

PROTOCOL

of the 5th Session of the Minority Cooperation Expert Committee of the Active Cooperation and Partnership Intergovernmental Joint Committee of the Republic of Hungary and Romania

On September 13-14, 2002, and June 12, 2003, in Gyula and in Sfintu Gheorghe (Sepsiszentgyorgy), the Minority Cooperation Expert Committee of the Active Cooperation and Partnership Intergovernmental Joint Committee of the Republic of Hungary and Romania held its 5th session.

The Romanian delegation was led by Mr. Cristian Diaconescu, State Secretary in the Ministry of Foreign Affairs, Co-President of the Romanian Expert Committee. On the Hungarian side, the Expert Committee was led by Mr. Vilmos Szabo, Political State Secretary of the Office of the Prime Minister. Mr. Traian Cresta, President of the National Self-Government of Romanians in Hungary, and Mr. Arpad Marton, Member of Parliament, RMDSZ, took part in the session as invited guests.

The Expert Committee reviewed the assessment of the fulfillment of recommendations accepted in the 4th session, and further the newest changes in the situation of the Romanian community in Hungary and the Hungarian community in Romania, as well as developments related to the changes in legislation regarding Hungarians living in neighboring countries.

The Expert Committee acknowledged with satisfaction that in the last year a high-level political dialog has developed between the political leaderships of the two countries. A significant meeting took place between the Romanian and Hungarian heads of state. The Prime Ministers of Romania and Hungary on several occasions had important discussions, the favorable political effect of which can be decisive for a long time. At the same time, several meetings took place between the parliamentary leaders, and between the ministries of foreign affairs, as well as on other levels.

The Parties agreed that through intensive and high-level political dialog, the atmosphere of trust was strengthened in Romanian-Hungarian relations, facilitating negotiations of essential importance in each area of cooperation regarding the treatment of issues awaiting resolution.

The Parties appreciated the importance of political arrangements that follow the purpose of strengthening mutual trust, that continue to contribute in great part to the improvement the conditions of life of the national minorities so that they able to fulfill their role in the country's social-economic life, as well as in relations between our countries. The Parties appreciated as being extremely important that the Prime Minister of Romania and the Prime Minister of the Republic of Hungary took part in and spoke at the 7th Congress of the RMDSZ.

The Expert Committee welcomes the Declaration regarding Hungarian-Romanian strategic partnership relations and cooperation for Europe in the 21st century, signed, by the Romanian and Hungarian Prime Ministers in Budapest on November 22, 2002. The agenda of the present session of the Expert Committee keeps in view that the new Declaration regarding the new standard of quality in Romanian-Hungarian relations dedicates special attention to the fulfillment of the specific requirements of the Romanians living in the Republic of Hungary and the Hungarians living in Romania, to the preservation of their ethnic identity, and to the development and expansion of their cultural, educational and religious institutions.

The Parties reviewed the developments in the period since the Expert Committee's 4th session and the fulfillment of the commitments stipulated in the previously accepted recommendations.

I. The measures of the Hungarian Party

- Measures touching upon the amendment of legislation regarding the election of self-governments for the national minorities living in the Republic of Hungary.

The Hungarian Party pointed out that through the amendment of legislation regarding the election of self-governments for the national minorities living in the Republic of Hungary, it also wishes to ensure with legal instruments the election of persons representative from the ethnic point of view to the minority organizations. The purpose of the legislation is to ensure the possibility for persons belonging to national minorities to elect representative local and national self-governments. These objectives were formulated by the Parliament's March 2003 resolution, according to which the Government will submit to Parliament by December 2003 the legislation touching upon the minorities directly, especially the amendments focusing on changes to the legislation regarding National Minorities and the election of the Minority self-governments. At present consultation is underway between the Hungarian government and representatives of the national minorities regarding this question. The elaboration of the legislative provisions is happening with the participation of the minority ombudsman.

- The parliamentary representation of minorities.

The Expert Committee acknowledged that the question regarding the parliamentary representation of minorities has a prominent place in the government's program. The Hungarian Party pointed out that the bill regarding this question is under preparation; for its adoption a two-thirds majority of parliamentary representatives is necessary.

