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Diplomatic way to the 1951 Geneva Convention

1. Introduction

In March 1989, Hungary joined the 1951 Geneva Convention and the supplementing 1967 New York Protocol in a unique international environment. Since 1987 on, many Romanian refugees, mainly from Transylvania, immigrated to Hungary. They had decided to take this step due to the *“deepening Romanian internal crisis, the aggressive assimilation against the nationalities, the fear of being exiled from their birthplace, and the daily indignity they had to suffer”*.¹ According to official data, the number of immigrants was about thirteen thousand in the spring of 1989, but is estimated at twenty thousand when one includes unregistered immigrants.² From one day to another, the country had to face a brand new social and legal problem without a concrete solution. The situation was even more complex given the tone of international politics during that time.

Since a refugee could not possibly emigrate from another “socialist friendly state” according to socialist ideology, the situation facing the masses of asylum-seekers arriving from Romania was a unique and delicate one for Hungary. In addition, the issue of national ethnicity was also a question avoided in socialist countries, as many of them were

¹ Report of the consul of Cluj-Napoca, February 1988, MOL M-KS-288.f. 32. p.

² Sik Endre: Erdélyi menekültek Magyarországon. In: *Társadalmi riport*, Budapest, 1990, and MOL XIX-J-1-k/1988 137 V-94 2042/T A

deeply concerned by this problem. Hungary was also trying to avoid mentioning the problematic issue of Transylvania and national minorities living outside of Hungary. These issues also determined the style of communication at international forums. Hungary was not able to convey the message clearly to Western countries who were unable to decode the real message behind the socialist rhetoric.

The purpose of this study is to examine how Hungary was able to manage to join to Geneva Convention under these conditions when during that time the only countries within the socialist block that were members were Yugoslavia and China. What sort of role did the Hungarian diplomacy play joining the Convention? What were the pros and cons according to Hungarian leaders? How feasible was it for the Hungarian government to mention the issue of human rights in Romania and the problem of asylum seekers at international forums?

I mainly searched for the answers at the archives of the Ministry of Foreign Affairs, the Foreign Affairs Department and the Agitation and Propaganda Department of the Hungarian Socialist Labour Party (*MSZMP*), the official news of the Hungarian News Agency (*MTI*) and in the Foreign Affairs yearbooks. I also interviewed some of the actors taking part in the events through the different organizations.

The study highlights the different levels of negotiations in foreign affairs. Following the admitted failure of the bilateral negotiations, the possibility of communication at international forums was carefully considered, and thus Hungary finally arrived at a decision to get in touch with the UNHCR.

2. Exhausting the bilateral ways of problem-solving

“Our presumed mistakes can be summarized in our un-founded belief, namely that Romanian politics can be changed through gentle ways of diplomacy, and that the accumulating problems can be solved through a bilateral channel. Moreover, we adhered to some misinterpreted socialist norms.”³

³ Report of Hungarian ambassador, Bucharest, 14th July, 1988. p 93.; MOL M-KS-288.f. 32. p

Although the focus of this paper is not the development of bilateral relations between Romania and Hungary, it is important to highlight that Hungary only started slowly opening up towards multilateral organizations when they realized that, that negotiations with the Romanian government concerning the Hungarian ethnic minority and Romanian citizens re-settling in Hungary brought no results. As minister of Foreign Affairs Gyula Horn put it briefly: *“Practically, we only agreed that we are neighbouring nations and that it is the vital interest of neighbouring nations to ameliorate their relations.”*⁴

Following the announcement of the “village-structure reform” of Ceaușescu (on April 29, 1988), which aimed to reduce the number of the Romanian villages from thirteen thousand to five or six thousand, and due to the increasing number of refugees coming from Romania, mainly from Transylvania, the Hungarian Socialist Labour Party (MSZMP) had to change its position in foreign affairs. The meeting of the secretary generals Károly Grósz and Ceaușescu on August 28, 1988 in Arad was minor proof of the total failure of bilateral negotiations. Even though Grósz mentioned the difficulties of the masses of people continuously arriving to Hungary and of unifying families, the Romanian party defined this phenomenon as artificially generated by Hungarians, and felt it was not the Romanian government’s problem.

As a rule, Ceaușescu considered mentioning the presence of the large Hungarian ethnic minority living in Romania as an undesirable interference in Romanian internal affairs, which was contrary both to the norms of international public law and to the bilateral agreements. Similarly, the discussion between Mátyás Szűrös, secretary of Foreign Affairs of the Central Committee of the MSZMP and Ion Stoian, member of the Central Committee of the Romanian Communist Party at the end of September, 1988 was equally as unsuccessful. The Romanian negotiating party argued that it was the Hungarian Consulate General in Cluj-Napoca that encouraged people to leave their country with the promise of a better life. Romania, however, believed that everyone should stay in their own country.⁵

Documents of the MSZMP that date from September 1988 express serious self-criticism concerning the proceedings over the last decades,

⁴ *Yearbook of Hungarian Foreign Policy*, 9th July, 1989.

⁵ MOL, M-KS 288. f. 32/1. ó.e.

when they had tried to solve the problem of the Romanian ethnic policy solely on the basis of bilateral negotiations, through internal diplomatic instruments excluding the public. *“Our politics based on the misinterpretation of the internationalism and on patiently waiting for the result has not only proved to be unsuccessful, but in the meantime, it even accelerated the assimilation procedure, and tightened our hands in the frames of bilateral negotiations. Our behaviour was too moderate and became less and less accepted by Hungarian public opinion, and along this line dissatisfaction with our official policy became stronger in an ever growing segment of the society. (...) At the same time, our behaviour has resulted in the growing uncertainty of the Hungarian ethnic minority living in Romania, has become a permanent cause of conflict with those living in the diasporas, and has made it impossible to create an appropriate international environment to advance our politics.”*⁶

According to the Hungarian ambassador in Bucharest, creating a new Romanian government was necessary to start and carry out new successful negotiations.⁷

Until then, Hungary tried to take some unilateral steps. The new foreign affairs strategy aimed at publishing information and genuine facts on various multilateral, international forums regarding Romania's national ethnic policy and the mass of people arriving in Hungary. The main purpose of this strategy was to transform the events in Romania and the issue of Romanian refugees from an internal affair to an issue of Pan-European importance.

At the international forums, Romania lobbied actively for its interests, which made Hungarian leaders also take more intense steps. The arguments of Romanian politicians in the international organizations, such as the UN, the European Parliament and at the Council of Europe, were explicitly based on socialist ideology. Among others, they stressed that Hungary was provoking national hatred through the incorrect interpretation of the ethnical rights, which *“essentially endangers the interests of all multi-ethnic socialist countries.”*⁸

⁶ MOL, M-KS 288. f. 32/1. ő.e.

