

DECLARATION ON THE PRINCIPLES OF COOPERATION BETWEEN THE REPUBLIC OF HUNGARY AND THE UKRAINIAN SOVIET SOCIALIST REPUBLIC IN GUARANTEEING THE RIGHTS OF NATIONAL MINORITIES

The Republic of Hungary and the Ukrainian Soviet Socialist Republic, hereinafter the Parties,

- confirming their commitment to carry out the provisions of the United Nations Charter, the human rights documents of the UNO, the Helsinki Final Act and other documents from the Conference on Security and Cooperation in Europe,

- stressing their common objective of creating a democratic social system which, within the framework of constitutional statehood, ensures to all citizens the rights to enjoy in full their basic rights and liberties, to freely express their lawful interests and endeavors, the rights to political pluralism, social tolerance and equality before the law, as well as to the legal protection of individuals and communities,

- starting from the fact that the territory of the Parties is inhabited by national minorities who enjoy appropriate rights, at both individual and collective level, along with the other persons within their groups,

- recognizing that the national minorities historically living in their territories make useful contributions to the well-being of the Parties and their cultural and humanitarian advancement,

- admitting that the observance and enforcement of national minority rights as part of universal human rights is a relevant factor of peace, justice, security, stability and democracy, as well as an essential condition for the development of friendly relations and cooperation between the Parties,

- on the basis of their conviction that the promotion of constructive and effective cooperation between the Parties is indispensable to the consistent observance and ensurance of national minority rights, as well as to the expression, preservation and enhancement of ethnic, cultural, linguistic and religious identity,

decided to adopt the present Declaration on the principles of cooperation pertinent to the guaranteeing of national minority rights, and to put its provisions into practice in their activities.

1. The Parties are to respect the basic rights and liberties of the national minorities who constitute an integral part of their society and state, both individually and together with other persons within their groups, including equality before the law and non-discrimination, and shall consistently provide for the enforcement of these. Members of the national minorities are obliged to observe the laws of the country in which they live.

2. The Parties shall respect the rights of their citizens to freely decide to which minority they wish to belong, and whether they want to exercise the ensuing rights or not, and shall guarantee that such a decision is in no way to their detriment.

3. In their pursuit of democracy and constitutional statehood, the Parties shall take into consideration in their policies the lawful interests of the national minorities and take political, legal and administrative steps aimed at creating favorable conditions for the preservation and enhancement of their ethnic, cultural, linguistic and religious identity. These measures should serve the interests of the whole of society and must not infringe the rights of other citizens.

4. The Parties shall ensure to the national minorities protection in court and in other forms against all activities, including propaganda, which may jeopardize their existence or identity, and incite, promote or justify the advocacy of hatred and discrimination on grounds of nationality.

5. The Parties are to express their readiness to encourage the provision of a national minority status which guarantees the rights to effective participation in the administration of public affairs, including matters related to the protection and enhancement of their identity, and the passing and implementation of decisions concerning their place of residence.

6. The Parties shall regard the rights of the national minorities to set up and operate their own organizations and societies within legal frameworks in the territory of the Parties as a natural element of a democratic state governed by the rule of law. These organizations or societies may establish and maintain contacts with organizations or societies abroad on grounds of common ethnic or nationality origin, cultural background or religion. These organizations or societies may apply for voluntary financial assistance or other kind of help, as well as for state subsidy. Their activity along this line must comply with the national legal norms of the country in which they operate.

To decide on questions concerning such support by the Parties shall be the responsibility of the Joint Committee to be set up in keeping with point 16. of this Declaration.

7. The Parties wish to observe the principle that the state bodies in charge of nationality and ethnic minority affairs are to be set up by democratic means, with the participation, and with regard to the interests, of all nationalities living in the given area, particularly organizations or societies which represent their position.

8. The Parties shall take no administrative, economic or other steps towards assimilating the minorities or changing the set-up of the population of minority-inhabited regions.

9. The Parties shall adopt the necessary legal, administrative and other measures to enable the national minorities to freely exercise their rights to communicate in their mother tongue in private and public life, in the written and spoken language alike, including the use of their national first and family names.

Exercise of this rights shall not affect the obligation to learn the official language or languages of the Parties.

