

**CONTINUING THE PRESIDENT'S AUTHORITY TO WAIVE
THE TRADE ACT FREEDOM OF EMIGRATION
PROVISIONS**

**HEARING
BEFORE THE
SUBCOMMITTEE ON INTERNATIONAL TRADE
OF THE
COMMITTEE ON FINANCE
UNITED STATES SENATE
NINETY-SIXTH CONGRESS
FIRST SESSION**

JULY 19, 1979



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CONTINUING THE PRESIDENT'S AUTHORITY TO WAIVE THE TRADE ACT FREEDOM OF EMI- GRATION PROVISIONS

THURSDAY, JULY 19, 1979

U.S. SENATE,
SUBCOMMITTEE ON INTERNATIONAL TRADE,
COMMITTEE ON FINANCE,
Washington, D.C.

The committee met, at 10 a.m., in room 3302, Dirksen Senate Office Building, Hon. Abraham Ribicoff (chairman of the subcommittee) presiding.

Present: Senators Ribicoff, Moynihan, Bradley, Danforth, Heinz, and Dole.

[The press release announcing this hearing follows:]

[Press Release]

FINANCE SUBCOMMITTEE ON INTERNATIONAL TRADE TO HOLD HEARINGS ON CONTINUING THE PRESIDENT'S AUTHORITY TO WAIVE THE TRADE ACT FREEDOM OF EMIGRATION PROVISIONS

The Honorable Abraham Ribicoff (D., Conn.), Chairman of the Subcommittee on International Trade of the Committee on Finance, today announced that the Subcommittee will hold public hearings on continuing the President's authority to waive the application of subsection (a) and (b) of section 402, the Freedom of Emigration provision, of the Trade Act of 1974 (Public Law 93-618). The hearings will be held at 10:00 A.M., Thursday, July 19, 1979, in Room 3302 of the Dirksen Senate Office Building.

Chairman Ribicoff noted that on June 1, 1979, President Carter transmitted to the Congress his recommendation, under section 402(d)(5) of the Trade Act, that the waiver authority be extended 12 months to July 3, 1980. This recommendation was based on his determination under section 402(d)(5) of the Trade Act that the extension of the waiver authority will substantially promote the objectives of freedom of emigration in general and, in particular, in the cases of the Socialist Republic of Romania and the Hungarian People's Republic.

The Socialist Republic of Romania and the Hungarian People's Republic are the only nonmarket economy countries which have been granted nondiscriminatory, or most-favored-nation trade treatment under the authority of the Trade Act of 1974, Chairman Ribicoff said. He noted that the granting of most-favored-nation trade treatment was conditioned on compliance with the freedom of emigration provisions of that law but that the law permitted the President to waive the emigration conditions subject to Congressional Review.

The Chairman said that the President's recommendation on June 1, 1979, set in motion a schedule of procedures by which the Congress may either terminate, by adoption of a simple resolution in either House, or permit by inaction the extension of the authority by which the President may waive the freedom of emigration condition on most-favored-nation treatment. Congressional action to terminate MFN treatment, if any, must occur before September 1, 1979, he said. After that date, if Congress has taken no action, the waiver authority is automatically extended until July 3, 1980.

Requests to testify.—Chairman Ribicoff advised that witnesses desiring to testify during these hearings must make their request to testify to Michael Stern, Staff

Director, Committee on Finance, Room 2227 Dirksen Senate Office Building, Washington D.C., 20510, not later than Friday, July 13, 1979. Witnesses will be notified as soon as possible after this date as to whether they will be scheduled to appear. If for some reason the witness is unable to appear at the time scheduled, he may file a written statement for the record of the hearing in lieu of a personal appearance.

Consolidated testimony.—Chairman Ribicoff also stated that the Subcommittee urges all witnesses who have a common position or with the same general interest to consolidate the testimony and designate a single spokesman to present the common viewpoint orally to the Subcommittee. This procedure will enable the Subcommittee to receive a wider expression of views than it might otherwise obtain. Chairman Ribicoff urged very strongly that all witnesses exert a maximum effort to consolidate and coordinate their statements.

Legislative Reorganization Act.—In this respect, he observed that the Legislative Reorganization Act of 1946 requires all witnesses appearing before the Committees of Congress "to file in advance written statements of their proposed testimony, and to limit their oral presentations to brief summaries of their argument."

Chairman Ribicoff stated that in light of this statute and in view of the large number of witnesses who desire to appear before the Subcommittee and the limited time available for the hearing, all witnesses who are scheduled to testify must comply with the following rules:

1. All witnesses must include with their written statements a summary of the principal points included in the statement.
2. The written statements must be typed on letter-size paper (not legal size) and at least 100 copies must be submitted to the Subcommittee in Room 2227 of the Dirksen Senate Office Building not later than the close of business on Wednesday, July 18, 1979.
3. Witnesses are not to read their written statements to the Subcommittee, but are to confine their 5-minute oral presentations to a summary of the points included in the statement.
4. Not more than 5 minutes will be allowed for the oral summary.

Witnesses who fail to comply with these rules will forfeit their privilege to testify.

Written statements.—Witnesses who are not scheduled to make an oral presentation, and others who desire to present their views to the Subcommittee, are urged to prepare a written statement for submission and inclusion in the printed record of the hearings. These written statements should be submitted to Michael Stern, Staff Director, Committee on Finance, Room 2227 Dirksen Senate Office Building not later than Thursday, August 2, 1979.

Senator RIBICOFF. The committee will be in order.

This morning the Subcommittee on International Trade will hear testimony on extending for 1 more year the President's authority to waive the freedom of emigration requirements under the Trade Act. This extension would continue MFN for Romania and Hungary until July 2, 1980. It would also permit the President to waive the freedom of emigration requirements for new countries.

We have a long list of witnesses. In addition, the Senate will have votes during the morning and afternoon. To make sure that we can hear all of the witnesses, we must strictly enforce the time limits of oral testimony.

All of your statements will go in the record. Furthermore, I think there is not a new witness before us. I have heard all of you time and time again. I don't think you have a new argument. If you have one, I would be glad to listen to it. But your full statements go in, and we are going to have to confine the testimony.

At the request of both Senator Jackson and Senator Javits, if there is no objection I would like to put their statements in the record at this point.

[The statements of Senator Jackson and Senator Javits follow:]

STATEMENT OF SENATOR HENRY M. JACKSON

Mr. Chairman, I appreciate this opportunity to give this committee my views on further extension of our present trading relationship with Romania.

As I have emphasized on many occasions, the United States has an important stake in the continued existence of a Romania capable of an independent role in key foreign policy matters. Last fall I visited Bucharest where I had frank talks with President Ceausescu and other leading Romanian officials on a broad range of foreign policy issues, in many of which we share a mutual concern. Clearly, the United States wants to encourage Romania—and other East European countries—effectively to assert its legitimate right to greater freedom when facing Soviet pressures and overwhelming Soviet military power.

In this context, it is in the Romanian and United States interest that sources of tension between our two countries be handled and resolved responsibly and amicably.

As my colleagues are aware, in its concern for international human rights the Congress has attached special importance to the right to emigrate. That right is a central element of historic international human rights agreements: the UN Declaration of Human Rights, the UN Covenants and the Helsinki Final Act. Respect by a government for the right to emigrate is possible without causing fundamental changes in the internal structure of many states which today do not respect the right of their citizens to leave. It is not interference in the internal affairs of another country to ask that the right to free emigration, which has been affirmed in international law, be respected.

The experience with Romania evidences the value to all parties of a constructive approach to U.S. law conditioning MFN and credits to non-market countries on the relaxation of restrictions on emigration. Romania chose cooperation with us in this matter—a result that has advanced the cause of personal liberty for those wishing to leave Romania, most often to be reunited with their families, and advanced the economic progress of the Romanian people.

In looking at the record of the last 12 months, the number of Romanians who have been able to emigrate to the United States has increased over the previous 12 months. The total number of Romanians emigrating this past 12 months, including the large number going to the Federal Republic of Germany, compares favorably with the total for the previous 12 months.

On the other hand, there are some unsatisfactory and troubling aspects to the record:

First: The already lengthy process for applying for emigration has been further complicated by additional steps and additional reviews. These complications are added to the intimidation, the job loss, the threats of demotion and the other pressures which have been familiar in so many cases.

Two: There are too many unsolved cases of individuals or families who are caught in one or another stage of the application process—some of them dating back to the time of the signing of the Trade Agreement. In my own office files, I have the names of over 500 individuals or families (some 1,552 persons) who have not yet been able to emigrate to join relatives in the United States—among them cases of extreme hardship which should be given urgent processing.

Three: The figures on Romanian emigration to Israel are particularly disturbing. The total number of such emigrants for the first six months of 1979 is at a substantially lower annual rate than last year. Sometimes we are told this is because of a decline in applications. But even with current discouragements to those who might wish to apply, there are hundreds of individuals seeking to emigrate to Israel who either have been unable to obtain application forms, or who have applied but been turned down, or who have received no answer, or who have been approved by the Romanian authorities but receive no passport.

Four: There is a special category of emigration cases which is of new concern—Christians, particularly of the Baptist and Pentacoastal congregations, who in attempting to practice their faith according to their own consciences, are being harassed and persecuted in one way or another. To practice their faith in greater freedom, some are deciding to emigrate. I believe they should be allowed to do so.

Some of us have discussed with the Romanian officials over a period of time the disappointing aspects of their emigration practice. We have told them we expected them to do better, and that we knew they could do better. Recently, American Jewish leaders and Romanian authorities discussed the poor record of Romanian Jewish emigration. In the course of those discussions, the Romanian government provided a number of assurances that, if lived up to, could remove many of the problems of Jewish emigration.

I said last year that the further extension of MFN and economic credits for Romania will continue to be a realistic reflection of our mutual interests "only so long as Romania sincerely lives up to its pledge of the humanitarian treatment of emigration cases."

What is now important is that the Romanian government honor in good faith its new assurances to remove impediments to Romanian Jewish emigration.

What is important now is that the Romanian government simplify its routines for handling all emigration applications, make a strenuous effort to resolve outstanding cases and let those people go unscarred by the final petty harassments which too often occur in even expeditiously handled cases.

Holding these views, and after thorough consideration of the record, Mr. Chairman, I shall not oppose in the Senate extension of the waiver for one year as requested by President Carter. But I am publicly reserving my position regarding any further extensions—beyond this one year—until the assurances and pledges by Romanian authorities for improved emigration practices and results have been in fact implemented.

U.S. SENATE,
Washington, D.C., July 17, 1979.

HON. ABRAHAM RIBICOFF,
*Chairman, Subcommittee on International Trade,
U.S. Senate, Washington, D.C.*

DEAR ABE: I have been giving a great deal of thought over the past few weeks to the President's request for a renewal of his waiver authority to grant Most Favored Nation status to the Socialist Republic of Romania for an additional twelve month period. I have not been satisfied with the Romanian Government's compliance with the objectives of the Jackson-Vanik Amendment over the past nine months, particularly the requirement of an application for the privilege of applying to emigrate. Nonetheless, on balance, and based on (1) assurances given by various representatives of the Romanian Government and (2) the desirability of giving the Romanian Government another chance to right its practices, I feel the President's request should be supported.

Accordingly, I have already joined most of my Senate colleagues on the Helsinki Commission in conveying to Chairman Vanik our qualified support for MFN renewal at this time. I would appreciate it very much if you would accept this statement of my views for insertion in the record of the hearings on this matter scheduled to be held by your committee on July 19th. I am also taking the liberty of forwarding a copy of this letter to each member of your subcommittee.

Sincerely,

JACOB K. JAVITS,
U.S. Senator.

Senator RIBICOFF. Senator Heinz, do you have an opening statement?

Senator HEINZ. Yes, Mr. Chairman. Thank you very much.

Let me say I welcome this hearing today and the opportunity it provides to look more closely at the Romanian human rights and emigration practices in the context of the Jackson-Vanik amendment to the 1974 Trade Act.

I want to say at the outset that I have had for some time serious reservations about the further extension of most-favored-nation status to Romania and have twice written the President explaining my concerns in detail. In the past, many Senators have not opposed further MFN extension in the hope it would lead to genuine rather than cosmetic improvements on Romania's policies in emigration and human rights.

Unfortunately, this seems not to have been the case. Emigration to Israel is down. The 1979 rate is currently less than half that of 1978, which itself was a reduction over the previous year. The application process for emigration, always hazardous, has become an endlessly frustrating mine-field as layer is piled upon layer of bureaucracy in an effort to intimidate people and discourage them from leaving the country.

The Romanian Government appears to be following an overt policy of suppressing and assimilating ethnic and linguistic minor-

ities, particularly the 2.5 million Hungarians. In the past, MFN extensions have been approved largely on the basis of administrative assurances that progress will be forthcoming. Coincidentally, some progress does always seem to be made in the 2 months before the hearing.

Whether the promise is made or kept, however, is another story. Before last year's hearing, the Romanian Government indicated that nine people convicted in trials in the 1960's would be amnestied and their fines reduced. Today I am told that this has actually happened to only one or possibly two of the cases. Hardly an impressive record.

Mr. Chairman, in general it has been my view that we should involve ourselves in the affairs of other countries only with the greatest reluctance. At the same time, however, it is clear that we must stand up for our own principles and beliefs when confronted with practices that contradict them. The Jackson-Vanik amendment provides such an opportunity and we are obligated to take it seriously.

If the Romanian Government's actions have been inconsistent with either the letter or the spirit of Jackson-Vanik, we should deny the extension or satisfy ourselves that there will be immediate permanent improvements in the situation. From what I have learned thus far, I am not yet convinced that MFN should be extended. But I hope that this hearing will present an opportunity to examine all of my concerns carefully.

Thank you, Mr. Chairman.

Senator RIBICOFF. Thank you very much, Senator Heinz. I can assure you, Senator Heinz, that your sentiments are reflected to a great degree by many other Members of the U.S. Senate who have talked with me and have expressed your concerns, so it is not just yourself. This is a problem which bothers many Members of the U.S. Senate.

The first group of witnesses will be Mr. Matthew Nimetz of the State Department, Mr. Frank Weil of the Commerce Department, Mr. Gary Hufbauer of Treasury, and Mr. Stephen Lande of the Special Trade Representative's Office.

Gentlemen, you may proceed as you wish.

STATEMENT OF HON. MATTHEW NIMETZ, COUNSELOR OF THE DEPARTMENT OF STATE

Mr. NIMETZ. Thank you very much, Mr. Chairman. My name is Matthew Nimetz. I am counselor of the Department of State.

I have a statement for the record. I would like very briefly to go over the highlights of it.

We are pleased to have this opportunity to testify before you, Mr. Chairman, on behalf of further extension of the President's waiver authority of section 402 of the Trade Act, including the authority to continue the waivers permitting most-favored-nation tariff treatment for Romania and Hungary.

Before addressing the two countries in particular, I would like to comment very briefly on our relations with Eastern Europe. In recent years, increasing diversity has come to characterize Eastern Europe. All of the Warsaw Pact member states remain loyal to

basic Communist ideological tenets and most of the Soviet foreign policy positions. But they do differ to some degree in some areas.

Our general policy has been to seek improved relations between the United States and those nations of Eastern Europe which reciprocate a desire for improved relations. Our relations with Romania and Hungary have evolved significantly during the past decade. Establishment of nondiscriminatory trade relations with Romania in 1975 and with Hungary in 1978 were watersheds in our relations with those two countries.

A continuation of MFN tariff treatment constitutes a sound basis for further progress. On the other hand, were this basis to be removed, our relations with these countries would deteriorate rapidly and significantly.

Let me make a few comments with respect to Romania. Our paramount interest in keeping this close relationship is based upon Romania's considerable independence on foreign policy issues. Over the years, Romania has not shrunk from expressing openly and forcefully points of view which differ from those of its Warsaw Pact allies.

In my prepared statement I list some of the areas in which quite recently Romania has undertaken an independent foreign policy. Since last year's hearings, we have had continued high level contacts with Romania, including a visit here by the foreign minister last fall, Secretary Blumenthal's talks in Bucharest in December, Secretary Kreps' delegation there in April of this year.

In early May I headed a delegation which held comprehensive discussions in Bucharest on the Helsinki Final Act. We spent 2 days discussing all aspects of the Helsinki Final Act, including its humanitarian aspects. Obviously, as Senator Heinz mentioned, and as you yourself mentioned, Mr. Chairman, the practices in Romania do not conform with ours or with what we would consider to be full implementation of the Helsinki Final Act.

However, despite fundamental differences in the social, economic, and political value systems of our two countries, we have had very intense discussions which have been held in the spirit of cooperation and understanding. And our experience convinces us that Romania's efforts to work with us are serious and that we do have a degree of influence, to which MFN to some extent contributes.

I would like now to turn to the specific question of emigration, since that is the focal point of section 402, of the Trade Act. As a matter of government policy, Romania does not encourage emigration. This is based both upon national pride and upon the need of national development which requires that citizens remain and work in Romania and contribute to their well-being and eventual prosperity.

However, the Government of Romania has continued to maintain it will cooperate in settlement of cases involving reunification of divided families in a humanitarian manner. We have provided, Mr. Chairman, statistics for you and your subcommittee on Romania's emigration performance.

With respect to emigration to the United States, there has been a continual increase in the period of MFN, and in 1978, a further substantial increase in overall emigration, an increase of 38 per-

cent between 1977 and 1978. However, Romanian emigration procedures continue to be an issue of concern to us.

Individuals applying for permanent departure remain subject to bureaucratic delays and cumbersome requirements. We have emphasized to the Government of Romania the importance of simplifying the requirements to be met by prospective emigrants and the advantage of taking expeditious action. We are hopeful these expressions and our continual dialog with them on this problem will lead to some positive results in the future.

We continue to make clear to the Romanians that we are interested in emigration from Romania to Israel. Unfortunately, the statistics for 1978 indicate a decline from 1,330 in 1977 to 1,144 in 1978. This trend has continued over the first 6 months of 1979. In recent weeks, however, the Romanian Government has approved the departure of 125 persons, and these cases will be reflected in future emigration statistics.

However, the numbers of emigrants to Israel have been declining, and the reasons are complex. The community is declining. We don't know what the actual figure is but we estimate it to be between 40,000 and 50,000 people. We note that of the 400,000 to 450,000 Romanian Jews who survived World War II, about 90 percent have emigrated already to Israel. So we are dealing with the remaining 10 or 15 percent.

Romanian officials have assured us that except for a small number of exceptional cases, all Romanian Jews who wish to emigrate will be permitted to do so. The U.S. Government recently encouraged representatives of the Romanian Government and American Jewish organizations to meet and discuss emigration to Israel. These discussions were fruitful and led to clarification of the Romanian Government's attitude toward Jewish emigration.

We note that as a result of these discussions, the president of B'nai B'rith International, on behalf of the Conference of Presidents of Major Jewish Organizations, submitted written testimony to the House Subcommittee on Trade giving unqualified endorsement to renewal of MFN.

I will not comment extensively on United States-Romanian trade and economic relations. My colleague will do so. I will just note that in 1978, our total trade with Romania grew by almost 35 percent to an aggregate of \$664 million.

With respect to Hungary, I will make a few comments on our general relationship. Following the return of the Crown of Saint Stephen to the Hungarian people in January of 1978 and the extension of MFN later last year, our relations with Hungary have continued to improve and broaden. Our emphasis now is on economic and trade matters. Hungary has indicated serious interest in expanding its trade relations with the United States and is thereby diversifying its economic ties with the United States.

This interest was reiterated just this week by Hungarian Deputy Prime Minister Huszar in talks with the State, Treasury, and Commerce Department officials. We are responding to this expression with interest.

Let me address Hungarian emigration practices. It is also true in the case of Hungary that they do not actively encourage emigration. However, our experience has verified that approximately 90

percent of applicants for emigration for purposes of reunification with relatives are approved without undue difficulty.

Difficult cases are usually resolved as well. There is no particular problem concerning Jewish emigrants, and the numbers are rather small. In 1978 we issued 125 immigrant visas. In terms of problem cases, we have had 36 problem cases over the last 4 years. There are about 8 cases involving 14 individuals which are under discussion now.

Let me turn to our economic relations. I will just mention briefly that the trade agreement came into effect last year. It is too early to tell how it will evolve, but the initial results are quite encouraging. Our exports to Hungary in 1978 totaled \$98 million. Their exports to us were \$68 million, and trade turnover of \$166 million in 1978 was up 32 percent over 1977.

Our embassy in Budapest tells us there is a great deal of interest in Hungary by American businessmen. Dow Chemical has now received permission to open to the first U.S. business office in Budapest, and a major bank will open an office in Budapest this summer. There has been a surge of requests for business visas both ways, and the Hungarians have received permission to open a commercial office in Chicago.

We have also signed an agreement to avoid double taxation. These steps, I think, will facilitate trade between the two countries. The trade agreement, therefore, constitutes a new chapter in United States-Hungarian business relations, but considerable learning by both sides has to take place in business relations.

We have had one important dispute in the field of chemical patents. A number of U.S. chemical firms have raised serious complaints concerning the business practices of Hungarian chemical enterprises involving certain products manufactured by U.S. companies. In June, within the framework of our new Joint Economic and Trade Committee under Assistant Secretary Weil, we held talks in Budapest on this problem and we believe these talks and subsequent talks are leading to progress toward resolution of this issue.

In conclusion, Mr. Chairman, we believe that both the Romanian and Hungarian performance, overall, justifies an extension of the President's authority to waive section 402 of the Trade Act and to continue in effect the waivers for Romania and Hungary.

[The prepared statement of Mr. Nimetz follows:]

STATEMENT OF HON. MATTHEW NIMETZ, COUNSELOR OF THE DEPARTMENT OF STATE

Mr. Chairman: I am pleased to have this opportunity today to testify on behalf of further extension of the President's waiver authority under Section 402 of the Trade Act, including his authority to continue the waivers permitting most-favored-nation (MFN) tariff treatment for Romania and Hungary. The President's waiver authority has proven to be a valuable device for the promotion of U.S. interests, including our interest in freedom of emigration. It has permitted us to broaden our relations with Romania and Hungary.

I am particularly gratified to have this opportunity to appear before you since I visited Bucharest and Budapest in May as the leader of a U.S. delegation which conducted extensive consultations with the Romanian and Hungarian Governments on the implementation of the Helsinki Final Act. These consultations covered the range of issues addressed by the Final Act including military security matters, trade and economic cooperation, and the reunification of divided families and other human rights questions. I personally regard the development of our relations with Romania and Hungary as very important to U.S. interests in Eastern Europe.

Before addressing the two countries in particular, I would like to review briefly the general policy considerations on which our relations with Eastern Europe are based.

In recent years, increasing diversity has come to characterize Eastern Europe. All the Warsaw Pact member states remain loyal to basic Communist ideological tenets and most to Soviet foreign policy positions. But they differ in the patterns of their cultural and social development, in the nuances of their foreign policies, in how they order their economies, and in the amount of personal, religious and intellectual freedom allowed to their citizens. In recognition of these divergences, our general policy is to seek improved relations between the United States and those nations of Eastern Europe which reciprocate a desire for improved relations. We believe that better relations based on principles of mutual advantage will strengthen beneficial ties between East and West, promote the goals of the Helsinki Final Act, and thus contribute to greater respect for human rights and to better living conditions for persons in Eastern Europe.

I would like to emphasize that our efforts to improve relations with Eastern Europe do not imply our approval of the Communist political systems in the countries there. We continue to have profound disagreements with the governments of Eastern Europe over many questions of political freedom and basic human and social values. However, it is important to recognize that the expansion of relations permits us to discuss differences more candidly with their governments. In recent years we have been able to conduct more open and productive exchanges on many topics, including human rights, trade, security and confidence building measures, and other issues embraced by the Helsinki Final Act.

Our relations with Romania and Hungary have evolved significantly during this decade, to the advantage of our nations and peoples. The two countries follow dissimilar domestic and foreign policies. The establishment of nondiscriminatory trade relations with Romania in 1975 and with Hungary in 1978 was a watershed in our relations with both countries. Continuation of MFN tariff treatment constitutes a sound basis for further progress. Were this basis to be removed, our relations with these countries would deteriorate rapidly and significantly.

ROMANIA

We continue to believe that it is in our interest to maintain and develop further the good relations which we have with Romania. These relations were strengthened by the meeting in 1978 between President Carter and President Ceausescu when the two Presidents agreed to maintain a continuing dialogue on a variety of bilateral and multilateral issues. Our paramount interest in keeping this close relationship is based on Romania's considerable independence on foreign policy issues. Over the years, Romania has not shrunk from expressing openly and forcefully points of view which differ from those of its Warsaw Pact allies. While I believe Romania's posture is well known, I would like to point out some of the more noteworthy developments which have occurred over the past year, specifically since last year's MFN hearings.

In August 1978 Romania hosted Chinese Party Chairman and Prime Minister Hua Guofeng, thus further strengthening its ties with China.

In last November, at the Moscow Warsaw Pact Summit Meeting, Romania opposed initiatives which concerned increased military expenditures, consolidation of the Warsaw Pact command structure, and maintenance of a united front against China.

In several speeches in Bucharest upon his return from the Summit Meeting, President Ceausescu made public Romania's stand on the controversial issues and indicated that under no circumstances would Romania permit its military to take orders from other countries.

Romania strongly condemned Vietnam's invasion of Kampuchea, stressing that no country should infringe upon the territorial sovereignty of another.

Alone among Warsaw Pact countries, Romania supported the Israeli-Egyptian peace treaty and U.S. efforts in that area.

Romania continued its efforts to play a constructive role in the Middle East by attempting to bring together countries with differing points of view.

Economically, Romania continued to broaden its ties with the non-communist world. Since 1974 more than half its trade has been with non-communist partners and this proportion has continued to grow.

Romania, as one of the most determined supporters of the concept of European security and cooperation, continued to play an important role in preparations for the Madrid CSCE review meeting in 1980.

Since last year's hearings on the extension of MFN status to Romania, high-level contacts included a visit here last Fall by Foreign Minister Andrei and Secretary

Blumenthal's talks in Bucharest in December. In April 1979 Secretary Kreps led the U.S. delegation to a meeting of the Joint U.S.-Romanian Economic Commission which reviewed bilateral economic and trade relations. In early May, as I indicated earlier, we held comprehensive discussions in Bucharest with Romanian officials on the entire spectrum of issues covered by the Helsinki Final Act. In these discussions, which were candid in the best sense of the word, we were able to cover many humanitarian facets of the Final Act of concern to the American public. Within this framework we encouraged, for example, furtherance of the right of individuals to practice their religion and urged that attention be paid to difficulties reportedly facing churches which suffered earthquake damage.

We also stressed the rights of national minorities to equality before the law and their full opportunity for the enjoyment of human rights and fundamental freedoms. In this regard we had a useful discussion of the situation of ethnic Hungarians and other nationalities in Romania and the importance of their continuing access to bilingual education and cultural expression. Of direct relevance to today's subject we also had extensive discussions of the Basket Three provisions meant "to facilitate freer movement and contact" and especially those sections of the Final Act dealing with family reunification. I will report on facts related to this latter area in greater detail in a few moments.

Obviously the practices in Romania do not conform with ours or with what we would consider to be full implementation of the Helsinki Final Act. However, I am pleased to report that, despite fundamental differences in the social, economic and political value systems of our two countries, all of these discussions were carried out in a spirit of cooperation and understanding, with both sides indicating a willingness to exchange ideas and to consider constructive criticisms in an attempt to find practical solutions to our problems and enlarge the areas of mutual understanding. Our dialogue on these various human rights questions will continue in both a bilateral and CSCE context. Overall, our experience convinces us that Romania's efforts in these fields are serious and that together we have built a solid bilateral relationship in which MFN plays a very useful and important role.

I would like to turn now to the specific question of emigration from Romania. As a matter of government policy, Romania does not encourage emigration. This is based both on national pride and on the needs of national development, which require that citizens remain and work in Romania, thus contributing to the country's well-being and eventual prosperity. However, the Government of Romania has continued to maintain that, consistent with its undertakings in the Helsinki Final Act and with various bilateral commitments, it will cooperate in the settlement of cases involving reunification of divided families in a humanitarian manner.

Mr. Chairman, we have provided statistics for you and your Subcommittee which enable us to assess Romanian emigration performance. As reflected in those statistics, emigration from Romania to the United States has continued to increase during the period in which the waiver has been in effect, rising from 407 in 1974 to 1240 in 1977. In 1978, a further substantial increase in overall emigration occurred. Emigration to the United States rose from 1240 in 1977 to 1706 in 1978, and increase of nearly 38 percent. According to the records of our Embassy in Bucharest, 1585 persons received visas for permanent departure for the United States during the period July 1978-June 1979. This figure represents an increase of 30 percent compared with the same previous period.

It should be noted that a considerable number of those who have been allowed to emigrate from Romania are persons who are not qualified to receive immigration visas for direct travel to the United States because they do not have immediate relatives in the U.S. who can file petitions on their behalf. These people are assisted by our Embassy in traveling to a third country from which they are then processed for entry into the United States as refugees.

We presented our most recent divided families Representation List to the Romanian Foreign Ministry in June. Out of a total of 241 cases, including 563 persons, less than 20 percent have been on the List over a year. Of the 58 outstanding requests for marriage approvals, six cases are over a year old. We have been less successful with respect to cases involving dual nationality, i.e., persons who have valid claims to U.S. citizenship and wish to emigrate. However, examining all of the pending cases, our Embassy estimates that if the present rate of approval continues through the remainder of 1979, as many as three-fifths or more of the cases included in our Lists should be solved this year.

Romanian emigration procedures continue to be an issue of concern for us. Individuals applying for permanent departure remain subject to bureaucratic delays and cumbersome requirements. We have emphasized to the Government of Romania the importance of simplifying the requirements to be met by prospective emigrants,

the advantage of taking expeditious action on emigration requests, and our concerns about reports of economic retaliation and social pressures on those who wish to leave Romania. We are hopeful that our expressions of concern, as well as those of other governments, with regard to procedures will have a positive impact on future Romanian actions in this area.

We continue to make clear to Romanian authorities that we are interested in emigration from Romania to Israel. Unfortunately, statistics for 1978 indicate a decline in the emigration of Romanian Jews to Israel, from 1330 in 1977 to 1144 in 1978. This trend continued over the first six months of 1979. In recent weeks, however, the Romanian Government has approved the departure of 125 persons. These approvals will be reflected in the statistics for the coming months. The factors determining trends in emigration to Israel, remain complex. While it is generally acknowledged that the remaining Romanian Jewish community is small and has a high proportion of aged persons, its exact size is not known, although we estimate it to be in the area of 40-50,000. Nevertheless, regardless of what the actual figure is, it continues to be difficult if not impossible to determine how many Romanians of Jewish origin would depart if they could. Romanian officials have repeatedly assured us that, except for a small number of exceptional cases, all Romanian Jews who wish to emigrate will be permitted to do so. We note that of the approximately 450,000 Romanian Jews who survived World War II, 400,000, or roughly 90 percent, have already emigrated to Israel. Although the largest movement to Israel took place soon after the War, since 1971 nearly 20,000 Romanian Jews have emigrated there. We are not aware of any policy to forbid specifically the emigration of those who remain. On the other hand, Romania does not encourage emigration by any Romanian citizens and the application procedures are far from simple. In the final analysis, we believe that an acceptable level of emigration from Romania to Israel is principally the concern of the two countries involved, although we will continue to keep this matter before the Romanian Government, making clear the interest of this Government in improved performance. Towards this end, the United States Government recently encouraged representatives of the Romanian Government and American Jewish organizations to meet to discuss emigration to Israel. These discussions were fruitful and led to clarification of the Romanian Government's attitude toward Jewish emigration. We note that as a result of these discussions the President of B'nai B'rith International, on behalf of the Conference of Presidents of Major American Jewish Organizations, submitted written testimony to the House Trade Subcommittee giving an unqualified endorsement to renewal of MFN.

Emigration to the Federal Republic of Germany continues to increase. In 1978 over 11,000 Romanians of German extraction emigrated to the Federal Republic. There is also limited but continuing emigration from Romania to other Western countries, including Canada, Italy and France. These numbers are not large in comparison to those going to the United States, the FRG, and Israel, but indicate an effort on the part of the Romanian authorities to be forthcoming in the solution of what they consider to be humanitarian cases.

United States-Romanian trade and economic relations have continued to expand under the U.S.-Romanian Trade Agreement, which was renewed in 1978 for another three-year period. In 1978, our total trade with Romania grew by almost thirty-five percent. U.S. exports reached \$317.4 million and were characterized by a large increase in manufactured goods exports in addition to an increase in our traditionally strong agricultural exports. U.S. imports totaled \$346.6 million with increases in a variety of categories including light manufactures and oil products. Figures for the first five months of 1979 continue to show an upward trend in two-way trade with U.S. exports exceeding imports by \$82 million.

HUNGARY

Following the return of the Crown of Saint Stephen to the Hungarian people in January 1978, our relations with Hungary have continued to improve and broaden. We anticipated that the Crown's return and the mutual extension of MFN tariff treatment would be the capstone of a gradual, significant improvement in relations which had occurred since the late 1960's. We have not been disappointed. Post-war relations of distrust and hostility have been replaced by an atmosphere of mutual respect, candid and forthright discussions and an ability to deal with each other in a businesslike way on a wide variety of issues including topical international ones.

In the process of consolidating and building upon our relations with Hungary, the emphasis now is on economic and trade matters. Hungary has indicated serious interest in expanding its trade relations with the United States and is thereby diversifying its economic ties with the West. This interest was reiterated just this

week by Hungarian Deputy Prime Minister Huszar in talks with officials at the State, Commerce and Treasury Departments. We should be and are responding to these expressions of interest.

The dialogue that we are developing with Hungary, however, has gone beyond economic and trade matters. We have just about reached agreement on a comprehensive program document to implement fully our 1977 Cultural and Scientific Exchanges Agreement. In May we conducted another in a series of comprehensive bilateral reviews of implementation of all aspects of the Final Act of the Conference on Security and Cooperation in Europe. Speaker O'Neill and a distinguished group of Congressmen met with First Secretary Janos Kadar and other Hungarian leaders in Budapest in April. We continue to be able to discuss humanitarian and emigration problem cases productively with the Hungarian Government at various levels.

Let me now address Hungarian emigration practices in some detail. It is true that Hungary has a labor shortage and does not encourage emigration. It is also true that Hungary's emigration law is ostensibly restrictive. However, our experience has verified that approximately 90 percent of applications for emigration for purposes of reunification with close relatives are approved without undue difficulty. With reapplications and some persistence, problem cases usually are favorably resolved, even if only after some time. We have no evidence of official sanctions applied against persons seeking to emigrate. Emigration and passport fees are modest, totaling about \$75 per adult applicant. There is no particular problem concerning Jewish emigration. Demand to emigrate from Hungary appears modest, probably attributable to the country's moderately high standard of living and relatively relaxed internal conditions. The Hungarian Government has indicated that in 1978 less than 2,000 Hungarians applied to emigrate, with intended destinations divided evenly between the East and West. According to Hungarian figures, 90 percent of applications overall were approved and 92 percent of those for persons seeking to go to the United States. (The U.S. Embassy in Budapest issued 125 immigrant visas in 1978.) The Hungarian Government noted in passing that in 1979 more persons returned for residence from the US to Hungary than the other way around. (The returnees are mostly retired persons.)

In the last four years, we have discussed 36 problem emigration cases with the Hungarian Government. The great majority of these have been favorably resolved. When MFN went into effect for Hungary last July, seven problem cases were outstanding. Five have subsequently been favorably resolved. Of course, the number of problem cases outstanding at any one time varies since, as older cases are resolved, new ones come up. At present, there are 8 cases involving 14 individuals under discussion between our two governments. Most of these cases date from earlier this year. We have indications that some of these cases will be favorably resolved in the near future.

I would also like to note Hungary's positive record in the field of travel. Some 4.6 million Hungarians (out of a population of 10.6 million) travel abroad annually. Most go to other Eastern countries, but some 355,000 annually visit the West. The average Hungarian perceives that he can visit the West if he wishes, at least occasionally. This perception undoubtedly plays a role in reducing overall demand to emigrate. Hungary welcomes foreign visitors. Some 17,000,000 currently visit or transit the country annually.

Let me turn now to United States-Hungarian economic relations. The signing of the Trade Agreement in 1978 represented a major step forward in this area. Although it is still too early to draw long-term conclusions about its effects, the initial results are encouraging. U.S. exports to Hungary in 1978 totaled \$98 million while Hungarian exports to the U.S. were \$68 million. Notably, the 1978 trade turnover of \$166 million was up 32 percent from 1977's \$126 million. We expect that agricultural products, particularly corn, soybeans and cotton, will continue to dominate U.S. exports to Hungary. However, sales of U.S. manufactured products such as agricultural and data processing equipment are expected to continue to grow. Hungary's exports to the U.S. are diversified. They include food products, pharmaceuticals, and various manufactured products and parts.

There already is clear evidence that the Agreement is having a favorable influence on U.S. commercial interests in Hungary. Since signing of the Agreement, Dow Chemical has received permission to open the first U.S. business office in Budapest, and the National City Bank of Minneapolis has informed us it will open an office in Budapest this summer. Our Embassy in Budapest has observed a substantial increase in Hungarian business inquiries and in issuance of visas to Hungarian businessmen. Both U.S. and Hungarian business sources have reported to the Embassy that the surge in interest on both sides is in large measure due to the Trade Agreement. Late last year, within the framework of the Trade Agreement, the

Hungarians received permission to open a government commercial office in Chicago. The office is expected to open this summer. In February 1979 the U.S. and Hungary signed an agreement to avoid double taxation which has since been ratified by the Senate. This agreement will further facilitate arrangements for firms doing business in each other's countries.

Hungary ran a large hard currency deficit in 1978 and is trying to correct that situation this year by imposing economic constraints designed to reduce imports. Nevertheless, during the first four months of 1979, U.S. exports to Hungary were somewhat above U.S. exports for the same period of 1978. Hungarian exports to the U.S. were \$7 million higher in the first four months of 1979 than in the same period of 1978.

The Trade Agreement constitutes a new chapter in United States-Hungarian business relations. Considerable learning by both sides is still occurring as to each other's trading practices, possibilities, and styles. One important dispute did arise in the field of chemical patents. A number of U.S. chemical firms have raised serious complaints concerning the business practices of Hungarian chemical enterprises involving certain products manufactured by the U.S. companies. We have stressed to the Hungarian Government the importance of resolving these problems in a timely and mutually satisfactory manner. In June, within the framework of our new Joint Economic and Trade Committee, we held government-to-government talks in Budapest on this problem, which also served as a means for the U.S. companies and Hungarian enterprises to resume their direct discussions. We believe that these talks, which produced an Agreed Minute between the two governments reaffirming earlier commitments for the protection of industrial property rights, have led to substantial progress toward resolution of this issue. In the final analysis, settlement of these problems will depend upon the success of the negotiations between the U.S. and Hungarian firms. We are pleased that these direct negotiations are continuing.

In conclusion, Mr. Chairman, we believe that both the Romanian and Hungarian performance, overall, justify an extension of the President's authority to waive Section 402 of the Trade Act and to continue in effect the waivers for Romania and Hungary. Our ability to continue to develop broad and meaningful contacts with these countries depends to a significant extent on the continuation of MFN. We believe that we can best serve the interests of those who wish to emigrate by maintaining open and close dialogue with the leaders of these two countries. We also serve our own interests by virtue of the expanded trade and economic relations made possible by the continuation of the provisions of our bilateral trade agreements with Romania and Hungary.

In view of these factors, Mr. Chairman, the Administration strongly recommends the extension of the President's authority to waive Section 402 of the Trade Act to continue in effect the waivers for Romania and Hungary, and to permit the extension of future waivers to other countries as circumstances permit.

Romanian immigration to the United States—Monthly totals

[Immigrant visas issued * by Embassy Bucharest]

1977			
January.....	69	August.....	151
February.....	59	September.....	106
March.....	138	October.....	101
April.....	101	November.....	94
May.....	129	December.....	75
June.....	106		
July.....	111	Total.....	1,240
1978			
January.....	78	August.....	118
February.....	100	September.....	170
March.....	67	October.....	246
April.....	99	November.....	191
May.....	124	December.....	206
June.....	122		
July.....	145	Total.....	* 1,666

1979

January.....	77	July.....	
February.....	106	August.....	
March.....	99	September.....	
April.....	67	October.....	
May.....	103	November.....	
June.....	57	December.....	

¹ Includes third country processing, but excludes dual nationals.

² 1706 including dual nationals.