- Education in the Romanian language

It has been established that in the interest of material support for education in the Romanian language in Hungary the Ministry of Education – beyond the yearly budget estimates – shall ensure supplementary support in the form of funding competitions.

The Hungarian Party raised the necessity for the Romanian Party to ensure guest-teacher training and further education in Romania for teachers from the Romanian schools, in the interest of improving the professional level of education in the Romanian mother tongue.

- The renovation and operational improvement of the Romanian-language schools

The Hungarian Party informed the Expert Committee that the preparation for the renovation work on the Elementary School in Battonya continues in such a way that financing for it can be ensured from the 2004 budget.

The Hungarian party improved the conditions for Romanian-language education in the schools in Szakal and Bedo.

II. The measures of the Romanian Party

- The sufficient usage of the mother tongue in public administration and the administration of justice

The Romanian Party made sufficient efforts and carried into effect adequate measures in the interest of the complete application of law no. 215/2001 regarding Local administration, including the erection of bilingual place-name signs as well as the extension of the use of the mother tongue in public administration. At the same time the Romanian Parliament voted favorably regarding the use of the mother tongue in the administration of justice, and the Hungarian Party welcome measures in this area.

- The restitution of church possessions

The restitution of nationalized properties can be achieved through the courts, or in the framework of the public administration procedure specified by law no. 501/2002 that supplements and amends Emergency Government Decree no. 94/2000, accompanied by a petition, as well the appropriate documentation. This law was created in the interest of speeding up the process of restitution, as well as in the interest of reducing the costs incurred.

Law no. 501/2002, which specifies the restitution of buildings with the plots of land belonging to them at the time it came into effect, without the numerical limitations of the earlier laws, was adopted. The Government accepted implementation order no. 1164/2002, which sets the composition of the Special Restitution Committee as well as its organizational and operational rules.

Presently the Committee is aiding the compilation of files to be compiled by the denominations. The Committee will make a decision regarding the solution of 50 complete files by the end of June 2003.

The Hungarian Party raised the solution of ownership rights of the properties of the former religious schools. The question of the ownership rights of the Reformed College in Kolozsvár was specifically mentioned.

- Hungarian-language education in Romania

The adoption of the bill supplementing and amending education law no. 84/1995 is in the final stages of the process. The new draft law maintains the possibility for education in the mother tongue according to needs prescribed by law no. 84/1995, and prescribes that "in every settlement education units or study groups are organized and operated in the Romanian language, or in cases in the language of the national minorities, or education is ensured in the mother language in the nearest settlement, where possible" (section 8, paragraph 2.). At the same time it prescribes that "in the framework of state education, in art and vocational schools, in preparatory years, as well in the secondary-school and after-school vocational instruction, where on demand and according to the terms of law vocational education takes place in the mother tongue, in the framework of a major subject the acquirement of professional terminology in the Romanian language is compulsory" (section 122).

The Expert Committee established that the possibilities for education in the Hungarian language have significantly expanded in the framework of state higher education. At the same time, the decision-licenses of the Hungarian-language education units ensuring Hungarian-language instruction in multicultural institutions belong to the representative body of the multicultural institutions. The modification of the decision process happens on time

In 2002 the establishment of an exclusively Hungarian-language secondary school in Maramarossziget came about.

At the same time in 2002 a Hungarian-language section started in the secondary school in Szatmarnemeti.

The Hungarian Party continues to urge the establishment of a state Hungarian university in Romania.

The Hungarian party welcomes the regulation of Hungarian-language denominational education in Romania, as well as the intention of expanding vocational education in the Hungarian-language.

The Parties support the establishment of additional Hungarian-language departments within Babes-Bolyai University in Cluj/Kolozsvár, in accordance with the law.

- The situation of the Gozsdu Foundation

On December 11, 2002, Mr. Mircea Geoana, the Romanian Foreign Minister, handed over the document called the Joint Strategic Plan for the Gozsdu Foundation to his Hungarian partner.

