

Beneš Decrees, Taking Victims in 2002

Miklós Patrubány
Editor



World Federation of Hungarians
2002

Beneš Decrees, Taking Victims in 2002

**The Beneš Decrees
Contradict every Article of the
Human Rights Convention
and**

**Endanger Peace and Stability
Because they**

**Undermine The Future
of the Hungarian Community**



**World Federation of Hungarians
2002**

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World Federation of Hungarians

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Foreword

The main goal of the accession of new members in the European Union is to create an area of freedom, democracy, peace and stability for more than half a billion Europeans. Therefore it is very important that all member states apply the same political criteria, while establishing their internal political and societal structure based on human rights, democracy and protection of minorities.

The echoes of the Second World War threaten to blur this positive perspective on the future of Europe. The wounds are not at all healed. A new structure built on what large groups see as injustice can hardly count on general acceptance. An open dialogue, even on a sensitive issue as the Beneš decrees, is therefore imperative.

In the Slovak Republic the issue of the Beneš decrees is a taboo because of its sensitiveness. Contrary to the situation in the Czech Republic this is not a problem with another Member State. This Slovak problem, where Slovak citizens of Hungarian descendance feel targeted by decrees proclaimed after the war, still has to this day new administrative effects. Therefore, this problem cannot be solved through a bilateral agreement. The coexistence of different cultures and ethnical groups within one state in the Slovak Republic needs solutions to numerous problems, which have to be addressed. The European Union can no longer close its eyes to the current problems created by the Beneš decrees in the Slovak Republic, while the Czech Republic acknowledged the decrees as an important issue.

We sincerely hope that this book may contribute to the dialogue that needs to be established in both the Slovak Republic and the European Union.

Nelly Maes

21st of October 2002

President of the European Free Alliance
in the European Parliament

Miklós Patrubány

President

World Federation of Hungarians

Preface

It is not the first time that the World Federation of Hungarians (WFH) encounters the Beneš Decrees. Our Federation, which originates from the historical meeting between Lajos Kossuth, former governor of Hungary, László Teleki and general György Klapka in Paris in 1859. The organization was formally established under the guidance of count Pál Teleki, later Prime Minister and baron Zsigmond Perényi, her first president in 1938.

In 1945, when Eduard Beneš flooded the World with his notorious decrees pronouncing the German and Hungarian population of the reestablished Czechoslovakia collectively for “War Criminals”, the leadership of the WFH sent written warnings to the Prime Minister of Hungary, Minister of Foreign Affairs of Hungary and to the President of the Hungarian Red Cross. From these letters – which are appended - it is possible to reconstruct the cruelties perpetuated by the above mentioned Decrees. The expressed hatred and maltreatment emanated throughout the region. This was the time, when the Prime Minister of Hungary, Mr. Ferenc Nagy, who concurrently functioned as President of the WFH, was forced to fled Hungary and he emigrated under pressure from the soviet occupying forces, who have been greatly influenced in this respect by Eduard Beneš.

Some 50 years later, we are forced to discuss these issues, because our new by law outlines our mission, which is based on principals of justice, fairness and decency made obligatory to all members of the Federation.

Two years ago the time was ripe to begin a reexamination of the Beneš Decrees. It was necessitated by the Copenhagen Criteria for the accession to the European Union by the membership seeking countries, notably the Czech Republic and Slovakia.

Due to expressed views by officials at the European Parliament, the European Commission, and the Council of Europe that the Beneš De-

crees are part of the past and are irrelevant now, we are forced to take an opposing position. In our experience the Beneš Decrees are still at work. Since the lives of hundreds of thousands of Hungarians were destroyed some 50 years ago, the Decrees are taking their victims at the beginning of the third millennium with merciless cruelty.

The Council of Europe in her opinion n. 175(1993) article 10 regarding on the application of the Slovak Republic for membership to the Council of Europe encouraged to eliminate the Beneš Decrees from her laws (see appendix). Despite of no legal action by the Slovakian authorities in this respect Slovakia is being considered for admission in the EU.

Our White Book begins with the scholarly writing of Countess Alice Esterházy Malfatti our honorary president. Her writing with strict reasoning sharply points at the current clandestine implementation of the Beneš Decrees. Further she clearly distinguishes the dissimilarities between the application of the Beneš Decrees to the German and Hungarian minorities of Czechoslovakia. Countess Esterházy was herself imprisoned at age 16 by the communists. She is the daughter of the martyred Count János Esterházy, who was the only member of the Slovak Parliament, who in 1942 voted against the so - called Jewish laws. Thus, being the victim of the Beneš regime, he was sentenced to prison, where he died after 12 years of detention. Slovakia still denies the rehabilitation of Count Esterházy.

The present work includes a study by Dr. jur. Aliz Bödök, legal expert from the city of Révkomárom-Komárno/Slovakia, which clearly illuminates the application of the Beneš Decrees in the present Slovak legal system and practices.

A compact explanation in German is provided by Mr. Imre Borbély, who is the co-president of the Carpathian Region of the WFH: *“Die Dekrete richten heute Unrecht an und gefaehrden damit die Zukunft”*. He points out the traps to which the European Union is exposed by disregarding her own accession criteria due to economical and political considerations. He further warns against the inclusion of the legally and ethically inadmissible Beneš Decrees - which are trampling over everything what constitutes human rights – and thus would introduce by the admission of the Czech and Slovak Republic these laws into the body of United Europe.

The Beneš Decrees are not only trampling on human rights, but disregard the sanctity of life itself. Further they open the road to mass murder

against Hungarians and Germans. The Beneš Decree of 005/1945 defines the Hungarians and Germans as traitors mere 10 days after the end of WW II – on May 19, 1945. Within one month new three new decrees were issued – 012/1945, 016/1945 and 017/1945 – inspiring unrestrained violence against Hungarians and Germans. In the atmosphere of hatred against Hungarians and Germans incited by laws and decrees – mass murders followed.

On June 18, 1945 in the vicinity of the railroad station in Prerov, in the present Czech Republic, 215 Hungarians and Germans, mostly women and small children, who were returning home in Dobsina were brutally murdered. In one month in the middle of July, two month after the end of WW II 90 teenaged Székely boys from Csík, Transsylvania were shot in cold blood. They never took part in military action and were on their way unarmed to their homeland. This happened at the detention camp of Pozsony-Ligetfalu/Petrzalka-Slovakia, where until the middle of July thousands of Hungarians were starved near to death. (See enclosed copy of letter by the President of WFH dated July 20th 1945). Individuals who committed these and similar atrocities were released of all legal accountabilities based amnesty law 115/1946! The Pozsony-Ligetfalu massacre was investigated and published by Dr. Kálmán Janics, a prominent human rights fighter in Slovakia. The massacre of Prerov has been investigated for three years, by the team of Zoltán Brády, editor in chief of the review Kapu, who made a documentary film. In our White Book you may read the contributions of both Dr. Kálmán Janics and Zoltán Brády.

Is there a need for better proof to demonstrate how the Beneš Decrees led to massacres, to crimes committed against humanity, crimes which, as we know, never become obsolete! What sort of conscience is exhibited by the European Union, when she proves to be ready to admit these laws together with the accessing countries into the European House? Do the decision - makers and lawmakers in Strasbourg, Brussels and other European capitals consider the consequences of their decision? Do they consider the consequences of incorporating such a unexploded legal bomb of WW II into the aquis communautaire? If exploded it can produce devastation in an incalculable scale.

Did it occur to them that the latent existence of such laws will provide an instrument to such powers, who desire to put in flame the Europe which desires to live and flower in peace and stability?

It seems possible that the decision makers of Europe do not realize the nature of the laws they are about to incorporate into their House, namely the still active Beneš Decrees. We ask them to read the pages of this White Book, the Addendum by the Human Rights of Minorities in Central Europe - Vancouver Society created over several decades. We suggest to read the mere titles of the Beneš Decrees: traitors, faithless citizens, peoples courts, confiscation, forced labor, colonization, deportation, stripping of citizenship, denial of employment, denial of voting rights, withdrawal of rights and privileges of Hungarian war veterans and their families, widows, freezing of bank accounts belonging to Hungarians and expedited confiscation of property.

All of this done on the principle of “collective guilt”.

The effects of the Beneš Decrees on Hungarians

As the consequence of the Beneš Decrees in Slovakia more than 200 thousand Hungarians were made homeless.

More than 70 thousand Hungarians have been deported into the Sudeten territories vacated by the deported Germans, where the new Czech proprietors treated them as slaves.

130 thousand were forced to move to Hungary. The preferred expatriates were those, who left behind sizable properties -such as fine quality arable land, housing and businesses – to be taken over by Slavic colonists. This was an example of ethnic cleansing.

The number of Hungarians, who lost their lives in Czechoslovak territory between 1945 and 1948 due to such violence is still not fully known.

We can gain an insight into the effect of the Beneš Decrees in the life of an individual by reading a letter from a Hungarian, who was deported and strained in the Sudeten lands. She has addressed her letter to the president of the WFH: “*our brothers, who have been dragged to an alien coun-*

try will never see their homeland again. They are dying far from home with the pictures of the Parliament, the Chain bridge and the Coat of Arms of the Hungarian Kingdom in their hands. Since 1948 their slave wages amounted to nothing. They are unable to visit their homeland...Their entire fortune was robbed and their physical and spiritual resources devastated”.

What did the World Federation of Hungarians do?

It came to the attention of the newly elected leaders of the WFH in 2000 through their associates living in power centers of Europe and the World that the policy makers there were unaware that the Beneš Decrees affected the Hungarians. In those circles the Decrees represented an unresolved Czech – German conflict, a justified response by Beneš to atrocities committed by Hitler. They were initially incredulous to hear about the damages of the Beneš Decrees to Hungarians.

The realization of the lack of knowledge of the above facts by the policy makers in Europe induced us to initiate actions. The WFH in 2001 and 2002 organized a series of actions and events to inform the politicians of the World and Hungary about the untenable nature of the Beneš Decrees. Open and closed hearings, seminars and informational presentations were given in Strasbourg, Brussels and at the European Parliament by the WFH.

The professional presentation made by the experts delegated to such hearings and seminars by the WFH to provide factual information to responsible European politicians forces the Slovak diplomats on defensive. Some of the programs consisted of:

- Open hearing, EP - Strasbourg, June 13th, 2001
- Hearing, EP – Brussels, June 21st, 2001-
- Forum, EP – Brussels, September 25th, 2001
- Seminar EP – Brussels, June 24th, 2002
- Strategic Conference devoted to the Beneš Decrees: Révkomárom/ Komarno, Slovakia, December 1, 2001

- Letter campaign to Mrs. Mary Robinson, High Commissioner of the Human Rights Committee at the United Nations – Geneva, July 2001 – March 2002.
- Forum and International Press Conference with the participation of a delegation from the European Parliament at Kéménd / Kamenín, Slovakia - April 4th, 2002.
- Demonstration against the Beneš Decrees in Balassagyarmat, June 4th, 2002
- Distribution of information booklet about the Beneš Decrees to some 51 United States senators and 97 Members of the House of Representatives in Washington, D.C., September, 2002.

On June 13th, 2001 in Strasbourg the President of the National Council of WFH in Slovakia gave a presentation (see appendix) on the grievances of Hungarians in Slovakia. Following his presentation Jan Marinus Wiersma, MEP, the official EP Rapporteur for Slovakia claimed no knowledge of such grievances despite his daily contacts with Mr. Pál Csáky deputy of the Prime Minister in Slovakia. He used this as an excuse for not mentioning this matter in his reports to the EU Parliament. He further stated that in Brussels he daily encounters delegates from the Hungarian government, who too failed to call his attention to discrimination against Hungarians in Slovakia.

When Mr. Viktor Orbán in spring of 2002 visited the Foreign Affairs Committee of the EP, the question couldn't be delayed any longer. Members of the EP, who already knew the effects of the Beneš Decrees on Hungarians asked the question: "*What is Hungary's official position regarding the Beneš Decrees?*"

This is not insignificant. We have to thank for the work of those who helped!

Acknowledgements

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We are indebted to the Human Rights for Minorities in Central Europe – Vancouver Society, headed by István Huff, president and Mr. Károly Wojatsek. Their many decades long research and work helped the international community to obtain vital information about the Beneš Decrees.

We are indebted to the Mathias Corvinus Publishing – Toronto lead by Mr. S.J. Magyaródy, who have distributed information to important places about the Beneš Decrees.

We are indebted to the National Council of the WFH in Slovakia, lead by Mr. Gyula Geönczeöl, president, the National Council of the WFH in Belgium presided by prof. István Nádasdi, the National Council of the WFH in Switzerland and the Foreign Affairs Committee of the WFH, which brought the case of Beneš Decrees before the Human Rights Committee of the United Nations Organization in Geneva.

We are indebted to friends like Viola and Jenő Radványi, who's support was essential. We express our acknowledgement to historians Prof. Dr. Gyula Popély, Dr. Ildikó Lipcsey for lecturing the manuscripts. Our appreciation is given to those who checked translations Prof. Dr. Mihály Bartalos, László Papp, and to Márton Okos.

One may ask, whether the work completed was successful and if has yielded any results? It is hard to talk about results so far, because the Beneš Decrees have not been eliminated yet. The Beneš Decrees are alive and well and they are taking their victims resolutely in 2002.

Beneš Decrees are taking victims in 2002.

The Beneš Decrees in Slovakia are in force and they are taking their victims day by day. This is very easy to prove.

In 1945 properties of the Hungarians have been confiscated based on those laws. The confiscated property was distributed to Slovak , Slavic settlers. When the communists have implemented their collectivization policy, those properties were taken away from the Slavic settlers. Following the fall of the communist system Slovakia initiated laws that are “restituting” the confiscated property and making into owners - the former Slavic settlers?! One can rightfully ask: Why wasn't the property restituted to the original Hungarian owners, who have been robbed by the Beneš Decree confiscation process? The answer is evident: Because the Beneš Decrees are still in effect and they are taking their victims on the daily basis in 2002!

Let us give you the case of the Csepy family. The confiscation decree from 1945 was applied to their property in September 26 2002! The Regional Land Office in Nitra issued on September 26, 2002 under the number 2002/08538 a valid, by any remedy not contestable decision. This decision represents an evident violation of the applicant's fundamental human rights, because it deprives the applicant of a never confiscated, by the state never deprived, but duly inherited estate 2/6th from the total of the original farm property of the Csepy family.

This type and similar legal practices are reminding the Hungarians, citizens of Slovakia that they are second class citizens in their homeland.

Alice Esterházy Malfatti
Honorary President
World Federation of Hungarians
Rome-Vienna

BENEŠ DECREES

Historical Background Concerning the Hungarians

When Czechoslovakia was founded in 1919, Masaryk and Beneš declared in St. Germain that it will represent a multicultural, democratic state like Switzerland. All nationalities will enjoy the same privileges, landreform and other reforms will be carried out.

Most of these promises remained on paper only. Czech troops occupied Northern Hungary, and soon Czech white collar workers occupied all the administration. Czech settlers were given the land of Hungarian estates, Hungarian peasants who worked on them got nothing. Thousands of Hungarians were expelled from the country, or had to leave it because they lost their jobs, like teachers, administrators. The landreform was carried out only on Hungarian estates, the big Czech landowners were not touched. Land taxes were imposed upon the remaining properties, not upon its present size but upon the former extension, which in most cases exceeded thousands of hectares. Thus the proprietors were ruined and compelled to leave the country. Hungarian schools were closed and replaced by Czech ones in the Hungarian villages. At the Southern part of Slovakia, about 1 million Hungarians were subjected to forceful Czechoslovakization.

Identical was the situation on territories where Germans lived; the promise of a multinational state on the Swiss model was never carried out. For the German and Hungarian population twenty years of pleading for their rights brought no results and not even the Slovaks obtained their promised autonomy.

The League of Nations had the task to investigate the complaints of the nationalities in Czechoslovakia. As these documents had to be sent to them via Prague, they never reached their destination.

When Czechoslovakia was created, eventual border revisions were not excluded. Even Masaryk was open to discuss procedures for the

restitution of purely Hungarian territories adjacent to the border of Hungary. Beneš's veto put an end to revision. He prevented equal rights to Germans and Hungarians, as his aim was a Slav national state, not a multicultural one.

As the fight for equal rights escalated, the Germans looked to Hitler for help. The Hungarian minority was backed by Hungary and Hungary hoped to get the Entente Powers', especially England's consent for a peaceful border revision.

A clear distinction must be drawn between the different approaches of the German and Hungarian minority leaders in their fight to achieve their rights. While the Germans used force and blood was shed in their regions, the Hungarian population under the guidance of János Esterházy remained calm, as he convinced them not to be instrumental in the outbreak of a war.

The road that to Munich was not the fault of the German and Hungarian minorities but of the short-sighted policy of Beneš. Denying equal rights for Germans and Hungarians with the Czechs, he destroyed Czechoslovakia. Not even the Slovaks endured Czech hegemony. They founded their own state with Hitler's help and became his best ally.

Following the treaty of Vienna, the Hungarian populated region returned to Hungary, only about 80 thousand Hungarians remained in Slovakia. János Esterházy was their leader, he represented them in the Slovak parliament. The parliament was the only forum where he could speak up for their rights and report Hungarian grievances.

Slovakia was the first country outside Germany to persecute the Jews, paying 500 Reichsmark to the Germans for every Jew taken out of the country. When the Nazis tried to induce János Esterházy to join them, his decisive short reply was: „*Our emblem is the cross, not the arrow cross*” (Hakenkreuz). He traveled to the Hungarian villages and warned them of antisemitism. He admitted Jews to the Hungarian Party, a nonpolitical organization, and thus tried to shelter them. He resisted pressure to throw them out, saying that as they were for 20 years good Hungarians, they will not become Jews from one day to the next. In 1942 when the deportation of the Jews was voted for in the parliament of Bratislava, he was the only one to vote against it. He helped innumerable Jews and persecuted persons to escape to Hungary and he was instrumental that the Slovak uprising in Banská Bystrica received the medicine and food sent to them from Hungary by the Social Democrats.

At the end of war Beneš returned with the Soviet forces and entered Košice with the same aim he pursued all his life: the creation of a pure Slav

state, Czechoslovakia. To achieve this, the Slovaks, Hitler's best allies were transformed from losers to victors. The Decrees of Kosice, the so called Beneš Decrees were declared with Stalin's approval, the prolonged Slav arm in Europe, Czechoslovakia, coincided with his plans.

The pre-Munich borders were re-established and the Hungarians thus belonged to Czechoslovakia again. Beneš condemned with a collective verdict the entire German and Hungarian population as guilty Nazi collaborators and deported almost 3 million Germans out of the country. Same fate expected the Hungarian population but he failed to get the Western Powers' consent to this. Thus he deported them within his country to Czech territory or, handed them over to the Soviets as war criminals. Thousands were expelled to Hungary or forced to flee because of the persecution. 200 thousand Hungarians (out of a million) had lost their homes, often their lives this way. Hungarians who wanted to stay in the country had to deny their national identity, they had to declare themselves Slovaks. Jews returning from the concentration camps were deported again as Hungarians. Their property not restituted as considered Hungarian property. János Esterházy was condemned to death as „Destroyer of Czechoslovakia and Fascist”. The courts set up by Beneš condemned thousands of innocent Hungarians and property of Hungarians was confiscated. Racial discrimination continued, the victims were now, after the Jews the Hungarians.

All nations within the European Community agree that the Jews should be compensated for their sufferings. Should a Jew in the Czech Republic have no right to it if he is of German nationality? Should a Jew of Hungarian nationality not be compensated in Slovakia just because he is Hungarian? On the other hand do they not re-invent racial discrimination compensating only Jew who declare themselves neither Germans, nor Hungarians? Before the Nazi insaneness, to be Jewish was a religion: in Czechoslovakia they belonged mainly to the German and Hungarian Volksgruppe. (national group) If we do not want to let enter racism by the back door, all collective judgements must be annulled and the victims, if not individually guilty, rehabilitated. Forgiveness must be asked by the Czechs and Slovaks, for the persecution of the Germans and Hungarians, - the same way the Germans did with the Jews, - and they must be compensated for their sufferings. Czech arguments, that the Germans should have no right to property claims because this would destroy: the purely Czech state, sounds very much like a voice of the Hitler times.

Is it not racism in Slovakia that land properties confiscated due to the Beneš decrees from Hungarian peasants, are not returned to the descendants who owned it for centuries, but are given to those Slovaks who got the stolen property and from whom the Communist regime confiscated it later on?

Is it not racism in Slovakia, that Hungarian children are faced with history books stating that the Hungarians were Nazi-collaborators? In spite of all efforts to rehabilitate János Esterházy his condemnation is still upheld. Many generations of Hungarians in Slovakia grew up with a feeling of guilt – there are no books to declare the truth about the past. Before joining the European Community Slovakia must revise its history writing.

The effect of the Beneš Decrees is still alive, as long as they are not annulled Hungarians are second class citizens. With an extreme sacrifice for peaceful coexistence the Hungarian politicians in Slovakia accepted the Slovak wish not to discuss the Beneš Decrees for four years. This was the price they paid to take part in the Government.

Germany after the war cancelled all racial laws and the country is based now on a democratic constitution. For the Czechs and Slovaks this should be the way to follow. The Beneš Decrees are contrary to the Human Rights Declaration signed by them too. Peaceful coexistence can be based only on justice.

F

Alice Esterházy Malfatti is the daughter of János Esterházy Hungarian martyr politician in Slovakia. János Esterházy was the only member of the Slovak Parliament, who in 1942 voted against so called the Jewish laws. Thus he was sentenced to prison, being a victim of the Beneš regime, and died in prison after 12 years of detention. Slovakia still denies the rehabilitation of János Esterházy.

Dr. jur. Alíz Bődők

Expert of the World Federation of Hungarians

Révkomárom-Komárno/Slovakia

BENEŠ DECREES in the Present Slovak Legal System and Practice

The purpose of my mission is to inform you on the enduring presence of individual measures of the Beneš decrees in the Slovak legal system in our days and how they influence the **constitutional rights** of the **Hungarian population** of the country.

As put into evidence by many cases, it is an incontestable fact that the respective administrative practice treats the **Hungarians of Slovakia as second class citizens** and their discrimination among others in the field of property rights is still continuing.

As lawyer working on restitution cases I will try to provide evidence in the most credible way for the entire validity of the statements made above.

Among the numerous decrees it is in particular on the basis of 12/1945/Zb, 108/1945Zb and 104/1945 with validity for the territory of Slovakia that all agricultural property of the Hungarian and German population, on the basis of **collective guilt**, has been confiscated. The decrees referred to have not been invalidated by any legal provision until today.

It is well known that the confiscation of property in an exclusively **punitive category**. The confiscation of property on the basis of the Beneš decrees penalised in first place that **part of civilian population** without regard to gender, age and social situation, which never committed any criminal act against the state of the Czech and Slovak nation!

A principal legal circumstance has to be pointed out insofar as with effect of March 1. 1945. The confiscation and reattribution to selected Slovak settlers for domestic colonisation was undertaken on the basis of the same decrees!

The present legal practice in Slovakia calls confiscated and by the state reattributed properties allotted ownerships.

The “**intangibility**” of the Beneš decrees stressed in these days has as basic point and explanation the question **who is, or should be the right owner of these properties**. We have a situation of competition of property rights.

After 1989 the so-called **land law 229/1991** adopted by the parliament and entered into force on 24 June 1991 created the legal base also for the Hungarian and German population for reclaiming confiscated properties between 1945-48. This land law establishes a link between restitution and citizenship together with permanent residence. Resulting from these conditions the confiscation of huge properties of owners who were forced to leave the country after 1945 for political reasons or belonging to the nobles become definitive and they were taken into ownership by the state. Its closing provisions don't eliminate the decrees, but par. 32 stipulates that no. 104/1945 are **not applicable** anymore.

In parallel with the restitution procedure started in 1991 it became state doctrine to finalise the property rights of the confiscated lands between 1945-48 in favour of the Slovak recipients using the means of state power.

In this context claims of these Slovak assigned owners emerged, who have never been officially registered as owners, renounced to the properties for which they never paid in the context of agricultural collectivisation starting in 1949 following which they returned to their place of origin.

In addition local authorities at that time withdrew the right to those properties from the settlers by administrative act before having complied with the requirement for inscription of 10 years as foreseen by the Czechoslovak law.