Romanian emigration to the United States—Annual totals

		(Calendar year)	
1968.....	68	1974.....	407
1969.....	142	1975.....	890
1970.....	373	1976.....	1,021
1971.....	362	1977.....	1,240
1972.....	348	1978.....	1,666
1973.....	469	1979 (Jan. to June).....	505

¹ 1706 including dual nationals.

Romanian Jewish immigration to Israel—Monthly totals

1977

January.....	46	August.....	113
February.....	62	September.....	181
March.....	113	October.....	197
April.....	132	November.....	118
May.....	105	December.....	88
June.....	109		
July.....	70	Total.....	1,334

1978

January.....	63	August.....	90
February.....	73	September.....	99
March.....	96	October.....	100
April.....	77	November.....	98
May.....	148	December.....	98
June.....	111		
July.....	90	Total.....	1,143

1979

January.....	31	July.....	
February.....	47	August.....	
March.....	55	September.....	
April.....	60	October.....	
May.....	61	November.....	
June.....	60	December.....	

Romanian Jewish emigration to Israel—Approximate annual totals

1971.....	1,900	1976.....	2,000
1972.....	3,000	1977.....	1,330
1973.....	4,000	1978.....	1,143
1974.....	3,700	1979 (Jan. to June).....	314
1975.....	2,000		

Hungarian immigration to the United States¹—Calendar year totals

1974.....	146	1978.....	125
1975.....	126	1979.....	27
1976.....	127	(Jan. to June).....	36
1977.....	98		

¹ Immigration visas issued by U.S. Embassy, Budapest.

Senator RIBICOFF. On this question of problems between the U.S. chemical companies and the Hungarians, it seems to me that this has been on the table for a long, long time, and I cannot understand why it has not been resolved. We discussed this issue of patents and infringements by the Hungarians at the last meeting we had of this committee last year. A group of us discussed this in Budapest with the highest levels last year. It has been discussed by the Hungarian-American Joint Economic and Commercial Committee, all without success. I do not know how we can talk about expanding international trade if we don't live up to the rules of the game.

Now, it seems to me, Mr. Weil, that the Commerce Department should prepare a written report so the Congress will be properly informed concerning the infringement of rights of American companies. That is the first phase.

Second, it seems to me that there should be an opportunity for section 301 proceedings to be initiated with SDR. So I don't know how we can talk about expansion to the Hungarians when this important issue keeps simmering on the back burner and nothing happens even though there are assurances to our committee that something will happen.

Do any of the four of you want to comment on that particular problem?

**STATEMENT OF HON. FRANK A. WEIL, ASSISTANT SECRETARY
OF COMMERCE FOR INTERNATIONAL TRADE**

Mr. WEIL. Mr. Chairman, that would be the major thrust of what I would like to add to what Mr. Nimetz said. We have a statement of some 18 pages with tables which I would like to submit for the record.

I would like to endorse the conclusion that Mr. Nimetz proposed that the waiver be extended to section 402.

On the question that you just raised, Mr. Chairman, of trying to go forward in both Romania and Hungary as well as the other countries subject to section 402, I think that there are pros and cons to the question of whether renewal from the point of view of trade is to the advantage of the United States.

I recognize the problems with respect to the Hungarian agricultural chemical patent issue. That is a complicated issue and we will address it as you suggest, with an analytical paper for the committee's assistance. It is not a simple matter and there are elements of consideration on both sides of the Atlantic.

On the other hand, Mr. Chairman, if we were at this point to deny renewal, in my opinion this would be disruptive to overall business efforts to expand trade in both countries. If we were to deny the extension of the waiver at this point, it would be inconsistent with our effort to remove trade barriers in general and it would put U.S. firms in general at a disadvantage not only with Hungary and Romania but with other Eastern European countries where our Western European and Japanese competitors do not have such barriers.

While we must continue as we have to make aggressive efforts, with the Hungarians in particular, with regard to the issue you have mentioned, Mr. Chairman, I think we must be careful at the

same time that we do not take an action which would have an unintended consequence.

Very briefly, I would like to point out that I endorse what Mr. Nimetz said. In both Hungary and Romania, despite the problems you refer to, we are making progress across the board, and I think our major objective on the trade side should be to continue that progress at the same time as continuing to keep pressure on trade partners to live up to the rules.

In fact, our Hungarian friends were in Washington this week. We signed a minute flowing out of the meetings we had in June, and while I think all of the details in connection with some of the concerns of the American companies have not yet been concluded, progress is real. And we must not allow, on the one hand, this hearing, and any extension of the waiver to allow our efforts to flag. On the other hand, I think it would be a great mistake, Mr. Chairman, if we denied extension of the waiver because that would almost for sure lock in the behavior we are trying to overcome.

I would like to confine my statement, Mr. Chairman, to what has been submitted for the record.

[The prepared statement of Mr. Weil follows:]

STATEMENT OF HON. FRANK A. WEIL, ASSISTANT SECRETARY OF COMMERCE FOR INTERNATIONAL TRADE

Mr. Chairman, I am pleased to appear before this subcommittee today to speak in support of the Administration's request to extend the waiver authority for Romania and Hungary under Section 402 of the Trade Act of 1974. Extension of the waiver will result in the continuation of most-favored-nation tariff treatment for Romania and Hungary for 12 months, thereby demonstrating our continuing support for the development of trade between the U.S. and these two countries. Furthermore, through these actions we help to sustain the development of close ties between Romania and Hungary and the West.

We shall present the Department's views on the current status of our trade relations with Romania and Hungary as well as the effect which the granting of MFN tariff treatment has had on our two-way trade.

At this point, I wish to state for the record that the Department of Commerce fully endorses the views on emigration regarding both Romania and Hungary expressed here today by my colleague from the Department of State.

UNITED STATES-ROMANIAN TRADE TRENDS

Two-way trade with Romania reached a record high of \$664.0 million in 1978 continuing the steady and impressive growth rate that has characterized our trade since 1970 (see Table 1). Of last year's total, \$317.4 million was U.S. exports and \$346.6 million was U.S. imports. Total trade for the first five months of this year is \$327.3 million and may reach \$800 million by the end of this year. U.S. exports for five months are at \$204.9 million, which is \$80.6 million ahead of last year's rate for the same period. The U.S. trade surplus for this five month period is \$82.5 million.

Romania went from Column II tariff treatment to nondiscriminatory tariff treatment in August of 1975, and then, with respect to a limited number of commodities, to preferential tariff status under GSP commencing in January 1976. An examination of our trade figures (see Table 1) indicates that both imports and exports have followed smooth upward growth paths throughout the 1970's, apart from above-trend deviations in both series in 1974 and a slowing of trade growth in 1977. While 1978 saw a U.S. deficit for the first time, trade figures for the first 5 months of 1979 indicate a strong surge of U.S. exports to Romania and we anticipate that if this trend continues, year-end figures will likely show a U.S. surplus.

We are particularly encouraged by the growth of U.S. manufactured goods exports to Romania which nearly doubled from \$61 million in 1977 to \$119 million in 1978. Principal growth items were: rolling mill equipment, grinding machines, computer parts, oil and gas separation equipment, office machinery and industrial furnace parts (see Table 2). Agricultural trade, which fluctuates from year to year, recovered in 1978 (\$149 million) from a slow year in 1977 (\$118 million). The 1978

figure comprised 47% of total U.S. exports to Romania and consisted primarily of cattlehides, soybeans, corn and cotton.

STATUS OF TRADE RELATIONS WITH ROMANIA

The expansion of our commercial relations in recent years can be attributed, in part, to the efforts of both governments to create a viable framework and favorable atmosphere for the development of trade and economic cooperation.

The United States has taken a number of steps designed to expand U.S. exports to Romania. Since November 1971, Romania has been eligible for trade financing programs of the Export-Import Bank of the United States (except for a short period of suspended activity from January 1975 to August 1975). As of April 30, 1979, Eximbank's total exposure in Romania was \$98.7 million of which \$82.4 million were outstanding direct loans. Eximbank's programs have supported \$290 million worth of U.S. exports to Romania, including \$124.9 million since the implementation of the Trade Agreement.

Similarly, the Commodity Credit Corporation (CCC) plays an important role in the export of U.S. agricultural commodities to Romania. Since 1970, Romania has used CCC credit programs to purchase a total of \$240 million worth of U.S. agricultural products.

Romania has made continuing efforts to integrate its economy into the world economic system and to make its foreign trade system responsive to Western business needs. Romania is currently a member of the General Agreement on Trade and Commerce (GATT), the International Monetary Fund (IMF), and the World Bank (IBRD). Participation in these and other international economic organizations has helped to facilitate Romania's efforts to diversify its trade outside of the COMECON countries. In 1978 approximately 60 percent of Romania's trade was with non-COMECON nations.

Romania has also passed progressive legislation which allows foreign equity ownership in joint companies with Romanian partners and which permits U.S. and other Western firms to open representational offices in Romania. At present 18 U.S. firms or their European subsidiaries have representational offices in Romania.

Our two governments have taken important measures to expand trade and improve economic relations. First, the Joint American-Romanian Economic Commission has met annually to review our bilateral economic and commercial relations and discuss and resolve trade problems. Since its founding in 1973, the Commission's work has been supported by numerous experts meetings, working groups, and working level visits by trade officials of both countries.

The Commission met last in Bucharest in April 1979 and was co-chaired by Secretary of Commerce Krepis and Romanian Deputy Prime Minister Burtica, who along with governmental specialists from both sides, discussed in detail a wide range of issues affecting our economic/commercial relations. These include current trade levels and the potential for future trade, financial matters, the exchange of economic information and data, the importance of adequate business facilities and services for each other's firms and commercial personnel, the development of cooperation activities such as joint ventures and cooperation in third markets, and the importance of contract fulfillment. At the time of the Commission meeting five commercial agreements were signed, valued in total at more than \$35 million:

Grotne Machine Works of Chicago, Illinois to sell the Romanians technology, equipment and technical assistance for manufacturing auto wheel rims;

Marsuda-Rodgers of Los Angeles, California to buy and distribute Romanian automotive components including auto wheel rims;

General Electric to cooperate with the Romanians in the production of variable speed turbines;

UOP, Inc. of Des Plaines, Illinois to sell the Romanians specialized instrumentation and equipment for the petrochemical industry; and

Seatrains Lines, Inc. to cooperate with the Romanians in containerized shipping between the two countries.

Second, since 1969, our two countries have maintained a continuing dialogue on a broad range of political, economic, scientific and cultural issues. This has been especially true regarding economic and commercial matters through the frequent visits to both countries by high-level government officials and working level commercial delegations, as well as by U.S. Congressional leaders concerned with trade issues. The most significant recent high level visit occurred on April 12-17, 1978, when Romanian President Ceausescu visited the U.S. Economic issues were a major topic during President Ceausescu's talks with President Carter, other U.S. Government officials and Members of Congress. During the visit, Presidents Carter and

Ceausescu reaffirmed their commitment to continued improvement of U.S.-Romanian economic and commercial relations.

Third, in the last several years the U.S. and Romania have negotiated and signed a number of bilateral agreements which have broadened the foundation of our trade relations. The most important of these is the U.S.-Romanian Trade Agreement which was signed in 1975 and renewed last year for a three year period. As a result of this agreement MFN was extended to Romania. Other important agreements include agricultural protocols, a maritime agreement, an income tax convention, a fisheries agreement, an air-worthiness agreement, and a long term agreement on economic, industrial and technical cooperation.

Fourth, both governments strongly support the work of the Romanian-U.S. Economic Council which is facilitating increased contact between U.S. firms and Romanian companies and economic organizations and is helping to develop further our trade relations. The Council met on July 16-17 in Washington. We look forward to the Council's important and continuing efforts to expand commerce between our two countries.

EFFECT OF MFN AND GSP TREATMENT ON UNITED STATES-ROMANIAN TRADE

The principal effect of granting MFN and GSP to Romania has been a rapid growth and development in our trade. Total trade turnover has more than doubled since 1975 to \$664 million last year. The United States has become Romania's second leading trade partner in the West, behind West Germany.

While imports from Romania outpaced U.S. exports in 1978 and resulted in a small U.S. deficit, our overall trade relationship is healthy and growing. Through the first four months of 1979 a strong U.S. export performance may indicate a greater willingness to buy from U.S. firms now that two way trade has been brought into near equilibrium during recent years.

In 1978, three of the top four Romanian exports to the U.S. (fuel oil, gasoline and naphtha, and canned ham and pork), accounting for 43.3 percent of total exports, were unaffected by MFN tariff status. On the other hand, some of the top twenty U.S. imports, such as textiles, footwear, steel pipe, and steel bearings (see Table 3) were affected by the lower MFN tariff rates and are in areas where U.S. industry is sensitive to foreign imports. Romania, however, accounts for an extremely small percentage of total U.S. imports in any of these categories. For instance, footwear from Romania in 1978 totaled only 1.3 percent of the total value of U.S. footwear imports. Also, textile products were only 1.1 percent, steel bearings were 1.8 percent, and steel pipe imports were only .9 percent of total respective U.S. imports.

When market disruption questions concerning certain types of textiles and footwear have arisen during the last several years, they have been resolved through either informal consultations or bilateral agreements by which Romania's exports were either restrained or established at mutually agreed upon levels.

Romania, as a developing country, has been eligible for GSP status since 1976 and has made increasing use of this program. Last year Romania exported to the U.S. approximately \$50 million in products which were eligible for GSP. However, only four of the top twenty U.S. imports from Romania benefitted from GSP treatment: furniture, organic chemicals, cheese, and machine tools.

UNITED STATES-HUNGARIAN TRADE TRENDS

Two-way trade with Hungary reached a record high of \$166 million in 1978 continuing the steady and impressive growth rate that has characterized our trade over the past several years (see Table 4). Of last year's total trade some \$97 million or 58 percent was U.S. exports. Total trade for the first 5 months of this year is \$76.8 million and may exceed \$200 million by the end of this year. The U.S. has run a favorable trade balance with Hungary for over a decade with the exception of 1974. This trend is expected to continue.

STATUS OF TRADE RELATIONS WITH HUNGARY

Since signing the U.S.-Hungarian Trade Agreement both countries have worked to establish a firm foundation for our economic relations and to create a favorable climate for the development of trade and cooperation between our countries.

In the past year the United States has taken a number of steps to expand U.S. export to Hungary. In August 1978, President Carter made a national interest determination to accord Hungary U.S. Export-Import Bank facilities. Eximbank is currently concluding an operational agreement with the Hungarian Government and it is expected that the first Eximbank backed credits will be extended by the end of this year. These Eximbank programs will help U.S. firms compete more

effectively against other Western countries wishing to market their products in Hungary.

Similarly, the Commodity Credit Corporation (CCC) has begun to play an important role in the export of U.S. agricultural commodities to Hungary. It used \$5 million in CCC credits for the purchase of soybeans during 1978. Thus far in fiscal year 1979 the use of CCC credits has risen to a total of \$42 million, of which \$38.1 million has been used for soybean meal. The remainder is to be used for cotton.

Working together our two governments have taken important measures to facilitate trade and expand our economic relations. The United States-Hungarian Joint Economic and Commercial Committee was established and held its first session in March. The Committee, which I co-chair, was formed to review bilateral economic and commercial relations and to discuss and resolve trade problems. The Committee provides a valuable link between our two governments in the commercial field. Just recently the Committee mechanism was used to represent the interests of the U.S. agricultural chemicals industry to the Hungarian Government with regard to the protection of industrial property rights (see below). Furthermore, our two countries have maintained a continuing dialogue on a broad range of political, economic, scientific and cultural issues. This has been especially true regarding economic and commercial matters through the frequent visits to both countries by high level government officials and working level commercial delegations, as well as by U.S. Congressional leaders concerned with trade issues.

During the past year, our governments have negotiated and signed other bilateral agreements which continue to broaden the foundation for the development of our trade relations. In late 1978, Hungary became the first developed country to sign a tariff agreement with the U.S. under the Multilateral Trade negotiations (MTN) framework. In February 1979, the U.S.-Hungarian Income Tax Convention was signed in Washington. This Convention facilitates the expansion of bilateral trade and investment through provisions designed to avoid double taxation.

In the private sector we have supported the work of the Hungarian-U.S. Economic Council in facilitating increased contact between U.S. firms and Hungarian enterprises and economic organizations. The Council last met in Chicago in October 1978. We anticipate the Council will continue to make an important contribution to the expansion of commerce between our two countries.

To date two U.S. companies have been given permission to open representation offices in Hungary to facilitate sales of U.S. goods and services and cooperation activities. In the near future other firms are expected to show interest in opening offices in Budapest. Still other American firms are engaged in trade and cooperation activities in which they are establishing a commercial presence. If one firm or another in Hungary. Many firms are negotiating sales, cooperation or joint venture agreements from which we expected substantially more U.S.-Hungarian trade to develop. Among the major commercial arrangements concluded during the past year are:

The Picker Corporation will cooperate with Hungary in the production of medical diagnostic equipment. Picker will supply the components which will be assembled in Hungary.

Pfizer Medical Systems has concluded a three-year agreement with Hungary under which Pfizer will license production in Hungary of computerized X-ray tomographs.

Eaton Corporation of Cleveland has a \$300 million, 10-year cooperation agreement with Hungary whereby Eaton will purchase and distribute Hungarian axles in the U.S. and worldwide, and expects to sell Eaton transmissions and other automotive components to Hungary.

Medimpex, the Hungarian Trading Company for pharmaceuticals, has established a wholly-owned subsidiary in New York to market pharmaceuticals in the U.S.

Action Industries has established a joint venture in New Jersey with the Hungarians to manufacture lightbulbs for the U.S. market. This is the first production joint venture in the U.S. involving an Eastern European country.

Production of Levi-Strauss blue jeans has begun at a Hungarian plant under a five-year cooperation agreement under which Levi-Strauss will buy back 60 percent of the plant's production for sale in Western Europe.

Also, to further develop business with the U.S., the Government of Hungary is opening a branch of its Commercial Office in Chicago.

Certain Hungarian business practices regarding the protection of industrial property rights of foreign firms are of concern to us. Prior to the hearings on the Trade Agreement last summer, we became aware of the problems of the U.S. companies in the agricultural chemical industry and began monitoring, with the National Agricultural Chemicals Association's (NACA) assistance, the U.S. firms' progress in

solving their patent problems. In October 1978, several members of the NACA approached the Commerce Department seeking our assistance in their attempts to reach a commercial solution with the Hungarian chemical manufacturers. At that time the companies asked that we discuss the issue with the Hungarian Government. Shortly thereafter we made our first approach to Hungarian officials and urged a prompt resolution of the problem.

In June we convened a meeting of an Ad Hoc Working Group of the U.S.-Hungarian Joint Economic and Commercial Committee to discuss the issue. We sought a clear understanding that we would only tolerate a trading relationship where fair and ethical commercial relations are the norm. Specifically, we discussed two concerns: (1) the Hungarian shipment of products to third countries infringing industrial property rights of American firms in third countries, and (2) "national treatment" in Hungary regarding the protection of industrial property of our firms. The meeting also provided a forum for both countries' firms and enterprises to sit down privately and start talking again with the backing of each government.

In the meeting we reached a written understanding which would lay the groundwork for resolving the problems of U.S. companies. The Agreed Minute that we initialed reaffirms the commitment to the principles of the Paris Convention and Article V of the Trade Agreement. It emphasizes our agreement to cooperate in promoting the effective protection of and respect for industrial property throughout the world, and concludes with a mutual commitment to the national treatment concept.

In the subsequent meetings, the U.S. companies were able to use the Agreed Minute as a support for their negotiating positions. Originally one company made apparent progress in developing its Hungarian business. Others expressed guarded optimism and noted "cracks in the door" previously closed to them during their private discussions with the Hungarian enterprises. We were encouraged by these initial results. However, subsequent negotiations have failed to resolve the basic third country market issues and we remain concerned about this question. We will continue to utilize this new agreed Government framework to press the Hungarian Government to join with us in demanding strict adherence to the principles it contains.

In conclusion, that we have successfully drawn on the Trade Agreement to have frank and serious discussions with the Hungarians. Both governments committed themselves to resolve these disputes and to develop commercial cooperation. Our commercial relations with Hungary are maturing and the extension of MFN treatment should be continued. I might add that we are proud of this example of industry/Government cooperation in facing a serious problem of U.S. business.

EFFECT OF MFN ON UNITED STATES-HUNGARIAN TRADE

To date the most important effect of MFN has been to normalize U.S.-Hungarian trade relations and to lay the foundation for future growth. Although total trade increased by \$40 million in 1978, MFN status was in effect for only the last six months, and it is still too soon to assess the impact of MFN on U.S.-Hungarian trade.

Preliminary indications, based on first quarter information for 1979 point to a rise in U.S. manufactured goods exports (\$18.6 million compared with only \$7.2 million during the same period in 1978.). We expect overall trade to increase substantially in 1979 and that a U.S. trade surplus with Hungary will be maintained.

CONCLUSION

Extension of the waiver authority for Romania and Hungary under Section 402 of the Trade Act is in our national interest. It permits the continuation of MFN for these two countries and is an important element of both the U.S.-Romania Trade Agreement and the U.S.-Hungarian Trade Agreement to remain in force. The waiver is also needed to continue both the Eximbank financing and CCC credit programs for Romania and Hungary. Thus, extension of the waiver authority will accelerate the development of U.S.-Romanian and U.S.-Hungarian economic and commercial relations and support the expansion of economic cooperation between our countries on a firm and enduring basis.

TABLE 1.—UNITED STATES-ROMANIAN TRADE, 1972-78

(In millions of dollars)

	1972	1973	1974	1975	1976	1977	1978	January to May 1979
U.S. exports	69.1	116.5	¹ 277.1	189.3	249.0	259.4	317.4	204.7
Agricultural	45.7	73.8	156.5	101.1	171.6	188.3	148.5	137.7
Manufactured	18.5	31.7	² 108.5	57.6	49.2	61.0	118.9	33.4
Other	4.9							
U.S. imports	29.2	55.6	³ 130.5	133.0	198.8	233.3	346.6	122.9
2-way trade	98.3	172.1	407.6	322.3	447.8	492.7	664.0	327.6
Trade balance	+39.9	+60.9	+146.6	+56.3	+51.0	+26.1	-29.2	+81.8

¹ Unusually high 1974 export figure is attributable to grain and aircraft sales.² Includes \$47.8 million of nonmilitary aircraft and parts.³ Includes \$53.6 million of coal.⁴ Imports of petroleum products rose from \$15.8 million in 1973 to \$80.2 million in 1974. They remained at about the \$80-\$90 million level from 1974-78.

TABLE 2.—1978 TOP 20 U.S. EXPORTS TO ROMANIA

(In millions of dollars)

	1976	1977	1978	January to May 1979
1. Cattle hides	26.6	26.7	52.2	17.7
2. Soybeans	45.3	38.6	40.8	57.0
3. Coal	10.7	53.6	32.4	21.0
4. Corn	7.5	15.8	22.7	43.5
5. Rolling mill equipment	0	1.7	18.4	0.2
6. Grinding machines	0.2	1.7	16.0	0.0
7. Cotton	0	12.2	13.5	3.8
8. Phosphate rock	6.8	14.9	11.0	5.3
9. Grain sorghums	18.1	5.1	9.8	0.0
10. Soybean oil cake	17.7	9.	8.6	14.5
11. Oil and gas separation equipment	0.1	0.2	8.3	0.0
12. Office machinery and computer parts	2.9	4.1	8.3	3.5
13. Machine tool parts	1.9	0.1	8.3	¹
14. Measurement instruments	6.7	6.8	5.9	1.3
15. Steel plate, tinned	12.8	6.1	5.9	0.5
16. Chemical woodpulp	9.4	11.2	5.3	3.0
17. Computer peripherals	0.5	2.3	3.8	1.5
18. Molding and forming machine parts	0	0	3.3	0.2
19. Industrial furnace parts	¹	1.3	2.9	1.4
20. Diesel engine parts	1.5	1.2	2.9	0.3
Subtotal	168.7	213.0	280.3	174.7
Total U.S. exports to Romania	249.0	259.4	317.4	204.7

¹ Negligible.

TABLE 3.—1978 TOP 20 U.S. IMPORTS FROM ROMANIA

[In millions of dollars]

	1976	1977	1978	January to May 1979
1. Fuel oils.....	79.3	55.3	48.6	0.0
2. Gasoline.....	2.6	18.5	44.8	23.0
3. Footwear.....	17.8	20.4	35.2	10.2
4. Canned ham and pork.....	13.0	14.8	21.5	7.1
5. Steel plate and sheet.....	1.3	4.5	14.6	1
6. Women's girls' outerwear.....	2.8	7.4	13.2	3.4
7. Knit shirts.....	3.7	5.6	12.2	2.7
8. Iron and steel tubes and pipes.....	0.2	6.8	11.4	2.1
9. Furniture.....	4.1	6.7	11.3	3.3
10. Knit outerwear.....	3.5	4.9	10.4	3.0
11. Miscellaneous glassware.....	4.4	5.2	8.9	3.5
12. Tractors.....	2.8	7.4	8.1	3.0
13. Carpets.....	1.7	4.1	7.5	3.2
14. Aluminum sheets and plates.....	1.2	0.9	7.2	4.5
15. Organic chemicals.....	4.6	3.3	7.2	1.2
16. Ball bearings.....	0.7	4.2	6.9	2.9
17. Ordinary glass.....	4.7	0.9	5.2	2.3
18. Men's, boys' outerwear.....	0.3	1.0	4.2	1.5
19. Cheese.....	1.7	2.3	3.9	1.5
20. Machine tools.....	1.4	3.1	3.5	1.3
Subtotal.....	161.8	177.3	285.8	79.7
Total U.S. imports from Romania.....	198.8	233.3	346.6	122.9

* Negligible.

TABLE 4.—UNITED STATES-HUNGARIAN TRADE, 1973-78

[In millions of dollars]

	1973	1974	1975	1976	1977	1978	January to May 1979
U.S. exports.....	32.8	56.2	76.1	63.0	79.7	97.7	39.0
Agricultural.....	20.6	37.1	40.5	22.4	33.9	52.7	13.3
Manufactured.....	12.1	17.9	35.3	40.0	44.8	44.2	25.4
Other.....	0.1	1.2	0.4	0.6	1.0	0.8	0.3
U.S. imports.....	16.4	178.4	34.6	49.0	46.6	68.5	38.1
2-way trade.....	49.2	131.6	110.6	112.0	126.3	166.2	77.1
Trade balance.....	+16.4	-19.2	+41.4	+14.0	+33.1	+29.2	+0.9

* Unusually high 1974 export figure is attributable to \$50.6 million of gold coins.

TABLE 5.—1978 TOP U.S. EXPORTS TO HUNGARY

[In millions of dollars]

	1976	1977	1978	January to May 1979
1. Soybean oil, cake and meal.....	14.5	12.3	32.4	7.6
2. Agricultural and dairy machinery.....	1.6	11.1	12.9	1.4
3. Corn.....	0.4	8.6	12.4	0.4
4. Concentrated superphosphate.....	13.6	8.5	5.8	8.6

TABLE 5.—1978 TOP U.S. EXPORTS TO HUNGARY—Continued

[In millions of dollars]

	1976	1977	1978	January to May 1979
5. Tractor and motor vehicle parts.....	5.5	6.0	5.5	1.6
6. Cattle hides.....	3.5	4.3	4.2	3.0
7. Measuring and controlling instruments.....	0.9	2.3	2.7	1.0
8. Glass.....	1.4	1.5	2.4	1.0
9. Computer parts.....	1.9	2.6	1.5	0.3
10. Corticosteroids and other analgesic drugs in bulk.....	'	0.2	1.4	0.8
11. Live cattle.....	0.5	2.9	1.2	0.0
12. Antibiotic drugs.....	0.3	0.7	1.1	0.4
13. Parts of construction and mining machinery.....	0.2	0.5	1.1	0.2
14. Machine tool parts.....	'	0.8	0.7	'
Subtotal.....	44.3	62.3	85.3	26.3
Total U.S. exports to Hungary.....	63.0	79.7	97.7	39.0

' Negligible.

TABLE 6.—1978 TOP 20 U.S. IMPORTS FROM HUNGARY

[In millions of dollars]

	1976	1977	1978	January to May 1979	Approximate percentage points of tariff drop
1. Canned ham and pork.....	19.8	20.0	26.4	7.9	—
2. Footwear ¹	0.5	1.9	6.4	1.0	15
3. Tractor and motor vehicle parts.....	6.7	4.0	5.7	8.1	—
4. Lightbulbs ¹	3.9	4.1	5.6	3.5	16
5. Opium alkaloids and compounds ¹	0.5	3.8	3.7	0.8	38
6. Rubber tires ¹	2.3	1.8	2.8	1.5	6
7. Paprika.....	0.6	1.3	1.6	1.3	—
8. Manual typewriters.....	0.1	0.3	1.6	1.3	—
9. Cheese ¹	0.2	0.4	0.9	1.2	25
10. Bacon, uncanned ¹	0	0	0.9	1.2	38
11. Glass.....	0.8	0.5	0.8	0.3	53
12. Men's and boy's outerwear ¹	0.1	0.3	0.8	0.8	33
13. Organic chemicals.....	'	'	0.8	1.6	—
14. Glassware ¹	0.8	0.7	0.7	0.3	37
15. Wine ¹	0.5	0.5	0.7	0.4	70
16. Corn seed ¹	1.0	0.1	0.7	0.6	76
17. Machinery for assembly of electric dis- charge lamps ¹	0	0	0.6	0	30
18. Air mattresses and related articles ¹	0.5	0.3	0.5	0.1	19
19. Whiskbrooms.....	0.4	0.4	0.5	0.2	—
20. Parts for data processing machine ¹	0	0.1	0.5	0.2	30

¹ Most favored nation.

' Negligible.

Senator RIBICOFF. Do you two gentlemen want to add something special before we ask general questions?

**STATEMENT OF STEPHEN L. LANDE, ASSISTANT SPECIAL
TRADE REPRESENTATIVE, OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS**

Mr. LANDE. Under your guidance, Mr. Chairman, I have reviewed my statement and can confirm that a large part of it was said last year, and therefore I will simply insert it for the record.

The only new element in the statement concerns the fact that we have reached agreements with Romania and Hungary in the context of the multilateral trade negotiations. On a bilateral basis, the United States actively negotiated with Hungary and Romania within the framework of the MTN. We concluded a bilateral agreement last fall in Budapest with Hungary, and I believe you were there for the signature of the agreement which is designed to reduce existing tariff barriers between the two countries.

The agreement provides for duty reduction on two-way trade, currently valued at an estimated \$30 million. Hungary also responded favorably to various nontariff measure requests of the United States, tabled in the multilateral trade negotiations. Of particular significance is the Hungarian decision to eliminate its quota on imports of consumer goods over the next 5 years.

In March of this year, the United States and Romania reached a bilateral agreement on tariff concessions to be offered to Romania by the United States. These concessions cover some \$9 million in 1976 trade. Romania has provided reciprocity for U.S. tariff concession in the form of responses to U.S. nontariff requests tabled in the MTN.

These responses should facilitate increased opportunities for U.S. exports to Romania as well as to simplify some of the problems U.S. businessmen currently face in concluding business transactions with Romanian authorities.

Both Romania and Hungary have signed the protocol finalizing the negotiations of the nontariff measure codes, and we expect both Romania and Hungary to adhere to a large number of the codes concluded in the multilateral trade negotiations.

Thank you very much.

[The prepared statement of Mr. Lande follows:]

**STATEMENT OF STEPHEN L. LANDE, ASSISTANT SPECIAL TRADE REPRESENTATIVE,
OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS**

Mr. Chairman and Members of the Subcommittee: It is a pleasure for me to testify before this Subcommittee this morning in support of the President's request to extend the emigration waiver authority for Hungary and Romania under Section 402 of the Trade Act of 1974. We share the views expressed by the Departments of State, Commerce, and Treasury with respect to freedom of emigration and the trade benefits accruing from our bilateral trade agreements with Hungary and Romania. We believe the extension of the specific waivers for Hungary and Romania will allow the United States to continue to expand and improve the bilateral economic and political relationships which have been established with these countries.

Today I would like to focus very briefly on a few trade issues concerning Hungary and Romania.

United States trade with Hungary and Romania has seen a marked increase in recent years. With respect to Hungary, two-way trade has increased by more than 50 percent since 1975. In 1978, total two-way trade reached a record level of \$166.2 million, an increase of 32 percent over the 1977 level. \$97 million, or 58 percent of this total was accounted for by U.S. exports. For the first five months of 1979 total trade has reached \$76.8 million and may well exceed \$200 million by the end of the year.

The U.S. has enjoyed a favorable trade balance with Hungary for over a decade with the exception of 1974. Although it is still too early to accurately measure the increase in our two-way trade as a result of the entry into force of the U.S.-Hungarian Trade Agreement and the reciprocal extension of most-favored-nation (MFN) status last July, two-way trade for the first five months of 1979 has risen 22 percent over the comparable pre-MFN period in 1978. It is expected that this increase will continue throughout 1979 and the U.S. will continue to enjoy a favorable balance in its trade with Hungary.

In the case of Romania, total two-way trade has also risen at a steady rate of growth. Total two-way trade has grown from \$64.5 million in 1971 to \$664 million in 1978, an increase of nearly tenfold. Since Romania received MFN status in 1975, two-way trade has more than doubled from \$332 million. Total trade for the first four months of 1979 is \$225.6 million and may reach \$800 million by the end of the year.

While the U.S. experienced a deficit (\$292.2 million) in 1978 for the first time in its trade relationship with Romania, the U.S. is currently running a trade surplus of \$82.5 million with Romania though the first five months of 1979. U.S. exports are up nearly \$81 million as compared to the same period a year ago.

As I pointed out last year in testimony on this same subject, the development of our bilateral trade with Hungary and Romania has paralleled the development of closer political ties and, in addition to the tangible commercial benefits derived, has helped cement improved political relations. As Hungary and Romania have expanded their economic dealings with the United States (and other Western nations for that matter), they have placed an increasing degree of importance on maintaining improved political relations with the United States. The greater the integration of Hungary and Romania into the international trading system, the greater their interest in improving relations with the United States across the board. A fundamental premise in approaching expanded trade relations with Hungary and Romania therefore is that, quite apart from the commercial benefits involved, there are important political benefits from encouraging fuller participation in—and reliance upon—the international trading system.

An excellent example of the acceptance by Hungary and Romania of an increased role in the international economic system and their desire for the increased trade benefits resulting from that role is the participation of both countries in the recently concluded Tokyo Round of Multilateral Trade Negotiations (MTN). Hungary has participated actively in the negotiation of several of the nontariff measure codes contained in the final MTN package and is expected to formally adhere to a number of them when they are opened for signature. Romania, although not participating actively in the negotiation of the codes, has associated herself with a number of the codes and is currently studying them with regard to formal adherence.

On a bilateral basis, the United States actively negotiated with Hungary and Romania within the framework of the MTN and successfully concluded agreements which should strengthen U.S. trade relations with both nations, as well as expand opportunities for U.S. exporters to do business in both countries. Last fall, the United States and Hungary concluded a bilateral agreement on tariff matters designed to reduce existing tariff barriers between the two countries. The agreement, as currently constituted, provides for duty reductions on two-way trade currently valued at an estimated \$30 million. Hungary has also responded favorably to U.S. non-tariff measure (NTM) requests tabled in the MTN. Of particular significance is Hungary's decision to eliminate its quota on imports of consumer goods in its next 5 year plan.

In March of this year, the United States and Romania reached a bilateral agreement on tariff concessions to be offered Romania by the United States. These concessions cover some \$9 million in 1976 trade. Romania has provided reciprocity for U.S. tariff concessions in the form of responses to U.S. nontariff measure requests tabled in the MTN. Though difficult to quantify in trade terms, these nontariff concessions should have a very positive effect on U.S.-Romanian trade. They should facilitate increased opportunities for U.S. exports to Romania as well as simplify some of the problems U.S. businessmen currently face in concluding business transactions with Romanian authorities.

In conclusion, I should emphasize that the extension of MFN treatment to Hungary and Romania was the result of a carefully considered policy. A major premise on which this policy was based—that the integration of Hungary and Romania into the world trading system creates an interest in improving relations with the West and that expanded trade will bring tangible benefits to U.S. commercial interests—remain valid. The prospects for both fuller participation by Hungary and Romania in the international trading system and for the satisfactory development of trade

opportunities are good, as evidenced by the active participation of Hungary and Romania in the MTN.

Failure to continue the extension of MFN to Hungary and Romania would deliver a major setback to these policy objectives. For these reasons, the Office of the Special Trade Representative strongly urges the continued extension of the waiver authority of Section 402(c)(1) of the Trade Act of 1974.

STATEMENT OF GARY C. HUFBAUER, DEPUTY ASSISTANT SECRETARY OF THE TREASURY FOR TRADE AND INVESTMENT POLICY

Mr. HUFBAUER. Senator, I can be the soul of brevity. The Treasury Department warmly endorses the extension of the waiver.

I would note that on Tuesday, July 17, the Export-Import Bank signed an agreement in Budapest that will open the way to Eximbank loans for Hungary.

I will be pleased to answer questions.

— [The prepared statement of Mr. Hufbauer follows:]

STATEMENT BY GARY C. HUFBAUER, DEPUTY ASSISTANT SECRETARY OF TREASURY FOR TRADE AND INVESTMENT POLICY

Mr. Chairman, I am pleased to join in support of the President's request to extend the emigration waiver authority for Romania and Hungary under Section 402 of the Trade Act of 1974. The Department of the Treasury endorses the President's determination that further extension of the emigration waiver authority for Romania and Hungary will substantially promote the objectives of Section 402. The waiver authority permitted us to sign bilateral trade agreements with Romania and Hungary in April 1975 and March 1978, respectively, thereby laying the basis for growing trade and closer relations. Continuation of this authority will provide a basis for future expansion and improvement of bilateral relations with other countries, subject to the provisions of Section 402.

Extension of the waiver is necessary for Romania and Hungary to continue using official U.S. Government financing for imports from the United States. Officially-supported export trade finance has been one of the mechanisms used by governments to encourage exports, particularly in this era of aggressive export competition among the industrialized countries. In the absence of the waiver, the Export-Import Bank would be unable to make loans or guarantees, and U.S. exporters would thus operate at a competitive disadvantage. Commodity Credit Corporation (CCC) credits, which have been instrumental in increasing U.S. agricultural exports, particularly to Romania, also cannot be extended without the waiver. Both forms of financing greatly benefit U.S. exporters, and ultimately the United States' balance-of-payments position.

To be able to earn hard currency, Romanian and Hungarian exporters must have access to Western markets. If the United States does not continue to facilitate access to U.S. markets through most-favored-nation tariff treatment for Romanian and Hungarian products, the U.S. may lose potential exports to these countries. The President's waiver will enable us to continue extending MFN, thereby enhancing the ability of Romania and Hungary to earn hard currency, which they can use to purchase American goods.

ROMANIA

When Secretary Blumenthal, acting at the request of President Carter, visited Romania last December, he underscored the importance which our two nations attribute to closer U.S.-Romanian ties. We believe that is in our national interest to encourage Romania's independent policy orientation through further expansion of bilateral relations. Extension of the waiver for Romania will foster improved relations and promote the objectives of Section 402 of the Trade Act.

The expansion of our commercial relations in recent years can be attributed to the efforts of both governments to construct a viable framework and favorable atmosphere in which trade and economic cooperation can develop. The U.S.-Romanian Trade Agreement is one joint effort which has contributed substantially to the growth of bilateral trade. Total trade turnover has grown from \$322 million in 1975, which was four times the value of trade in 1970, to a record \$664 million last year. The U.S. maintained a positive trade balance during the years prior to 1978, and

recent data reveal a U.S. trade surplus of \$82.5 million for the first five months of 1979.

Aided by official financing, American exports to Romania for the first five months of this year are \$80.6 million ahead of the same period in 1978. The Commodity Credit Corporation (CCC) has extended \$110 million in credits in fiscal year 1979, compared to only \$23 million in 1978. Eximbank exposure in Romania (as of March 31, 1979) is about \$100 million. The few instances of threatened market disruption from Romanian imports have been resolved.

We are aware of Congressional concern regarding a Romanian decree which sets arbitrary limits on compensation for confiscation of U.S. property in Romania. The Administration shares these concerns. We are pleased to note that two cases involving this decree were effectively resolved earlier this year with the payment of compensation to American claimants. The U.S. Government has presented five additional cases to the Government of Romania and has received assurances that processing of these and the one outstanding case will continue.

