



Dear Gianni Buquicchio,

's Hertogenbosch 5-5-2015

Regarding : Conference on the 20th anniversary of the Ratification of Strassbourg Convention by Romania

Recently we found out in the press, that a conference was held on the 30th of April at the Babes-Bolyai University of Cluj-Napoca about the Strasbourg Convention for the protection of national minorities. You represented the Venice commission at this conference. However representatives of the Hungarian speaking community were not invited, neither have we been invited nor informed as a Dutch NGO advocating language rights, although our foundation has been cited in the Romanian press quite often.

Our Foundation European Language Rights is monitoring and documenting compliancy with the Strasbourg Treaty (*Romanian Law 33/1995*) as well the other language rights treaties, such as the Treaty between Hungary and Romania (*Romanian Law 113/1996*) the European Charta of Regional languages Romania (*Romanian Law 282 /2007*) and Romanian national laws, such as article 120 of the Romanian constitution and law 215/2001 on public administration. These treaties have been signed by the republic of Romania in order to become an EU and NATO member.

Well we feel that there is not so much to celebrate at the 20th anniversary of the Strasbourg Treaty, because we documented several severe violations of the most basic principles of the Strasbourg Treaty in Romania. Well in fact language rights are in certain cases not even symbolically respected in Romania.



We already warned the Dutch government in 2012 about the fact that Romania is structurally and systematically not complying with the languages treaties, which it signed. We did this by issuing the report "Gebroken Beloften". ( *Online at [http://www.language-rights.eu/GEBROKEN\\_BELOFTEN.pdf](http://www.language-rights.eu/GEBROKEN_BELOFTEN.pdf)*  ) We have been writing about non-compliance of Romania regarding language rights since 2008 in the Dutch Press.

Romania is just like the former republic of Yugoslavia, the Republic of Moldavia, the breakaway state Transnistria as well as the Ukraine a country, which consists of huge autonomous language minorities. Respecting the legal Language framework is a basic building stone for European integration and a basic obligation for NATO membership as well a key to peace, stability, prosperity in the European Union. We stressed this more than once in the Dutch press.

Following, the publication of this report in 2012 we have done extensive fieldwork in Romania. Our preliminary findings are that the language rights are structurally ignored and that even symbolic respect for the Strasbourg Treaty is causing problems. We even documented cases in which the authorities are not only not complying, but doing the opposite through open ethnic prosecution.

Ensuring compliance by legal means is a long and very frustrating process. First of all language laws are ignored quite often. The general public is ignorant about the legal framework regarding language rights and unaware about the legal means to enforce compliance. The legal process can be slow and there are many procedural obstacles to ensure legal compliance. In the case of winning a case, the authorities simply ignore the court order. Romania is not a rule of law state.



Please allow us to illustrate this constant and structural nature of the non-compliance of the Strasbourg treaty as well as the fact that Romania is not a rule of law state with the following seven examples.



## **1- CASE REJECTING FREE MULTILINGUAL SIGNS FOR CLUJ-NAPOCA / KOLOZSVÁR**

***not complying with article 11.3 amongst others***

Multilingual signs in Cluj-Napoca are obligatory according to article 11 sub 3 of the Strasbourg treaty. Our foundation won a trail, which obliged the city of Cluj-Napoca to place bilingual signs. ( 1992 22 % Hungarian, 2011 16 % Hungarian, source [www.ins.ro](http://www.ins.ro) ) We offered to pay and place these signs. However the major of Cluj-Napoca did everything - to prevent the placement of these bilingual sign at the entrance of the city. In appeal the court declared the first sentence nr 4800 void, since the court ruled that a Dutch NGO organization has no competence in this matter. So at present the mayor is still refusing a free multilingual sign at the entrance of Cluj-Napoca. This attitude towards article 11 sub 3 is without precedent in the European Union. We never heard of a case in which a national ethnic minority of this size , protected by the Strasbourg Treaty is not allowed to place bilingual signs at is own cost in the European Union. We are happy that the "fight " for bilingual signs is now continued by Hungarian students who operate under the name musaj-muszaj. However it seems an absurdity, that the 20th anniversary of the Strasbourg Treaty is celebrated in a city, which is not even capable to place a bilingual place name sign at the entrance of the city. For more information please refer to enclosure 1.



