Info Sheet

ON THE BIRTH REGISTRATION AND THE CITIZENSHIP REGISTRATION OF THE NEWBORN CHILD OF MOTHER WHO FLED UKRAINE AND GAVE BIRTH IN HUNGARY

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In this info sheet, we only describe the civil registration procedure for children born in Hungary to women of Ukrainian nationality, as the procedure is much more complicated in their case. On the one hand, because there is no easily available information on the procedure, and on the other hand, because the citizenship of the children of Ukrainian parents is entered in the register as "unknown", while Ukrainian-Hungarian dual citizens can register their children in a simpler procedure, automatically receiving Hungarian citizenship.

The procedure of birth registration

To register a newborn child, the registrar needs to know whether the child is born in or out of marriage. If the child is born in a marriage, a certified copy of the marriage certificate must be presented for registration. It is important to know that registrars can only accept the translations made by the Hungarian Office for Translation and Attestation (OFFI). This document can be translated at a reduced price from Ukrainian to Hungarian (5.000,-Ft + VAT).

If the baby is not born in marriage, the mother must provide proof of her family status ("hajadonsági nyilatkozat"). This can be certified by a declaration issued by the Embassy of Ukraine in Hungary. For this declaration you don't need to book an appointment at the embassy in Budapest. In the case of the Consulate in Nyíregyháza, please call this number: +3642501015. It is important to know that the administration process involves filling in documents in Ukrainian, so confident reading and writing is a prerequisite for the paperwork. The declaration issued by the embassy will be countersigned by the consul, for a fee of about 7.000,-Ft. This amount can be paid only by card in Budapest, and by postal check in Nyíregyháza. The document will be prepared on the spot, but only in Ukrainian, so you will need to obtain a certified Hungarian translation from the OFFI before the birth registration process. The declaration is not one of the documents that can be translated at a reduced rate, the cost of the translation ranges between approx. 16.000-19.000,-Ft.

As this process is time-consuming, and the newborn baby cannot apply for temporary protection status, is not entitled for free medical care or subsidies etc. without the birth certificate, therefore we recommend that you arrange the paperwork before the birth, so that the marriage certificate or family status declaration and their translations are already available by the time you go to the hospital.

For birth registration, the necessary documents are usually collected in the hospital and the birth certificate can be picked up at the local Registry Office ("Anyakönyvi Hivatal") on the day of discharge or a few days later[1].

Acknowledgement of paternity

If a newborn baby is not born in marriage, he or she will be given the name of the mother and the father will not appear on the birth certificate. If the parents want the father's name to be registered and the child to be given the father's name, a **paternal acknowledgement** ("apai elismerő nyilatkozat") must be made.

Unfortunately, the procedure for this is not uniform, so in all cases we recommend that couples ask their local registrar before the birth what they will need to do. There are some registry offices where the waiting list for registration is so long that it is not possible to make a declaration before the birth. We have also come across cases where the couple is explicitly asked to wait until after the birth to contact the registrar.

Note: if you apply for paternal acknowledgement after obtaining the baby's birth certificate, you can start the procedure at any Birth Certificate Office, not necessarily at the same office where the birth certificate has been issued.

What is certain is that you will need proof of the mother's marital status in Hungarian (certified translation by OFFI) and valid passports of both parents. Some registrars also ask for the birth certificates translated by OFFI, official proof of their Ukrainian address (issued by the Ukrainian Embassy) and the residence permits of both parents. It is also important to note that if one of the parents does not understand or speak Hungarian, they must provide an interpreter. The interpreter can be someone without an interpreter's license, but must speak the foreign language used in the procedure at a level that allows him or her to translate the questions and answers. The interpreter can not be a direct relative of the persons making the statements.

Registration of Ukrainian citizenship

The citizenship of the child of a mother of Ukrainian nationality is entered as "unknown" in the Hungarian-language birth certificate. In order to the child's citizenship to be established, an application for recognition of Ukrainian citizenship must be submitted to the Ukrainian Embassy.

However, two more steps must be completed before the family can submit the application to the embassy:

[1] The registration of the child will take place at the Registry Office of the district where the newborn was born.

- The first step is to authenticate (legalize) the birth certificate, which means that an apostille certificate is added to the document. The form needed to apply for legalization can be downloaded at the Konzinfo Start webpage (https://konzinfougyseged.mfa.gov.hu by clicking on the menu Online forms/Application for legalisation. Here you need to fill in the required fields and print the application, and then submit it to the Ministry of Foreign Affairs and Trade in person or by post, together with the birth certificate, after transferring the fee of 5.500,-Ft.

- The next step is to translate the birth certificate with the added Apostille certificate to Ukrainian in OFFI. This costs about 20.000,- Ft.

Once the family has received the Hungarian birth certificate with Apostille and its Ukrainian translation, they can apply for Ukrainian citizenship. For this procedure you do not need to make an appointment in Budapest[2]. The ability to read and write in Ukrainian is also essential for this type of case. In addition to the above documents, personal documents of the parent(s) will also be required.

You will not receive the certificate of registration of Ukrainian citizenship on the day of the procedure, only 1-2 working days later. We usually recommend that during these few days the parents have an official photo of the child taken (showing the newborn with eyes open, in front of a white background, the head of the baby filling 80% of the photo). At the same time as the citizenship certificate is received, the request can be made to have the newborn included in the passport of the parent/legal guardian and from then on the newborn can leave the country.

The Embassy draws attention to the fact that the document recognising Ukrainian citizenship is issued only once and cannot be replaced.

In our experience, the original birth certificate with the Apostille certificate, translated into Ukrainian, together with the citizenship recognition document is sufficient to register the child upon return to Ukraine.

It should be noted, however, that some registrars believe that the procedure is finished when - after receiving the document recognizing Ukrainian citizenship - they issue a new birth certificate, which states that the newborn is a Ukrainian citizen. This procedure involves the following costs:

- translation of the citizenship recognition document into Hungarian - approx. 22.000,-Ft,
- the Apostille certificate of the new birth certificate - 5.500,- Ft, then
- translation of the birth certificate with the added Apostille certificate into Ukrainian - 20.000,-Ft

[2] If you need to contact the Consulate in Nyíregyháza, you can call this number: +36 42 501 015

Useful links

1. Website of the Embassy of Ukraine in Hungary
2. Hungarian Office for Translation and Attestation (OFFI)
3. Information on the certified Hungarian translation of documents of persons affected by the Russian-Ukrainian war
4. Certification of Hungarian public documents for foreign use