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ATTACHMENT

International Affairs Committee
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CONCERNS RELATED TO THE HUNGARIAN MINORITY IN TRANSYLVANIA

SHORT HISTORICAL BACKGROUND

According to the census of 2002, over 1.4 million ethnic Hungarians live in Romania, the majority in three counties of Transylvania. They constitute 6.6% of the total population. Transylvania was a part of or culturally attached to Hungary for over a millennium until the peace treaty concluding the First World War, when without a plebiscite the region was assigned to Romania.

LINKS TO THE PRESENT

Numerous European countries have minorities whose aspirations at retention of their ethnicity is satisfied by regional or cultural autonomy. Excellent examples are the Catalan region of Spain, Southern Tyrol in Italy and several areas of the UK. Even the Gagauz, descendants from the Seljuk Turks, have their own autonomous region within Romanian-speaking Moldova. The Hungarians of Romania have requested the application of European practice regarding autonomy to their community, but all attempts have been blocked at all levels by Romanian authorities.

CURRENT PROBLEMS

Discrimination based on ethnicity, open or disguised, the lack of enforcement of laws and unfulfilled pledges to respect human rights are the primary complaints of members of the large Hungarian minority in Romania. Romania, upon admittance to the European Union as well as NATO has obligated itself to western norms in the treatment of minorities. The Hungarian minority, as well as the Roma (Gypsies), continues to be under pressure in all walks of life. Some are blatant. Recently the press in Cluj reported assaults on pedestrians whose transgression was speaking in Hungarian. One of the assaults occurred in front of a local police station. The perpetrators are still at large.

Romania ratified the European Charter for Regional or Minority Languages in 2008 and earlier in 1995 the Framework Convention for the Protection of National Minorities. The latter states in part that *"in areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if there is sufficient demand, the parties shall endeavor to ensure, as far as possible and within the framework of their education systems, that persons belonging to those minorities have adequate opportunities for being taught the minority language or receiving instruction in this language."* The Romanian Law on Education sets the grounds for education in languages of national minorities but stipulates that geography and history of Romania must be taught using the Romanian language. This contradicts the Romanian commitment to the Framework Convention. Schools teach the History of Romanians not the History of Romania. The distinction is important. The latter would include the history of the minorities, the former does not.

The Romanian Constitution guarantees minority rights, including the right to be educated in one's mother tongue at all levels. Unfortunately the facts on the ground are different. The former Hungarian University of Kolozsvár was folded into the Cluj-based and now called Babes-Bolyai University (UBB) by the Stalinist Ceausescu regime. Twenty years after the regime change, the Hungarian Bolyai University in Cluj still has not been restituted to their rightful owners. Even the establishment of Hungarian-language faculties within UBB is still being blocked. Hungarian students can't get their education in many fields in their mother tongue. The rector of UBB declares the university to be multi-cultural. Yet when Hungarian faculty members attempted to display public signs also in Hungarian, such as 'no smoking', they were terminated.

The educational level of Hungarians is lagging behind those of Romanians. While 7.6% of Romanians have gone to college, only 4.9% of ethnic Hungarians have done so. Restrictions on language use are wide spread. In the exam that all high school students who want to go to college must pass, those who attended high school where instruction was taught in the language of the minority, students must take the Romanian exam identical to that given to those whose mother tongue is Romanian. This puts minority students at a decided disadvantage.

Csangos, a Hungarian-speaking and Catholic ethnic group, have repeatedly complained that the Roman Catholic Bishopric of Iasi in eastern Romania does not allow the use of Hungarian in religious services. This is a violation of the freedom of religion. Csangos wishing to educate their children in Hungarian are intimidated and prevented by local administrators. In Luizi Calugara, Bacu County, Hungarian used to be part of the school curriculum. Now school administrators prevent it. In Arini, where Hungarian was taught as an extra-curricular activity, the mayor filed a complaint with the police due to "unlawful teaching activities". Csango children are forced to attend schools where speaking Hungarian is forbidden. In Valea Mare in 2008 children were threatened with bad grades in school if they attended Hungarian classes. Authorities prevent the teaching of Hungarian even in private houses.