10. The Parties agree to ensure to the national minorities the necessary conditions for learning, and studying in, their native language at all levels of education. Practical problems arising on this score will be settled by the Joint Committee to be set up according to point 16. of this Declaration, in conformity with requirements, the Parties' possibilities and their effective rules of law. The Parties shall enable the national minorities living in one another's territory to pursue their studies and attend postgraduate courses in

their own institutes of higher education, and shall provide for exchanges of experts in the fields of education and culture. The Parties shall observe the principle of equivalence at all levels of education, and recognize their citizens' enrollment or studies in schools of the other Party. In their own institutes of education they shall encourage the teaching of minority history and culture.

11. The Parties shall guarantee to their national minorities the rights to preserve and advance their cultural identity, including the maintenance and research of their cultural traditions, at both amateur and professional level; they shall help their national minorities become familiar with each other's cultures, erect statutes for prominent representatives of culture and guarantee the preservation and protection of historical monuments and other cultural values.

12. The Parties shall declare that believers belonging to the national minorities have the rights to practise their religion and, within this, to acquire, possess, produce or use religious materials, as well as to conduct religious worship in their native language, including religious instruction.

13. The Parties shall recognize the right of national minorities to spread, exchange and obtain information in their native language free from discrimination, and shall be taking concrete moves in support of the mother-tongue media.

14. The Parties are to help members of the national minorities establish and maintain contact with one another within their own country and with citizens of other countries with identical ethnic or national origin, cultural background or religion.

15. The Parties shall forbid every citizen, among them members of the national minorities, to perform activities, including propaganda, which incite violence, hatred and dissent on nationality grounds.

16. To monitor implementation of the principles laid down in the present Declaration, as well as fulfillment of the commitments undertaken, the Parties are to express their readiness to set up a Joint Committee composed of representatives from the two Parties' state bodies and national minorities. The mandate and set-up of the Joint Committee will be defined in a separate inter-governmental Protocol.

17. The Parties confirm their intention to promote the international codification of minority rights at bilateral, regional and universal level. They express their readiness to support efforts along this line in the UNO and the forums of the Conference on Security and Cooperation in Europe.

18. None of the provisions of this Declaration is to be interpreted as authorization for activities or actions which run counter to the purposes and principles of the UN Charter, other international legal obligations or the provisions of the Helsinki Final Act, including the principle of the territorial inviolability of states.

19. The Parties declare that further states shall be welcome to join the present Declaration, and express their readiness to consult all concerned states on the principles laid down herein.

Prepared in Budapest on May 31, 1991, in two copies in the Hungarian and Ukrainian languages. Both versions are authenticated.

On behalf of the
Republic of Hungary
[Unterschrift]

On behalf of the
Ukrainian Soviet Socialist Republic
[Unterschrift]

PROTOCOL to the Declaration on the principles of cooperation between the Republic of Hungary and the Ukrainian Soviet Socialist Republic in guaranteeing the rights of national minorities

To promote the putting into practice of the Declaration on cooperation in the guaranteeing of national minority rights, the Republic of Hungary and the Ukrainian Soviet Socialist Republic - herein after the Parties - concluded the following agreement:

1. They will set up a Joint Committee, in which the Hungarian Party will be represented by delegates from the Office for National and Ethnic Minorities, the Foreign Ministry of the Republic of Hungary, the Ministry of Culture and Education of the Republic of Hungary, the local government of Szabolcs-Szatmár-Bereg County and the Ukrainian population of the Republic of Hungary, whereas the Ukrainian Party will be represented in identical numbers by delegates from the State Nationality Committee of the Ukrainian SSR, the Foreign Ministry of the Ukrainian SSR, the Ministry of Culture of the Ukrainian SSR, the Ministry of National Education of the Ukrainian SSR, as well as from the Soviet of People's Deputies of the Subcarpathian Territory and the Hungarian population of the Ukrainian SSR.

The delegations will be headed by Foreign Ministry officials of deputy foreign minister's rank.

2. To discuss and settle issues as they arise, the Joint Committee will meet in session twice a year in general, alternately in the territory of the two Parties.

Costs incurred by the stay and work of the Joint Committee will be covered by the receiving Party.

3. It will be within the Joint Committee's jurisdiction to adopt recommendations for the governments of the Parties concerning implementation of principles laid down in the Declaration with the consent of the Parties.

4. For the carrying out of the recommendations of the Joint Committee, the Parties will take resort to the relevant national institutions.

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[Quelle: www.meh.hu/nekh/Magyar/7/dec-uk-e.htm]