HUNGARY

The Administration vigorously supports the expansion of American-Hungarian economic and commercial contacts, which have been facilitated by the bilateral trade agreement. We believe that these contacts will serve to encourage an independent Hungarian foreign and economic policy. In February of this year, Secretary Blumenthal and the Hungarian Finance Minister signed a bilateral tax treaty which, having been ratified by the Senate, will enter into force once the countries notify each other that the treaty has been approved. The tax convention will encourage further economic and cultural exchanges by clarifying tax rules, reducing taxes at source, avoiding double taxation, and providing for administrative cooperation in implementing the treaty.

The notable increase in total U.S.-Hungarian trade over the past decade illustrates the potential for mutually beneficial economic and commercial cooperation. U.S.-Hungarian trade turnover was a mere \$11 million in 1967. Trade has increased steadily since that time (with the exception of 1975), and reached a high of \$166 million in 1978. Throughout this period of expanding trade, the United States has consistently sustained a positive annual trade balance.

Last summer, the Treasury Department initiated an investigation under the Antidumping Act of lightbulbs imported from Hungary and allegedly sold in the U.S. at less than fair value. The International Trade Commission determined in September that there was no reasonable indication of injury, or potential injury, in the United States caused by these Hungarian imports. Consequently, the Treasury terminated its investigation. Since that time, Action Industries, the U.S. importer of Hungarian lightbulbs, has begun to manufacture lightbulbs domestically in a joint venture production arrangement. The operation is the first production joint venture in the United States with participation by an East European firm.

Although Hungary is more self-sufficient in agriculture than other East European countries, CCC credits are playing an increasingly important role in our bilateral trade. In fiscal year 1979, \$42 million in CCC credits were made available to Hungary to finance agricultural sales, principally of soybean meal and cotton. These credits could encourage Hungary to purchase other U.S. agricultural commodities. Eximbank is hopeful that it can commence financing Hungarian industrial projects later this year.

In conclusion, Mr. Chairman, I believe that a one-year extension of the Presidential waiver for both Romania and Hungary will serve our national interest.

Senator RIBICOFF. I have met with a group of Hungarians from the State of Connecticut who are deeply concerned with the problems of the Hungarian minority in Romania, and there are so many problems that they raised that I think are worthy of a response. I think the same questions were raised last year and nothing much has happened in a year.

I would like to find out from you especially, Mr. Nimetz, the following: Why cannot churches in the United States send money directly to churches in Romania? Does going through the government impede money from reaching the churches?

Mr. NIMETZ. Mr. Chairman, this is something we have looked into. We have had a dialog with the American-Hungarian organiza-

tions, and I personally, when I went to Bucharest in May, discussed with the Romanian authorities this question of churches. We have also sent members of our Embassy not only to talk to the Romanians but to actually go to various churches and talk to the parish priests.

The question arises from earthquake damage and funds sent. What we have found is, in most cases, the funds which came from abroad were delivered to the church authority. Repair of the churches has gone forward, and we have been in contact with both church authorities and Romanian authorities to continue to look into this. But we have not seen any diversion of the funds and we have, in fact, seen considerable repair of churches in Romania, including the Hungarian churches.

Now, this is of concern to American Hungarians. It is something our Embassy is attuned to. And, as I have said, I understand we have actually photographed some of the churches to show that the damage is being repaired.

Senator RIBICOFF. Do you have copies of those photographs?

Mr. NIMETZ. I can get some for you. I will have to check with our Embassy.

Senator RIBICOFF. I would like to see those photographs, and I think a panel of people from the Hungarian-American community of Connecticut and the Human Rights Commission of the United Church of Christ and the Human Rights Commission of the World Reform Presbyterian Alliance of North America ought to take a look at that. They have questions.

They cannot make an ascertainment. Last year I asked George Vest to get this information, and I would certainly feel you should make this available to the committee so that we can show these. If there is a proper assurance, I think the Hungarian community should take a look at it.

Mr. NIMETZ. We consider this a legitimate matter of interest to American organizations. I should add the religious communities in Romania under a Communist form of government do not have the type of freedoms we have, and there is governmental supervision of religious organizations.

Senator RIBICOFF. Are they being treated the same as Romanian religious organizations or is there a prejudice against them because they are a Hungarian minority?

Mr. NIMETZ. No; this is something of concern to us. Our assessment is that the Romanian Orthodox Church, which is the traditional largest church in Romania, may have slightly favored treatment, but we have seen no evidence of outright discrimination against Hungarian Catholics or Hungarian Protestant organizations. There are approved religious organizations and there are certain organizations that are not approved. Of course, they have more difficulty.

Senator RIBICOFF. Are educational opportunities for ethnic Hungarians the same as educational opportunities for all Romanians?

Mr. NIMETZ. Our assessment is that in general, people have the same opportunity. The problem is whether Hungarian language opportunities are equivalent. And although there are Hungarian language schools and Hungarian language universities, it is fair to say that certainly in advanced work it is not possible to do the

same thing in the Hungarian language that you can do in the Romanian language.

In the Helsinki Final Act there is a provision about the right of national minorities to cultural identity, and this is something that in the context of the Helsinki Final Act we have raised with the Romanians. On the other hand, as you know, Senator, bilingual education is a difficult matter even in this country. A member of the other House asked me whether there were any medical schools in Romania teaching medicine in the Hungarian language. Well, I was not sure that there were many medical schools in the United States that teach medicine in other languages, although we have many linguistic minorities here.

Romania is a poor country and it is not always possible to do things in a bilingual way. This is something we monitor, and the concerns of the American-Hungarian community about their colleagues and friends in Romania are of interest to us and we will continue to have a dialog with the Romanians about this matter.

Senator RIBICOFF. But are there efforts to suppress the Hungarian language? After all, in Transylvania you have 2.5 million Hungarians. What is the total population of Romania?

Mr. NIMETZ. 20 million.

Senator RIBICOFF. 20 million. Well, you have got a little more than 10 percent in just one section of the country, Transylvania, and I would imagine that must be the overwhelmingly dominant language and ethnic group in that section of the country.

Is the Hungarian language allowed to be used completely in Transylvania?

Mr. NIMETZ. People from our Embassy have traveled extensively in Transylvania and I have read their reports. There is open use of Hungarian. In fact, I was in a city, Brasov, and I just went into the bookstore to look around myself. I didn't have any guide, and there was a Romanian section, a Hungarian section, and a German section. There are many Germans in certain cities there. And Hungarian is used widely.

There are problems, though. We have had some complaints by Hungarians that what they tend to get are Romanian books translated into Hungarian rather than books from Hungary, for example, of more traditional Hungarian literature. There are questions whether, at the highest levels in government, at the highest levels in the professions, the Hungarian language is as prevalent or whether there is some subtle discrimination.

There are other problems, Mr. Chairman. A new factory is set up. New people come in. Some of them speak Romanian and some of them speak Hungarian. The language tends to be Romanian. It is the national language. It is the language of the overwhelming majority of the people. I think this is something which is of interest to us. We don't see any evidence of an attempt to eradicate the Hungarian language or culture. What we do see is a nationalist government trying to keep the unity of the country and promote the use of one language.

This is not something that we consider to be a denial of human rights. We think if a country has a language, as our country does, it is a matter of national policy whether you want people to be

educated in one language without, of course, being offensive to the minority interests.

Senator RIBICOFF. Let me ask you the final question. Does a Hungarian minority have a means of representing its grievances to the central government, and what is the status of the Hungarian Nationalities Workers Council?

Mr. NIMETZ. I can give you a response to that. In most of the Hungarian organizations, in their parliament, in their party structure, they tend to keep the percentages in terms of nationality pretty much in accordance with the population, and they always point that out to us.

You will find a certain percentage Hungarian and a certain percentage German speaking, and then others such as Jews. But it is a Communist system, as you know, and they do not have organizations, independent organizations that can go and lobby and push. It is done within a rather structured system where there is control from the top.

It is not a democratic system where a lot of groups argue and move around and try to get the best for themselves. It is a structured Communist system.

Senator RIBICOFF. But do the Hungarian representatives in their governmental bodies have the right to talk with the executive branch, so to speak, when there are grievances?

Mr. NIMETZ. Oh, yes. There are and have been Hungarians in the cabinet, and, I think, at the highest levels of the Communist Party. I do not think there is a problem of Hungarians being excluded. The question raised by the Hungarians that we talk to here is: Are the Romanian Hungarians being allowed to have their culture flourish?

Transylvania was a home for Hungarians for 800 or 900 years, and they feel that that is a part of their heritage. And it is, I think, more a cultural problem than a problem of discrimination.

Senator RIBICOFF. Senator Heinz.

Senator HEINZ. Thank you, Mr. Chairman.

Mr. Nimetz, as I think you are well aware from your remarks on page 9 of your statement, Romanian-Jewish migration to Israel has plunged dramatically from a rate of some 250 to 350 monthly in the early 1970's to a mere 50 monthly this year.

Now, administration spokesmen have always told this committee that they were transmitting their concern to Bucharest. My question, Mr. Nimetz, is: Is there no way in which the United States might improve the situation by a firmer hand in Bucharest? After all, the Jackson-Vanik amendment was not intended to apply to only would be emigrants to the United States.

Mr. NIMETZ. You are right. This is something always on the top of our agenda. As I mentioned, we have had intensive discussions with Romanians on this, and the Jewish organizations themselves have had extensive discussions over the last month with Romanian authorities. On the basis of those discussions, Romanians have clarified their policy toward Jewish emigration and the procedures they are going to use. This has satisfied the major Jewish organizations.

In the House several weeks ago, on the basis of those discussions, they testified in favor. Let me tell you our problem. The United

States of America does not control emigration to third countries, to Israel, for example. With respect to people who want to emigrate to this country, we have certain procedures. We know who they are. We develop a list. We go in and present a list.

The Israeli Government has relations with Romania, as you know. Romania is the only Warsaw Pact country that has a relationship with Israel and a good relationship. Emigration to Israel is a third country situation, so it is not easy for us to interfere. That is problem No. 1. Problem No. 2 is we do not know what is the desire of the Romanian Jewish community.

I mentioned in my statement that after the war there were about 450,000 Jews left in Romania. About 400,000 of them have gone to Israel, so you are dealing with the last 10 percent. Now, there are about 40,000 Jews, 40,000 to 50,000, left in Romania. About half of them, we estimate, are over 65. They have lived in Romania all their lives. They have pensions. They probably do not speak Hebrew. They may not want to go.

We do not know how many want to go, and this is one of the problems that the Jewish organizations have discussed with the Romanian authorities. We have received from the Romanian authorities assurances that if there are any Jews who want to emigrate to Israel, they can go. And they always ask us: Do you know of any? We don't have the names of any, and this is one of the problems.

Senator HEINZ. Mr. Nimetz, the problem with your answer to me is that on the one hand, there has been a spurt of Romanian migration to the States, while there has been a reduction to a trickle to Israel. That change remains unexplained by what you have just said.

Mr. NIMETZ. You know, the greatest spurt has been to the Federal Republic of Germany. There are now 11,000 Romanian Germans leaving every year to Germany. There were none before. People like to emigrate to the United States. There are family relationships. Some of these are Jews.

I don't know the percentage of Jews who emigrate to the United States, and I would not say there were a lot, but if a Jew in Romania or a Catholic or Protestant has a relative in the United States, they might prefer to come here. So we have been very actively pursuing this. As the number of Jews declines in Romania, there are bound to be a reduction in the number emigrating.

If you go from 450,000 to 40,000 and you still have 1,000 or 2,000 a year leaving, eventually there are probably some Romanian Jews who will stay for family reasons. They like Romania. They have good jobs. They are Communist, perhaps. So I think we are dealing with a problem, but a problem that has to be handled sensitively over the next 3 or 4 years to resolve this problem. I think it is a resolvable problem.

And without denigrating these open hearings, it is something that has to be worked at in a very sensitive way between Romanians, the Israelis, private organizations, and our help, which has been considerable.

Senator HEINZ. Well, putting aside statistics for a moment, our information is—and I think it is the same as yours as I read your testimony on page 8—that since the last congressional hearings,

Bucharest has indeed introduced further emigration obstacles. And, one result is that the agony of separated families continues both in the United States and in Israel.

Now, in light of what I take to be the admission in your statement that individuals applying for permanent departure remain subject to bureaucratic delays and cumbersome requirements, indeed I think we both know the requirements have been increased rather than decreased, how do you reconcile these findings? Aren't they indeed a fundamental violation of section 402; and does that, in fact, not conflict directly with the President's recommendation for renewal of MFN?

Mr. NIMETZ. That is an important question, Senator. I did not mean to imply and I do not mean in the last year that the procedures have worsened. I don't think they have particularly improved. But I don't think there has been a conscious toughening of the procedures.

What section 402 says is the President can ask for a waiver if he thinks that it will help lead to an amelioration of the situation. If we could come in here and say Romanian emigration were open, we wouldn't need the waiver. We could go ahead and give it to them on a full-time basis, as I understand the Jackson-Vanik amendment.

That is not the case. This is a Communist country. It is a tough country to live in. It is a very bureaucratic country, Senator. It is not only emigration which is subject to bureaucracy. Everything in Romanian life is exceedingly bureaucratic. Moving from one area to another, getting jobs, education. It is a bureaucratic Communist country.

Now, emigration is subject to the same thing. We have not noted a particular harshness, frankly. We don't get reports of people being imprisoned, people being beaten or things like that. But if a family wants to emigrate, it takes a long time. They have to make a lot of applications. They have to sell their property. They have to do things about their job.

And there are occasional social pressures. You know, someone might be removed from a high-level job to a low-level job once they announce they want to leave. Someone in the university might not be readmitted. There are reports of things like this, and we take up these cases with the Romanian Government. We go in there and argue case by case, month by month. It is a process.

I would love to be able to come up and testify that things are very, very different in Romania. I would say we have had more success with emigration to the United States, and on these other countries, I think we have more likelihood of improved procedures and a general flexibility with MFN than without it.

That is the basis of the waiver, that there is a chance of making forward motion.

Mr. HEINZ. But you don't disagree with the fact that over the last year or year and a half, emigration procedures have become more cumbersome and more difficult.

Mr. NIMETZ. No, I do disagree. The assessment of our Embassy, and they deal with it day to day, is that they have not noticed a particular toughening. They say it depends, region by region, case by case. I can go back and check on that with our people, the

Embassy, the people who deal with these people day to day. But I have not noticed myself any conscious toughening of their procedures in the last year.

That is not to say that they are any better.

Senator HEINZ. Now, Mr. Nimetz, several times you have mentioned, as indeed Ambassador Bogdan did when I met with him earlier this week, the meeting that took place between Jewish groups and the Romanians. What can you tell us about that meeting that apparently has led B'nai B'rith to testify in the affirmative for extending MFN?

Mr. NIMETZ. I think it would be best for the Jewish organizations and others to give you their assessment. We have talked to them and talked to the Romanian authorities. One of the main problems in emigration to Israel has been the absence of a list. You know, when someone wants to emigrate to the United States, if you or one of your constituents asks for our help, you send a note to the State Department and we put the name on a list. We try to contact that person in Romania and say we have received this letter from Senator Heinz and there is an interest in emigration. So we usually have a list.

This is not true in the case of Israel, and the Jewish organizations have talked to the Romanians about various procedures by which lists can be developed of people who want to leave.

Senator HEINZ. Excuse me, Mr. Nimetz. Let me interrupt you. Senator Dole must go back to another hearing and he must also go and vote. Out of courtesy to him, let me ask Senator Dole to proceed at this time with his questions. I am sorry. We will come back to this one.

Senator DOLE. Thank you. Many of the questions I have been concerned about have been asked by Senator Heinz, particularly with reference to the application procedure. As I understand it, now, the applicant is told to complete a preliminary request form followed by an appearance before a committee, which, we understand, might be designed to intimidate the applicant as well as discourage the applicant from even applying.

It is only after these steps have been fulfilled that a decision is made as to whether or not the applicant will be allowed to receive the application form. Now, that would indicate to me, as Senator Heinz has pointed out, that there has been some tightening up of the procedure.

As a member of the Committee on Security and Cooperation, we have been addressing this area. We think it is very important that there be a dialog with the authorities in Bucharest in an effort to simplify these application procedures. I am certain the State Department is continuing such a dialog.

Maybe, as you suggest, some Romanian Jews are older and many don't want to leave, but we understand there are some who would like to leave. It seems to me that the Romanian authorities might consider granting Jews who have been refused permission to leave repatriation status, the same thing they have done, as you have pointed out, in the case of repatriation to homeland status to Germans. They are leaving at a rate, as you have indicated, of 11,000 a year.

I think there are some good things to look at, also. I support the 1-year extension on the theory that it gives us an opportunity to work with the Government to improve the conditions that we are told exist.

If you have different information, I would appreciate hearing your opinion.

Mr. NIMETZ. I know you have been interested in this for a long time and have written to us about it. The information you have given is basically accurate. With respect to Jewish emigration, I think the point I was trying to make is we don't know whether people want to leave or not. It is an older population, and most of the people who actively wanted to leave for Israel have left.

The fact that those remaining are older does not mean they do not want to go, but it does not mean they do want to go. It is hard for us to know the answer to that question. And it is one which is obviously being pursued, as you know. On the procedures, our sense is that you describe them accurately, to my knowledge. You have to go to a committee to get the application form, and that committee may try to discourage you.

Now, that process of discouraging applicants is a form of social pressure, but it is also a very nationalistic country. If someone says I am going to leave Romania, the neighbors get together and say: You are going to leave Romania? Why do you want to leave? We have talked to the Romanians, and asked why don't you follow some other procedures? Then you get into another country's bureaucratic structure, which is very difficult for another country to influence, especially a country like the United States which is a liberal democracy trying to discuss with a Communist country how their Communist bureaucracy should operate in this area.

All I can say is that it is something we keep working on. We think, and I guess from what you said that you agree, that with annual renewals, we have a better chance of making progress here than otherwise.

Senator DOLK. We hear of additional problems from other groups. Article XXX of the Romanian Constitution proclaims that "Freedom of conscience is guaranteed to all citizens of the Social Republic of Romania." But we are informed that a so-called neo-Protestant group, which includes Adventists, Baptists, Pentacostalists, and reform Baptists, have been subjected to increased harassment since 1970. They have been dismissed, at least we are told, from their jobs or had their salaries withheld for several months for baptizing their children, with or without prior permission from the Ministry of Cults, or holding prayer meetings at times other than those proposed by the local inspector of cults. That runs counter to everything we adhere to in our country.

There is the further problem of treatment of Hungarian minorities in Romania. We need to continue to press the Romanian Government in these areas as well.

Still, as I said, I believe we should permit the waiver to continue. We see some hopeful signs. Emigration figures to this country have risen. I guess they are up to what, 1,735 in 1978, or maybe even higher? And that is an increase of—

Mr. NIMETZ. Thirty-eight percent, I think I testified.

Senator DOLE. I will make my statement a part of the record. It is perhaps not Earth shaking, but it indicates some of the concerns expressed to me as an individual Senator, and also as a member of the CSCE, you have appeared before the CSCE, and which we appreciate.

[The prepared statement of Senator Dole follows:]

STATEMENT OF SENATOR BOB DOLE

In acknowledging the President's recommendation to Congress that waiver of the Jackson-Vanik "Freedom of Emigration" legislation be renewed, I should like to share with you my views on this issue.

Is there indeed cause to believe that substantial progress has been made, and that adequate assurances for future emigration have been given by the Romanian Government, that would justify a renewal of the waiver?

Romanian emigration figures appear to have increased as a whole. Yet, a careful scrutiny reveals a highly selective, tightly controlled process combined, internally, with the continuous imposition of ever more complicated emigration procedures, and individual repression and harassment. Emigration figures do not include the major proportion of persons urgently seeking reunion with relatives in the U.S. The decline in emigration visa permits for Israel since the early 1970's shows a selective and antihuman rights nature. These figures have declined from 4,000 in 1973 to 1,139 in 1978. This is partially due to the application procedure, which compels an applicant to complete a preliminary request form, followed by an appearance before a committee, a procedure designed to intimidate the applicant, as well as discourage him from applying. It is only after these steps have been fulfilled that a decision is made as to whether or not the applicant will be allowed to even receive the application form. In most cases, a long waiting period for the applicant ends with a refusal to give him an application form and the refusal must be appealed. During the waiting period, the authorities do not sit idly by, they engage in a campaign of harassment and persecution of the applicant who is frequently dismissed from his job, losing the means to support himself.

The many appeals my office receives and processes regularly from people in Romania who are denied permission to emigrate contradicts allegations by the Romanian Government that declines in emigration figures are due to lack of desire or the age structure of the Romanian Jewish community.

Oppression against minorities in Romania is not limited to Jews. Religious persecution is directed against groups such as Baptists and orthodox minorities. Ethnic Hungarians are subject to repression as well. Even though article 30 of the Romanian Constitution proclaims that "freedom of conscience is guaranteed to all citizens of the Socialist Republic of Romania", a group known as neo-protestant, which include Adventists, Baptists, Pentecostals, and Reformed Adventists have been subjected to increased official harassment since 1970. They have been dismissed from their jobs or had their salaries withheld for several months, for baptizing their children with or without prior permission from the Ministry of Cults, or for holding prayer meetings at times other than those proposed by the local inspector of cults.

Romania has ratified international treaties and covenants guaranteeing the rights of national minorities. However, in reality, the Hungarian minority, as a case in point, is deprived of full enjoyment of their rights and subjected to official discrimination that restrict Hungarian language education in Romania and is designed, in general, to discourage the retention of Hungarian cultural heritage within the Romanian Republic.

Are we then to deny a renewal of the most favored nation status to Romania on such grounds? I think not. As Mencken once wrote: "All complex problems can be solved by simple solutions . . . which are always wrong".

The fact is that emigration figures to the United States have risen from 890 in 1975 to 1,735 in 1978. That number is expected to rise in 1979. This is an encouraging sign which we must carefully avoid jeopardizing. Trade has been on the increase between the two nations. Should this translate into higher standards of living for the Romanian people in Romania, the benefits could be far reaching.

Retention of an annual congressional review of the situation will continue to afford the United States the opportunity to re-examine the situation carefully for signs of progress. Should the situation deteriorate in the future, the option to deny renewal of the MFN status would remain open to us. There is no doubt that trade restrictions can act in favor of those they are designed to help. But when encouraging signs are shown, we must weigh the facts, recognizing the negative points of the

situation, while acknowledging the positive developments, in order to reach a balanced judgment.

In summary, and bearing in mind the reservations and concerns that I have expressed, it is my feeling that we should support the President's request for an extension of his waiver authority for another year. However, before concluding, I should like to propose that the following steps be taken:

1. Initiate comprehensive new discussions with Bucharest on the subject of emigration, dealing specifically with simplification of emigration procedures, reunion of family reunification.

2. Request Romanian Government to consider granting Jews who have been refused permission to emigrate a "repatriation status" modeled after the "repatriation to homeland" status applied to ethnic Germans in Romania, which has allowed them to emigrate to West Germany at the rate of 11,000 annually.

Such action would ensure some measure of guarantee that the Romanian Government will meet the concerns of the Jackson-Vanik amendment.

Senator DOLE. I think that the best course is the one proposed by the administration. I would hope there might be some focus on trying to approve the procedures, as I know there will be, and maybe some look at repatriation status if, in fact, there are Romanian Jews who would like to be a part of it.

Certainly, as you suggest, as the numbers go down, you cannot maintain the same annual rate of outflow.

Mr. NIMETZ. I agree with just about everything you said, Senator. I will comment briefly on the points you have made on religious freedom in Romania. We had an ecumenical church group of Romanian religious leaders here a few weeks ago. In some respects, the religious life there is fairly open. In some respects, I say. In other words, the churches do get repaired. There is publishing. The Jewish community has a vibrant synagogue and cultural life. In the Romanian Orthodox Church, I asked the bishop how many seminaries there were. They do have seminaries and religious education.

So people can worship and within limits pursue their religious beliefs. On the other hand, only religious organizations that are approved by what they call the Ministry of Cults can function. Therefore, Senator, if you decided that you wanted to establish a religion, you could not set up a church or have prayer meetings or organized religion.

I don't want to speak for the Romanians, but I suppose they would say everyone is free to think what they want, but if you organize a religion, you have got to come in and make application. Some of what you describe as the neo-Protestant, or at least the less traditional Protestant churches have had trouble in Romania recently as they proselytize and try to gain converts. So this is something that is not encouraged by the Romanians at all.

Senator DOLE. I must go over and vote. We will recess for a minute or two. Senator Ribicoff will return, as will Senator Heinz. I am engaged in a windfall profits tax hearing, which doesn't have a lot to do with this, I don't believe, but I will not be able to come back.

I appreciate your indulgence, and we will be in communication on trying to keep appropriate—maybe pressure is not the right word, but dialog. Thank you.

[Brief recess.]

Senator RIBICOFF. The committee will resume.

I understand that of the administration panel, there are some questions Senator Bradley would like to ask. Would you mind stepping aside until he returns?

We will go to the next witness in order to save time. Mr. Birnbaum, please. You may proceed, sir.

**STATEMENT OF JACOB BIRNBAUM, NATIONAL DIRECTOR,
CENTER FOR RUSSIAN AND EAST EUROPEAN JEWRY**

Mr. BIRNBAUM. Thank you very much, Mr. Chairman.

I express my appreciation for your unfailing courtesy and helpfulness over the past years and for the helpfulness of your staff in the wide-ranging discussions I have had with them these past months.

I was quite concerned about many aspects of Mr. Nimetz's testimony. I felt that in the light of my daily experience with the pleas and the letters and the phone calls I received from citizens of Romania and their relatives and friends, that many of these remarks were academic and, in fact, there had been an introduction of new immigration obstacles in the past year, as there have been every year since 1975, since these hearings were held.

To my knowledge, there have been at least two important obstacles since the last hearings. And second, they have maintained this whole situation of the prolonged separation of families in Israel and the United States. This, to me, is the crux of the matter. Not even the statistics. This is the fundamental violation of the Jackson amendment, of section 402 which we are talking about today.

I would regard the rise in emigration to the United States, even though it has been relatively great this last year, as something cosmetic. As I said, it didn't really deal with the basic agony of the separation of families. This increase is basically to please Washington and was certainly more than offset by the decline of the flow to Israel, though Israel far outranks the United States in terms of family reunion needs.

This is very ironic. Israel has a very heavy Romanian Jewish population. The rate for the first 5 months of 1979 was down to 50 a month compared to 250 to 350 a month for the years 1972, 1973, and 1974. The Romanian contention that this unnatural decline is due to the aging and shrinking of the Jewish community is an absurd falsehood, a falsehood which is still given wide credence in official Washington and was repeated by Mr. Nimetz again today.

The Romanian Jewish community, in my estimate, approaches 70,000, and I am prepared to discuss why, if I am asked. Of that 70,000 there may well be an emigration potential of 40,000. Since the first extension of MFN to Romania in 1975, the President and Congress have, on the whole, been satisfied with vague undertaking and assurances of goodwill, of Romanian goodwill.

The time has now come for Bucharest to supply Washington with written assurances as the Hungarians did before they received MFN. Understandings with a group of Jewish organizations are not enough for Congress to accept without further probing and continuing congressional pressures on the Romanians are required to insure that they will keep their word until next summer.

These written assurances should include: One, intention to comply with the requirements of section 402 of the 1974 Trade Act;

two, recognition of a simple letter of intent to emigrate as the first step in simplifying emigration procedures; three, immediate steps to release long-separated families, at least 500 by the end of September, leading to a reversion to the 250 to 350 monthly emigration to Israel of the early 1970's; four, granting amnesty to several dozen former "scapegoat" prisoners from the 1960 trials as promised last summer, thus giving these people the option to emigrate.

In order to work out these matters, the President should immediately initiate intensive discussions with Bucharest over several months, if necessary, concluding with a public exchange of letters such as that which preceded the granting of MFN to the Hungarians. There were extensive, prolonged United States-Hungarian discussions lasting for well over 1 year before the Hungarians received MFN, and it was capped by this exchange of letters.

Why should the Romanians be any different, particularly after this very doubtful record over the last 4 years. Probably the single most effective action by the administration would be the establishment of a more extensive monitoring system centered in the American Embassy in Bucharest itself. This should include would-be emigrants to Israel for as long as required.

Washington is far away, so the monitoring should be centered in Bucharest. But Washington needs to expand its review process and action on the basis of that review process. That review should take place on a monthly or quarterly basis. I would suggest that possibly a Senator from the committee should be appointed and working, of course, in coordination with the chairman, would take action on a monthly or quarterly basis as decided, as long as the present unstable situation, unsatisfactory situation, persists.

The would-be emigrant to Israel faces two difficulties: The likelihood of being turned away at the police station, where the long, tortuous process begins, and the inability of the Israeli Embassy to intervene on his behalf. If, however, an Israeli repatriation list were established at the American Embassy in Bucharest, in Washington, and, of course, in Tel Aviv, he would obtain immediate international recognition of the application and, second, a certain protection from intimidation.

Mr. Chairman, at present we permit the Romanians to make us sweat for a few individuals. With a change in perspective and the same effort, we could achieve the principle.

Senator RIBICOFF. Mr. Birnbaum, your time has expired.

Mr. BIRNBAUM. I am about to finish, Mr. Chairman.

Senator RIBICOFF. I am trying to put a limit on everyone. As you can see, this is going to be the sort of day in which some people will not be able to testify.

Mr. BIRNBAUM. My essential thesis this morning is that the President and Congress need to find an effective way of signaling the Romanians that they intend to be vigilant as never before to insure that the coming months will mark the commencement of visible progress, (a) to humanize emigration procedures, (b) to terminate the endless agony of the mass of separated families.

When the Romanians get the message that we really mean what we say, these and other human rights problems will diminish perceptibly.

Thank you.

Senator RIBICOFF. Are there any questions of Mr. Birnbaum? [No response.]

Senator RIBICOFF. Thank you, Mr. Birnbaum. We are aware of these problems you raise, and my staff has been in touch with you and will continue to be available with you to work these things out.

There is another vote, gentlemen. We will stand in recess. I think Senator Bradley and Senator Heinz have some more questions of the Government witnesses, so when Senator Heinz and Senator Bradley return from the vote, we will go back to the Government witnesses.

Senator BRADLEY. Fine, Mr. Chairman. I would like to ask Mr. Birnbaum one question. How do you arrive at your estimate that there are now 70,000 members of the Jewish community in Romania and that 40,000 are prospective emigrants, in contrast to the claim of the chief rabbi of Romania who says that there are 37,000 members in the community?

Mr. BIRNBAUM. Now, unfortunately, the chief rabbi gives different estimates at least twice if not three or four times a year. Last week he spoke of 38,000. Last year he spoke of 37,000. The previous year he spoke of about 25,000. In 1976 he spoke of 48,000. My point is that in 1975 and 1976, the record of these hearings will show that everyone, including Romanian spokesmen, spoke of a Jewish community of between 75,000 and 100,000.

All of a sudden, in the last 2 years, Romanian spokesmen began to speak of a third of that range. They spoke in terms of 20,000 to 37,000, and sometimes less. And the reason is obvious. The reason is political. And it is clear that it is impossible that suddenly, within a year, there could be a drop of from 75,000 to one-third of that number.

In any case, my experience tells me that although there are a considerable number of elderly people in the community, sure, that is correct, but there are a considerable number of people who are young and who wish to leave, and even some of the elderly who may not be so persistent in their desire to leave would leave if given the opportunity.

I have plenty of correspondence to back up this fact, and I will submit a selection of this correspondence with my testimony.

Senator BRADLEY. To justify the 70,000 figure?

Mr. BIRNBAUM. I am sorry?

Senator BRADLEY. To justify the 70,000 figure?

Mr. BIRNBAUM. No. In response to the idea that the majority of the Jewish community is old and do not want to leave. The justification is that we should still be near the figure of 75,000. So I am saying that taking away emigration and deaths, the figure would still be near 70,000.

I have one other point. On May 13, a Romanian spokesman spoke to the Jewish Week of New York, which is a very respected paper, and spoke casually about the Jewish community of 60,000. He spoke casually. I have the clipping in my files right here. And this is certainly, again, very different from what they have been saying, about 25,000, and the higher range, which is 37,000.

Senator BRADLEY. Would you care to comment at all on understandings reached between a group of Jewish organizations and the Romanian diplomat, Cornelius Bogdan?

Mr. BIRNBAUM. Since 1975, the administration and Congress have accepted general understandings and vague assurances, but the record has been extremely spotty. Will an understanding reached between nongovernmental and a governmental group have better success?

It is with this record in mind that I urge the utmost caution in the understandings between the group of Jewish organizations and Mr. Bogdan. I hope with all of my heart that it will work out, but I must point out so far that the effect of the letter has been, once again, to allay growing congressional concerns at a time when our work of years had created a unique opportunity to extract, hopefully, a substantially more effective compliance from Bucharest than the understandings mentioned in Mr. Spitzer's letter about understandings with Mr. Bogdan.

In our opinion, the greatest hope for making these understandings work is for Congress to maintain its vigilance, its pressures on Bucharest, and insure the operations of adequate systems of monitoring over the coming months. Such pressure in hearings, though improved in recent years, needs much strengthening. We believe the time has come for Congress to make plain to the President that Bucharest will be required to furnish written assurances.

Certainly, if Members of Congress do not find a real way of communicating their concern and vigilance to the Romanians in the coming month, whatever promise this accord has is in danger of being reduced to the point of meaninglessness.

As I said, one of the after effects of this accord has been to allay the concern of Members of Congress. Ironically, if the ultimate result is to block vigilant congressional action, it is likely to result in the failure of this much-touted accord. I feel, therefore, it is time for Congress to assert itself and not leave the matter to a few Jewish organizations.

Senator BRADLEY. So you don't put much faith in the understandings?

Mr. BIRNBAUM. Let me put it to you this way. By itself I do not think it will stand. I think its only chance is if it is backed up by vigilant congressional action over the coming months, because our experience has been that between congressional hearings, things just flop out. Things just ease off, and the Romanians fail to comply with the act.

Senator BRADLEY. Thank you, Mr. Chairman.

Senator RIBICOFF. I think in all fairness at this time I should read a letter from Mr. Jack Spitzer, president of B'nai B'rith International.

DEAR SENATOR RIBICOFF: I am pleased to submit written testimony on behalf of the Conference of Presidents of Major American Jewish Organizations, which gives an unqualified endorsement to another extension of the most-favored-nation status for Romania on the strength of understandings between the Conference of Presidents and the Romanian Government.

Those understandings were reached after intensive discussions with officials in the Romanian Government and a delegation headed by Alfred Moses, the National President of the Jewish Committee, acting on behalf of the Conference of Presidents.

I would like to take this opportunity to say, Mr. Chairman, that the Romanian Government has made an honest and diligent effort to satisfy our concerns on Jewish emigration. We have been assured that it is willing to make the same effort to resolve any other human rights questions brought to its attention by the Execu-

tive Branch of the United States Government, the Congress or responsible private organizations.

Sincerely,

JACK J. SPITZER.

This does not call in question Mr. Birnbaum's testimony. He is deeply sincere and interested in this problem. But I think in all fairness the letter from Mr. Jack Spitzer should go in the record.

Senator Heinz, I think you had a question.

Senator HEINZ. Yes, thank you, Mr. Chairman.

First I note, Mr. Birnbaum, and I hope everyone else does, the four very specific suggestions you have made for our Government to obtain in the way of written assurances on the first and second pages of your summary, your most helpful summary of your testimony. I think those are obviously very well-thought-out and good suggestions.

I also note that in your testimony you suggested that possibly the most effective action by the administration would be the establishment of a solid monitoring system centered in the American Embassy in Bucharest. Exactly how would that monitoring and review process take place? How would it be an improvement over what now exists? What particular capacity should it have?

Mr. BIRNBAUM. Well, let me first pay tribute to the work of the staff of the American Embassy in Romania. It is very solid. In earlier years, in the early seventies, they worked extremely hard and they became overloaded. And then their staff could not function to their full extent. They were cut in staff, I believe, and they did their very, very best to monitor the process.

Now, in recent years they have begun to monitor the process in a much more systematic way, and reports have come to Washington in a much more systematic way on a weekly basis. They have been reaching the committees on a weekly basis. I must say I can express an increased satisfaction on this aspect.

However, I am not too happy about the question of Israel, and I feel that the essential thing is to see whether we cannot include a much closer monitoring of would-be Israeli emigrants.

Now, as I have said before, the Israeli emigrant is more or less helpless because the Israeli Embassy is not in a position, for a number of reasons, to intervene on his behalf. So that very often he tries to turn to the American Embassy. In the past, my experience in the middle seventies, there were people who listened to him, at least, and unofficially assisted, purely in an unofficial capacity.

I don't think that this is the case anymore, and I would like to suggest that with our famous human rights record, that we institutionalize this a bit. And as long as this business with the Israeli Embassy continues, that we set up an Israel repatriation list which can be administered by a nongovernmental humanitarian organization. Whether it is International Rescue Committee or someone else is of no great concern, but under the general auspices of the American Government. It would not be easy but I think it could be done.

It certainly is essential, and it is not without precedent in terms of activities by members of staffs, American diplomatic personnel in other parts of the world.

As far as what goes on here, I think that a tightening of coordination between the Senators of this committee and other interested parties, as in the House and, of course, the State Department, would be very, very helpful. And I repeat my suggestion that a special Senator should, for the time being, work in close cooperation with the chairman, handle the review on a monthly or quarterly basis of the Romanian human rights situation.

Senator HEINZ. Thank you, Mr. Birnbaum.

Senator RIBICOFF. Thank you very much.

[The prepared statement of Mr. Birnbaum follows:]

SUMMARY OF STATEMENT BY JACOB BIRNBAUM, NATIONAL DIRECTOR, CENTER FOR
RUSSIAN AND EAST EUROPEAN JEWRY

Senate should urge President to:

I. Request immediate written assurances from Bucharest of compliance with Jackson amendment.

II. Initiate prolonged discussions with Bucharest, with final exchange of letters.

III. Introduce solid monitoring in Bucharest and expand review/action processes in Washington.

IV. Simplify Jewish emigration by creation of 'Israel repatriation' list.

Since the last hearing, Bucharest has continued its fundamental violation of the Jackson Amendment and, of course, the Helsinki Accords, by:

1. Introducing further important emigration obstacles.

2. Maintaining the prolonged separation of families in Israel and U.S.

A cosmetic rise in emigration to the U.S. to please Washington was more than offset by the remorseless decline of the flow to Israel, though Israel far outranks the U.S. in terms of family reunion needs. The rate for the first 5 months of 1973 was down to 50 a month compared with 250-350 a month for the years 1972-73-74.

The Romanian contention that this unnatural decline is due to the aging and shrinking of the Jewish community is an absurd falsehood, unfortunately still given wide credence in official Washington. Romanian Jewish emigration potential may well be 40,000 of approximately 70,000.

Since the first extension of MFN to Romania in 1975, the President and Congress have, on the whole, been satisfied with vague undertakings and assurances of Romanian goodwill. The time has now come for Bucharest to supply Washington with written assurances (as the Hungarians did before they received MFN). Understandings with a group of Jewish organizations are not enough for Congress to accept without further probing, and continuing Congressional pressures on the Romanians are required to ensure that they will keep their word until next summer.

These written assurances should include:

1. Intention to comply with the requirements of section 402 of the 1974 Trade Act.

2. Recognition of a simple letter of intent to emigrate as the first step in simplifying emigration procedures.

3. Immediate steps to release long separated families, at least 500 by the end of September, leading to a reversion to the 250-350 monthly emigration to Israel of the early 1970s.

4. Grant amnesty to several dozen former "scapegoat" prisoners from the 1960s trials, as promised last summer, thus giving them the option to emigrate.

In order to work out these matters, the President should immediately initiate intensive discussions with Bucharest over several months, if necessary, concluding with a public exchange of letters, such as that which preceded the granting of MFN to the Hungarians.

Probably the single most effective action by the Administration would be the establishment of a solid monitoring system centered in the American Embassy in Bucharest itself. This should include would-be emigrants to Israel as long as required. Distant Washington needs to expand its review/action facilities on a monthly basis, operating in the Committee under the supervision of a specially appointed Senator, coordinating with the Chairman.

The would-be emigrant to Israel faces two difficulties—the likelihood of being turned away at the police station where the long, tortuous process begins, and the inability of the Israeli Embassy to intervene on his behalf. If, however, an "Israeli repatriation" list were established at the American Embassy in Bucharest, in Washington and of course in Tel Aviv, he would obtain—

- a. immediate international recognition of his application.
- b. a certain protection from intimidation.

