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Conference on Security and
Co-operation in Europe
PRAGUE**

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Prague, 29 November 1993

RELEASE OF DOCUMENT

Letter from the HCNM concerning the Hungarian national minority in the Slovak Republic and comments thereto

Upon the decision of the 24th Meeting of the Committee of Senior Officials taken on 28 November 1993, the above mentioned letter dated 8 November 1993 (CSCE Communication 308) has been released.

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C S C E
High Commissioner
on National Minorities

His Excellency
Mr. Jozef MORAVCIK
Minister for Foreign Affairs
of the Republic of Slovakia
BRATISLAVA

Republic of Slovakia

Reference:
No 1320/93/L

The Hague
8 November 1993

Dear Mr. Minister,

May I first of all thank you once again for your hospitality during my visit to Slovakia on 21 and 22 October. The conversations I had with you and subsequently with President Kovac and Prime Minister Meciar helped me to clarify a number of points which the HCNM Team of Experts which visited Hungary and Slovakia in September raised in its confidential report to me.

As far as the question of the planned new administrative division of Slovakia is concerned, I have noted the assurance which Prime Minister Meciar gave me that, whatever option is finally chosen, the rights of the Hungarian minority will not be curtailed. I also welcome his decision to consult experts of the Council of Europe on the administrative reform before a final decision is taken. If there are new developments concerning the subject of administrative reform, I would greatly appreciate further information on this subject.

Another important point is the position of Hungarian as a language of instruction. As you know, CSCE participating states have committed themselves "to endeavour to ensure that persons belonging to national minorities, notwithstanding the need to learn the official language or languages of the state concerned, have adequate opportunities for instruction of their mother tongue and in their mother tongue" (paragraph 34 of the document of the 1990 Copenhagen Meeting of the Conference on the Human Dimension). In this connection, I would have the following intention. In accordance with the Terms of Reference agreed upon in the CSO Vienna Group on 27 May 1993, the Team of experts will visit Slovakia and Hungary again early next year. It is my intention to ask the Team to pay special attention to the projects of educational reform currently under discussion in Slovakia. In this connection, I welcome the invitation of Prime Minister Meciar for the Team to visit the university of Nitra in order to study the system of the training of Hungarian teachers. I consider this a useful follow-up to the visit the Team paid to Nitra during its first visit.

It is also my understanding that your Government will take legislative measures in the near future on the basis of which the bilingual naming of towns and villages in minority areas can take place.

Pending new developments concerning the subjects I mentioned above, I have at present only one recommendation to offer to your Government. This recommendation

is based on paragraph 33 of the 1990 Copenhagen Document concerning the protection of the ethnic, cultural, linguistic and religious identity of national minorities and the conditions for the promotion of that identity. Paragraph 33 says on this subject: "They (the participating States) will take the necessary measures to that effect after due consultation, including contacts with organizations or associations of such minorities, in accordance with the decision-making procedures of each State". It is evident that the creation and development of instruments of dialogue is especially relevant in this connection. Therefore, I was greatly interested in the information provided to me concerning the Round Table consisting of representatives of all the minorities with its commissions of experts, providing the President with relevant information about minority problems and the views of various minorities on these issues.

In considering the future development of the Governmental Council on Minorities presided over by yourself, it seems to me especially important that draft legislation relevant for one or more minorities will be discussed in full prior to its introduction in Parliament. Such a procedure would on the one hand offer representatives of minorities a timely opportunity to express their views and concerns to the Government before it makes its final decision on the subject, but would on the other hand help to prevent all sorts of potentially tension-provoking rumours and speculations. Such rumours and speculation tend to be stimulated if the intentions of the Government are veiled in secrecy until the moment of the introduction of legislation in Parliament.

In addition it would in my view help to promote harmonious inter-ethnic relations if the dialogue would not restrict itself to discussions on future legislation, but would also be used to help solve problems of a non-legislative character. Perhaps I may quote the example of the Council for Ethnic Minorities in Romania, which, inter alia, has the competence "to maintain permanent links and to cooperate with the local public administration authorities for the identification of specific problems of territorial administrative units, and to monitor the solving thereof" and "to receive and examine the applications and complaints addressed by institutions and organizations of persons in its fields of activities". In addition the Council, in order to cope with all its activities, does a lot of its work in various commissions. I would recommend that your Government consider a similar structure and similar competencies in order to promote and intensify dialogue between the Government and the various minorities. Of course this would also require that the Council be supported by a staff adequate both in size and resources.

I would be most grateful if you would let me know the views of your Government concerning this recommendation.

Yours sincerely,

[signature]
(Max van der Stoel)

MINISTER OF FOREIGN AFFAIRS

OF THE SLOVAK REPUBLIC

Bratislava, 25 November 1993
ref. 3829/93-KM

Mr. High Commissioner,

I acknowledge the receipt of your letter dated 8 November 1993 conveying your evaluation and recommendation concerning the situation on the Hungarian minority in Slovakia based on the first study stay of the team of experts and your personal follow-up visit to our country.

