

Memorandum

To the Government and the Parliament of Romania

The administrative reform of a country must be implemented in a way, that first of all bearing in mind the long-term interests of the population, the respect for the principles of democracy and the international commitments of the country. When deciding about the borders of an administrative unit, the will of the concerned population must be respected. Such a process must be based on studies elaborated by specialists and the short term political interests must be excluded. Such a study was prepared by a group of experts led by Ioan Stanomir, constitutional law professor in Bucharest. The Stanomir-report was elaborated for the office of Romania's President and devotes a special attention to the territories inhabited by traditional national minorities, needing a special treatment, according to international conventions ratified by Romania. Related to this issue, the report states:

„Any kind of administrative reorganization must take in consideration the issue of protecting the national minorities. It is important to notice, that this effort must lead to secondary effects that can affect the identity of these national minorities: this is a very sensitive point of any kind of administrative reform, because this issue was taken in consideration with the occasion of each previous administrative reorganization. From this point of view a number of international documents must be taken into consideration:

- the European Charter for Regional and Minority Languages, ratified by Romania with Law nr. 282/2007, in art. 7 (objectives and principles) states, that „In respect of regional or minority languages, within the territories in which such languages are used and according to the situation of each language, the Parties shall base their policies, legislation and practice on the following objectives and principles: ... b. the respect of the geographical area of each regional or minority language in order to ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of the regional or minority language in question”;

- similarly, according to art. 16 of the Framework Convention for the Protection of National Minorities, ratified by Law nr. 33/1995, „The Parties shall refrain from measures which alter the proportions of the population in areas inhabited by persons belonging to national minorities and are aimed at restricting the rights and freedoms flowing from the principles enshrined in the present framework Convention.”.

- o special problem is raised by art. 5 of the European Charter of Local Self-Government, ratified by Law nr. 199/1997, which regulates the protection of the borders of the administrative-territorial units, and which states, that „Changes in local authority boundaries shall not be made without prior consultation of the local communities concerned, possibly by means of a referendum where this is permitted by statute.”.

In conclusion, the borders of the new regions should be drawn with respect to these principles, which should also be included in the text of the new Constitution, in the article that regulates the administrative-territorial organization.,,

Article 11. of the Recommendation 1201/1993 of the Parliamentary Assembly of the Council of Europe states, that *„In the regions where they are in a majority the persons belonging to a national minority shall have the right to have at their disposal appropriate local or autonomous authorities or to have a special status, matching the specific historical and territorial situation and in accordance with the domestic legislation of the state.”.*

In the case of Resolution 1334/2003 of the Parliamentary Assembly of the Council of Europe, even the title speaks about the Positive experiences of autonomous regions as a source of inspiration for conflict resolution in Europe. Art. 12 of the Resolution states, that the indivisibility of the state is thus compatible with autonomy, regionalism and federalism, while Art. 16. says, that central government must react with understanding when minority groups,

particularly when they are sizeable and have lived in an area for a long period of time, demand greater freedom to manage their own affairs independently.

When it became member of the Council of Europe, Romania took the obligation to respect these Recommendations, and since then the leaders of the country affirmed many times, that the way they treat minorities is based on the European principles.

When he visited the Council of Europe in April 2013, prime minister Victor Ponta promised that when the administrative reorganization of the country will be done, they will respect all international commitments of the country.

Despite these promises Romania has not implemented any of these principles. On the contrary, when the Senate discussed the autonomy statute of Szeklerland, initiated by the Szekler National Council, the Legislative Council of the Parliament, deliberately misinterpreted Art. 12 of the Recommendation 1201, using it as an argument **against** collective rights.

The 23 years that have passed since 1989 demonstrated that the problems of the Szekler people cannot be solved in Romania. Since 1993, the Hungarian political parties in Romania made serious efforts in order to initiate an open and objective debate about autonomy in the country. Thanks to these efforts, nowadays it is possible to talk in public, in an objective way about autonomy. A very important fact is that in 2007-2008 the Szekler National Council organized a referendum in Szeklerland, which had a very clear result: 210.000 people (more than 99% of those who voted) supported the autonomy of Szeklerland. In a democracy, the will of the people is respected, this is also how the Romanian authorities should act.