Mr. Chairman, this is the fifth year that the Congressional Trade Subcommittees are considering the President's recommendation to grant Romania an extension of the waiver of the human rights provisions of the 1974 Trade Act. Section 402, which contains the Jackson-Vanik legislation, places particular emphasis on emigration performance of non-market countries but, as a concession to practical politics, provision was made for annual waiver, despite imperfect performance, on the understanding that progress toward the goal had been made in the previous year and verifiable assurances given for the future. Unfortunately, we have neither in regard to Romania.

On the contrary, obstacles to emigration, far from decreasing, multiply year by year. 1978 saw the introduction of another major complication. In my testimony to this Committee on September 8, 1976, I described the intimidating process required to reach a waiting list for the application form. Then came a preliminary application form with its own difficulties of attainment. This process has now become complete by the establishment of a full-scale waiting list to be merely considered for the preliminary form.

On the eve of the House hearings, we had confirmation of the recent introduction of another emigration obstacle. A letter from a recent Romanian emigrant stated: "I want to inform you that the most *newest* point added to the Romanian emigration system is to give somebody who receives a negative answer the possibility to appeal to the authority only after half a year".

I will not repeat here the more detailed breakdowns of emigration obstacles and accompanying harassments reported in earlier testimonies of July 12, 1978, July 27, 1977 and September 8, 1976, but they all add up to continuous, cumulative and calculated violations of the spirit and letter of Section 402.

As a result, the basic critical problems of family separation remain both in the U.S. and Israel. This might not, at first sight, be apparent in U.S. statistics which show a 1978 increase of 416 and probably represent Bucharest's bid to obtain a five year or at least a three year waiver extension. Unfortunately, much of this statistical ballast did not represent genuine family reunion cases. According to reports, these included quite a number of doubtful types who commenced their careers in the West by causing trouble to the Austrian authorities in the Treiskirchen transit camp.

It is ironic that the U.S., with a far smaller Romanian family reunion base than Israel, now outstrips Israel in the numbers of its Romanian immigrants but then Bucharest has no particular need to please Tel Aviv in the late 1970's. The Romanian flow to Israel therefore continues to plunge. Indeed, the first five months of 1979 saw only 251 immigrants, compared with last year's already low 457. Thus, this year's total points to only 600, compared with 1978's 1,139 which was almost 200 lower than 1977's 1,334. This in turn was a steep drop from the approximately 2,000 annually of 1975-76. These latter figures, however, represented a halving from the approximate annual Jewish outflow of 4,000 in 1973-74.

To sum up, in just over half a decade, we see a drop from an annual rate of 4,000 to 600. Thus, my forecast of an intensive Romanian effort to reduce Jewish emigration "to a trickle" is proving more correct than even I believed possible—unless serious measures are taken to reverse the trend.

Even those persons in Washington who have hitherto placed some credence in Bucharest's assertions that the Romanian Jewish community is aging and dwindling surely cannot believe that the process has accelerated so suddenly and rapidly in the last couple of years. The 1975-76 hearings of the Trade Committee indicate that everyone, including the Romanians, assumed the number of Romanian Jews to be over 75,000. Suddenly, the Romanians began to speak in terms of 21,000 to 37,00, mostly "aged persons satisfied to live on their pensions" and so "this issue has finally been resolved".

Curiously enough, a Romanian spokesman recently visiting the New York office of the Jewish Week explicitly mentioned a Jewish population of 60,000 (issue of May 13, 1979).

Yet despite these absurd falsehoods, I continue to hear the same line in the State Department, the Congress and the National Security Council: "Basically, we're dealing with a few thousand old Romanian Jews who should be left to die peacefully in Bucharest and a few small towns. We cannot make a human rights issue of everything!"

My own information does not come from tainted sources but derives from personal channels and from letters of relatives, mostly from Israel (see appendix for samples). Everything points massively to one conclusion—a substantial proportion of

Romania's approximately 70,000 Jews would leave if they could; over 40,000 in the coming decade would be quite possible, in my opinion.

In case it should be thought that this is a Jewish problem, examine the records of the Commission on Security and Cooperation in Europe, as Documents of Dissent, 1978; of Amnesty International, Romanian Report, 1978; and above all Radio Free Europe's voluminous weekly digest of smuggled letters from Romania.

An article in the Jerusalem Post of February 13, 1979 entitled "Intellectuals Fleeing Romania" points out that intellectuals, artists, scientists, professional people have "an added sense of desperation at the way events are moving in Romania as its image in the West improves. Until recently, they had hoped the West would pressure Ceausescu to liberalize his regime."

A critical sentence of the President's recommendation to extend the waiver reads, "1978 saw a dramatic increase in overall emigration from Romania." An examination of the figures will surely show a miscalculation here.

	1977	1978
Romanian migration to:		
U.S.....	1,240	1,656
Israel.....	1,334	1,139
Total.....	2,574	2,795

An increase of 221 over 2,574, approximately 8.5 percent, is hardly dramatic. The movement of Romania's ethnic Germans cannot be legitimately included in these figures, and, in their testimonies of earlier years, Administration spokesmen have not done so because this is a movement of "repatriation to the Homeland", facilitated by "arrangements" and "understandings", involving extensive West German loan guarantees and unpublicized but well known ransom payments. (See Frankfurter Allgemeine, Jan. 10, 1978 and the Washington West German Press Office release, Jan. 8, 1978, both referring to the Schmitt-Ceausescu meeting.) Clear reference was made to "the reunion of families and the resettlement of ethnic Germans at the present rate" (approximately 1,000 a month). Variations in these figures from month to month or even year to year are certainly not significant as they represent an agreed amount whether approximate or precise. In 1977, for example, the Romanians appear to have fallen behind somewhat; in 1978, they reached their full quota.

A comment on the term "repatriation" in relation to East European Jews exiting to Israel: It should be understood that in the post-World War II period, most East European governments, including the Soviet Union's and the Romanians', have always considered the Jews a special case for repatriation and have so presented their departure to the rest of the population.

Unfortunately, Israel's ability to protect Romanian Jews is modest indeed. In terms of supporting would-be emigrants to Israel, the U.S. Administration is not usually prepared to make other than the most generalized representations to Bucharest. We believe that the Administration should find ways of indicating to the Romanian authorities U.S. willingness to support the special status of any Romanian Jew who manages to get formal word to the American Consul in Bucharest or, via a relative or friend, to the Administration or Congress in Washington, that he or she wishes to renounce Romanian citizenship in favor of a status eventually entitling to "repatriation to Israel". Some such formula might help sidestep delicate problems involving possible Romanian charges of the Israel Embassy in Bucharest fostering emigration within the Jewish community.

Mr. Chairman, the past year has been particularly revealing of the Romanian authorities' casual contempt of solemn commitments, publicly made, both the U.S. Administration and to the Congress. I refer to the Romanian Government's Amnesty Decree No. 131 of June 8, 1978, whose contents were delivered with much fanfare last June to the American Embassy and Senator Abraham Ribicoff, chairman of the Senate Trade Subcommittee. Well-timed to achieve international publicity before last year's Congressional hearings, the Decree forgave the penalties of nine (originally ten) victims of the Romanian economic "scapegoat" trials of the early 1960s as follows: Adalbert Rosinger, Benjamin Schwartz, Alexandru Rado, Gheorghe Manheim, Mikah Crainic, Paul Stefanescu, Sidonia Grigoreescu, Alexandru Costin, Angelo Khimsbrunner.

These people were no longer to pay one third of meager pensions or stipends in perpetuity, and thus have the possibility of emigrating. However, only Rosinger was

amnestied and subsequently emigrated. Despite repeated representations there has been no progress on the others, with the possible exception, just resulting from enormous efforts, of Manheim.

In addition, last summer in Bucharest, word was spread among visiting Jewish leaders from abroad that the remainder of the former Jewish prisoners would be favorably considered for amnesty "before the end of 1978". Needless to say, absolutely nothing has happened.

Mr. Chairman, year by year, Bucharest's contemptuous violations of the letter and spirit of Section 402 of the 1974 Trade Act, not to speak of the Helsinki Accords, continues to multiply and encroach on the credibility and integrity of the U.S. Administration and Congress. Yet Romanian embassy personnel have had some success in Washington because they are persistent, ubiquitous and bland. They know that diplomats and members of Congress have an enormous number of preoccupations and are liable to forget Romanian human rights failings between annual hearings. Personal visits from His Excellency the Ambassador himself persuade many well-meaning members of Congress that they can be more effective by keeping quiet and intervening as needed because they believe they have "developed a special personal relationship with the Ambassador himself." Thus, the Romanians have in the past managed to neutralize many different powerful individuals and groups and prevented the concerted action which will obtain genuine results from Bucharest.

Clearly, Congressional action in regard to the Romanians has been fragmentary, disjointed, uncoordinated. With the Trade Committees in the lead, we are hopeful that an important process of mutual consultation and coordination could be effected within the House and within the Senate, and jointly.

This year, there is one huge additional consideration for the Trade Committees. If they are thinking of granting MFN and associated privileges to the USSR, they will wish to show that the waiver works, and indeed works well as regards Romania. At the moment it is still working but poorly for the lack of effective direction and coordination, and its usefulness diminishes every year as a result of its current manner of operation.

Every year at this time the question is raised, "What has happened between the annual hearings?" I have long advocated the development of more comprehensive monitoring and review procedures in Congress and by the Administration as essential to the operation of the Jackson-Vanik legislation. Until we gain more control of the situation, I advocate greater allocation of staff time under the supervision of a specially appointed Committee member who would make a monthly review of progress in coordination with the Chairman, with action hopefully flowing from the reviews.

But Washington is far from the scene of the action in Romania itself. Probably the single most effective action by the Administration would be the establishment of a more solid monitoring system centered in the American Embassy in Bucharest to cover would-be emigrants to Israel as well as the U.S. as long as the Israeli Embassy remains unable to do this.

The would-be emigrant to Israel faces two basic difficulties—the likelihood of being turned away at the police station where the long and tortuous application begins and the inability of the Israeli Embassy to intervene on his behalf. If, however, an "Israeli repatriation" list were established under the immediate control of American Embassy personnel in Bucharest or under general American protection but in the hands of a non-government humanitarian group, the situation of the would-be emigrant could be transformed. By registering himself on such a list or a relative or friend registering him in Washington or Tel Aviv, he would obtain (a) immediate international recognition of his desire to join his relatives; and (b) a certain protection from intimidation.

Thus, a simple letter of intent to emigrate would have the effect of circumnavigating, at least in part, the formidable emigration procedures and establish his credentials as a full applicant who has taken the first recognized public step.

Above all, Congress should call on the President and the Department of State to initiate new U.S.-Romanian discussions on the model, in part, of the U.S.-Hungarian discussions of 1977/8. In recommending the granting of MFN to Hungary, the President wrote words which could relate well to Romania: "For well over a year, U.S. officials have had regular conversations with Hungarian officials about Hungarian emigration law, policy and practice and about the resolution of individual cases." These culminated in an exchange of letters between Hungarian Foreign Minister Puja and the U.S. Ambassador Kaiser on March 15th. Puja promised "concerning cases of emigration" that Hungary would "act in accordance with the

letter and spirit of the Helsinki Final Act and deal with them promptly, conscientiously and with goodwill."

I have not been informed of the scope of the discussions recently conducted by U.S. officials in Bucharest, but would doubt that they were of the range, intensity and certainly not of the duration the circumstances require. Nor did they have the type of strong Congressional backing we are looking forward to.

The type of U.S.-Romanian discussions suggested above should, in our opinion, include the following:

- (1) Simplification of emigration procedures and cessation of attendant harassments such as job loss.
- (2) Reunion of long separated families.
- (3) Reversion to the 1973/4 rates of "repatriation" to Israel of 3-400 monthly.

Our agreement to support continued extension of MFN depends on early, solid evidence of improved emigration performance by the Romanians, not merely in rates of migration to the U.S., but in evident indications that procedures will be humanized and the torture of family separation resolved. Critical to our support would be written assurances.

Section 402 of the 1974 Trade Act calls for formal assurances. As I pointed out in my testimony of 1978, at the first hearings in 1975, then Assistant Secretary of State Arthur Hartman told the Committee, "We believe the undertakings reached . . . fully satisfy the letter and spirit of the Trade Act." Asked what assurances the President had received, he made no direct reply but urged us "to assess Romanian emigration practices by deeds in the coming weeks and months." In short, he hoped that sufficiently improved performance would take the place of the required assurances. It is not surprising that the Chairman complained of being asked to "act with a blindfold".

The reality of the period since 1975 has been that, while the Romanians made some cosmetic improvements in migration rates to the U.S. to make a show in Washington, they reduced the flow to Israel to a trickle, though Israel is the main area of family reunion. Above all, they violated the spirit and letter of the Helsinki Accords and the Jackson Amendment through—

- a. the year by year multiplication of emigration obstacles.
- b. prolongation of the agony of masses of separated families.

It is with this record in mind that I urge the utmost caution in regards to the "understandings" between a group of Jewish organizations discussed in Mr. Jack Spitzer's letter to Rep. Charles Vanik wherein he looks forward to the problem of Jewish emigration from Romania being "resolved once and for all". I hope with all my heart that this will be so, but must point out that so far, the effect of the letter has been once again to allay growing Congressional concerns at a time when our work of years had created a unique opportunity to extract, hopefully, a substantially more effective compliance from Bucharest than the understandings mentioned in the letter. In our opinion, the greatest hope for making these understandings work is for Congress to maintain its vigilance, its pressures on Bucharest, and insure the operation of adequate systems of monitoring over the coming months. Such vigilance and pressure between hearings, though improved in recent years, needs much strengthening. In the light of our above discussions of earlier understandings since 1975, we believe the time has come for Congress to make plain to the President that Bucharest finally be required to furnish written assurances which should include:

- (1) Intention to comply with the requirements of Section 402.
- (2) Recognition of a simple letter of intent to emigrate as the first step of formal application, with a commitment to simplify procedures.
- (3) Immediate steps to release long separated families, at least 500 by the end of September, leading to a reversion to the 250-350 monthly emigration rate to Israel of the early 1970's.
- (4) Grant amnesty to several dozen former "scapegoat" prisoners of the 1960s trials, as promised last summer, thus giving them the option to emigrate.

APPENDIXES

I. MATERIALS ON FORMER "SCAPEGOAT" PRISONERS

1. Excerpted document of interrogations, trial and punishment.
2. Copy of June 8, 1978 Amnesty Decree 131 as forwarded to Senator Ribicoff.
3. List of 30 former prisoners.
4. The tragic case of Anna Blum.

Former "scapegoat" prisoners

Our campaign of recent years on their behalf resulted in the Amnesty Decree of June 8, 1978 discussed in the testimony but still not implemented by Bucharest. To my 1978 testimonies I appended a vivid document smuggled out from one of these people. Herewith are extracts from another document indicating some of the elements which made up the "scapegoat" trials of the early 1970s for which they are still being punished, the background of anti-semitism which resulted in Jews alone being singled out and a type of justice in which the prisoner was held incommunicado, without access to family or lawyer, for 3 years, heavy prison sentences and fanciful fines concocted for presumed damages to the State.

"During my interrogations, one of my inquisitors told me bluntly, 'It would have been much better had Hitler finished off all you Jews.'"

My interrogations lasted three years and there was no question of my seeing anyone during this period . . . neither my lawyer or knowing anything about my family.

During the first two years I was beaten almost daily because of my constant refusal of accepting the charges I had been faced with.

During the trial I first in three years was able to see—in the hall—my wife, without of course being able to speak to her. The whole (trial) set-up, the President of the military court, the Prosecutor and the defending lawyer himself, all served as the tractable tools of the Security (Romanian equivalent of the KGB). During the trial I was only once able to speak to my lawyer, in the presence of two interrogators, for one hour.

When calculating the so-called 'debts', the Security experts used all possible false trickeries, inflating them enormously . . . using as terms the rates of 100 lei=1 dollar, and that happened in 1964."

U.S. SENATE,
COMMITTEE ON GOVERNMENTAL AFFAIRS,
Washington, D.C., September 29, 1978.

Rabbi JACOB BIRNBAUM,
New York, N.Y.

DEAR RABBI BIRNBAUM: Per our conversation on September 27, I attach a copy of the list of Romanians amnestied by Decree No. 131 on June 8, 1978. The list was given to Senator Ribicoff by the Romanian Embassy.

Sincerely,

ARTHUR H. HOUSE,
Legislative Assistant to
Senator Ribicoff.

DECREE NO. 131, JUNE 8, 1978

List of persons

Rosinger, Adalbert; Schwartz, Benjamin; Rado, Alexandru; Menheim, Gheorghe Crainic, Mihai Stefanescu, Paul Grigorescu, Sidonia Costin, Alexandru, and Khimbruner, Angelo.

List of some Jewish former prisoners in Romania

* Abraham, Ghidali, Alexandru, Radu; * Blum, Anna; Costin, Alexandru; Crainic, Mihai; * Donath, Paul; Edelstein, Sami; * Fabish, Sara; * Fleischer, Nathan; Gelber, Aron; * Ghinsbrunner, Angelo; Grigoriu, Sidonia; Itic (Ungar), Avrum N; * Jacob, Josif; * Leibovich, Mendel; * Manhaim, George; * Morsky, Bernat; * Pal, Parischeva; * Reichman, Isidor; * Rubinger, Herman; Saiovici, Martin; * Scheener, Ottilia; * Schwartz, Benjamin; * Simon, Isidor; Stefanescu, Paul; Suzin, Micu; Usher, David; Weiss, Nissim David; * Wexler, Viorica; and Wulich, Milea.

* If we have been advised that an individual wants to emigrate, an asterisk has been placed next to his name. The absence of an asterisk does not mean the person wants to remain in Rumania; it merely means we do not have specific information whether he wants to emigrate or remain in Rumania.

KIRYAT TIVON, ISRAEL.

DEAR SIR: For many years I have been trying to obtain the emigration of my niece, Mrs. Ana Blum of Bucharest, 52 Popa Soare Street, to Israel.

About 20 years ago, she was falsely condemned for illegal economic sabotage—according to Romanian law—to 20 years in prison, and after 7 years in jail, she was released. Since then, I have written to Jewish and non-Jewish organizations all over the world and also directly to the Romanian authorities to obtain her emigration, but in vain.

Mrs. Blum today is almost 65 years old, totally alone with no relatives in Romania and even her husband abandoned her during her stay in jail. Her only living relatives are her aunt who needs her help she is in bad health and I, both of us in Israel, and both of us ready to help her, if she comes here.

May I ask you as a human being to exert your influence upon the Romanian authorities to obtain the emigration of Mrs. Blum. It will really be a great humanitarian feat if you could obtain this.

I thank you.

Respectfully yours,

SHAUL GUTH.

II. SELECTED LETTERS FROM WOULD-BE EMIGRANTS ILLUSTRATING EMIGRATION OBSTACLES

1. 14-year separation for 95-year-old, Imberg letter.
2. Government persecution and social pressures, Weiner letter re Cernes Banner.
3. Job loss and demotion, Marmor letter re George and Illana Stefanescu.
4. Long wait, Lazar Faibish re Manoil Faibish.
5. Numerous appeals, Wallenstein letter re Babus family.
6. New emigration obstacle, 6 months' wait after every refusal: Cristescu letter.

KIRYAT YOVEL, JERUSALEM,

September 8, 1978.

DEAR SIR: We appeal to you in our despair, hoping to receive your immediate help in the reunion of our family.

Our name is Imberg. David and Sara. We are 94 and 81 years old, and we pray to God for enough strength till we can be united with our only son who has remained in Romania. Does our age mean nothing to those in power? Don't they understand that for us every day is a year? Those 14 years of yearning have wrung not only our tears but also our strength.

Our son Yosef Imberg was born 42 years ago is a textile engineer working in the factory 'BEga'. His wife Mariana was born 37 years ago and works in a hospital. They have two children: Arondin, 11, and Maura, 3. They live 1900 Gh. Lazar St., Apt 12, No. 27, Timisoara.

His wife's parent's Wolf, Bura (81 years old) and wife Tica (61 years old) also have filed an application to leave.

We must emphasize that our son, daughter in law and her parents do not hold any state secrets. They never had any police records and they have fulfilled their obligations to their workplaces and to the State. They are not asking for privileges from anyone.

Their only desire is to emigrate in order to be united with family

DAVID and SARA IMBERG.

ASHDOD, ISRAEL,

June 27, 1979.

Mr. CYRUS ABBE,
Center for Russian and East European Jewry,
New York, N.Y.

DEAR MR. ABBE: Further to my last letter to you, I am sorry to inform you that we have heard from people who are Rumanians that the requests for the entry into this country by the above has been refused.

This is causing them no end of pains, as they are so afraid of losing their jobs and livelihood.

The young doctor is sent from one job to another, one village to another, just because of his wish to come into this country.

We are depending very much on your kind help to assist these people to come here. The sooner the better for their sakes.

Trusting you can do something for these poor people, and thanking you,

Yours very gratefully in anticipation,

L. WIENER.

HAIFA, ISRAEL,

January 24, 1979.

DEAR SIR: The undersigned, Maria Marmor (born Rafael), herewith requests your help in the immigration problem of my only brother.

My brother, Dr. Rafael-Stefanescu Gheorghe, is living in 114 Aleea Vergulin St., Bucharest, Romania, with his wife and two sons. He has registered to immigrate to Israel about 18 months ago, naturally together with his above mentioned members of his family. The request has been refused, and both, he a M.D. for internal diseases, she a M.D. gynecologist, were dismissed from their jobs for good. He was his professor's senior assistant at the prestigious Cantacuzino Hospital in Bucharest.

In order to earn their living, my brother has no choice but to work by day as a sports-doctor of a sports club and by night he is being on duty on ambulances. His wife, Dr. Ileana Stefanescu, lost her position also and has taken up a sewing job to help ends meet.

These problems are well known to you. I would only like to add to more circumstances that shed a tragic light on my brother's unhappy fate.

After the Second-World-War he was expelled from Communist Romania's medical facilities because of his middle-class Jewish origin. His parents died shortly, and as an orphan he supported himself working as a nurse. Only many years afterwards could he attend university again, but was obliged to register as a freshman, notwithstanding his earlier studies. Nevertheless, due to his single-mindedness and perseverance, he became not only a M.D., but the assistant of a well-known professor in a well-known hospital of the Romanian capital. Registering for immigration to Israel put an abrupt end to his promising career.

Consequently, I desperately request your help in urging and facilitating a positive reply of the Romanian authorities for my brother and his family.

Thanking you in advance for your help, please let us have as early as possible your information about the possibilities in this matter.

Yours faithfully,

MARMOR MARIA.

DEAR SIR: I am a Jewish student and me and my mother—we want to come to the U.S.A., where we have all our family. My father died in 1971 and since then we are alone. Mother is 60, and it's very difficult for us, being alone here.

We made our first applications on June 27, 1978. Those were applications for the main application (for the "big" important ones). After four months, on October 10th, we had a first negative answer. So, we are not even able to get the applications to fill them.

I also have problems at the University, because I don't have a scholarship any more and I was told very clearly that if I don't get a pass soon, I won't be allowed to continue my studies.

Mother isn't quite well, all this tension makes her nervous and she has awful headaches. We have a very little pension, but now especially, without the scholarship, it is getting harder for us.

Please, help us to be together with all our relatives. We are all alone here and we are very afraid of all the consequences of our applications to go to the U.S.A. We do hope that you will help us and we thank you very much.

Your gratefully,

FLORENTINA RAMNICEANU.

FEBRUARY 10, 1979.

DEAR SIR: Please help my brother and his wife to emigrate from Rumania to Israel.

My brother's name is Faibish Manoil, 44 years old, and his wife Faibish Doina, 39 years old. They are living in Bucharest, 111 Dorobanti Road block 9A apartment 227. His telephone number is 90-79-63-19.

He is a civil engineer working at Bucharest's townhall, and his wife is a roads engineer also working at Bucharest's townhall.

He submitted the application for emigration to Israel first in the year 1974 and he received a negative answer. After this answer he made an appeal to the ministry of internal affairs of Rumania. The answer was also negative, and the situation has been repeated six times during the last three years, until 1977 when he went in audience at the ministry. There they told him that he cannot receive the emigration visa.

In the end of 1977 he submitted a new application as he was told to do by the ministry, and this time the answer was positive. This was in the summer of 1978 when he submitted the forms for obtaining a passport. After a few months, precisely in October 1978, they didn't give him the emigration visa, in contradiction to the usual procedure.

My other brother Faibish Avram and me, Faibish Lazar, we came to Israel with our families, and our brother is staying there in Rumania isolated. That's why he was very sick in the last few months.

I live in Israel, Haifa 35, Sha'ar Ha'alia Street, and my telephone number is 04-51-09-64.

Yours sincerely,

FAIBISH LAZAR.

HAIFA, ISRAEL,
February 22, 1979.

DEAR SIR: I have a cousin in Romania and he cannot get permit to emigrate to Israel. In July 1978 he and his family asked the local authorities for emigration. A few months later, in December 1978, the special committee which analyzes the problems of emigrations called him to clarify the reasons for the request. In January, 1979, his request was rejected.

The personal data of the family is as follows:

Goldemberg, Beniamin: Born January 15, 1935 in Rumania. Profession: accountant. Parents: Mother only (77 years old).

Goldemberg, Musa: (Maiden name Josefson) born August 31, 1936 in Rumania. Profession: electrical engineer. No parents, brothers or sisters.

Children: Goldemberg, Paula: Born January 31, 1961 in Rumania. Occupation: student.

Goldemberg, Magda: Born February 9, 1964 in Rumania. Occupation: student. Their address in Rumania is: Soseaua Oinac 48, Bloc H3, Sc. B., Apartment 22, Giurgiu, Judetul Ilfov.

Please give your personal attention to this case in order to bring about a positive solution.

Sincerely yours,

SILVIU WITTING.

LISLE, ILL., March 27, 1979.

DEAR SIR: I am a Romanian born American citizen, deeply concerned about the fate of a family of close friends living in Bucharest, Romania.

Two years ago they requested a visa to emigrate to the United States. They were denied even the application forms to file their petition. Over a period of one year they made three appeals to the Governmental Commission for Passports and Visas (GCPV), after which they were finally allowed to file their request for emigration. Their request was repeatedly denied, even though they have made 13 appeals so far, have had an interview with the authorities of the GCPV and another one with a representative of the Council of Ministers.

Our friends have distant relatives in the U.S. as well as many friends. This, combined with the fact that they have college education and are fluent in English gave them the confidence to try to start a free life in this country, free of ideological pressure, harassment and fear.

The fact that the Romanian government is one of the signatories of both the Helsinki and the Belgrade Agreements led them to believe that that government acknowledges the freedom to emigrate as a basic human right.

They have been subjected to frequent harassment, exposed to public ostracism by being called to explain their "unpatriotic behavior" in public meetings and being called on the phone at all hours of the day and night, ostensibly to reconfirm their decision.

All this led to a state of terror, fear and exasperation due to which a member of this family had a nervous breakdown requiring medical treatment for several months.

In their messages to us there is a note of urgency and borderline despair as well as an anguished bewilderment that a country which denies its citizens the most basic human rights seems to enjoy special treatment from the U.S. Government through most favored nation status.

We, together with their many other friends in this country are ready to offer any guarantee of financial support in their new life here.

We appeal to you to intervene through the Romanian Embassy in Washington, D.C., in order to relay to the Romanian Government our fervent plea to grant them exit visas.

Sincerely,

GREGORY D. WALLENSTEIN.

PERSONAL DATA

Mihai Babus—Born, December 25, 1941.

Address: 23 Blvd. Ion Sulea, sc. 3, No. 104 Bucharest, Romania. Telephone: No. 486868.

Occupation: Technician—Central Pharmaceutical Office.

Education: B.A.—Economics; 2-year Technical School.

Irina Babus (nee Anghelovici)—wife—Born November 7, 1944.

Address: Same as above

Occupation: English teacher—Industrial School No. 5.

Education: M.A.—English.

Henriette Anghelovici—Mother, March 28, 1914.

Address: Same as above.

Occupation: Retired.

Education: High school graduate.

History of request:

July 1977—request for large application form submitted—denied 3 times (2 months apart).

January 1978—new request submitted—denied twice.

June 1978—large application submitted—denied 10/30/78. Appealed once—denied. Personal interview—11/13/78—Government Commission. Denied 1/15/79. Ten additional appeals filed.

May 6, 1978—Scheduled for personal interview with representative of Council of Ministers.

JERUSALEM, ISRAEL,

June 4, 1979.

DEAR SIR: I am a new immigrant in Israel from Romania. My immigration has influenced my brother and he has decided to emigrate to Israel, too. But he has got problems.

His name is Stefan Varga. He was born March 22, 1949, and lives at Teodosie Rudeanu 3, block 1-C, Sec. 2, 3rd floor, apt. 53, Bucharest, Romania. His phone is 582348.

He is married to a woman with no citizenship, Manica Varga, formerly Iliopoulos, which implies that she can leave Romania whenever she wishes, without any special problem.

My brother is a systems analyst.

On July 11, 1978, he completed and handed in the so-called "anexa-3", a request for the form for the request for a passport (please do not smile). On September 14th, he handed in his papers requesting a passport. On January 5, 1979, he was refused for the first time. On January 18th he appealed, and on March 14th was received for an interview at the governmental commission for visas and passports in Bucharest, Calea Rahovei 18. He was told to make a new try during the summer.

On March 25th he received a negative answer, and on May 18th had a new interview, about which I have no information.

I want, sadly to inform you that the newest point added to the Romanian emigration system is to give an applicant who has received a negative answer, the possibility to apply again only after half year.

Respectfully yours,

ECATERINA CRISTESCU.

III. CONGRESSIONAL ACTION RE MFN FOR ROMANIA

1. Jacob Birnbaum's review.

2. Representative Schulze's letter in support of House Resolution (of Disapproval) No. 317.

3. Letters to Representatives Vanik by Representatives Dodd, Gilman, Rosenthal, Weiss, Green, & to President by Senators Javits, Heinz, Leahy, Packwood, Bayh, expressing concern about the human rights situation in Romania.

4. Extract from July 13 report of Ways and Means Committee urging increased U.S. support and monitoring for Romanian emigration to Israel.

Review

In response to the President's June 1979 recommendation for further extension of MFN trading status to Romania, Representative Schulze introduced a Resolution of Disapproval (H.R. 317) on June 14 and Congressional letters expressing concern about the Human Rights situation in Romania were initiated by Representatives Dodd, Gilman, Rosenthal, Weiss, Green to Representative Vanik (June 20) and by Senators Javits, Heinz, Leahy, Packwood, Bayh (June 29) to the President. The Representatives letter with 45 signatories warned that unless Romanian performance improved, the signatories would have "grave difficulty in supporting further MFN extensions." The Senator's letter with 18 signatures including that of Sen. Church urged the President to obtain firm commitments from the Romanians in the future and tighten up monitoring procedures.

On June 10, 1979, the Subcommittee on Trade reported H.R. 317 unfavorably to the Ways & Means Committee. In previous years there had been no controversy, not even discussion. Now there was heavy debate and a significant minority vote of 7 against 13. The members of House Ways & Means had been less exposed to the issue and the vote was 26 to 10, with Mr. Downey changing his vote (June 12). On July 25, H.R. 317 was debated on the floor of the House, with 126 voting for and 271 against.

One major factor has been omitted from the discussion so far—the impact on the many congressmen, who had serious reservations about Romanian practices, of the reported "understandings" between some American Jewish leaders and Romania's former Ambassador Corneliu Bogdan. Though there was no report of WRITTEN ASSURANCES by any Romanian official to the Jewish leaders, to the numerous members of Congress whom these officials have been giving their annual soothing assurances or to the Administration, many of these Congressmen felt that, despite the record, an attempt should be made to make the agreement work in the coming year. They put the Romanians on notice however that they would monitor the situation carefully.

An important result of this year's ferment in the House is the firm language on Human Rights in Romania that appears in the concluding passages of the majority Report (June 13) of the Ways & Means Committee as well as the strongly worded minority Report which contains the following barbed "question to the people of the Bnai Brith. If the Romanians have not kept the public assurances made to the U.S. government, how can we assume they will keep those private assurances made as a last desperate bid to assure renewal of MFN?"

Here is an important extract from the majority report on Romanian emigration to Israel:

"The Committee expects the Department of State to take a greater initiative in monitoring Romanian emigration to Israel, in making representations to the Romanian government at regular intervals concerning persons who wish to emigrate to Israel, and in reporting to this Committee more comprehensive and detailed statistics with respect to those persons who have applied for emigration visas to Israel and those who have finally been approved. It is further expected that the Department of State will make a concerted effort to assist in the fulfillment of the assurances given to the American Jewish leadership by the Romanian government, and that the Committee will be kept informed of progress in this area."

We look forward to similarly firm language in the Senate Finance Committee's Report.

RICHARD T. SCHULZE
By District, Pennsylvania

WAYS AND MEANS
COMMITTEE

Congress of the United States

House of Representatives • Washington, D.C. 20515

June 28, 1979

Dear Colleague:

If you believe that the Helsinki Accords and the Jackson-Vanik emigration provisions are more than mere words then I invite you to join me in a humanitarian effort.

This effort would include your co-sponsorship and support of a Disapproval Resolution which I have introduced. This Resolution is in response to the President's June 1st announcement of his intention to utilize the waiver authority of Section 402 of the Trade Act of 1974 in order to extend for an additional year MFN status for Romania.

In short, I oppose extending MFN to Romania for the following reasons:

- (1) For the past four years, we have routinely granted MFN extensions to Romania without debating the merits of this issue on the House floor. It is time we send a clear signal to Romania or any other Communist country desiring MFN that violations of human rights and refusal to allow emigration will not be tolerated;
- (2) Instead of reducing emigration obstacles, Romania has institutionalized them and recently added a third step in the emigration process. Individuals desiring to emigrate must now get on a waiting list in order to receive a preliminary application form. Not only does the level of harassment increase at each stage but these obstacles are blatant violations of the Helsinki Final Act and certainly do not help facilitate emigration.
- (3) Romania continues to harshly treat the 2.5 million Hungarians residing in Romania and has accelerated the deculturalization of its ethnic minorities. This process has included elimination of Hungarian schools, classes, bilingual road signs in Hungarian communities, and any voice in their government. In addition, there are very limited employment opportunities for Hungarians and their cities are now governed by non-Hungarian speaking Romanian mayors.
- (4) Emigration to Israel is still declining significantly from a yearly high of 4,000 people prior to MFN to less than 1,200 in 1978 to only 251 thus far this year.
- (5) Romania continues to operate forced labor camps including the ongoing construction on the Black Sea-Danube Canal. At these facilities, prisoners of conscience and religious believers are many times injected with large quantities of drugs or are subjected to electro-shock treatments as a means of political re-education.

For these reasons, I urge you to reaffirm your support of human rights and join me in support of this Disapproval Resolution. If you should desire to co-sponsor this Resolution, please contact Harry Burroughs of my staff at 5-5761.

Sincerely,


RICHARD T. SCHULZE
Member of Congress

June 20, 1979

Congress of the United States
House of Representatives
 Washington, D. C. 20515

Dear Colleague:

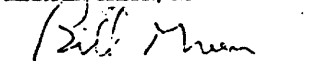
We are writing to ask you to co-sign a letter to our colleague from Ohio, Charles Vanik, urging him to pay careful attention to the long record of human rights violations in Romania when the Subcommittee on Trade of the Ways and Means Committee holds hearings on renewing Most Favored Nation trade status for Romania.

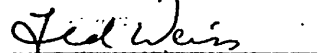
As you may be aware, President Carter has recommended further extensions of the waiver on Freedom of Emigration provisions of the 1974 Trade Act for Hungary and Romania. While we do not question Hungary's fulfillment of her promises, we continue to be very disturbed about Romania's record on emigration and her treatment of ethnic minorities. While not necessarily opposing MFN treatment for Romania, we feel that members of the House should express their concerns over Romania's policies directly to Mr. Vanik before his Subcommittee holds hearings.

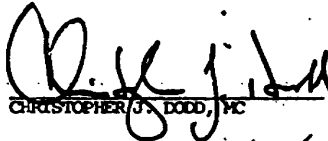
If you would like to co-sign the following letter to Mr. Vanik, please call Hassan at 5-2076 or Eli at 5-2601.

Sincerely,


 BENJAMIN GILMAN, MC


 S. WILLIAM GREEN, MC


 TED WEISS, MC


 CHRISTOPHER J. DODD, MC


 BENJAMIN S. ROSENTHAL, MC

CHRISTOPHER J. DODD
2d District, Connecticut

Congress of the United States
House of Representatives
Washington, D.C. 20515

WASHINGTON OFFICE
224 CANNON HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(202) 225-2878

DISTRICT OFFICE
STANLEY ISRAELITE
SPECIAL ASSISTANT
1 THAMES PLACE
NEWTON, CONNECTICUT 06459
(203) 566-4138

MIDDLETOWN OFFICE
84 CONY STREET
MIDDLETOWN, CONNECTICUT 06457
(203) 846-1123

COMMITTEE ON RULES
MAJORITY WHIP AT LARGE

BOARD OF VISITORS TO THE UNITED STATES CAVALRY GUARD ACADEMY

July 11, 1979

Hon. Charles A. Vanik
Chairman
Subcommittee on Trade
233 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Vanik:

We are deeply concerned about the terms of the President's June 1 recommendations to Congress advocating further extensions of the waiver of number 402 (the Freedom of Emigration legislation) of the 1974 trade act for Romania and Hungary. We do not question Hungary's fulfillment of her promises but continue to be disturbed by Romania's performance on emigration and her treatment of ethnic minorities.

During the past four years, many of us have concurred with the President's recommendation in the hope of genuine rather than cosmetic improvement in Romania's performance. Our attitude, however, is changing as evidence continues to accumulate of ever new emigration obstacles. Not content with a lengthy process requiring a preliminary application form for the application form itself, Romanian authorities during the past year have further complicated matters by introducing a waiting list for the preliminary form - in short, there is now a three step process! All this accompanied by the now familiar pressures, intimidations, threats of job loss and denotion, even occasional military conscription.

It is therefore not surprising that critical problems of family separations continue as before even as regards the US, despite an increase of 416 immigrants. This is a carefully calculated balance of the statistics, designed to impress Washington, without resolving the real problems of family reunion.

The same holds true to a much greater extent for Romanian migrations to Israel with its much larger family reunion potential. With no need to please Israel, Romanian immigration has plunged from an annual 4000

in 1973/4 to less than 1200 in 1978. Further drastic curtailments are projected for 1979 as only 190 Romanians came to Israel in the first four months.

Further a solemn promise made before last year's Congressional hearings to Assistant Secretary Of State George Vest and Senator Abraham Ribicoff to waive the penalties on a group of former prisoners has not, with one exception, been kept at all.

Moreover, many complaints have reached us of the Romanian government's efforts to denationalize its minorities, particularly the 2.5 million Hungarians. Through various repressive measures, these people suffer major cultural deprivation as well as political and social discrimination. These practices resulted in one of the courageous acts of civil dissent in our times - the extraordinary series of protest letters by Karoly Kiraly, a former high ranking Communist official.

Amnesty International recently documented a devastating report of human rights violations in Romania, including descriptions of psychiatric detention centers and labor camps. Though the Jackson-Vanik amendment makes specific mention of emigration, we do not believe that it excludes other human rights areas of concern to our colleagues in Congress.

To sum up,

- 1) ever-increasing complexities of emigration procedures plus harrassment
- 2) major problems of separated families
- 3) drastic curtailment of Romanian emigration to Israel
- 4) accelerated deculturalization of ethnic minorities
- 5) international uncovering of psychiatric detention and forced labor centers
- 6) constant reports of religious harrassment for most religious denominations, particularly for groups such as Pentacoetals and Witnesses

all constitute massive violation of the spirit and letter of the "Freedom of Emigration" legislation of the 1974 Trade Act and the Helsinki accords.

Mr. Chairman, without solid evidence from the Romanian government that it intends to take early steps to:

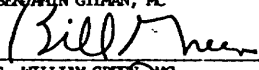
- a) simplify emigration procedures and cease harrassment
- b) reunite long separated families as immediate sign of good will
- c) revert to the 1973/4 rates of emigration to Israel of 3/400 monthly

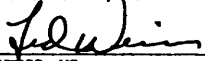
- d) halt minority cultural deprivation and discrimination
 e) terminate the enforced psychiatric and labor centers
 f) greater freedom of religious life
we would have grave difficulty in supporting further MFN extensions
 this year or in future years.