Despite this situation the Slovak state, neglecting circumstances referred to above, considers these claims as founded and does not even ask for evidence of having paid the price requested at that time.

One of the grave consequences of the Beneš decrees today is that the Slovak state is distributing gratis agricultural lands to the then beneficiaries and their heirs, which are now being legalized meanwhile all related cost is paid from the budget.

This practice can be defined as discrimination assisted by the state. The legal framework for promoting this procedure is provided for by the **transfer law 180/1995** adopted by the Slovak parliament.

Another legal obstacle for restitution of properties on their original location based on law 229/1991 is if the property in the meantime has been

transferred from the state to another private person. There are numerous practical examples that the administration in **interrupting the restitution procedure** with a decision, without any possibility of appeal, stating that the confiscated lands are now in the possession of another natural person.

These decisions do not indicate any document reference numbers proving the property right of the alleged owners who remain anonymous.

Following this and according to law 180/1945 the first time since 1945 settlers are being granted ownership on the grounds of **prescription**, by this establishing retroactively **the legal obstacle of any restitution**.

All this happens despite the fact that the properties subject to restitution claims falling into the competence of the land law cannot be the subject of prescription (par 11, 8b).

As the case of a person seeking his restitution right falls under the procedure of the land law, he is not a party in the prescription procedure of the transfer law 180/1945! There is no possibility to appeal against the interruption of his restitution case and he has no means to protest against the interruption of his restitution of his restitution case and he has no means to protest against the prescription of his reclaimed property! Consequently during the prescription procedure he is put outside by the law and by losing all of his rightly own goods without disposing of any legal connection mechanism in the Slovak law system.

The procedure is being carried out by “**ad hoc committees**”. The decision on the prescription is issued by the competent land register office, in contradiction to law 330/1991 on settling land which defines that the competence of deciding on land related cases is with the court (par 16/7)

A result of this illegal procedure a person suffering from damage caused by the Beneš decrees can claim another land property or pecuniary compensation only. The final outcome is the definitive loss of original and ancient land properties for members of the Hungarian population persecuted by the Beneš decrees.

As evidence for this legal practice and state participation without precedence may serve various cases presented to the European Human Rights Court, which requested the Slovak state to comment on.

With decision of February 2001 one of these submissions has been refused on the grounds of being too early and the person concerned did not present a complaint according to the law 152/1998. It has to be stressed

that this law came into force just more than one year after, excluding by this to table any complaint.

These procedures hurting existing law has been pointed out to create in the meantime the legal obstacle for doing so.

In this context the following question can be rightly put forward: why is it necessary in Slovakia to reconfirm attributed property claimed by the authorities to be procedurally perfect by prescription? My answer is clear, because the procedure was not perfect. The new owner since 1945 has never been registered, the land was not introduced into the official land register until 1995 according to the law 180/1995 and no documentation certifying legal ownership existed.

In this context the question has to be raised, why is it necessary in Slovakia to confirm property rights assessed as perfect by the administration through prescription.

The answer is clear, for the one reason of, the property right in question not being perfect. It has never been registered.

For the situation of prescription it is essentially necessary the long term, uninterrupted and uncontested use in good faith of a property, which is surely not the case here. How can a person be called a user in good faith, who renounced to the allotted land, abandoned it, never paid for it and finally saw it withdrawn by the state in the years 1950-58?

As final result the property has been allotted to another person on the basis of prescription. My client was not even informed on the outcome, the decision has not been officially handed over to him, not being a party to the procedure according to law 180/95. His property has been taken away from him against his will and without informing him on this decision.

The competition for the property rights and the procedure of interrupting a restitution case is the subject of another complaint tabled at the court in Strasbourg.

The illegal procedure concerning the treatment of the restitution rights of the Hungarian population is directed by the Slovak State, from the background. Evidence for this is a **protocol of 6 June 1996**, which serves as point of reference for the administration in the interest of refusing the reclaiming of confiscated properties.

The protocol reflects the joint legal position of the Slovak government office, the Supreme Court, the Regional Court and land office of Bratislava and the representatives of the Ministry of Land. It has no legal force at all, as it has never been published in the official law registry. The upshot is that the withdrawal of the settlers' property rights by the local authorities at the end of the 1950-s constituted **an extension of competence and therefore it is invalid.**

I have to underline that this protocol is in conflict with administrative act 507/1950 and the government decision of 10 October 1956 which define that these decisions fall within the competence of the same local authorities.

In a state governed by the rule of law a legal decision without possibility for appeal falls exclusively into the competence of a court and is not a matter of an internal protocol!

Various circular notes of the minister for agriculture give instructions to the district and local authorities how they could and should refuse claims aiming at restitution of confiscated properties. Similarly, the guidelines with instruction character dated 19 March 1999 call the administration to hinder and refuse restitution claims.

The Slovak Supreme Court has made several judgements, which confirm that the confiscation based on the Beneš decrees was legal only in compliance with all legal conditions in force at that time. In this sense a confiscation decision had to be handed over, the confiscation committee had to deal with concrete persons and give justifications for their decisions. These judgements put into question the whole administrative practice until now, as nobody has checked the compliance with the legal conditions of confiscation.

This would inevitably result in most cases that the confiscation did not comply with legal requirements following which the legal nature of the property handing over to Slovak settlers would be put into question. Otherwise said, a property, not having been transferred to the state legally, cannot be attributed further to anybody.

In order to provide evidence for the illegal practice I am referring to another complaint tabled to the Human Rights Court.

The owner of the confiscated property died already in 1944. In the sense of the confiscation decisions in March 1948 the heritage has been

confiscated as from the enemies of the Slovak nation and traitors of Czechoslovakia, despite the fact that neither the defunct, nor his heir have ever been convicted of any crime.

After several years of trials the Supreme Court stated in its sentence of July 2000 that the court of lower instance has severely violated the rights of the complainants pursuant to art. 6 of the Convention of Human Rights.

In the follow up the competent district court simply ignored the decision of the Supreme Court and repeatedly refused to take on the matter for processing.

These cases demonstrate that the public administration bodies and lower instance courts in many cases refuse to act for ensuring the legal rights of members of the Hungarian population. On this grounds one can state justifiably that the restitution right granted by the land law does not provide equal legal protection of citizens with respect to the rights on the basis of assignment.

We are now more than ten years away from the entering into force of the land law of 1991, but until today the number of unsettled restitution cases is countless, despite the fact that according to art 49. of the administration law, a decision has to be taken within 30 respectively 60 days.

The legal system unfortunately does not contain any elements of sanction neither for cases of systematically delaying decisions, nor illegal procedures, following which these are being conducted according to the gusto of the public administration branches.

Summing up, it is evident that principle concerning the uniform legal contents of property declared by the constitution is being severely damaged, as the question of ethnic membership is playing a primordial role. Resulting from this, the non-Slovak part of the population, in first place the Hungarians, still figure as second class citizens.

Despite of respective legislation in force and legal requests from their part, they can get back their original confiscated lands properties in cases only, where the Slovak settler or even the state itself does not introduce a claim.

Imre Borbély
Co-President of the Carpathian Region
World Federation of Hungarians

**Die Dekrete richten *heute* Unrecht an
und
gefährden damit die Zukunft**

Die rechtskräftigen Dekrete des Präsidenten Beneš verletzen jeden Artikel der Genfer Menschenrechtskonvention, billigen ethnische Säuberung, und degradieren die Mitglieder der ungarischen Minderheit in der Slowakei zu Staatsbürger zweiten Klasse. Die Dekrete dienen in der Slowakei *heute* als Rechtsgrundlage der staatlichen Überspielung des Grundbesitzes ethnischer Ungarn an Slowaken.

Kann in einem modernen Europa Platz sein für ein Land, dessen Regierung ethnische Säuberungen billigt? Die Frage klingt rhetorisch, besonders nach den traumatischen Erlebnissen Europas aus den Kriegen auf dem Balkan, und nachdem Milosevics eben deswegen vor Gericht steht. Doch ist diese Frage mitnichten rhetorisch. Zumindest nicht für jene Slowakei–Ungarn, die die Rechtskräftigkeit der Dekrete konkret und Tag für Tag zu spüren bekommen.

Es sind leider Kräfte in Brüssel die daran interessiert sind die Frage der benešschen Dekrete als Sudetendeutsche–Tschechische Angelegenheit erscheinen zu lassen, und den Themenkomplex zu einer eher historisch-moralischen Zwist zwischen Ewiggestrigen herunterzuspielen.

Dabei wird von Brüsseler Seite peinlich darauf geachtet, zu den auch wirklich bestehenden moralischen Fragen selbst keine Meinung zu äußern – etwa auf der Basis jener Grundwerte und Prinzipien die plakativ als europäisch hingestellt werden und bei den Beitrittsanwärtern gebetsmühlenhaft eingefordert werden.

Man redet davon, dass von sudetendeutscher Seite der Hauptvorwurf bestehe, Entrechtung, Enteignung und Vertreibung der Deutschen und Ungarn hätten auf der Grundlage der Annahme einer Kollektivschuld stattgefunden - dies aber sei, trotz Abstützung auf die nationale Gesetzgebung, völkerrechtlich zweifelhaft und moralisch verwerflich.

Erstens sind die Überprüfung und der Nachweis des Prinzips der Kollektivschuld in den auf Gesetz- (ja sogar Grundgesetzrang!) erhobenen und noch immer rechtskräftigen Dekreten nicht Frage der Einschätzung der jeweils Betroffenen, sondern eine triviale Pflicht des Kommissars für Erweiterung.

Zweitens ist dies eine Sache von Minuten: zum Beispiel wird im Dekret Nummer 5/§.2 Abs.(1) stipuliert, dass das gesamte Besitztum „staatlich vertrauensunwürdige Personen“ in staatlichen Besitz genommen werden muss. Im §.4. Abs.1/a heißt es: „Als aus staatlicher Sicht unvertrauenswürdig muss man betrachten: a) Personen deutscher und ungarischer Nationalität“.

Dieses Motto kommt in einer Vielzahl der mehr als hundert Dekrete vor.

Drittens sind solche Gesetze nicht nur einfach moralisch verwerflich, sondern in einem gemeinsamen Europa schlicht unvertretbar. Man stelle sich ein rechtskräftiges britisches Gesetz vor, welches das Obige auf Angehörige der schottischen Nation verhängen würde.

Es wird der Anschein erweckt, als ob das eigentliche Problem die bestehende Kluft zwischen zwei Sichtweisen, der Sudetendeutschen und der tschechischen sei. Diese würde einen „echten Dialog“ verhindern.

Diese vorgegebene Denkmuster Brüssels ist aus logischer Sicht irreführend, aus moralischer Sicht doppelbödig:

Staatliche Diskriminierung durch rechtskräftige Gesetze ist kein Problem der Sichtweise zweier Volksgruppen. Es ist erste moralische Pflicht der Union – Brüssels – sich gegen staatliche, besonders gegen gesetzlich verankerte Diskriminierung aufzutreten. Und eben *nicht* die Lösung auf die von gesetzlichem Unrecht betroffenen abzuschieben.

Es mutet nach den historischen Erfahrungen der jüngsten, postkommunistisch - europäischen Geschichte geradezu zynisch an die Lösung für staatlich – gesetzlicher Diskriminierung in einem „echten Dialog“ der „Betroffenen“ anzudeuten. Die einzige Lösung für den Problemkomplex des gesetzlich verankerten Unrechts ist die sofortige gesetzliche Entkräftigung der diskriminierenden Gesetze, und anschließende Wiedergutmachung.

Das Rezept des deutschen Innenministers Schily, Tschechien solle die Beneš-Dekrete aufheben, Deutschland dafür von jeglichen materiellen Forderungen Abstand nehmen, kann sich Deutschland als steinreiche

Wirtschaftsmacht leisten. Wie aber soll dieses Rezept an den enteigneten Ungarn angewandt werden? Dabei werden die Ungarn vielfach *jetzt* ihres rechtmäßigen Besitzes beraubt!

Für die 500.000 Slowakei – Ungarn geht es nicht einfach um Wiedergutmachung an ihnen vor Jahrzehnten begangenen Unrechts, sondern erstens um Abwendung heutiger rechtlicher und materieller Diskriminierung. Es geht erstens um landwirtschaftlichen Grundbesitz. In der Slowakei werden die von den Kommunisten enteignete Böden reprivatisiert. Dabei erhalten ethnische Slowaken ihre Böden zurück. Nicht aber die slowakischen Ungarn, die zur Zeit der kommunistischen Enteignung (1948 und danach) schon durch die Dekrete des Präsidenten enteignet, und somit vollkommen besitzlos waren. Die diskriminierten Angehörige der Ungarischen Volksgruppe in der Slowakei haben laut slowakischem Gesetz keine Möglichkeit dem Unrecht zu entinnen. Verwiesen wird auf die Rechtskräftigkeit der „heiligen“ Rechtsquelle: die „Dekrete des Präsidenten Beneš“.

Der Weltbund der Ungarn hat sich in dieser Angelegenheit an den zuständigen Kommissar, Günter Verheugen in einem offenen Brief gewendet. Bis jetzt ohne Erfolg.

Dr. Kálmán Janics

Doctor of Medicine, Human Rights Activist

Slovakia

**Ninety young Székely victims
in the internment camp Pozsony-Ligetfalu**

Ninety pre-military age Székely boys from Csík county (The Székely-Sekler nation, a Hungarian group in Transsylvania, presently in Romania), who were forcibly evacuated by the Nazis to Germany, during the last months of the II WW, were on their way to their homes. In the middle of July 45, they were caught and imprisoned without good reason by the Czechoslovakian political police. They were taken to the notorious internment camp in Pozsony-Ligetfalu near Bratislava. In short order, they were robbed of their meager belongings and shot in cold blood, two months after the end of the war in Europe.

Nobody would have known of this criminal act, but some authorities were looking for the corpse of a person. Digging in a filled-in section of an air-raid trench, they found instead the bodies of these poor Hungarian boys. The ensuing fight of an honest Slovak patriot Mr. Michal Geci and the Democratic newspaper *Cas* to find the killers resulted eventually the apprehension and punishment of the guilty State Security officers. Both the Hungarian and Czechoslovakian governments tried to keep the sad affair from the public. They were succeeded, until a Hungarian medical doctor started to investigate. His findings were published, but not without consequences.

Zoltán Brády
Editor in Chief
KAPU

**„NOBODY CARES ABOUT YOU”
About a Massacre, 50 Years Later**

The first frames of the film present the south-east Slovakian town of Dobsina and the origins of the German speaking population living in and around it. The majority of the Germans arrived in the Middle Ages, but the population of Dobsina considers itself the descendants of Germanic tribes, already present in the region in the 2nd century a. d. These people are the so called Buliners. The language they speak, originating in the German, can not be understood by the Germans of the mother country. The Buliners are to be thanked for the blooming mining and industrial activity of the area and they are also accounted for the foundation of several towns in the region. These people were living peacefully together with Hungarians as well as Slovaks for centuries.

This situation was turned upside down in World War II without recall. The persons acting in the film, based on personal accounts, describe how the trust between the different peoples deteriorated during this time. With the approach of the front line the Germans of Dobsina were expelled to the Sudeten area in the western part of Czechoslovakia. Not only the Germans (Buliners and Zipsers) were forced to leave, but also many Hungarians and even Slovaks, familiar ties being more complex than political ideologies.

The end of the war was perceived by these people as liberation, and although some left the Sudeten area for Germany, the majority considered the native country as their home and did everything in their power to return. Their decision turned into disaster.

On the way home again, on the 18th of June 1945, the trains were stopped at the Moravian town of Prerov by a unit of the Czech intelligence. The leader of the force was Karol Pazur (former Kohn), an officer from Dobsina. Following his orders, 71 men, 120 women and 74 children

were gunned down. The bodies were robbed and thrown into mass graves. There were probably survivors, because for three days the ground above was moving. Later on, the soldiers who were taking part in the massacre, distributed the personal items left in the wagons between themselves.

The witnesses and the survivors as well as the researchers of the subject know what has happened. The film goes on with, as narrative texts, short sequences of the documents of the investigation following the massacre as well as contemporary testimonies. These conclude without doubt, that the victims were killed only because they were Hungarian and German. The youngest „war criminal” was three months old.

Light is shed on the fact that the number of victims didn't rise just because the soldiers run out of ammunition and that the execution of the remaining ones was due to be done later at Bratislava, which also occurred a couple of days later. About this case we are informed by a Viennese historian (of Slovak origin) and a Slovakian- Hungarian researcher of the subject. Actions like the above mentioned were done in utter secret and kept successfully silent. There were not only two massacres following World War II - under protection of a specific Czechoslovakian law, which linked the end of the war to the lifting of the radio alert of the Czechoslovakian Army (the 30th September 1945!!!) but also considers the justification and extent of the military retaliation according to this. Murders committed out of patriotism were not looked upon as crimes.

The KAPU film studio started to reveal the circumstances of the massacre by Prerov. The investigations were lasting three years because of fear, which lives on even today. Following our pattern, other investigations took part, leading to the discovering of other massacres, where civilians because of their Hungarian and German ethnicity were killed. According to some historians several tens of thousands. Experts can't account for 1.5 million persons of German nationality. Where are they? The Czech and Slovak states protest also, because they are not willing to pay any restitution and that is why they won't apologize.

In what follows our film concentrates on the destiny of the survivors. One of these manages to escape to Hungary, another, arriving home finds her house robbed. The so-called Governmental Program of Košice (The

Beneš Decrees) is mentioned, which codified into the post-war legislation of Czechoslovakia the collective deprivation of rights of Hungarians and Germans, and which enabled an aggressive attempt to expel the two nations from their home country – in the case of the Germans with almost total success. They were driven out very brutally of Czechoslovakia to Germany mostly following this event. The orders of the Governmental Program of Košice were not annulled to this very day.

We inquired how the Czechoslovak authorities acted while investigating the Prerov case. The prosecutor of the Pazur case is asked. He relates, that due to his connections the murderer was only imprisoned for two years. Not only that he was granted amnesty, but later on he emerges as an esteemed veteran of the Czechoslovak Association of Partisans. This is a common example of that time.

Pazur is dead today, but in Dobsina lives one of the five soldiers of the military unit which came from town and is considered by the citizens to this day a murderer.

We were able to speak with him. Naturally he denies the charge of taking part in the massacre, but admits, that on that very day he passed Prerov. The film doesn't take position, whether this person was present indeed when the killings occurred, but in a straight way confronts his statements with the knowledge of those accusing him.

Finally we can witness the lasting consequences of the tragic events. We visit the grave in Prerov, where today the men victims rest. (The bodies of the women and children were burned shortly after the massacre by the Czechoslovak authorities, to give the matter the appearance as if the men victims were former SS-soldiers!)

The survivors tell us, how they tried to cope with the trauma they and their nearest ones were personally exposed to. One person e. g. burned all the family pictures (all her family was wiped out) in order to erase any track of the tragedy, to escape the (!) accusations of being at the place of the murder. We also learn, that in Dobsina, once a prospering, German-founded town, there remained actually none who dared to claim German ancestry, while the ore mines, which accounted for the welfare of Dobsina, were closed. The Germans were thus expelled, the Hungarians moved out

or were assimilated into the Slovaks. The largest nationality in the town today are the Gypsies. Nowadays we see a certain amount of activity among the remainder of the Germans, in order to at least maintain what is left of the culture, customs and language.

The protestant minister of Dobsina urges for the necessity of forgiveness. The local historian remarks, that one can forgive, when those who regret their sins ask for forgiveness. From the citizens of Dobsina though, nobody apologized yet, nobody has ever received any compensation. Both the historians from Vienna and Prerov underline: only objectivity and the knowledge of history can bring reconciliation.

The documentary is 86 minutes long, is made by BETACAM technology, and is provided with international sound. The Hungarian text of the film can be separately obtained in typed form.

Nobody cares about you - The list of the persons appearing:

Living in 1995 in Dobsina (Dobšina, Slovakia):

Margarita Hutniková – survivor (family killed)

Ján Neubauer – victims in the family

Ondrej Šmelko – probably one of the murderers

Štefan Štempel – victims in the family, then the president of the Carpathian Germans' Association in Dobsina

Anna Štempelova – survivor (family killed)

Living in 1995 in Rozsnyó (Rožnava, Slovakia):

Batta István – historian

Living in 1995 in Böcs (Hungary, Borsod-Abaúj-Zemplén county):

Lindák Jánosné – survivor (husband killed)

Living in 1995 in Prerov (Czech Republic):

Jörg Štemberg – local historian

Dr. František Hybl – historian, museum director

Living in 1995 in Vágkirályfa (Kráľ'ová nad Váhom, Slovakia):

Dr. Janics Kálmán – historian

In 1995 in Vienna we discussed with:

Dr. Emilia Hrabovec – historian, the subject's researcher; she

mentioned the death march of Brno, also being investigated by her. According to her after the end of WW II approximately 30.000 Germans were forced to march out of the Moravian capital towards the German border, only 10.000 arrived.

Living in 1995 in Bratislava:

Dr. Anton Rašla – retired military chief-prosecutor, the prosecutor in charge of the proceedings

At the beginning of the 1990's two historians of Prague wrote in the journal *Historié á Vojenství* an essay on the subject:

Lubor Vaclavu and Tomas Stanek

Postscript:

The completed film (the text was translated into German) was offered for broadcasting to German TV Stations. In their reply they underlined the importance and quality of the film, we were congratulated – but didn't assume the responsibility to show it. Former chancellor Kohl also received a copy, which he thanked in a warm-hearted letter and announced, that he wasn't able to put the TV stations under pressure in order to broadcast the documentary. Thus we gave the film as a present to a German foundation, where it will be available for researchers (Südost-Institut München). They will have enough subjects to contemplate on, since according to some scholars more than 1.5 million civilians perished in those years in Czechoslovakia. Throughout Slovakia, in almost every larger settlement people are aware of, that after the war persons belonging to the so-called. „guilty” nationalities were murdered, mainly women and children. As an example stands Rožnava, where 20-25 persons were cast into a mine shaft, still alive. But it is also well known the existence of a mass grave at Pozsony-Ligetfalu outside Bratislava where 90 young Hungarian boys (aged 17-20) were buried after being shot in the back of the head.

Our film was on several occasions broadcast by the Hungarian TV stations M1 and Duna TV.