Regarding external support, the situation is not satisfying. The Romanian government and the parliament – through various means - constantly manages to create the impression, that they proceed in a democratic way, respecting the will of the Szekler people. Thus it is very important from the local authorities of Szeklerland not just to formulate criticism regarding the so called “solving of the problems of the national minorities in Romania”, or about the regionalization of the country, which – if done according to the government’s plans – would have extremely detrimental consequences for Szeklerland, but also to formulate the will of the community that elected them. This is why we adopt this

MEMORANDUM,

Through which:

1. (1) We ask the Parliament and the government of Romania to fulfil all the international commitments of Romania regarding the protection of the national minorities.

(2) In this sense we particularly ask the respect the principles formulated in Art. 11 of Recommendation 1201/1993 and Art. 12 and Art. 16 of Recommendation 1334/2003 of the Parliamentary Assembly of the Council of Europe, and the provision of the European Charter for Regional or Minority Languages.

2. We ask the creation of an administrative region of Romania, called Szeklerland, which includes only and exclusively those settlements that are listed in the Annex, and only those.

3. We ask for an autonomous status for this region, based on an organic law adopted by the Parliament of Romania.

4. We ask the administrative sub-divisions of this region to be delimited by local referendum.

5. We ask, that in those administrative units, where more than 10% of the population belongs to a national minority, the language of this minority should be recognized as an official language of that administrative unit, having the same status than the official language of the country.

the 20th of February 2014

In the name of the local council of Gyergyószentmiklós/Gheorgheni
President of the session
Signature

Annex

nr.	The name of the settlement	The name in Hungarian	Seat (administrative subunit of Szeklerland)	County
1	ACATARI	ÁKOSFALVA	Maros	Mures
2	AITA MARE	NAGYAJTA	Bardoc-Miklósvár	Covasna
3	APATA	APÁCA	Bardoc-Miklósvár	Brasov
4	ARCUS	ÁRKOS	Sepsi	Covasna
5	ATID	ETÉD	Udvarhely	Harghita
6	AVRAMESTI	SZENTÁBRAHÁM	Udvarhely	Harghita
7	BAILE TUSNAD	TUSNÁDFÜRDŐ	Csík	Harghita
8	BALAN	BALÁNBÁNYA	Csík	Harghita
9	BALAUZER	BALAVÁSÁR	Maros	Mures
10	BAND	MEZŐBÁND	Maros	Mures
11	BARAOLT	BARÓT	Bardoc-Miklósvár	Covasna
12	BATANI	NAGYBACON	Bardoc-Miklósvár	Covasna
13	BELIN	BÖLÖN	Bardoc-Miklósvár	Covasna
14	BERENI	SZÉKELYBERE	Maros	Mures
15	BILBOR	BÉLBOR	Gyergyó	Harghita
16	BIXAD	SEPSIBÜKSZÁD	Sepsi	Covasna
17	BODOC	SEPSIBODOK	Sepsi	Covasna
18	BOROSNEU MARE	NAGYBOROSNYÓ	Orbai	Covasna
19	BORSEC	BORSZÉK	Gyergyó	Harghita
20	BRADESTI	FENYÉD	Udvarhely	Harghita
21	BRADUT	BARDÓC	Bardoc-Miklósvár	Covasna
22	BRATES	BARÁTOS	Orbai	Covasna
23	BREAZA	BERESZTELKE	Maros	Mures
24	BRETCU	BERECK	Kézdi	Covasna
25	CAPALNITA	KÁPOLNÁSFALU	Udvarhely	Harghita
26	CARTA	CSÍKKARCFALVA	Csík	Harghita
27	CATA	KACA	Udvarhely	Brasov
28	CATALINA	SZENTKATOLNA	Kézdi	Covasna
29	CERNAT	CSERNÁTON	Kézdi	Covasna
30	CEUASU DE CAMPIE	MEZŐCSÁVÁS	Maros	Mures
31	CHIBED	KIBÉD	Maros	Mures
32	CHICHIS	KÖKÖS	Sepsi	Covasna
33	CICEU	CSÍKCSICSÓ	Csík	Harghita
34	CIUCSANGEORGIU	CSÍKSZENTGYÖRGY	Csík	Harghita
35	CIUMANI	GYERGYÓCSOMAFALVA	Gyergyó	Harghita
36	COMANDAU	KOMMANDÓ	Orbai	Covasna
37	CORBU	GYERGYÓHOLLÓ	Gyergyó	Harghita
38	CORUNCA	KORONKA	Maros	Mures
39	CORUND	KOROND	Udvarhely	Harghita
40	COVASNA	KOVÁSZNA	Orbai	Covasna
41	COZMENI	CSÍKKOZMÁS	Csík	Harghita
42	CRACIUNESTI	NYÁRÁDKARÁCSON	Maros	Mures
43	CRISTESTI	MAROSKERESZTÚR	Maros	Mures
44	CRISTURU SECUIESC	SZÉKELYKERESZTÚR	Udvarhely	Harghita
45	DALNIC	DÁLNOK	Kézdi	Covasna
46	DANESTI	CSÍKDÁNFALVA	Csík	Harghita
47	DARJIU	SZÉKELYDERZS	Udvarhely	Harghita
48	DEALU	OROSZHEGY	Udvarhely	Harghita
49	DITRAU	DITRÓ	Gyergyó	Harghita
50	EREMITU	NYÁRÁDREMETE	Maros	Mures
51	ERNEI	NAGYERNYE	Maros	Mures

