

## Human Rights for Minorities in Central Europe

Vancouver Society

### 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 ).

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### 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)

Istvan Huff  
President  
Human Rights for Minorities in Central Europe – Vancouver Society  
606 – 1640 Esquimalt Avenue  
West Vancouver, BC  
V7V 1R0  
Canada  
Email: [huffist@intergate.ca](mailto:huffist@intergate.ca)

### *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 Purging 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 Patrohka 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 lì 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 cacciare 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 impossibilit  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, J nos 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 poich  lui era ungherese, doveva scomparire.

Dal 1945 al 1949, ad una comunit  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 situazine   finita soltanto su ordine di Stalin, perch  aveva bisogno dell'appoggio dei compagni ungheresi.

Non dobbiamo dimenticare che i decreti di Bene  non erano che la consacrazione di una situazione ben preparata da Bene  stesso, Clement Gottwald e il Consiglio Nazionale Slovacco. Quest'ultimo, gi  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: "perch    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 falsit  di quest'affermazione, basta citare il Bulletin of the Department of State degli Stati Uniti (6 giugno 1946), il libro giallo francese o Bene  stesso e Clementis, ministro degli Affari Esteri ceco: il frazionamento della Cecoslovacchia fu provocato da Hitler prendendo come pretesto la situayione 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   ugulmente 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 s Moravia.

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

L' avvocato Aliz B d k ha informato il Parlamento Europeo che alcuni decreti di Bene  sono sempre attuali in Slovacchia e che questi decreti influenzano i diritti della comunit  ungherese in Slovacchia. In particolare gli ungheresi sono sempre considerati cittadini di seconda fascia e non possono recuperate i beni precedentemente perduti a causa delle confische.

Bench  le nuove leggi del 24 luglio 1991 (nr 229/1991), la cosiddetta "legge di terra", da la possibilit  ai tedeschi e agli ungheresi di recuperare i beni confiscati, la realta   completamentedifferente. Queste leggi non annullano i decreti di Bene  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 rtati 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 autorit  slovacche fanno di tutto perch  cio' non avvenga, sino a falsificare documenti. Come puo' 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 Catalogna 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 così  
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 POS-  
TALE);

E' PROIBITO PUBBLICARE GIORNALI O LIBRI IN  
UNGHERESE;

UN UNGHERESE NON PUO' POSSEDERE UNA RA-  
DIO;

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 FASCISTA DI MONSIGNOR TISO.

- Condannato come criminale di guerra dopo la seconda guerra mondiale perché 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 ciò:**

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

## *SITUAZIONE ATTUALE*

### **I DECRETI DI BENEŠ SONO SEMPRE D'ATTUALITÀ E SONO ANCORA APPLICATI**

LE PROPRIETÀ NON SONO STATE RESTITUITE AI PROPRIETARI ORIGINARI

VENGONO FALSIFICATI DOCUMENTI ORIGINALI

LA CHIESA CALVINISTA NON SI VEDE RESTITUIRE LE SUE PROPRIETÀ: PERCHÉ UNGHERESE

NON È CONSENTITO L'USO DELLA LINGUA UNGHERESE

UNIVERSITÀ CHIUSE

LA DIVISIONE TERRITORIALE AMMINISTRATIVA NON RENDE POSSIBILE UNA MAGGIORANZA LOCALE UNGHERESE

LA CHIESA CATTOLICA NON HA UN SOLO VESCOVO UNGHERESE

# FEDERALIZZAZIONE DEI COSIDETTI STATI NAZIONE

## IN CONCLUSIONE SOLA POSSIBILITA DI SOLUZIONE:

**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 admis 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 Tchecoslovaquie 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 gendarmerie 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 procédure 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 février 1991 a présenté ses regrets aux Allemands expulsés de la Slovaquie à l'issue 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 maybe 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 rooted 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.

**Mathias Corvinus Society**  
Canada

## 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

#### **Béla Tanító**

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

#### **Béla Boros**

Forum of History  
Sydney  
Australia

#### **Prof. Joseph Pungur**

Vice President for Western  
Canada WFH  
Calgary, Canada

#### **László Kormos**

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

#### **István Huff**

President, Human Rights  
for Minorities in Central Europe  
Vancouver Society

#### **S.J. Magyaródy**

President, Corvinus Society Canada