Budapest, the 18 October 2002

MASSACRE IN PREROV, 18TH JUNE 1945
List of Identified Victims

Fam.	Schmidt Johann u. Schmidt Grete	Mühlenbach
	Polay Hedwig	Gross Lomnitz
Fam.	Hanel Johann und Frau	Mühlenbach
	Hanel Tochter	
Frau	Brabetz	Poprad
Frau	Filipe Julia	Mühlenbach
	Filipe Kind	
Fam.	Lux Johann Georg und Frau	Mühlenbach
Fam.	Gally Emilie Gally	Mühlenbach
	Gally Ilonka Tochter	
Frau	Kelbel Susanna Mühlenbach	
Frau	Roth und Mutter	Mühlenbach
	Roth Kind	
	Roth Kind	
	Roth Kind	
Fam.	Klein Béla und Frau	Mühlenbach
	Klein Kind	
	Klein Kind	
Frau	Joh. Heitsch	Kaesmark
Fam.	Lauf Julius	Mühlenbach
	Kulmann Tochter	
Fam.	Lauf Julius und Frau	Mühlenbach
	Blasy Schwiegermutter	
	Glatz Margit	Mühlenbach
Fam.	Zahorsky Paul und Frau	Mühlenbach
	Zahorsky Sohn	

Frau	Hanel Elisabeth Hanel	Tochter	Mühlenbach
	Mülbacher Magda		
Fam.	Kastner und	Frau	Kaesmark
	Kastner	Kind	
	Kastner	Kind	
Fam.	Gall undFrau		Dobscahu
	Gall	Tochter	
	Gall	Tochter	
	Schwiegersohn	
	Schwiegersohn	
	Enkel	
Fam.	Gölner und	Frau	Einsiedel
	Gölner	Sohn	
	Gölner	Kind	
Fam.	Hanschl Wilhelm		Mühlenbach
Fam.	Münich und	Frau /Polizist/	Kaesmark
	Münich	Sohn	
Frau	Hütter und ...	Mutter	Kaesmark
	Hütter	Kind	
	Hütter	Kind	
Fam.	Hlincak und ...	Frau	Kaesmark
	Hlincak	Kind	
	Hlincak	Kind	
Frau	Kraus geb. Molnár		Magotcik
	Kraus	Kind	
	Kraus	Kind	
	Kraus Kirschner Árpád		Magotcik
	Gvuzd geb. Mici Habevern		Magotcik
Fam.	Schwartz	Vater	Georgenberg
	Schwartz	Sohn	

Fam.	Scholtz und Frau	/Baecker/	Kaesmark
	Scholtz	Tochter	
	Scholtz	Tochter	
	Scholtz	Tochter	
	Scholtz	Enkel	
	Novák Adalbert		Georgenberg
	Lindtner Josef		Dobschau
Frau	Stempel Marie geb. Lux		Dobschau
	Kraus Samuel		Dobschau
Frau	Kraus Jolán, geb. Mikulik		Dobschau
	Kraus Samuel		Dobschau
	Kraus Viktor		Dobschau
Fam.	Mikulik Sámuel und Frau /die Eltern/		Dobschau
	Mikulik Júlia		
Fam.	Haak Júlia geb. Fürst		Dobschau
	Haak Susanna	Tochter	
Fam.	Haak Michael und Mária geb. Stracena		Dobschau
	Haak Johann	Sohn	
Fam.	Haak Simon und	Paula geb. Lux	Dobschau
	Haak Simon	Sohn	
	Haak Júlia	Tochter	
Fam.	Quitko Andreas und Mária geb. Stracena		Dobschau
	Quitko Paul	Sohn	
	Quitko Anna		
	Quitko Emma	Tochter	
	Quitko Paul	Sohn	
	Quitko Andreas	Bruder	
Fam.	Polónyi Johann und Justina		Dobschau
	Polónyi	Kind	
	Polónyi	Kind	
	Polónyi	Kind	
Fam.	Rozlosnik Michael und Amália geb. Szikora		Dobschau
	Rozlosnik Michael	Sohn	
Fam.	Fischer Johann und Fischer Paul		Dobschau

	Fischer	Kind	
Fam.	Lux Michael /Bumo/		Dobschau
	Lux Mária		
	Lux Johann		
Fam.	Molnár Lajos und Molnár Elsa		Dobschau
	Molnár Paul	Sohn	
Fam	Lindák Johann		Dobschau
	Lux Sofia	Schwiegermutter	
Fam.	Gömöri Johann		Dobschau
Fam.	Kreutzer Johann und Júlia geb. Stempel		Dobschau
	Kreutzer Júlia	Tochter	
Fam.	Breuer Júlia		Dobschau
	Schwirian Júlia		Dobschau
Fam.	Wagner Béla und Margarete		Dobschau
	Wagner Anna	Kind	
	Wagner Béla	Kind	
	Wagner Géza	Kind	
Fam.	Lux Júlia geb. Roslosnik		Dobschau
	Kratochvila Július Enkel		
	Kratochvila Sámuel		
	Lux Michael		
Fam.	Wagner Johann und Susanna geb. Lindák		Dobschau
Frau	Lada Sofia geb. Klausmann		Dobschau
Frl.	Mega Sofia		Dobschau
Fam.	Kaiser Michal und Anna geb. Lux		Dobschau
Fam.	Török Susanna geb. Kaiser		Dobschau
	Török Anna geb. Gotthardt	Schwiegertochter	
	Török Katarina	Tochter	
Fam.	Linder Josef und Linder Kati geb. Gál		Dobschau
	Linder Josef	Kind	
	Linder Andreas	Kind	

Fam.	Pocsubai Gustav und Martha geb. Gál	Dobschau
	Pocsubai Klári Tochter	
	Pocsubai Mária Tochter	
Fam.	Horak Paul und Mária geb. Lichy	Dobschau
	Horak Eva Tochter	
	Horak Paul Sohn	
	Horak Hans Sohn	
	Horak Maria Nichte	
	Lichy Michael	Dobschau
Fam.	Repasky Mária geb. Kraus	Dobschau
	Repasky Johann Sohn	
Fam.	Tomai Árpád und Maria geb. Kaiser	Dobschau
	Tomai Elsa Tochter	
	Kaiser Emma Nichte	
Fam.	Kovács Béla und Frau	Dobschau
Fam.	Csisko Vencel und Frau	Dobschau
	Csisko Kind	
	Csisko	
	Csisko	
Fam.	Zimmermann und Frau	Dobschau
Fam.	Gebauer und Frau	Dobschau
	Rozloznik Michal	Dobschau
	Kolpok Amália	Dobschau

**Examination of Post World War II
Slovak and Czech Discriminatory Decrees, Laws,
Court Decisions and Protocols, 1945-2002**

The European Parliament's Foreign Affairs Commission on 26 February, 2002, requested that a panel of independent legal experts examine the legacy of the 1945-1948 "Beneš decrees" and determine what they represent today. The Commission also asked for a certified English and French translations of some of the decrees. It is a general view in legal circles, that if the examination will show that the decrees include discriminatory elements and they continue to affect the Slovak and Czech legal system, they should be abolished before the Slovak Republic and the Czech Republic are allowed to join the European Union.

The following paper is submitted in two parts:

- I. Historical Background of the Beneš Decrees;
- II. Current Implementation Legislation and Court Decisions, 1991-2002.

I. Historical Background

The expression "Beneš decrees" is a collective designation not only for the 143 decrees Edward Beneš signed in his political exile in London from 1940 and after his return to Prague until the formation of the Provisional National Assembly in 1945, but it includes also the laws passed by the Czechoslovak Parliament in Prague and the Slovak National Council (provincial legislation) in Bratislava, the decrees of the Czechoslovak government and different ministries in Prague, and the decrees of the Board of Slovak Commissioners (provincial government, an appendage of the Czechoslovak government), and the different commissioners in Bratislava.

Hundreds of decrees and laws, and hundreds of pages were written for their implementation. The overall goal was the destruction of national minorities.

The aim of the government was to deprive the citizens of German and Hungarian origin of their Czechoslovak citizenship, to exclude them from political life, and from public administration, to abolish their associations, schools, independent church organizations, to freeze their bank deposits, to restrict their personal freedom, to exclude them from public and private employment, to confiscate their movable and immovable properties, including stocks bank deposits, and to hold them in concentration camps. The Slovak provincial legislation in Bratislava duplicated the anti-Hungarian decrees and laws issued in Prague. In August, 1944, the illegal Slovak National Council hiding in the mountains of Eastern Slovakia in opposition to the fascist, Nazi-ally first Slovak Republic (1939-1945), supported by the approaching Soviet army, began to issue anti-Hungarian decrees.

In 1918, the newly founded Czechoslovak Republic, a mosaic state of nationalities with 43% of Czechs, was entirely carved out of the Austro-Hungarian dual monarchy by a unilateral decision of the victorious Entente powers, without the consent of the population involved. Even the ruling Slovak partners were dis-satisfied with the Czech domination in the partnership, and in 1938 they established contacts with the Sudeten Germans, with a population of 3.5 million, the Hungarian, Polish and Ruthenian minorities by forming an autonomous bloc against the Czechs. The radicalization of the internal political situation in Czechoslovakia worried the founders of the country, the British and the French governments, leading to the emergence of the recommendation to appoint a British mediator to arrive at a negotiated settlement of the minority problem. This led, at the request of the Czech government, to the convocation of the four-power, British- French- German- Italian, Munich conference culminating in the Munich agreement of September 29, 1938, and the cession of the Sudeten German districts to Germany. These events forced President Edward Beneš (1935-1938) to resign from office on October 5, 1938.

Immediately after the resignation of Beneš at the meeting in Zilina, the Slovak Populist Party under the leadership of Jozef Tiso, together with the

Slovak National Party and the Agrarians demanded autonomy for Slovakia from Prague. The Slovaks introduced a one-party system in their new autonomous province.

The declaration attached to the Munich agreement was of vital importance to the Hungarian minority. The heads of government represented in Munich, namely: Britain, France, Germany and Italy, declared that they would reconvene if the problems of the Polish and Hungarian minorities in Czechoslovakia were not settled within three months time. Poland, on its part, decided not to wait for any further negotiations and immediately occupied the Polish-inhabited areas of Czechoslovakia.

At the request of the four powers, the Hungarian government started to negotiate with the Czechoslovak government on the fate of the Hungarian minority in Czechoslovakia. The Prague government was represented by ministers of the autonomous Slovakia, and only by one advisor from the Czechoslovak government.

The sublime idea of national self-determination evaporated, and political interests superseded them. After an impasse in the negotiations, the Prague government asked for an international arbitration of Germany and Italy. On 2 November 1938, in Vienna, a two-power arbitration returned to Hungary from the rump Czechoslovakia a segment of territory along the Czechoslovak-Hungarian border in southern Slovakia.

It is noteworthy that Article XIX of the covenant of the League of Nations anticipated the peaceful reconsideration of the peace treaties pursued by the Assembly of the League of Nations which had become inapplicable and whose pursuit could endanger world peace.

The Slovak provincial government gave the coup de grace to the rump Czechoslovakia. With the diplomatic support of Berlin, the Province of Slovakia declared its independence as a sovereign state on March 14, 1939. The first Slovak Republic in history (1939-1945), then became a faithful satellite state of Germany. A barely six-month old independent Slovakia became a German ally on 4 September 1939, three days after the German attack on Poland, and remained a German ally during World War II. Berlin regarded Slovakia as a German sphere of interest.

The Ministry of National Defense of the first Slovak Republic in 1942 published an illustrated compendium of the Slovak army battles against the Soviet Union, entitled: „OD TATIER PO KAUKAZ“ (From the Tatra Mountains to the Caucasus), *Obrázkové Dokumenty o Bojoch Slovenskej Armády v Rokoch 1941-1942*. (Illustrated documents of the battles of the Slovak Army in 1941-1942), published by the Ministry of National Defense in Bratislava, 1942. This book has a German and Italian summary, and is available on interlibrary loan by interested persons.

On 15 March 1939, another aftermath of Munich occurred as Hitler ordered the German occupation of three Czech provinces:

Bohemia, Moravia and Silesia, which remained under German rule until the end of WW II. Then the Hungarian army reoccupied Ruthenia from the rump Czechoslovakia which for the previous 1,000 years had been part of Hungary.

Exiled in Britain, ex-president Beneš established a Czechoslovak National Committee immediately after the outbreak of World War II in September 1939, which was recognized by the British and French governments. When France fell under German occupation in 1940, the British recognized Beneš' group as a provisional Czechoslovak government in exile, with Beneš as president.

This government in exile was on the payroll of the British government for the remainder of the war years. Until the end of war, the Czechoslovak government in exile received 40.5 million pound sterling of aid from Britain.

The outbreak of hostilities between Germany and the Soviet Union ended Beneš' isolation from the Moscow-based Czech refugees. Soviet Russia concluded a treaty of mutual aid against Germany with the Czechoslovak government in exile and gave diplomatic recognition to the London-based Beneš political agents. The Soviet Union in 1941 recognized the pre-Munich Czechoslovak boundaries at that time, while the British government denied the idea of legal existence of and continuity of the pre-1938 Czechoslovak Republic. The Munich agreement was declared null and void by the British on 5 August 1942 and by the French national committee in London on 29 September 1942.

Both countries had been signatories to the 1938 agreement. As the fortunes of war started to favor the Soviet Union, Beneš began to scheme his political future on Russian assistance. He concluded two treaties with Moscow for mutual assistance and postwar cooperation: one in 1943 and the other in 1944. The Soviet Union along with some other governments, including the USA, also exchanged ambassadors with Beneš's London-based exile government. The former president or ex-president appointed himself president with the tacit consent of the British government, and started his decree-writing activity.

The Beneš plan for the expulsion of the German and Hungarian population from their homes in former Czechoslovak territory came closer to being a reality when the Sudeten-German population and the Hungarian minority came within his grasp due to Russian advancement into Central Europe.

From London and Moscow, Czech and Slovak political agents in exile followed an advancing Soviet army pursuing German forces westward to reach the territory of the first, former Czechoslovak Republic. Beneš proclaimed the program of the newly appointed Czechoslovak government on 5 April 1945 in the northeastern city of Košice which included oppression and persecution of the German and Hungarian population. After the proclamation of the Košice program, the German and Hungarian population living in the reborn Czechoslovak state was subjected to various forms of persecution, including: expulsions, deportations, internment camps, peoples courts procedures, citizenship revocations, property confiscations, condemnation to forced labor camps, involuntary changes of nationality or reslovakization, and appointment of government supervisors to German and Hungarian owned businesses and farms.

The decrees of the self-appointed president of the republic - Beneš was reelected only on 11 May 1946 – gave a semblance of legitimacy for the total oppression by the Czechs and Slovaks of the three and a half million Germans and 860,000 Hungarians. (The losses of Hungarians by expulsion from their homes in detail: 76,616 were forcibly taken in boxcars to Hungary; 39,000 were ordered to leave Czechoslovakia with a parcel of 50 kg personal belongings; roughly 10,000 persons escaped to Hungary to avoid Slovak and Czech persecutions, and – according to a Slovak source – 73,000 Hungarians were taken to slave labor camps to the Czech provinces from Slovakia. Their

movable and immovable properties were confiscated in favor of the state. Furthermore, by December 1947, the so-called Reslovakization Commissions labeled 326,679 Hungarians as Slovak nationals). The remaining Hungarians in Czechoslovakia lived in constant fear and misery.

The two successor states of the restored Czechoslovakia, the Slovak Republic and the Czech Republic, remain unwilling to revoke the discriminatory edicts and laws and to restore human and property rights to the proscribed population. As candidates for membership in the European Union, they even want to take the discriminatory edicts and laws with them in the EU legal system.

Until today, only presidential edict 33/1945 of 2 August 1945, has been revoked in 1948 on a direct order from Moscow, but not by a decision of Prague or Bratislava. On 25 February 1948, by a coup d'état of the Communist Party of Czechoslovakia removed Beneš from office and kept him under house arrest on his country estate where he died four months later. The Czech-Slovak-Hungarian antagonism became an embarrassment for the Soviet Union over the years. The dilemma for Moscow was that the newly founded regimes in the "peoples democracies" had to build socialism in common partnership. With the disappearance of Beneš from the political scene, the Czechoslovak government issued decree # 76/1948 on 13 April 1948, allowing those German and Hungarians still living in Czechoslovakia, to reinstate the Czechoslovak citizenship that had been revoked by decree 33/1945.

The Slovakian Commissioner of the Interior also revoked the latter decree by issuing decree # 287/1948. A year later, Hungarians were allowed to send their children to Hungarian schools in Slovakia which had been reopened for the first time since 1945. There was no protest in Prague or Bratislava against the Soviet demand, although decree 33/1945 was the basis of all discriminatory decrees.

It deprived Germans and Hungarians of their citizenship and civil rights. There is little doubt that the Czech Republic and the Slovak Republic would immediately revoke those edicts and laws if the EU or NATO declared them incompatible with the laws of the EU and the NATO alliance and mandated their repeal as a condition to entry into the EU.

Another injustice against those of Hungarian origin was the forced labor deportation to the Czech provinces, called labor recruitment, ordered by presidential decree 71/1945 of 19 September 1945, and executed during the winter of 1946-1947. This deportation to forced labor was carried out officially on the basis of decree No. 88/1945 on the General Obligation to Work. Today, in 2002, there are still more than 19,000 of them in the Czech provinces. Under the supervision of the armed forces and the police, whole families were deported, including women, children, ill and old people. Their movable and immovable properties were promptly confiscated. Over 545,000 hectares of land have been confiscated from Hungarians during this wave of cleansing. During the first Czechoslovak Republic (1918-1938), as a consequence of confiscation, the Hungarians suffered serious losses: 1,836,137.05 cadastral yokes (1 cadastral yoke = 1.412 acres). Until today no compensation was paid by the successor states of the two Czechoslovakias to Hungarians for their confiscated land and other immovable properties: furniture, livestock, farm implements, bank deposits or stocks, and financial assets.

A selected list of 89 Czechoslovak and Slovak discriminatory decrees of 1945-1948 from the Collection of Laws is enclosed for an examination by legal experts. The decrees had been prepared by the cabinet for signature of the President, and depending on their character and territorial range of their effect, they were discussed also in the Slovak National Council. The decrees and discriminatory laws issued since 1945, the year of restoration of Czechoslovakia , are still part of the legal order of the Slovak Republic and the Czech Republic. The Provisional National Assembly in 1946 gave the power of law to the 1940-1945 Beneš decrees (Law No. 57/1946). According to media news, the Foreign Affairs Commission of the EP has already dealt with the amnesty law No. 46/1945 of May 8, 1945, and condemned it. This law gives amnesty to those who committed act of violence or murder against the enemies of the Czech or Slovak nation.

Former Czechoslovak state and Slovak provincial decrees and laws still valid in the Czech Republic and Slovak Republic in 2002, both of them candidates for admission to EU and Slovakia also to NATO. See enclosed list.

Czechoslovak and Slovak decrees and laws in force in 2002:

5/1945, 12/1945, 16/1945, 27/1945, 28/145, 71/1945, 81/1945, 81/1945, 88/1945, 91/1945, 108/1945, 128/1946, 252/1946, 90/1947, 30/1948, 114/1948, 115/1948, 118/1948, 120/1948, 121/1948, 12/1948, 123/1948, 124/1948, 125/1948;

Government decree (Prague): 30/1948;

Decrees of the Slovak National Council, Bratislava, 1945-2002, prolonging the Beneš decrees:

(Between August 1944 and April 1945, the Slovak National Council was hiding in illegality in the mountains of Eastern Slovakia with the help of soviet army officers seeking protection from the German-allied forces of the government of the first Slovak Republic).

4/1945, 16/1945, 50/1945, 51/1945, 52/1945, 62/1945, 104/1945, 64/1946, 69/1946, 20000/1946, laws: 229/1991, 330/1991, 93/1992, 180/1995; Supreme Court decisions: 361/1994, 15/1997, 126/1999, 110/2000, 31/2001; protocol of 6 June 1996; letter of the Minister of Agriculture, No. 1866/2001-100 of 14 June 2001.

The web-sites of these decrees:

<http://www.hungary.com/corvinus>

(Section: History, Czecho-Slovak-Hungarian Affairs)

<http://www.intergate.ca/personal/huffist>

II. Current Implementation Legislation and Court Decisions, 1991-2002

Extension of the validity and effect of the discriminatory decrees and laws after 1948.

New decrees, laws, regulations, court decisions and protocols have been added to the enclosed list of the 1945-1948 legislation to give a pretext for the prolongation of the validity and effect of the discriminatory decrees and laws which denounced the Hungarian and German minorities collectively as war criminals who should be exterminated, and their properties left behind should be distributed free of charge among Slovaks and Czechs. The validity of the above decrees and laws was renewed and prolonged by laws 229/1991 and 330/1991. They exclude the Hungarians of Slovakia from restitution of landed property, confiscated by presidential decree 108/1945 and 104/1945 of the Slovak National Council, to their former proprietors or their legal heirs. They are not abrogated, and still effect and extend the legal continuity of the Beneš decrees.

Law 229/1991 of the Czechoslovak Parliament allowed citizens, having permanent residence in Czechoslovakia under certain conditions to reclaim their landed properties confiscated by the state after the 25 February 1948 communist coup d'état. This law did not nullify the confiscations between 1945-1948 from Hungarians and Germans based on the Beneš decrees. The exclusions in this law were confirmed by the circular letter No. 126/1999 of the Supreme Court of the Slovak Republic on 19 March 1999, after the separation from Czechoslovakia on 1 January 1993.

To support the legal continuity of the so called Beneš decrees, a decision of the Supreme Court of the Slovak Republic No. c.k. 13 CO 361/1994 of 22 June 1994, (Rozsudok v Mene

Slovenskej Republiky – Decision on behalf of the Slovak Republic) states that the property registered in the Registry Office of the City of Nové Zámky under No: 89/2786 (house), No. 809 (courtyard) and No. 2787 (garden) in the name of Margaret Kanoszay, née Pusztay, of Hungarian nationality, was confiscated according to presidential decree 108/1945 concerning the confiscation of enemy property, and it cannot be

restituted. The objective was to insure that the confiscated property would devolve to those who were considered by the government to be politically reliable.

The properties of those Hungarians who were carried off to Bohemia, Moravia and Silesia to forced labor according to decree 71/1945 were confiscated immediately by the confiscation commissions. Between 1945 and 1948, 4538 cases occurred.

The Parliament of the Czech and Slovak Federative Republic modified the 229/1991 Land Act with the 93/1992 modification act. It cancelled the limit of 250 hectares of reclaim and introduced the status of "presumed proprietor" in the legal regulation. In reality, this regulation provided legal force to the claims of Slovak colonists in Hungarian inhabited Southern Slovakia and assigned them land which has never been registered in their name in the Land Registry Offices. The title for property is registered in the cadastral registry and later it causes a legal impediment for the restitution of the originally confiscated land.

Currently, state authorities obstruct claims of citizens belonging to the Hungarian minority. The Slovak National Council adopted law No. 180/1995 of the "presumed property title". By this law, Slovak colonists to whom confiscated land from Hungarians was assigned by decrees 108/1945 or 104/1945 became the proprietors of the confiscated lands.

In these procedures, the local administrative offices receive a continuous support from the central ministries.

The most noticeable example from the Ministry of Agriculture is the "protocol" drafted on 6 June 1996, on a legal position regarding land at a joint meeting of the representatives of the Slovak government's cabinet office, the District Court of Bratislava, the Bratislava Regional Cadastral Registry Office and the Ministry of Agriculture. Although the "protocol" adopted has no legal force, as it never been published in the Official Gazette, it often appears as a reference in the procedure of some cadastral registry offices. In a democratic state, legally valid annulments belong only to the competence of a judiciary forum.

Furthermore, Pavel Koncos, the Minister of Agriculture, having only a procedural (and non discretionary) competence, issued different circular letters (e.g., the letter issued on June 14, 2001, under No. 1866/2001-100) instructing district office managers how to refuse restitution claims for confiscated properties from Hungarians. This also shows that ethnic discrimination in Slovakia is also the policy of the government. In 2002, the number of restitution claims before the courts in the Slovak Republic for confiscated properties under litigation is considerably high. The courts must take into consideration the existing and valid decrees, laws, protocols and previous court judgments.

To this day, neither the Slovaks nor the Czechs, as candidates for membership in the EU and Slovakia also a candidate for NATO membership, want to consider the revocation of the discriminatory 1945-2002 edicts, laws, court decisions and administrative regulations.

The restoration of Czechoslovakia after World War II was a political mistake of colossal proportion. In 1918 and 1945, the Slovaks were opportunistic beneficiaries as a result of their political alliance with the Czechs. However, in 1939, they jumped at the opportunity provided by the expansionist policy of the national socialist German government for the establishment of the first Slovak Republic in history, with German assistance. This wartime alliance was forgiven by peacemakers at the conclusion of World War II, as demanded by the fiction of a Czechoslovak Republic. In 1945, to avoid punishment for the wartime alliance with Hitler's Germany, the Slovaks hid behind the political cloak of "czechoslovakism".

In 1993, the Slovaks abandoned the Czechs for a second time in history. The incessant harassment of Hungarians in Slovakia must stop. Time has come for the peaceful revision of the Slovak-Hungarian border along the centuries-old ethnic lines, in accordance with international law and the right of national self-determination. The 1975 Helsinki Final Act recognized peaceful border changes. It remains an absurdity that a territorially enlarged second Slovak Republic (1993-) has been allowed to emerge as an incidental winner of World War II by replacing the Nazi satellite first Slovak Republic (1939-1945) and to continue ethnic cleansing of Hungarians with impunity.

The European Union and NATO could stop the systematic liquidation of the Hungarian population condemned to live by two peace treaties, Trianon, 1920 and Paris, 1947, in the Slovak Republic, a candidate state for membership in both institutions. The persecution of the Hungarian minority by economic, cultural, social and political means in Slovakia should not be tolerated in democratic societies. The problem exists and it cannot be swept under the carpet by looking in the other direction. Later it could emerge and cause serious difficulties to both institutions in the coming years. Statistical data show a phenomenal growth of the Slovak population since the foundation of the first Czechoslovak Republic in 1918. In 1910, the year of the last census in the Kingdom of Hungary, on the territory of present - Slovakia there lived 1,703,000 Slovaks and 1,070,614 Hungarians; in 2001, in the same area there were 4,614,854 Slovaks and 520,528 Hungarians.