52	ESTELNIC	ESZTELNEK	Kézdi	Covasna
53	FANTANELE	GYULAKUTA	Maros	Mures
54	FELICIENI	FELSŐBOLDOGFALVA	Udvarhely	Harghita
55	FRUMOASA	CSÍKSZÉPVÍZ	Csík	Harghita
56	GALAUTAS	GALÓCÁS	Gyergyó	Harghita
57	GALESTI	NYÁRÁDGÁLFALVA	Maros	Mures
58	GHELINTA	GELENCE	Kézdi	Covasna
59	GHEORGHE DOJA	LUKAFALVA	Maros	Mures
60	GHEORGHENI	GYERGYÓSZENTMIKLÓS	Gyergyó	Harghita
61	GHIDFALAU	GIDÓFALVA	Sepsi	Covasna
62	GHIMES-FAGET	GYIMESBÜKK	Csík	Bacau
63	GHINDARI	MAKFALVA	Maros	Mures
64	GLODENI	SÁRPATAK	Maros	Mures
65	GORNESTI	GERNYESZEG	Maros	Mures
66	HAGHIG	HIDVÉG	Sepsi	Covasna
67	HODOSA	SZÉKELYHODOS	Maros	Mures
68	HOMOROD	HOMORÓD	Udvarhely	Brasov
69	ILIENI	ILLYEFALVA	Sepsi	Covasna
70	JOSENI	GYERGYÓALFALU	Gyergyó	Harghita
71	LAZAREA	GYERGYÓSZÁRHEGY	Gyergyó	Harghita
72	LELICENI	CSÍKSZENTLÉLEK	Csík	Harghita
73	LEMNIA	LEMHÉNY	Kézdi	Covasna
74	LIVEZENI	JEDD	Maros	Mures
75	LUETA	LÖVÉTE	Udvarhely	Harghita
76	LUNCA DE JOS	GYIMESKÖZÉPLOK	Csík	Harghita
77	LUNCA DE SUS	GYIMESFELSŐLOK	Csík	Harghita
78	LUPENI	FARKASLAKA	Udvarhely	Harghita
79	MADARAS	MEZŐMADARAS	Maros	Mures
80	MADARAS	CSÍKMADARAS	Csík	Harghita
81	MAGHERANI	NYÁRÁDMAGYARÓS	Maros	Mures
82	MALNAS	MÁLNÁS	Sepsi	Covasna
83	MARTINIS	HOMORÓDSZENTMÁRTON	Udvarhely	Harghita
84	MERENI	KÉZDIALMÁS	Kézdi	Covasna
85	MERESTI	HOMORÓDALMÁS	Udvarhely	Harghita
86	MICFALAU	MIKÓÚJFALU	Sepsi	Covasna
87	MIERCUREA CIUC	CSÍKSZEREDA	Csík	Harghita
88	MIERCUREA NIRAJULUI	NYÁRÁDSZEREDA	Maros	Mures
89	MIHAILENI	CSÍKSZENTMIHÁLY	Csík	Harghita
90	MOACSA	MAKSA	Kézdi	Covasna
91	MUGENI	BÖGÖZ	Udvarhely	Harghita
92	NEAUA	HAVAD	Maros	Mures
93	OCLAND	OKLÁND	Udvarhely	Harghita
94	ODORHEIU SECUIESC	SZÉKELYUDVARHELY	Udvarhely	Harghita
95	OJDULA	OZSDOLA	Kézdi	Covasna
96	ORMENIS	ÜRMÖS	Bardoc-Miklósvár	Brasov
97	OZUN	UZON	Sepsi	Covasna
98	PANET	MEZŐPANIT	Maros	Mures
99	PASARENI	BACKAMADARAS	Maros	Mures
100	PAULENI-CIUC	CSÍKPÁLFALVA	Csík	Harghita
101	PLAIESII DE JOS	KÁSZONALTÍZ	Csík	Harghita
102	POIAN	KÉZDISZENTKERESZT	Kézdi	Covasna
103	PORUMBENII MARI	NAGYGALAMBFALVA	Udvarhely	Harghita
104	PRAID	PARAJD	Udvarhely	Harghita
105	RACOS	ALSÓRÁKOS	Bardoc-Miklósvár	Brasov
106	RACU	CSÍKRÁKOS	Csík	Harghita
107	RECI	RÉTY	Sepsi	Covasna
108	REMETEA	GYERGYÓREMETE	Gyergyó	Harghita

