



31.3.2025

NOTICE TO MEMBERS

Subject: Petition No 0980/2024 by Wojciech Wasylina (Polish) on Hungary's National Card Scheme and its implications for the Schengen area

1. Summary of petition

The petitioner expresses deep concern and outrage over Hungary's recent extension of its "national card" immigration program, which now includes Russians and Belarusians, among others. This program allows cardholders to work in Hungary allegedly without needing security clearance and grants them the ability to bring their families to the country. The card is valid for two years, with the option of renewal, and cardholders do not appear in official labour statistics or national quotas. The petitioner believes this move by Hungary poses significant security risks, particularly to Poland and the Baltic states, due to their strong support for Ukraine and long-standing opposition to Russian aggression. The petitioner argues that this immigration policy exposes these countries to potential infiltration by Russian and Belarusian agents. The petitioner calls for strong EU action against Hungary, either through sanctions or by closing the Schengen borders to prevent potential threats.

2. Admissibility

Declared admissible on 10 December 2024. Information requested from Commission under Rule 233(5).

3. Commission reply, received on 31 March 2025

With the exception of the determination of the volume of admission of third-country nationals coming from third countries to the territory of the Member States in order to seek work, as provided for in Article 79(5) TFEU, which remains the exclusive competence of the Member States, the common immigration policy is a shared competence between the Union and the Member States. Consequently, as regards the admission of non-EU workers, Member States retain the right to apply national rules if those have not been harmonised at EU level. These

national rules cannot, however, jeopardise the security and the well-functioning of an area of freedom, security and justice without internal borders, as holders of residence permits (like holders of the Hungarian ‘National Cards’) may move freely on the basis of those permits and a valid travel document, within the territories of the other Member States for up to 90 days in any 180-day period.

The Commission continues to condemn in the strongest possible terms the unprovoked and unjustified military aggression of Ukraine by Russia. In this context, all actions taken at Union and Member States’ levels need to consider the security of the Schengen area as a whole. The Commission adopted specific guidance in 2022 on general visa issuance in relation to Russian applicants and on controls of Russian citizens at the external borders¹ in order to ensure additional scrutiny as this is a matter of the internal security of the Union. Against this background, the Commission maintains its deep concern regarding national schemes in Hungary covering Russian and Belarusian nationals.

The fact that Hungary has put in place a facilitated scheme to admit Russian and Belarusian nationals for the purpose of work, without considering the security concerns of the other Schengen States is regrettable and it undermines mutual trust.

Conclusion

The Commission strongly urges Hungary to exclude Russian and Belarusian nationals from the ‘National card’ scheme. The Treaties do not provide for an exclusion of a Member State from the Union.

¹ C (2022) 7111 final.