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HUNGARY POLICY ALERT #4

Legalized vote tourism threatens next year's parliamentary election in Hungary

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An amendment passed by the Hungarian parliament in November introduced a new legal definition of 'residence': instead of the place where the citizen lives, it now stands for little more than a contact address in official communication. Though the change may appear minor and administrative, it could have far-reaching consequences for the upcoming parliamentary elections. By not requiring citizens to live at their registered address, the amendment opens the way for registering fictitious addresses without any sanctions, which some experts believe could in turn enable electoral fraud in the form of so-called vote tourism.



A [bill](#) containing an amendment to the law on the records of citizens' personal data and address (Law LXVI of 1992), passed on November 9 in the Hungarian parliament, changed the legal definition of residence. While previously it signified the address under which a citizen lives, under the new definition it essentially refers to the address that a citizen uses for official communication. It is no longer required that one lives at the place that is registered as their residence. Previously, with the prior definition in force, such a registration would have been considered forgery of public document and would have had criminal consequences. Now, however, should it be revealed that one does not live at the given address, the registration of the address remains valid and, due to an amendment to the Penal Code passed in the same bill, there are also no criminal sanctions as long as the citizen registered the address as residence at their own property or with the consent of the owner of the property. The bill was tabled by deputy prime minister Zsolt Semjén from the Christian Democratic People's Party (KDNP). The amendments [came into force](#) on November 17.

At first glance, the amendments may appear unrelated to the elections. In fact, the changes were justified by the government's intention to lessen citizens' administrative burdens. The bill's justification argues that the current registrations of residence often do not reflect the actual situation anymore as, according to the Central Statistical Office, over 625,000 citizens do not live at the address that is registered as their residence. The Hungarian Civil Liberties Union, a human rights watchdog, and Political Capital, a Budapest-based think tank, however, [point out](#) that the amendments have direct consequences that may seriously affect voting in the upcoming parliamentary elections, which is expected to take place in spring 2022.

Aside from various entitlements and obligations which are connected with one's address, registered residence in Hungary also grants citizens the right to vote in the parliamentary elections for the representative of the single-mandate electoral district where they are registered at. This vote comes on top of the one on national party lists which all Hungarian citizens have, even if they have no registered address in Hungary. By no longer expecting citizens to live at the address they registered as their residence, the amendments opened the door for the unsanctioned creation of fictitious addresses, that is ones where the given citizens never intended to live. Such developments would have two significant consequences when seen through the lens of the parliamentary elections. Fictitious addresses could now be registered in single-mandate districts other than the one where someone lives, which would grant them voting right in a district other than where they would vote otherwise. Additionally, citizens not living in Hungary could now register an address in the country and, on top of their vote on the party lists, they would thus gain the right to vote also in a single-mandate district. If done in mass, both would have the potential to distort the results of the elections in the single-mandate districts which decide 106 of the 199 parliamentary mandates.

Ringling the alarm bells is not unfounded. The practice of registering fictitious addresses ahead of elections, also referred to as vote tourism, is not unprecedented in Hungary, albeit until now it was illegal and could be sanctioned. A series of such incidents were reported both after the 2018 parliamentary elections and the 2019 local elections, just to mention the latest instances. In 2018, for example, [Hungarian-Ukrainian dual citizens registered en mass](#), at times as many as 200 people at one address, in Hungary's northeastern border region and thus gained the right to cast their ballot in a single-mandate district, too. [Dozens of cases](#) (generally including multiple instances of fictitious registrations) were reported following the local elections in 2019, similarly mostly in the northeastern counties of Borsod-Abaúj-Zemplén and Szabolcs-Szatmár-Bereg. In both instances, however, investigations rarely led to indictment and conviction. After the passing of the amendments, such practices are not even illegal anymore.

Given the precedent, it is reasonable to expect that the practice will continue in coming elections as well if there is nothing to deter those who organize and facilitate vote tourism. Even more so, since the parliamentary elections in 2022 promise to be tighter between two political blocks than the ones before. To improve their chances against the governing Fidesz-KDNP coalition, six opposition parties (Democratic Coalition, Dialogue for Hungary, Hungarian Socialist Party, Jobbik, Momentum and Politics Can Be Different) agreed to run on a joint list and field both a single prime minister candidate and common candidates in the 106 single-mandate districts in order to prevent the fragmentation of the



opposition vote. To facilitate the selection of the candidates, the parties [successfully organized primary elections](#) in autumn 2021 and achieved significant social mobilization with the help of civil society organizations. [As of November](#), support for the lists of the governing parties and for the united opposition is largely equal, with 48 percent of voters with a clear preference intending to vote for the former and 49 percent for the latter.

With such a tight race in sight, potential vote tourism, which can now take place without legal consequences, may not only distort election results but could potentially decide 'battleground districts' and with them parliamentary mandates. Sharing the concerns of watchdogs about opening the way for potential electoral fraud, opposition parties [announced](#) that they would turn to the Constitutional Court requesting the annulment of the amendments, and call on the National Election Office to publish daily updates on the number of citizens registered in the various districts. As of December 5, no case has yet been registered at the Constitutional Court.

The article was closed on 7 December 2021.

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