

## APPEAL

On behalf of the Hungarian community of Romania, we hereby appeal to the European Commission and the European Parliament that the **upcoming Romania Country Report mirrors the vital problems of Romania's Hungarians, as itemized in previous Romania Reports, since those have not yet been settled.**

In 2004, 2005 and 2006 Regular Country Reports and European Parliament resolutions requested Romanian authorities to take urgent steps closely connected to the survival of the native Hungarian minority in Romania:

- "Emphasizes the need to speed up the implementation of the law on the restitution of property"
- "Expresses its disappointment over the continued delay in the adoption of the law on minorities" and "the debate on the draft law on minorities in parliament should be closely followed. Additional efforts are also needed to combat racism, discrimination, xenophobia and all forms of intolerance"
- "Expresses disquiet that discriminatory measures are still contained in the electoral laws and repeated in the draft law on minorities"
- "Expresses its wish that the law on minorities is approved as soon as possible respecting the political criteria"
- "Reiterates that additional measures need to be taken to ensure the protection of the Hungarian minority in accordance with the principles of subsidiarity and self-governance"
- "Calls on the Romanian Authorities to fully sustain higher education for the Hungarian minority by providing the financial means needed"
- "Calls on the Commission to continue to monitor the preparations for accession with rigour and objectivity and to help the Romanian authorities fulfil their commitments, while taking care to follow developments, not only in terms of commitments given but also in terms of their implementation at local level, in the areas where changes have been requested in its previous reports"

Transylvania's Hungarians have always been committed to Romania's democratisations and integration to the European structures by fulfilling the Copenhagen criteria. Our community interest is to live in a country integrated into the European Union being able to respect and to apply European norms and practices, including the field of protection and self-governance of national minorities similarly to many European countries: Italy, Spain, United Kingdom, Finland, Denmark, Germany, the Netherlands, Belgium, etc. These countries successfully applied the principles of subsidiarity, power-sharing and self-governance in the relation between majority and minority, in the framework of democracy and state of law.

Brussels, 11 September 2006

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## TRANSYLVANIAN HUNGARIANS FORGOTTEN

**Besides the achieved results since the 1989 fall of the communist dictatorship, Romania's society is still bothered by serious unsettled issues. Corruption, predilection of jurisdiction as well as the unsettled vital questions of minorities – including the Hungarian community – are such major neuralgic points.**

With respect to the Hungarian community, the following neuralgic problems are still unsettled: delaying restitution of church and community property; limiting mother-tongue higher education; prohibition of re-establishing and/or establishing the Hungarian-speaking state university; objection of Transylvania's Hungarians' efforts to gain autonomy; neglecting the national-cultural rights of Csángó Hungarians and continuing their artificial assimilation; discriminating minority churches; obstructing the re-establishment of denominational education; sustaining the internationally criticised electoral law which discriminates minority communities.

This is why Romania's Hungarians were astonished to see that while previous Romanian country reports included itemised lists of Transylvania's Hungarians' problems waiting to be settled – the elaborators of the 16 May 2006 report simply forgot about the Hungarians of Romania.

It is important to note, that the problematic issues as included into the 2005 Romania report have not yet been settled.

On 15 December 2005, the **European Parliament** resolution on the extent of Romania's readiness for accession to the European Union /2005/2205(INI)/ **identified five major deficiencies** facing the country's 1.5 million-strong Hungarian community. The Romanian government has failed since then to institute meaningful action to fulfil the criteria: **(1)** to adopt a law on minorities; **(2)** to remove discriminatory measures from the electoral laws; **(3)** to take measures to protect the Hungarian minority in accordance with the principles of subsidiarity and cultural autonomy; **(4)** to fully sustain higher education for the Hungarian minority by providing the financial means needed; **(5)** to speed up the implementation of the restitution of church property.