109	SACEL	SZÉKELYANDRÁSFALVA	Udvarhely	Harghita
110	SANCRAIENI	CSÍKSZENTKIRÁLY	Csík	Harghita
111	SANCRAIU DE MURES	MAROSSZENTKIRÁLY	Maros	Mures
112	SANDOMINIC	CSÍKSZENTDOMOKOS	Csík	Harghita
113	SANGEORGIU DE PADURE	ERDŐSZENTGYÖRGY	Maros	Mures
114	SANGEORGIU DE MURES	MAROSSZENTGYÖRGY	Maros	Mures
115	SANMARTIN	CSÍKSZENTMÁRTON	Csík	Harghita
116	SANSIMION	CSÍKSZENTSIMON	Csík	Harghita
117	SANTANA DE MURES	MAROSSZENTANNA	Maros	Mures
118	SANTIMBRU	CSÍKSZENTIMRE	Csík	Harghita
119	SANZIENI	KÉZDISZENTLÉLEK	Kézdi	Covasna
120	SARATENI	SÓVÁRAD	Maros	Mures
121	SARMAS	SALAMÁS	Gyergyó	Harghita
122	SATU MARE	MÁRÉFALVA	Udvarhely	Harghita
123	SECUIENI	ÚJSZÉKELY	Udvarhely	Harghita
124	SFANTU GHEORGHE	SEPSISZENTGYÖRGY	Sepsi	Covasna
125	SICULENI	CSÍKMADEFALVA	Csík	Harghita
126	SIMONESTI	SIMÉNFALVA	Udvarhely	Harghita
127	SINCAI	MEZŐSÁMSOND	Maros	Mures
128	SOVATA	SZOVÁTA	Maros	Mures
129	STANCENI	GÖDEMESTERHÁZA	Maros	Mures
130	SUBCETATE	GYERGYÓVÁRHEGY	Gyergyó	Harghita
131	SUSENI	GYERGYÓÚJFALU	Gyergyó	Harghita
132	TARGU - MURES	MAROSVÁSÁRHELY	Maros	Mures
133	TARGU SECUIESC	KÉZDIVÁSÁRHELY	Kézdi	Covasna
134	TOMESTI	CSÍKSZENTTAMÁS	Csík	Harghita
135	TOPLITA	MAROSHÉVÍZ	Gyergyó	Harghita
136	TULGHES	GYERGYÓTÖLGYES	Gyergyó	Harghita
137	TURIA	TORJA	Kézdi	Covasna
138	TUSNAD SAT	TUSNÁD FALU	Csík	Harghita
139	ULIES	KÁNYÁD	Udvarhely	Harghita
140	UNGHENI	NYÁRÁDTŐ	Maros	Mures
141	VALCELE	ELŐPATAK	Sepsi	Covasna
142	VALEA CRISULUI	SEPSIKŐRÖSPATAK	Sepsi	Covasna
143	VARGATA	CSIKFALVA	Maros	Mures
144	VARGHIS	VARGYAS	Bardoc-Miklósvár	Covasna
145	VARSAG	SZÉKELYVARSÁG	Udvarhely	Harghita
146	VETCA	SZÉKELYVÉCKE	Maros	Mures
147	VLAHITA	SZENTEGYHÁZA	Udvarhely	Harghita
148	VOIVODENI	VAJDASZENTIVÁNY	Maros	Mures
149	VOSLABENI	VASLÁB	Gyergyó	Harghita
150	ZABALA	ZABOLA	Orbai	Covasna
151	ZAGON	ZÁGON	Orbai	Covasna
152	ZETEA	ZETELAKA	Udvarhely	Harghita