Mr. Chairman, we believe that your committee should consider and reconsider these facts more closely than ever before and suggest to the President and the Department of State that they reopen intensive discussions with Bucharest on the "Hungarian model", hopefully resulting in equally satisfactory outcome. Before being granted the waiver last year, Hungary not only gave assurances of compliance but fair evidence of such.

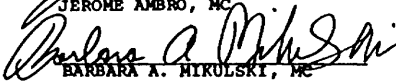
Sincerely,


 BENJAMIN GILMAN, MC



 S. WILLIAM GREEN, MC

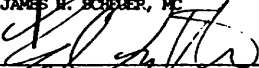

 TED WEISS, MC

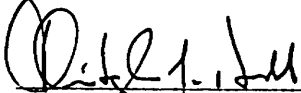

 JEROME AMBRO, MC


 BARBARA A. MIKULSKI, MC


 WILLIAM LEHMAN, MC

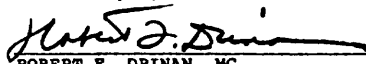

 JAMES H. SCHEUER, MC

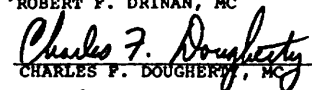

 EDWIN B. FORSYTHE, MC



 CHRISTOPHER J. DODD, MC



 BENJAMIN S. ROSENTHAL, MC

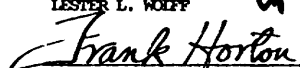

 HOWARD WOLFE, MC


 ROBERT F. DRINAN, MC


 CHARLES F. DOUGHERTY, MC


 JOSEPH M. GAYDOS, MC


 LESTER L. WOLFF


 FRANK HORTON, MC

Donald J. Pease
DONALD J. PEASE, MC

Bill Goodling
WILLIAM F. GOODLING, MC

Bob Dornan
ROBERT K. DORNAN, MC

Don Ritter
DON RITTER, MC

Jack Kemp
JACK F. KEMP, MC

Lawrence Coughlin
LAWRENCE COUGHLIN, MC

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ROBERT GARCIA, MC

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HAROLD C. HOLLENBECK, MC

Peter H. Kostmayer
PETER H. KOSTMAYER, MC

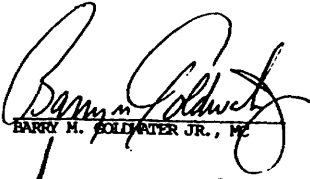
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THOMAS J. DONEY, MC

Peter A. Peysner
PETER A. PEYSNER, MC

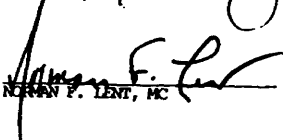
John W. Ninkler
JOHN W. NINKLER, MC

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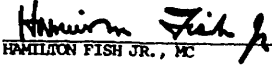
Ken Kramer
KEN KRAMER, MC


BARRY H. HOLLISTER JR., MC

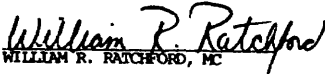

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cc: Members of the House Committee on Ways and Means

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United States Senate

COMMITTEE ON FINANCE
 WASHINGTON, D.C. 20510

June 29, 1979

Dear Colleague:

We are writing to ask you to join us in a letter to the President expressing concern over his recommendation that Romania's most favored nation trade status be extended for an additional year, pursuant to section 402 of the Trade Act of 1974, the Jackson-Vanik Amendment.

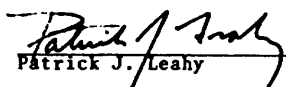
As the attached letter indicates, the President's recommendation is particularly disturbing in light of decreased Romanian emigration to Israel, increased bureaucratic obstacles to such emigration imposed by the government, and the government's continuing harassment of its Hungarian minority.

The Senate Finance Committee will soon consider the MFN extension. We believe that the Administration should make a determined effort before the Committee acts to obtain additional assurances from Romania about its emigration and human rights policies, and we are sending the attached letter to the President to urge him to take such an initiative. If you are interested in signing it, please contact Bill Reinsch in Senator Heinz' office (x46324) by Friday, July 13th.


Sincerely,


Jacob K. Javits


John Heinz


Patrick J. Leahy


Bob Packwood


Birch Bayh

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United States Senate

COMMITTEE ON FINANCE
 WASHINGTON, D.C. 20510

MICHAEL STEIN, STAFF DIRECTOR
 ROBERT E. LIGHTHIZER, CHIEF MINORITY COUNSEL

The President
 The White House
 Washington, D.C.

Dear Mr. President:

We are writing to express our concern about your recommendation to continue the extension of most favored nation treatment to Romania.

During the past four years, many of us have not opposed MFN status in the hope of genuine rather than cosmetic improvement in Romania's emigration policies. Our attitude, however, is sharply affected as evidence continues to accumulate of growing obstacles to emigration. Not content with a lengthy process requiring a preliminary application form for the application form itself, Romanian authorities during the past year have further complicated matters by introducing a waiting list for the preliminary form. This means there is now a three step process which is also accompanied by the now familiar pressures, intimidations, threats of job loss and demotion and even occasional military conscription.

The result of these pressures has been an appreciable drop in the number of Jews allowed to emigrate to Israel, declining from 4,000 in 1973 to approximately 1200 in 1978. The total for the first four months of 1979 was only 190, a substantially lower annual rate than last year.


Complaints have also reached us of the Romanian government's efforts to destroy the cultural identities of its minorities, particularly the 2.5 million Hungarians. Through various repressive measures, these people suffer major cultural deprivation as well as political and social discrimination. These practices have resulted in one of the courageous acts of civil dissent in our times -- the extraordinary series of protest letters by Karoly Kiraly, a former high ranking Communist official. We believe these actions constitute violations of the spirit and letter of the Jackson-Vanik Amendment to the 1974 Trade Act and the Helsinki Accords. It would be difficult for us to

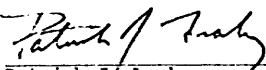
continue to support further extension of MFN status without solid evidence from the Romanian government that it intends to take early steps to simplify emigration procedures and cease harassment; reunite long separated families; return to at least the 1973-4 rates of emigration to Israel of 3-400 monthly; halt minority cultural deprivation and discrimination; and provide greater freedom of religious life.

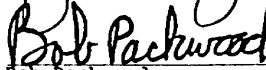
Mr. President, we urge you promptly to reopen discussions with the Romanian government to obtain some firm commitments to take these actions and to establish more effective State Department monitoring procedures both in Bucharest and here in Washington.

Sincerely,

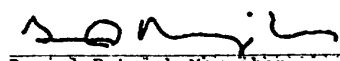

Jacob R. Javits


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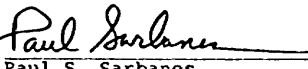

Birch Bayh



Daniel Patrick Moynihan


Frank Church

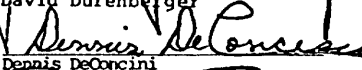

S. I. Hayakawa


Richard S. Lugar



Paul S. Sarbanes

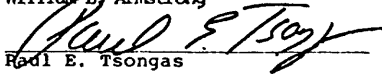

David Durenberger


Richard S. Schweiker


Dennis DeConcini


William L. Armstrong


William S. Cohen


Radl E. Tsongas

Senator RIBICOFF. The Administration will return for some questions by Senator Heinz, and there are some written questions from Senator Bradley which we will submit to you for your response. [The following was subsequently supplied for the record:]

QUESTIONS ASKED BY SENATOR BRADLEY DURING MFN HEARINGS IN JULY 1979

ROMANIA

Question. On what basis does the State Department recommend that the waiver of section 402 with respect to any nonmarket economy will promote freedom of emigration?

Answer. There is little question that since the granting of MFN, emigration from Romania to the United States had increased considerably (from 407 in 1974 to 1,706 in 1978). Nevertheless, Romania's emigration policy remains restrictive. Prospective emigrants still suffer a degree of harassment and encounter difficulties in gaining permission to leave the country. Romanian leaders are aware of our serious concerns, both with respect to the number of those allowed to emigrate and with the cumbersome procedures. They have indicated their willingness to consider carefully all cases involving divided families.

Question. Given that the Department's own figures show a serious drop in Jewish immigration to Israel since 1974 and that it is aware of prescreening practices over the last year, how can it justify the waiver on the basis that it will promote freedom of emigration? What specific reasons do you have to believe that extending MFN will promote free emigration when the extension of MFN has not done so, at least with respect to Jewish emigration to Israel, in the past?

Answer. It is true that Jewish emigration to Israel has declined since 1974. We have discussed this at great length with Romanian officials. We have impressed upon the Romanians the need not only for continuing to approve applications for emigration to Israel but also for simplifying the application procedures in order to insure that all Romanian Jews who wish to emigrate have the opportunity to do so. We believe that since Romania values highly the improved trade and overall relations which go with the granting of MFN, it is in this context that we can most effectively present our humanitarian concern with respect to emigration. By extending MFN we are in a better position to continue the dialogue which we initiated with Romanian officials in 1975.

Question. On June 27, I wrote to the Romanian Ambassador to the U.S. (Ionescu) expressing my concern at the complication of emigration procedures and the drop in the level of emigration for Romanian Jews to Israel. I know that several of my colleagues, including Senator Heinz and Packwood, have written to the President on this subject. To date, I have received no reply from the Romanians, and I wonder whether they have given any formal assurances to the Administration. I would certainly appreciate hearing from the Romanians on this matter, particularly since I am pleased that there has been significantly growth in trade between our two countries since 1975 and I hope that commercial relations will continue to grow to our mutual benefit. My feeling generally is that Romania has demonstrated an independence and willingness to expand relations with the U.S. that should be reciprocated. Therefore, reports about obstacles to emigration are particularly discouraging to me.

Answer. Romanian officials have repeatedly stated that the Romanian Government will review all cases involving reunification of families including cases involving Romanian Jews who wish to join their families in Israel. They have indicated their willingness to do so in the context of their commitment to the full implementation of CSCE as well as their desire to be responsive to Administration and Congressional concerns. In addition, Romanian officials have expressed their willingness to discuss the issue of Romanian Jewish emigration to Israel with leaders of the American-Jewish organizations.

Senator HEINZ. Mr. Chairman, have you any questions for Mr. Nimetz?

[Senator Ribicoff nods negatively.]

Senator HEINZ. Mr. Nimetz, I will try to keep my questions brief. There are really two questions, and hopefully you can keep your answers brief, too. We have many more people from whom we want to hear.

The first was: What specifics that you did not get into earlier can you give us about the understanding, the meeting between the Romanian officials and the Jewish organizations?

The second question is: What kinds of government-to-government assurances can we get? Mr. Birnbaum has suggested several concrete steps here, written assurances from the Romanians on intention to comply with the requirements of 402; recognition of a simple letter of intent to emigrate as the first step in simplifying emigration procedures; immediate steps to release long-separated families, at least 500 by the end of September; the granting of amnesty to several dozen former scapegoat prisoners that was promised last summer and, except in one or two instances, is still to be forthcoming. I mentioned that in my opening statement, as you will recall.

Therefore, what kinds of assurances on the record can you get? Now, let me suggest that this is not only of importance with respect to Romania but it is going to be precedential, necessarily so, with regard to any interest the Administration has in seeking MFN treatment for the Soviet Union. I think there is a very strong sentiment among many of my colleagues that they would want to have some very definite assurances from the Soviet Union, and not verbal assurances second hand, that they are going to be complying much more positively with the Helsinki Agreement were the Administration to seek MFN status from the Soviet Union.

So I hope you will be able to respond in the light of what I think is an important beginning.

Mr. NIMETZ. As I mentioned, I would like to answer for the record some of the specific things that Mr. Birnbaum raised. In general I think that, as you know, MFN for Romania was the first approved under Jackson-Vanik and was accomplished in the prior administration before I came to Washington. I was not involved in it.

However, the Romanians have at meetings on high levels reiterated their commitment that emigration cases would be resolved in a humanitarian way, particularly when it involves divided families. Our experience has been that in the cases of emigration to the United States, when we come in with a name, a family, with very few exceptions they eventually get passports. An exit permit is issued for that person.

There are some security areas where there has not been that much cooperation. As I mentioned, the procedures are cumbersome. There are all sorts of problems. But we feel that they have maintained that general commitment.

Now, the philosophy of Jackson-Vanik goes beyond emigration to the United States, the generalized philosophy. Therefore, we feel quite properly we can raise the general issue of emigration. Actual emigration from Romania has gone up significantly in the last few years, mostly due to large German emigration to the Federal Republic of Germany.

In the Hungarian case, which I personally was involved in, we did get a letter. We just negotiated it differently and had an exchange of letters. We gave them an assurance that we would treat emigration cases under the Helsinki Final Act in that spirit, and they gave us a similar letter. I think every country that would

fall within Jackson-Vanik would have to be treated in its own terms. It is a very sensitive issue with each country.

They feel it is their domestic policy, and therefore I cannot make predictions about what other countries might do. I think we can continue to work with the Romanians on specific cases. I think we can continue to talk to them about procedures, and I think we can continue to talk to them about the general problem of emigration.

I am not particularly confident of what, if anything, we could get in writing. They are a very nationalistic country. They are very sensitive to sovereignty, and mostly sensitive to infringements of sovereignty from other countries, and not only from the United States. But it is a general philosophy, and I am not sure that is the most productive way to go.

Senator HEINZ. What assurances did the Jewish groups get? And were they or were they not in writing?

Mr. NIMETZ. I don't think there was any exchange of documents. I am a bit reluctant to go into those discussions.

Senator HEINZ. Mr. Chairman, I can understand Mr. Nimetz' problem. He may want us to discuss this in a closed session.

Mr. NIMETZ. I would be glad to informally. The reason I am reluctant, I tell you quite frankly, is there were intensive discussions between the Jewish organizations and the Romanian Government in which the organizations got assurances that they felt would improve the situation on Jewish emigration to Israel. We were aware of these, and both the Romanians and the organizations kept us well informed.

Senator HEINZ. I guess the fundamental question I have, and we will clear the room, I guess, if necessary to protect any confidential information, is what kind of assurances were American Jewish groups able to get that our U.S. Government was not able to get?

Mr. NIMETZ. The type of assurances that they were interested in had to do with procedures that would make it easier for lists to be developed.

Senator HEINZ. I understand in general they got beneficial things. I also understand that for very good reasons you are reluctant to discuss these in open session. If the chairman wants to, we can go into a closed session and clear the room and find out what it is you know so that we can protect the confidentiality.

You are, in a sense, a third party here.

Mr. NIMETZ. Right.

Senator HEINZ. And I appreciate that. I do not wish you to divulge something in open session that you don't want to divulge. That is not my purpose. But it is the pleasure of the Chair.

Senator RIBICOFF. Senator Heinz, I would certainly do everything to accommodate you on this. If you would like that to be done, it will be done. We could ask Mr. Nimetz to submit this in writing so that you could see it personally and any other member of the committee could see it personally.

Senator HEINZ. I think that is a good suggestion.

Senator RIBICOFF. And I would be more than pleased to suggest to Mr. Spitzer that he arrange a mutually convenient appointment to discuss this matter personally, if you would like that. I could do either one or the other. But I would accede to whatever your preference is.

Senator HEINZ. Mr. Chairman, I would be satisfied with your first suggestion.

Senator RIBICOFF. So would you submit in writing, on a confidential basis to the committee, to Mr. Cassidy, who will make it available to whichever Senator might like to see it. And if Senator Heinz would like to talk with Mr. Spitzer personally, Mr. Cassidy would be pleased to arrange a mutually convenient appointment.

Senator HEINZ. That is more than adequate. Thank you very much.

Senator MOYNIHAN. May I just take one moment here?

Senator RIBICOFF. You certainly can.

Senator MOYNIHAN. Since these exchanges will take place in camera, the public does not have the opportunity to express its thanks, and I would like, while you are still here in public, Mr. Nimetz, to thank you for what you have done in these causes in 2½ years. It has been exemplary. No one could have been more personally devoted, more effective, and when necessary, more inconspicuous.

It has been said of Washington that it is a place where a committed man or woman can achieve almost anything if he or she is willing to have other persons take the credit, and I think that is part of the achievement of Matthew Nimetz.

Mr. NIMETZ. I am very grateful for your statement, especially now that report cards are being written on all of us. [General laughter.]

Senator HEINZ. Mr. Chairman, on that I have found it is frequently very embarrassing to ask people if they have been asked to resign or if they have gotten a report card. If they say no, it means that they are somewhere below middle level. So I just urge the committee members and my colleagues not to ask. It is embarrassing either way.

Senator RIBICOFF. For the benefit of the witnesses, let me tell you the schedule. We are running way behind schedule. This morning we will finish with Mr. Jack Early and his group, and Mr. Milton Rosenthal and his group. Then we will recess until 2 o'clock, at which time Senator Moynihan has graciously agreed to chair the remainder of the panels.

So those of you who want to leave are free to do so, to return at 2 o'clock.

Are there any more questions of the administration?

[No response.]

Senator RIBICOFF. Thank you very much, gentlemen.

Mr. Jack Early and the group with him.

Mr. Early, you may proceed.

STATEMENT OF JACK D. EARLY, PRESIDENT, NATIONAL AGRICULTURAL CHEMICALS ASSOCIATION, ACCOMPANIED BY NICHOLAS L. REDING, VICE PRESIDENT AND MANAGING DIRECTOR, MONSANTO AGRICULTURAL PRODUCTS CO.; ROBERT McLELLAN, VICE PRESIDENT, INTERNATIONAL AND GOVERNMENT AFFAIRS, FMC CORP.; JAMES JERSILD, PATENT ATTORNEY, DuPONT; LLOYD L. MAHONE, DIRECTOR, PATENT DEPARTMENT, STAUFFER CHEMICAL CO.; AND JEREMIAH J. KENNEY, JR., DIRECTOR OF FEDERAL GOVERNMENT RELATIONS, UNION CARBIDE CORP.

Dr. EARLY. Thank you, Mr. Chairman and members of the committee. I am Jack Early, president of the National Agricultural Chemicals Association, which is an association of some 120 member companies that produce, formulate and manufacture virtually all of the agricultural chemicals sold in the United States. A significant amount of these materials, of course, are shipped to satisfy the needs of farmers throughout the world.

I have with me this morning representatives from five of our member companies that I would like to quickly introduce to you, Mr. Chairman. I have Mr. Nick Reding, the vice president with Monsanto Co.; Mr. Bob McLellan, vice president with FMC Corp.; Mr. James Jersild, patent counsel for DuPont Co.; Mr. Lloyd Mahone, director of the patent department with Stauffer Chemical Co.; Mr. Jerry Kenney, who is the Washington representative of Union Carbide.

I have an abbreviated oral statement I would like to make, Mr. Chairman. Following this oral statement, two of our member companies, Monsanto and FMC, would like to add a brief oral statement also to express some personal experiences these companies have had relative to the situation we would like to discuss this morning.

I also have a written statement we would like to submit for the record, with your permission.

Senator RIBICOFF. All of your written statements will go in the record as if read, and you proceed within your 10-minute allotted time.

Dr. EARLY. Thank you, Mr. Chairman.

As indicated in your hearing notice, when your committee approved the Hungarian-American Trade Agreement 1 year ago, it properly indicated its concern about certain Hungarian practices. These included the practice of practically denying American agricultural firms access to the Hungarian patent system equal to that provided similar Hungarian firms.

At the same time, the Hungarian producers, safe in their local enclave, duplicated high technology American agricultural chemicals, protected around the world by patents. They were selling these duplicate products in third countries in violation of American industrial property rights and in a manner such that the American firms found it practically impossible to stop this unfair trade practice.

Your committee, noting the Trade Agreement requirements concerning respect for industrial property rights of firms of the other country and the provision for national treatment regarding proper-

ty right protection, stated that they expected this course of action to cease under the new agreement.

We understand that as late as last fall, you, Mr. Chairman, with other Members of Congress, including Speaker O'Neill, raised this issue with high Hungarian officials during a visit to Budapest and were assured that the matter would be looked into and set right.

We appreciate the committee's holding this hearing now to determine what progress has been made in ending unfair practices. A few months ago, we would have had to have reported to you that the situation had grown worse during the months following your meetings with the Hungarians. However, with your expressed interest and the diligent work of the Commerce and State Departments, especially Assistant Secretary Frank Weil and Deputy Assistant Secretary Kempton Jenkins, who were ably assisted by Ambassador Philip Kaiser, events seemed to take a positive turn in late May of this year.

Through these efforts, trade practices in this area were apparently focused on for the first time by those in high levels in the Hungarian Government to be concerned about broader trade interests of that nation. The Hungarians quickly agreed to a meeting of an ad hoc group of the Hungarian-American Joint Economic and Commercial Committee to consider this matter. The Hungarian delegation was led by Deputy Trade Minister Istvan Torok, who evidenced a sincere desire to resolve the problem in a fair and reasonable manner.

He indicated that Hungary has a broad trade interest which is served by maintaining a reputation as a responsible trading nation and that narrow trade problems should be resolved so as not to color that reputation. His views on the importance of protecting Hungary's image were reiterated personally when Ambassador Kaiser and Mr. Jenkins called on him during this particular visit.

The meeting of the ad hoc working group, which began on June 11, 1979, resulted in an Agreed Minute committing both governments to providing equal patent protection for local and foreign nationals, and discouraging industrial property right violations, including violations in third countries. All this was done in the interest of maintaining and improving commercial relations of the two countries.

In the weeks following the June meeting, some NACA companies have been holding private meetings with the Hungarian agricultural chemicals industry concerning specific products where there have been problems. These meetings have tested whether the Hungarian producers of agricultural chemicals will fully live up to the standards apparently agreed to by their ministry of trade. While some of these companies are here today and will report their experiences, let me say for NACA that we are presently discouraged.

The Hungarian producers have failed to exhibit an adequate appreciation for what is required by the letter and spirit of the Trade Agreement and Agreed Minute of the respective governments. In several important instances, negotiations initially appeared to go forward only to have fundamental points settled earlier reraised.

Some of our members believe that the enterprises are stalling, giving the appearance of negotiating while not agreeing to stop their illicit activity, only to escape the scrutiny of this committee.

We are convinced that the continued attention of this committee and the Congress will contribute importantly to a satisfactory resolution of these problems. For these reasons NACA recommends that this committee continue to express its concern about these trade practices. We recommend that this committee direct the Commerce Department and the Trade Executive to submit a detailed written report on the status of this issue by November 15, 1979. This will enable Congress to be currently informed should it conclude that additional action is appropriate.

Senator RIBICOFF. You were here this morning when I talked to the Commerce representatives.

Dr. EARLY. Yes, Mr. Chairman.

Senator RIBICOFF. I requested that that be done. I pointed out the route of section 301, the STR, can be taken. It is a matter of concern to this committee, and this is another example of why we desperately need a coordinated, reorganized Trade Department in this government. And we hope that, beginning on Monday, we will start hearings on that.

I understand two of you gentlemen want to make a comment.

Dr. EARLY. Yes, Mr. Chairman. We would like you to hear a statement from a couple of our companies. First, Mr. McLellan.

Mr. McLELLAN. Thank you very much, Mr. Chairman. I am Robert McLellan, vice president, international and government affairs, FMC Corp. I am also a former U.S. Assistant Secretary of Commerce. So I look at these things from both a business and governmental point of view.

FMC is a Fortune 100 company, with annual revenues of approximately \$3 billion. Twenty-nine percent of these revenues are derived from our international activities, approximately two-thirds of that generally comprised of exports. One of our most promising products for export is a carbofuran, generic term, insecticide and nematicide, which FMC sells under the trademark "Furadan," which has a broad spectrum of application to vegetable and grain crops.

Over the years the market for carbofuran has grown steadily so that it is a major agricultural insecticide for which FMC has developed markets in many countries at substantial investment of both money and human resources.

In 1977 FMC became aware of the fact that the Hungarian trading company Chemolimpex was engaged in sales of, or attempting to sell, carbofuran in a number of countries where FMC holds patents. Among these were Brazil, Spain, Taiwan and India. Recognizing that this represented an illegal challenge which had to be met, representatives of our company held negotiations with the Hungarians in late 1978 and in February and June of 1979 in Budapest, and in Chicago on July 2.

The Hungarians, incidentally, promised us on July 2nd a reply to an agreed draft to an agreement by July 16, but we have not heard from them.

In these discussions, FMC called the attention of the Hungarian companies not only to their infringing exports but also to certain

instances of counterfeiting of FMC product. I would like to show the committee and submit as part of the record a photograph of Hungarian origin carbofuran purchased in Spain in a container stenciled "Furadan," but with the Hungarian trademark "Chinufur 5G" also attached on the side. This is a blatant attempt to trade on the FMC trademark as well as our patented technology.

Other efforts have been made to pass off the Hungarian product as FMC's product. In India, FMC obtained copies of an import license filed with the Indian Government. This license contained a false declaration of origin, stating that the product was made in the United States when it was not. I would also like to submit copies of this certificate of origin to the committee for its records.

Because of this pattern of conduct and because private discussions have led nowhere, FMC joined in the formulation of the NACA subcommittee Mr. Early referred to a few moments ago. The subcommittee requested the assistance of the State and Commerce Departments in seeking a solution through government channels to the unfair business practice.

As you know from Mr. Early's statement, a government-level agreement was worked out in Budapest in June. But despite the language contained in paragraph 4 of the Agreed Minute, discussions held by FMC representatives with representatives of the Hungarian countries in Budapest and Chicago have not produced a satisfactory result.

The Hungarians indicated they might cease their infringing exports if FMC purchased a large portion of the Hungarian capacity to produce a product, namely, a minimum of 200 tons of technical product per year. We have and we will continue to resist these efforts to build a capability to produce Western proprietary products and then coerce Western firms into buying the capacity created in this matter.

Accordingly, I must report to this committee today that as far as FMC's product is concerned, the Hungarians are continuing their deliberate, well-orchestrated efforts to produce our product and sell it in foreign markets where we own patents. A serious issue of principle is at stake here. Your committee has just concluded consideration of the MTN negotiations which will hopefully create a more equitable basis on which world trade will expand in the years to come.

As we enter this new era, the United States must make it clear that we expect non-market economy countries to play by these same new rules and to observe fair business practices. The Hungarian chemical industry should not be allowed to continue to profit for another year from the unfair and illegal practices my colleagues and I have described. The United States should make it clear now that the resulting continued loss of jobs and damage to our trade position will not be tolerated and that a country which engages in these practices will not receive most-favored-nation treatment for its products entering the United States.

This committee's report of a year ago concluded with this statement, and I am quoting:

The committee will carefully monitor this problem during the life of the agreement and will again review it at the time for renewal and recommend further action if necessary.

I have reluctantly concluded in the light of my company's experience that appropriate action at this time would be a suspension of MFN treatment for Hungary until this important trade question is resolved.

Thank you, Mr. Chairman.

Senator RIBICOFF. Do you have something new to add?

Mr. REDING. Mr. Chairman, I am Nicholas L. Reding, group vice president of Monsanto and managing director of Monsanto Agricultural Products Co. I am here also to report on what we consider a serious example of patent piracy and international trade extortion. Mr. McLellan mentioned the Hungarian enterprises, including their trade organization, Chemolimpex, which in the case of Monsanto, have also counterfeited one of our most promising new innovations in agricultural chemicals, and they are demanding we hand them essentially the Hungarian market as well as a share of international markets.

Simply stated, they are attempting to steal the fruits of our U.S. innovation.

Senator RIBICOFF. How much loss of export business do you feel that they are pirating that your patents have involved?

Mr. REDING. I think it is likely, Mr. Chairman, that today we are seeing the tip of the iceberg, so to speak. I think they have picked promising products that add to their industrial base. Where there is a high value and while there is a definite loss today, I think what is at stake is probably all future technology of our industry if the precedent continues.

Senator RIBICOFF. Are there any other countries pirating your patents? I mean I am talking about the industry as a whole.

Mr. REDING. I would say not to this extent, Mr. Chairman. As an example, with our particular case where we have a problem, this new innovation, which is a herbicide called Roundup, we have the broadest coverage in that product of any Monsanto product worldwide. I would say today in only Hungary do we feel under existing country patent laws are we being treated unfairly today.

Senator RIBICOFF. Hungary is the single country?

Mr. REDING. Yes. That doesn't mean that there have not been occasional minor encroachments in other areas, but I would say this is clearly the most severe one. And I would like to say that, having faced this problem, I think that last year this committee did influence the Hungarian Government to focus on the problem as a potential stumbling block.

Thanks to your involvement and also thanks to the direct personal involvement of Mr. Frank Weil, Mr. Kempton Jenkins of Commerce, and Ambassador Phillip Kaiser, the government had a meeting on the problem held in June, which I attended. It seemed to be a great success. The Minute that was negotiated would have clearly solved the problem if it were followed.

The question now is whether that Minute will, in fact, be followed.

Senator RIBICOFF. I was assured you had come to an agreement. What went wrong and when?

Mr. REDING. Of course, the meeting was held in June. I can tell you from our standpoint, while, in effect, if the Minute were followed, there was nothing to be negotiated. But in fact, recognizing

that there were facilities producing in Hungary today, and recognizing that it is rather difficult to shut down such facilities, in Monsanto's case we immediately, under the urging of our government, began negotiations to solve the present problem.

As of July 6, we thought we had an agreement. In fact, the Hungarians were in St. Louis. Essentially, we thought we had negotiated an agreement. We submitted that agreement to the Hungarians. A team of our people went to Budapest on July 11 expecting to sign the agreement. They were confronted with a totally new agreement, and on the last day they were there, the Hungarians immediately insisted that we now allow them to export and share in our international markets, which we had made a condition precedent that we would not allow from the first day that we met.

I would like to say that while that has been very frustrating for us and we do not seem to be making any progress and it causes us to question the validity of the Hungarians as trading partners, not to speak of their reliability as negotiators, at the same time, I have as a positive point been very impressed with what our government and our industry have been able to try to do together.

Ambassador Phillip Kaiser is right now this morning talking with our people and with the Hungarians to try to resolve this issue. I think that the example of the Ad Hoc Committee in Budapest was very positive. There was a good example of industry and government working together.

I think your proposal about a foreign trade organization would substantially foster that sort of cooperation. I think it is very important. But the fact is right now we have not solved our problem. We have to question whether we will be able to solve that problem, whether we will be able to avoid future encroachments.

I support Dr. Early's suggestion. I think our industry does. I think this committee should actively monitor and pursue the conduct of the Hungarians, both within FMN and the Agreed Minute in Budapest.

Senator RIBICOFF. I would say this committee takes a very dim view of the Hungarian situation. I had been assured by the executive branch here, and Ambassador Kaiser in his trip home a month or so ago visited with me and told me that he was very optimistic that a definitive agreement was going to be reached satisfactory to the American chemical industry. And certainly, on behalf of the committee, I know we are deeply disappointed with the Hungarians' attitude.

Mr. McLELLAN. I would like to make a comment there, Mr. Chairman, which is that the agreed government-to-government minute, as Mr. Reding said, was a perfectly good effort. It was a very proper first step. The problem we have encountered is the Hungarian companies, not the government. The companies have taken the position, I believe, and this is my personal opinion, that they are only going to have to accommodate this to the extent that they are—I have to say—forced or caused to accommodate it.

The government officials have told us that they will certainly try to cause their companies to be responsive but that they do not control them. Therefore, it seems to me that we are only going to get action from the Hungarian chemical companies in contrast to

the government if, indeed, we lay down some conditions which make it worth their while to accommodate the government agreement.

Senator RIBICOFF. Senator Danforth.

Senator DANFORTH. Thank you, Mr. Chairman.

I think that the importance of what is involved here really is very hard to overstate. We have been talking, concentrating in this committee now for a long time on the whole problem of international trade and what we can do to boost America's position, and certainly agricultural chemicals are a very important and will be an increasingly more important and more promising aspect of our American export policy.

Now, what is involved, though, is something more than just one segment of our exports, in my opinion. I just returned from a trip to the Middle East during the 4th of July recess, Israel, Jordan, Egypt. And it is absolutely clear to me, just from that trip, that one of the most meaningful things that the United States can do to shore up the peace process is to try to put the economy of Egypt on a more healthy basis.

In talking to President Sadat, his comment was that what we need is American private sector involvement, especially in agriculture. Now, how are you going to get American private sector involvement, especially in agriculture, if Hungary is busily stealing American ingenuity and selling it for itself?

If we are going to get private sector involvement in improving the situation and the economy of the rest of the world, particularly at a time when the population around the world is exploding and there is difficulty figuring out how we are going to feed the people, if American private sector ingenuity is going to be involved in this, I don't understand how we are going to do it unless we can offer them some sense that there is going to be a return. That is the way our system works. Yet, there can be no meaningful return if whatever you make is going to be stolen by somebody else.

Now, my understanding is, and correct me if I am wrong, that recourse on a company-to-company basis, recourse against a Hungarian company, is futile. It is an empty pocket insofar as they are concerned. Isn't that correct?

Mr. REDING. That is correct.

Senator DANFORTH. So the only chance that we have is for the Hungarian Government to assume responsibility. It is a Socialist, Communist country. It is not like America. Their government may assume responsibility. Am I wrong?

Dr. EARLY. I think that is correct. And for the first time, a few weeks ago we had this government and the Hungarian Government on a government-to-government basis. That was not an easy thing to resolve, to get to, but we got to that point because we firmly believe that is the only way to resolve this issue, government-to-government.

Senator DANFORTH. But we are back to square one, right?

Mr. MCLELLAN. Exactly.

Dr. EARLY. Yes.

Senator DANFORTH. When you come right down to it, we have one ultimate weapon in our arsenal, and that is withdrawal of most-favored-nation status. I don't see any other remedy, do you?

Mr. McLELLAN. I would add we ought to take a careful look at those export credits, the agreement initialed last Tuesday in Budapest, because that is something we can do.

Senator DANFORTH. All right. But would America come crashing down if we withdrew most-favored-nation status from Hungary? Would people be selling apples in the street if we withdrew most-favored-nation status? [General laughter.]

I mean we don't want to do it, I am sure, but it certainly would not be the end of the world. And if that is the only tool available to us, is that an irresponsible suggestion?

Dr. EARLY. I think we could only comment on our own particular interest's viewpoint here, and I don't really think we want to get into all of the other trading situations that might involve all U.S. trade. It is certainly no big problem for our industry, and I can only speak for our industry here this morning.

Mr. McLELLAN. I would just add, Senator Danforth, as I said in my testimony, FMC would recommend it.

Senator DANFORTH. Would what?

Mr. McLELLAN. Would recommend. In my prepared statement, I came to the conclusion that I would reluctantly recommend that the committee suspend MFN treatment.

Senator DANFORTH. Last year we had in our report language—very strong language—on the situation in Hungary, and the result of that has been nothing. Right?

[Mr. McLellan nods affirmatively.]

[Dr. Early nods affirmatively.]

[Mr. Mahone nods affirmatively.]

Dr. EARLY. The issues have not been resolved yet.

Senator DANFORTH. Do you have the feeling they are stringing you along?

Mr. REDING. Absolutely.

Mr. McLELLAN. Clearly.

Mr. REDING. I think they are playing a time game. They may be delaying until after this hearing is up, to think that perhaps the pressure is off, or perhaps they did not have the intent of seriously negotiating all the way along.

Senator DANFORTH. When a Communist country starts saying there is a difference between this company and the government, isn't that, to use the President's word, "baloney"? [General laughter.]

Isn't that true? I mean it is not like the United States.

Dr. EARLY. We agree with that, sir.

Senator DANFORTH. I would myself be willing to consider a possibility of withdrawing most-favored-nation status from Hungary. I would just not like to see us continuously have this matter as a subject for report language. So all I am doing right now is expressing my concern. But I really am expressing my concern not only as a Senator from a State which happens to be heavily into agribusiness, particularly the world headquarters for Monsanto, but also I do feel that the participation of the United States in trying to improve the situation in the rest of the world, not only for the humanitarian benefits but also for the benefit of stabilizing the rest of the world, is going to depend upon our involvement. Maybe

more seriously and importantly than any other industry, it will depend upon your involvement.

Therefore, I think it is important to give you the sort of incentive and the sort of insurance that is necessary for you to be able to do business.

Mr. REDING. Senator Danforth, I agree with precisely what you are saying. I think this sort of activity has a cooling effect on our innovative interests. Of course, that is our lifeblood and it is the lifeblood of agricultural productivity. I would hope, personally, that this matter would not have to go so far as to withdraw MFN.

Certainly our economy would not come crashing down, in my personal view. I would hope it would not come to that, but certainly that is perhaps the point where we are. I find it very difficult to believe that for what appears to be an attractive sector of the Hungarian economy because it generates the hard currency and adds to their industrial base, that for that relatively minor sort of business, that they would risk the benefits of MFN.

But perhaps we still have not clearly gotten the message across to them, and that is why I feel that we have to continue to have a strong government-to-government effort; that it could well come to the point that MFN is at stake.

Senator DANFORTH. You know, when I returned from the Middle East, I talked to a person who is said to be one of the leading experts on increasing agricultural productivity in Egypt, and I said, well, isn't the way to do this is to expand irrigation? And he said even without touching irrigation we can maybe double or triple agricultural productivity in Egypt. Here is a country with a terrible economic situation. We could maybe double or triple agricultural productivity in Egypt just by making better use of what they have now. That is what you do. That is the genius of American agricultural productivity, what you do.

So I really think that it is a matter of serious concern not just from the standpoint of your particular businesses but from the standpoint of what is going on in this world.

Thank you, Mr. Chairman.

Senator RIBICOFF. Senator Heinz?

Senator HEINZ. No question, Mr. Chairman.

Senator RIBICOFF. Thank you very much, gentlemen. We are aware of your problem. I think you have a very sympathetic committee and I think you have an activist committee here, and we are not going to let this thing slide.

Dr. EARLY. Thank you, Mr. Chairman.

Mr. McLELLAN. Thank you very much.

[The prepared statements of the preceding panel follow:]

STATEMENT OF THE NATIONAL AGRICULTURAL CHEMICALS ASSOCIATION

Mr. Chairman, and members of the Committee, I am Jack D. Earl, President of the National Agricultural Chemicals Association, and association of some 120 companies which produce, formulate and sell most of the agricultural chemicals used in the United States and which export their products worldwide. Forty of these member companies are engaged in extensive and costly research and development to meet the needs of the world's farmers for safe and effective herbicides, insecticides, fungicides and plant growth regulators.

I have an abbreviated oral statement and a more detailed written one which I would like to submit for the record. Following my testimony some of our member

companies will have brief individual company statements to present to the Committee.

As indicated in your hearing notice, when your Committee approved the Hungarian-American trade agreement a year ago, it properly indicated its concern about certain Hungarian practices. These included the practice of practically denying the American agricultural chemical firms access to the Hungarian patent system equal to that provided similar Hungarian firms. At the same time the Hungarian producers, safe in their local enclave, duplicated high technology American agricultural chemicals, protected around the world by patents. They were selling these duplicate products in third countries in violation of American industrial property rights and in a manner such that American firms found it practically impossible to stop this unfair trade practice.

Your Committee, noting the trade agreement requirements concerning respect for industrial property rights of firms of the other country and the provision for national treatment regarding property right protection, stated that they expected this course of conduct to cease under the then new agreement.

We understand that as late as last fall, Chairman Ribicoff and other members of Congress including Speaker O'Neill raised this issue with high Hungarian officials during a visit to Budapest and were assured that the matter would be looked into and set right.

We appreciate the Committee's holding this hearing now to determine what progress has been made in ending unfair practices. A few months ago we would have had to report to you that the situation had grown worse during the months following your meetings with the Hungarians. However, with your expressed interest and the diligent work of the Commerce and State Departments, especially Assistant Secretary Frank Weil and Deputy Assistant Secretary Kempton Jenkins, ably assisted by Ambassador Philip Kaiser, events appeared to take a positive turn in late May of this year. Through these efforts trade practices in this area were apparently focused on for the first time by those high enough in the Hungarian government to be concerned about broader trade interests of that nation. The Hungarians quickly agreed to a meeting of an Ad Hoc group of the Hungarian-American Joint Economic and Commercial Committee to consider this matter.

The Hungarian delegation was led by Deputy Trade Minister Istvan Torok, who evidenced a sincere desire to resolve the problem in a fair and reasonable manner. He indicated that Hungary has broad trade interests which are served by maintaining a reputation as a responsible trading nation and that narrow trade problems should be resolved so as not to color that reputation. His views on the importance of protecting Hungary's image were reiterated personally when Ambassador Kaiser and Mr. Jenkins called on him during this visit.