(1) A **draft bill on national minorities in Romania**, prepared by the Democratic Alliance of Hungarians in Romania (member of the government coalition), was submitted by the Romanian Government to the Parliament. The bill on national minorities intended to be a basic law, and due to the opinion of the civic society and experts it needs to be amended in due course on the following:

- The draft does not provide to the elected bodies decision-making but only consultative tethers.
- Institutional security is very low. The draft often remains on a declarative level without providing institutional or decision-making guarantees.
- Minority institutions dispose on undefined financial resources. This even makes the activities of their limited tethers ambiguous.
- The draft does not define church autonomy. The establishment of church education institutions is not described as a basic right but assumes it possible "within the frames of the law". Keeping in mind that the Hungarian churches of Transylvania have not yet been restituted 90% of their property confiscated by the state it is feared that a new discriminatory act is prepared to limit the activity of minority churches.
- The prescriptions regarding the participation of minority organisations at the elections are resulting the formation of a political one-party system, the monopolisation of organisations having already representation at the parliament and the institutionalisation of the lack of a democratic control.

The draft bill on national minorities was submitted by the government coalition on 19 May 2005. Paradoxically the two determining parties (Democratic Party – PD, and the Conservative Party – PC) in the governing coalition turned against their own government's proposal.

(2) In 2004, the Romanian Parliament just couple of weeks before the elections **amended the law on elections**. The discriminatory provisions concerning the participation of minority organisations in the political life was strongly criticised by international institutions, such as the European Commission, OSCE, US State Department, Council of Europe, Venice Commission, etc. Human rights NGOs in Romania firmly condemned the regulations of the law on elections together with the party law. Several organizations representing different local and regional groups of national minorities were excluded from the elections. By blocking organizations representing the Roma community and the Hungarian Civic Alliance and some other minority organisations from the electoral race violated basic values of democracy; while their participation would have ensured political pluralism and freedom of choice for citizens: an important step forward from merely ethnic-based voting. By adopting and applying the current Law on Local Elections, Romanian authorities are violating the Copenhagen criteria, the European Convention for the Protection of the Human Rights and Fundamental Freedoms, the Framework Convention on the Protection on National Minorities and the European Charter for Local Self-governments. Despite these warnings and calls, the discriminatory descriptions of the Romanian electoral law are still in force.

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(3) The peace treaties that attached Transylvania to Romania (1920 and 1948) granted broad rights to the **Transylvanian ethnic minorities**, including the Transylvania's Hungarians. Romania assumed full responsibility to provide these rights. These international obligations have never been observed by the Romanian state. On the contrary, in the last 8 decades governmental oppression of ethnic minorities has manifested itself in a "population purge" of historic proportions. This has resulted in a decrease of non-Romanian inhabitants of Transylvania, from about 50% (1918), to less than 25% (2002). The fact that the National Assembly of Alba Iulia had proclaimed (1 December 1918) the basic principles for both the creation of the new Romanian state and the rights of the national minorities in a single document meant a political guaranty in Romania's judgment. The third point of the Proclamation declares as basic principle: "*Total national freedom for all co-inhabiting peoples.*" Romanian historiography considers, the Alba Iulia Declaration the legal base of the formation of the new Romanian state. Nevertheless, in questions concerning national minorities the Romanian state has been pursuing a policy contradictory to the initially declared intentions. As a consequence of discrimination, humiliation and abuse, the Hungarian community in Transylvania lost about 200,000 people between 1992 and 2002. Or, as a result of decades of forced assimilation and prohibition against studying their native language, only an estimated 65,000 of 300,000 Csángó can speak or understand Hungarian. The progress achieved by a 5-year civic campaign to restore long-prohibited language rights to the geographically isolated Csángó Hungarian community living in the Moldavia region of Romania, is in jeopardy, though the Council of Europe Parliamentary Assembly recognized the need to preserve and support the Csángó Hungarian's endangered archaic and distinct culture (Recommendation 1521). The only way to stop the institutionalized destruction of Transylvanian Hungarian culture and to guarantee the human rights and full and factual equality of Hungarians as Romania's citizens is to provide them with autonomy. This should include the re-establishment of the centuries old tradition of territorial and economic autonomy in the Szekler Land area (prohibited in 1968), and a personal based autonomy for Hungarians living widely spread throughout Transylvania. Transylvania's Hungarians are determined to join Europe in exercising their universal human rights as an autonomous and prosperous community within Romania.

