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Hungarian Human Rights Foundation

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Real Reforms Needed by Romania to Secure EU Membership

More than two months have come and gone since the European Parliament passed its [Resolution on the extent of Romania's readiness for accession to the European Union](#), adopted December 15, 2005. The Resolution identified four major, long-standing deficiencies facing the country's 1.5 million-strong Hungarian community. In the intervening months, however, the Romanian government has failed to institute meaningful action to fulfill 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; and*
4. *To fully sustain higher education for the Hungarian minority by providing the financial means needed.*

The New York-based [Hungarian Human Rights Foundation](#) has monitored the human rights situation of Hungarian minorities in East Central Europe since 1976. With offices in Budapest, Hungary and Kolozsvár/Cluj, Romania, the Foundation has closely tracked Romania's implementation of international human rights norms since the fall of communism. Official Romanian response to deficiencies enumerated by various national and international bodies over the 15 years has been slow, tentative and inadequate. HHRF introduces ***EU Enlargement Watch - Romania*** as a service to assist decision-makers in reaching a fully-informed,

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well-founded decision on Romania's preparedness for EU accession. This newsletter will strive to independently analyze and report on developments in the four criteria noted above in the hope that progress will be sufficient to warrant an affirmative decision.

Majority Political Will Necessary to Adopt Law on National Minorities

EP Criterion: "[the European Parliament] expresses its disappointment over the continued delay in the adoption of the law on minorities [and] wishes to see the law on minorities approved as soon as possible, respecting the political criteria."

— Article 26, European Parliament Resolution on Romania, December 15, 2005

For two months, the relevant committees of the Romanian Parliament (education, judicial and human rights) failed to convene to discuss the proposed Law on National Minorities. Instead, the Romanian media fiercely attacked the bill and its supporters – most pointedly the [Democratic Alliance of Hungarians in Romania](#) (DAHR). Paradoxically, though the bill was submitted by the government already on May 19, 2005, two dominant parties in the governing coalition turned against their own government's proposal. Sergiu Anton, **Conservative Party** Chairman of the Chamber of Deputies' Judicial Committee railed that "the poisonous articles must be expunged from the bill," adding that his party will not support the bill if it grants cultural autonomy to the country's national minorities. Emil Boc, the **Democrat Party** President, regularly declares his opposition to the proposed legislation and calls upon the DAHR to leave the government coalition. In an attempt to secure compliance with EU criteria, on February 7, 2006, DAHR President Béla Markó asked coalition partners to reiterate their support for the proposed Law on National Minorities. During the ensuing debate in the Chamber of Deputies, the parties refused their support, and on February 13, 2006, the Standing Committee of the Romanian Parliament again postponed by a month the three relevant committees' deadline to review the legislation. Since then, in a joint February 15 session, the committees have managed to agree on only the title and one, insignificant provision of the bill. The net result is a protracted stalemate, producing no meaningful action to fulfill the EP criterion.

The bill would grant the country's 18 recognized minority communities limited competence over areas that directly impact on their ability to preserve their cultural identities. One component of the bill under assault is the transfer of narrow powers to **National Minority Councils**, which the law would establish, and which exist in several other countries in the region.

HHRF Recommends: *The Chamber of Deputies of the Romanian Parliament should immediately adopt the proposed Law on National Minorities.*

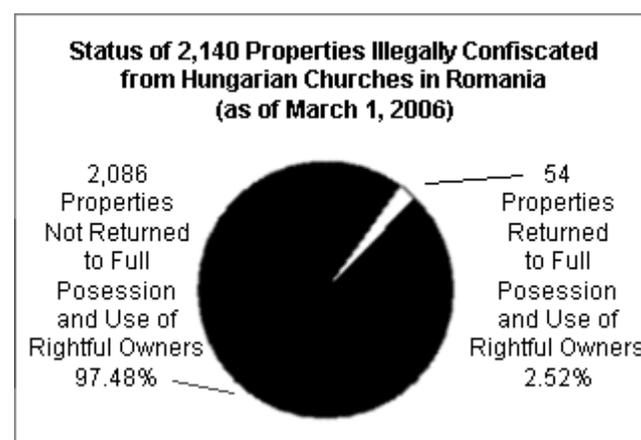
Impediments to Actual Church Property Restitution Must Be Eliminated

EP Criterion: "[the European Parliament] emphasizes the need to speed up implementation of the law on the restitution of property."

— Article 21, European Parliament Resolution on Romania, December 15, 2005

The European Parliament's resolution emphasizes a critical shortcoming of the Romanian judicial system: laws adopted at EU or US pressure are not implemented, or implemented with long delays. One of the most egregious examples is 15 years of near-total failure to return 7,500 properties confiscated from religious denominations between 1945 and 1989 by the former Communist regime. 2,140 of these properties were taken illegally from the four traditional Hungarian churches (Roman Catholic, Reformed, Unitarian and Lutheran).

Despite various government ordinances, two laws (501/2002 and 247/2005) and countless deadlines for implementation, the Hungarian denominations have regained actual possession of only 54 buildings, or less than 3 percent of the properties rightfully belonging to them. Romania's failure to restore church properties represents a fourfold breach of international commitments; by its conduct, the government (1) curtails religious liberties; (2) violates the sanctity of private property; (3) abuses the rights of minority communities; and (4) denies the material resources to build civil society.



Since January 2004, HHRF closely monitors the status of the 2,140 properties confiscated from the Hungarian community through a **Restitution Working Group** which involves legal representatives of the affected Hungarian churches. Results are recorded in a regularly updated [Database of Confiscated](#)

[Church Properties](#), available on the Internet .