Today, the European Union and NATO representing legitimate authority should have the political will for securing equal rights for the Hungarian population in Slovakia and guarantee their right to self-determination. A necessary condition to meet these goals is the revocation of the Czechoslovak and Slovak discriminatory edicts and laws of 1945-2002, to make it legally binding by their publication in the Official Gazette.

Enclosure

Addendum: Anti-German and anti-Hungarian discriminatory edicts, decrees, statutes, in Czechoslovakia, 1945-1948, and their extension in the second Slovak Republic (1993 - 2002).

Addendum

Anti-German and Anti-Hungarian Discriminatory Edicts, Decrees and Statutes, Czechoslovakia, 1945-1948

- I. Presidential and Constitutional Edicts
- II. Laws and Statutes
- III. Government Decrees
- IV. Decrees of the Slovak National Council (Bratislava)
- V. Ministerial Decrees
- VI. Decrees of the Slovak Commissioners (Bratislava)

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I. Presidential and Constitutional Edicts

005/1945

Edict of the President of the Republic concerning the invalidity of transactions involving property rights from the time of the occupation and concerning the National Administration of property assets of Germans, Magyars, traitors and collaborators and of certain organizations and associations. (May 19, 1945)

012/1945

Edict of the President of the Republic concerning the confiscation and early re-allotment of agricultural property of Germans, Magyars, as well as traitors and enemies of the Czech and Slovak people. (June 21, 1945)

016/1945

Presidential edict concerning the establishment of special People's Courts for traitors and collaborators. (June 19, 1945)

017/1945

Presidential edict concerning People's Courts for unfaithful citizens. (June 19, 1945)

021/1945

Presidential edicts concerning legislative power during the time of transition. The president had temporary power to exercise legislative function. Reprint from the Uredni Vestnik (Official Gazette) in exile in London, England. (February 27, 1945)

027/1945

Presidential edict concerning domestic colonization. (Colonization of the Slavic population in German and Hungarian districts). (June 27, 1945)

028/1945

Presidential edict concerning the settlement of Czech, Slovak or other Slavic farmers on the confiscated properties of Germans, Hungarians and other enemies of the state. (May 20, 1945)

033/1945

Presidential edict concerning the right of Czechoslovak citizenship. German and Hungarian nationals lost their citizenship. (August 2, 1945)

050/1945

Presidential edict concerning films. (August 11, 1945)

059/1945

Presidential edict concerning the repeal of civil servant appointments during the occupation. (August 20, 1945)

071/1945

Presidential edict concerning forced labor services of persons who had lost Czechoslovak citizenship. (September 19, 1945)

081/1945

Presidential edict concerning the dissolution of all German and Hungarian clubs and cultural, social and sports associations in Czechoslovakia. Their confiscated properties were transferred to the state and, in most cases, their libraries were destroyed. (September 25, 1945)

088/1945

Presidential edict concerning public labor. This edict ordered the deportation of the Hungarian nationals to the evacuated German districts in Bohemia. (October 1, 1945)

091/1945

Presidential edict freezing bank deposits belonging to Germans and Hungarians and prohibition of withdrawals even for personal expenses. Total losses suffered by the Hungarians in Czechoslovakia were estimated to be 1.102 billion Czech crowns as of July 16, 1948. (October 19, 1945)

100/1945

Presidential edict concerning the nationalization of mines and some other industrial plants. (October 24, 1945)

101/1945

Presidential edict concerning the nationalization of the feed industry. (October 24, 1945)

102/1945

Presidential edict concerning the nationalization of banks of stock corporations. (October 24, 1945)

103/1945

Presidential edict concerning the nationalization of private insurance companies. (October 24, 1945)

105/1945

Presidential edict concerning the purging committees reviewing civil servant activities. (October 24, 1945)

108/1945

Presidential edict concerning the confiscation of enemy property and the funds for national regeneration. Hungarian property was confiscated with the exception of their personal belongings. (October 25, 1945)

Presidential edicts concerning nationalization excluded all Hungarians from any compensation.

143/1945

Presidential edict concerning civil action limitations in criminal proceedings. (October 27, 1945)

II. Laws and Statutes

026/1946

Concerning voter lists. (February 21, 1946)

065/1946

Constitutional law concerning the National Constituent Assembly. It effectively abolished the franchise of Hungarians in Czechoslovakia. (April 11, 1946)

083/1946

Concerning the employment of Germans, Hungarians, traitors and collaborators. This law went so far as to terminate employment of Hungarians. (April 11, 1946)

128/1946

Concerning the nullification of all property transactions through which a Hungarian acquired property after September 29, 1938, the date of the Munich Four-Power Agreement. Subsequently such property, although legally transacted and fully paid by a Hungarian, was either returned to its previous non-Hungarian owner or transferred to the state. (May 16, 1946) It is noteworthy that on February 12, 1942, four years after the first Vienna arbitral award, the Hungarian government concluded a bilateral treaty which compensated and thoroughly satisfied the individuals involved.

130/1946

Concerning the addenda and changes to Presidential edict 105/1945 dealing with Purging Committees. (May 16, 1946)

Concerning extraordinary provisions which permitted the termination of a transaction between a Hungarian and a real estate owner. (July 18, 1946)

164/1946

Concerning relief to victims of war and fascist persecution. Hungarians became ineligible for relief due to the loss of their Czechoslovak citizenship, as a result of Presidential edict 033/1945. (July 18, 1946)

232/1946

Concerning the disenfranchisement of Czechoslovak citizens of ethnic Hungarian origin. Government decree

216/1946

also prohibited the election of a Hungarian to factory committee even in situations where almost all the workers in certain agricultural or industrial workplaces were Hungarian. Hungarians were excluded from trade unions in post World War II Czechoslovakia. (December 10, 1946)

247/1946

Concerning the modification of Presidential edict 105/1945 dealing with Purgng Committees. (December 19, 1945)

252/1946

Concerning employee compensation in the event of employment loss as a result of confiscation or land reform. Hungarian workers held no claim to compensation. (December 20, 1946)

090/1947

Concerning legal procedures in the land registry office for the distribution of confiscated property. (May 8, 1947)

107/1947

Concerning provisions against unauthorized border crossings. (May 29, 1947)

114/1948

Concerning additional nationalization of industrial plants. (April 28, 1948)

115/1948

Concerning additional nationalization of feed industry plants. (April 28, 1948)

118/1948

Concerning nationalization of wholesale commerce. (April 28, 1948)

119/1948

Concerning nationalization of foreign trade and international shipping. (April 28, 1948)

120/1948

Concerning nationalization of enterprises of over fifty employees. (April 28, 1948)

121/1948

Concerning nationalization of the construction industry. (April 28, 1948)

122/1948

Concerning nationalization of travel agencies. (April 28, 1948)

123/1948

Concerning nationalization of printing shops. (April 28, 1948)

124/1948

Concerning nationalization of restaurants and hotels. (April 28, 1948)

125/1948

Concerning nationalization of spas. (April 28, 1948)

126/1948

Concerning nationalization of certain seed improvement enterprises. (April 28, 1948)

138/1948

Concerning landlord/tenant proceedings. This allowed for the cancellation of agreements with tenants regarded as disloyal from a state security standpoint. By May 1948, the implementation of this law in Pressburg (Bratislava) alone resulted in over four hundred Hungarian families receiving notices to vacate their Premises with two to five hours' notice. Similar expulsions also occurred in the countryside. (April 28, 1948)

III. Government Decrees (Prague)

048/1945

Concerning Provisional National Assembly elections. This decree disenfranchised Czechoslovak citizens of Hungarian descent until 1949. (August 25, 1945)

216/1946

Concerning the enforcement of the provisions of decree 104/1945, enacted on August 23, 1945 by the Slovak National Council, regarding factory councils, excluding ethnic Hungarians from those councils. (November 5, 1946)

030/1948

Concerning the administration and distribution of property, belonging to Hungarians who were transferred to Hungary, among patriotic Czechoslovak citizenry. (March 19, 1948)

IV. Decrees of the Slovak National Council (Bratislava)

006/1944

Concerning Hungarian school closings as well as the banning, in many places, of Catholic and Protestant religious services conducted in Hungarian. This decree was issued during the first Slovak Republic (1939-1945) by the then illegitimate Slovak National Council in exile. (September 6, 1944)

004/1945

Concerning the confiscation and accelerated distribution of immovable landed property belonging to Germans, Hungarians, traitors and enemies of the Slovak nation. (February 27, 1945)

008/1945

Concerning the restriction on service in the armed forces to Czech, Slovak or Ukrainian nationals. (March 6, 1945)

016/1945

Concerning freezing bank deposits of Hungarian nationals. (March 23, 1945)

020/1945

Concerning granting authority to local industrial boards to review and cancel trade licenses to individuals considered to hold questionable political loyalty. (March 29, 1945)

026/1945

Concerning the prohibition of organizing administrative councils, called People's Councils (Narodny Vybor), in Hungarian populated villages, towns and districts. In these places, local government was executed by centrally appointed non-Hungarians organized as Administrative Commissions (Spravna Komisia) whose members were reliable Slovak communists who received their instructions directly from the Communist Party of Slovakia. (April 7, 1945)

033/1945

Criminalizing any political, economic and cultural activity having any connection with Hungarian government administration of former southern Slovakia subsequent to the September 1938 Munich Agreement. This decree also regulated procedures of the People's Courts in Slovakia. (May 15, 1945)

043/1945

Concerning rules for membership renewal for attorneys to the Bar of Slovakia. The Bar Association of Pressburg (Bratislava), then the only one in Slovakia, refused membership applications from Hungarian lawyers, referring to the Yalta Conference resolutions. (May 25, 1945)

044/1945

Concerning civil servant employment and the dismissal of all Hungarian civil servants, with immediate effect or no later than July 31, 1945, without any claims or compensation, including the loss of retirement benefits. (May 25, 1945)

050/1945

Concerning the National (State) Administration to be established on properties owned by Hungarians, regarded collectively as politically unreliable from the point of view of the Czechoslovak state and the people's democracy. The resultant damage caused by the government-appointed Slovak or Czech administrators was enormous: at least 6120 administrators were imposed to oversee Hungarian properties, resulting in an estimated financial loss between 1945-1948 of 600 million Czech crowns. (June 5, 1945)

051/1945

Concerning the dissolution of Hungarian clubs and cultural, social and sports associations in Slovakia as well as the confiscation and transfer of Hungarian-owned property to the state and the destruction of Hungarian libraries. (May 25, 1945) This decree was identical in content with Presidential edict 081/1945 of September 25, 1945.

052/1945

Concerning the nullification of all property transactions through which a Hungarian acquired property after September 28, 1938. (June 6, 1945). This was identical to Law 128/1946.

062/1945

Concerning the freezing of bank deposits of Hungarians and the prohibition against withdrawals, even for personal expenses. (July 3, 1945)

Identical to Presidential edict 091/1945 of October 19, 1945.

067/1945

Concerning reporting of war damages. (July 3, 1945)

069/1945

Concerning the dismissal of all employees of Hungarian origin with immediate effect, without notice and without claim to compensation. (July 3, 1945)

082/1945

Concerning restricting legal and notarial professional practice to Slovaks. (July 25, 1945)

097/1945

Concerning the prohibition against compensation to Hungarians for war damages. (August 23, 1945)

099/1945

Concerning the dismissal of Hungarian civil servants. Only a very small percentage of discharged Hungarians received social relief of 1,000 Czech crowns, roughly twenty dollars. (August 23, 1945)

104/1945

Concerning the confiscation and accelerated distribution of immovable Hungarian-owned property without compensation.

The objective was to insure that the confiscated property, including cultivated land, forests, livestock, farms and farm implements, would devolve to those considered to be politically reliable. These confiscation commissions, were involved in 4538 such cases between 1945 and 1948. (August 23, 1945)

105/1945

Concerning the establishment of labor camps for those considered to be unreliable. Enforcement responsibility was delegated to national committees at the local and county levels. (August 23, 1945)

107/1945

Concerning the provision of benefits to elderly, disabled and poor Czechoslovak citizens. Hungarians and stateless individuals were ineligible for consideration to receive social benefits. (August 23, 1945)

130/1945

Concerning compensation for war damages. See also decrees 67/1945 and 97/1945. Hungarians were ineligible to receive compensation, even though the destruction due to military action in southern Slovakia during 1944-1945 occurred in districts which were populated mainly by Hungarians. (November 15, 1945)

054/1946

Concerning the termination of agreements between Hungarians and landlords. See also laws 163/1946 and 138/1948. (April 23, 1946)

062/1946

Concerning the removal from office of all notaries public of Hungarian origin. (May 10, 1946)

064/1946

Concerning the modification of the confiscation and accelerated distribution of agricultural properties of Germans, Hungarians, traitors and enemies of the Slovak nation. (May 14, 1946)

065/1946

Concerning mortgaging of immovable property. (May 14, 1946)

069/1946

Addenda to decrees concerning the confiscation and accelerated distribution of Hungarian-owned property. (December 19, 1946)

005/1948

Concerning the recognition of bar examinations for judges and attorneys completed in Hungary for individuals not of Hungarian descent. (March 15, 1948)

V. Ministerial Decrees (Prague)**043/1945**

Concerning the force of Presidential edict 004/1944 (in exile in London) on the National Councils and Provisional National Assembly. (August 3, 1945)

045/1945

Concerning the official powers and elections of the National Councils. Minister of the Interior. (August 24, 1945)

2139/1946

Concerning the partial release of frozen bank deposits. Minister of Finance. (December 6, 1946)

077/1948

Concerning the deadline for changes regarding eligibility to Czechoslovak citizenship. Minister of the Interior. (April 16, 1948)

*VI. Decrees of the Slovak Commissioners (Bratislava) and the
Presidium of the Board of Commissioners (Provincial Government)*

082/1948

Concerning compensation to employees who were terminated as a result of decrees of the Slovak National Council 104/1945 and 64/1946. (May 31, 1946)

109/1946

Concerning the discontinuation of compensation to retired miners who had their citizenship revoked on grounds of disloyalty to the state. (September 10, 1946)

Commissioner of the Interior

253/1945

Concerning the regulation of the status of the Lutheran Church in Slovakia. (September 10, 1945)

287/1945

Concerning the regulation of Czechoslovak citizenship in accordance with Presidential edict 033/1945 dated August 2, 1945. (October 22, 1945)

297/1945

Concerning the issuance to any Hungarian of the certificate of political reliability. This certificate was required to seek employment in post-World War II Czechoslovakia. (November 12, 1945)

20000/1946

Concerning the forced slovakization of Hungarians in Slovakia, 1946 referred to as reslovakization. In addition to dispersion, expulsion and transfer, a segment of the Hungarian population was forced to solemnly declare

itself as Slovak. This was the reason for the establishment of so-called Reslovakization Commissions throughout southern Slovakia by the Commissioner of the Interior. (June 17, 1946)

126/1948

Concerning a nationality requirement for inclusion in the permanent voters list. (January 23, 1948)

A-311/1948

Contains a long list of places whose names had been “slavified.” 18-II/ (June 11, 1948)

Commissioner of Industry and Commerce

1104/1946

Concerning the establishment of a national governmental 1946 agency overseeing patent and intellectual property rights and protections for Hungarians, considered by the regime to be people of questionable reliability. See also Presidential edict 005/1945 and Slovak National Council decree 050/1945. (May 8, 1946)

Commissioner of Social Welfare

751/1946

Concerning the ineligibility to receive social benefits of disabled war veterans, war widows and orphans of Hungarian descent due to the collective revocation of their Czechoslovak citizenship (see Presidential edict 033/1945). (March 13, 1946)

Prof. Dr. János B. Nagy

Comité pour les droits de l'homme en Europe Centrale

Bruxelles

I diritti umani nell'Europa Centrale: i decreti di Beneš in Slovacchia.

La comunità ungherese della Slovacchia vive nella parte sud della Repubblica slovacca lungo la frontiera ungherese, zona, del resto, questa essenzialmente composta da ungheresi. Questi ungheresi hanno vissuto in Cecoslovacchia dal 1919, perché i vincitori della prima guerra mondiale hanno tracciato le nuove frontiere senza tener conto degli abitanti. Parti intere dell'Ungheria, abitate da millenni da ungheresi, sono state staccate, così che questi sono diventati forzatamente cittadini di un altro paese.

L'autodeterminazione non è stata accordata agli ungheresi, sicché si sono trovati in Cecoslovacchia contro la loro volontà.

Tra le due guerre mondiali, lo scopo delle autorità cecoslovacche fu la degradazione intellettuale e materiale della comunità ungherese per facilitarne l'assimilazione. Le terre dei proprietari ungheresi sono state distribuite unicamente ai coloni slovacchi che hanno potuto cominciare così a colonizzare la regione ungherese rompendone la sua natura compatta. Nel corso della seconda guerra mondiale, è nata l'idea di liquidare fisicamente la comunità ungherese che resisteva all'assimilazione forzata.

L'espropriazione forzata, la privazione dei diritti, il saccheggio generale, lo schiacciamento della cultura: ecco i principi fondamentali della deportazione che è stata elaborata già nel 1944 da Beneš a Londra e da Clement Gottwald, primo segretario del partito comunista a Mosca. Queste direttive sono state rese pubbliche per la prima volta il 5 aprile 1945 a Kosice/Kassa. Anno nel quale, Praga era ancora nelle mani dei tedeschi e la battaglia infieriva intorno a Bratislava/Pozsony.

Questi principi di Beneš sono rimasti nelle leggi ceche e slovacche. Quale sarà il futuro dell'Unione Europea se essa accetta queste leggi e lascia entrare un paese che è sede di tali discriminazioni? I decreti di Beneš non sono stati aboliti e alcuni, i più criminali, sono ancora applicati.

Già il 16 febbraio 1945, Beneš dichiara a Londra: “la Cecoslovacchia deve diventare uno stato-nazione e dobbiamo preparare la soluzione finale per i nostri tedeschi e i nostri ungheresi”. Benché la conferenza di Postdam –dal 27 Luglio a 2 Agosto 1945- non abbia autorizzato l’espulsione degli ungheresi di Slovacchia, il 2 Aprile 1945, l’ultimo giorno della conferenza, Beneš emette uno dei decreti ritirando la cittadinanza cecoslovacca agli ungheresi.

A questi ultimi, per evitare l’espulsione e per poter rimanere sulla terra degli antenati, non restava che la slovacchizzazione, cioè, il rinnegamento della propria identità, della propria cultura e delle proprie origini. Nel linguaggio attuale, tutto ciò si chiama genocidio culturale. Ecco alcune delle direttive del programma di Kosice/Kassa che è stata ripresa ulteriormente dai decreti di Beneš: bisogna chiudere le scuole ungheresi e dare al paese un’orientazione slava. Occorre confiscare i beni degli ungheresi e darli ai paesani slovacchi. È necessario introdurre l’obbligo ai lavori forzati per gli ungheresi e la loro deportazione in Moravia e in Boemia. Anche se la conferenza di Postdam non ha ammesso il principio di espulsione degli ungheresi, si è ribattezzata questa espulsione: “scambio di popolazione”.

Occorre sottolineare l’esistenza di un campo d’internamento a Pozsony-Ligetfalu/Petrzalka e a Patrokka vicino a Bratislava. I prigionieri erano dei giovani ungheresi deportati prima dai tedeschi, poi dagli slovacchi. Petrzalka è soprannominato il piccolo Katin, perché 90 giovani li sono stati assassinati 10 settimane dopo la fine della seconda guerra mondiale.

È utile ripercorrere il decreto del Consiglio Nazionale Slovacco del 7 aprile 1945, decreto che non ha niente da invidiare alle leggi naziste contro gli ebrei:

- Occorre mettere i beni degli ungheresi sotto sorveglianza dello stato;
- Occorre licenziare gli impiegati ungheresi e cancellare la loro pensione;
- Si proibisce l’uso della lingua ungherese nel culto;
- Occorre cacciar via gli studenti ungheresi dalle università;
- Occorre far chiudere le associazioni culturali e sociali degli ungheresi e confiscare i loro beni?
- È possibile cacciare gli ungheresi dai loro appartamenti, dalle loro case senza decreto di confiscazione;
- Occorre sigillare i magazzini e i laboratori degli ungheresi;

- Occorre congelare i depositi bancari degli ungheresi;
- E' proibito parlare ungherese nei luoghi pubblici (palazzo di giustizia, ufficio postale);
- E' proibito pubblicare giornali o libri in ungherese;
- Un ungherese non puo' possedere una radio;
- Un ungherese non puo' introdurre richieste di processi;
- Gli ungheresi possono essere requisiti per impiegarli in lavori pubblici, in qualunque tempo, in qualunque luogo e per qualsiasi durata a causa della ragione di stato.

Tra questi punti non mancano che la impossibilita' di prendere il treno e l'obbligo di pontare la stella, e ci sarebbe stata una identita' totale con le leggi anti-ebraiche.

Nella Slovacchia fascista di Monsignore Tiso, János Esterhazy, deputato ungherese del parlamento slovacco, fu il solo a votare contro la deportazione degli ebrei il 15 maggio 1942. Fu condannato come criminale di guerra, mori' in prigione a Moravia dopo la guerra. Il suo partito ha rappresentato un bastione antifascista durante la guerra, ma poiche' lui era ungherese, doveva scomparire.

Dal 1945 al 1949, ad una comunita' di 600.000 anime fu sottratto il diritto alla cultura, le scuole ungheresi furono chiuse e i giovani di questo periodo sono diventati, poi analfabeti. E' stato questo un atto di barbarie, che supera l'apartheid del Sud Africa dell'epoca.

Questa situazione e' finita soltanto su ordine di Stalin, perche' aveva bisogno dell'appoggio dei compagni ungheresi.

Non dobbiamo dimenticare che i decreti di Beneš non erano che la consacrazione di una situazione ben preparata da Beneš stesso, Clement Gottwald e il Consiglio Nazionale Slovacco. Quest'ultimo, gia' il 6 novembre 1944 fa chiudere le scuole ungheresi e vieta il culto ungherese. Il 25 maggio 1945 fu emesso un editto per cacciare tutti gli impiegati ungheresi cancellando la loro pensione. La sola motivazione ufficiale per la discriminazione fu: "perche' e' un ungherese".

Piano piano cominciarono ad inventarsi gli argomenti per giustificare l'espulsione degli ungheresi.

1. Gli ungheresi hanno partecipato al frazionamento della Cecoslovacchia. Per mostrare la falsità di quest' affermazione, basta citare il Bulletin of the Department of State degli Stati Uniti (6 giugno 1946), il libro giallo francese o Beneš stesso e Clementis, ministro degli Affari Esteri ceco: il frazionamento della Cecoslovacchia fu provocato da Hitler prendendo come pretesto la situazione dei tedeschi di Sudete e degli slovacchi stessi. La minoranza ungherese del 4,7% non avrebbe potuto giocare per niente nel frazionamento della Cecoslovacchia.

2. Gli ungheresi erano gli alleati principali delle Germani. Questo argomento è ugualmente falso. Si dimentica che la Slovacchia fascista ha attaccato la Polonia insieme con la Germania nel 1939 per conquistare qualche villaggio polacco.

Finalmente, la Conferenza di Parigi ha accettato la richiesta per uno scambio di popolazione e ha obbligato l' Ungheria a cominciare i negoziati in questa direzione. Il governo cecoslovacco ha fatto pressione sull' Ungheria deportando massicciamente la popolazione ungherese in Boemia e Moravia.

Il risultato finale sarà l' espulsione di ca 73.000 ungheresi verso l' Ungheria, la deportazione di ca 50.000 ungheresi verso la Boemia e la Moravia e ca 40.000 ungheresi verso la Siberia.

L' avvocato Aliz Bődök ha informato il Parlamento Europeo che alcuni decreti di Beneš sono sempre attuali in Slovacchia e che questi decreti influenzano i diritti della comunità ungherese in Slovacchia. In particolare gli ungheresi sono sempre considerati cittadini di seconda fascia e non possono recuperare i beni precedentemente perduti a causa delle confische.

Benché le nuove leggi del 24 luglio 1991 (nr 229/1991), la cosiddetta "legge di terra", dà la possibilità ai tedeschi e agli ungheresi di recuperare i beni confiscati, la realtà è completamente differente. Queste leggi non annullano i decreti di Beneš che hanno dichiarato i tedeschi e gli ungheresi collettivamente criminali di guerra.

