate of September 18th⁹. However, this argument is weakened when one considers that other EU countries issue far more permits than Hungary. Are we really expected to believe that foreign "spies" only enter the EU through Hungary and not through any other Member State's borders?

According to Eurostat, out of the 26,444 first permits issued to Russian nationals for employment purposes lasting 12 months or more in 2023, **over 60% were granted by just**

⁵ Eurostat, *supra* note 3.

⁶ Eurostat Data Browser. (2024, September 12). First permits by reason, length of validity and citizenship. *Eurostat*. DOI: 10.2908/migr_resfirst. https://ec.europa.eu/eurostat/databrowser/view/migr_resfirst_custom_12931154/default/table?lang=en.

⁷ European Council. (2024, January 27). EU blue card: attracting talent. *European Council | Council of the European Union*. Infographics. <https://www.consilium.europa.eu/en/infographics/eu-blue-card/>.

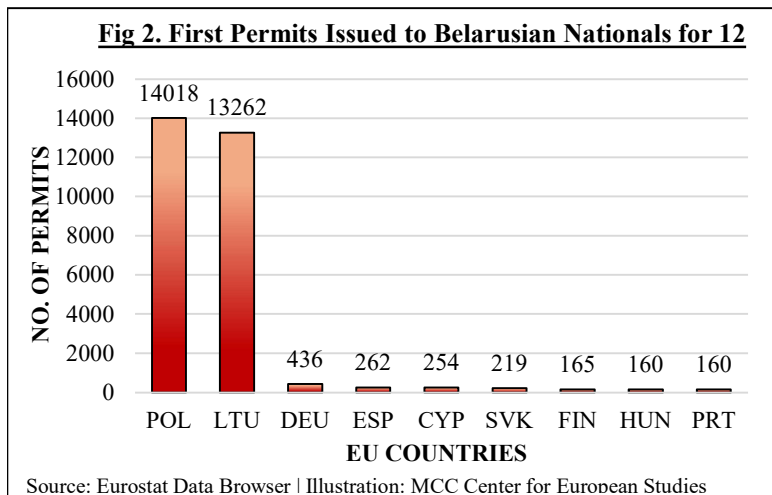
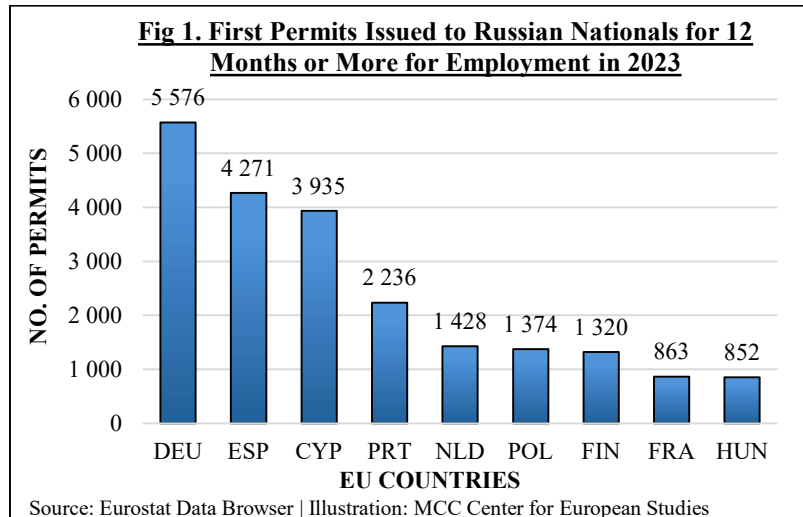
⁸ European Commission, *supra* note 1.

⁹ European Parliament. (2024, September 18). Verbatim report of proceedings - The Hungarian “National Card” scheme and its consequences for Schengen and the area of freedom, security and justice(debate). *European Parliament*. https://www.europarl.europa.eu/doceo/document/CRE-10-2024-09-18-TOC_EN.html.

four countries: Germany, Spain, Cyprus, and Portugal. Additionally, the Netherlands, Poland, and Finland each issued permits to more than 1,000 Russian nationals.

In contrast, Hungary's share of these permits is less than 4% – a minuscule figure. Yet, it is Hungary that has been