In 2001 the Council of Europe issued its Recommendation 1521 on the Csango Minority Culture in Romania. It states that *"Despite the provisions of the Romanian law on education and the repeated requests from parents there is no teaching of Csango language in the Csango villages. As a consequence, very few Csangos know how to write their mother tongue"*. In 2006 President Basescu established a parliamentary commission that documented the atrocities of communism in Romania. The report devotes some space to the forced assimilation of the Csangos.

Notwithstanding the Romanian signatures on the European Charter for Regional or Minority Languages, the Framework Convention and the Romanian Constitution, the Csangos are prevented from learning and using their mother tongue. The concept of law and order and adherence to the commitment to minority rights is publicly and repeatedly assured but effectively violated.

The content of school books is biased conveying negative stereotypes of minorities. Excerpting from a Pro Europa League publication¹, *"Compared to Romanians, who have been living here "for all times", minorities come as nomadic people with an inferior, repulsive culture: "the nomadic populations have found in the Roman Dacia province a population with superior civilization"; "uncountable barbarian seeds from the Far East have passed here as waves over a rock of stone. Ostrogoths, Sarmatians, Roxolans, Vizigoths, Avarians, Huns and diverse Asian people left behind sorrow and death"; in the subject of World History in the chapter about the sedentarization of nomad populations only the slav [sic] population are presented. Hungarians appear only as the people who have occupied Transylvania. In general, the medieval history of Transylvania is falsely ethnicized; many phenomenons are not placed in their real historic contexts. In the chapter about Modern Age, many pedagogical materials do not mention anything about the Holocaust, what is more, Ion Antonescu is presented as a positive personality in Romania's History, a perpetuator of noble ideals."*

Religious education in school is mandatory. Parents, by submitting written requests, can get their children excused from the religious instruction class. However, according to the Pro Europa League, the material taught favors the Orthodox Church making it out to be the only legitimate church. Based on a survey of students, a strong antipathy toward all other religions, including the Catholic Church and the Protestant Churches to which members of the Hungarian minority belong, is fostered by the required religious instruction. In 2008, the Ministry of Education stopped teaching about evolution while in religious instruction students learn that God created the world in seven days.

The Romanian Constitution guarantees education in the mother-tongue. Facts on the ground are different. In Mures County, for example, in the plan for 2009 out of 2,000 students of Hungarian ethnicity in the 8th grade only 1,400 are guaranteed places in Hungarian language trade schools. For the 3,700 Romanians 4,200 places are guaranteed in schools of their choice. The number of classes taught in Hungarian has also been cut back in Reghin and Sighisoara.

Though over two-thirds of the population of Covasna County is ethnic Hungarian, the ruling political parties insist that all institutions be headed by trusted insiders that in effect exclude Hungarians. In law enforcement Hungarians are not even considered for top positions.

27.3% of ethnic Hungarians in Romania live under the poverty line. This is especially bad in rural areas where up to 50% of the Hungarians live in poverty. The roads in the three counties where ethnic Hungarians constitute the majority are among the worst kept roads in Romania. Deficient infrastructure defers potential investors from considering the area for investment and development.

Twenty years after the fall of Communism, two thirds of the seized properties have not been returned to their rightful owners. Only 24% of the confiscated properties of the historical Hungarian churches have been returned. About forty percent of the official real estate records are reported to be missing in Cluj. Without the official records, restitution is not possible. The restitution of agricultural and woodland properties is also incomplete. In numerous instances, when it becomes known that the seized property may have to be returned, the present occupants cut down and sell the lumber. Under some circumstances, the confiscated property cannot be returned according to the government. For these cases a fund was to be set up to finance the compensation. Unfortunately, the funding, according to the U.S. State Department report ², still has not been finalized.