## 2- FINING THE PUBLIC USE OF THE HUNGARIAN LANGUAGE

*not complying with article 4,5, 6 and 7 amongst others.*

An ethnic Hungarian woman- Ms Tünde Lakófi Péter - had been harassed by the authorities of Tirgu Mures in October 2013 ( *Hungarian: Marosvásárhely, 45 % Hungarians* ) for giving free bilingual product cards at the market of Tirgu Mures. These cards contained bilingual denominations of the fruits and vegetables sold at the market of Tirgu Mures. ( *example: Cabbage* ) The police sentenced her with a punishment of 1500 Ron, which is 300 euro for "performing commercial activities, without a valid permission". After she was fined, she reported that all ethnic Hungarians at the market removed their bilingual signs, which she gave earlier. Our foundation received a copy of the report. In court this report and the fine has been declared illegal. However this example clearly demonstrates the attitude of the authorities, who don't hesitate to intimidate those people, who are supposed to be protected by the Strasbourg treaty. Obviously many ethnic Hungarians are ignorant about their constitutional rights and the Strasbourg treaty. Well it seems that the authorities do everything they can to nurture this ignorance and keep fear alive.

For more information please refer to enclosure 2



### **3- PHYSICAL VIOLENCE BY THE POLICE OF TIRGU MURES FOR SPEAKING HUNGARIAN *not complying with article 10 amongst others***

In December 2013 The Police of Tirgu Mures beat and intimidated a sworn and certified Dutch Translator for performing contractual interpreting services for a Dutch journalist of NTR radio, who wanted to ask questions regarding the case of Ms Tünde Lakófi Péter. Since no one spoke German, French, English or Dutch at the entrance of the police station as a consequence Hungarian - Dutch interpreting were required at the entrance of the police station of Tirgu Mures in order to communicate with the police. According to article 120 of the Romanian constitution answering in Hungarian is obligatory. Instead of answering in Hungarian, they handcuffed the interpreter, for the sole reason of asking Hungarian language services. After he had been dragged to a room. He had been beaten in the back at the height of his right kidney, after the room had been blinded. This case has been presented in the Dutch press in detail. The Dutch embassy knows about this case. The police responded with making false statements and false reports. For more information please refer enclosure 3



#### **4- INTIDIMATION AND HARASSMENT FOR USING BILANGUAL STREET SIGNS.**

##### ***Not complying with article 11.3, 10 and 4 amongst others***

In April 2015 the chief of the police of Tirgu Mures Mr Bretfelean threatened ethnic Hungarians with a fine of more than 50.000 Ron, which equals 12.000 Euro, for placing bilingual street names on their homes, which include the Hungarian denomination. Bilingual street names are obligatory by law and there is even a valid decision of the city council of Tirgu Mures for placing those bilingual street signs.

In fact the chief of the police is intimidating people for placing bilingual street signs, which are even required and obligatory by article 11.3 of the Strasbourg treaty. According to the notice, issued by the police and signed by mr Bretfelean a valid construction permit is missing. Only street signs, which contained the Hungarian denominations have been subject to these written notices. The fact that only street signs with the Hungarian denomination have received a notice and the threatening with an extreme high fine of 50 000 RON, rather than say 500 RON in conjunction with the fact that these street signs are even compulsory. (*Strasbourg Treaty as well as decision of the local city council*) Leaves no other room for interpretation than that of opposite compliance of what the Strasbourg treaty is all about.

For more information refer to enclosure 4.



## 5. IMPOSSIBLE VERBAL AND ORAL COMMUNICATION WITH LOCAL AUTHORITIES

***obligatory according to article 10, 4 of the Strasbourg Treaty amongst others.***

There is a complete lack of legally obligated Hungarians language services in those deconcentrated institutions, where the legal threshold of 20 % for the obligatory usage for the Hungarians language is reached. In the village of Savadisla ( *Hungarian : Tordaszentlaszló, 52 % Hungarian* ), it is impossible to use the Hungarians language in public administration. There is even a valid decision of the antidiscrimination council which orders the authorities ( Police of Savadisla as well as the local council ) to comply with language laws in public administration ( *Provide bilingual communication, bilingual decrees, decisions, permits, forms signs, notices, website, phone services, stamps amongst others* ). However a Hungarian speaking European Citizen is completely excluded from social and economical life. since the deconcentrated authorities in Savadisla communicate in Romanian only. Due to the fact that Hungarian speaking Europeans are subject to discrimination on a daily basis it is impossible for Hungarians speaking Europeans to integrate in this community.

For more information please refer to enclosure 5.





## **6 NO RULE OF LAW COURT ORDERS REGARDING LANGUAGE RIGHTS ARE IGNORED.**

### **lawlessness and no rule of law**

Bilingual place signs are obligatory in the case of *Bonțida*. ( *Hungarian Bonchida 20 % Hungarian* ) We had a valid decision of the anti discrimination counsel of Bucharest, to place bilinguals signs at the entrance of the community. Since the local council refused to comply with this decision even after repeated inquiries, we turned to the Court of Cluj-Napoca. The court ruled that a bilingual sign is obligatory. Despite a valid court order, at present day still monolingual signs can be found at the entrance of Bonchida The local council is simply structurally ignoring the most basic principles of the rule of law.