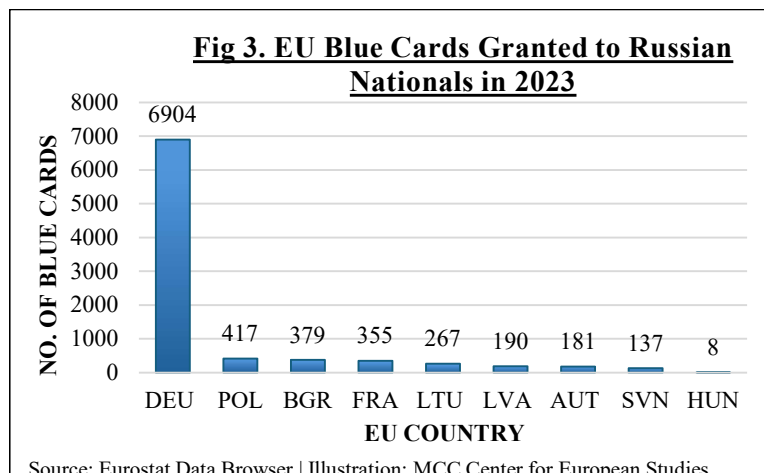
cast as a potential threat to the security of the Schengen Area. This discrepancy raises questions about whether the criticism directed at Hungary is genuinely rooted in security concerns, or if it reflects a deeper bias against policies that certain Western nations disapprove of. This pattern



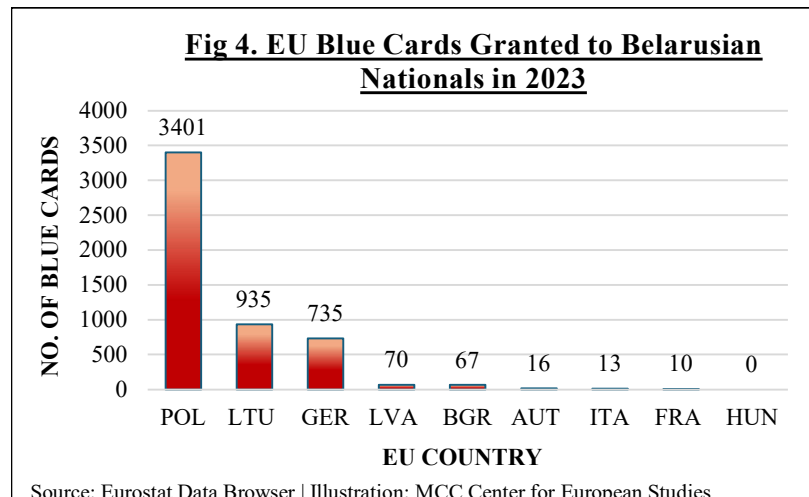
is also evident with Belarusian nationals, 92% of whom enter the EU through Poland and Lithuania, largely due to their geographic and political proximity to Belarus. Other Member States issued fewer permits, yet still a substantial number, with Germany, Spain, Cyprus, and Slovakia granting over 200 permits

each. Remarkably, Hungary and Portugal both issued 160 permits for Belarusian nationals, yet it is only the former which has to face the cannons from Brussels. A discrepancy unlike any other.

This inconsistency extends to the issuance of EU Blue Cards, suggesting that some Member States can enjoy the benefits of a highly skilled foreign workforce, while others are subjected to scrutiny and reprimands. In 2023, out of a total of 88,601 EU Blue Cards issued, 9,430 went to Russian



citizens and 5,290 to Belarusian citizens. **Germany alone accounted for 6,904 Blue Cards to Russians – 73% of the total** – followed by Poland, Bulgaria, and France, each issuing over 350 cards. Contrary to popular belief, **Hungary granted a mere 8 Blue Cards to Russian nationals**. For Belarusian citizens, Poland issued the most Blue Cards, followed by Lithuania and Germany. Together, these three countries accounted for over 95% of Blue Cards issued to Belarusians, while **Hungary issued none**. Given Poland and Lithuania's shared borders with Belarus, it is worth questioning why Germany, the third-largest issuer of work permits to Belarusians, avoids the same level of scrutiny that Hungary, which issued zero permits, consistently faces.



Conclusion

The ongoing tension between Hungary and certain European institutions exposes a critical fault line within the EU: an artificial political campaign against the former and unchecked double standards from the latter.

- While Brussels provides overarching frameworks, such as the Blue Card Directive, each Member State retains the sovereign right to craft its own immigration policies, including the issuance of first residence permits. **Hungary's approach**, far from undermining EU security, **is an exercise of this right recognized under European law**.
- Critics of Hungary's policy must grapple with an uncomfortable reality: other EU nations, including key Western powers, grant residence permits to Russian and Belarusian nationals at far higher rates. **Germany and Spain**, for instance, **have each issued over 16,000 first permits to Russians in 2023**, far surpassing Hungary.
- If the security risks are as dire as some claim, one would expect a unified, restrictive stance across the bloc. Yet the data reveals a patchwork of responses, suggesting that **singling out Hungary for criticism is not only misplaced but also hypocritical**.

The reality is that each Member State is exercising its right to determine its immigration policies based on national competencies and domestic needs. The notion that Hungary is uniquely circumventing EU rules does not hold up against the facts. The central question, thus, is not whether Hungary is undermining the EU, but **whether or not other Member States are actually restricting the entry of these foreign nationals**. Based on the data, **the answer is clearly no**. If collective security is truly the priority, a balanced conversation must be had, and Hungary's critics should look at the bigger picture before casting blame.