Legal remedies are difficult to obtain. According to Transparency International³, Romania is most corrupt in the European Union and the judiciary “continues to be perceived as one of Romania’s most corrupt institutions”. Legal redress is politically compromised. Numerous communist era legal decisions, though recently appealed have not been remedied. An excellent case is that of the eminent and, before the war, landowning Hungarian novelist Albert Wass, who was falsely convicted of war crimes in absentia. The charge was incitement to murder even though he was not even present where and when the alleged crime occurred. The Romanian law stipulated the expropriation of the property of those who committed war crimes. The reason for the accusation against Wass was obvious and bogus. It was a convenient means of expropriating his property. At the time of the ‘crime’ Hungary and Romania were not at war, thus a war crime would have been impossible to commit. Recent attempts at rehabilitating Wass in the Romanian courts have not been successful. An interesting side line to this case is that the Wass family emigrated to the U.S. after the war. One of Wass’ sons graduated first in his class at West Point and later became a Brigadier General of the U.S. Army. Background checks by the U.S. Citizenship and Immigration Services as well the U.S. Department of Justice found no basis in the accusations leveled at Albert Wass.

Though the population of Cluj is close to one fifth Hungarian, there is concentrated effort to exclude everything of the visual landscape that would remind of its thousand year old association with Hungary. At the last meeting of the committee to approve new street names, for example, despite several requests, of the around forty names not a single one was given a Hungarian name. In 2001 Law # 215/2001 was adopted regarding local public administration that authorizes bilingual street sign in localities where the minority population exceeds 20%. However, as noted in reference 1, "public authorities of Romania do not consider that the names of streets would be information of public interest, therefore it refuses their bilingual inscription".

Discrimination based on ethnicity is open and widespread. By government edict, large number of officials in managerial positions with Hungarian background was terminated. The terminations were not based on performance but on ethnicity. The affected persons were told not to re-apply for their lost jobs even though selection is supposedly based on merit. In Cluj, a city with a Hungarian past where before the forced resettlement less than a generation ago had a large Hungarian majority, the city administration decided to post historical markers on over one hundred buildings. The signs are to be in three languages: Romanian, French and English. Hungarian will not be included even though estimates are that 80% of the visitors come from Hungary. This mindset is also illustrated by the following case. An ad for the position of head-librarian for a town that is three-quarter Hungarian and where the requirement was made that the applicant must know Hungarian was ruled to be discriminatory.

Three counties of Romania have Hungarian majorities. Based on official statistics of state aide, these three counties receive the least aid. Even within these counties, those districts which are more heavily Romanian populated receive more aid per capita than those where Hungarians are in the majority. Also, schools that have Hungarian pupils receive less per capita aid than those where Romanian speakers are predominant

Visitors to the main Romanian Orthodox Church in Targu Mures are greeted by a large fresco that depicts men dressed in traditional Hungarian dress beating Jesus. Standing to the side, in traditional Romanian garb, with tears in their eyes, is a man and a woman. Aside from the obvious fact that at the time of Jesus, Hungary did not even exist, the racist nationalist connotation cannot escape the visitor. Nothing has been done to force the Orthodox Church to remove the offending fresco from the public sphere.

The Romanian State does not finance the preservation or restoration of historical sites with Hungarian ties. When requests are submitted, the state asks for land register records. In many cases these records are not available since in the course of the Romanian nationalizations these records have disappeared or are in the state's possession. Thus even churches built over a millennium ago do not receive the funds needed for preservation and are allowed to disappear because of their ethnic ties.

ACTION NEEDED

Hungarians constitute the predominant autochthonous population of Transylvania. They have no intention of emigrating, giving up their language or cultural heritage. Transylvania is their home. They participate in the political process. In the parliamentary election of November 30, 2008 the Democratic Alliance of Hungarians in Romania (DAHR) received 6.7% of the cast votes and as the fourth most popular party and is represented in parliament. Since the DAHR is not part of the new governing coalition, ethnic Hungarians are systematically being removed from positions of control at all strata of the government. The U.S. needs to exert its vigilance and influence to insist that Romania honor its commitments to insure minority rights and diversity in Romania. It needs to remind Romania that law and order are the foundations of a stable democracy.

Washington, DC 2009