⁷ Report of Hungarian ambassador, Bucharest, 14th July, 1988. p 93.; MOL M-KS-288.f. 32. p

⁸ MOL XIX-J-1-j

Thus Romania's activity and aggressive steps⁹ warned against a strong offense: Several documents concerning the refugees underline that Hungary should only publish pure, precise facts, so that Hungary does not expose itself too much to the Romanian offense.¹⁰ In spite of increased external Romanian activity, the negative judgment of the country had grown, and due to its "*behaviour against all norms of traditional diplomacy,*" the acts of Romania only brought make-believe results.¹¹ It is argued that Romanian propaganda concerning the issue of refugees mostly harmed the reputation of Romania, and not that of Hungary.¹²

At the same time, it must be underlined that Romanian arguments were better known within the UN than Hungarian plans, due to an exaggerated Hungarian prudence, that also led to negative results. According to the UN Ambassador's report, Hungarian leaders gave hints without any names or other concrete facts that were often taken by unintended recipients, and thus brought new misunderstandings. The Ambassador wanted transparent information and stressed the necessity of concrete background materials and arguments supported by data about Romanian refugees, the proportion of the non-Hungarian refugees, and the statistics of the unsolved family-reunion cases.¹³

3. Possible ways within the Eastern block

"Most of the socialist countries are struggling with problems of national ethnicity, the open discussion of ethnic issues is considered as nationalism, and the top priority is to keep conflict out of the socialist world."¹⁴

⁹ Besides defensive arguments, the Romanian lobby initiated active offensive steps as well. On the occasion of the 43. Summit they initiated for example to put on the agenda the prohibition of nationalist, chauvinist and Anti-Semitism demonstrations. By this, they clearly aimed at the demonstrations against Romania in Hungary. (MOL XIX-J-1-j)

¹⁰ Visit of the Christian-Democrat Members of the European Parliament in Romania (Bucharest, 4th October, 1988). MOL, M-KS 288. f. 32 p.

¹¹ Report of Hungarian ambassador, Bucharest, 14th July, 1988. p 93.; MOL M-KS-288.f. 32. p

¹² Meeting of the Council of Europe and the Romanian deputies. MOL XIX-J-1-k

¹³ Ibid

¹⁴ MOL, M-KS 288. f. 32/1. ó.e.

One of the reasons why Western countries reacted in a moderate way was that the issue was regarded as the problem of two allies, and therefore it was up to the Warsaw Pact and the Soviet Union to take the initiative in dealing with the problem.¹⁵

Nevertheless, the issue of refugees could not even be mentioned within the socialist block. If this question had been recognised as a problem, the following statements would have followed inevitably. First, if a citizen from a socialist country can be a refugee in another socialist country, this supposed to be a “friend state”, the unity of the whole block would have been put into question. Second, by admitting the phenomenon of asylum, the basic ideology that minorities are the cornerstones of “the friendship between nations” would have been put into question.¹⁶ Instead, documents of that time mentioned “*foreign citizens residing in Hungary*” or “*foreign citizens temporarily staying in our country*”.¹⁷

There were still some international forums based on the respect for human rights, where at least in theory even socialist countries had the chance to try to call attention to the basic rights of the national minorities. Following the guidelines for consultants to the Department of Foreign Affairs of the MSZMP, Hungary tried not to present its argument on the basis of the violation of national minority rights, but on the basis of general human rights, which was highly important to Western countries and in order to prevent any possible offensive by Romania. This point of view allowed Hungary to keep a certain distance from the difficult and complex problems arising on national and historical grounds, and it was simultaneously easier to go along with international socialist ideology.

The rhetoric towards Western countries, however, was not in accordance with the feeling of national solidarity present in Hungarian public opinion,¹⁸ and with nor did it complement the new national strat-

¹⁵ Ibid.

¹⁶ Jó Rudolf: *Nemzeti és nemzetiségi önrendelkezés, önkormányzat, egyenjogúság*. Kosuth Kiadó, 1984. p. 200–251.

¹⁷ Tóth Judit: *Menedékjog - kérdőjelekkel*. Közgazdasági és Jogi Könyvkiadó, Budapest, 1994. p.69–86.

¹⁸ This is partly approved by the “reports on the mood of the people” prepared by the Department of Agitation and Propaganda of the Central Committee of the MSZMP and - among others - the high number of anxious questions sent for the radio interview with Mátyás Szűrös on 25th January concerning the situation of the Hungarians living in Transylvania and the Transylvanians having arrived to Hungary. (MOL, M-KS-288 f. 22.p.)

egy announced at the beginning of 1988, which regarded national and historical responsibility for the Hungarians in Transylvania as an important factor, establishing a moral ground for the Hungarian government to protect Hungarians in Transylvania.¹⁹

As members of the UN, the socialist countries also participated in its Committee on Human Rights. Gyula Horn, State secretary of Foreign Affairs, protested against the violation of human and national minorities' rights in Romania in his speech delivered at the meeting on February 27th, 1989: "*Since the protection and enforcement of human rights is a universal obligation, we believe that in this matter we are all responsible.*" This rhetoric is a good example of the trend described above: trying to completely avoid the impression of being personally, "nationally involved".²⁰

However, it would be naive to think that the socialist countries pledged themselves to protect human rights within their own forums. The Soviets considered the humanitarian questions first and foremost as a matter of state security: "*The importance of the humanitarian issue arises also from the general concept of security.*"²¹ Humanitarian issues were important for them because they were aware that Western Europe would only be willing to carry out negotiations concerning military questions if the Soviet block was able to improve the humanitarian field. From their perspective, it was a matter of a formal obligation, which they had to fulfil as a precondition of reaching an agreement on another matter that was far more important to them.

Although there was a working group within the institutional framework of the Warsaw Pact that specialised in human rights and humanitarian questions, it did not exhibit a high level of professionalism, as demonstrated at the conference in Sophia in 1988: "*Most of the members of the human rights working group arrived unprepared without having anything of merit to say, and the whole conference was regarded as a formal obligation. (...) This behaviour also proves that as of the moment, not much essential change can be expected from them concerning their position in the field of human rights.*"²²

¹⁹ This thought has been declared in the radio interview of Mátyás Szűrös in January 1988, as well as in the article Szokai et Tabajdi in *Magyar Nemzet* on the 13th February 1988.

²⁰ *Yearbook of Hungarian Foreign Policy*, 1989.