For more information, please refer to enclosure 6.



## **7. DOUBLE STANDARDS AND DISCRIMINATION BY AUTHORITIES.**

### ***Not complying with article 4 of the Strasbourg Treaty amongst others.***

Romanian national symbols can be freely used. However Szekler flags have been subject to prohibition by the authorities. Well the Szekler national council wasn't even allowed to demonstrated in Tirgu Mures on the 10th of march for those basic rights, which are formulated in the Strasbourg treaty. In conjunction with this Romanian nationalists, who demonstrate for the annexation of Moldova including the Transnistrian republic to Romania, were free to demonstrate in those Romanian cities, where the Strasbourg treaty is not complied with. In Romania a negative and often open hostile attitude towards those ethnic groups, who enjoy the protection of the Strasbourg treaty is nurtured, through nationalism and xenophobia in the public domain. The European Commission against racism and intolerance even reported the case of the Romanian teenager Sabrina who refused to take of her headband with the national colours of Romania in school and even became a national hero on Romanian TV by declaring that she hates ethnic Hungarians.

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For more information please refer to enclosure 7



Our foundation is preparing to make an extensive report about our fieldwork in Romania in the 2012-2015 period . We keep the Dutch public informed through frequent reports about the structural violations of the Strasbourg treaty in the Dutch press.

However till now we must sadly conclude that the mentioned cases are not exceptions but general illustrations, about how the Strasbourg Treaty and language rights are respected in general. To summarize the non compliance is structural and systematic and there is a general lack of will from the side of the authorities to comply.

We respectfully ask you to register our letter and give us a written confirmation of reception. We trust that you will take the necessary legal actions based on the information that we supplied you. Most of our material can be found online on [www.language-rights.eu](http://www.language-rights.eu) and [www.hungarian-human-rights.eu](http://www.hungarian-human-rights.eu). It goes without saying that if you require any information, that we will be happy to answer all your questions by phone, mail or of course in person as well.

Yours sincerely,

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## ENCLOSURE 1

Detailed information can be found on Please read our press release on :

[http://language-rights.eu/PERSBERICHT\\_18-02-2015\\_ETHNIC\\_HATE\\_IN\\_CLUJ-NAPOCA\\_KOLOZSVAR\\_KLAUSENBURG.pdf](http://language-rights.eu/PERSBERICHT_18-02-2015_ETHNIC_HATE_IN_CLUJ-NAPOCA_KOLOZSVAR_KLAUSENBURG.pdf)



## ENCLOSURE 2

*Online at Dutch Version :*

[rights.eu/PERSBERICHT\\_18\\_11\\_2013\\_ROEMEENSE\\_POLITIE\\_BEBOET\\_GEBRUIK\\_HONGAARSE\\_TAAI\\_IN\\_TIRGU\\_MURES.pdf](http://language-)

*English version :*

[2014\\_ROMANIAN\\_POLICE\\_PROHIBITS\\_THE\\_USAGE\\_OF\\_THE\\_HUNGARIAN\\_LANGUAGE.pdf](http://language-rights.eu/PRESS_RELEASE_22_04-)



## ENCLOSURE 3

A general description of the case can be found on: <http://politialocala.eu>

[http://www.politialocala.eu/Breach\\_EU\\_right\\_free\\_movement\\_of\\_people\\_good\\_and\\_services\\_by\\_the\\_Romanian\\_Government.pdf](http://www.politialocala.eu/Breach_EU_right_free_movement_of_people_good_and_services_by_the_Romanian_Government.pdf)

This case has been discussed in the Dutch Press as well as the Hungarian press. This case has been discussed in the Hungarian language press of Romania, however it has been ignored in the Romanian press.