The Joint Strategic Plan of the Romanian Party includes the following:

- The establishment of the Institute for the Romanian-Hungarian Strategic Partnership
- The establishment of a joint "Mano Gozsdu" scholarship
- The establishment of a "Mano Gozsdu" memorial museum and library
- The establishment of a bilingual "Mano Gozsdu" secondary school
- The realization of the above mentioned plans within the framework of Gozsdu Court in Budapest.
- Gozsdu Court in Budapest shall represent the assets of a foundation under the joint management of both governments.
- The cessation of any action that relates to the alienation of the Gozsdu Court property, or uses of it contrary to the ones mentioned above

The Hungarian party pointed out that Gozsdu Court in Budapest is a closed issue in Hungary from the international and internal legal standpoints and does not represent state property. In accordance with this situation, the Hungarian Party – as a sign of its good will – recommended the establishment of a new Hungarian-Romanian Gozsdu Foundation in the interest of preserving the Gozsdu spirit, with parity contributions by the Parties, for which the Hungarian Government shall ensure a headquarters other than Gozsdu Court.

The Romanian Party noted this standpoint without expressing its consent.

- The support of Romanian minority schools in Hungary

In 2001 the Romanian Government donated books and audiovisual tools in the value of 49,500,000 Lei to the Nicolae Balcescu Secondary School in Gyula, the Ecumenical Cultural Center in Mehkerek and the Cultural Association of Romanians.

- Foaia Romaneasca

In 2001 the Romanian Government donated 5 tons of paper to the Cultural Association of Romanians for the printing of the weekly *Foaia Romaneasca*, in the value of 352 million Lei.

In 2003 the Romanian Government donated 5 tons of paper to the Cultural Association of Romanians for the printing of the weekly *Foaia Romaneasca*, in the value of 233 million Lei.

- The support of the Romanian Orthodox Church in Hungary

In 2002 the Romanian Government donated 2 billion Lei for the renovation of the Romanian Orthodox Chapel in Budapest, as well as providing logistical support in the value of 68 million Lei to the Orthodox Cultural Center.

The Romanian Government will approve with priority material support in the value of 6 billion Lei for the Romanian Orthodox Chapel in Budapest.

In 2001-2003 they ensured the necessary amount for the salaries of 7 ecclesiastical positions, within the framework of the Romanian Orthodox Bishopric in Hungary.

The State Secretary for Religious Affairs approved a transfer in the amount of 100 million Lei for the works completed within the parish in Apato.

- The establishment of the research center for the Hungarians in Romania

The Romanian Party shall inform the Expert Committee regarding the possibility of examining the start of arrangements in the coming period.

- The situation of Hungarian researchers in the scientific life of Romania.

The Expert Committee agreed upon the importance of ensuring places among the researchers at the Romanian Academy's research institutes for Hungarian researchers with sufficient professional competence and scientific qualifications, as well as for experts who know Hungarian language, history and culture well.

III. Questions related to the situation of Hungarian Romanian and Romanian Hungarian minorities

- The situation of the Liberty Statue in Arad

In fall 2002, the Arad Municipal Council accepted the resolution urged by the RMDSZ to erect the group of statues in a public place.

The Expert Committee expressed its intention concerning the Liberty Statue in Arad to follow developments related to the Arad Municipal Council's resolution.

- Establishment of the jointly-managed Mano Gozsdu Foundation; preservation of the Gozsdu spirit

The Expert Committee welcomes the intention also expressed on many occasions at a high level to make the heritage of Mano Gozsdu immortal, according to the plans that will be started for the purpose of accomplishing this goal.

Considering this significant political dialog, the Parties are ready to establish a foundation under the joint management of the two governments and to work out the plans accompanying it, with parity contributions from the two governments.

The Parties shall create the internal conditions for working out a joint conception in view of the operation of the jointly-managed foundation and the plans accompanying it, including the internal legal regulation.

- Supplying libraries

The Parties carried on a discussion about their intention to support the acquisition of Hungarian-language professional and literary books for the libraries of Romanian- and Hungarian-language educational institutions.

- The question of the establishment of a Consulate in Csikszereda

The Hungarian Party on this occasion also noted that it is urging the establishment of a Hungarian Consulate General in Csikszereda, in accordance with the latest discussions of Prime Ministers Peter Megyessy and Adrian Nastase held in Vallaj-Urziceni.

Signed on July 18, 2003, in Bucharest, in two original copies, in the Hungarian and Romanian languages. Both texts are considered equally authoritative.

On behalf of the Hungarian Party

On behalf of the Romanian Party

Vilmos Szabo

Cristian Diaconescu

Co-President

Co-President