I beni confiscati agli ungheresi, tra il 1945 e il 1949, che pur sono stati dati ai coloni slovacchi, nei registri catastali continuano a figurare come appartenenti ai proprietari originali. Adesso i proprietari originali ungheresi possono rientrare in possesso dei loro beni, ma le autorità slovacche fanno di tutto perché ciò non avvenga, sino a falsificare documenti. Come può l' Unione Europea accettare una simile discriminazione?

Un simile caso investe anche i beni della chiesa calvinista in Slovacchia. Normalmente, tutti i beni confiscati dallo stato comunista tra il 1949 e il 1989 sono stati restituiti alle chiese cattolica e luterana, perché queste chiese sono essenzialmente slovacche. La chiesa calvinista di Slovacchia, composta essenzialmente da ungheresi non è potuta recuperare i suoi beni, evidentemente perché ungherese.

Di nuovo dobbiamo chiederci, quale unione Europa costruiremo se ammetteremo che si continuino a perpetrare queste discriminazioni?

L'Unione Europea si dirige verso il riconoscimento dei diritti delle minoranze. Si pensi all'Alto Adige, allo stato federale del Belgio, all'autonomia della Catalonia in Spagna... La sola soluzione per l'Europa Centrale sarebbe di seguire l'esempio dell'Unione e di trasformare gli stati-nazione in stati federali, in modo che molti problemi legati allo statuto di "minoranza" potrebbero essere risolti.

Lo scopo del mio intervento è di chiedere aiuto a tutti voi, affinché si possa informare e cercare di influenzare le menti degli uomini ai quali importa che l'Unione abbia un futuro sano.

I DIRITTI UMANI NELL'EUROPA CENTRALE: I DECRETI DI BENEŠ IN SLOVACCHIA

- TRATTATO DI TRIANON NEL 1920
 - MINORANZE-COMUNITA' UNGHERESI NEI PAESI VICINI: SLOVACCHIA, UCRAINA, ROMANIA, SERBIA, CROAZIA, SLOVENIA, AUSTRIA
 - TRA LE DUE GUERRE MONDIALI: COLONIZZAZIONE SLOVACCA FORZATA
 - DURANTE LA SECONDA GUERRA MONDIALE, SCOPO: ELIMINARE FISICAMENTE LA COMUNITA' UNGHERESE
-
- Espropriazione forzata
 - Privazione dei diritti
 - Saccheggio generale
 - Schiacciamento della cultura

**Puo' l'Unione Europea consentire che
entrino al suo
interno paesi sedi di leggi cosi'
discriminatorie?**

2 APRILE 1945: UNGHERESI PRIVATI DELLA
CITTADINANZA CECOSLOVACCA

- Slovacchizzazione: rinnegamento della propria **identitá**, della propria **cultura** e delle proprie **origini** = genocidio culturale

PETRZALKA: 90 GIOVANI UNGHERESI
ASSASSINATI, 10 SETTIMANE DOPO LA FINE DELLA
SECONDA GUERRA MONDIALE

7 APRILE 1945: DECRETO DEL CONSIGLIO
NAZIONALE SLOVACCO, QUASI IDENTITA' CON LE
LEGGI ANTI-EBRAICHE

OCCORE METTERE I BENI DEGLI UNGHERESI
SOTTO SORVEGLIANZA DELLO STATO;

OCCORE LICENZIARE GLI IMPIEGATI UNGHERESI
E CANCELLARE LA LORO PENSIONE;

SI PROIBISCE L'USO DELLA LINGUA UNGHERESE
NEL CULTO;

OCCORE CACCIAR VIA GLI STUDENTI UNGHERESI
DALLE UNIVERSITA';

OCCORE FAR CHIUDERE LE ASSOCIAZIONI
CULTURALI E SOCIALI DEGLI UNGHERESI E
CONFISCARE I LORO BENI;

E' POSSIBILE CACCIARE GLI UNGHERESI DAI LORO APPARTAMENTI, DALLE LORO CASE SENZA DECRETO DI CONFISCAZIONE;

OCCORRE SIGILLARE I MAGAZZINI E I LABORATORI DEGLI UNGHERESI;

E' PROIBITO PARLARE UNGHERESE NEI LUOGHI PUBBLICI (PALAZZO DI GIUSTIZIA, UFFICIO POSTALE);

E' PROIBITO PUBBLICARE GIORNALI O LIBRI IN UNGHERESE;

UN UNGHERESE NON PUO' POSSEDERE UNA RADIO;

UN UNGHERESE NON PUO' INTRODURRE RICHIESTE DI PROCESSI;

GLI UNGHERESI POSSONO ESSERRE REQUISITI PER IMPIEGARLI IN LAVORI PUBBLICI, IN QUALUNQUE TEMPO, IN QUALUNQUE LUOGO E PER QUALSIASI DURATA A CAUSA DELLA RAGIONE DI STATO

15 MAGGIO 1942: JANOS ESTERHAZY, deputato ungherese del parlamento slovacco, E' IL SOLO A VOTARE CONTRO LA DEPORTAZIONE DEGLI

EBREI, NELLA SLOVACCHIA FASCICSTA DI MON-SIGNOR TISO.

- **Condannato come criminale di guerra dopo la seconda guerra mondiale prche' ungherese**

1945 – 1949> SOTTRAZIONE DEL DIRITTO ALLA CULTURA A 600.000 ANIME: ANALFABETIZZAZIONE

- **Un vero atto di barbarie**

ARGOMENTI PER GIUSTIFICARE L'ESPULSIONE DEGLI UNGHERESI

- **Gli ungheresi hanno partecipato al frazionamento della Cecoslovacchia: falso**
- **Gli ungheresi alleati principali della Germania: falso**

Risultati di tutto cio':

- **73.000 ungheresi espulsi verso l'Ungheria**
- **50.000 ungheresi deportati verso la Boemia**
- **40.000 ungheresi deportat verso la Siberia**

SITUAZIONE ATTUALE

I DECRETI DI BENEŠ SONO SEMPRE D'ATTUALITA'E SONO ANCORA APPLICATI

**LE PROPRIETA' NON SONO STATE RESTITUITE AI
PROPRIETARI ORIGINARI**

VENGONO FALSIFICATI DOCUMENTI ORIGINALI

**LA CHIESA CALVINISTA NON SI VEDE RESTITUIRE
LE SUE PROPRIETA': PERCHE' UNGHERESE**

**NON E CONSENTITO L'USO DELLA LINGUA
UNGHERESE**

UNIVERSITA' CHIUSE

**LA DIVISIONE TERRITORIALE AMMINISTRATIVA
NON RENDE POSSIBILE UNA MAGGIORANZA LO-
CALE UNGHERESE**

**LA CHIESA CATTOLICA NON HA UN SOLO
VESCOVO UNGHERESE**

IN CONCLUSIONE

SOLA POSSIBILITA DI

SOLUZIONE:

FEDERALIZZAZIONE DEI COSIDETTI

STATI NAZIONE

Mikulas Krivansky

Président

L'Association des Victimes des déportations et de leurs descendants –
Kassa-Kosice/ Slovaquie

La déportation des Hongrois de la Slovaquie, 1946-1947

Pour comprendre la question de la déportation de la population hongroise de la Slovaquie quelques éclaircissements s'imposent.

A la fin de la 2ème guerre mondiale, l'intime conviction des dirigeants tchécoslovaques fut que la Tchécoslovaquie reconstituée doit être ethniquement pur.

Ils l'ont proclamé haut et fort par le Programme Gouvernementale de Kosice de 05.04.1945. *«nous nettoierons la république des Allemands des Hongrois ainsi que des traîtres et des ennemies de la nation tchèque et slovaque».*

Le gouvernement a résolu d'éloigner du territoire de l'Etat les Allemands et les Hongrois.

La Conférence de Potsdam a admit l'évacuation des Allemands mais s'opposa à l'expatriation des Hongrois.

En conséquence le gouvernement tchécoslovaque demanda à la Conférence de paix d'obliger la Hongrie d'accepter un traité sur l'échange de populations, traité signé le 27.02.1946.

Ce traité n'a résolu que partiellement la présence ancestrale des Hongrois sur le territoire tchécoslovaque (la Tchécoslovaquie fut créée en 1918).

Les autorités tchécoslovaques se sont résolu à procéder à une solution unilatérale et violente de l'affaire.

Le but était de faire de la Tchécoslovaquie un Etat national et ce, par tous les moyens y compris le déplacement intérieur des Hongrois dans les différents territoire de la Tchécoslovaquie.

Les autorités slovaques ont utilisé comme prétexte à la déportation le Décret présidentiel 88 publié le 01.10.1945.

En comparant la loi à l'usage qui en a été fait, il appert clairement qu' il ne s' agit point, en l' occurrence, de l' exécution du Décret sur le travail public, mais que ce Décret ne sert que de prétexte au déplacement de la population hongroise de la Slovaquie et à la colonisation des régions hongroises.

Les autorités slovaques invoquent le Décret sur le travail public, alors que les prescriptions de celui-ci ne fournissent aucune base légale à leur action.

En vertu du Décret, en cas de travaux urgents et d' intérêt public, on peut, pour la durée d' une année au maximum, obliger au travail les hommes de 16 à 55 ans et les femmes de 18 à 45 ans.

Ne peuvent être obligés au travail les écoliers, les femmes enceintes et les femmes ayant un enfant de moins de quinze ans ou qui, dans leur ménage, soignent au moins une personne. Il ne doit être fait appel aux travailleurs mariés que dans le cas où le nombre des travailleurs serait insuffisant.

Le Décret 88 ne permet pas que quiconque soit obligé à un travail agricole et affecté à une exploitation privée.

L' exécution du Décret 88 est de la compétence de l' Office du Travail. Il en est, en effet, ainsi dans les cas des Tchèques et des Slovaques.

Par contre, le «travail public» des Hongrois est géré par l' Office de Colonisation Slovaque dont la tâche consiste à slovaquiser les régions hongroises de la Slovaquie.

L' Office de Colonisation exécute l' éloignement, la déportation de Hongrois conformément au plan de slovaquisation.

Le 4 novembre 1946, cet Office a émis l' ordonnance confidentielle No.12.771 - I - 1946 ayant pour objet «le regroupement des Hongrois de Slovaquie», soit la déportation des Hongrois de leurs domiciles actuels et leur transfert dans le territoire de la Bohême.

Aux termes de l' ordonnance, on allait, en usant de la contrainte armée, déporter dans la région allemande des Sudètes, tous ceux des Hongrois vivant dans les 23 arrondissements hongrois de la Slovaquie qui n' émigrèrent pas en Hongrie en vertu de la Convention sur l' échange de population conclue entre la Hongrie et la Tchécoslovaquie.

L' ordonnance déclare que le transfert est de caractère forcé et que la déportation forcée est exécutée moyennant le Décret 88 sur les travaux publics; en outre, l' ordonnance prescrit que les biens des personnes désignées au transfert doivent être confisqués.

Cette ordonnance ne s'applique point aux arrondissements slovaques, ni aux personnes de nationalité slovaque.

Dès le 17 novembre 1946 on procéda à l'exécution des transferts forcés, des troupes de l'armée et de la dendarmerie slovaques ont cerné les communes hongroises situées le long du Danube.

Dans ces communes, il a été signifié aux chefs de famille désignés par l'Office de Colonisation un arrêté concernant le travail public et aux termes duquel le chef de famille hongrois est convoqué au service de travail agricole, - comme valet de ferme ou comme domestique - à accomplir chez un grand propriétaire ou un grand agriculteur tchèque.

Tant que le transport n'avait pas lieu, la population ne pouvait quitter la localité cernée et c'est en un bref délai, - plus d'une fois dans quelques heures - qu'elle a dû se préparer au départ.

Il est à faire remarquer que les déportations forcées ont lieu à une époque où les travaux agricoles chôment et où le froid de l'hiver est le plus rigoureux.

Le transport des déportés s'est déroulé en des camions découverts, par une température de 20 à 25 degrés au-dessous de zéro.

Les déportations ont fait de nombreuses victimes tragiques et causé beaucoup de souffrances; des nourissons et des vieillards périrent, d'autres sont tombés gravement malades.

Les personnes désignées à la déportation ont pu emporter avec elles une partie de leurs biens meubles, quant au reste de leurs biens les autorités slovaques l'ont confisqué aux premiers jours de l'action.

Les Hongrois déportés furent dépossédés de leurs biens immeubles sans aucune indemnisation; de plus en maints cas, les autorités slovaques ont déjà remis ces immeubles à des colons slovaques.

Les Hongrois désignés à la déportation furent forcés de partir sous la contrainte.

On les a mit dans des wagons servant au transport de bestiaux; s'ils résistaient on les ligotait et on les jetait dans les wagons.

Le chef de famille désigné devait emmener avec lui sa femme, ses enfants, et même les membres de la famille entretenus par lui, quoique le décret invoqué ne le permette pas et stipule même au contraire que les Hongrois mariés ne pourraient être convoqués aux fins de travail public qu'en cas d'extrême nécessité.

Le déporté ne peut plus rentrer dans son foyer, même s' il devient inapte au travail, malade ou invalide; son ancien foyer ne lui appartient plus.

Les familles hongroises déportées de leur terre natale sont placées dans la région des Sudètes comme domestiques agricoles ou hommes de peine chez des gros agriculteurs ou propriétaires fonciers tchèques, de façon à ce que plus de 2 à 3 familles ne soient pas établies dans la même localité.

Tout cela est ainsi fait afin que les déportés se fondent dans la population tchèque.

L' établissement de ces déportés est, en effet, considéré par les autorités slovaques, comme définitif quoique, aux termes du décret 88, les déportés ne peuvent être retenus en service de travail que pour une année au maximum.

Aux termes du Décret en question, l' on ne devrait pas obliger à partir les enfants, les vieillards, les invalides, ni faire appel aux mères de famille; l' on ne devrait pas forcer les Hongrois à liquider leurs droits matériels, ni leur interdire de rentrer dans leurs foyers.

Cette procédé était contraire aux lois tchécoslovaques.

Quel était le nombre des déportés?

Selon les sources du ministère des affaires sociales de janvier 1948 on a déporté 11 746 «unités économiques» terme utilisé pour désigner les familles soit 44 129 personnes.

La majorité des victimes a réussi retourner en Slovaquie mais ce n' est qu' une infime partie qui a recouvert ses biens.

Le Parlement Slovaque par une décision du 12.fevrier 1991 a présenté ses regrets aux Allemands expulsés de la Slovaquie à l' issu de la guerre mondiale mais jusqu' à ce jour n' a manifesté aucun regret pour les injustices dont étaient victimes les Hongrois.

Les députés européens sont convaincus qu' il faut considérer les Hongrois vivant en Slovaquie avant tout comme citoyens slovaques.

Nous partageons cette conviction et demandons aux députés européens de rappeler à la Slovaquie que toutes les victimes de toutes les injustices ont droit à une réparation équitable.

Zoltán Király
Vice President
World Federation of Hungarians

Responsibility of the Hungarian Government.

In 1919 at the Versailles Conference, the Kingdom of Hungary was carved up, deprived from about 1/3 of her Hungarian aboriginal population. Her natural resources have been taken away up to 90%, her communication lines, economy eliminated. 2/3 of her territory was given to newly created states that never existed before. The remaining country was created from the central part of the original territory and was sealed off from the outside world. As the result of the infamous treaty, 1/3 of a traditional Hungarian society, large historically significant regions, territories, even large segments of non-Hungarians, like Germans became to be toys of new, occupying practices. Tens of thousands of families have been subjected to the rule of diverse nationality groups that have never had any institutionalised, European form of administration, government before. The remaining motherland now faced a new problem: She had to find the resources to help a large segment of aboriginal Hungarians outside of her reach and with enormous political, existential, cultural, etc. problems, never seen before. The once thriving Hungarian communities, now on the other side of the political line have been stopped in their life, many people choose exile and the territories once experiencing full life have subsided and an enormous downturn of living and standard of living was now part of their destiny.

The American Congress realised the complexity of problems created in Versailles, never has approved the Versailles treaties and was highly critical of president Wilson's accomplishments. Shortly before the outbreak of WWII some reassessment of the problem was initiated and plans for readjustments were started. However, the soviets had different ideas and they made secret agreements with the Czech leadership about the bolshevisation of Central - Europe. Hungary was located just in the central part of what has ended up to be occupied by the soviet forces. The

puppet governments formed by the soviets in Hungary have never represented the Hungarian people, but have been formed to implement the will of the Soviets. In consequence the soviet type governments in Hungary had never any authority to do anything on behalf of the Hungarian community in Hungary and never at all over the Versailles created borders that helped the destructive Soviet occupational plans.

The Czechoslovak government created the Beneš Decrees and they have been purposely using the new situation – with the helpful Soviet Union - to eliminate the Hungarian life by force. Beneš agreed with the soviets about the elimination of the non-Slavic elements in exchange for a full support for the introduction of an all out Soviet control in the middle of the European continent. The Soviets had free hands in Eastern Czechoslovakia and the joining war parties murdered in mass the Hungarians and Germans of the historical cities in the north and the peasants of the southern plains. The West was about to realize that the Soviets had no desire to hold free elections and consequently, they were about to stay in the occupied lands. The Iron curtain has just started to descend. Versailles and the Soviets made life for the Hungarians intolerable. The only way out was a suicidal revolt and so the Hungarians arrived to the 1956 revolution. The revolution had the potential to make a full change from the unacceptable situation. She could have opened the way for the nation, but in the west different plans existed. The Soviets were given a green light to suppress the Hungarians. The retaliation by the Soviets was bloody and cruel. The Soviet tanks trampled into blood and mud everything that was different from what they wanted. The decades following the Hungarian society stopped to develop and abortion program introduced next to the hardship of life put an end to some six million unborn babies. Never in the history of this ancient nation we have experienced an ethnic cleansing of this magnitude. Parallel to this in the neighbouring countries the soviet puppet administrations expanded their anti-Hungarian programs. Until the changes of 1989 there was no room to bring up the issue of the Beneš Decrees in any way. The reform communist government of the late eighties had no desire to oppose the Beneš Decrees. Their most important objective was to get control of state owned assets in the web of privatisation scams. The forming Antall government was a short lived hope,

however, that government was inexperienced and soon ended up in the web of special interest groups and their short - sighted ideas. At the end the Antall government created treaties with the neighbouring countries and so had declined to back the hopes of the Hungarian communities in the countries created by Versailles. The Hungarian communities had to face the new reality that the Soviets were may be partially gone, but the huge Dollar debts left behind by rogue former unprofessional communist administrations ruined the country and that the expectations of the people were over for good. Because of the poverty was on the increase the socialists came back. The Horn government followed the old tune and they had no desire to bother with their former comrades who came back to power in the neighbouring countries, too. However, they all had a common interest. According to their logic the West had the money. So an accession to the European Union could enhance their prospects of reducing poverty created originally by them prior to the 1989 changes and also, it could enhance their self-enrichment drive started at the 1989 changes. But under these circumstances they had a deadly interest in not allowing the opening of any topics that were vitally important to the aboriginal, traditional, working Hungarian society. And the Beneš Decrees were one of them.

When the Orbán government was formed, the civil organizations already had enough and they were openly talking about the issues. Therefore the Orbán government initiated a meagre device by issuing the Hungarian ID card for the Hungarians behind the borders created by Versailles. The post Soviet and Beneš Decree observing administrations in those countries have been alarmed by the Hungarian ID card that gave some room to the Hungarian communities that have been oppressed by them for some 8 decades. We could listen to those voices all over in the World. Nota bene: those countries opposing the Hungarian ID cards, have themselves similar laws and benefits for their brethren living in foreign lands..

The ID card cannot replace real actions. The Orbán government during their four year long governing did not find a single occasion to protest the racist, ethnic cleansing practices of the Beneš Decrees and their contemporary forms. They simply followed the previous practice of the communist noted interests of the new post-communist elite that had a vested interest in

the accession process to the EU as described above. Therefore, we could not regard the Orbán government for an administration as defenders of the interests of the aboriginal, working, overtaxed and over regulated Hungarian society. Instead they are told nowadays, that the help of the Hungarian government and societies over the borders actually “decrease” their well being -an all out lie - invented by the socialist-communist crowd earlier.

The Hungarian society had to do something about the situation and so their non-governmental representatives, especially the ones from behind the Versailles created artificial borders got involved and took over the leadership of the World Federation of Hungarians (WFH) in order to pick up the issues inside of the motherland. However, the Administration was greatly alarmed and immediately, ceased any financial contribution to the WFH. False court procedures, prosecution of the largest Hungarian civil organisation, accusations surfaced, but the Hungarians inside of the WFH remained calm and unchanged and looked at those developments with contempt. The courts could not rule against them and today the WFH is stronger than ever. This allowed finally to bring the vital issues before the international institutions World-wide by the WFH.

The hearings before the EU for example showed to the startled Hungarian community World -wide that the EU didn't even know that the Beneš Decrees ever affected the Hungarians in Czechoslovakia and now in Slovakia. Therefore the leadership and the members of the WFH are considering the responsibility of the present government of Hungary to be extraordinary and un-excusable.

The WFH will not accept the self-destructive program outlined for the Hungarian communities inside or outside of the Versailles borders. Given to the fact that since 1989 there is no precedent that the governments in Hungary had ever represented the vital interests of the Hungarian population in a proper way , we have serious doubts, whether the government in Hungary have the ability to represent the nation in her accession to the EU, where we would like to be partners and not some un-represented pariahs. Governing, self-proclaimed “elites” should not have accession opportunities for self -enhancement while the price is paid by an entire nation inside and outside of the Versailles (Trianon) borders.

We are hoping that the European Union is represented by highly ethical, civilised, individuals, who have strong principles who understand, how to deal with the problems described above.

THE EAST-CENTRAL EUROPEAN SYNDROME

Unsolved Conflict in the Carpathian Basin

Present day political and diplomatic decision makers have very little knowledge of the roots of problems in Central and East-Central Europe. Therefore, we have to shed some light on the festering sore some politicians – not aware of its importance – would like to sweep under the rug:

Facts:

After World War I, the victors broke up the Austro-Hungarian Monarchy. In the process, instead of one existing medium sized political and economic unit with many nationalities, they created five small, economically and politically unstable „quasi-national” states: Austria, Hungary, Czechoslovakia, Rumania and Yugoslavia. Eventually – with other causes – it led to WW II, with the tragic consequences.

Owing mostly to designs of the Soviet Union, the division was reinstated and become less stable and less viable economically after WW II.

Since then, two of the artificially created states fell apart, resulting in more mini-states. Now there are seven: Austria, Czech Republic, Slovakia, Hungary, Rumania, Rump-Yugoslavia, Croatia, Slovenia and the Ukraine, in the same region.

The real losers are the Hungarians. In the 1920 Trianon (Paris) peace settlement they lost almost three million Hungarians to the successor states. Ever since these states are hell bent on annihilating the Hungarian nationals by all means at their disposal: deportations, forced assimilation, forced emigration, expulsions and (right after WW II) physical destruction.

Naturally, no nation could tolerate such status quo. If the victorious powers had established the new borders along ethnic lines in 1920, the revisionist movement in Hungary would have subsided in a few years. After such a blatant and unconscientious injustice of a „peace treaty”, no self-respecting nation would acquiesce to the perpetuation of such borders.

The unholy situation created the so called „The East-Central European Syndrome”, or more precisely „The Trianon Syndrome”. All states in the Carpathian Basin suffer from it. No matter, what the government does, most Hungarians cannot accept the situation. The successor states are also mortally afraid of the Hungarian revisionism. They just can not believe, that the Hungarians are really willing to give up those lost territories with Hungarian majority. This „Trianon Syndrome” is hurting everybody.

The Hungarian government – with western „encouragement” – hopes against reasonable hope, that by joining the European Community, the borders will lose their significance in a few years, thus saving the Hungarian minorities. This is not the case. With the exception of Slovakia, no successor state will be admitted into the Union in the foreseeable future. Therefore, in ten-twenty years the Hungarian minorities will be destroyed, chased out, displaced by new settlers or forcibly assimilated by Slovakia, Rumania, the Ukraine and Rump-Yugoslavia.

To dampen the danger, the Hungarian government enacted the so called Status Law, which would encourage the minority Hungarians to keep their culture, language and faith, in accordance with international law and practice.