The meeting of the Ad Hoc Working Group, which began June 11, 1979, resulted in an Agreed Minute committing both governments to providing equal patent protection for local and foreign nationals and discouraging industrial property right violations, including violations in third countries. All this was done in the interest of maintaining and improving commercial relations of the two countries.

In the weeks following the June meeting, some NACA companies have been holding private meetings with the Hungarian agricultural chemicals industry concerning specific products where there have been problems. These meetings have tested whether the Hungarian producers of agricultural chemicals will fully live up to the standards apparently agreed to by their ministry of trade. While some of these companies are here today and will report their experiences, let me say for NACA that we are presently discouraged. The Hungarian producers have failed to exhibit an adequate appreciation for what is required by the letter and spirit of the Trade Agreement and Agreed Minute of the respective governments. In several important instances, negotiations initially appeared to go forward only to have fundamental points settled earlier reraised. Some of our members believe that the enterprises are stalling—giving the appearance of negotiating while not agreeing to stop their illicit activity—only to escape the scrutiny of this Committee.

We are convinced that the continued attention of this Committee and the Congress will contribute importantly to a satisfactory resolution of these problems. For these reasons NACA recommends that this Committee continue to express its concern about these trade practices. We recommend that this Committee direct the Commerce Department and the Trade Executive to submit a detailed written report on the status of this issue by November 15, 1979. This will enable Congress to be currently informed should it conclude that additional action is appropriate.

STATEMENT

I. DEVELOPMENT OF AN UNFAIR TRADE PRACTICE

In recent years Hungary has mounted an increasing effort to improve its balance of trade and produce hard currency to facilitate trade with the West. The Financial Times reported on March 21, 1979, that:

"The Hungarian Government has decided . . . to undertake an all-out effort to increase sales to hard currency markets by 10 to 11 percent on the 1978 figures. Faced with a rapidly growing trade gap with the West, the Government has now singled out the improvement of external trade balance as the single most important task on the trade front this year."

In an effort to find a short-cut to these objectives, a deliberate and conscious decision has been taken to copy western technology and engage in production of some of the most promising new products being produced in the U.S. and Western Europe.

In examining those industries with the most potential to generate substantial new exports, the agricultural chemical industry has emerged as among the most promising for the Hungarians, who pride themselves in having perhaps the most sophisticated chemical industry in Eastern Europe. A Hungarian research institute is investing many man-hours in examining new Western patented technology in order to select those products which appear to have the most promise for generating the hard currency exports they desire. In order to keep open the possibility of production of these new chemicals in Hungary, selected patents in the pesticide/plant growth regulator area have not been issued to Western companies who attempt to register new patents in Hungary. Once production capacity on a promising new chemical was achieved in Hungary, sales were made into areas where there is relatively little protection available for patents, or through third party brokers in third countries, allegedly for transshipment to LDC's where no patent protection exists, accompanied by a disclaimer as to any resulting patent infringements. The counterfeit products often do not reach the LDC, but are sold in the broker's country in violation of local American owned patents. Frequently, these distributors are "judgment proof" in that they do not have sufficient assets to make a patent infringement suit against them worthwhile.

The product catalogue published by ChemolimpeX, the Hungarian export trading organization for agricultural chemicals, is filled with U.S.-origin agricultural chemical technology. In many instances in the catalogue, the Hungarian products identify the counterpart U.S. patented product which has been copied. While some of these products are also consumed domestically or sold into countries where there is no conflicting patent held by the relevant U.S. firm, many of these new high-technology products are sold, with patent disclaimers, into markets where there are existing patents. Sales are often in small quantities and are difficult to detect. Even where detected, patent infringement litigation is at best lengthy, complex, and expensive; at worst, patents of any kind are quite difficult to enforce in some countries. Consequently, resolving this problem through patent litigation by each company and in each country where there is an infringing sale, does not represent a satisfactory solution to this practice. Knowing this, the Hungarians apparently calculated that the U.S. firms have no satisfactory remedy.

II. EFFECTS ON THE UNITED STATES

Because United States producers have a clear, but declining, technological lead over foreign producers of agricultural chemicals, the effects of systematic copying of Western patented inventions and infringing sales of products into the export market impact U.S. chemical producers with particular severity. Export dollars and jobs are at stake. The members of NACA estimate conservatively that about \$150 million in exports and several thousand jobs are threatened in connection with sales of products which the Hungarians are currently exporting in violation of existing U.S.-held patents. Extension of this practice of new products under development by the member companies and known to the Hungarians would produce figures many times these which in any case are expected to increase 500 percent by 1983. Development of a new pesticide, fungicide or herbicide requires not only a very large investment but protracted development and registration time. It has been estimated that development of the average new agricultural chemical requires 8 to 10 years and an investment of between \$13 and \$20 million. Our scientists must investigate an average of 10,000 compounds to find one which is promising and environmentally safe. Because these substances must go through a lengthy testing and registration procedure in virtually every country where it is offered for sale, the life of the

relevant patent is frequently more than half over before the product reaches the market place. Prolonged patent litigation can spin out a dispute over a patent up to and beyond the end of the life of the patent. This is particularly disadvantageous to the patentee where, as is frequently the case, there are no provisions for stopping infringement during litigation. Clearly the loss of incentive to develop such products is substantial if foreign producers are allowed to copy this technology and profit from it at the expense of U.S. companies which cannot then recapture their R. and D. expenses. The result is not only a chilling effect on the development of new U.S. technology needed for the domestic market but also a long-term deleterious effect on the U.S. balance of trade.

III. AMERICAN COMPANIES SEEK COMMERCIAL SOLUTIONS

Some American companies have individually tried to negotiate settlement of this situation with the Hungarian chemical industry. Some have offered to license Hungarian production on a reasonable basis and to give up any chance of selling into the Hungarian market. However, the Hungarians demanded substantial payments—that their “excess” capacity be purchased at close to retail prices by the American company and then marketed as its own. These demands have been refused. Any settlement which approves such payments, however small, invites further demands in the future. Moreover, new demands concerning future products are encouraged.

From an industry point of view, single company settlements involving existing impacted products are unsatisfactory in combating this course of action which amounts to an unfair trade practice. Companies can be threatened with being singled out for a concentrated attack in order to extract the highest payment. They can be played one against the other and whipsawed. Further, currently unaffected companies must determine future R. & D. efforts with the knowledge that, if they succeed, they may be next.

In order to find a remedy which would produce relief from these illicit trade practices for all members of the industry, a special committee of the National Agricultural Chemicals Association has been formed. This issue no longer affects only one or two companies but the U.S. agricultural chemical industry as a whole and only a government-to-government agreement would provide a solution which would respond to the needs of all members of the Committee.

IV. THE HUNGARIAN-AMERICAN TRADE AGREEMENT

Some months ago the United States and Hungary began to take dramatic steps to improve their relationships, especially in the commercial area. In March 1978, the U.S. and Hungary entered into the Trade Agreement which extended most favored nation (MFN) treatment to Hungary. The Agreement was sent to Congress where it was considered and approved by the House Subcommittee on International Trade. At about this time member companies of NACA began to discuss individual experiences with certain Hungarian entities. The pattern of behavior described in Section I of this Statement became clearly discernible. Not only were several member companies of NACA directly and adversely affected, but other companies in NACA realized the implications for them and, indeed, for our whole industry. However, our companies were hopeful, first, because negotiations were going on seeking commercial resolutions and because the then pending Trade Agreement was expected to usher in a new era of mature, responsible commercial relations between our countries.

Industry was particularly hopeful because the Trade Agreement contained provisions: (1) calling for national treatment in the protection of industrial property rights—meaning we could obtain the same patent protection in Hungary which Hungarian agricultural chemical companies were obtaining; (2) reaffirming commitments made with respect to industrial property rights—which would preclude unfair trade practices involving a course of action designed to systematically violate industrial property rights across a whole American industry; and (3) committing the governments to take appropriate measures to secure favorable conditions for the continuous, long-term development of trade relations between firms, enterprises and companies of the two countries.

Notwithstanding our hope for a fair resolution of these problems, NACA felt it was necessary to call this matter to the attention of the Senate Subcommittee on International Trade which was then considering the Hungarian Trade Agreement (the House having acted on the Trade Agreement prior to our recognition of this as an industry-wide problem).

The Senate International Trade Subcommittee saw in the course of conduct NACA outlined to them unfair trade practices which were in their view contrary to the Trade Agreement. In the Report (No. 95-949) on the extension of MFN treatment to Hungary the Senate Committee on Finance Stated:

"Notwithstanding the committee's favorable report of the resolution, the committee is particularly concerned about the full and faithful execution of that part of the trade agreement relating to industrial property rights. The committee has been informed by the American agricultural chemicals industry of certain past practices of firms and agencies in Hungary which will not be in accord with the spirit, if not the letter, of the agreement. These include the granting of patents to Hungarian firms while denying or failing to act on the applications of American firms. Furthermore, the committee understands Hungarian firms are selling agricultural chemicals protected by American owned patents in third countries, countries where the American chemical companies have patent protection, in a manner such that American firms find it practically impossible to protect their industrial property rights. The committee expects that such practices will no longer take place under this new, mutual undertaking by the Government of Hungary and that of the United States. The committee will carefully monitor this problem during the life of the agreement and will again review it at the time for renewal and recommend further action, if necessary."

V. IMPROPER TRADE PRACTICES CONTINUE

In the months following the approval by Congress of the Trade Agreement the improper trade practices of the Hungarian agricultural chemical industry and their export arm grew worse. In late 1978 and early 1979, new sales were discovered in several countries violating American patent rights held in the respective countries. Some sales occurred during a period when assurances had been given that they had ceased. Increased demands for payments in order to stop market disruptions were received. Commercial negotiations were stalled. During this period both Chairman Ribicoff and a House delegation led by Speaker O'Neill raised this situation with high Hungarian officials during trips to Budapest. They received assurances that the matter would be looked into and set right. Our Embassy in Budapest and Commerce officials also tried to resolve the matter fairly. This notwithstanding, the situation had deteriorated to such a point in the spring of 1979 that NACA requested the State and Commerce Departments to call a special meeting of the Hungarian-American Joint Economic and Commercial Committee. This Committee, set up under the Trade Agreement to improve trade relations, was uniquely suited to confront this deteriorating trade problem on a government-to-government basis.

VI. MEETING OF THE HUNGARIAN-AMERICAN JOINT ECONOMIC AND COMMERCIAL COMMITTEE—JUNE 11-13, 1979

A U.S. Delegation led by Frank Weil, Assistant Secretary of Commerce, and Kempton Jenkins, his Deputy for East-West Trade, ably assisted by Ambassador Kaiser, forcefully presented the problems of the American agricultural chemical industry to the Joint Committee. A large NACA delegation assisted in this presentation. Deputy Trade Minister Istvan Torok, leading a high level Hungarian Delegation, evidenced a sincere desire to resolve the problem in a fair and reasonable manner. He indicated that Hungary has broad trade interests which are served by maintaining a reputation as a responsible trading nation and that narrow trade problems should be resolved so as not to color that reputation. His views on the importance of protecting Hungary's image were reiterated by the Minister of Foreign Trade personally when Ambassador Kaiser and Mr. Jenkins called on him during this visit.

The meeting of the Joint Committee resulted in the initialling of an Agreed Minute which should lead to a cessation of the trade practices which NACA has objected to. The most relevant portions of the Agreed Minute are as follows:

Both sides confirmed their commitment to Article V of the Trade Agreement and to the Paris Convention for the Protection of Industrial Property, as revised at Stockholm on July 14, 1967. They reaffirmed their desire and objective to cooperate in promoting the effective protection of and respect for intellectual property throughout the world for their mutual benefit.

Each side agrees that, in keeping with the spirit of the harmonious and cordial relations signified by the Trade Agreement, the companies of both sides are obliged to respect in their activities the relevant laws and regulations on industrial property rights, held by the nationals or residents of the other side (including in third countries) and not assist others to infringe those rights. The parties encourage the

companies involved to resolve any disputes involving these issues through negotiations and other normal internationally recognized procedures including arbitration in the spirit of this Minute.

Each side reaffirmed its commitment to provide nationals of the other country all the rights as regards the protection of industrial property that it provides its own nationals.

VII. FULL IMPLEMENTATION OF THE PROPERTY RIGHTS PROVISIONS OF THE TRADE AGREEMENT AND THE AGREED MINUTE OF THE JOINT COMMITTEE

While NACA was encouraged by the agreements between the U.S. and Hungarian governments, the Hungarian agricultural chemical industry and its export trading arm have demonstrated a reluctance to conform to them and cease their unfair trade practices. Following the government-to-government agreements, NACA member companies conducted discussions with Hungarian industry representatives. Early indications were that there was no real change in attitude, however later negotiations appeared to be making progress. After a number of frustrating meetings some NACA companies have come to the conclusion that the Hungarian producers are not negotiating in good faith. Important points that appeared to be settled have been re-raised at the 11th hour. For example, in one case a very comprehensive agreement was made contingent at the last minute on a "side letter" stating that infringing Hungarian export sales shall be permitted—one of two fundamental illicit practices initially complained of. Some of our member companies believe the Hungarian producers are merely trying to give the impression they are working on agreements which will commit them to end their unfair trade practices so that the Congress and our government will not take any action and will continue to extend trade benefits to Hungary.

VIII. RECOMMENDATIONS

For the reasons stated above and because of the Subcommittee's oversight responsibilities over the operation of the Trade Agreement with Hungary, NACA recommends, that the Subcommittee in its Report on this legislation:

Note the existence of a serious problem concerning industrial property rights regarding agricultural chemicals;

Note the development of a new government-to-government relationship which will monitor any progress in resolving the problem;

Declare its continuing interest in seeing this impediment to trade resolved in a fair and reasonable manner;

Note the lack of intermediate remedies available to American companies in dealing with non-market economies, especially in third countries;

State its desire to receive further information on resolution of the problem so that it can undertake any further action which appears to be necessary; and

To facilitate this, that it request the Commerce Department and Trade Executive report to it on the progress or lack thereof in this area by November 15, 1979.

STATEMENT BY N. L. REDING, VICE PRESIDENT AND MANAGING DIRECTOR, MONSANTO AGRICULTURAL PRODUCTS CO., ST. LOUIS, MO.

Mr. Chairman, and members of the committee, I am Nicholas L. Reding, a Group Vice President of Monsanto Company and Managing Director of Monsanto Agricultural Products Company. I am here today to report on a serious example of patent piracy and international trade extortion. I believe this situation demands that the Committee, the Congress, and the Government understand what may be in store for U.S. industries and our innovative capacity in the years ahead. What we are witnessing on the part of the Hungarian chemical enterprises is an illicit effort to obtain a share of our international markets in agricultural chemicals.

These enterprises and their trade organization, ChemolimpeX, have combined in Hungary to market products in disregard of international patent practices. They are trying to do this by manipulating their patent system to deny us patent protection in Hungary while extending it to their own enterprises. They are counterfeiting Monsanto's most important recent innovation in agricultural chemicals, and they are demanding that we hand them the Hungarian market as well as a share of our international business. Simply stated, they are attempting to steal the fruits of U.S. innovation and they are threatening to continue this practice unless we accede to their demands. Either way they profit unfairly and we lose.

Mr. Chairman, I would like to go back for just a moment to explain how this situation evolved and why we are asking this Committee to take a strong position on the benefits that Most Favored Nation status confers upon the People's Republic of Hungary. Monsanto is a highly innovative and technologically based corporation headquartered in St. Louis, Missouri with markets and plants located throughout the world. The Monsanto Agricultural Products Company has been a world-wide leader in the discovery, development, and marketing of agricultural chemicals which have contributed to the increase in agricultural productivity around the globe. It can take up to ten years of research and more than twenty million dollars to develop a new agricultural chemical before the first sale. The Monsanto product I am talking about today, Roundup herbicide, in fact represents the culmination of more than twenty years of research and it alone was subjected to some two million tests to determine its effectiveness, its safety, and its harmony with the environment.

In the early stages of the development of our international markets for this unique and environmentally safe product, we discovered that certain chemical companies in Hungary had copied the product and were attempting to obtain for themselves a share of the market in violation of Monsanto patent rights. However, this problem goes beyond discriminatory treatment of patent applications and infringement of existing patents. It threatens all future technology of our industry, and perhaps others. That technology is the life blood of our industry and of increased agricultural productivity. In fact, our world-wide patent coverage with Roundup is the most extensive of any Monsanto product. And today under existing country patent laws only in Hungary do we feel we are being treated unfairly.

Last year this Committee influenced the Hungarian government to focus on this problem as a potential major stumbling block to U.S.-Hungarian trade relations.

Thanks to you, Mr. Chairman, and thanks to the direct and forceful involvement of Mr. Frank Weil and Mr. Kempton Jenkins of the Commerce Department and Ambassador Phillip Kaiser, the government-to-government meeting on this problem held in Budapest in June, which I attended, seemed to be a success. The joint minutes of that meeting clearly established a basis for eliminating present problems and future threats to my industry. I want to commend the involvement of our government on this issue. In fact, I want to emphasize this as an excellent example of government and industry working together to protect our country's interests and make it clear that our government's involvement was absolutely the key to creating a favorable atmosphere for ultimate solutions. In fact, Mr. Chairman, your proposal for the establishment of a foreign trade department could be very important in assuring such ongoing cooperation.

At the urging of our government, Monsanto has made every effort to negotiate amicably with the involved Hungarian parties. We had indeed reached agreement with the Hungarians which would allow them to manufacture their internal needs for this product, something not required by the spirit of the agreed minute but recognizing the existence of Hungarian facilities. This agreement seemed secure as late as last Friday in Budapest. However, at the last minute, the Hungarian parties came back to the bargaining table and demanded that Monsanto, as an additional condition for signing that agreement, allow them access to our international markets for Roundup, thus trying to accomplish once again what they had been attempting to gain all along, and a condition that we had clearly ruled out in all earlier negotiations. Unfortunately, this is the same kind of illicit trade practice which Hungary has used successfully with other companies and with other products.

If we agree to buying our way out of this problem, we feel it would establish a dangerous precedent, since this goes far beyond our lost sales of Roundup. In fact, it could easily happen again—with future inventions. We can only assume that this was a last minute effort in advance of this hearing or that negotiations had not been conducted in good faith. In any case, we must now be skeptical of resolving our problem and must question the viability of Hungary as a trading partner.

It is obvious that allowing the Hungarians to succeed in their course of action will have a chilling effect on innovation generally. If Hungary can flout accepted practices of international trade and simultaneously enjoy the benefits of MFN, what is to stop them—or any other country—from doing this repeatedly in the years ahead? The end result for the United States will be the loss of American exports and jobs, and worse, a decline in innovation itself. We cannot allow this to happen; our agricultural technology is undoubtedly essential asset of our industry and our country—and it must be protected. We are clearly back to the need for an ongoing government-to-government effort.

In closing, I think I represent industry when I endorse the proposal Jack Early made to you. You will have our full cooperation in helping you to monitor the performance of Hungary under the Trade Agreement in the area of property rights. Thank you.

TESTIMONY BY ROBERT McLELLAN, VICE PRESIDENT, FMC CORP.

Mr. Chairman, and members of the committee, I am Robert McLellan, Vice President International and Government affairs of FMC Corporation. I am also a former U.S. Assistant Secretary of Commerce. FMC is a Fortune 100 company with annual revenues of approximately \$3 billion. Twenty-nine percent of these revenues are derived from our international activities, approximately two-thirds of that generally are comprised of exports. One of our most promising products for export is a carbofuran generic term insecticide and nematicide, which FMC sells under the trademark "Furadan", which has a broad spectrum of application to vegetable and grain crops. Furadan was discovered by FMC at its research laboratories in 1963. After a period of elaborate scientific and biological development in the United States it was registered with the Federal Government for use on a number of economically important crops. Over the years the market for carbofuran has grown steadily so that it is a major agricultural insecticide for which FMC has developed markets in many countries at substantial investment of both money and human resources.

In 1977 FMC became aware of the fact that the Hungarian trading company Chemolimpex was engaged in sales of, or attempting to sell, carbofuran in a number of countries where FMC holds patents. Among these were Brazil, Spain, Taiwan and India. Recognizing that this represented an illegal challenge which had to be met, Representatives of our company held negotiations with the Hungarians in late 1978 and in February and June of 1979 in Budapest and in Chicago on July 2. In these discussions FMC called the attention of the Hungarian companies not only to their infringing exports but also to certain instances of counterfeiting of FMC product. I would like to show the Committee and submit as part of the record a photograph of Hungarian origin carbofuran purchased in Spain in a container stenciled "Furadan", but with the Hungarian trademark "Chinufur 5G" also attached on the side. This is a blatant attempt to trade on the FMC trademark as well as our patented technology. Other efforts have been made to pass off the Hungarian product as FMC's product. In India FMC obtained copies of an import license filed with the Indian government. This license contained a false declaration of origin, stating that the product was made in the United States, when it was not. I would also like to submit copies of this certificate of origin to the Committee for its records.

We have reached the conclusion that the Government of Hungary and its chemical companies have determined that a way to develop the Hungarian chemical industry rapidly so as to maximize exports into hard currency countries is to study the patents of western chemical companies, in particular U.S. companies, and copy these products. Attempts by the western inventors of these products to register patents in Hungary are opposed, giving the Hungarians a sanctuary at home in which to manufacture the infringing products. These products are then shipped into countries where the western producer is then put to the time-consuming burden of attempting to secure patent enforcement in the local courts.

Because of this pattern of conduct and because private discussions had led nowhere, FMC joined in the formation of the NACA Subcommittee to which Dr. Early referred a few moments ago. The Subcommittee requested the assistance of the State and Commerce Departments in seeking a solution through Government channels to this unfair business practice. We called the attention of those Departments to the paragraph in the Report released by this Committee at the time the Committee considered the Hungarian Trade Agreement last year which took note of the fact that:

"... Hungarian firms are selling agricultural chemicals protected by American owned patents in third countries, countries where the American chemical companies have patent protection, in a manner such that the American firms find it practically impossible to protect their industrial property rights. The committee expects that such practices will no longer take place under this new, mutual undertaking by the Government of Hungary and that of the United States."

It was NACA's position that these practices not only were continuing but in fact were growing steadily worse and that accordingly there was a substantial question under the Trade Agreement as to whether most-favored-nation treatment for Hungary should be continued. The State and Commerce Departments agreed to create an Ad Hoc Working Group on Trade Facilitation of the U.S.-Hungarian Joint Economic and Commercial Committee to address the problem. This working group

convened in Budapest on June 11 of this year with the participation of industry representatives including myself. Assistant Secretary of Commerce Frank Weil and Deputy Assistant Secretary Kempton Jenkins, as well as Ambassador Philip Kaiser, were extremely helpful in working out a favorable general formulation contained in an Agreed Minute. Despite the language contained in paragraph 4 of the Agreed Minute, discussions held by FMC representatives with representatives of the Hungarian companies in Budapest and Chicago have not gone well. The Hungarians indicated that they might cease their infringing exports if FMC purchased a large portion of the Hungarian capacity to produce the product, namely a minimum of 200 tons of technical product per year. We have and will continue to resist these efforts to build a capability to produce western proprietary products and then coerce western firms into buying the capacity created in this manner.

Accordingly, I must report to this Committee today that, as far as FMC's product is concerned, the Hungarians are continuing their deliberate and well-orchestrated effort to produce our product and sell it into foreign markets where we hold patents. A serious issue of principle is at stake here. Your Committee has just concluded consideration of the Multilateral Trade Negotiations which will hopefully create a more equitable basis on which world trade will expand in the years to come. As we enter this new era, the United States must make it clear that we expect non-market economy countries to play by these same new rules and to observe fair business practices. The Hungarian chemical industry should not be allowed to continue to profit for another year from the unfair and illegal practices my colleagues and I have described. The United States should make it clear now that the resulting continued loss of jobs and damage to our trade position will not be tolerated and that a country which engages in these practices will not receive most-favored-nation treatment for its products entering the United States. The paragraph in the Committee Report I referred to earlier concluded with the following sentence:

"... The committee will carefully monitor this problem during the life of the agreement and will again review it at the time for renewal and recommend further action, if necessary."

I have reluctantly concluded in the light of my Company's experience that appropriate action at this time would be suspension of most-favored-nation treatment for Hungary until this important trade question is resolved.

Senator RIBICOFF. Mr. Rosenthal and his group.
You may proceed, Mr. Rosenthal.

STATEMENT OF MILTON F. ROSENTHAL, CHAIRMAN, ENGELHARD MINERALS & CHEMICALS CORP., AND CHAIRMAN OF THE U.S. SECTION OF THE ROMANIAN-UNITED STATES ECONOMIC COUNCIL

Mr. ROSENTHAL. Mr. Chairman, as I think the committee is aware, I am the Chairman of the Romanian-U.S. Economic Council and the chairman of Engelhard Minerals & Chemicals Corp. I am appearing here on the extension of MFN for Romania.

I have prepared a written statement, but it is filed with the committee and there is no need for me to repeat its content. I think I can be rather brief in my oral comments. This week there was a series of meetings in Washington representing the sixth plenum of the Romanian-United States Economic Council. It was attended by approximately 60-odd American businessmen and approximately 40 Romanian business people.

I would like to report to you that the proceedings took place in an atmosphere which was completely cooperative. We also had quite a number of Government representatives who were present. On behalf of the American business community that is interested in doing business with Romania, I think I can assure the committee that the Romanian market is available for American business interests to penetrate and to market their services and products in.

As far as the pressing problem of emigration that has been raised, I would say that I have personally been in contact with

leading Romanian authorities on this subject in recent days, as well as with American Jewish leaders, to discuss these matters. I have received assurances on both sides that these matters have been amicably resolved between the two groups to their mutual satisfaction, and that from now on the methodology that they will follow should be in order.

Therefore, I feel comfortable with recommending strongly to this committee that MFN again be extended to the Romanians.

[The prepared statement of Mr. Rosenthal follows:]

STATEMENT OF THE U.S. SECTION OF THE ROMANIAN-UNITED STATES ECONOMIC COUNCIL BY MILTON F. ROSENTHAL

I am Milton F. Rosenthal, chairman of Engelhard Minerals and Chemicals Corporation, and chairman of the U.S. Section of the Romanian-U.S. Economic Council. With me today is Donald J. Hasfurther, executive secretary of the Council. It is a privilege to appear before this subcommittee to support the President's request for an extension of the waiver authority under Section 402 of the Trade Act of 1974.

I am testifying today on behalf of the American membership of the Romanian-U.S. Economic Council, a list of which I am submitting with this statement. They are senior executives of firms and trade associations representing a broad cross section of American industry committed to improving commercial relations with Romania.

Nearly four years have passed since the Congress first approved the Section 402 waiver for Romania. During this period, U.S.-Romanian trade has recorded substantial yearly increases. Two-way trade for 1978 amounted to a record \$664 million, a figure more than double the amount of four years ago. Four-month figures for this year suggest that 1979 shall witness a continuing expansion of bilateral trade. These figures also suggest that the United States shall again have a surplus balance of trade with Romania in 1979.

American business has realized substantive benefits from Romania in the period since the Congress first approved the Section 402 waiver. American firms are currently guaranteed treatment on no less favorable terms than are accorded to firms of other foreign countries in establishing offices, including the obtaining of office and housing accommodations and the hiring of personnel. American firms have been granted increasing latitude in establishing contact with producers and end-users. In addition, Romania has been increasingly forthcoming in providing the information required to enable American firms to make informed and responsible business decisions.

Moreover, Romania has conscientiously complied with the letter and the spirit of U.S. fair trade measures. In cases where it has appeared that Romanian exports might be contributing to market disruption in the United States, the Romanians have promptly consulted with our Government, as required by the present trade agreement. The Romanians, to their credit, have voluntarily limited exports of a number of potentially disruptive commodities, most notably work shoes and sheet glass.

This spirit of cooperation has also been evident during our Council activities. A year ago at the Council's fifth plenary session in Romania, President Ceausescu personally met with the members of the U.S. Section to review our bilateral economic relations. During this meeting the President listened very intently to our concerns, and, in turn, outlined those problems facing Romanian businessmen operating in the U.S. market.

Earlier this week, the Romanian-U.S. Economic Council held its sixth plenum here in Washington. The session was a constructive one in terms of addressing the issues which affect business representatives of our two countries. The U.S. Section also used the occasion of the Council's plenary session to impress on the Romanian delegates the depth of concern of the U.S. Congress in regard to the waiver renewal extension.

We are aware that there has been a great deal of inquiry expressed this year over the declining trend in Romanian emigration, particularly with regard to Jewish emigration to Israel. I have personally been in contact with Romanian authorities, as well as with American Jewish leaders, to discuss these concerns. I am of the understanding that the reservations of the Jewish community have been satisfied, and that the Conference of Presidents of Major American Jewish Organizations has endorsed the extension of most-favored-nation tariff treatment to Romania for another year.

In light of this endorsement and the benefits that continue to accrue to the American business community and the American people from the extension of most-favored-nation tariff treatment to Romania, the U.S. Section of the Romanian-U.S. Economic Council urges this subcommittee to approve the President's waiver request.

I appreciate this opportunity to appear before you today. I will be happy to answer any questions you may wish to address to me.

Senator RIBICOFF. Is there anything, gentlemen, you want to add? I understand the situation. You have been before me a number of times.

Mr. DOWNEY. Mr. Chairman, if you are prepared to shift from the Romanian Council to the Hungarian Council, I am prepared to speak to that.

Senator RIBICOFF. Yes; go ahead.

STATEMENT OF ARTHUR T. DOWNEY, PARTNER, SUTHERLAND, ASBILL & BRENNAN, ACCOMPANIED BY DONALD HASFURTHER, DIRECTOR FOR EAST-WEST TRADE, CHAMBER OF COMMERCE OF THE UNITED STATES

Mr. DOWNEY. I am Arthur Downey and I am here today on behalf of the Hungarian-United States Economic Council, the counterpart organization to the one Mr. Rosenthal is representing. You have a prepared statement for the record. I will be very brief also.

Senator RIBICOFF. Your statements will go into the record in their entirety.

Mr. DOWNEY. Your inquiry expresses a concern about the human rights situation in Hungary as well as the operation under the trade agreement. It is our view that the American business community operating with respect to Hungary feels very comfortable about the human rights situation there.

We feel comfortable in assuring you that there seems to be no serious problems there. With respect to the business climate and the operation of trade under the trade agreement, I think it is our conclusion on the basis of a broad spectrum of American companies interested in this trade that the relationship is excellent.

The problem that you have been very much, and correctly, concerned about concerning one sector is a serious problem. There are a variety of ways in which this can be dealt with. You have identified section 301 as one opportunity, an appropriate one. Hungary is a member of GATT.

Also, the Hungarian-United States Economic Council has a conciliation procedure available which has not been resorted to. We would hope this would be solved. We share your concern but we do not believe the trade agreement and MFN should be held in jeopardy as a result of this issue.

We feel the trade agreement provides the basis on which American enterprise can involve itself in the Hungarian economy, which is in our strong national interest as that economy continues to move much closer to Adam Smith than to Karl Marx.

Senator RIBICOFF. I think the problem presented by the American chemical industry is a serious one, and I would strongly recommend that you talk to your Hungarian friends and point out that they are in serious jeopardy of losing MFN by the continuing infringement of patent rights and failing to live up to the normal

understanding of the trade relationship between one nation and the other.

Mr. DOWNEY. I might note at this time last year when you were first considering this agreement, there was another problem you addressed with equal seriousness. It involved potential dumping in this country of Hungarian lightbulbs. The matter is gone now. You don't hear about it because it was dealt with in the quasi-judicial process through the Treasury Department, the ITC, and so on. It has been resolved. It has been handled and adjudicated.

If this chemical issue is not resolved through diplomatic and other channels, there are opportunities to have it similarly adjudicated. But I think the Hungarian-United States Economic Council is very much aware of the seriousness both on the part of our own membership and your own concern. This has been communicated to the Hungarians.

Senator RIBICOFF. Gentlemen, thank you.

[The prepared statement of Mr. Downey follows:]

STATEMENT OF THE U.S. SECTION OF THE HUNGARIAN-UNITED STATES ECONOMIC COUNCIL BY ARTHUR T. DOWNEY

Mr. Chairman, I am Arthur T. Downey, partner in the Washington law firm of Sutherland, Asbill and Brennan, and a member of the U.S. Section of the Hungarian-U.S. Economic Council, on whose behalf I am testifying today. With me is Donald Hasfurther, executive secretary of the Council. It is an honor to appear before this subcommittee in support of the President's recommendation to extend the waiver authority under Section 402 of the Trade Act of 1974.

The Hungarian-U.S. Economic Council was established in March, 1975, by an agreement signed by the chambers of commerce of the United States and Hungary. The American membership of this bilateral council is comprised of executives of business firms actively involved in trade with Hungary. While encompassing diverse individual interests, the U.S. Section is united in the goal of improving commercial relations between the United States and Hungary. To this end, we have consistently supported the normalization of trade relations with Hungary, including the mutual extension of most-favored-nation tariff treatment.

In the year since the finalization of the U.S.-Hungarian Trade Agreement we have witnessed a positive growth in our commercial relations with the Hungarians. Trade has increased in a modest yet stable fashion. More importantly, the climate in which business is conducted between our two countries has improved substantially.

Within our Council activities we have observed an increased interest on the part of the Hungarian and American business communities in expanding trade with one another. At the joint plenum of the Economic Council held in Chicago last October, we were host to the largest Hungarian commercial delegation to ever visit the United States. Our discussions at that session were candid and constructive, and further substantiated the Hungarians' desire to strengthen their commercial ties with the United States.

Since the conclusion of the trade agreement, the Dow Chemical Company and National City Bank of Minneapolis have received accreditation to open representation offices in Budapest. We expect that other American companies will also be opening offices in Budapest in the future. Hungary's visibility among the U.S. business community will also increase with the establishment of a Hungarian commercial office in Chicago.

Another positive development in U.S.-Hungarian commercial relations was the recent establishment of the Joint U.S.-Hungarian Economic and Commercial Committee. This intergovernmental committee, together with our own Economic Council, will provide important forums for the expansion of trade and the resolution of commercial problems between our two countries.

In this regard, we are greatly encouraged by reports of substantial progress made by the Economic and Commercial Committee toward the resolution of a patent dispute between American and Hungarian agricultural chemical producers. We believe this development is illustrative of the sincere desire on the part of our two governments to resolve all problems affecting our trade relations.

We are also encouraged by the recent Senate approval of an agreement for the avoidance of double taxation between the United States and Hungary. This tax convention should serve as a further stimulus for expanded commercial cooperation between companies in the United States and Hungary.

Recently Hungary became the first industrialized country to sign within the framework of the Multilateral Trade Negotiations an agreement with the United States further reducing Hungarian tariff rates on American imports. Another encouraging development has been Hungary's agreement to drop the quotas on imports of consumer goods from the United States.

Through these and other initiatives, the United States and Hungary have succeeded in establishing a firm foundation for the continued expansion of our bilateral commercial relations. It is now up to American business to take advantage of this foundation by exploiting the numerous trade opportunities in the Hungarian market.

The United States currently ranks only ninth among Hungary's Western trade partners. The Hungarians have stated on numerous occasions that they would like to see a greater percentage of their trade fall to the United States. Such a development, however, will require a lot of hard work and aggressive marketing on the part of American firms. Moreover, it is dependent on the continuation of a normalized trading relationship with Hungary.

Unlike many of the other Eastern European countries, Hungary has an effective tariff system. The Hungarian tariff is far more than a bookkeeping mechanism; Hungarian firms must absorb the duty on imports from abroad. Without most-favored-nation tariff treatment, U.S. companies would be at a distinct disadvantage in marketing their goods in Hungary. As such, denial of MFN to Hungary would constitute a negative step in a period when our country is making a concerted effort to expand its exports abroad.

I will be happy to answer any questions you may wish to address to me.

Thank you.

The committee will stand in recess until 2 o'clock this afternoon. [Whereupon, at 12:20 p.m., the hearing was recessed, to reconvene at 2 p.m. the same day.]

AFTER RECESS

[The committee reconvened at 2 p.m., Hon. Daniel Moynihan presiding.]

Senator MOYNIHAN. A pleasant good afternoon to our guests.

We will resume now the testimony on extending for one more year the President's authority to waive the Freedom of Emigration requirements under the Trade Act. This extension would continue most-favored-nation treatment for Romania and Hungary until July 2, 1980.

We have a long list of witnesses and, as you know, we only made our way halfway through our panels this morning.

The first of these is Mr. László Hámos, who is chairman of the Committee for Human Rights in Romania.

Mr. Hámos, we welcome you to this committee. Am I correct in thinking this is your first appearance?

Mr. HÁMOS. This is my fourth appearance.

Senator MOYNIHAN. I am not correct, but we nonetheless welcome you for that purpose, and your colleague, if you would have the kindness to introduce him.

STATEMENT OF LASZLO HAMOS, CHAIRMAN, COMMITTEE FOR HUMAN RIGHTS IN ROMANIA, ACCOMPANIED BY BULCSU VERESS, POLITICAL COORDINATOR OF THE COMMITTEE FOR HUMAN RIGHTS IN ROMANIA

Mr. HÁMOS. We have a prepared statement which we would like to submit for the record, and I would only summarize a few of those points.

Senator MOYNIHAN. Yes. But first, Mr. Hámos, would you be good enough to introduce your associate?

Mr. HÁMOS. Yes. I am accompanied by Dr. Bulcsú Veress, who will assist in any questions you may have.

Senator MOYNIHAN. Doctor, good afternoon to you.

Mr. HÁMOS. Mr. Chairman, Senator Moynihan, I am testifying on behalf of the Committee for Human Rights in Romania, which is a nationwide organization of Hungarian Americans headquartered in New York City—and it is therefore gratifying to testify under your chairmanship.

Mr. Chairman, this is the fourth time in so many years that we are appearing before this subcommittee in defense of the human rights of Romania's national minorities. On each of those past four occasions, we have submitted a detailed, well-documented, factual body of evidence on the oppression of the 2.5 million Hungarians in Romania.

If one examines, however, the actual impact of our efforts before this subcommittee, it becomes clear that instead of the slightest improvement, the plight of those minorities has steadily deteriorated. I would point out only some of the areas where this is the case.

The destruction of the Hungarian school system in Romania continues unabated. After the forced merging of one of Europe's oldest universities, the Bolyai University of Cluj—Kolozsvar—into a Romanian counterpart, Hungarian instruction has been cut back to about 5 percent of its original level. The latest measure introduced only this year prohibits students from majoring in a subject related to Hungarian studies unless they can also pass an entrance examination in Romanian studies.

There is no improvement in other areas as well. Romanian, for example, is the only language allowed to be used in any official communication. Bilingual signs are absent even in the majority of purely Hungarian areas. Archives and relics confiscated a number of years ago from Hungarian churches continue to languish and rot in warehouses inaccessible to scholars.

The government's monopoly over the labor and housing markets is used to break up ethnic Hungarian communities. Minority churches and clergymen are constantly harassed, especially if, as happens in many villages where the Hungarian school has been closed, they dare to educate children to read and write their own native language.

Contacts with relatives from abroad are interfered with on a wide scale. Books and periodicals from Hungary are confiscated at border crossings even if their only content is Hungarian nursery rhymes. The courageous dissident in Romania of Hungarian origin, Károly Király, who sacrificed his high position in the party and spoke out against the oppression of his fellow nationals, is being held under constant police surveillance. There are signs that his

health is deteriorating due to the campaign of intimidation against him over the past 2 years.

All these and other measures violate not only the simplest standards of human decency but the Helsinki Final Act and numerous other national agreements signed and ratified by Romania.

Mr. Chairman, we must conclude that the voice of reason, tact, and sensitivity which have been employed in discussions with Romanian officials is a voice they simply do not understand. This may be because these Romanian officials have grown and thrived in an environment where deception and dishonesty are the prized qualities, and straightforward sincerity leads only to self-destruction.

Every year the Romanian Government tries to rescue its MFN status by issuing empty promises it never intends to fulfill. It is unfortunate that this year one of the most respected social organizations in the United States has fallen prey to the same tactic. As a result, that organization suddenly reversed its position on MFN in total disregard of those groups which have labored hard and long on this issue and helped create the pressure which led the Romanian Government to offer the deal in the first place.

Senator MOYNIHAN. Mr. Hámos, which is the organization?

Mr. HÁMOS. There was testimony earlier about this question citing B'nai B'rith and the Conference of Presidents of Major American Jewish Organizations.

Senator MOYNIHAN. Yes.

