

EDITOR'S NOTE

In 2012 the European Union was awarded the Nobel Peace Prize 'for over six decades contributed to the advancement of peace and reconciliation, democracy and human rights in Europe.'¹ The unprecedented success of European integration lies in the functionalist, low politics method envisaged by Jean Monnet and Robert Schuman, premised on the attainment of the political goals of peace and the ever closer union of the peoples of Europe through relentless economic convergence. The Nobel Committee laid high hopes in the democratization mission of the European Union, stating that the desire for EU membership promotes democracy and human rights as well as bolstering the reconciliation process in aspirant states.²

However, the entrenched method of democratizing through free trade seems to have reached its limits in Eastern Europe, the showcase being the escalation of the conflict in the Ukraine in the wake of the polemics surrounding the European Union-Ukraine Association Agreement and the Deep and Comprehensive Free Trade Area. A warning sign could have been Armenia backing out of the same deal, choosing to join the Russian led Eurasian Union/Customs Union instead. Russia's hold on the post-Soviet states is a mixture of economic threats and Russian nationalism. While the EU may mitigate Russian punitive economic measures targeting disobedient states, the promise of trade preferences is inapt in tackling the interwoven issues of identity, nationality and minority status. The European Neighbourhood Policy guided by the imperative of convergence through trade and a package of democracy and human rights requirements may have to be refocused to better suit the complex ethnic and cultural characteristics of Central and Eastern Europe shaped predominantly by the history of the last two centuries. In particular, the deeply rooted and contentious questions of identity, historical wounds and ensuing political cleavages cannot be addressed through a 'one size fits all', economically driven process of integration.

Already the experience of the Central and Eastern European Member States of the Union shows that political integration and economic prosperity cannot serve as a panacea for deep-seated animosities between the peoples of the region: following accession, political opposition was rekindled. European states have sought various solutions to bind nationals living beyond state borders to the home country, especially by granting such nationals the status of citizenship. In 2010 the Hungarian Parliament amended Act LV of 1993 on Hungarian Citizenship in order to allow for the naturalization of ethnic Hungarians living

1 Source: www.nobelprize.org/nobel_prizes/peace/laureates/2012/eu-facts.html.

2 *Ibid.*

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beyond the country's borders as a form of historical compensation and kin-state constitutional commitment.

The thematic part of the present volume centres around these questions of nationality, offering insights into the different solutions European states employed to deal with the difficult issues of identity, loyalty and citizenship. The authors explore the gradually changing state approaches to multiple citizenship, as well as the shift in the focus of international conventions dealing with nationality. The interrelatedness of Member State and Union citizenship is vividly illustrated by the notorious *Rottmann* case, shedding light on the limits of Member State discretion in withdrawing citizenship. Although Union citizenship has failed to solve deeply rooted problems magnified in the process of Central and Eastern European nation state building, free movement and residence rights result in a gradual deterritorialization of citizenship, prompting the need for a rethinking of the established genuine link principle under international law.

Besides the thematic part, the second volume of the Hungarian Yearbook of International Law and European Law reports on current developments in the field of international law and European law, concluding with the latest implications of international law and European law in Hungarian state practice. We wish you a good read in the hope of welcoming in you among the readers of our upcoming 2015 volume of the Hungarian Yearbook in International Law and European Law!

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