Now those states, particularly Rumania and Slovakia are up in arms and dead set against the implementation of this feeble attempt to bolster the integrity of the Hungarian nation under foreign rule. It does not bother them that they, and most European nations, have similar laws in existence.

Since they are unwilling to accept this absolute minimum attempt, they eventually will have to face another solution.

Solution:

1. As we know, revision of the borders is impossible because of the German territories annexed by Poland and the USSR after WW II, not to mention the UN stance on the matter.
2. The extension of the European Union has no reality for many years. While Hungary, Slovakia and Slovenia could join in a couple of years, the inclusion of Romania and Yugoslavia are many years away.
3. Therefore, the only solution at the present is autonomy. There are ample number of successful precedents: South-Syrol in Italy, the Basques and Catalans in Spain, the Aland Islands in Finland and even the Gagauz.

in the Republic of Moldavia. Great Britain also granted wide ranging autonomy to Scotland, to a lesser degree to Wales and let go most of Ireland a long time ago. The French government facing mounting pressure for autonomy by the Corsicans and other minorities.

Why can't The United Nations or the European Union force the mini-imperialistic nations in the Carpathian Basin to do the same. Failing to act, they will be responsible for the largest scale ethnic cleansing in Europe – in however subtle and mostly clandestine ways – it will be done.

True enough, autonomy was seldom granted without some bloodshed. Do we really want another hot spot in Europe?

Prof. Sándor Balogh

Member of the Presidium
World Council
of Hungarians, USA

Prof. Joseph Pungur

Vice President for Western
Canada WFH
Calgary, Canada

Béla Tanitó

President
National Council of the
WFH in Finland
Ambassador of Human Rights

László Kormos

Member of the Presidium
St. Steven Association
of Hungarians in Sweden
Hungarian-Swedish Online Res.

Béla Boros

Forum of History
Sydney
Australia

István Huff

President, Human Rights
for Minorities in Central Europe
Vancouver Society

S.J. Magyaródy

President, Corvinus Society Canada

NGO-s

AGAINST

BENEŠ DECREES

JULY 20, 1945

Several thousand deported Hungarians before death by starvation in the Pozsony-Ligetfalu Czechoslovak internment camp.

The letter of the president of the World Federation of Hungarians to the President of the Hungarian Red Cross, asking for urgent action to stave off the starvation death of the interned Hungarians.

World Federation of Hungarians

No. 498/1945.

The Reverend Dr. Andor Szentiványi

Bishopric Vicar

President of the Hungarian Red Cross

My Dear Friend,

We have countless visitors daily, from Czechoslovakia, who are seeking refuge in Hungary, to avoid deportation, by the authorities.

They are telling horrendous stories of the Pozsonyligetfalu Concentration camp. The inmates of the camp are supposed to be fed by the Czechoslovakian Red Cross, but receiving daily ration of only two cups of sugarless coffee and one bowl of soup, without cooking oil or lard.

At the same time, the authorities made it impossible to obtain food from the outside. I have consulted the Office of the Prime Minister and also with Ms. Anna Kéthly. As the result of these consultations, we could think of only one solution:

Would you please propose to the Czechoslovak Red Cross to supply adequate food to the camp at the expense of the Hungarian Red Cross. I am aware that at the present there are no money allocated for this purpose, but I have reason to believe, that the Prime Minister's office is willing to provide the necessary funds.

I am willing to take moral responsibility, that for the lack of budgeted funds this proposal will not be denied, but it is necessary to have an agreement with the Czechoslovakian Red Cross, as soon as possible.

The lives of thousands of persons are at stakes, therefore we can do the financing concurrently with the negotiations with the Slovaks.

I trust in your generosity, determination, perseverance and the enthusiasm for this noble cause, that you are going to initiate these steps today.

Yours truly

Tivadar Ács

President of the World Federation of Hungarians.

Location of document:

National Archives, XXVIII-J-2-MVSZ

47/b item, Polgári Demokrata Párt – 615/1945, Container 195

OCTOBER 11, 1945

**Excerpts from a letter by the
President of the World Federation of Hungarians
to the Leaders of the Hungarian Communist Party**

To the Leaders of the Party,

The recent declaration of Mr. Eduard Beneš, the President of the Czechoslovak Republic, in which he had aligned himself with the policy of the Slovakian National Council, presents a clear picture.

After this declaration, the foreign policy of Hungary will have to be changed. Now, it is obvious, that Mr. Beneš wants to get rid of Hungarians of Czechoslovakia and all hopes are dashed for the dampening influence of Bohemia – that is, the Central Government of Prague on Slovakia bringing about the compromise between the Hungarian and Czechoslovakian points of view.

It seems, even the Allied Nations are getting closer to accept minorities-free borders to ensure the peace in Europe. We believe, the Hungarian foreign policy should be changed to demand ethnic borders.

We are asking the leadership of your esteemed Party-Leadership to influence our government, to sharply condemn the persecution the Hungarians in Czechoslovakia, and ask the Allied Nations to demand the cessation of these activities.

October 11. 1945

Yours truly

Tivadar Ács
President
World Federation of Hungarians

National Archives, XXVIII-J. MVSZ
47/B item – Rajk László, 984/1945, Boks 195

II REPORT

On the 15th of November 1945, the MVSZ reported to the Minister of Foreign Affairs, that Hungarians deported from Czechoslovakia coming to their offices. These unfortunate persons are reporting in about the atrocities they had to endure. They are offering detailed descriptions of the methods used to annihilate the Hungarians and deprive them of their properties.

The MVSZ sent the 74 case histories of the refugees to the Minister for Foreign Affairs and the Prime Minister.

(OLXXVIII-J-2-MVSZ, 47/b item KÜM-1945/47-1175/1945 and 1096/1945, Boks 188

On the 15th of November 1945, The World Federation of Hungarians sent the following Appeal for distribution to the Hungarian News Service (MTI)

APPEAL
to the Hungarians expelled from Czechoslovakia

The World Federation of Hungarians (Budapest, VI, 7 Eötvös Street) asking the persons expelled from Czechoslovakia to report the circumstances of their expulsion. If can not do it in person, send a detailed written report to the address above – in their own interest.

A list of possessions left behind should be also reported to: Népgondozó Hivatal (Welfare Office), Budapest V, 12 Sass Street, or to your local City Hall.

See: 8150/1945 ME Order of Council.

Signed:

Tivadar Ács
President
World Federation of Hungarians

National Archives
XXVIII-J-2-MVSZ, Item 47/b, „M” lettercode, MTI,1174/1945, Container 191

APRIL 29, 1946

**Excerpts from a letter
of the World Federation of Hungarians
to János Gyöngyösi, Minister of Foreign Affairs.**

Dear Minister,

We have received reports from Pozsony (Bratislava), yesterday. These reports state, that after the address delivered in Békéscsaba by deputy Prime Minister Mátyás Rákosi, the Czechoslovak authorities launched a wave of unbridled terror, against the autochton Hungarians.

In Pozsony they have marshalled masses of Slovak demonstrators. The fanatised mob brutalised the Hungarians of the city. Severely beat them up, vandalised their homes, then marched to the city jail and for hours chanted slogans glorifying the Nazi inmates Tiso and Mach Sanyo (Fascist Prime Minister and Minister resp.).

Therefore, the World Federation of Hungarians is greatly concerned about this Citadel of European Fascism: Slovakia. It appears, that the ideas of Tiso and Mach is alive and surging to the surface in strength, to compromise the efforts to achieve peace on Earth. (...)

As we see the behaviour of the Czechoslovakian Government, serves not the cause of making peace between the Hungary and Czechoslovakia and there is a definite lack of sincerity on their part.

With deep respect, we are turning to the Prime Minister for help. Please convey our request to the Allied Control Commission to investigate our statements to ascertain, that our concerns are valid. (...)

Budapest, April 29, 1945

Sincerely yours

Tivadar Ács

National Archives, XXVIII-J-2.

47/b. item KÜM 1945-47, Boks 950/1946

MAGYAROK VILÁGSZÖVETSÉGE

Elnök

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WELTBUND DER UNGARN <i>Präsident</i>		TEL.: [00-36-1 / 06-1] 351-7951 FAX / TEL.: [00-36-106-1] 322-9817 e-mail: elnok@mvsz.hu

Ej.: 2002/0038.b

OPEN LETTER TO GÜNTER VERHEUGEN

Dear Mr. Verheugen, High Commissioner:

The World Federation of Hungarians, which is active in more than fifty countries, was very shocked to learn of the manner in which you support the concept of collective guilt. We believe that this concept, which could be called the shame of the twentieth century, can no longer be accepted in the twenty-first century, when Europe is pursuing a policy of integration. The lowest point in modern history was the horror of Nazism and Bolshevism which originated from this same basic concept of collective guilt. By applying this concept, certain races, ethnic groups and social classes were judged to be guilty and pernicious and as such, condemned to be erased. The Beneš Decrees of Czechoslovakia declared the German and Hungarian minorities to be enemies and collectively guilty. Laws were passed to take away all the rights of these communities. Their land and property were confiscated; they were subjected to forceful deportation or simply expelled from their homeland. They were denied the right to physical existence in their territories and almost annihilated. According to the decrees, every atrocity was allowed and practiced. The well-known Czech historian, Petr Placák, in the Prague daily newspaper, *Lidové Noviny*, on February 4, 2002, writes that Beneš, as the Head of State, applying the decrees which we are opposing: “essentially effected the annihilation or

extermination of those minorities judged to be collectively guilty. This was noted by the UN agreement of Dec. 9, 1948.” Several million people, who were victims of the ethnic cleansing as the decrees came into effect, between 1945 and 1948, to this day have not received any compensation.

Mr. Verheugen, your statement that the Beneš decrees do not apply to the Union, because they came into effect before the existence of the Union is incorrect. Your point of view would be questioned even if these decrees were no longer in effect. If this were so, several million Germans and several hundred thousand Hungarians who were sacrificed would have no chance of compensation. This brings up very serious questions of honor. It is not accidental that Edmund Stoiber, the president of Bavaria, CDU/CSU candidate for chancellor, condemns you when he declares that the Beneš decrees are: “an open wound on the body of Europe”. According to Mr. Stoiber, this inadmissible “short-sighted mentality” reflects your misleading point of view.

Mr. Verheugen, the effects of the Beneš decrees cannot be discounted because, after the change of regime, they remained in effect and they are the source of the Slovak laws which discriminate against the minorities’ rights. Therefore, *de jure*, the members of the Hungarian minority are at present secondary citizens in Slovakia. *De facto*, the laws serve the discriminatory practice of law – particularly in the area of the return of the confiscated lands. (Documentation attached) How can we put an end to such discrimination, when the reason for it still exists and is continually reinforced? Hitler’s orders to exterminate existed before the formation of the present United Germany and we cannot envision that they would be included in Germany’s present code of laws. How do you explain your acceptance of the Beneš Decrees? According to this reasoning, Germany could be a member of the European Union, even if she had laws — *ad absurdum* — declaring the French to be enemies of the German people. Compare to the Beneš Decrees which declare the Hungarians and Germans to be enemies of the Czechs and Slovaks. Your stand on this brings into question matters which are beyond the economic interests, and which would affect countries who wish to become members of the European Union. Your statement that the Beneš Decrees could be accepted shakes

our faith in the constitutionality of the Union, which is built on equal rights and equal opportunity for all people in Europe. In the European Union the meaning of the term “harmony of law”, does not apply to the small laws or regulations, for example the standardization of the amount and quality of the agrarian harvest, but to the creation of the actual paradigm of democracy and constitutionality, which all members are bound to accept. This guarantees that on our continent there will no longer be disadvantageous differences between countries. The stress caused by injustice will be dissolved and the principle of fairness will rule. This is the message sent by the United Nations Assembly in 1948 in its Declaration of Universal Human Rights. The Beneš Decrees which you accept violate every point of this Declaration.

Mr. Verheugen, we ask you to contemplate on these matters, study the impact of the inhumane Beneš Decrees which are still in effect today, and be aware of the moral consequences of these Decrees and the danger which they entail.

Mr. Verheugen, the World Federation of Hungarians expects you to demand, immediately, that the Czech Republic and Slovakia rescind the Beneš Decrees.

In the name of the World Federation of Hungarians,

Miklós Patrubány, President
Zoltán Király, Vice-President
Imre Borbély, Regional President
Tibor Léh, Regional President

Budapest, 23-rd of February 2002.

MAGYAROK VILÁGSZÖVETSÉGE

Elnök

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Ej.: 2002/0038

Offener Brief an Günter Verheugen

Herr Kommissar, geehrter Herr Günter Verheugen!

Der Weltbund der Ungarn, mit Teilverbänden in über fünfzig Ländern, nahm Ihre tolerante Einstellung gegenüber dem Prinzip der Kollektivschuld mit Betroffenheit zur Kenntnis. Wir dachten, dass ein Weiterleben dieser zur Recht als Schande des XX Jahrhunderts genannten Rechtsauffassung im vereinten Europa des XXI Jahrhunderts unannehmbar wäre.

Die absoluten Tiefpunkte der neueren Geschichte – die Greueltaten des Nationalsozialismus und Bolschewismus – wurzeln in ein und demselben Rechtsprinzip, dem der Kollektivschuld. Gemäss dieses Prinzips wurden Rassen, Ethnien und Gesellschaftsklassen als sündig und schädlich abgestempelt, und schliesslich der „Endlösung“ preisgegeben.

Die Dekrete des Präsidenten Edward Beneš verhängten rechtlich die Kollektivschuld über die deutsche und ungarische Minderheit der Tschechoslowakei. Die Dekrete verordnen die totale Entrechtung und Enteignung der Angehörigen dieser Volksgruppen, als auch deren gewaltsamen Umsiedlung, Vertreibung und die teilweise physische Vernichtung. Nach dem Inkrafttreten der Verordnungen wurden all diese Greueltaten an die genannten Minderheiten auch begangen. Petr Placak, der angesehene tschechische Geschichtswissenschaftler schrieb am 4 Februar 2002 in der prager Zeitung Lidove Noviny, dass die Tätigkeit des Präsidenten Beneš und dessen Dekrete “den Tatbestand der Volksvernichtung voll ausschöpfen, so wie dieses Verbrechen in der Vereinbarung der Vereinten Nationen am 9 December 1948 definiert ist”. Die ethnische Säuberung die gemäss der

Dekrete an Deutsche und Ungarn verübt wurde, betraf Opfer in Millionenhöhe. Bis zum heutigen Tag wurde niemand entschädigt, wurde keine Wiedergutmachung an die überlebenden Angehörigen der Massenmorde versucht.

Herr Kommissar, Ihr Erklärungsversuch, wonach die Dekrete nicht die Europäische Union betreffen, da diese vor der Geburt der Union entstanden sind, ist in keiner Weise überzeugend. Dieser Standpunkt bestünde auch dann nicht, wenn die Dekrete schon ausser Kraft gestellt wären – würde doch dieser Kommissarswort den berechtigten Anspruch auf Wiedergutmachung und Entschädigung zunichte tun. Das wirft schwerwiegende moralische Probleme auf. Nicht zu unrecht nennt Edmund Stoiber die Dekrete eine “Wunde Europas” und wirft Ihnen wegen Ihres rechtlichen Verschleierungsversuches unangebrachte “Schlussstrichmentalität” vor.

Herr Kommissar! Man kann keinen Schlussstrich unter die Beneš-Dekrete tun, weil diese auch nach dem Sturz des Kommunismus unverändert in Kraft sind, und der slowakischen ethno-diskriminativen Rechtschaffung als Rechtsquelle dienen. Wegen dieser Dekrete sind die Angehörigen der ungarischen Minderheit auch heute noch Staatsbürger zweiter Klasse. De facto dienen die Dekrete auch der diskriminierenden Rechtsausübung als Fundament – besonders auf dem Gebiet der Rückgabe der Agrarböden (Dokumentation im Anhang). Wie ist es möglich Schlussstrich unter Spätfolgen einer Diskrimination zu ziehen, dessen Ursache weiter besteht und die Diskrimination ständig neu erschafft? Auch die mörderischen Verordnungen Hitlers sind vor dem Entstehen der Europäischen Union entstanden, doch ist deren Gültigkeit im Rechtswesen Unions-Deutschlands nicht vorstellbar. Wie können Sie Ihr Verschleierungsprinzip hier anwenden? Könnte nach Ihrer Meinung Deutschland Unionsland geworden sein wenn ad absurdum ein Gesetz von früher die Franzosen als Feinde deklariert hätte – so wie es die Dekrete des Edward Beneš im Falle der Deutschen und Ungarn tun!?

Herr Kommissar! Ihr Standpunkt betrifft der Beneš-Verordnungen lässt alles anzweifeln, was den Anschluss an die Europäische Union über dem blanken Materiellen hinaus motivieren könnte. Die Akzeptanz der Kollektivschuld lässt den Glauben daran ins Schwanken geraten, dass die

Union wahrhaftig aufgrund des Rechtsstaates, der Recht- und Chancengleichheit ein gemeinsames Heim für die Völker des Kontinents erbaut.

Der Sinn für die Rechtsharmonisierung Europas ergibt sich mitnichten aus der unionweiten Standardisierung der Massen- und Qualitätsmerkmale, beispielsweise von Agrarprodukten – das bedarf nur allgemein gültigen Regeln. Der paradigmatische Sinn der Rechtsharmonisierung besteht in der allgemeinen Implementierung von Demokratie und Rechtsstaat: die Garantie dafür, dass auf unserem Kontinent die Diskriminierung aufhört und die Ungerechtigkeit und die sich daraus ergebenden Spannungen verringern und sich das Fairnessprinzip durchsetzt. Das ist auch die tiefere Botschaft der Universellen Menschenrechts-Proklamation der Vereinten Nationen dessen buchstäblich alle Paragraphen von den mehr als 80 Dekreten des Edward Beneš in schwerster Weise verletzt werden.

Herr Kommissar! Wir bitten Sie all das zu bedenken und die Tragweite der Gültigkeit dieser meschenverachtenden Dekrete zu erwägen: die moralische Last die sie verkörpern und die Gefahr die daraus entsteht.

Herr Kommissar, der Weltbund der Ungarn erwartet von Ihnen, dass Sie Tschechien und die Slowakische Republik dazu auffordern, dass sie die Dekrete des Edward Beneš unverzüglich ausser Kraft setzen.

Im Namen des Weltbundes der Ungarn,

Patrubány Miklós, Präsident

Király Zoltán, Vize-Präsident

Borbély Imre, Regionalpräsident

Léh Tibor, Regionalpräsident

**MAGYAROK
VILÁGSZÖVETSÉGE**

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Ej:2002.0759

**The Honorable
Patrick Cox,**
Speaker of the
European Parliament

Dear Mr. Speaker,

I would like to take the opportunity to thank you for your attention and time you have devoted to the question of the Beneš Decrees, especially for taking the pain to establish the Legal Consulting Body to investigate this issue. This case is very important for the Hungarian community in Slovakia and her members exiled all over the World.

The World Federation of Hungarians, an NGO active in some 50 countries of the World, was involved with the problem of the Beneš Decrees and their effects since 1945. The archives of our Federation saved a large number of documents. The leadership of the Federation already in the 10's brought into the attention of the World community, the International Red Cross, many countries and their respective governments, the horrors inflicted on the Hungarian community by those laws and regulations, as well as the atrocities committed.

In the past two years, it came to our attention that the discussion about the Beneš Decrees by different entities of the European Union concerned the Czech Republic, only. However, they have affected and still affect the Hungarian community of Slovakia, too. This is why, our Federation be-

came involved and jointly with other human rights organizations started to organize open hearings, seminars and forums. We have informed members of the European Parliament in Strasbourg, Brussels and on site in Slovakia, to focus the attention on the effects of the Beneš Decrees on the Hungarian community.

Following this we were startled to hear that on October 21, 2002 the special session of the Foreign Relations Committee in Strasbourg, dedicated to the issue of the Beneš Decrees will deal with the Czech Republic, only. We were taken by surprise by some legal opinions as well, tolerating such infamous measures. Our conviction is that the question of the decrees should be also discussed in relations to Slovakia, because those measures are victimizing the Hungarian community even today.

How can be proven that the Beneš Decrees are still in effect in 2002? This is easy to do:

In 1945 properties of the Hungarians have been confiscated based on those laws. The confiscated property was distributed to Slovak, Slavic settlers. When the communists have implemented their collectivization policy, those properties were taken away from the Slavic settlers. Following the fall of the communist system Slovakia initiated laws that are "restituting" the confiscated property and making into owners - the former Slavic settlers?! One can rightfully ask: Why wasn't the property restituted to the original Hungarian owners, who have been robbed by the Beneš Decree confiscation process? The answer is evident: Because the Beneš Decrees are still in effect and they are taking their victims on the daily basis in 2002!

Dear Mr. Speaker, I am convinced that the evidence given is self-explanatory. However, I am enclosing a professional legal analysis by Dr. jur. Alíz Bődök, published for the seminar held on June 24th, 2002 in Brussels at the EP, demonstrating the same evidence. Attached also, please find the letter of our Federation to High Commissioner Günter Verheugen pointing at the non-tenability of the Beneš Decrees.

The White Book of the World Federation of Hungarians demonstrating the fact that the Beneš Decrees are still victimizing the society nowadays, will be available in Brussels for the Respected Members of the EP, next week.

Having faith in your commitment to justice, democracy and high ethical standards, please use your authority to eliminate the inhuman Beneš Decrees, the “amnesty law” in Slovakia, before her accession to the European Union.

Sincerely Yours,

Patrubány Miklós
President,
World Federation of Hungarians

Budapest, 17th of October, 2002.

MAGYAROK VILÁGSZÖVETSÉGE

Elnök

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WELTBUND DER UNGARN <i>Präsident</i>		

Ej:2002.0760

Mr. Elmar Brok

Chairman, EP Foreign Relations Committee

Brussels

Dear Mr. Chairman,

I would like to take the opportunity to thank you for your attention and time you have devoted to the question of the Beneš Decrees and the connected problems so far. These issues are very important for the Hungarian community in Slovakia and her members exiled all over the World.

The World Federation of Hungarians, an NGO active in some 50 countries of the World, was involved with the problem of the Beneš Decrees and their effects since 1945. The archives of our Federation saved a large number of documents. The leadership of the Federation already in the 40-s brought into the attention of the World community, the International Red Cross, many countries and their respective governments, the horrors inflicted on the Hungarian community by those laws and regulations, as well as the atrocities committed.

In the past two years, it came to our attention that the discussion about the Beneš Decrees by different entities of the European Union concerned the Czech Republic, only. However, they have affected and still affect the Hungarian community of Slovakia, too. This is why, our Federation became involved and jointly with other human rights organizations started to organize open hearings, seminars and forums. We have informed members of the European Parliament in Strasbourg, Brussels and on site in Slovakia, to focus the attention on the effects of the Beneš Decrees on the Hungarian community.

Following this we were startled to hear that on October 21, 2002 the special session of the Foreign Relations Committee in Strasbourg,

dedicated to the issue of the Beneš Decrees will deal with the Czech Republic, only.

We are fully convinced that the question of the decrees should be also discussed in relations to Slovakia, because those measures are victimizing the Hungarian Community even today.

How can be proven that the Beneš Decrees are still in effect in 2002? This is easy to do:

In 1945 properties of the Hungarians have been confiscated based on those laws. The confiscated property was distributed to Slovak, Slavic settlers. When the communists have implemented their collectivization policy, those properties were taken away from the Slavic settlers. Following the fall of the communist system Slovakia initiated laws that are "restituting" the confiscated property and making into owners - the former Slavic settlers?! One can rightfully ask: Why wasn't the property restituted to the original Hungarian owners, who have been robbed by the Beneš Decree confiscation process? The answer is evident: Because the Beneš Decrees are still in effect and they are taking their victims on the daily basis in 2002!

Dear Mr. Chairman, I am convinced the evidence given is self-explanatory. However, I am enclosing a professional legal analysis by Dr. jur. Míz Bődök, published for the seminar held on June 24th, 2002 in Brussels at the EP, demonstrating the same evidence. Attached also, please find the letter of our Federation to High Commissioner Günter Verheugen pointing at the non-tenability of the Beneš Decrees.

The White Book of the World Federation of Hungarians demonstrating the fact that the Beneš Decrees are still victimizing the society nowadays, will be available in Brussels for the Respected Members of the EP, next week.