### **NTR Radio :**

<http://beszelmagyarul.eu/politialocala/Nederlandermishandeld.jpg>

<http://hungarian-human-rights.eu/140106Roemenie.mp3>

### **Linguaan :**

[http://beszelmagyarul.eu/politialocala/VRIJ\\_VERKEER\\_VAN\\_DIENSTEN\\_IN\\_EUROPA\\_ALLEEN\\_VOOR\\_ROEMENEN.pdf](http://beszelmagyarul.eu/politialocala/VRIJ_VERKEER_VAN_DIENSTEN_IN_EUROPA_ALLEEN_VOOR_ROEMENEN.pdf)

### **Nederlands dagblad Dutch only.**

<http://language-rights.eu/Roemeni-heeft-heel-wat-uit-te-leggen.pdf>

**This case has been referenced as well in an article in one of the leading Dutch Newspapers. NRC Handelsblad**

Romanian : [http://www.language-rights.eu/RO\\_TAALRECHT.pdf](http://www.language-rights.eu/RO_TAALRECHT.pdf)

English : [http://www.language-rights.eu/GB\\_TAALRECHT.pdf](http://www.language-rights.eu/GB_TAALRECHT.pdf)

Dutch : [http://www.language-rights.eu/NL\\_TAALRECHT.pdf](http://www.language-rights.eu/NL_TAALRECHT.pdf)

Hungarian : [http://www.language-rights.eu/HU\\_TAALRECHT.pdf](http://www.language-rights.eu/HU_TAALRECHT.pdf)



## ENCLOSURE 4

**Sentencing Bilingual Street Signs in Tirgu Mures.**

**Dutch Version :**

[http://language-rights.eu/PERSBERICHT\\_22-04-2014\\_ROEMEENSE\\_POLITIE\\_BEBOET\\_GEBRUIK\\_HONGAARSE\\_TAAI.pdf](http://language-rights.eu/PERSBERICHT_22-04-2014_ROEMEENSE_POLITIE_BEBOET_GEBRUIK_HONGAARSE_TAAI.pdf)

**English version :**

[http://language-rights.eu/PRESS\\_RELEASE\\_22\\_04-2014\\_ROMANIAN\\_POLICE\\_PROHIBITS\\_THE\\_USAGE\\_OF\\_THE\\_HUNGARIAN\\_LANGUAGE.pdf](http://language-rights.eu/PRESS_RELEASE_22_04-2014_ROMANIAN_POLICE_PROHIBITS_THE_USAGE_OF_THE_HUNGARIAN_LANGUAGE.pdf)



## ENCLOSURE 5

**For more information please visit [www.tordaszentlaszlo.eu](http://www.tordaszentlaszlo.eu)**

Decision by the anti discrimination Council to provide Bilingual language Services at the Police of Savadisla

[http://www.hungarian-human-rights.eu/tordaszentlaszlo/DET\\_DONTES\\_RO.pdf](http://www.hungarian-human-rights.eu/tordaszentlaszlo/DET_DONTES_RO.pdf)

**Decision by the anti discrimination Council to provide Bilingual language Services at the majors office of Savadisla**

[http://tordaszentlaszlo.eu/hotararea%2025-15\\_Gabor%20Landman\\_dos%20291-14 n II sunt fapte de discriminare sanctiune cu avertisment.pdf](http://tordaszentlaszlo.eu/hotararea%2025-15_Gabor%20Landman_dos%20291-14_n_II_sunt_fapte_de_discriminare_sanctiune_cu_avertisment.pdf)

**Letter of the prefect of Cluj.**

[http://tordaszentlaszlo.eu/LANDMAN\\_GABOR\\_TORDASZENTLASZLO\\_PREFEKTUS\\_VALASZ.pdf](http://tordaszentlaszlo.eu/LANDMAN_GABOR_TORDASZENTLASZLO_PREFEKTUS_VALASZ.pdf)





## Enclosure 6

Even a valid court order is simply ignored at the present moment, no bilingual sign can be found in Bonchida. Attached is a letter to the major and a copy of the court order .

Despite the verdict and despite our repeated requests, still no bilingual signs can be found.

<http://language->

[rights.eu/01\\_11\\_2014\\_LETTER\\_TO\\_BONCHIDA\\_ASKING\\_THEM\\_TO\\_COMPLY\\_WITH\\_COURT\\_ORDER\\_5300\\_2014.pdf](http://language-rights.eu/01_11_2014_LETTER_TO_BONCHIDA_ASKING_THEM_TO_COMPLY_WITH_COURT_ORDER_5300_2014.pdf)



## ENCLOSURE 7

Democratic to demonstrate is denied, however Romanian nationalist are free to demonstrate in the City where even symbolic language rights have been denied.

Dutch

[http://language-rights.eu/PERSBERICHT\\_09-09-2014\\_GEEN\\_TAAALRECHTEN\\_VOOR\\_RUSSEN\\_IN\\_GROOT\\_ROEMEENS\\_RIJK.pdf](http://language-rights.eu/PERSBERICHT_09-09-2014_GEEN_TAAALRECHTEN_VOOR_RUSSEN_IN_GROOT_ROEMEENS_RIJK.pdf)

English.