(4) A most striking example of destroying the Hungarian culture is revealed by the obstruction of the Romanian government in **re-establishing a Hungarian-language state university**. Although the Hungarian population of Romania goes beyond 1.5 million, the Romanian authorities continue to

refuse this lawful demand supported by almost 500,000 signatures since 1996, and the fact that, the ethnic Hungarian population of Romania contributes to the tax revenue of the country. Six Nobel Prize laureates are among the 79 distinguished scholars and public figures, in a 8 February 2006 open letter, also called upon the President and Prime Minister of Romania as well as José Manuel Barroso, President of the European Commission, to restore the Hungarian-language Bolyai University in Kolozsvár/Cluj.

Official statistics clearly show that Hungarian students are significantly under-represented at Romania's colleges and universities, and are thus under-educated and disadvantaged compared to ethnic Romanians. According to the 2002 national census, 6.6 percent of the country's population is ethnic Hungarian; but in the 2004/2005 academic year, only 4.4 percent of students enrolled in institutions of higher education were of Hungarian nationality. In other words, an estimated 13,000 Hungarian youth are missing out on a college education. Even more disturbing is the fact that only 1.6 percent of all students enrolled in higher educational institutions can study in Hungarian – leaving 19,136 Hungarian students deprived of this opportunity.

(5) Romania's failure to restore **confiscated church property** represents a fourfold breach of international commitments. By failing to undertake timely and necessary restitution measures, the government (1) curtails religious liberties, (2) violates the sanctity of private property, (3) encroaches on the rights of minority communities, and (4) denies the material resources to build civil society. In more than sixteen years since the 1989 fall of communist dictatorship, there has hardly been advance in the settlement of this issue, though the Council of Europe's Recommendation No. 176/1993 as well as Decision No. 1123/1997 compelled Romania for the complete restoration of church properties due to the principle of *restitutio in integrum*. Though, the Romanian Parliament adopted Law No. 501/2002 on the restitution of properties illegally confiscated from religious denominations under communism but progress in processing has been and continues to be impeded and obstructed. We seek to emphasise that Hungarian-speaking churches presented reclaims for over 2,000 estates, which are necessary for our religious, charity, educational and social activities. Up to this day Hungarian-speaking churches still demand the overwhelming majority of their confiscated property.

The 2005 law package aiming to amend and fasten the process, restitution is still very slow due to the resistance of local authorities, administrative obstacles and especially by judicial authorities.

## RECENT AGGRESSIONS AGAINST HUNGARIANS IN TRANSYLVANIA

### Railroad worker beaten up by jail guards

According to the notification of a Hungarian public broadcasting station the gateman of the railway station of Csíkszentsimon (Szekler Land, East Transylvania) was beaten by drunken jail guards. The railroad worker intended to appease the four men, residing in the nearby car, to lower the roaring music. "Don't you like Romanian music?" – was the exclamation, followed by barbaric attack. The defenseless worker was saved by some eyewitness, who transported him to the nearest hospital. The man suffered bad injuries that could be cured only after 8 day of treatment.



### Assault against children



The target of another discriminatory assault was not an adult but innocent children in Sibiu/Nagyszeben. The children simply spoke among them their Hungarian mother tongue which affected the brutal assault of the Romanian bus driver, who declared that if the children live in Romania, they must speak Romanian. The father of one child formulated a libel by sending it via post to the chairman of the travel company. The answer of the chairman was the following: "those people who are not willing to speak Romanian in Romania do not certify civilized attitude". The case is examined by the National Council to Combat Discrimination. We need to add, that Sibiu/Nagyszeben city is actually the Cultural Capital of Europe in 2007.

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Previous Transylvanian Monitor issues are available at:

[www.emnt.org](http://www.emnt.org)



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**HUNGARIAN NATIONAL COUNCIL OF  
TRANSYLVANIA**  
SZÉKELY NEMZETI TANÁCS

*The Hungarian National Council of Transylvania is a public organisation, which aims at representing the interests of the indigenous Hungarian community through parliamentary structures and means by preparing, sustaining and proposing for approval legal measures to ensure the forms of autonomy demanded by the community.*

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