²¹ MOL XIX-J-1-k/1988 126 VI-1 457-2

²² *Ibid.*

In spite of this, Hungary made an attempt to step up the protection of minority rights at this forum. Humanitarian and human rights issues discussed in Vienna during the Conference on Security and Cooperation in Europe were put on the agenda of the conference on January 12–14, 1988 in Sophia. Hungarian representatives arrived with the mandate to prepare a thoughtful final document for the Vienna conference, including the protection of basic community rights. Their goal was to include national minority rights to the third basket of the Helsinki Convention.²³

As the member states of the Warsaw Pact had their own reasons for trying to avoid the discussion of the question of minority rights, this initiative could not possibly gain their support. The Geneva report states: *“The Soviet Union is struggling with several different problems of minorities and these will not disappear nor will they be solved in the near future. For Czechoslovakia, the “handling” of the Hungarian minority is already enough. In Yugoslavia, the growing dimension of the nationality problem increases the awareness of the leaders, and in addition they are responsive to slander proclaiming Hungarian intentions for revision of the borders. Bulgaria is busy with defending itself against the offenses concerning the renaming of the Turkish minority. East Germany does not care for national minority questions, they prefer to close their eyes when it comes to such problems.”*²⁴

In addition, Poland expressed their understanding of Hungary in bilateral discussions, and stated that they were fully aware of *“all those shameful events taking place in Romania”*, but they were in a difficult position to give a clear statement on this question due to the minority issues between Germany and Poland.²⁵ The reaction of the Soviet Union was somewhat ambivalent: on the one hand, it showed understanding for Hungary’s problems, and it did not make any step to prevent Hungary from voicing its concerns in Vienna, but since there was another “friendly country” involved in the conflict, it did not openly admit that either Hungary or Romania was right. For the Soviet Union, the most

²³ MOL XIX-J-1-k/1988 126 VI-1 126 VI-1 457

²⁴ MOL XIX-J-1-j

²⁵ In the forum of the Warsaw Pact, the argument was of course not based upon this, but on a formal consideration: since the question of national minorities is not included in the Helsinki Closing Documents, including a new issue would require the revision of the whole document.

important priority was to keep the unity of the Soviet bloc, and that was the main reason why it dealt with the issue in the first place.²⁶

It is no surprise that the strongest party opposing the Hungarian initiative concerning national minority rights was Romania, which stressed that *“human relations cannot be based on race, nationality or other similar criteria, because this would lead to discrimination and privileges.”* During the Warsaw Pact conference, Romania also highlighted that the final document of the Conference on Security and Cooperation in Europe did not endorse emigration policies, which were not supported by the Romanian public opinion. *“Romanian citizens search for and find their possibilities in their home country, as they ensure their well-being within the country.”*²⁷

Romania did not attend the conference on human rights issues organized by the socialist countries on April 25–27, 1989 in Kiev, and disagreement among the other countries has since further increased.²⁸

4. Multi-level relations with the West

*“Under the given circumstances (...) we could not allow ourselves not to mention the national ethnic problem surrounding us on a daily basis, but we had to do it in a way to avoid provoking offense.”*²⁹

The relationship between Western international organizations, governments and social institutions regarding the question of refugees in the years 1988–1989 was complex and ambivalent from several points of view. Although networking took place between the different groups, including the state, the opposition and the church, these groups also had their own Western contacts independently. On the one hand, cooperation amongst the groups formed in a way never seen before, partly due to the fact the dramatic increase in the number of immigrants was a new situation in Hungary and the country had to deal with problems it had not previously experienced. On the other hand, it is apparent from government and party documents that the state apparatus was aware of these activities. It maintained direct or indirect contacts with the various

²⁶ XIX-J-1-k/1988 126 VI-1 457-1

²⁷ MOL XIX-J-1-k/1988 126 VI-1 457-2

²⁸ MOL XIX-J-1-k/1989 135 V-1 4938

²⁹ MOL XIX-J-1-j/1988

organizations and churches, and from time to time, it used these organizations for its own networking with the West.

By the end of the eighties, the state itself had built deep connections with Western international organizations. In addition to the possibilities offered by wider flexibility in the surrounding political era, it is also true that the country was motivated by its deepening economic–financial situation.³⁰

Mátyás Szűrös accurately summarizes the changes occurring in foreign policy are in his article published in the newspaper of the party “*Népszabadság*” in December, 1988. “*Our foreign affairs (...) have functioned lately as a prior branch of the political sector: it added to the positive international judgment of our country, and – also of high importance – it strengthened the common identity among the different classes of our society because it was supported by wide public opinion. (...) In the last few years, our foreign policy is characterised more and more by national commitments. Looking ahead, that was the spirit behind our initiations calling for the reform of the COMECON, we joined the GATT, the International Monetary Fund, and the World Bank. These steps are based on much wider aspect than just purely economical and financial considerations: they clearly showed our intentions to openness. We have continued our opening policy also in order to establish the grounds for good cooperation with the Western-European integration organizations as well.*”³¹

By this time, Hungary did not need to be afraid of the dissatisfaction of the Soviet Union. “*It is favourable for us that the Soviet Union is building a new world based on cooperation and solidarity, without prejudice and bias among the states, and in the realization of this great concept, it also counts on the own initiatives of the other socialist countries.*”³²

Hungary’s communication with Western countries at the state level however, was still moderate and avoided making a stir, presumably in order to avoid further conflicts with Romania. Thus the state often used the Red Cross, churches, and other social organizations to invite, host, and inform and gain information about Western organizations that were willing to establish connections with Hungary, while in reality it was the Hungarian state backing these visits. One example of such a visit

³⁰ At this time announced prime minister Miklós Németh that the Hungarian national debt is double higher than they had stated before. (Interview with J. Görög)

³¹ *Népszabadság*, 17 December 1988, p. 5

³² *Ibid.*

was the visit of the UNHCR's special envoy in October 1989. Although six months prior Hungary had joined the Convention, the state prepared for the visit with special precaution.

The UN Commission issued a resolution to give mandate to Swiss citizen Joseph Voyame in March, 1989 to draft a report on the situation of human rights in Romania. According to his mandate, he was supposed to visit Romania as well, but the Romanian government did not provide him with the necessary visa. Therefore Voyame instead offered to use the reports of the asylum-seekers residing in Hungary, and counted on the co-operation of the Hungarian authorities by "*entering in contact with those possessing direct information and experience*".³³ Hungary hosted the envoy, and the Hungarian government masterminded and prepared his visit. "*It is in our interest to avoid the open communication of the Hungarian authorities, and thus the slander of influencing the government could be prevented.*"³⁴

Since there were many organizations that possessed solid, well-founded knowledge about the refugees, the Ministry of Foreign Affairs had various ideas for a possible host for the envoy, such as the Lawyers' Association, the Human Rights Committee as part of the Hungarian UN Association, the Transylvanian Association, the Association of Transylvanian Hungarians, the Asylum Committee, the Minority Working Group of the Hungarian Democratic Forum, the Association of Architects, the Institution on Hungarian History, and the Roman Catholic and Protestant churches. The Ministry of Foreign Affairs also suggested that the Red cross host the envoy.