Mr. HÁMOS. In sum, Mr. Chairman, it is our considered opinion that after 4 years of trampling on human rights, the Romanian Government has earned a resolution of disapproval. Adoption of such a resolution is the only action which may force the Romanian Government to begin dealing with the United States in a straightforward and reasonable manner.

Thank you very much, Mr. Chairman.

Senator MOYNIHAN. I thank you, sir. Now, the Hungarian population is about 10 percent, is it?

Mr. HÁMOS. It comprises approximately 10 percent. The Romanian Government maintains it is less than that, and one of the problems is it uses various methods to falsify census statistics. It claims that there are only 1.7 million Hungarians, whereas the true figure is closer to 2.5 million.

Senator MOYNIHAN. That was my understanding. What is the history here? To what extent is the oppression of the Hungarians, which clearly is a very standard sort of Stalinist insistence upon a language, the one language—closing the universities to limit the access to universities, changing the nature of universities, trying to displace an intellectual class—to what extent does this carry over from the prewar regime?

Mr. VERESS. The prewar regime certainly oppressed the minorities, too, including the Hungarian minority. I even concede that when the area belonged to Hungary prior to World War I, there was pressure on Romanians to assimilate. We would betray our own convictions if we denied this. But I have to point out that those governments never had the means.

Senator MOYNIHAN. They were not totalitarian governments.

Mr. VERESS. That is right. And for instance, they did not have a monopoly on education. So the Romanian churches, or before that

period the Hungarian churches, could maintain their own schools. No one interfered with that. Of course, the subject and the language of the education was Hungarian.

Senator MOYNIHAN. Yes, that is a difference. Those regimes were monarchical in Romania. They were 19th century and they were not very efficient. Their spiritual attainments might not have been any higher than their successes. But their actual capacity to oppress was also more circumscribed than the modern totalitarian state. It is the difference between Batista's Cuba and Castro's Cuba.

Mr. HÁMOS. That is a very good example.

Senator MOYNIHAN. In Batista's Cuba, you could go to jail for a lot of things but not for writing poetry. It escaped the notice of the regime; and the nature of chamber music really didn't very much bother them. But what you have in Romania is a minority under totalitarianism, and I think that is a very important point for our understanding of this phenomenon. It is a qualitative change.

What does the Government of Hungary do?

Mr. HÁMOS. It cannot do very much. As you are probably aware, Hungarian foreign policy is made in Moscow, and the Soviet Union has minority problems of its own. Therefore, it does not look kindly on such issues being raised among its satellite countries. So the Hungarian Government's hands are tied in this whole matter.

Moreover, books and periodicals which could be imported into Romania from Hungary are curtailed by the Romanian Government.

Senator MOYNIHAN. So the Hungarian Government is passive on political and ideological grounds?

Mr. HÁMOS. The Hungarian Government. Yes, it is passive, and the Romanian Government blocks any effort that the Hungarian Government may attempt to assist in the situation.

Senator MOYNIHAN. Yes, this is a fundamental problem for Marxism, as you gentlemen know, the assumption that the nationality question was an epiphenomenon of late capitalist decline, a subject which Rosa Luxembourg touched on. Yet, these Communist and totalitarian nations continue to find that the most destabilizing phenomenon we have is ethnic, and they cannot explain it.

The Marxist doctrine does not allow it, so in many ways they become more rigid. They become hysterical, almost, as people whose very central precious belief is being challenged. I don't know and I certainly don't want to speak in any way unfriendly about Mr. Király, but I should think as a student he probably thought it was a pretty outmoded concept when he was a young Marxist.

I don't know. I mean I wouldn't be surprised.

Mr. VERESS. He certainly played according to the rules. He was, of course, a member of the party leadership, and for a very long time he believed in those ideas. But when it constantly conflicted with his everyday experiences, then his national feelings proved to be stronger. But in the first period, he obeyed the rules of the Communist Party. He wrote letters to the top party officials, most importantly to the man who is now the Prime Minister, Mr. Verdet.

He, as one brother-in-law of Mr. Ceausescu replaced another brother-in-law of his in leading the government. That was just last May. When Mr. Király wrote to him, he referred not to Western

ideas, not to Western standards, not to those bourgeois documents like the Universal Declaration of Human Rights, which, of course, reflects bourgeois conceptions, but to the Leninist principles.

Only after he got disappointed because he didn't get any answer or what he got in answer was an interrogation by the party disciplinary committee did he consent to the sending out of his letters to the West. So that was the first time that he, so to speak, broke the rules.

Senator MOYNIHAN. Fascinating. Let me say that you have in the Senator from New York someone who is deeply interested in that. The Helsinki Accords were signed, and if we are not going to insist upon them, what have we to look for in the SALT process or in any other contractual endeavor with these governments. When these governments commit themselves, they must understand that the United States will take the commitment as a bourgeois commitment. That, at least, is the view of the Senator from New York.

I thank you for the clarity of your testimony and your answers.

Mr. HÁMOS. We thank you, Senator Moynihan, for your interest in the issue. We know that you have professional and academic expertise on ethnicity and questions related to national minorities. It is particularly a pleasure to hear that you are taking an interest in this situation.

Senator MOYNIHAN. You can count on it. And I will look forward to seeing you between hearings.

Mr. HÁMOS. Thank you very much.

Mr. VERESS. Thank you very much, Senator.

Senator MOYNIHAN. Doctor, thank you.

[The prepared statement of Mr. Hámos follows:]

STATEMENT BY THE COMMITTEE FOR HUMAN RIGHTS IN ROMANIA SUPPLEMENTING THE ORAL TESTIMONY OF LÁSZLÓ HÁMOS, ON BEHALF OF THE COMMITTEE FOR HUMAN RIGHTS IN ROMANIA

FOREWORD

The state of Rumania contains an immense minority population consisting of 2.5 million Hungarians, 400,000 Germans and sizeable numbers of Ukrainians, Jews, Serbs, Greeks, Turks and others. The Hungarians alone comprise the largest national minority in Europe. Most of these peoples live in Transylvania which is one of Europe's most significant multi-ethnic regions. Were enlightened 20th Century standards applied, Transylvania could be a model for the coexistence of diverse nationalities in an atmosphere of mutual tolerance and understanding. However, under the rule of Rumania's current dictator Nicolae Ceausescu, nothing could be further from the truth.

For the past two decades this enormous minority population has been the object of a carefully planned, systematic and aggressive campaign of forceful assimilation -- a campaign which amounts to cultural genocide. This outrage must be borne in addition to the usual intolerance and terror which affects the life of every citizen of a Communist state, regardless of ethnic origin.

Alarmed at the arrogant brutality of this campaign, young Hungarian-Americans gathered in February 1976 to form the Committee for Human Rights in Rumania, an organization which soon won support by all major associations of the approximately one million Hungarians in America. The Committee's objective is to alert the public opinion and political leadership of the United States to the gross discrimination and human rights violations against national minorities in Rumania.

This is the fourth occasion on which the Committee for Human Rights in Rumania is submitting testimony to this Subcommittee on the continuation of Rumania's most-favored-nation status. Thus far, the Subcommittee has greeted our pleas on behalf of Rumania's minorities with almost complete indifference. We are encouraged, however, by the fact that since last year the world press and public opinion have awakened to the severe plight of these minorities. Month after month, dozens of articles and news reports have appeared in the most respected newspapers, providing ample evidence of the existence and gravity of this problem.

Grandiloquent or perfunctory lip service to the issue of human rights, or even resolutions and pieces of legislation prove ineffective if not put into practice -- when concrete opportunities arise -- by holding the transgressors accountable for their actions. If the reference in Section 402 to "the continued dedication of the United States to fundamental human rights" has any meaning at all, this Subcommittee should stop giving encouragement to the Rumanian regime and ignoring the issue here presented.

STATEMENT

The Committee for Human Rights in Rumania respectfully requests that the United States Senate, using the authority granted by section 402(d) (5) of the Trade Act of 1974, adopt a resolution disapproving the extension of the President's authority to waive the application of section 402(a) and (b) with respect to Rumania.

Our request is based on two grounds:

1. The President's message of June 1, 1979 recommending extension of the above waiver authority is seriously deficient in fulfilling the requirements of section 402(d) (5) of the Trade Act.
2. The Rumanian Government continuously and flagrantly violates norms of international law in its treatment of national minorities, which violations, according to the proper interpretation of section 402 of the Trade Act, mandate at least a temporary suspension of the Trade benefits accorded to Rumania.

* * *

THE RELEVANCE OF THE MINORITY QUESTION TO THE JACKSON-VANIK AMENDMENT

The chief obstacle facing us at the hearings conducted by this Subcommittee during the past three years has been an effort to restrict the human rights concerns of the Trade Act to as narrow a field as possible. Some Members of Congress have argued that the only right which the Jackson-Vanik Amendment intends to promote is freedom of emigration. There are some who have remained oblivious even to this right.

But the fact the the Amendment was intended to cover far more than simply one particular human right is obvious from its text. Section 402 of the Trade Act of 1974 clearly states its objectives in the first half-sentence: "To assure the continued dedication of the United States to fundamental human rights..." The section then defines the means for achieving these objectives as follows: nonmarket-economy countries are required to allow free emigration as a condition for the extension of trade benefits. The distinction between the means (requirement of free emigration) and the ends (fundamental human rights) is unmistakable.

This interpretation of the purpose of the Amendment is supported by grammatical evidence as well. The authentic language of the Trade Act uses the plural "objectives of this section" wherever such reference is made. Of the phrases "fundamental human rights" and "freedom of emigration", only the former is plural. The expression "objectives of this section" clearly refers back to the plural antecedent in the section, which is "fundamental human rights".

Even if it rejects this interpretation, the Subcommittee cannot validly defend its refusal to examine a broader range of human rights with the claim that it is merely following the letter of the law, which strictly limits its mandate. If that claim were true, the only business of these Hearings would be to determine whether the continuation of the waiver will substantially promote the objectives of section 402. Nevertheless, and perhaps with good reason, the Subcommittee interprets its mandate far more broadly, as any observer of these Hearings will attest. It receives testimony on political, economic and financial questions which fall completely outside the scope of section 402. The Administration, business, trade union and private witnesses who testify about such questions are given serious consideration, and cross-examined in areas wholly irrelevant to section 402. The Subcommittee, therefore, would be acting entirely within its rights in examining a broader range of human rights, beyond the right to emigrate -- especially since section 402 begins with the words, quoted above: "To assure the continued dedication of the United States to fundamental human rights..."

ON THE RIGHT OF FREE EMIGRATION

The United States is a nation of immigrants. The right of free emigration is held in very high esteem here. There is even a tendency to regard it as the most important of all human rights, the one which can be substituted for all others. The latter view, in our opinion, is severely distorted. We contend that the right to emigrate is merely a right of last resort; it is an escape chute to be used when all other measures to uphold human rights have failed. When people reach the point of clamoring to emigrate en masse from their homeland, there is clear evidence that deeper problems are to blame.

It should be noted here that the right of Jewish people to emigrate to Israel is unique in character and rationale. While they too are most often escaping persecution and undoubtedly experience difficulties in adjusting to a new environment, they still leave with the joyful idea of returning to their ancient homeland.

The situation of the national minorities in Rumania is entirely different. Hungarians have lived in this area of Eastern Europe for eleven centuries; this region is their

homeland. Instead of allowing or urging or forcing them to leave, they should be aided in their struggle to use their own language, maintain their own culture, practice their own religion -- in short to gain some protection against discrimination and gross violations against their human rights.

Certainly, Rumania's burning human rights problem cannot be successfully tackled through the simple device of easing restrictions on emigration. Even for the remaining Jewish population, estimated between 50,000 and 100,000, this measure would provide only a partial solution. Those who wish to might be permitted to leave for Israel, but those who elect to stay are also entitled to protection of their cultural and religious rights.

THE PRESIDENT'S MESSAGE OF JUNE 1, 1979 DOES NOT FULFILL THE REQUIREMENTS OF THE TRADE ACT.

In light of the above interpretation, the President's recommendation of June 1, 1979 falls far short of satisfying the requirements of section (d)(5)(C). Specifically, the message nowhere shows the manner in which the proposed waiver will substantially promote the objectives of section 402 with respect to Rumania.

Even if the objectives of the section were restricted solely to the right of free emigration, the message fails to substantiate its claim. The rate of emigration from Rumania has remained clearly unsatisfactory according to Jewish organizations who monitor it closely. Moreover, Rumania's capricious behavior in the field of human rights during the past twelve months shows that the only lesson which the Rumanians learned from last year's extension of the waiver authority was that neither the Administration nor Congress takes the objectives of section 402 very seriously.

In sum we maintain that the shortcomings of the President's recommendation in fulfilling the statutory requirements are serious enough to warrant its disapproval by the Senate.

CONTINUED CAMPAIGN OF HARASSMENT AND INTIMIDATION AGAINST KÁROLY KIRÁLY

Since the Summer of 1978, instead of taking measures to improve the country's human rights record, the Rumanian government has waged a campaign of pressure and intimidation against Károly Király, a former high-ranking Party member who has become a fearless internal opponent of minority oppression. The official reaction to Király's moderate and reasonable efforts is highly indicative of the government's overall treatment of national minorities. Before turning to a point-

by-point description of that treatment, a brief review of the Király case is in order.

During the Summer and Fall of 1977, Károly Király, a prominent Hungarian in the Rumanian Communist Party and, until 1972, an alternate member of its Politburo, wrote three letters to top Party leaders, describing government efforts to denationalize and forcefully assimilate the country's Hungarian minority of 2.5 million. Király cited a host of discriminatory and oppressive measures: the refusal to grant national minorities a representative voice in government, the implementation of "restrictive quotas" denying employment opportunities to minority workers, the forced assimilation of schools and classes offering instruction in the minority languages, the "naming of non-Hungarian speaking, Rumanian mayors" in cities "inhabited predominantly by Hungarians", the prohibition on use of minority languages in public institutions and administrative offices, and a variety of restrictions on minority cultural expression.

In one of his letters, Király also assailed the "violence and torture" used against minority inhabitants and recalled that "the harassment of Jenő Szikszai, the eminent professor from Brassó, drove him to commit suicide." (Szikszai was one of the scores who fell victim to a brutal and bloody government effort carried out in the Spring of 1977; its aim was to silence Hungarian intellectuals in Rumania by "exposing" them as members of a nationalistic and chauvinist conspiracy detrimental to the interests of the Rumanian state.)

Király's only remaining position in the government bureaucracy at the time he wrote his letters was that of Vice President of the Hungarian Nationality Workers Council. In March 1978 he was deprived of that position as well. In the past, he had held various positions as First Party Secretary in Covasna County and head of the People's Council there, member of the Party Central Committee and alternate member of the Politburo, member of the Grand National Assembly (parliament) and member of the Council of State, nominally the supreme body of state power in Rumania. At one of the high points in his career, in 1970, he was a member of the delegation which accompanied President Ceausescu to the Lenin Centenary Celebrations held in Moscow. His last post at the head of the Hungarian population's highest political organ gave him an excellent vantage point from which to assess the extent of minority oppression and the window-dressing nature of his own organization, which is supposed to represent the interests of the Hungarian minority.

Király wrote his first letter, dated June 2, 1977, to Ilie Verdet, the Politburo member responsible for ideological matters and, among others, for nationality policies. (Since that time -- on March 29, 1979 -- Verdet has been elevated to

the position of Prime Minister.) In the letter, he outlined the shallowness of his organization's activities, charged the government with hypocrisy in its official pronouncements that "the nationality question has been solved" and presented his own recommendations in 12 points.

Having failed to receive any response for several months, Király followed up with letters to two top Party leaders. The first was sent in August to János Fazekas, another Politburo member, and the second on September 10 to János Vincze, a member of the Central Committee. The tone of these subsequent letters was more bitter and the charges contained in them embraced the government's entire policy toward national minorities.

In early October, Király was summoned to Bucharest. Instead of dealing seriously with the constructive proposals he had included in his letters, the Party leaders subjected him to intensive, police-style interrogations. He was accused of having no faith in the Party leadership and was pressed to reveal the names of his "collaborators". Finally realizing the futility of his well-meaning and constructive criticism, he consented to the publication of his letters in the Western media.

During the last week of January 1978, reports of Király's protest appeared in major newspapers throughout the world. Never in recent memory had this issue received such concentrated attention. The reaction of the Rumanian regime was predictable and swift. Instead of implementing long overdue reforms, it initiated a new campaign of terror. For several weeks Király's home town resembled an armed camp, with plainclothesmen, armed militiamen and armored cars stationed on every street. Király himself was threatened with death and with the killing of his infant child. He was pressured to disavow his letters and denounce them as "fabrications of the CIA and Radio Free Europe". Király held his ground with great courage and refused to withdraw his protest. As a result, he was exiled in February from his home town of Tirgu Mures (Hungarian Marosvásárhely) to the small town of Caransebes (Hungarian Karánsebes). Despite strict instructions to the contrary, on March 1, 1978 he granted an interview to three Western correspondents during which he reiterated his protest, supplementing it with further details about the reaction of the regime. In return, the Rumanian secret police prohibited Király from receiving any further visitors.

In October 1978, after threatening that he would apply to emigrate, Király was allowed to return to his home town. He has lived there since then, under close police surveillance. According to his own account, he is constantly harassed and intimidated by the authorities. He has been isolated from his friends, who are themselves subjected to severe interrogations about him and threatened against trying to approach him. He is thus a virtual

prisoner in his own house. Once last Fall, the window of the car in which he was riding was shattered by a gunshot. Though probably not an assassination attempt (Western interest in his case is still too intense) it was undoubtedly another effort to further intimidate him.

Unfortunately, the isolation and harassment, but especially his anxiety over the safety of his wife and small child, are taking their toll: according to his latest medical reports, Kiraly's health has deteriorated significantly. The Rumanian government, not feeling sufficiently secure to eliminate Kiraly outright, is slowly nudging him toward a "natural death". Kiraly, in the meantime, remains steadfast in refusing to compromise or abandon his principles. "I don't care if they make salami out of me, I still won't give up my thankless struggle," he wrote in a letter three months ago. "But let them truly solve the problems and then I will be ready to write even a hundred articles withdrawing my protest". Realizing the seriousness of his position, Kiraly ends his letter with the chilling comment that if the authorities in Bucharest find it impossible to spare his life, "all I ask is that they allow my family, my relatives and my friends to go on living".

Károly Király, an individual of rare personal courage, has sacrificed his career and risked his well-being and perhaps his life, to express the plight of his 2.5 million fellow Hungarians in Rumania. Having spent many years in positions which enabled him to closely observe the Rumanian system, there can be no doubt about the authenticity of his charges. The persistent effort to ignore the issues he raised and to concentrate instead on silencing the source of protest serve as further damning evidence of the Rumanian government's callous and brutal disregard for human rights.

(Attached to this testimony, in the Appendix, are translations of Király's letters to Party leaders (pages A-1 to A-20) as well as selected articles about him from the world press.)

Since the Király protest, other knowledgeable and high-ranking sources within Rumania have also verified the existence of severe minority oppression. On April 24, 1978, the existence of three further protest documents written by prominent members of the Hungarian minority was revealed to Western journalists. First, a 7,000 word memorandum, including 18 separate demands for improved minority rights, had been prepared by Lajos Takács, professor of international law, candidate member of the Party Central Committee and -- as was Király before his removal in March -- Vice President of the Hungarian Nationality Workers Council. (For a translation of the 18 demands by Professor Takács, see Appendix, page A-21.) Another protest, focusing on curtailment of Hungarian-language opportunities, had been sent by András Sütő, the best-known writer of the Hungarian

minority and also a candidate member of the Central Committee. Finally, it was reported that János Fazekas, who as Deputy Prime Minister is the highest-ranking Hungarian minority official in Rumania, had also issued a personal appeal calling for improvements in nationality policies.

THE TRUE NATURE OF THE CEAUSESCU REGIME VERSUS ITS "PUBLIC RELATIONS" IMAGE

During Rumanian President Nicolae Ceausescu's state visit in the United States (April 11-17, 1978) protest demonstrations were numerous and often large in scale. Hungarian-Americans by the thousands publicly expressed their anger at the cultural genocide of their brethren in Rumania and Ceausescu had to face the demonstrators wherever he went. Unaccustomed to such freely permitted displays, the Rumanian dictator suffered occasional fits of anger. It is characteristic of his personality and style that in referring to the peaceful demonstrators, he declared to New York City Mayor Edward I. Koch: "If your security can't take care of these crowds, then our security will" (Appendix, page A-30). Welcome, New York, to the concept of human rights as enjoyed by citizens of Rumania!

Faced with mounting protests -- from both internal and Western sources -- since returning home, Ceausescu has reverted to his standard cure-all: more propaganda. But, as Károly Király has noted, the flowery verbiage is merely a device used to cover up gross deficiencies (Appendix, page A-14): "these beautiful speeches, incorporating so many sound principles, were not made for our sake, but to serve the purposes of propaganda, especially propaganda directed abroad...the chasm between theory and practice is vast and in reality while one thing is said, entirely different things are done."

Why has Ceausescu chosen to generate massive, new doses of propaganda instead of implementing even the most minimal reforms? Though simple, the answer is saddening: thus far, such propaganda has proved more effective. Until recently, the impact of sly misinformation, designed to cover up vast deficiencies, has had a remarkable effect in disarming the American media and many Members of Congress. According to an American scholar of Rumanian origin (Vladimir Socor, "The Limits of National Independence in the Soviet Bloc: Rumania's Foreign Policy Reconsidered", Orbis, Fall 1976, p. 729):

The phraseology of independence has also been ingeniously manipulated by Bucharest leaders to modify the image of their regime abroad. The endeavor has proven largely successful, as the pretense has often been accepted at face value. In lieu of substantiation by

actual policies, the nationalistic rhetoric, along with leaks and "confidences" elaborately disseminated by Bucharest to the Western press, officials and ranking visitors, have been accepted as evidence of an independent foreign policy. Thus rhetoric and a sustained policy of misinformation have combined to erase the satellite image and build the new image of a "national Communist" regime striving for independence from Moscow. As a result the West has afforded Bucharest, through exchanges of official visits and favorable publicity, an international respectability unprecedented for a communist government. The regime has succeeded in eliciting international and particularly Western acceptance as a substitute for the internal legitimacy eluding it.

Nicolae Ceausescu of course has not renounced a single tenet from the worn-out and disgraceful book of Marxism-Leninism. He operates an old-fashioned Stalinist dictatorship, maintaining all the usual paraphernalia, including an omnipresent secret police and an insanely promoted personality cult. By placing his wife on the ruling Politburo and at least a dozen other family members in leading positions of political power, Ceausescu has broken all records for nepotism, even in the Communist world. (See Appendix, p. A-37.)

Ceausescu's most elaborate public relations myth -- his "independent" foreign policy -- deserves further attention here. Mr. Ceausescu is not independent, he simply has a longer leash than the other East European puppets. As Rumania is "landlocked" by other Communist countries, the Soviet Union could safely withdraw its troops in the late 1950's with no danger of losing Rumania to the West. The absence of Soviet troops gives Ceausescu some room to maneuver. But he knows how far he can go, and Leonid Brezhnev knows that he knows. Rumania's "independence", therefore, is due to geographic and political factors over which it has little control, rather than to any real tendencies toward liberalization. Continuously, and with remarkable success, President Ceausescu has employed a scheme of making Rumania's "independence" appear to be the result of his own valiant efforts, rather than the given geo-political situation, thus pulling the wool over Western eyes.

Together with all Hungarian-Americans, we are deeply concerned for the restoration of freedom and independence for all the peoples of Eastern Europe. We would most certainly welcome genuine independence for any of these countries as a development beneficial to the entire area. But we condemn with equal force the notion of granting the Rumanian regime license to trample on human-rights as a reward for propagating the wholly unfounded myth of independence.

MINORITY OPPRESSION IS A MATTER OF INTERNATIONAL CONCERN PER SE.

As a consequence of the rearrangement of East Central Europe's borders following World War I, there are now 2.5 million Hungarians and 400,000 Germans living in Rumania. Specifically these nationalities are concentrated in the region known as Transylvania, of whose population they form about forty percent.

Rumania's national minorities are, of course, subjected to the same general suppression of freedoms as all the other inhabitants of that country. Their situation however is made much more grave by the additional burden of a systematic and increasingly aggressive campaign of forceful assimilation amounting to cultural genocide.

Due to the presence of sizeable indigenous minority populations within its borders, Rumania is one of those countries to which Article 27 of the United Nations Covenant of Civil and Political Rights applies. Despite ratification of this Covenant by Rumania, its minority policies stand in clear violation of Article 27, which provides:

In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.

Other international agreements which are regularly violated by Rumania in its treatment of national minorities are the International Convention on the Elimination of All Forms of Racial Discrimination and the UNESCO Convention against Discrimination in Education, both signed and ratified by Rumania.

Measures used to oppress nationalities in Rumania also violate those provisions of the Helsinki Agreement which prohibit discrimination on the basis of national origin and provide for the positive support of regional cultures and national minorities.

As a matter of course, human rights violations are a subject of international concern; when the expression "human rights" is uttered, it automatically falls within the framework of international law. Moreover, through its own ratification of the agreements mentioned above, Rumania has rendered itself further accountable to international scrutiny.

Rumania's treatment of its national minorities, therefore, can in no way be construed as a matter of purely internal concern to that country. The United States has every legal basis to insist on the restoration of fundamental rights to the minority populations of Rumania.

* * *

Before turning to the individual elements of Rumania's abusive minority policies, it must be pointed out that those elements cannot be properly viewed as distinct or isolated infractions. They form instead, the interrelated components of a well-planned and systematically executed campaign to eliminate Rumania's national minorities through forcefully assimilating them into the dominant nationality. The whole then, is equal to far more than the sum of its parts. The proper term for a program of this nature is cultural genocide.

This expression is by no means an exaggeration. In 1948, the United Nations Ad Hoc Committee on Genocide formulated a draft definition of the concept of cultural genocide (U.N. Doc. E/447). Regardless of the fact that the final text of the Convention of the Prevention and Punishment of the Crime of Genocide did not incorporate this definition, the Rumanian Government is not absolved of the fact that its behavior exactly corresponds to several elements of the definition.

GENERAL CHARACTERISTICS OF THE OPPRESSION
OF MINORITIES IN RUMANIA

With respect to a proper investigation of discrimination in Rumania, lofty guarantees of minority rights in the Rumanian Constitution serve to obscure more than they enlighten, since they are not observed. Section 22 for instance prescribes that

In territorial-administrative units also inhabited by population of non-Rumanian nationality, all the bodies and institutions shall use in speech and in writing the language of the nationality concerned and shall appoint officials from its ranks or from among other citizens who know the language and way of life of the local population.

The sole difficulty with the above section is that it is completely disregarded: the language used in public administration and the courts is exclusively Rumanian.

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The failure to observe constitutional and other legal guarantees is one characteristic feature of minority oppression in Rumania. Another major component is the absolute refusal to allow the minorities any role even vaguely resembling the conditions for self-determination, autonomy or independent decision-making. Although there are officials of minority extraction at every governmental level, they are permitted no meaningful voice in representing their own ethnic groups.

The Hungarian Nationality Workers Council was established in 1968 as the only body capable of serving the interests of the Hungarian minority. But the very text creating this Council exposes it as an instrument of the State, acting to undermine minority interests. The Council's stated purpose is

"to assist the Party and the State, on both the central and local levels, in mobilizing the nationalities to assume their responsibilities in the building of socialism, in researching particular questions concerning the respective populations and in implementing the nationality policies of the Party."

Károly Király, Vice President of the Council for 10 years (until his removal in March 1978), furnished ample evidence of the Council's abject ineffectiveness. In his letters to Party leaders, Király charged that the Council's activities "have

declined to zero" (Appendix, p. A-11); repeatedly, but to no avail, he called upon the government to "guarantee the proper organizational framework" (Appendix, pp. A5-A6) as a precondition to treating minorities in a humane fashion.

But let us look further into this matter. We find that Hungarians are proportionately represented, but only in those State and Party organs which are not allowed to exercise any real power, such as the showcase "Grand Assembly" (Rumania's excuse for a parliament) and the 500 member Party Central Committee. Hungarians are virtually excluded from any body which is granted an effective role in matters affecting their own interests. Of the seven secretaries of the Party Central Committee (the holders of real power aside from Ceausescu), not one is of minority origin. The Secretary for Nationalities in the Party Central Committee cannot speak any minority language, only Rumanian. The entire Department of Culture contains only a "Bureau" of Nationalities, which is expected to serve all the cultural needs of all the minorities. Its chief activity is the exercise of censorship over the cultural life of the minorities.

On the county level, the ineffectual People's Councils and Party Committees by and large do maintain proportional representation. But where the real power lies, within respectively, the 7-11 member Executive Committees and Party "Bureaus", Hungarians are grossly underrepresented. Indeed, in several heavily Hungarian populated counties such as Bánát, Arad and Maramures (Hungarian Máramaros), they are completely excluded from the Party "Bureaus". "In the same way", Károly Király pointed out, "it is nothing new that in cities where the majority of the population is Hungarian -- such as Nagyvárad, Marosvásárhely, Szováta, etc. -- Rumanians who speak no Hungarian are being appointed as mayors" (Appendix, p. A-15).

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Another ingenious method for compelling minorities to assimilate can be found in the structure of cultural institutions in Rumania. Independent minority institutions even at the lowest levels, have been virtually eliminated. The Hungarian university in Cluj (Hungarian Kolozsvár), for example, was made a section of its Rumanian counterpart; Hungarian schools have been merged into Rumanian schools as sections; four out of the six formerly independent Hungarian theaters are now just sections of Rumanian theaters; and so on. The purpose of such arrangements is to deny the existence of a distinct Hungarian nationality, culture or language. Even the expression "national minority" is not tolerated in official publications. The minorities are referred to in official documents as "co-inhabiting nationalities", thereby implying their dependent status vis-a-vis the Rumanians who are, by implication, the only legitimate inhabitants.

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A further characteristic of minority discrimination is the official policy that this problem simply does not exist. In Rumania, "there is continuous repetition of the proposition that the nationality question in our country has been finally, once and for all, solved" (Károly Király, Appendix, p. A-9). While some discussion, and even occasional concessions are allowed concerning other social, economic and political questions, the situation of the minorities is a forbidden subject (ibid., p. A-5). Still less is it permitted to propose any improvement in this area. The only task is to combat "nationalism" (meaning, of course, minority nationalism) and to neutralize the "trouble-makers". According to Károly Király, who has himself experienced the dire consequences of such "troublemaking", "unpardonably extreme methods of intimidation are employed against those who dare to ask for permission to speak in the interest of having the nationality question handled legally and in accordance with the Constitution" (ibid., p. A-11). In this way, any demand or complaint concerning minority conditions is wholly ignored, or, in Király's words, "killed by persistent silence" (Appendix, p. A-27).

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Coupled with this official disregard is another general feature: the absence of any effective, legal remedy against abuse. Section 247 of Rumania's Criminal Code which forbids discrimination on the basis, inter alia, of national origin, is never enforced in criminal trials.

This deficiency clearly violates the International Covenant on Civil and Political Rights which states (Article 2, Section 3):

Each State party to the present Covenant undertakes:

(a) to ensure that any person whose rights and freedoms as herein recognized are violated shall have an effective remedy notwithstanding that the violation has been committed by persons acting in an official capacity;

(b) to ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;

(c) to ensure that the competent authorities shall enforce such remedies when granted.

It would, of course, constitute a patent contradiction for the Rumanian regime to observe these provisions and to prosecute officials under Section 247 of the Criminal Code; such officials would have to be punished for faithfully executing the policies of the Rumanian Party and State.

In turning now to the list of individual human rights violations against minorities in Rumania, it is advisable to ponder not only the substance of the given violation, but also to examine the manner in which it fits into the comprehensive pattern of minority oppression, interacting with and serving to reinforce the other elements of this reprehensible campaign.

Three sources will be heavily cited in the discussion which follows. The first is a 16,000 word document, containing a wealth of data on the oppression of minorities, which was smuggled from Rumania to a London Sunday Times correspondent and reported in an article entitled "Rumania's Oppressed Minority" (April 17, 1977, p. 8). Whenever information from this document is used below, its origin will be noted as "London Sunday Times Report".

The second source consists of the three letters written by Károly Király to top Party leaders (see pp. 3-7 above) whose full texts are included in the Appendix to this testimony (pp. A-1 to A-20).

Finally, the 27 page memorandum prepared by Lajos Takács, professor of international law, candidate member of the Party Central Committee and Vice President of the Hungarian Nationality Workers Council, represents a valuable new collection of evidence on minority oppression. Included in the Appendix is a translation of his 18 separate demands for improvements in minority conditions (pp. A-21 to A-22) and one of the Western news reports describing his protest (p. A-31). The document itself will be cited below as "Takács Memorandum".

SPECIFIC ELEMENTS OF THE OPPRESSION

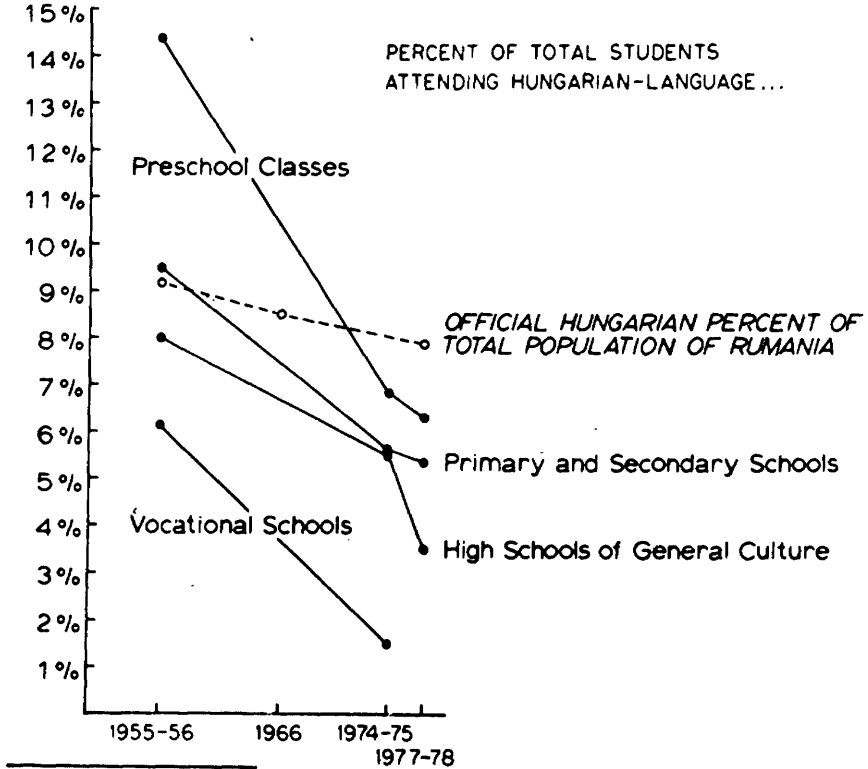
OF MINORITIES IN RUMANIA

1. DISCRIMINATION IN ELEMENTARY AND HIGH SCHOOL EDUCATION

Official Rumanian statistics indicate that of all pupils attending preschool institutions in Rumania, the proportion of those allowed to be educated in Hungarian dropped by over 50 percent from 14.4% in 1956 to 6.3% in 1978. The same proportion for primary and secondary school students fell from 9.5% to 5.4%, and for high school students from 8.0% to 3.5%. The total decline in the above categories was from 10.0% to 5.3%. The percentage of students attending Hungarian vocational school dropped from 6.1% in 1956 to 1.5% by 1975. These percentages and the figures used to compute them are shown in the table and graph which follow. (The sources for both are Rumanian government propaganda booklets: The Hungarian Nationality in Romania, Bucharest, 1976, pp. 15-17; and A Living Reality in Romania Today; Full Harmony and Equality Between the Romanian People and the Coinhabiting Nationalities, p. 15.)

	<u>1955/1956</u>	<u>1974/1975</u>	<u>1977/1978</u>
<u>Preschool Education</u>			
All Students	275,433	770,016	837,884
In Hungarian Classes	39,669	52,765	52,580
% in Hungarian Classes	14.4%	6.8%	6.3%
<u>Primary and Secondary Education</u>			
All Students	1,603,025	2,882,109	3,145,046
In Hungarian Classes	152,234	160,939	170,945
% in Hungarian Classes	9.5%	5.6%	5.4%
<u>High School of General Culture</u>			
All Students	129,135	344,585	813,732
In Hungarian Classes	10,370	19,050	29,028
% in Hungarian Classes	8.0%	5.5%	3.5%
<u>Vocational Education</u>			
All Students	123,920	615,876	
In Hungarian Classes	7,585	8,974	N/A
% in Hungarian Classes	6.1%	1.5%	

OPPORTUNITIES FOR HUNGARIAN-LANGUAGE EDUCATION
AT THE ELEMENTARY AND HIGH SCHOOL LEVELS
IN RUMANIA *



* SOURCES. The Hungarian Nationality in Rumania (Bucharest, Rumania: Meridiane Publishing House, 1976), pp 8, 15-17.

A Living Reality in Rumania Today: Full Harmony and Equality Between the Romanian People and the Coinhabiting Nationalities (Bucharest, Rumania, 1978), p. 15.

These official Rumanian statistics indicate that while 23 years ago the number of students allowed to attend Hungarian classes was roughly proportionate to the size of the Hungarian population, the above figures show an alarming decline. Attendance in Hungarian classes has fallen in each category far below the levels which even the official population statistics would warrant.

How has this drastic result come about? The process by which the Rumanian government eliminates Hungarian schools began in 1959. Since that year, independent Hungarian schools have been systematically attached to Rumanian schools as mere sections, which sections, in turn, have been gradually phased out. The process of totally eliminating these Hungarian sections was legitimized by enactment of the clearly discriminatory Decree/Law 278 (May 11, 1973).

This unprecedented piece of legalized discrimination required the presence of a minimum quota of 25 students at the grade school level and 36 students at the high school level in order to maintain or establish a class in one of the minority languages. (Prior to the issuance of this Decree, the quota had been 15 students.) If a given Hungarian community contained, for example, 24 Hungarian students for a given elementary school class, these children were forced to complete their studies in the Rumanian language. As most villages in Transylvania have only between 500 and 1000 inhabitants, the number of Hungarian students very often fell short of the required quota, and the Hungarian classes had to be terminated. Once a school was thus forced to become Rumanian, use of the Hungarian language was forbidden even during recess.

What made this Decree still more offensive was that the provisions applicable to Hungarians and other minorities did not apply to Rumanian sections or classes in areas inhabited predominantly by Hungarians. In such towns or villages, a Rumanian section had to be maintained regardless of demand (i.e. even if a given Hungarian village contained only one Rumanian student). The wording of Decree/Law 278 made this requirement perfectly clear:

In those communities where schools function in the language of the coinhabiting nationalities, Rumanian language sections or classes shall be organized regardless of the number of students.

In 1973, after the issuance of Decree/Law 278, Hungarian sections and schools were eliminated in many villages. Parents attempted to compensate for the loss by arranging at their own expense for rented buses to take their children to the nearest village which still had a Hungarian school. This practice, especially widespread in the counties of Harghita

(Hungarian Hargita) and Salaj (Hungarian Szilágy), was soon recognized and summarily terminated by the State citing the pretext of a "gas shortage".

As students were prevented from being bused to nearby Hungarian schools, the sole remaining alternative would have been to send them away to live at the nearest Hungarian boarding school. The State, however, allowed boarding facilities for Rumanian schools only. This example illustrates the manner in which assorted discriminatory techniques are cleverly intertwined. Their effect is absolute: in the many heavily Hungarian populated, but small communities where the number of Hungarian children fell short of the required quota, those children were left with no other option but to attend a Rumanian school. The school may have been located within the community or, if the community was too small, it may have been a boarding school in a larger town, but in either case the State made certain that it was a Rumanian school.

On December 21, 1978, a new Law on Education and Instruction was enacted (see Buletinul Oficial No. 113, December 26, 1978), which technically supersedes Decree/Law 278 cited above. The new law, however, not only fails to address or rectify the discriminatory practices instituted under Decree/Law 278, but in actuality facilitates a continued worsening of the situation. Devoting less than 2% of its text to the education of minority children, the law is confined to general and repetitive provisions and does not detail the conditions under which children can study in their native tongue. In practical terms, therefore, the prior discriminatory rules of Decree/Law 278 have been allowed to remain in full effect -- as modified perhaps by the cobweb of secret administrative and Party directives which exist parallel to and often supplant the published regulations. According to latest reports, the elimination of Hungarian sections and classes continues unabated up to the present time.