Having faith in your commitment to justice, democracy and high ethical standards, please use your authority to eliminate the inhuman Beneš Decrees, the "amnesty law" in Slovakia, before her accession to the European Union.

Sincerely Yours,

Patrubány Miklós

President,

World Federation of Hungarians

Budapest, 17th of October, 2002.

**The European Free Alliance
Democratic Party of the Peoples of Europe**

List of participants

An the open hearing of Mr. Patrubány Miklós president of the World Federation of Hungarians and Mr.Gál Soóky László in the EU Parliament, Strasbourg 13th June. 2001.

The situation of the Hugarian Minority in the Slovak Republic:

On the road towards the EU

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L'Alliance Libre Europeene Partie Democratique Des Peuples d'Europe

La situation de la minorité hongroise dans la République Slovque: envers L'union européenne.

Nelly Maes, presidente de L'ALE au Parlement européen, invite Miklós Patrubány le mercredi 13 juin pour un hearing dans le Parlement européen à Strasbourg.

Comme Président de la Fédération Mondiale hongroise il donnera d'information détaillé sur la situation des Hongrois dans les pays candidats et plus spécifique dans la Republique Slovaque.

3.5 million approximative d' Hongrois vivent en dehors de l' Hongrie.La plus grande communauté est enregistré en Transsylvanie (Roumanie) avec 2 millions et dans la Republique Slovaque 0.8 million d' Hongrois.

Les droits de cette minorité Hongroise sont une des éléments clef pour la stabilité en pays de L'Europe de l'Est l'Europe centrale. C'est pour ça que la minorité Hongroise mérite notre attention spéciale.

Nous expliqueront brièvement les éléments clés et les demandes de la minorité Hongroise dans la République Slovaque:

Que demande la population hongroise de Slovaquie?

Constatant que:

- Parmi les conditions d'adhésion à l'union européenne définies à Copenhague, figure l'examen de la qualité du traitement réservée aux communautés nationales minoritaires.
- Ces critères doivent être rencontrés par la Slovaquie, pays candidat à l'adhésion.
- Dans son dernier rapport datant du novembre de l'année dernière, la Commission estime qu'en Slovaquie, l'effort législatif à la protection des minorités est insuffisant et qu'il manque la mise en oeuvre de cette législation.

MAGYAROK VILÁGSZÖVETSÉGE

Elnök

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Ej: 2001/0245

**Open Hearing, European Parliament,
Strasbourg, 2001.06.13.**

The Hungarian Problem Hungarian Minorities in the Carpathian Basin

*Chere Madame Président, Madame Nelly Maes,
Cheres Mesdames, Chers Messieurs,*

*Je vous remercie, pour nous avoir invité et pour créer la
possibilité de cette audition publique.*

*Notre séjour à Strasbourg se passe dans une période dans laquelle
les négociations avec la Slovaquie se matérialisent dans le projet d'un
nouveau rapport du Mr. Jan Marinus Wiersma. Nous sommes venus
pour compléter ce rapport avec des informations importantes.*

Let me introduce the organization I am representing and myself too.

The World Federation of Hungarians /WFH/ was founded 63 years ago, in 1938, by count Pál Teleki – later Prime Minister of Hungary – and baron /sigmond Perényi, relative of Mr. János Perényi today ambassador of the Hungarian Republic in Strasbourg. The WFH is a non-governmental, non-profit organization, which acts independently from parties and governments.

Myself, I am 48 years old. I am living in Transsylvania, part of Romania, in the capital of the region: Cluj-Kolozsvár-Klausenburg. I have been elected as president of the World Federation of Hungarians one year ago, in May 2000.

The WFH is present in every country, where Hungarians are living, that means in more than 50 countries. In approx. 40 countries, where Hungarian communities are considerable, the WFH is organized in so called National Councils. One

third of the Hungarian nation is living outside the borders of Hungary. Those five millions of Hungarians who are living outside Hungary are numerous in the countries neighbouring Hungary. In Slovakia, Ukraine, Rumania, Yugoslavia, Croatia and Slovenia - in the Carpathian Basin - there are living approx. 3.5 millions of Hungarians, the two greatest communities being formed in Romania and Slovakia, adding together almost 3 millions of Hungarians.

Hungarians living in the Carpathian Basin, didn't ever leave their homeland. After the World Wars of the 20-th century, borders moved over their heads, without calling for their agreement. In this way it is easy to understand, that these communities reject the title of *minorities*, but considering themselves *national communities*. All these national communities declared themselves members of the Hungarian nation. So we should recall, that Hungarians living in Slovakia or Romania are not Hungarian speaking Slovaks or Rumanians. They are Hungarians living in Slovakia and Hungarians living in Romania.

Excepting Slovenia – which considers Hungarians living in Slovenia as state-constituting co-nationals –, and partly Croatia, Hungarians living in the Carpathian Basin, outside the borders of Hungary are struggling for their community rights. It would be easy for me to tell You lots of cases in each of these countries where the rights of these communities are violated. Instead, I'll better refer to only one aspect of each country.

In Transcarpathia, part of Ukraine everybody, who has been born prior to 1920, and who lived at least till 1990, became in an alternating way citizen of six states: Austro-Hungary, Slovakia, Czechoslovakia, Hungary, Soviet Union, Ukraine. He or she succeeded to do that, without ever leaving the village where he or she had been born.

In Yugoslavia, the post-Milosevic regime, still defends borders, in a way which reminds communist times. In April 2001, Mr. Imre Borbély, president of the Carpathian Region of the World Federation of Hungarians, was forbidden to enter into Yugoslavia, only because he had with him thirty copies of two well known Hungarian periodicals: *Magyar Kisebbség /Hungarian Minority/*, and *Kapu /The Gate/*.

Last but not least, let's take the case of Rumania. When Rumania asked for the access into the Council of Europe, the country wasn't prepared to be accepted. However, due to political reasons the Council of Europe accepted Rumania, while imposing some *recommendations*

in its document no. **1993/176**. This document recommended, among else, that Rumania should restitute church properties confiscated by communists. Four years later, because nothing happened meanwhile, the Council of Europe called Rumania in its **decision** no. **1997/1123**. to restitute church properties „in integrum”. Now we are in 2001. And from those more than 1200 buildings /specially schools/ which belonged to the Hungarian churches in Romania, there are no more than 3-4 which have been restituted after long years of trials. Meanwhile, during the last four years, the Hungarian Democratic Alliance of Rumania, was one of the governing parties of Rumania. The restitution of Hungarian church properties was one of the main goals, during its campaign!!!! The participation of the Hungarian party in the Government of Rumania did not solve the problems of the Hungarian community, but it allowed president Clinton, to declare Rumania a model in solving the minority problem!!!!??

The key country of this hearing is Slovakia. I asked Mr. Gál Soóky László, president of the National Council of the WFH in Slovakia, to accompany me, and to give You direct, and true information regarding the situation of the Hungarian community in the Slovak Republic. Please listen to him.

....

After hearing these items of discrimination presented by Mr. President Gál Soóky, please allow me to make my conclusions.

The World Federation of Hungarians is totally interested that Slovakia should become member of the European Union as fast as possible. It is very difficult for all Hungarians to accept the idea that Hungary and the Hungarian communities living in the surrounding countries should be divided by Schengen borders. Therefore we are ready to support Slovakia in its attempt to join the EU as fast as possible. However it is hard to imagine Slovakia between the members of the European Union, a community of states respecting human rights, minority rights, until Slovakia is not willing to abolish the Presidential Decrees of Eduard Beneš, which decrees state guilty communities.

In the same way, it is hard to imagine Slovakia entering the European Union before accepting the rehabilitation of János Esterházy, the Hungarian party leader who was the only one Member of the Slovak Parliament, who voted against the so called Jewish law.

Ladies and Gentlemen, Europe should be aware that there exists a *Hungarian Question*, a problem which has been caused by Europe, and Europe has to solve this problem during the process of its integrating expansion. *Thank You for Your attention.*

László Gál Soóky

Fm. President

National Council of the WFH, in Slovakia

The discrimination of Hungarians in Slovakia

Open Hearing - European Parliament, Strasbourg, 2001.06.13.

Note: Since the issuance of this letter, some changes occurred, some in the wake of Mr. Soóky's present speech held at this open hearing. See notes.

When I received the draft of the Report on Slovakia from the European Parliament, I learned with sadness, that my previously raised opinions regarding the issues, do not need any revision or change, since the aforementioned document contains several obviously false assumptions, which essentially question the authenticity of the report.

Why is it, that this report can not stand as authentic before me?

The reason is, that you are addressed by a country, which even this days recognizes and uses the Presidential Decrees of Eduard Beneš from 1945, which being fully effective today maintain the principle of collective guilt, none acceptable by the international law, and thus are directed against basic human rights. I raise this issue, because it is necessary to warn you now when you in the European Parliament take decisions regarding Slovakia, and where there is great danger that the representatives of the European Parliament, based on false information, might take wrong decisions, which are against the international law.

Inasmuch as what I said is true, and it is true, than all the positive items constituting the draft of the report will apply to an integral part of the nation living in Slovakia, which, due to Eduard Beneš' Presidential Decrees to this very day are second-class citizens of the Slovak Republic, even today are war criminals and deprived of their rights. All the components of the draft concerning the Hungarians of Slovakia could only turn legitimate, if the Parliament of the Slovak Republic would withdraw the Decrees by law, the constitution of the Slovak Republic would grant the 600.000 Hungarians living in Slovakia the nation-constituting status and the president of the Slovak Republic would apologize the Hungarian citizens of Slovakia for the humiliations. Unless these acts will not happen, Slovakia can not be possibly reckoned among the democratic constitutional states.

The documents lying in front of us interestingly fail to mention three basic priorities concerning the Hungarians of Slovakia, that are: the Hungarian public education, culture and media in Slovakia. These are the three items of vital importance for the Hungarians torn away from the mother country.

Probably, the compilers of the report regard a question not mentioned, as not existing. But they exist indeed and there is a reason for the silence too.

These three items are the ones, where Slovakia does not comply with the UN Resolution on General Human Rights from 1948, having previously accepted it. What are the effects of this?

1. The public financial support which they are entitled to from the budget based on proportionality and what is directed by law and what also determines the amount.
2. The Hungarian teachers in Slovakia earn 15% less wage for the same work as their Slovak counterparts.
3. The Hungarian actors in Slovakia, due to the agreement of August 2000, are paid 20% less than the Slovak colleagues. (*Note: These are at par now, probably due to the airing of this problem.*)
4. The Hungarian media in Slovakia is evidently under influence of the Hungarian Coalition's Party, which censors, selects and in many cases disinforms the public.
5. The language law, considered by many as exemplary, does not work in reality. If anybody present, or the compilers of the report shows me a single valid identity paper, or a death record, or vernacular extract, which besides in the official Slovakian also is in Hungarian, I shall withdraw my statement. Otherwise, not.
6. The Hungarians of Slovakia should, based on proportionality, should be granted on a constitutional basis the right to university. The Slovakian government agreed the opening of a single faculty, although it was aware of, that it does not possess the legal rights of doing this, since every university is independent of the government, following the principle of autonomous self-government.
7. It is true that the Slovak government, after having undertaken many modifications, has adopted the Charter of European Languages, hut

the parliament did not ratify it so far, thus not being part of the Slovak legal system.

8. The administrative reform was granted major priority by the Slovak government. Among the two versions presented to parliament, none is containing a proposal that would grant on ethnical basis the territorial unity for the Hungarians. because there is no political wish for this within the government. (*Note: The Slovakian government enacted the plan of the ultra-nationalist former Prime Minister, Mr. Meciar, which is disastrous to the Hungarians. Instead of creating a larger administrative unit along the ethnic, economic and historic dividing lines, they have created a "vertical" district, mixing the two nations, therefore depriving the Hungarians of their political clout. The economic consequences of this arrangement is also disastrous.*)

In the draft I have found 11 points, where the compilers made their opinion on false and misleading information. If the European Parliament accepts this draft, it will be considered an active contributor, accomplice of an intrigue, what aims the assimilation of the Hungarians in Slovakia, and what for both parties could have tragic consequences.

Gyula Geönczeöl

President

National Council of the WFH in Slovakia

Forum and International Press Conference in Kéménd-Kamenin/Slovakia

The World Federation of Hungarians on April 4th, 2002 has organized an international press conference in the village of Kéménd in Slovakia. The scope of the event was the intolerability of the Beneš Decrees. No vacant seat remained at the conference hall of the convention center with some 300 seats in capacity. All seats and the standing room was occupied by formerly prosecuted people, who spoke out unanimously about the untenability of the Beneš Decrees. From the testimonies in Kéménd we became to know about unknown facts that have led to the never forgivable crimes - the mass murders. To the press conference joining the top leadership of the WFH arrived Mr. Miquel Mayol MP of the EP from France and countless radio and TV stations have been represented. A staff member of the Frankfurter Allgemeine Zeitung was present also. Mr. Miklós Patrubány, president of the WFH took the ethical and political responsibility for the event, and he has chaired the press conference for the entire three hours.

It is no question that the Kéménd press conference was probably the most significant event this year in the life of the WFH. The village of Kéménd, is located some 15 kilometers north from Párkány-Sturovo. The large number of some 300 old persons who came from the surrounding villages, were all survivors - without restitution. They are all a part of a group of some 60,000 persons from this formerly North Hungarian territory never comforted for those events. They are all, victims of the Beneš Decrees based on which, they have been deported into Bohemia. The press conference, which ended a period of some 55 years has touched down on questions have been regarded by some as "very sensitive", but helped to brake down an illegitimate "Wall of Silence".

Astonishingly enough, new, un-known tragedies were told in Kéménd. However, they justify the claim that the Beneš Decrees are not a “story of the past”, the lawlessness didn’t generate property related problems only, but their implications tower those problems over by their nature and by their magnitude.

Light was shed at two mass murders that have been committed against Hungarians in Slovakia and Bohemia in times when World War II was over for a long time.

In the vicinity of Pozsony, now Bratislava and just across the Danube river in Pozsony-Ligetfalu, now Petržalka 90 Székely scouts have been shot into trenches that remained behind from the wartime. According to the witnesses the victims have been young Székely boys from Csík county (Transsylvania). They all have possessed International Red Cross papers and they were directed to go home. At the end of the fourteens, this act of mass murder and crime against humanity was partially discussed publicly in Czechoslovakia, however, since then, deep silence was brought over of the case. In the seventies, some Hungarian intellectuals made research about the case, but they were over helmed by the secret services and they have been silenced forever, or put to house arrest. Relatives of the victims searched for their sons originally, in Siberia.

In Prerov - Czech territory - a train was transferring Hungarian and German refugees, who headed back to their village of Dobsina, Slovakia. This was a case of civil population that was originally removed from the frontline into safe housing in war time. The war party, communist guerrillas removed the civilians, almost exclusively women and their children from the railroad cars and shot them. When the commando used up their ammunition, they have silenced the still living children by suffocating them or beating them by shovels to death. The names of victims is known as well as the name of the commander’s, who was Karel Pazur.

The editor of the newspaper KAPU (The Gate), Mr. Zoltán Brády, told us, that they have investigated the specific data of the mass murder cases sometimes under dangerous conditions, for some 6 years. They have completed a one hour long picture, a documentary with the title: “Not One is Responsible for You”. Editor Brády was recognized for his work by the WFF and he was awarded the “Kövári László Silver Pen”.

Alíz Bődök, who is a professional, lawyer, gave her expert's opinion to the international press conference and told the guests, who came from Brussels, about how the never eliminated Beneš Decrees are affecting life discriminating the Hungarians with their undemocratic patterns in Slovakia today and in a country that is seeking accession to the European Union. The Slovak authorities declared the finest arable land confiscated from Hungarian owners based on the Beneš Decrees - 55 years ago - to be "lands bearing no name", since - we are being told - those lands do not fall under the restitution laws brought in the early 1990-s. And so, today, at the beginning of the third millennium, the authorities are making out "possession documents" with "eternity features" regarding those arable lands confiscated from the original Hungarian owners to the name of Slovaks, who are now living in the northern counties of Slovakia, but who have been given 55 years ago confiscated land. They couldn't make their living on those lands and from agricultural activity, so they have moved back into their original dwellings in the northern parts of the country decades ago. In conclusion: The Beneš Decrees do not represent the past, but rather the bloody factual presence of confiscation and have a never dying message related to the crimes against humanity.

Mr. Imre Borbély, who is the president of Carpathian Region of the WFH in his German and Hungarian contribution has informed the press conference with the content of the correspondence from the presidium of the WFH to the High Commissioner for the EU Accession process, Günter Verheugen. The president of the WFH declared the position of the High Commissioner regarding the investigation of the Beneš Decrees - who stated that they were initiated before the establishment of the EU - as un-acceptable. The president of WFH reminded the High Commissioner that mass murders and crimes against humanity never become obsolete. Consequently, the president of the WFH asked the High Commissioner to call on Bohemia and Slovakia to declare the Beneš Decrees obsolete and in valid.

Mr. Zoltán Király, who is the vice president of the WFH discussed the never ending responsibility of the Hungarian Governments for the elimination process of the Beneš Decrees. Mr. Király reminded the press conference that one year earlier, when the leaders of the WFH have informed the

audience in Strasbourg and the European Parliament in framework of hearings about how the Hungarian community in Slovakia was discriminated, Mr. Jan Marius Wiersma, MP - who is assigned by the EP to report about Slovakia - defended himself by saying that he had a daily working relationship with deputy prime minister Mr. Pál Csáky and who was delegated to the Slovak government by the Hungarian Coalition Party that Mr. Csáky never in one word has ever mentioned that the Hungarians in Slovakia had any grievances at all. And the MEP added: The people from the Hungarian government are around us for years, they made many comments, but never, ever mentioned that the Hungarians in Slovakia had been discriminated at all. Mr. Király hailed the fact that Mr. Orbán, Viktor, prime minister of Hungary some three months earlier did not avoid questions of MP-s in Brussels –who have been already informed about the Beneš Decrees by the leadership of the WFH - that the Decrees affected the Hungarians, too. On every European forum it is normally accepted that the government of the motherland country should aid the minority communities facing discrimination.

Mr. Gyula Geönczeöl, president elect of the National Council of the WFH in Slovakia, gave a complex overview about the Beneš Decrees and came to the conclusion that the Beneš Decrees caused to the Hungarian community an enormous degree of loss in her economical life and existential, self-supporting base which is very hard to replace. Based on the decrees, banks and businesses, cultural and educational facilities have been confiscated, too. The Hungarians could never replace the losses and if this problem remains unresolved, her entire existence and future will remain questionable, complex and hopeless. Mr. Geönczeöl was exiled in the United States for some twenty years and he was responsible at the press conference for the English interpretation.

The Honorary guest of the press conference was Mr. Miquel Mayol i Raynal, MEP from France and who belongs to the Catalanian community. He accepted the invitation of the president of the WFH to Slovakia. The Gentleman was introduced by Mrs. Mária Tajnay, member of the Central European Human Rights Committee. Mr. Mayol spoke in French and his contribution was interpreted to the press conference by Mr. Patrubány,

president of the WFH. The Hon. Mr. Raynal handed over his comments in written form. The Congressman called the Hungarians of this formerly Northern Hungarian province - now Slovakia - to be his friends and considered them to be the citizens of Europe. However, he warned - they should not believe that the minority rights in Europe could be achieved automatically. He added, that Europe in many aspects is a Europe of slogans, a Europe of nation states, a Europe of commercial interests and that the announced equality in opportunities in many cases don't get materialized. As an example he mentioned that in the European Parliament he himself cannot use his mother's tongue the Catalanian in spite of the fact this is the language of ten million European citizens, that in Spain it is the language of a significant province and it is the language of the autonomy of that province. He was encouraging the Hungarians in Slovakia to live with the Copenhagen Criteria established by the European Council based on which the countries seeking accession into the European Union are required to observe the rights of minorities. This is the time, the right moment, when it is possible to force the nation states - by the fulfilment of the accession requirements - that they would finally, observe the rights of minorities in real life.

Mr. Miquel Mayol has told also, that he was aware with the existence of the open letter by the presidium of the WFH to Mr. Günter Verheugen, he was highly supporting the letter and he was fully supporting the content of that correspondence and the materialization of her demands. The Catalanian MEP explained that he was a member of a group at the European Parliament - the European Free Alliance - that is bringing together some 30 parties, national movements of European nations that have no state: the Scotch, Corsicans, Galicians, Occitanians, Basques, Flamands, Catalanians, Sardinians and others. He came to Kéménd to assure the Hungarians about their solidarity. He announced that their political group working in the European Parliament - the European Free Alliance - openly supports the immediate elimination of the Beneš Decrees. These decrees, - as Mr. Mayol earlier in Brussels at the EP announced in his comments - are the shame of Europe. Finally, he encouraged the Hungarians in Slovakia that in case that their existing political representatives do not represent

their vital interests, the elimination of the Beneš Decrees, an actual and factual drive to implement equal interests, they should form a new political force which will be fully supported by the European Free Alliance.

Following this Mr. Miklós Patrubány, awarded Mr. Miquel Mayol with the “Silver Medal for the Hungarian Nation”, the highest award of the Hungarian World Federation. The deeply impressed MEP gave to the WFH a Catalanian flag and sang to the audience the Catalanian National Anthem.

Present was at the press conference Bishop Géza Erdélyi of the Hungarian Reformed Church in Slovakia, the President of the Consulting Synod of the Universal Hungarian Reformed Church and member of the Supporting Body of the WFH. Bishop Erdélyi extended his warmest words to the scope of the press conference and thanked for this action by the WFH.

Observing the hopes and expectations of our Hungarian brothers, we may say that we made the right decision when we choose to walk on this road – Miklós Patrubány.

Miquel Mayol i Raynal

Member of the European Parliament, EFA

Lés minorités nationales et l'UE

C'est un honneur pour moi et un grand plaisir d'être ici aujourd'hui, et dans ce pays pour la première fois. Je remercie la Fédération Mondiale des Hongrois et le Comité pour les droits de l'homme en Europe Centrale pour cette invitation.

Comme vous tous je suis un minoritaire. J'appartiens à la minorité catalane de l'Etat français. Et comme vous nous avons subi une oppression culturelle, linguistique, économique de cet Etat français, l'un des Etats les plus centralistes du monde. Avec mes collègues de l'Alliance Libre Européenne au Parlement Européen nous sommes disposés à aider les minorités nationales et les peuples opprimés en Europe. Mais cette aide n'est pas aussi désintéressé qu'il y paraît, parce que seule l'union de tous les minoritaires et les peuples opprimés en Europe nous permettra de faire respecter nos droits.

Surtout ne croyez pas ceux qui vous disent que l'Europe, demain, résoudra tous vos problèmes. Il y a l'Europe des paroles et l'Europe des faits. L'Europe des belles déclarations et l'Europe des réalités. L'Europe des peuples et l'Europe des Etats. Je vais prendre deux exemples. La Charte européenne des droits fondamentaux dit que l'Europe respecte la diversité linguistique. Ma langue, le Catalan, est parlée par dix millions de personnes et pourtant, au Parlement européen, je ne peux pas m'exprimer dans ma langue mais seulement dans l'une des onze langues officielles des Etats membres. Autre exemple: la Déclaration de Copenhague du Conseil européen a posé les conditions pour l'admission dans l'Union des Etats de l'Europe Centrale et Orientale. La première de ces conditions est l'existence d'une démocratie politique et le respect des minorités.