The situation was similar in December 1988 on the occasion of the International Organization of Human Rights' visit to Budapest. The organization originally wanted to study the situation of the Romanian residents, but Romania as "*an independent and sovereign country*" denied the visit. After this incident, they wished to meet Mátyás Szűrös in Hungary. Budapest denied the visit due to political reasons, namely, it wanted to avoid the impression that the visit might be an official one. This denial accurately reflects the ambivalent relationship between Hungary and Western organization.

³³ MOL XIX-J-1-k/1989 141 V-5 9741

³⁴ Ibid.

The Ministry of Foreign Affairs simultaneously offered to organize the meeting with the Hungarian Red Cross, churches, opposition groups, and the refugees themselves. According to the Ministry of Foreign Affairs, the denial caused the international organization's final document to lack precision and neglect several important pieces of information.

The Western countries demonstrated their interest by other visits: documents from the Ministry of Foreign Affairs mention the delegation visit by deputies at the German Bundestag, as well visits by two French non-governmental organizations.³⁵

Western countries and the public reacted in a sensitive way to the question of and respect for human rights, and there was a long tradition of human rights protection by established institutions. This however, was not the only reason for the West to provide help to the asylum-seekers from Transylvania. They also wanted to help them settle in Hungary in order to avoid becoming affected by the wave of refugees themselves by becoming target countries for immigrants

Sweden and Denmark were the countries that initially opened their borders to host refugees from Romania. There was temporarily no visa requirement in Sweden for a while, and several refugees could emigrate there simply with the help of the Hungarians living in Sweden, who sent money to Hungary to buy plane tickets for the refugees.³⁶ However, documents of the Red Cross and the UNHCR also state that in general it was quite difficult to find a host country for those willing to go further West.

The role of the Hungarian Red Cross

As one of the most important key organizations in helping the Romanian refugees, the Hungarian Red Cross had a somewhat strange and ambivalent status. On the one hand, it belonged to the ICRC seated in Geneva, so seemed to function as an NGO, but as all organizations in a system of party dictatorship, it operated under its strong control. Moreover, even within an international framework, socialist countries

³⁵ MOL XIX-J-1-j/1989

³⁶ Ara-Kovács Attila – Dávid György – Joó Rudolf – Kőszegi László – Nagy József – Tóth Károly Antal – Vásárhelyi Judit: Jelentés a romániai magyar kisebbség helyzetéről. In: *Medvetánc*, Budapest, 1988.

were separated in a block, and thus the Hungarian RC remained separated even at the international level.

The Hungarian Red Cross's key role is also demonstrated by the fact that it was the first organization to contact the UNHCR even before the great wave of Romanian refugees between 1986 and 1987. According to UNHCR demands, the Hungarian Red Cross to deal with foreigners residing legally and temporarily in Hungary during this time, and therefore already gained experience with immigrants. The High Commission reimbursed their costs *ex-post*. There were approximately 20–30 foreigners, mainly from Third World countries who turned to the Hungarian Red Cross for refugee status. The Hungarian Red Cross always forwarded their demands to Geneva.³⁷ The government did not intervene and overlooked this activity, presumably due to the small number of people affected.

During the great wave of Transylvanian refugees in 1988, it was only the Hungarian Red Cross who had previous experience dealing with refugees and delegating tasks among public and civil organizations and churches. The organizations worked extensively with different state groups, including opposition groups and churches.³⁸ The main form of cooperation with the state bodies was the so-called “*Intra-Ministerial Committee responsible for the foreign citizens residing in Hungary*”. According to the report of the Red Cross, the propositions made by the Red Cross within this committee, were often supported.³⁹

On March 15th, 1988 the Hungarian Red Cross tried to raise support for the refugees through civic actions, with the motto “Help us so that we can help!,” to be able to provide those in need with financial support and other material donations.⁴⁰ Churches often gave their own donations to the Red Cross for distribution. The Red Cross even

³⁷ Interview with Á. Jantits (January 2009)

³⁸ The importance of the Red Cross is underlined by the data which states that 88% of the refugees got in contact with the organization. (Sik, *op. cit.*)

³⁹ Most of them were aimed at the continuous information of the organizations participating in the attendance of the refugees, at supporting these organizations from the Re-settling Fund and at working on a the unified register of the grants. In addition to that, – only mentioned on the occasion of meetings behind closed doors – they also aimed at the preparation of a more stable and clear policy on refugee issues. (288. f. 22/1989/12.ő.e.)

⁴⁰ In the frame of this action more than 18 million forint arrived to the central aid account of the Hungarian Red Cross. (288. f. 22/1989/12.ő.e.)

arranged the transfer of donations from abroad to Hungary. According to their data, approximately 5000–5500 people visited the Information Office they established in Budapest.

On an international scale, the most important activity of the Hungarian Red Cross was their effort to get in touch with the Romanian Red Cross in order to help unify families. This outreach was based on the International Red Cross conference resolutions. Although there was no response from the Romanian organization, and mediations by the president of the ICRC achieved no substantive results, the fact that the general secretary of the Hungarian Red Cross asked the ICRC for assistance in this matter can be regarded as the first small step taken by the Hungarian RC towards the ICRC.⁴¹

Donations arriving from abroad were a great help to the refugees. In 1988, the Red Cross of eight countries,⁴² including Austria, Italy, the Netherlands, and Spain, gave financial donations to the Hungarian Red Cross. Moreover, the American and Brazilian RC also supported the donation collections.⁴³

The role of the Western Hungarian emigration

The importance of the role of Hungarian emigration in bringing Western attention to the situation of the Transylvanian and Romanian refugees is unquestionable. The Hungarian state was very well aware of this; it was no surprise that partly leaders in the spring of 1988 had already asked local embassies to report to them on the activity of Hungarian emigration “concerning the national minorities living in the neighbouring socialist countries.”⁴⁴

Reports from the local embassies tell us that the associations of Hungarian emigrants cared about the Hungarian minority’s situation in Transylvania, they kept continued to protest against village-destructions with their own tools to the official bodies of their host countries. One good example is Hungarian immigration to Switzerland. After several

⁴¹ Jantsits Ágnes: *A civil szféra és a nem-kormányzati szervezetek szerepe a menedékkérők fogadásában és a menekültek integrálásában*. Unpublished paper, 1998.

⁴² Australia, Belgium, Canada, Finland, Monaco, Norway, Sweden and Switzerland

⁴³ 288. f. 22/1989/12.6.e.

⁴⁴ MOL M-KS-288.f./1988–89 22.p.

requests, the Swiss Parliament put the Transylvanian situation on the agenda, and the Swiss Minister of Foreign Affairs disapproved of Romanian politics and promised to actively intervene through diplomatic channels.⁴⁵ The media also dealt with the question on a regular basis, which helped the issue to be followed by great interest.