The clear message your letter brought us strengthens our conviction that it was a sound decision to establish a team of experts within the framework of your mandate. We can only hope that the continuation of its work will serve to the benefit of both nations and minorities concerned. We would also like to assure you that the team of experts can also count on our support and openness also in its future work.

Allow me to point to a few issues concerning the ethnic minorities policy official bodies of the Slovak Republic are pursuing:

1. The President of the Slovak Republic, the National Council of Slovak Republic as well as the Government of Slovak Republic are constantly endeavouring to guarantee the implementation of rights of persons belonging to ethnic minorities in all fields of political, social and cultural life - present economic conditions taken into consideration.

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2. Mr. Michal Kováč, President of the Slovak Republic, has initiated a series of ethnic minority round table discussions with representatives of all political as well as non-political (cultural, religious, regional) organizations of all the ethnic minorities residing in Slovakia.

3. According to the bill prepared by the Government, the National Council of Slovak Republic has recently passed on a new Law on name and surname changing the old legislation to the benefit of persons belonging to ethnic minorities.

4. The Slovak Government has recently approved, and is to submit to the National Council of the Slovak Republic, the project of a new administrative system and a territorial division of Slovakia, which fully respects the vital interests of all the ethnic minorities in Slovakia - including the Hungarian minority - without neglecting the national interests of the Slovak nation and all the citizens of Slovakia, namely the integrity of its territory, efficient exercise of state administration as well as accessibility to citizens. Before the final decision the draft will be consulted with experts of Council of Europe.

5. The Interior Ministry has completed the first draft of a new bill which will change two currently valid laws - namely the Law on official language in the Slovak Republic and the Law on territorial and administrative division of Slovak Republic - in order to bring them into compliance with the recommendations of Council of Europe concerning the bilingual or multilingual designation of towns and villages on traffic signs. It is expected that the bill will be passed in the parliament by the end of this year.

6. The Ministry of Education and Sciences of the Slovak Republic in continuing the reform of the whole educational system has expanded the choices opened to children (and parents) belonging to ethnic minorities by proposing a so-called alternative instruction without reducing or abolishing those already given. The positive reaction to this innovation has come from the Ruthenian ethnic minority, which already has considerable experience with this type of instruction, also German and Romany minority, as well.

7. The pedagogical University in Nitra, as well as the Faculty of Philosophy of Comenius University in Bratislava provide suitable - in a proper proportion - opportunities for training of teachers for the minority language school.

8. We would also like to recall that the Mixed Slovak-Hungarian Expert Commission for Evaluation of the Situation of the Slovak Minority in Hungary and Hungarian Minority in Slovakia - established by the common agreement reached between the Prime Ministers of Slovakia and Hungary - has been constituted and has agreed upon the first proposal of its working modalities. It is expected that this expert

commission would help to promote the impartial discussion of issues which are the subject of concern for both parties.

Dear Mr. High Commissioner,

We take into consideration your recommendation to foster the work of the Governmental Council on Nationalities. We assume that the new division of responsibilities among the newly appointed Deputy Prime Ministers within the recently formed coalition government will contribute to achieve this aim.

According to its Status the Governmental Council on Nationalities is a consultative, initiative and coordinating body helping the Government to decide on essential questions of national minorities living on the territory of the Slovak Republic. These are the main tasks:

- to participate at the working out of governmental decisions promoting the rights of national minorities, ensuring the equal living conditions to all citizens belonging to different national minorities living on the territory of Slovak Republic;
- to prepare, discuss and submit surveys on ethnic relations to the Government, to propose solutions to problems of national minorities;
- to comment on draft laws and on other obligatory regulations concerning national minorities before their are submitted to the Government;
- to discuss and submit reports, proposals, recommendations concerning important aspects of life of national minorities to the bodies of state administration as well as to self-government;
- to request respective institutions to perform scientific analyses, studies and expertise in the national minority field.

The valid status of the afore-mentioned body contains the necessary provisions concerning the pre-parliamentary discussion of law drafts concerning ethnic minority issues. Therefore we are sure that it will be able to react properly to your recommendation. I can only ensure you one more time that my Government is keen to create and/or improve conditions enabling the Council on Nationalities to fulfil its tasks and also in this way prove its commitment to promotion of fundamental rights and freedoms of persons belonging to ethnical minorities.

Let me express my firm confidence that as soon as the Hungarian Government will solemnly declare its devotion to the principle of inviolability of factual, international approved border between Slovakia and Hungary, some unhealthy tensions, discouraging suspicions and pretensions - alleged or real - will be eased or even cease to exist.

Yours sincerely,

[signature]