The international community has clearly and repeatedly called on Romania to remedy this flagrant human rights violation, notably in [Opinion No. 176](#) (1993) on the application by Romania for membership of the Council of Europe and Parliamentary Assembly [Resolution 1123](#)(1997) on the honouring of obligations and commitments by Romania. Recently, [H. Res. 191](#), unanimously adopted by the United States House of Representatives on May 23, 2005, identified eight specific steps the Romanian government needs to take for genuine restitution to occur, of which only two have been realized within the past year.

HHRF Recommends: Romanian authorities must rapidly overcome the extensive delays created by local authorities who refuse to cooperate with the government's Special Restitution Committee by withholding essential documents and attacking the Committee's decisions in courts of law to obstruct implementation.

Nobel Laureates Urge Re-Opening of Independent Hungarian Bolyai University *Hungarian Instructors Threatened with Dismissal*

EP Criterion: "[the European Parliament] calls on the Romanian authorities to fully sustain higher education for the Hungarian minority by providing the financial means needed."

— Article 27, European Parliament Resolution on Romania, December 15, 2005



Hungarian students in Transylvania in candlelight vigil to support restoration of Bolyai University

Six Nobel Prize laureates are among the 79 distinguished scholars and public figures who in a February 8, 2006 [open letter](#) 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. Since 1989, Romania perpetuates educational inequities between Hungarian and Romanian students by the failure to re-establish the Bolyai University as an independent, publicly-funded Hungarian-language institution.

On February 22, the Senate of the Babes-Bolyai University voted down even a moderate first-step: a petition to establish independent Hungarian faculties within the *existing* structure. Afterwards, Hungarian Vice Rector **Levente Salat** commented that *"today's negative decision confirmed that within the current structure, the Romanian majority will always override their Hungarian colleagues' initiatives. We have reached a point when the problem can no longer be solved within University confines; only government action can establish the Hungarian faculties or the proposed Hungarian-language Bolyai University."*

In fact, in a [February 25 letter](#), Babes-Bolyai University Rector **Nicolae Bocsan** threatened to dismiss two young Hungarian professors, members of a "Bolyai Initiating Committee" which seeks to restore full education rights at the Kolozsvár/Cluj institution. In a perverse display of logic, Bocsan accused the proponents of minority-language education of *"undermining the university's multi-cultural structure."* Leading Hungarian minority spokesmen believe that this overt intimidation tactic is indirectly aimed against the institution's 220 Hungarian professors, who will hold a general assembly on March 2 to discuss the future of Hungarian-language education at the institution.

Béla Markó, Deputy Prime Minister of Romania and President of the Democratic Alliance of Hungarians in Romania (DAHR) condemned the University's rigid refusal to meet the requests of the Hungarian community. *"Up to now the university's autonomy has done nothing but obstruct the creation of Hungarian faculties. We will have to raise the problem of Hungarian higher education in the governing coalition and try to find a solution,"* added Markó. Successive

Romanian governments over the past decade have issued annual written promises to create the self-governing Hungarian faculties, without a single action to fulfill the pledge.

The premier aspiration of the Hungarian community for the past 16 years has been to re-establish the Bolyai University, which was forcibly merged with the Romanian-language Babes University in 1959 by the communist regime. The moderate aspiration, vital to the survival of the community's cultural identity, is persistently delayed or rejected outright. In 1995, for example, a petition with over 400,000 signatures submitted to the Romanian Parliament was simply ignored. Today, Hungarian-language instruction at the Babes-Bolyai University is restricted - such vital subjects as economics, engineering and most courses in science can be studied only in Romanian.

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.

HHRF Recommends: University authorities must withdraw threatened punitive action against advocates of equal opportunity to education. The Romanian government should finally take the long-promised steps necessary to establish autonomous Hungarian faculties within the existing structure of the Babes-Bolyai University.

Csángó Children Aspire to Hungarian-Language Education

The progress achieved by a 5-year grassroots 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. Official harassment of Hungarian teachers in Csángó communities, and scapegoating of children enrolled in Hungarian classes, have surged in a backlash against the February 7,

Photo: Tomasz Tomaszewski, National Geographic

2006 screening at the European Parliament of the documentary “**Made in Romania - Children of the Csángó Diaspora.**” Biased Romanian media coverage of the event has stirred up nationalistic sentiments against the Csángós: after Sunday mass in the Moldavian village of **Gajdár/Coman**, the school principle and local Roman Catholic priest gathered inhabitants and “warned” that parents who enroll their children in Hungarian classes are breaking the law. To further intimidate the population, parents who were still considering Hungarian classes as an option were told to stand up. Since the Csángós are staunch Catholics, no one dared defy the priest, and the congregation remained seated.



A colorful tradition endangered.
Csángó children seek Hungarian classes

Intimidation is not unknown to the Csángós. The community has confronted harassment by local authorities, and ostracizing by the Romanian clergy, since 2000, after parents undertook a petition drive to have Hungarian taught in the local public elementary schools. By September 2005, 725 pupils were studying Hungarian in 12 Moldavian villages. Though impressive, these numbers represent less than ten percent of the total number of school-aged Csángó children. 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. For 60 years, their language has been forced from all aspects of public life—official, educational and religious— into the confines of their private homes. The new learning opportunities at elementary schools, coupled with the laying of the cornerstone in **Külsörekecsin/Răcăciuni** in May 2005 for a first-ever Hungarian-language high school for Csángó children, have revived Romanian nationalistic feelings. Students are frightened, parents are pressured to withdraw their petition and Hungarian teachers face hostility.

Already in 2001, Council of Europe Parliamentary Assembly [Recommendation 1521](#) recognized the need to preserve and support the Csángó's endangered archaic and distinct culture.

HHRF Recommends: Hungarian-language classes in all 78 Csángó villages of Moldavia should be made available by September 2006.

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