The immigrant organizations also tried to gain support from international organizations. For example, the Hungarian League of Human Rights from France, together with the Romanian League of Human Rights, turned to the UNHCR for help.⁴⁶ The Swedish-Hungarian Cultural Club wrote a letter to the American president Ronald Reagan and to the leaders of the Western-European countries calling their attention to the situation.⁴⁷ Several Hungarian associations in the USA, including the Transylvanian World Federation, the Hungarian Human Rights Foundation/Committee for Human Rights in Romania and the American Hungarian Federation published a paper concerning the human rights situation in Romania and the situation of the Transylvanian Hungarians in Romania.⁴⁸

We can also find examples of demonstrations and marches, such as the demonstration of the “Action Committee” for the Hungarian Transylvanian minorities in front of the Romanian Embassy in Bern, Switzerland.

All reports prepared by Hungarian ambassadors concerning the opinion and activity of Hungarian émigré’s express the same view, namely that “*the Hungarians were happy to see the positive steps taken by the Hungarian government to solve the problem; nevertheless, they found them too weak and not brave enough.*”⁴⁹

The emigration played a key role also in organizing aid actions abroad. The emigrants organized donation collections through their own organizations, as well as through churches. As previously mentioned, the Hungarian Red Cross managed the distribution of donations.

⁴⁵ According to the documents it had a real effect at the next summit of the Council of Europe. (Report on the activity of the emigration, Bern, 1st October 1988) MOL M-KS-288.f./1988 22.p.

⁴⁶ Report on the activity of the emigration, Paris, 17th May 1988; MOL M-KS-288.f./1988 22.p.

⁴⁷ Report on the activity of the emigration, Stockholm, 7th October 1988; MOL M-KS-288.f./1988 22.p.

⁴⁸ Ara-Kovács et al. *op. cit.*

⁴⁹ Report on the activity of the emigration, Stockholm, 7th October 1988; MOL M-KS-288.f./1988 22.p.

According to Hungarian Red Cross statistics, there were 16 Hungarian associations in the West that organized donation collections and transferred them to the Hungarian Red Cross in 1988. In addition, 88 private individuals gave their financial donations to the Red Cross.⁵⁰

According to the Hungarian state, the Hungarian emigrants' activity abroad was considered rather favourable; they were able to determine steps to fight for their country's interest that Hungary was either not able or not willing to do, – due to foreign policy reasons. To a great extent, Hungary was able to draw attention to the problem of the refugees abroad from the West only through these emigrants, since their own level playing field was much too limited during this period and it could only raise its voice with caution.

Szűrös already mentioned the possibility of using Hungarian emigrants abroad as a political channel by in the above mentioned study: *“In the spirit of openness we keep good contacts with the Hungarians living abroad – not as national minorities –, and above all: with Hungarians living in the West. (...) Our experiences so far prove that they play an intermediate role between Hungary and the rest of the world, both politically and economically, and also in scientific and cultural aspects. (...) we are making an effort to include our relations with the Western Hungarian emigrants into our international network. We would like to build on Hungarians living abroad as a very important source of power for our nation.”*⁵¹

5. Step by step towards the Geneva Convention

“From our discussions with all concerned parties in Hungary it appears to us that the asylum-seekers are of concern to the UNHCR. We now plan to go further in our cooperation with the authorities in legal matters concerning, for example, the formalities of accession, the drafting of legislation and the establishment of a procedure for the determination of status.”⁵²

The report by the Foreign Affairs Department of the Central Committee of the MSZMP dated September 1st, 1988, describes the possible ways to solve the problem of refugees arriving from Romania. Contact with the UNHCR appears only in the last point of the lengthy docu-

⁵⁰ MOL 288. f. 22/1989/12.ő.e.

⁵¹ *Népszabadság*, 17 December, 1988, p. 5.

⁵² MOL XIX-J-1-k/1989 137 V-94 2042–2/T

ment, as a last resort. *“In case the development of the situation makes it inevitable, it is the duty of the foreign affairs Department, the Ministry of Foreign Affairs and other relevant state institutions to examine the possible ways of getting in contact with the UNHCR. With respect to our relations with the Soviet Union and other socialist countries, this issue can be practically solved. The Ministry of Foreign Affairs is to prepare the applicable procedure.”*⁵³

What option could the joining the Geneva Convention offer to Hungary facing the increasing number of people “re-settling” in the country? Why is the formulation of this statement so cautious?

According to international lawyers, the most evident way to solve the problem is to search for a solution within the framework of institutions established by international public law. The Convention was easy to adapt to the Hungarian legal system without any new legislation, and it could thus arrange the status of the refugees by implementing the rights and obligations of both the Hungarian authorities and the refugees themselves.

The Convention declares the prohibition of returning refugees, and also states that *“the Contracting States shall as far as possible facilitate the integration and naturalization of refugees.”*⁵⁴ The personal travel document (identity card) issued on the basis of the Convention is regarded as a great tool to achieve this goal. Until this moment, the precondition of obtaining citizenship was a certificate issued by the Romanian authorities declaring the cessation of the Romanian citizenship. From this time on, even further travelling or re-settling in another signatory state was possible with this document.

For a couple of months in the summer of 1987, some of the Romanian refugees had the chance to gain the protection of the UNHCR. This was a period when through the Yugoslavian–Hungarian borders, several Hungarian and Romanian asylum-seekers tried and succeeded to travel to the UNHCR office in Belgrade, where they could submit their application for refugee status, and then could travel further to the West.⁵⁵

In addition to settling the questions of ideology, it seems that financial factors were considered highly important arguments in the debate to join the Convention. *“Those supporting the joining to the Convention argue in*

⁵³ MOL M-KS-288. f. 32.

⁵⁴ 1951 Convention relating to the Status of Refugees, Article 34.

⁵⁵ Ara et al, *op. cit.*

*the first place that by joining, we could utilise the financial and other, administrative support of the UNHCR.*⁵⁶

Joining the Convention necessarily required more caution from a political point of view. Since the notion of refugees was unknown among socialist “friendly countries”, the disapproval of the Soviet Union and the Soviet bloc could be expected. Nevertheless, even though the Soviet Union was well aware of the Hungarian steps at international forums, it did not intervene. The reason for this might lie in the changing attitude of the Gorbachev era, and also can be explained by the increasing economic and military crisis of the block. The displeasure of Romania was guaranteed, but since Romania was also member of the UN, Hungary could defend the decision to join a UN Convention very well.

In the meantime, the Western countries regarded the Hungarian steps as a positive trend: on the one hand, it was considered sound proof of Hungary’s commitment to the protection of human rights, and on the other hand, it widened the contacts of Hungary with the West, and as discussed previously, this was important for Hungary for economic reasons.

However, one must not dismiss the other arguments opposing the joining, which were strong enough to gain support from international lawyers within the Ministry of Foreign Affairs, who warned against joining the Convention.