Quand je suis entré au Parlement européen la Présidente du Comité pour les Droits de l'Homme en Europe Centrale m'a expliqué la situation de votre minorité et notamment les décrets Beneš. Je lui ai dit qu'il était

impossible que l'Etat slovaque puisse adhérer à l'Union européenne si ces Décrets n'étaient pas abrogés et tant qu'une juste réparation n'était pas accordée aux victimes. Je pense que j'étais naïf. Au Parlement européen je suis membre de la Commission des Affaires Etrangères. Nous avons reçu, il y a quelques jours, le Premier Ministre slovaque, M. Mikulas Dzurinda. Il nous a expliqué que la Slovaquie avait adopté des lois garantissant les droits de toutes les minorités. Je lui ai posé la question des Décrets Beneš et il a tenté de m'expliquer que ces décrets étaient quelque chose du passé et sur lesquels il n'était pas possible de revenir. Dans une deuxième intervention je lui ai dit que je n'étais pas d'accord. Que je ne comprenais pas pourquoi il était possible de réparer les injustices sociales du communisme et pourquoi il n'était pas possible de réparer les injustices nationales commises par un régime nationaliste quelques mois plus tôt. Les injustices commises avant celles-ci, qui ont frappé les juifs, ont été réparées par les Allemands, par les banques helvétiques. Demain les personnes contraintes au travail forcé par le régime nazi vont recevoir des indemnités de réparation par les entreprises qui ont bénéficié de leur travail. La position du gouvernement slovaque sur cette question a malheureusement le soutien du Commissaire Günter Verheugen qui considère, lui aussi, que les Décrets Beneš appartiennent au passé. Votre Fédération Mondiale des Hongrois, par une lettre ouverte du 23 février 2002 lui a justement répliqué que sa position consiste à soutenir un authentique crime contre l'humanité et que ces crimes-là sont imprescriptibles. Il faut donner à cette réponse toute la publicité qu'elle mérite.

Malgré cette injustice criante je pense qu'avant 2004 l'Etat slovaque risque d'être admis dans l'Union européenne. Il nous appartient de tout faire pour saisir l'opinion publique de cette question. Si les Etats européens ne vous font pas justice, il faut que les citoyens européens les obligent à reconsidérer leur position. C'est cette solidarité-là que la Confédération européenne des partis et mouvements à laquelle j'appartiens, le Parti démocratique des Peuples d'Europe (Alliance libre européenne) peut vous proposer. Nous rassemblons aujourd'hui près de trente organisations politiques de toute l'Europe, de la Corse à l'Ecosse, de la Bretagne au Sud-Tyrol. Si les partis hongrois aujourd'hui existants refusent de se

lancer dans la bataille contre l'injustice dont vous êtes victimes je vous invite à créer votre propre mouvement. Ce mouvement pourra rejoindre notre confédération. Ensemble, avec notre Présidente, la flamande Nelly MAES, je vous propose de travailler à la construction d'une Europe plus authentique, une Europe qui respectera les droits de tous les peuples et de toutes les minorités. C'est pour cela que je vous disais en commençant que ma solidarité n'était pas totalement désintéressée: l'Europe a besoin de vous.

Kémend, Slowakei, 4 avril 2002

Frankfurter Allgemeine Zeitung
2002.04.18.

Dekrete Slowakei

von Karl-Peter Schwarz

PRESSBURG, im April. Ladislav Rosinger, geboren in Preßburg, lebt heute in Haifa. Er war aus der Slowakei des Monsignore Tiso, die mit Deutschland verbündet war und Juden den Nazis auslieferte, nach England geflüchtet und hatte sich dort der tschechoslowakischen Exilarmee angeschlossen. Nach Kriegsende kehrte er in seine Heimat zurück. 1949, nach der Machtübernahme der Kommunisten in der Tschechoslowakei, emigrierte er nach Israel. 1950 wurde das Eigentum der Familie Rosinger, zwei Häuser und ein Geschäft in Preßburg, auf der Grundlage des Dekretes Nr. 108/1945 des tschechoslowakischen Präsidenten Edvard Beneš (HATSCHEK AUF S) konfisziert. Der Grund: Die Geschäftskorrespondenz des Familienbetriebs war in der Zwischenkriegszeit in deutscher Sprache geführt worden; auf dem Briefkopf stand: „Emrich Rosinger. Bau- und Möbelbeschläge – Metallwaren – Werkzeuge. Bratislava“. Nach Absatz 3 des Dekretes Nr. 108 erfaßte die „Konfiskation des feindlichen Vermögens“ auch jenes von Personen, die „der Germanisierung oder Magyarisierung auf dem Gebiet der Tschechoslowakei Vorschub geleistet“ hatten – zum Beispiel durch die Verwendung eines deutschen Briefkopfs in der Firmenkorrespondenz. Seit 1996 bemüht sich Ladislav Rosinger, Veteran

der tschechoslowakischen Armee, um die Rückgabe des Eigentums. Erfolglos, denn die Beneš-Dekrete sind in der Slowakei wie in der Tschechischen Republik weiterhin „fester Bestandteil der Rechtsordnung“.

Die Familie Schramm betrieb in der ersten tschechoslowakischen Republik ein florierendes Steinmetzunternehmen. Jeder zweite Grabstein auf dem Preßburger Andreasfriedhof stammt aus ihrer Produktion. An den Sohn der Katharina Schramm, Robert Stirba (HATSCHKE AUFS), erinnert eine Gedenktafel in Lubietova (Libethen), einer Ortschaft nahe Banska Bystrica (Neusohl). Stirba war dort am 8. Januar 1945 als „Angehöriger der tschechoslowakischen Auslandsarmee in der Sowjetunion“ (Partisan) bei einem Feuergefecht mit deutschen Soldaten gefallen. Katharina Schramm als nächste Verwandte wurde daher anerkannt nach den Bestimmungen des Gesetzes Nr. 255/1946, das „Angehörige der tschechoslowakischen Armee und andere Teilnehmer des nationalen Befreiungskampfes“ zu bevorzugter Behandlung berechnete. Dennoch wurde der Familie auf der Grundlage der Beneš-Dekrete das Eigentum entzogen, wogegen 1964 (!) sogar die „Vereinigung der antifaschistischen Kämpfer“ (SPB) protestierte. Theresia Schramm, die Schwester des gefallenen Partisanen, hat das Familieneigentum bis heute nicht zurückerhalten.

Den Namen der Familie Werner verzeichnet die große Enzyklopädie „Die Musik in Geschichte und Gegenwart“ (MGG) unter dem Stichwort „Preßburg“. 1840 hatte der Klavierbauer Peter Werner seine eigene Fabrik gegründet, die zweite ihrer Art in dieser damals blühenden Stadt. In den Jahrzehnten bis zum Ersten Weltkrieg brachte es die Firma Werner zur Marktführerschaft in Ungarn (die Slowakei gehörte bis 1918 zum transleithanischen Teil der Doppelmonarchie). Am Preßburger Fischmarkt, Ecke Lange Gasse, ließ die Familie ein prächtiges Gebäude im Wiener Ringstraßenstil errichten, in dem die schönsten Musikinstrumente aus ihrer Produktion ausgestellt wurden. Das Haus steht immer noch, spätere Eingriffe in die Bausubstanz haben es leider häßlich entstellt (Hviezdoslav-Platz Nr. 12). Auch die Familie Werner lebt nach wie vor in Preßburg, sie wurde nicht vertrieben, „nur“ enteignet – und sie hat ihr Eigentums bis heute nicht zurückerhalten. Seit zehn Jahren wird die Restitution auf die lange Bank geschoben. Im Zuge des Verfahrens hat der Preßburger Magistrat, Abteilung Altstadt, dem Kläger am 9.6. 1998 einen Brief zugestellt, in dem mit erfrischender Klarheit und völlig korrekt festgestellt wird, was die tschechische Regierung, die slowakische Regierung und EU-Kommissar

Verheugen mit großem Aufwand zu verdunkeln versuchen: „Die Beneš-Dekrete wurden bis heute nicht aufgehoben, also sind sie gültig“.

Nach dem Krieg wurden 32.000 Karpatendeutsche aus der Slowakei vertrieben. Die wenigen Verbliebenen und ihre Nachkommen (nach der Volkszählung 2001 offiziell nur noch rund 5400, in Wirklichkeit etwa 15.000) werden von der slowakischen Restitutionsgesetzgebung genauso diskriminiert wie die deutsche Minderheit in Böhmen und Mähren von der tschechischen, denn in der Frage der „Unantastbarkeit der Nachkriegsordnung“ sind sich die Nachfolgestaaten der tschechoslowakischen Föderation völlig einig. Zwar hat sich der slowakische Nationalrat (Parlament) im Gegensatz zum tschechischen schon vor zehn Jahren für die Vertreibung der Deutschen explizit entschuldigt und das ihr zugrundeliegende Prinzip der Kollektivschuld verurteilt, zu den Beneš-Dekreten aber vertritt die Slowakei den Standpunkt der Tschechischen Republik. Dem außenpolitischen Ausschuß des Europäischen Parlaments, der Prag kritisiert, aber Preßburg nicht erwähnt, ist der Vorwurf nicht zu ersparen, damit selbst gegen den Gleichheitsgrundsatz zu verstossen.

Die gemeinsame Haltung zu den Dekreten hatten die Tschechische und die Slowakische Republik 1992 im Zuge der Auflösung der Föderation vereinbart. Für die Slowakei kommt ein Alleingang heute auch deshalb nicht in Frage, weil sie zu den chronisch fußkranken Beitrittskandidaten der Nato und der EU zählt und auf tschechische Fürsprache bitter angewiesen ist. Der Sache nach geht es ihr dabei nicht so sehr um die kleine deutsche Minderheit, sondern um jene der rund fünfhunderttausend Ungarn, bei der sie sich bis heute nicht entschuldigt hat. Ein unlängst im „Slovak Spectator“ erscheinener Leserbrief schilderte die slowakische Restitutionspraxis so: „Janos lebt und arbeitet auf dem Hof, der seiner Familie seit Generationen gehört. (Nach dem Krieg) gibt es ein neues Gesetz, das alle Ungarn für kollektiv schuldig erklärt, ihr Eigentum konfisziert und den meisten auch noch die Staatsbürgerschaft aberkennt. Den Hof bekommt ein Slowake, Pavol, der nie dafür bezahlen mußte. Dann kommen die Kommunisten und kollektivieren alles, auch den Hof von Janos. (In den neunziger Jahren) wird die Kollektivierung rückgängig gemacht, und wer bekommt den Bauernhof? Nicht Janos, dessen Vorfahren das Land jahrhundertlang beackerten, sondern Pavol. Nennen Sie das Gerechtigkeit? Ich nenne das rassische Diskriminierung“.

Die Problematik der Beneš-Dekrete wird zumeist im Zusammenhang mit den Deutschen in Böhmen und Mähren gesehen. In Wirklichkeit wirken sich ihre diskriminierenden Bestimmungen heute weit mehr noch gegen die

slowakischen Ungarn aus. Die Kollektivschuldthese des Präsidenten Beneš ist in ihrem Falle erst recht absurd, denn es kann kein vernünftiger Grund dafür angeführt werden, daß zwar die slowakischen Ungarn nach dem Krieg kollektiv dafür bestraft wurden, daß ihr Siedlungsgebiet 1939 Ungarn angeschlossen wurde, aber nicht die Slowaken, deren separatistische Führung sich aktiv an der Zerschlagung der Tschechoslowakei beteiligte und deren Staat sich dann mit Hitlerdeutschland verbündete.

Mit Rücksicht auf den Zusammenhalt der Koalition in Preßburg, die eine Rückkehr der nationalpopulistischen „Bewegung für eine demokratische Slowakei“ (HZDS) Vladimir Meciar (HATSCHEK AUF C) verhindern will, hat sich die „Partei der Ungarischen Koalition“ (SMK) gegenüber ihren Partnern in der Regierung verpflichtet, die Frage der Beneš-Dekrete bis zu den Wahlen im September ruhen zu lassen. Angesichts der laufenden Diskussion auf europäischer Ebene muß sie sich nun allerdings mit Kritik aus den eigenen Reihen auseinandersetzen, sie „verrate“ die ungarische Minderheit, weil sie einen günstigen Zeitpunkt zur Vertretung ihrer Anliegen verpasse.

Im ungarischen Dorf Kemend (slowakisch: Kamendin) fand vor wenigen Tagen eine Kundgebung von Opfern der Beneš-Dekrete statt, die vom Weltbund der Ungarn veranstaltet wurde. Mehrere Frauen berichteten dort, wie sie mit ihren Kindern von Soldaten in Viehwaggons getrieben und nach Böhmen verbracht wurden, wo sie als Zwangsarbeiterinnen in der nach der Vertreibung der Deutschen verödeten Landwirtschaft eingesetzt wurden. Ein Mann erzählte unter Tränen, wie er im Alter von vierzehn Jahren als „Kriegsverbrecher“ verurteilt und deportiert wurde. Keiner von ihnen ist je entschädigt worden, im Gegensatz zu den Sudetendeutschen gab es für die Ungarn auch keine Unterstützung aus einem Lastenausgleichsfonds. Aliz Bődök, eine Rechtsanwältin aus Komorn (Komarno, Komarom), sprach in Kemend von einer methodischen staatlichen Diskriminierung der Ungarn durch die slowakische Restitutionspraxis.

An Erweiterungskommissar Verheugen richtete der Weltbund schon vor Monaten einen Brief, in dem es unter anderem heißt: *„Wie können Unrecht und Diskriminierung beendet werden, wenn*

diese Gesetze und Dekrete weiter existieren und immer wieder bekräftigt werden? Hitlers Befehle zur Ausrottung ganzer Bevölkerungsgruppen erfolgten ebenfalls vor der Bildung des heutigen vereinten Deutschlands, und wir können uns nicht vorstellen, daß sie heute Teil der deutschen Rechtsordnung sein könnten. Wie können Sie die Hinnahme der Beneš-Dekrete rechtfertigen? Nach dieser Denkweise könnte Deutschland auch dann ein Mitglied der Europäischen Union sein, wenn es über Gesetze verfügte, die die Franzosen zu Feinden des deutschen Volkes erklären.“ Der Brief ist mit 23. Februar 2002 datiert. Am 11. April verkündete Verheugen in Prag zum wiederholten Male, die Beneš-Dekrete gehörten der Geschichte an und stellten daher kein Hindernis auf dem Weg in die EU dar.

Press Release and Invitation

The World Federation of Hungarians organizes a demonstration in Balassagyarmat on 4th of June. The meeting will be held near the Palóc Museum, at 16.30.

As it is well known, in the period 1945-48 President Eduard Beneš edicted more than eighty decrees, the so called Beneš Decrees, which declared German and Hungarian minorities living in Czechoslovakia enemies. By means of Beneš Decrees several millions of people belonging to the minorities mentioned above, have been deprived of their properties and forced to leave their homes. More than that, Beneš Decrees led directly to mass murders, some of them being well known – like Pozsony-Ligetfalu and Prerov – but still not officially recognized. Beneš Decrees get their actuality in the European integration process of the Czech Republic and Slovakia, because the decrees, which are still valid in these countries, discriminate minorities. Beneš Decrees state German and Hungarian minorities as second class citizens, who may be deprived of their properties and may be forced to leave their homes. Beneš Decrees violate almost every article of the Universal Declaration of Human Rights adopted by the General Assembly of the United Nations Organization.

It is not generally known, but Beneš Decrees affected 200.000 Hungarians in Slovakia. Some 70.000 have been forced to leave their homes, and have been deported to Czech territory, in the place of Sudeten-Germans. Here they have been forced to work like slaves on the farms of Czech farmers. The majority never returned to their homes. Some 130.000 have been thrown over the border with Hungary.

In the last year, the World Federation of Hungarians has focused the attention of the European Parliament several times, on the issue of Beneš Decrees, highlighting the unacceptable fact that these decrees are still valid, and more than that, they are functioning and taking their victims in 2002, too. Therefore the World Federation of Hungarians demands the abolishment of Beneš Decrees, considering that a country which keeps in it's legal system such discriminatory laws, can not be member of the European Union, where discrimination of national and ethnic minorities is forbidden.

On the demonstration organized on Balassagyarmat, there will be present Countess Alice Esterházy, Honorary President of the WFH, daughter of the martyr politician János Esterházy, and Miklós Patrubby President of the WFH. At the end of the demonstration they are going to give a press conference.

Press Office of the WFH

Prof. Dr. Gyula Popély
Károli Gáspár Reformed University
Budapest

DEMONSTRATION AGAINST BENEŠ DECREES

Balassagyarmat, Square of the Palóc Museum

4TH OF JUNE, 2002, 16,30

On the anniversary of the Trianon Peace Treaty (dictate), the World Federation of Hungarians (WFH) organized a protest demonstration against the Beneš Dictates, in the city of Balassagyarmat. The location was picked because in 1919, the citizens of this city chased out the invading Czech armed forces. With this heroic deed, Balassagyarmat earned the title of „Heroic City” in the Hungarian History.

The demonstration was coordinated by the President of the WFH, sponsored by the Major of the City, Mr. Peter Juhász, the City Council, Mr. László Pulay and members of The Civitas Fortissima Circle. The Honorary President of the WFH and her husband were also present.

Also in attendance were: Mr. Gyula Popély, Mr. Gyula Geonczeol. and the President of the WFH, Mr. Miklós Patrubány. The demonstration was broadcast on the Internet Radio.

The demonstration was held in the garden of the Palóc Museum across the previously consecrated „Country Flag”.

The slogan of the occasion was: „Lépj te is” (You step forward too). The enthused demonstrators denounced the - still in force - Beneš Decrees. This demonstration wanted to signal to the Hungarians of the Carpathian Basin and to bring to the attention of the leading politicians of the World, that there are laws in force in the 21st Century which are based on the doctrine of „Collective Guilt”. On the bases of this illegal law, the Czechoslovakian government committed crimes against The Hungarians (and the Germans), that are viewed as one of the most grievous.

The aim of these Decrees was - and in some degrees are – genocidium. These illegal activities are still going on – in more subtle ways.

On the bases of these Beneš Decrees, the Czechoslovakian government deprived of citizenship, properties, insurances, and pensions app. 200,000 Hungarians and deported about 70,000 to the Sudeten Land. as virtual slaves. Their properties were occupied by Czech and Slovak settlers. About 130,000 Hungarians were deported to Hungary in a forced exchange program.

Some unknown number of Hungarians were killed by Czechoslovakian armed forces, or State Security officers. For instance . 90 young Székely (Sekler)-Hungarians from the county of Csík (now in Romania) were killed in Pozsony-Ligetfalu., after the war ended in 1945 (Documented). Mass-murders were also committed in Prerov, Nográd (Kassa-Kosice), Liptoszentmiklós.

This facts should be brought to the attention of the European Parliament. We also should demand that the sufferers of the „Hungarian Holocaust” be given the same just restitution and compensation as the victims of the Jewish Holocaust received.

It is also imperative, that a State should not be accepted to the EU, that still have a constitution that is built on laws and decrees which are not compatible with membership.

We believe, that those parliamentary representatives who are lenient toward the Czech and Slovak point of view, should reconsider their stand on the matter, on the bases of information provided. Ignoring this problem will only aggravate the present difficulties.

We appeal to the fairness of the leaders, to remedy the grave situation and force the Czech and Slovak governments to comply with the laws, expectations and recommendations of the European Union.

The Honorable Ms. Mary Robinson
High Commissioner for Human Rights
OHCHR-UNOG
8-14 Avenue de la Paix
1211 Geneva 10
Switzerland

Dear Ms. Robinson,

I am turning to you in order to seek your support for the Hungarian and other ethnic groups in Slovakia, whose human rights are being seriously violated, as indicated in the attached Memorandum adopted by the World Federation of Hungarians' National Council of Slovakia (14 July 2001).

Most of the Presidential Decrees of Edward Beneš are, as unbelievable as it may sound, still in force. It was these 89 decrees, edicts, laws and statutes, which permitted expulsion, deportation, internment, peoples court procedures, citizenship revocations, property confiscation, condemnation to forced labour camps, forced changes of nationality and appointment of government managers to German and Hungarian owned businesses and farms after World War II, and which through the inclusion of the concept of "collective guilt" turned inhabitants belonging to the German or Hungarian ethnic groups into second class citizens. The fact that these Decrees are still in force both in the Czech Republic and in Slovakia prevent people belonging to the German and Hungarian ethnic groups from reclaiming their confiscated property or receiving compensation for it. Furthermore, these Decrees provide the legal basis for possible future atrocities, including genocide.

A few days prior to the adoption of the attached Memorandum, the Parliament of Slovakia decided to reorganize the country's administrative entities in a culturally and geographically totally illogical manner, the only goal of which is to ensure that the percentage of the ethnic Hungarians be reduced to below 20% in each one of them.

As the Memorandum indicates, Slovakia continues to refuse the establishment of a Hungarian-language university and does not grant this ethnic group the right to govern the organizational, personnel and professional aspects of Hungarian-language primary and secondary educational institutions. Moreover, in view of Slovakia's desire to join the European Union rapidly, political parties and non-governmental organizations within the country attempt to cover up these human rights violations.

Aware that democracy and stability can only be built on respect of human rights, and conscious of the dangers that the discrimination of ethnic minorities may entail, we kindly request you to

- include the question of the human rights violation of ethnic groups in Slovakia on the agenda of the next session of the United Nations Commission on Human Rights; and
- appoint a special rapporteur with a view to preparing a report on the situation of the Hungarian and other ethnic groups in Slovakia to be submitted to ECOSOC and the General-Assembly of the United Nations through the regular channels.

Thank you in advance for ensuring that light is shed on the discrimination against ethnic groups in Slovakia and for taking all appropriate measures to promote respect for their human rights.

Sincerely yours,

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A letter campaign, based on this prototype was started by the Foreign Affairs Committee of the World Federation of Hungarians in July 2001. We are informed that until March 2002, more than 10.000 letters arrived from different parts of the World, to the UNO headquarters in Geneva.

MEMORANDUM
of the Presidium of the National Council of the
World Federation of Hungarians in Slovakia,

The Presidium of the Council of the World Federation of Hungarians in Slovakia, realizing the sad fact that the National Council of the Slovak Republic, along with the government of the Slovak Republic uses the Hungarian community living in Slovakia, and its legitim representatives, to promote their own narrow and nationalistic aims, while both its inherited and newly created laws discriminate against the Hungarian community living in Slovakia, publishes the present

MEMORANDUM.

- a. **The Constitution of the Slovak Republic is discriminative. The Preamble to the Constitution must be modified to include everybody who lives in the territory of Slovakia as constituent of the state, regardless of gender, race, ethnicity, or religious belonging.**
- b. **The Presidential Decrees of Edward Beneš are contrary to the internationally recognized basic principles of law and justice, because they recognize the principle of collective guilt and provide a legal framework even today for the destruction of the Hungarian community living in the Slovak Republic. We demand that the appropriate authorities withdraw and nullify the Presidential Decrees of Edward Beneš.**
- c. **After the withdrawal and nullification of the Beneš Decrees every legitim victim of these Decrees should be promptly and fully compensated.**
- d. **The National Council of the Slovak Republic should provide by law for the creation of an Autonomous Hungarian University, whose location shall be determined by the representatives of the Hungarian community.**

- e. A proportionate percentage of the state budget for education, based on the proportion of the Hungarian population of Slovakia, should be handled by a Hungarian Education Institute. This Institute will be responsible for the organizational, personnel and professional direction of the Hungarian educational network.**
- f. The National Council of the Slovak Republic should provide by law, based on the Hungarian population, proportionate financial support for the maintenance of Hungarian national culture.**
- g. The National Council of the Slovak Republic should create by law an opportunity for the Hungarian community living in Slovakia to create territorial, cultural and personal autonomies. Otherwise we demand national self-determination.**

Presidium,

Council of the World Federation of Hungarians in Slovakia

László Gál Soóky, President

Marcelháza, July 14, 2001.

Sir John Bowring

Philologist, XVIIIth Century

The Hungarian Language

The Hungarian language goes far back. It developed in a very peculiar manner, and its structure reaches back to times most of the spoken European languages did not even exist. It is a language in which there is a logic and mathematics with the adaptability and malleability of strenght and chords.

The Englishman should be proud that his language indicates an epic of human history. One can show forth his origin, and alien layers can be distinguished in it, which gathered together during the contacts with different nations. Whereas the Hungarian language is like a rubble stone, consisting of only one piece on which the storm of time left not scratch. It is not a calendar that adjusts to the changes of ages.

This language is the oldest and most glorious monument of national sovereignty and mental independence.

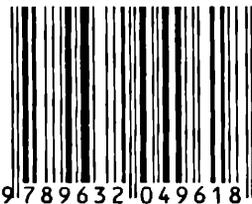
What scholars could not solve, they ignore. In philology it is the same as in archeology. The floors of the old Egyptian temples, which were made out of a single rock cannot be explained. No one knows where they came from, from which mountain the wondrous mass was taken, or how they were transported and lifted in place in the temples. The genuiness of the Hungarian language is much more wondrous than this. He who solves it shall be analyzing the divine secret: „*In the beginning was the Word, and the Word was with God, and the Word was God.*”

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