Several bilateral agreements and legal norms of high importance were necessary to amend in order to create a framework to which the Convention could be applied. While the bilateral agreements on extradition concluded with the Western countries’ declaration of the protection of refugees, this statement was not included in the same agreements concluded with socialist countries. These latter bilateral agreements were thus against the Geneva Convention.⁵⁷

⁵⁶ Görög János: A menekültek helyzetéről szóló 1951. évi genfi konvencióhoz és annak 1967. évi kiegészítő jegyzőkönyvéhez való csatlakozás kérdése. In: *A nemzeti kisebbségek és a menekültek jogai*. MTA, Államtudományi Kutatások Programirodája; Volume I., Budapest, 1989. The author adds however that the support can not be considered significant: Austria received for example less than 400 thousand dollar as financial assistance, which has not even covered a fraction of its expenses.

⁵⁷ The Ministry of Foreign Affairs found that first and foremost it is the bilateral agreements concluded with the Soviet Union, Czechoslovakia, Romania, Bulgaria and East Germany on the issue of borders and travellings that are urgent to be amended. (MOL XIX-J-1-j 105.p.)

One of the strongest counter-arguments was the long-lasting impact of the supposed difficulties Hungary would face after joining the convention. Hungary would be obliged to receive all refugees without any discrimination, which would have been a big political and economical burden.⁵⁸

Both these considerations and the following limitations of the geographical effect of the Convention⁵⁹ prove that Hungary's main goal was to *solve the concrete problem* of the refugees arriving from Romania through the UNHCR. Although it declared that it was committed to human rights, Hungary did not feel prepared enough to undertake the trouble of hosting more refugees arriving from other countries.⁶⁰

The head of the international legal department of the Ministry of Foreign Affairs offered Hungary two options, stressing that *“at the moment, joining the Geneva Convention is not a good option for us, as we cannot undertake the political complication and financial burden arising from this step.”*⁶¹

According to him, one option for Hungary was to create a new legislative act, which would regulate the arrival of refugees. The other option would be to amend the present legislation in a way *“that would solve the actually most pressing problems –first and foremost the simplification of the procedure of issuing temporary residence permits.”*⁶²

In September 1988, István Varga, ambassador to the UN, mentioned that in the long term it might be wise to consider the possibilities at the UNHCR and at the working group drafting the Declaration on the Minorities' Rights.⁶³

⁵⁸ Görög *op. cit.*

⁵⁹ In March 1989, Hungary joined the Geneva Convention with geographical restriction: with respect to refugees arriving outside of Europe, Hungary was not bound by the Convention. (Tóth, *op. cit.*) The limitation was only released in 1997.

⁶⁰ Public opinion was quite diverse concerning the role of the Hungarian state in differentiating between Hungarian and Romanian ethnic refugees arriving from Romania. The Refugee Committee established in January 1988 for the purpose of supporting refugees argued that refugees cannot suffer discrimination on the basis of their national identity, and one must emphasize the support of those with Romanian nationality being in an extremely difficult situation. (Interview with A. Ara-Kovács) At the same time, Hungarians from Transylvania disliked the idea of being treated equally with any other refugees with different nationalities. (Interview with Béla Kis)

⁶¹ Görög *op. cit.*

⁶² *Ibid.*

⁶³ MOL XIX-J-1-j 105.p

The Hungarian government did however, initiate contact with the UNHCR. It was the chairman of the National Executive Committee of the Hungarian Red Cross who paid a visit to the organization in Geneva in October 1988. The UNHCR had already expressed its interest in cooperation with Hungary on this occasion, and had also mentioned their visit to Hungary.⁶⁴

Around the end of November 1988, Imre Pozsgay initiated an informal discussion with the High Commissioner of the UNHCR in Switzerland, when he visited as state minister, i.e. a minister without a portfolio.

According to the Hungarian request announced in November 1988 in Vienna, the legal department of the UNHCR sent a draft agreement to the UN Ambassador in Geneva István Varga in January 1989.⁶⁵

Events sped up considerably during this month: documents show that several inter-ministerial negotiations took place. During the first few days of the year, István Ószi, Deputy Minister of Foreign Affairs sent a letter to Zoltán Gál, Deputy Minister of Internal Affairs with the following statement: *“The Ministry of Foreign Affairs finds the visit of the fact finding mission of the UNHCR very timely. In line with this, we suggest sending the invitation of the Intra-Ministerial Coordination Committee to the High Commissioner as soon as possible, whose relevant colleagues are, according to our information, ready to accept the invitation and visit Hungary.”*⁶⁶

The Hungarian Red Cross simultaneously proposed joining the Convention on Refugees during meetings of the Intra Ministerial Committee.⁶⁷ The opposition groups also supported this position. On January 6th, 1989, the Alliance of Free Democrats and the Refugee Committee published a common declaration concerning the situation of the refugees from Transylvania. They suggested that Hungary accept all refugees without any discrimination, join the Geneva Convention on Refugees, and thus ensure that the UNHCR function.⁶⁸

⁶⁴ MOL, 288 f. 22/1989/12.6e

⁶⁵ MOL XIX-J-1-j 105.p; A conference on the admission of a new UN convention against the illegal commerce of drugs and other prohibited psychotropic materials started in Vienna on 25th November, 1988. Presumably, that is what the ambassador attended and on this occasion he could negotiate with the colleagues informally. (*Yearbook of Hungarian Foreign Policy*, 1988.)

⁶⁶ MOL XIX-J-1-j 105.p

⁶⁷ MOL, 288 f. 22/1989/12.6e

⁶⁸ Hungarian Documentation of the Hungarian News Agency (MTI), 1989

Finally, instead of the January date suggested by the Ministry of Foreign Affairs, the Fact finding mission of the UNHCR visited Hungary from February 6–11, 1989.⁶⁹

According to the information provided by the Hungarian authorities, 13 719 requests for re-settling permit had already been handed in by Romanian citizens in Hungary by this time. Approximately half of them were legal, and the other half were illegal immigrants. 88% of them were of Hungarian nationality, 7% Romanian, 5% Saxon. Half were skilled, one third consisted of single men and about 20% were single women. About 40% of the refugees resided in Budapest, 20% in Debrecen. According to the official evaluation, the total number of refugees including the unregistered ones was estimated to be much higher.⁷⁰

Shortly before the UNHCR visit, István Ószi informed Zoltán Gál, Deputy Minister of Internal affairs of the Hungarian position to be put through to the delegation. According to the mandate, the final decision on joining the High Commission would most likely be made in the first half of 1989, “*after having exhaustively discussed the rights and obligations.*” The mandate also indicates the fields that the country would ask the High Commission for help. Financial and technical assistance would be the highest priority needs to establish and maintain refugee camps. The delegation also negotiated with many other individuals and organizations, including Dr. Zoltán Gál, Deputy Minister of Internal Affairs, István Ószi, Deputy Minister of Foreign Affairs, employees of the Ministry of Justice, Ministry of Social Affairs and Health, Secretary General of the Executive Committee of the Council of the Capital, and representatives of the churches and the Red Cross. They also visited Debrecen where they met the refugees.

At every possible occasion, members of the UNHCR urged Hungary to join the Convention and asked them to request the rules of the Convention, with special regard to the prohibition of return: “*They urged the establishment of such an internal mechanism, which would be suitable to institutionalize the issuance of refugee status. They called the attention to the international fear arising from the existing Hungarian practice of sending refugees back*

⁶⁹ Members: G. Arnout, head of the legal and theoretical department of the UNHCR, F. Cappelli, Director of European and North-American Affairs and R. Stainsby, colleague of the legal department.

⁷⁰ MOL XIX-J-1-j 105.p

without any previous internal examination. They offered help and support in order to establish this filter-mechanism."⁷¹

The members of the UNHCR stressed that Hungary expected to integrate the refugees of Hungarian society and that they would provide financial support in order to facilitate the integration. The UN representatives expected that the refugees with non-Hungarian nationality would want to travel further and felt the UNHCR could also provide help to these refugees by finding a third host country for them.

It is interesting to note that there was a difference between the UNHCR's treatment of Romanian and Hungarian asylum-seekers, as they made different plans and had different intentions in each country.

Nevertheless, one cannot ignore the fact that UNHCR and Western countries were interested in Hungary's integration of refugees. They were willing to support Hungary financially in order to make the asylum-seekers stay in the country, and thereby avoid masses of refugees continuing towards the West where they would face serious difficulties.

On the occasion of the delegation's visit, Deputy Minister of Foreign Affairs István Ószi expressed the desire to join the UNHCR "*in the near future*" and the intention to cooperate with the organization. He informed the delegation that Hungary was considering the possibility of opening a UNHCR office in Budapest. Addressing Western fears, he stressed that "*even after joining the Convention, Hungary does not wish to function as a channel for Eastern-European refugees to the West.*"⁷²

Having received the report of the fact finding delegation, High Commissioner Hocke turned to the Executive Committee of the Refugee Organization concerning his suggestions on the financial and technical support for Hungary.

The closed meeting was called together on February 17th. In his report, head of the legal department of the UNHCR G. Arnaut gave a positive impression of Hungarian state activity, the Red Cross and the churches that provided clothing, food, temporary residence and jobs to the refugees. He underlined that the main problem in Hungary was the lack of lodging, which made it difficult for the asylum-seekers to settle.

When considering Hungary's request for help, the fundamental changes taking place in Hungary had a great weight: "*The visit coincided*

⁷¹ Ibid.

⁷² Ibid.

with the meeting of the Central Committee, which took the decision to re-orient the country towards pluralism and democracy. Hungary is turning towards and feels a part of Western Europe."⁷³

The most significant argument mentioned by several documents was that aid from Western countries was guaranteed, since it was in their own interest to stop the wave of refugees arriving in Hungary.⁷⁴

In the meantime, two Hungarian experts were invited by the UNHCR to participate in a conference in Geneva. The purpose of the conferences was to study the activity of the UNHCR. The two participants were from the Ministry of Foreign Affairs the Ministry of Internal Affairs.

According to their report, the members of the UNHCR appreciated the efforts of the Hungarian government towards the asylum-seekers. According to the UNHCR, Hungary had almost fulfilled the provisions of the Convention.

Several UN collaborators emphasized that the Hungarian government should run a much more powerful propaganda at international forums concerning the issue of the Romanian asylum-seekers, for example by publishing concrete data and cases. The UN Ambassador stated in his report mentioned previously that the Hungarian government adhered too strictly to the guiding line of avoiding provocation and any possible aggression.

One of the most surprising moments of the Geneva conferences was that Felix Sztanyevszkij, head of the Soviet delegation participating at the conference announced in a private discussion with a colleague from the Ministry of Foreign Affairs that the Soviet Union was also considering joining the Convention. According to his statement, the Soviet Union had already initiated informal contacts with the High Commission and that one of their experts had studied the activity of the UNHCR in the fall, during the same time the idea of joining the Convention had been broached in Hungary. He stressed that the Soviet Union was more than satisfied with the information provided by Hungary, and explained that the Soviets would most likely follow Hungary's decision to join the Convention. A later document proves that Sztanyevskij initiated contact with Hungarian experts in order to exchange accounts. In summary,

⁷³ MOL XIX-J-1-j 105.p

⁷⁴ Ibid.

one must keep in mind that Hungary's preparation to join the Convention took place amidst constantly informing the Soviet Union, and with their *silent approval*.⁷⁵

The most important question for Hungary during the negotiations, where they looked for reassurance, was that the member states are entitled to decide whether or not to issue refugee status. Although the member states have to respect the binding criteria, they do possess discretion as a tool of flexibility.⁷⁶ This proves that Hungarian leaders feared obligations to host all kinds of refugees other than Romanians after signing the Convention, which was clearly not the intention of the Hungarian government.

One week after the visit, Péter Várkonyi, Minister of Foreign Affairs, and István Horváth, Minister of Internal Affairs, submitted a joint proposal concerning "The situation of the re-settled people from Romania" was to the Council of Ministers. With the authorization of the Council of Ministers, one day later, on 23rd February, Várkonyi submits the proposal to the Presidential Council:

"The recent situation of foreign citizens temporarily residing in Hungary, with no intention to return to their home country – who can practically be regarded as refugees – will inevitably solved. The situation calls for an urgent legal solution. Apart from Section 67 of the Hungarian Constitution where the question of the rights of refugees is briefly mentioned, our legal system contains no dispositions concerning the issue of asylum-seekers.

The most detailed, albeit not generally accepted, international regulation concerning the situation of the refugees is embodied in the 1951 Geneva Convention and its 1967 Protocol extending its effects in time. With the

⁷⁵ This is also confirmed by the interview with Mr. János Görög: according to him, the Soviet Union was well informed of everything, and thus implicitly took cognisance of the Hungarian joining. However, after the Hungarian joining, the "friend socialist states" remarked that Hungary must have overlooked that detail that it is impossible to regard their own citizens as refugees. (Interview with J. Görög, December 2008)

⁷⁶ Professional consultation at UNHCR, Geneva, 28. February, 1989; MOL XIX-J-1-j/1989 105.p The importance of this condition reaffirms the above mentioned: the Hungarian government feared that joining the Convention would oblige the country to receive refugees from countries other than Transylvania, which was not its intention.

exception of China and Yugoslavia, the socialist countries have not joined these agreements.

(...) To sum up, joining the Convention would provide us with a more favourable situation than recently, and it would simultaneously not create new obligations against our interests that would increase the duties of Hungary. In the meantime, it could strengthen the tendency that the Hungarian Peoples' Republic is willing to abide by its human right and humanitarian policy and practice in all possible ways according to the universal framework provided by the UN.⁷⁷

The formal approval shows that the decision had already been taken before the submission of the proposal. The Hungarian leaders opted for a fast action: on February 24th, the day following the submission, the President of the Council decided that Hungary would join the Geneva Convention.⁷⁸

During these weeks in February, the UNHCR delegation was not the only important organization that brought both Hungarian and international public attention to the situation of the Transylvanian asylum-seekers. Hungary also, organized the transfer of the twelve Transylvanian asylum-seekers from Sophia with the help of the Red Cross on day following the departure of the delegation from Geneva. The refugees requested asylum in September 1988 at the Hungarian Embassy, and were transferred to Hungary via Vienna Austrian airline with temporary passports issued by the Red Cross. The international media actively followed this event.⁷⁹

Concerning the concrete preparation of the joining the UNHCR, the duties were shared among the administrative organs as follows:

- The International Legal Department of the Ministry of Foreign Affairs managed the technical arrangement of the joining procedure.
- The Ministry of Internal Affairs, the Ministry of Justice and the Intra-Ministerial Committee drafted the executive system.

⁷⁷ MOL XIX-J-1-j/1989 105.p

⁷⁸ MOL, 288 f. 22/1989/12.őe, 1–16

⁷⁹ Földes György: *Magyarország, Románia és a nemzeti kérdés*. Napvilág Kiadó, Budapest, 2007. p.359–493

- The Ministry of Foreign Affairs negotiated the establishment of the Office for Refugees in Budapest and also concluded the bilateral agreements.
- The Intra-Ministerial Committee and the Ministry of Foreign Affairs shared the task of drafting and discussing a concrete program concerning refugees and gaining the signature of the agreement with the High Commission of.⁸⁰

There were three main departments within the Ministry of Foreign Affairs that prepared the joining procedure: the main department was the Department of the International Institutions, lead by Ferenc Somogyi. The International Legal Department, led by János Görög, arranged mostly the technical drafting and harmonizing tasks. The Socialist Cooperation Department, led by István Ószi, ensured the coordination of political queries.⁸¹

The preparatory procedure was prepared in forms of strictly *confidential dossiers* within the ministries, behind completely closed doors. The public was only informed after the joining and only through brief summaries published in the newspapers.⁸²

The joining documents were put into a deposit at the New York organization of the UN on March 14th, 1989.⁸³ On March 16th, 1989, Gyula Horn, State secretary of Foreign Affairs informed Hocke, High Commissioner of UNHCR that Hungary was ready to carry on negotiations regarding opening a UNHCR office in Budapest.⁸⁴

In order to cement their financial and technical support, UNHCR sent a technical delegation to Budapest in March 1989. The UN delegation negotiated with the Ministry of Internal Affairs, the Ministry of Social Affairs and Health, the National Authority for Wage and Labor, and with the colleagues of the council organizations. They also visited the locations of the future refugee receiving stations.

The delegation had the impression that Hungary was willing to participate in a correct manner and was realistic when asking for support.

⁸⁰ MOL XIX-J-1-j/1989 105.p

⁸¹ Interview with J. Görög, December 2008

⁸² Hungarian Documentation of the Hungarian News Agency (MTI), 1989; Interview with J. Görög, December 2008

⁸³ The 1951 Geneva Convention came into force the 12th June 1989, the 1967 New York Protocol already the 14th March 1989.

⁸⁴ MOL XIX-J-1-k/1989; 135 V-1 3615

They positively evaluated the Council of the Capital's arrangement with the refugees.

Hungary and the UNHCR decided to provide *an one-time extraordinary financial aid* to equip the three receiving stations and to purchase health items from May to December 1989. In addition, the UNHCR planned special courses on the protection of interests of refugees for the civil servants of the Hungarian public administration.⁸⁵

In May, the Hungarian government and the UNHCR drafted a project for the period of June – December 1989 under the title “Re-settling refugees in the Hungarian Peoples Republic”. This project was a pre-condition to receive UNHCR aid.

On October 4th, 1989, Dr. Zoltán Gál, State Secretary of Internal Affairs, travelled to Geneva to sign the agreement on the project as well as the establishment of the seat of the regional office, to be concluded between the Hungarian government and the UNHCR. The press conference held before the session of the High Commission met with large interest. The 40th session of the UNHCR further demonstrated the interest in Hungary, where as the Hungarian UN Ambassador said: “*It is no exaggeration to say that Hungary was put in the forefront.*”⁸⁶ The large number of delegations that requested the Hungarian speech after listening to it also reflects the high level of international interest in Hungary during the time. In addition, the High Commissioner's request for \$5.2 million was already approved during the session by West Germany and the Finnish delegation.⁸⁷

The Ambassador of West Germany chaired the session, and he most likely appreciated the fact that Hungary had joined the convention, only a few weeks after Hungary had opened up its Austrian borders to East German refugees.

⁸⁵ MOL XIX-J-1-j/1989 105.p

⁸⁶ *Ibid.*

⁸⁷ By the end of November 1989, more than three million dollars of financial aid arrived to the UNHCR to help the Hungarian program. The donations were provided by Austria, The Netherlands, Switzerland, West Germany, the USA and from Finland (this latter offered donation twice). West Germany transferred a grant of three million German marks. MOL XIX-J-1-j/1989 106.p

6. Summary

Although the growing number of Romanian refugees at the end of the 90s created a constraining situation for Hungary, it simultaneously opened up the possibility of legitimizing steps toward the Soviet bloc.

Searching for a solution was somewhat *ambivalent* in Hungary. On the one hand, the difficulties arising from the mass of asylum seekers were clearly defined and the inevitable need to step up at international forums was also expressed. On the other hand, of Hungary's actions were unobtrusive and aimed to avoid provoking the socialist countries, especially Romania. Thus Hungarian rhetoric at international forums stressed on the importance of universal human rights, which drew attention from the West as well, but often did not refer to any concrete data and facts.

The Hungarian government's ambivalent role increased the importance of *non-governmental organizations* such as the Hungarian Red Cross, churches, the forming opposition, and Hungarian émigrés living in Western countries. These groups connected several Western organizations, often with the co-operation or at least silent consent of the Hungarian government, and in some cases they lobbied at the international forums, unlike the Hungarian leaders who wanted to avoid conflicts within the Soviet bloc. Their activity and involvement, which the Hungarian government knew about, made Hungary's diplomatic situation much easier.

As demonstrated by the studied documents, Hungarian leaders did not unilaterally support the decision to join the Geneva Convention, but it was a solution that brought along the least conflicts concerning foreign affairs. The decision was accepted on the basis of short-sighted arguments instead of arguments that addressed fears in the long run. Within the frames of the Convention, *the situation of the Romanian refugees could be settled in the easiest way*: financial and technical aid was provided to the organizations hosting and helping the asylum seekers. According to foreign affairs policy, these actions were taking place within the UN's framework and therefore UN-member socialist countries did not have the option to oppose them.

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