Even in the remaining Hungarian schools and sections, not just the Rumanian language, but the subjects of literature, geography and history must also be taught in Rumanian. In many Hungarian sections, there are so many Rumanian-language courses that the section is Hungarian in name only. This is especially the case in Hungarian vocational and technical school, where only Hungarian literature and physical education are actually taught in Hungarian.

Moreover, even in Hungarian classes, textbooks are not necessarily written in Hungarian, as revealed in a speech by László Lőrincz, Secretary of the Ministry of Education (see transcripts of The Joint Plenary Session of the Hungarian and German Nationality Workers Councils, Bucharest, March 13-14, 1978 (p.67). According to this speech, textbooks are considered appropriate for use in Hungarian classes even though they may contain only a glossary in Hungarian, but are otherwise written completely

in Rumanian. Under such circumstances, to what degree can a nominally Hungarian class actually conduct studies in Hungarian?

The lack of Hungarian-language classes has been reported by the respectable Swiss daily Neue Zürcher Zeitung (in that newspaper's comprehensive survey: "Rumania's Controversial Minority Policy," April 8/9, 1977, p. 3):

In technical high schools, if a Hungarian student is to advance, he must take mostly those courses offered only in Rumanian. There is no possibility whatsoever of obtaining a higher education in the technical fields in Hungarian.

In trade schools, only the simpler trades are taught in Hungarian. Thus, studies in Rumanian are necessary for advancement into the more highly developed technical fields such as electronics, information technology, medical technology, and industrial chemistry. In 1973-74, for example, of the 174 first year classes entering the trade schools in Cluj (Kolozs) county, only two (1) were Hungarian, one in textile manufacturing, and the other in the construction industry. Such was the case in a county where, as noted above, even according to official Rumanian statistics 26.1% of the population is Hungarian. (London Sunday Times Report.)

Matters have taken a sharp turn for the worse since the Fall of 1976 when a drive was initiated to reorganize Rumania's entire educational system, placing greater emphasis on technical and vocational training, and reducing the number of high schools, or lyceums, which provide instruction in the liberal arts. As an outgrowth of this drive, Hungarian lyceums which had been in continuous existence for the past 300-400 years in such cities as Oradea (Nagyvárad), Cluj (Kolozsvár), Tirgu Mures (Marosvásárhely), Odorheiul-Secuiesc (Székelyudvarhely) and Tirgu Secuiesc (Kézdivásárhely) have been summarily eliminated, while the language of instruction is almost exclusively Rumanian.

The impact of this drive was already felt during the 1976-77 academic year: of the 34,738 total number of Hungarian secondary school students, 15,591 were constrained to attend trade schools in which the technical subjects were taught in Rumanian only (Takács Memorandum, p. 11). And, as Károly Király pointed out, the situation has deteriorated despite official pledges to the contrary (Appendix, p. A-15):

We were promised new secondary vocational and technical schools in which studies were to be conducted in the languages of the nationalities, but in reality we have witnessed a decline in the number of these schools. Each year there are fewer and fewer of them. Children cannot

study in their native tongue; compulsory instruction in the Rumanian language has been introduced even at the kindergarten level.

Finally, through discriminatory admissions policies, the State makes it difficult for graduates of Hungarian schools or sections to enter the next higher educational level. Naturally, the Hungarian-language courses at these levels are rapidly eliminated, their existence being predicated upon the number of Hungarians who enter them. The Rumanian State, in the meantime, alleges that it is due to lack of popular demand that such courses are closed. Thus, as in the many illustrations above, the vicious discriminatory cycle is complete and the outcome for the Hungarian minority is devastating.

2. DISCRIMINATION IN HIGHER EDUCATION

Higher education has a great historic tradition in Transylvania. The Bolyai University of Cluj (Kolozsvár), for instance, can be traced to the Jesuit academy founded by the Hungarian prince István Báthory in 1581.

On March 5, 1959, the Bolyai University was forced to merge with the Rumanian Babes University. In his book Minorities Under Communism, Robert R. King calls the elimination of this Hungarian institution "the most serious blow to intellectuals among the Hungarian minority" (p. 153). Three professors, including the celebrated writer László Szabédi, committed suicide out of despair at this arbitrary act. Today, many view it as the first major step in the current campaign of cultural genocide, sanctioned at the outset by Moscow in retaliation for the 1956 revolt in Hungary. Incidentally, both Szabédi and Nicolae Ceausescu were present at the dinner where the merger of the two universities was celebrated in the name of brotherhood and equality. Ceausescu, secretary to the then dictator Gheorghe Gheorghiu-Dej, had been sent to head the campaign to intimidate the Hungarian professors in order to force them to accept the crippling of their university. During the dinner, Szabédi questioned the motives of the Government in ordering the merger. The result was an intensive harassment of Szabédi by the secret police, which finally drove him to commit suicide a few weeks later. It is characteristic that the document of unification, which lists the existing faculties of the two universities at the time of the merger, has been concealed ever since, so as to hide any official evidence of the extent to which the Hungarian faculties have been eliminated. King further states that after the merger "the 'Rumanianization' of the unified university was gradually carried out" (p. 154). He cites numerous examples of this ruthless process (ibid.):

Although at first there was an attempt to give Hungarians adequate representation in the administration of the merged university, gradually Rumanians have come to play an increasingly dominant administrative role. When the merger was announced the rector was Rumanian but two of the three prorectors were Hungarian. By 1967 the number of prorectorships had been increased to five, but three were Rumanian. Also, seven of the eight deacons of the university and 61 percent of the teaching faculty were Rumanian.

Present conditions at this allegedly bilingual university are dismal. In the 1976-77 academic year, of all the students (approximately 6,000) only 8% (480 students) have the opportunity to attend Hungarian classes. (London Sunday Times Report.) Typical of the lack of Hungarian-language courses is the situation in the University's Department of Chemistry. Only 6 of the 32 courses are taught in Hungarian, but 5 of those 6 are ideological courses (Marxism-Leninism, etc.) and the sixth is Organic Chemistry. (London Sunday Times Report.)

The latest measure, introduced in 1979, makes it mandatory to combine a major in any subject belonging in the field of Hungarian studies with the appropriate subject in Rumanian studies. Henceforth, applicants who wish to study Hungarian history, literature or linguistics will not be admitted unless they can also pass an entrance examination in the Rumanian counterpart to those subjects. The following list, taken from the Takács Memorandum (pp.15-16), provides an indication of the fate of the Hungarian section at this university since the merger two decades ago:

- In 1958-59, the year of the merger, there were 45 Rumanian and 36 Hungarian instructors on the faculty of Chemistry. In the 1976-77 academic year, we find 63 Rumanian and only 14 Hungarian instructors. During the intervening 20 years, 37 young Rumanian instructors were hired, in contrast to only one Hungarian.
- In 1958-59, there were 18 Rumanian and 15 Hungarian instructors on the faculty of Law. In 1977-78, 23 Rumanians and 4 Hungarians remained. In the interim, 8 Rumanian instructors and 1 Hungarian were hired.
- In contrast to the 23 Rumanian and 15 Hungarian instructors on the faculty of Economics at the time of the merger, today we find that the number of instructors has grown to the unusually large number of 95, of whom only 19 are Hungarian.
- In 1959, the entire staff of the Mathematics Department numbered 50, of whom 19 were from the Bolyai University. In this department today we find 65 instructors, of whom 14 are Hungarian. Of the 33 instructors hired since the merger, only 3 had been Hungarian.

- In the History department (at the faculty of History and Philosophy), of the 43 instructors at the time of the merger, 14 were from the Bolyai University. Currently, 27 instructors are left from the time of the merger, of whom 7 are Hungarian. Since the merger, not one Hungarian teacher has been hired. The youngest Hungarian instructor is 49 years old. Of the 7 Hungarians, not one has been named full professor and not one has been given a full pension.
- The situation is similar in the other departments of the University.

There is no guarantee of course, that even the remaining Hungarian faculty members indicated above actually teach Hungarian-language classes. But clearly, as their numbers decline, even the possibility of such classes withers away.

A meaningful indicator of the total volume of Hungarian-language education which occurs at the University can be computed by multiplying the number of Hungarian courses by the number of students attending those courses. In recent semesters, the resulting figure has fluctuated between 5% and 10% of the comparable figure at the time of the merger. (London Sunday Times Report.)

Why is the elimination of the Bolyai University considered such an outrageous measure? The reason lies in the fact that the Hungarian minority in Rumania forms an immense population, the largest national minority in Europe. One third of all the countries in the world have fewer inhabitants than there are Hungarians in Rumania. It is grossly discriminatory that this population of 2.5 million is not allowed to maintain a single university of its own.

In addition to this University, all other Hungarian institutions of higher education have been systematically curtailed or eliminated. King writes that "at the time Babes and Bolyai Universities were merged, the Dr. Petru Groza Agricultural Institute in Cluj was 'reorganized', and separate language instruction was dropped" (p. 154). "Actually, according to Takács (p. 16), "Hungarian-language instruction was completely eliminated" at this Institute. "Currently, of the 205 faculty members employed there, only 16 are Hungarian -- all of them left over from the old institute -- and during the past 20 years, not one Hungarian teacher has been appointed" (ibid.). Of course, since studies can only be conducted in the Rumanian language, even these remaining Hungarians cannot teach in their native tongue.

According to King, "The Hungarian medical school in Tirgu Mures has also undergone a process of 'Rumanianization'" (p. 154).

The number of cases is endless. In 1976 a Rumanian rector was appointed to head the Hungarian Teachers College in Tirgu Mures (Marosvásárhely) for the first time in the history of the school (London Sunday Times Report). Based on past experience, there can be no mistake as to the meaning of this measure for the future of this prestigious college. Indeed, during the time which has elapsed since this appointment, existing courses of instruction in the Hungarian language and literature, Hungarian music, and Rumanian-Hungarian literature have been completely eliminated.

Károly Király wrote about the fate of institutions of higher education in the following manner (Appendix, p. A-15):

In 1976 a decision was born to eliminate Hungarian institutions of higher education. After the "Bolyai" University in Kolozsvár came the Institute of Medicine and Pharmacology at Marosvásárhely, and then, by special order from above, a Rumanian section was established at the István Szentgyörgyi School for the Dramatic Arts, thereby liquidating in effect the last "island" of higher education in a nationality tongue.

Parallel to the disappearance of opportunities to study in Hungarian, there has been a catastrophic drop over the past two decades in the proportion of Hungarian students attending any institution of higher education. This decline can only be explained by discriminatory admissions policies. In the 1957-58 academic year, at all institutions of higher education, there were 4,082 Hungarian students studying in their native tongue, and between 1,000 and 1,500 studying in Rumanian. At that time, therefore, there were approximately 5,500 Hungarian students out of a total student population of 51,094. Less than 20 years later, during the 1974-75 academic year, the total number of Hungarians attending institutions of higher education was 6,188, while the total number of Rumanians had grown to 108,750. Thus, while the number of all students in higher education more than doubled during that period, the number of Hungarian students rose by only about 600, or a mere 10%. (Takács Memorandum, p. 17.)

One final comment on this topic seems appropriate. The severe restriction on those subjects which can be taught in Hungarian is not without serious impact on the lower levels of education. As indicated earlier, the various elements of discrimination in Rumania cannot be isolated, for they act to reinforce one another. Thus, the fact that the number of subjects which can be pursued in Hungarian beyond high school is relentlessly declining undoubtedly serves to pressure aspiring Hungarian students to begin studying those subjects in Rumanian during their earlier years of schooling.

3. DISSOLUTION OF COMPACT MINORITY COMMUNITIES AND DISPERSION OF ETHNIC PROFESSIONALS

As a Communist dictatorship, the Rumanian Government has almost complete control over its labor and housing markets. This control is used to break up homogeneous ethnic Hungarian communities.

The systematic denationalization of Hungarian cities has been noted in the Financial Times of London ("Transylvania's Ethnic Strains," April 2, 1975). The case of Cluj, Rumania's second largest city, is described as follows:

Over the past 15 years, Romanians have been settled in this formerly almost entirely Hungarian city whereas Hungarians from the surrounding area have been banned with the result that Romanians now make up 65 per cent of the population.

In Rumania, citizens are not permitted to resettle into another city without official approval. At the same time, it is government policy to prevent the minority populations of cities from growing. Accordingly, while Hungarians find it almost impossible to move into the major cities of Transylvania, the influx of Rumanians is not only permitted, but encouraged through offers of favorable housing opportunities and other benefits.

Industrialization, which as in all Communist states is government-planned, is used as a tool to achieve the same purpose. Earlier some of the most heavily Hungarian populated counties were among the most industrially underdeveloped. Hungarians seeking industrial employment were thus constrained to move to Rumanian areas or to commute long distances. Presently, with industrialization reaching into such counties as Covasna (Kovászna, 74.4% Hungarian) and Harghita (Hargita, 88.1% Hungarian), instead of employing the local population, the new factories are staffed mostly by Rumanian settlers imported by the government from outside areas.

It has been alleged that the reason for the decline in the Hungarian percentage of some Transylvanian cities is that their "hinterland" was much more Rumanian than Hungarian and "that upward mobility has favored the lesser developed Rumanian masses". This hypothesis is disproved by such cities as Miercurea Ciuc (Csikszereda) where in the past 10 years, as a consequence of industrialization, the percentage of Hungarians has fallen from 90% to 70%. This city happens to lie in the heart of a region which is purely Hungarian.

Another example of this policy is the manner in which workers have been hired at the new AZOMURES chemical factory in Tirgu Mures (Marosvásárhely). This city lies at the center of an area surrounded by a 60% majority of Hungarian inhabitants. Despite this fact, 90% of the workers in the AZOMURES plant are Rumanian. (London Sunday Times Report.)

A Decree issued in 1976 limits the opportunity for workers to commute. Thus, Hungarian workers who had been able to live in their native communities because they were willing to commute long distances must now either move to their place of employment (usually to Rumanian communities) or face the loss of their jobs. (London Sunday Times Report.)

The breakup of Hungarian communities is further accomplished through the routine assignment of Hungarian graduates of universities and trade schools to jobs outside their native communities. Even though President Ceausescu himself, speaking on March 14, 1978 before a joint plenary session of the Hungarian and German Nationality Workers Councils (Transcript, p. 14), cited this practice as a "deficiency" in Rumania's nationality policies, it continues unaltered to the present day.

The stated policy of the Rumanian Government, that graduates with the highest grades are given first choice of where to work, cannot account for the extent to which Hungarians are sent into Rumanian areas and Rumanians into Hungarian districts. As a result, these Hungarians are cut off from their ethnic roots, and their children have no opportunity to attend Hungarian schools. More importantly, however, the Hungarian minority is deprived of doctors, lawyers, and other professionals who speak their own language. A frequently heard complaint, especially among the elderly in rural areas, is that they cannot communicate with the local doctor. Obviously, the otherwise sensible practice of rewarding top graduates with first choice in place of employment could still be applied effectively with the simple modification that Hungarian graduates be allowed to choose from among Hungarian areas and Rumanian graduates from among Rumanian regions.

The fact that Rumanian graduates are also sent into Hungarian districts does not make this policy any less discriminatory. On the contrary, although Hungarians are required to speak Rumanian in the Rumanian areas to which they have been sent, Rumanian professionals do not have to speak Hungarian in Hungarian areas. Consequently, the local population must either accommodate to the language of the Rumanian professionals foisted on them, or suffer the consequences. The discriminatory nature of this policy is clear. It is also intimately tied to the Government's policy on minority schools. The sending of Rumanians into Hungarian areas paves the way for the elimination of Hungarian schools,

since the children of these Rumanians are educated in newly created Rumanian sections. The Hungarian sections are then phased out as shown above.

Clearly, the Ceausescu regime, which appeals to nationalistic chauvinism as a source of legitimacy and power, does not easily tolerate compact masses of another nationality. Dissolution of communities is an effective way to disrupt the life and weaken the identity of ethnic groups.

4. LACK OF BILINGUALISM

The Rumanian Government's policy of referring to Rumania as a "unitary national state" is well known. But while that condition might be the desire or the aim of the Government, it is also true that Rumania is currently multi-ethnic, especially in the region of Transylvania. The presence of several million inhabitants comprising large national minority groups is an undeniable fact which has well-defined consequences according to the rules of international law applicable to such minorities.

In contravention of these rules and Article 22 of the Rumanian Constitution quoted earlier, Rumanian is the official language spoken everywhere in Rumania; it is the exclusive language at all levels of government bureaucracy. Use of the native tongue has been completely eliminated from all areas of official activity. We challenge the Rumanian government, for example, to produce evidence of a single statement made in Hungarian during any meeting of a Party or local governmental organ in such heavily Hungarian localities as Oradea (Nagyvárad), Satu Mare (Szatmár), Bihorea (Bihar), Timisoara (Temesvár) or Cluj (Kolozsvár). As Károly Király pointed out (Appendix, pp. A-15 to A-16):

Use of the native tongue is severely restricted at meetings of the Party, the Young Communists League, the trade unions, and in the various workers Councils; indeed, use of the native tongue is prohibited even at meetings of the Nationality Workers Councils. (Emphasis added.)

The lack of bilingualism is further evidenced by the fact that traffic safety signs and bureaucratic forms are all in Rumanian. Moreover, as Király writes (Appendix, p. A-16):

Signs identifying institutions, localities and so on in the native tongue of the local inhabitants have almost completely disappeared. In 1971 when I was First Party Secretary in Kovászna County, we posted

bilingual Rumanian and Hungarian signs there, in accordance with a decree of the County Peoples Council. But their existence was shortlived. The signs were simply removed, and by 1975, not a single locality was identified in Hungarian.

In addition, there is an increasing tendency to appoint Rumanian personnel to all positions which involve contact with the public in Hungarian areas. In Tirgu Mures (Marosvásárhely), for instance (which as already noted is still 70-75% Hungarian) the Rumanian mayor does not even speak Hungarian and postal service personnel are almost exclusively Rumanian. (See also Károly Király's statement on this subject in Appendix, p. A-15.)

In this regard, the author of the Neue Zürcher Zeitung article cited above made the following observation:

In Cluj whose population is still 45% Hungarian-speaking, signs in that language are clearly forbidden. Only Hungarian theater billboards and announcements in churches visited by Hungarians are in Hungarian.

According to Article 109 of the Rumanian Constitution, judicial proceedings throughout the country must be conducted in the Rumanian language. The only right a Hungarian defendant or litigant has before the court of his own native community is to be provided with an interpreter. This "right", however, is no more than the right granted to any foreigner brought to trial in Rumania.

In the technical professions, due to the absence of bilingual instruction noted above, use of the Hungarian language is simply impossible. It is also impossible to find a menu in Hungarian in the restaurants of Cluj (Kolozsvár) where a large percentage of the population is Hungarian. Postcards depicting Hungarian historical monuments bear descriptive texts in four or five languages, none of them Hungarian.

The lack of bilingualism is made all the more severe by the overt and subtle forms of intimidation which are employed to eliminate the use of the native tongue at all levels of society. Károly Király pointed to this problem when he wrote (Appendix, pp. A-7 and A-16):

In some cases, first secretaries, first vice-presidents, county secretaries in municipalities and cities and vice-presidents in the Peoples Councils,

though of nationality origin themselves, use only the Rumanian language in their contacts with workers of nationality origin, letting them know in this way that perhaps someone prohibited them from using the native tongue...

Nationalities cannot use their native tongues even in State offices; after all, most of the officials are Rumanians who do not speak the nationality's language, either because they do not know it or because they refuse to use it. (Emphases added.)

Due to this complete absence of any degree of bilingualism and the chauvinism encouraged by governmental policies, members of minorities are often forced to endure derision and threats for using their mother tongue, even in private conversations at public places. It seems fitting to conclude here with the experience of a recent visitor, a well-known writer, to Transylvania. In the predominantly Hungarian village of Sic (Szék), he found only one Hungarian sign. It hangs on the wall of the village tavern and declares: "It is forbidden to sing in Hungarian."

5. CURTAILMENT OF CULTURAL OPPORTUNITIES

In view of the already discussed decline in Hungarian educational opportunities and the increasing denationalization of Hungarian communities, it is hardly surprising that the same policy of curtailment and elimination permeates every aspect of minority cultural life as well. As noted last year by The Times of London ("Party Officials Join Fight for Hungarians' Rights," April 25, 1978, p. 9):

The Hungarians, who hitherto had their old cultural institutions have gradually been losing them as the policy of enforced assimilation by the Rumanian state gained momentum over the past 10 years or so.

The following are only some examples of this discriminatory process:

*No independent Hungarian writers, artists, or musicians association may exist in Rumania today despite the rich, living heritage of Transylvanian Hungarian creators in those areas. Even in the field of literature, where language is obviously of supreme importance, Hungarians can only belong to the Rumanian Writers Association as individuals. They are not permitted to

pass even resolutions of their own. Their only right is to make proposals to the entire body. Their leaders are not elected, but appointed by the Rumanians. Out of "courtesy" to the attending Rumanian officials, Hungarian writers are not able to hold meetings or carry on discussions in their own mother tongue. In this way, Hungarian poets and authors are forced to discuss their literary work in another language: Rumanian. Contacts -- even informal -- with literary associations in Hungary are strictly forbidden. Though only a fraction of their work is allowed to appear in Rumania, Hungarian writers are prohibited from publishing any original material in Hungary.

The volume of Hungarian-language books published in Rumania is clearly insufficient. According to official government statistics 2,423,000 copies were published in 1977, meaning only one book per Hungarian for the entire year. And, of course, this figure includes an inordinately heavy share of translations from the Rumanian language, including such "gems" as the collected works of Nicolae Ceausescu. In the period from 1970 to 1977, of the 19 publishers who published anything in Hungarian, 12 did not exceed 10 titles each. During that seven year period, Akadémia Publishers issued only 1 work in Hungarian, Medicalia published 4, Minerva published 1, and the Tourist and Sport Publisher issued 1. Eight of these publishers do not employ a single Hungarian editor, while the other four employ one each. As a result of these conditions, there is a severe shortage of Hungarian books of a technical nature and of Hungarian children's books. (Takács Memorandum, p. 19.)

The number of Hungarian-language newspapers, frequency of publication and number of pages have all been forcibly curtailed in the past years under the pretext of a "paper shortage". Rumanian newspapers were also curtailed, but their allocations were soon reinstated while those of the Hungarian newspapers were not. Six Hungarian newspapers formerly published daily are now allowed to appear only weekly. There is no journal on drama or music or the other arts in Hungarian, even though the demand for these items is high. Nor are there any technical, medical and other professional journals in the minority languages. All Hungarian high school and university student newspapers have been terminated. Even the children's periodical Jóbarát has been forced to merge with its Rumanian counterpart Cutezatorul and can publish only translations of articles which appear in the latter. Those publications which do exist are used by the State to further undermine the national identity of the minorities. Newspapers, magazines and literary publications in Hungarian do not serve the political, economic or cultural/spiritual needs of the Hungarian minority. Literary magazines, for example, are to a great extent devoted to the translated works of Rumanian authors and to the activities of the Communist Party.

To counter the charge of discrimination in this field, it could be argued that all publications, including those in the Rumanian language are filled with official propaganda. But of all the Communist-ruled countries, Rumania appeals the most to national chauvinism as a source of popular support. The Ceausescu regime, intoxicated with delusions of its own grandeur,

treats the mere existence of minorities as anathema. Official Rumanian propaganda, therefore, is not only Communist, but especially chauvinistic in nature. It serves the interests of a chauvinistic dictatorship bent on robbing its minority populations of their national identity. Thus even when applied equally to both Hungarians and Rumanians, it is inevitably discriminatory against the former.

•Book imports from Hungary are severely restricted by Rumanian regulations which tie their number to the volume of books Hungary imports from Rumania. Because obviously more Hungarian literature is produced in Hungary than in Rumania, and the publication of Hungarian-language books in Rumania is kept at an artificially low level, this linkage works as an effective obstacle to the importation of literary products from Hungary. In this way, for example, the most widely known novel by one of the greatest contemporary writers in Hungary, László Németh, published in 1948, was not distributed in Rumania until 1967. The restriction on literary imports from Hungary applies equally to classical literature, specialized scientific and technical texts, and phonograph records, even those containing only folk and gypsy music. Subscriptions to periodicals published in Hungary can be obtained only with official permission and only if they do not exceed a numerical quota (London Sunday Times Report). Eighty to ninety percent of such requests are rejected, including those of schools, libraries and institutions as well as individuals (ibid.).

The policy of restricting materials from Hungary also applies to private individuals (Rumanian citizens as well as foreign visitors) who enter Rumania with personal belongings. The following typical border incident was recently reported by an American news correspondent (Eric Bourne, "After 20 Years of Silent Protests, Transylvanians in Romania Are Calling Loudly for Their Rights," The Christian Science Monitor, May 25, 1978, p. 15):

Scene: The border crossing on the main highway from Hungary into northwestern Romania.

Awaiting Customs clearance, a coachload of Romanian citizens of Hungarian origin.

They are returning home to the Hungarian minority region of Transylvania in Romania after visiting relatives in Hungary.

On one side of the border the Hungarian guard waves them on quickly. But on the other side the Romanians take longer.

Passengers' suitcases and parcels are all meticulously checked -- not for luxury items, but for Hungarian books and newspapers, which are invariably confiscated.

A girl is relieved of several volumes of a Hungarian encyclopedia. Near tears, she explains they are for her studies, but to no avail...

These arbitrary Romanian restrictions on the import of Hungarian publications are a major cause of increasing resentment among the 2 million ethnic Hungarians living in Romanian Transylvania.

*Twenty years ago there were six independent Hungarian theaters in Transylvania. Today only two of them exist, one in Cluj (Kolozsvar) and the other in Sfintul Gheorghe (Sepsiszentgyorgy). The remaining four have been merged into Rumanian theaters (except that of Timisoara (Temesvar) which was merged with the German one) where the management and service personnel are exclusively Rumanian.

The purpose of the mergers was to suffocate a flourishing institution, the Hungarian theater. A good case in point is the process which occurred in Tirgu Mures (Marosvasarhely). This predominantly Hungarian city (70-75%) is the cultural center of a totally Hungarian rural hinterland (90-95%). Though there appeared to be no need for a Rumanian theater, one was created and forcefully merged with the Hungarian theater. A Rumanian director who does not speak a word of Hungarian was appointed to head the new theater (Karoly Kiraly, Appendix, p. A-15). As expected, Rumanian performances played before an almost completely empty house while Hungarian performances were almost always sold out. The result is that season tickets can now be bought only for the combination of Rumanian and Hungarian performances. Hungarian theater-goers are thereby forced to subsidize the Rumanian performances and, consequently, the gradual suffocation of their own theater section.

Coincidentally, the city's Istvan Szentgyorgyi Hungarian School for the Dramatic Arts was merged into a newly created Rumanian counterpart. As Kiraly writes (Appendix, p. A-15): "just to eliminate any remaining doubt concerning the latter move, of the six Hungarian graduates of the School for the Dramatic Arts, only one was appointed to a Hungarian theater, while the remaining five -- whether they liked it or not -- were placed in Rumanian theaters." The locality in question, Tirgu Mures (Marosvasarhely), has never had a Rumanian theatrical tradition, and the Rumanian drama instructors who teach in the new school commute regularly from Bucharest. Clearly, the only purpose of this merger was to provide the means for gradually eliminating a vital Hungarian institution. Even the Rumanian theatrical elite was outraged at this measure.

For many years Hungarian theaters in Rumania fulfilled an important mission by touring the Hungarian-inhabited

countryside performing plays for the people in small towns and villages. In recent years, however, the government has begun to interfere with this practice as well. It has, for instance, restricted the amount of gasoline allocated to the Hungarian Theater of Cluj (Kolozsvár) and in 1975 it confiscated the Theater's truck. Many outlying localities thus lost the opportunity to benefit from the Theater's performances. (London Sunday Times Report.)

• Twelve years ago the Hungarian Folk Institute of Cluj (Kolozsvár) was closed without explanation. At about the same time the Székely Folk Ensemble was also eliminated. A so-called Maros Folk Ensemble was created in its place, which performs considerably more Rumanian than Hungarian numbers. Moreover, an internal (unofficial, but strictly enforced) Party directive prohibits any further hiring of Hungarians by this ensemble. The same directive applies to the Hungarian Philharmonic Orchestra in Tirgu Mures (Marosvásárhely). These cases are mentioned only as examples of the manner in which allegedly Hungarian groups are forced to conduct their activities.

• Despite a potential audience numbering in the millions, films in Rumania cannot be made in Hungarian. There are no facilities for the training of theatrical directors, drama critics, art critics, or music critics in Hungarian. Requests for permission to study in these professions in Hungary are routinely denied.

• Fortunately, the inadequacy of Hungarian-language broadcast programming in Rumania is partly offset by the invaluable services of Radio Free Europe and the Voice of America. Nevertheless the situation falls far short of expectations: The present 3 hours of television programming a week in a language that is the mother tongue of 2.5 million people is grossly inadequate. Adding to this insufficiency, television program schedules were rearranged in January 1974 so that even these scant 3 hours are now broadcast during a time period (Monday, late afternoon) when the majority of potential viewers are still at work. The situation with respect to radio programming is no less deplorable. It is outrageous and highly discriminatory for example, that Radio Tirgu Mures (Marosvásárhely), whose broadcast area has a Hungarian population of more than 90%, transmits only 2 hours daily in Hungarian.

• Finally, it is revealing to examine the supply of books in public libraries. According to recent data the volumes in these libraries are predominantly in the Rumanian language even in entirely Hungarian communities. Two examples are the library located in the Kalotaszeg region (close to 100% Hungarian populated) where out of 30,000 books only 5,471 (18.2%) were in Hungarian, and the library of Rimetea (Torockó, 93.1% Hungarian populated) where out of 7,531 books only 3,228 (42.9%) were in Hungarian. (London Sunday Times Report.)

6. FALSIFICATION OF POPULATION STATISTICS

Rumanian statistics consistently understate the size of the Hungarian minority in Rumania. Based on a census taken in 1910, the Hungarian population within the region which later formed the Rumanian state was placed at 1.6 million. According to the 1966 Rumanian census, despite the passage of 56 years, the number was still the same.

This strange result might be explained by internal inconsistencies in those Rumanian statistics which deal with the growth rate of the Hungarian minority. The last three censi in Rumania have produced the following published statistics:

	TOTAL POPULATION EXCLUDING HUNGARIANS	HUNGARIANS
1956	15,901,775	1,587,675
1966	17,483,571	1,619,592
Growth Rate, 1956-1966	9.9%	2.0%
1977	19,852,542	1,706,874
Growth Rate, 1966-1977	13.5%	5.4%

According to these figures, between 1956 and 1966, the non-Hungarian population of Rumania grew by 9.9%, at a rate almost five times greater than the alleged Hungarian growth rate of 2.0%. Similarly, between 1966 and 1977, the total population of Rumania, excluding Hungarians, supposedly grew by 13.5%, while the growth rate of Hungarians was only 5.4%. In reality, aside from statistical juggling, there is no circumstance which can be cited to justify such vast differences in growth rates.

Furthermore, there are demographic statistics on Hungarians which suggest a significantly larger Hungarian population than that which is officially reported. According to official Rumanian sources (e.g. The Hungarian Nationality in Romania, Bucharest, 1976, pp. 23-24), there are about 1.5 million active Hungarian churchgoers in Rumania. This number represents 92.6% of the Hungarian population shown in the same booklet. The magnitude of this percentage, however, is clearly absurd given the well-known pressures in Communist countries against practicing one's religion. The comparable percentage for the United States where freedom of worship is fully protected, is only 62.9%. Taking the given 1.5 million Hungarian churchgoers and applying 62.9%, a figure probably still an exaggeration for a Communist country, the size of the Hungarian population would be approximately 2.4 million.

During his 1976 visit in the United States, a high-ranking official from Rumania provided a still more astonishing example of the internal inconsistencies in Rumanian statistics. Seeking to prove the vast freedom of worship for minorities in Rumania, he quoted the results of a new survey to determine the number of Hungarians belonging to each of six religious denominations.

When added up, however, the six figures totaled 1,724,000 or 17,126 more Hungarian churchgoers than the entire Hungarian population according to the Rumanian census taken a year later!

The Rumanian regime uses several techniques to underrepresent the size of the Hungarian minority. One method is to eliminate two ancient Hungarian groups from population data on Hungarians: the Csángós and the Székelys. The Csángós number about 250,000 and are the only major group of Hungarians who lived under Rumanian sovereignty even before the Rumanian annexation of Transylvania. They have comprised a minority amidst Rumanians for centuries, living in Moldavia outside the Carpathian basin. They are never counted as Hungarians despite the fact that they have preserved their distinctive Hungarian language, culture and Roman Catholic faith. Their statistical annihilation as Hungarians is only part of the Government's campaign against them. In 1958, for example, they still had 72 schools. Today they have none (London Sunday Times Report). Further, not only Hungarians from Hungary but Transylvanian Hungarians as well are discouraged through intimidation from visiting the Csángó region. Recently, a Transylvanian Hungarian ethno-musicologist, the widely respected Zoltán Kallós, was imprisoned on false charges of homosexuality while he was engaged in researching the folk music of the Csángós.

The Székelys (sometimes called Szeklers in English) on the other hand, are an autochthonous population of Transylvania. They are often, though not always counted separately from Hungarians in spite of their being proudly Hungarian and indeed, the most resistant to the inroads of forceful Rumanianization. In any case, the distinction between Székelys and other Hungarians is of purely historic interest and is no more or no less significant than, for example, the distinction between Normans and other Frenchmen, Prussians and other Germans, or Highland and Lowland Scots. According to an English historian "they differ, in their own eyes, from the other Magyars only in being more Magyar than they" (C.A. Macartney, Hungary and Her Successors, Oxford University Press, 1968, p. 255). The Rumanian policy of playing up this distinction and completely excluding the 250,000 Csángós, can have no other end than to reduce the significance of the Hungarian population to which all Hungarians, Székely, Csángó or otherwise, equally belong.

Another sly tactic involves the demographic questionnaire used to compile census data (most recently, in January 1977). The form contains three spaces requiring identification as to "citizenship", "nationality" and "mother tongue", in that order. The census taker is instructed not to complete the "nationality" blank, as if he had forgotten to pose that question. As "citizenship" is obviously Rumanian, where "mother tongue" is Hungarian, the blank is later filled in as follows: "Nationality: Hungarian-speaking Rumanian". The result statistically, is one less member of the Hungarian nationality and one more Rumanian. This artificial distinction between nationality and mother tongue, together with the "correction" of census returns, thus serves the dual purposes of understating the size of the Hungarian

population and increasing the number of Rumanians. This practice was uncovered by the International Commission of Jurists ("The Hungarian Minority Problem in Rumania." Bulletin of the International Commission of Jurists, No. 17, December 1963, p. 41):

The Rumanian National Statistical Office carried out a census in 1956 and it was emphasized that the civil servants carrying out the census were obliged to call attention in each case to the basic difference between nationality, i.e., ethnic origin, and mother-tongue. All persons registered had to state to which national ethnic group they belonged. The distinction between national group and mother-tongue and the obligation to state before officials one's national group drive a wedge between a people and its culture and this indeed is reflected in the figures given by the census. For every thousand people of declared Hungarian origin there were one thousand and forty-two giving Hungarian as their mother-tongue. It is difficult to believe that Hungarian, difficult and almost unrelated to other languages, is the mother-tongue of any but Hungarians, and yet 4.2% of the Hungarian minority group shrank from stating that they were Hungarian. The reasonable conclusion to be drawn from this is that in their eyes it was better not to declare oneself to be Hungarian.

7. CONFISCATION OF CHURCH ARCHIVES

In 1948 the United Nations Ad Hoc Committee on Genocide accepted the following definition as one of the ways by which the crime of cultural genocide may be committed (United Nations Document E/447):

...systematic destruction of historical or religious monuments or their diversion to alien uses, destruction or dispersion of documents and objects of historical, artistic, or religious value and of objects used in religious worship.

As noted earlier, regardless of the fact that the final text of the Convention on the Prevention and Punishment of the Crime of Genocide did not incorporate the above language, Rumania's recent behavior exactly corresponds with this definition.

Act No. 63 of November 2, 1974 on the protection of the national cultural Treasury and Decree/Law 207 (1974) (amending

Decree/Law 472 (1971) on the National Archives) are major tools used to eradicate the history of the Hungarian cultural institutions. Under the above laws, the government summarily nationalized all "documents, official and private correspondence, memoirs, manuscripts, maps, films, slides, photos, sound-recordings, diaries, manifestos, posters, sketches, drawings, engravings, imprints, seals and like material" over 30 years old, from the possession of religious and cultural institutions or private citizens. The pretext was the "protection" of these documents but the real intent soon became obvious from the crude and summary manner by which the regulations were enforced.

The Swiss daily Neue Zürcher Zeitung ("Bureaucratic Chicanery Against the Churches in Rumania", February 1/2, 1975, p. 6) reported this outrage in the following manner:

The intent behind the nationalization of the ecclesiastical archives is to sever the religious communities from their historical roots. A church without a past /tradition/ has no future, especially one which represents a religious and national minority. The first victim of these warlike designs against the religious and cultural minorities by the Rumanian regime was the Hungarian Reformed Church in the north-east districts of Oradea, Satumare, Baia-Mare and Zalau. Here, in the mother country of the Reformation in Transylvania, appeared officials from the State Archive, assisted by an authorized agent from the Department of Culture and a representative from the episcopate, who seized the archives of approximately two-hundred church communities and deaneries. The material was -- in many cases without receipt -- loaded onto trucks and carted away. The historical order of the archives has become completely disrupted in the process -- one method of "reserving" and "protecting" historical materials -- rendering scientific research for the next decades impossible. The Rumanian government has openly embarked on an escalated campaign against the Reformed Church and the Hungarian nationality /minority/...

It would be much easier and simpler, from a scientific point of view, if the church archives were to keep the originals and were to hand out copies to the state. In this way the claimed scientific concern by the state would be amply maintained, and the articles would remain in the archives, instead of being transported away to distant, unknown and possibly inaccessible locations.

The Archive Decree affects the Roman-Catholic, the Hungarian Reformed and the German Lutheran churches considerably more than the Rumanian Orthodox Church because the latter, as all Eastern churches, primarily cultivates the liturgy, and relies much less on a written, firmly established historical tradition.

Especially the two "reformed" churches /i.e., the Reformed and Lutheran/ have been preserving in their archives the tradition of their religious and linguistic individuality, dating back to the time of the Reformation.

These church archives had for centuries been inventoried by the churches themselves. The archives were generally in excellent order and condition but more importantly, they were accessible to researchers. The immense archive of the Roman Catholic episcopate of Oradea (Nagyvárad), for example, was housed in a building built in the 18th century and equipped expressly for that purpose. The archive is now stored in a warehouse of the castle in that city, inaccessible to scholars. Similarly, as a consequence of neglect and outright mistreatment by the authorities, the archive of the Roman Catholic episcopate of Satu Mare (Szatmárnémeti) has been almost completely destroyed. The archives of the Roman Catholic lyceum of Oradea (Nagyvárad), and of the Reformed Church Colleges of Orastie (Szászváros), Sighetul Marmatiei (Máramarosziget), and Satu Mare (Szatmárnémeti) have also suffered severe deterioration. (Takács Memorandum, p. 20.)

For the past 26 years Rumania has maintained absolutely no facilities for the professional training of archivists, not even in Rumanian. (During the "legislative debate" surrounding the passage of Act No. 63, Ceausescu himself was astonished to learn this fact.) The few archivists extant in Rumania are not expert in ancient Slavic, ancient Greek, Hungarian and Latin, the languages in which the documents were written. The richest Hungarian collection in the country, the Batthyaneum Library in Alba Iulia (Gyulafehérvár), does not employ a single Hungarian expert (Takács Memorandum, p. 21).

The above-mentioned outrages form part of a systematic effort to re-write Rumanian history in order to suppress the significance of the indigenous Hungarian culture. Another means for achieving the same objective was reported by the Financial Times ("Transylvania's Ethnic Strains," April 2, 1975):

A favourite device is to 'facelift' the tombs and crypts of famous Hungarian families in the medieval Házsongard cemetery in Cluj by allotting them to recently dead Rumanians. In this way, the ethnic composition of the former population, now dead, is restructured favourably.

8. HARASSMENT OF CHURCHES

The multinational region of Transylvania has a long heritage of religious freedom. It was in Transylvania that freedom of religion was written into law for the first time in history, in 1568 at the Diet of Torda. Significantly, this momentous event occurred at a time when elsewhere in Europe wars of religious intolerance were raging.

The Rumanian State, through its Ministry of Cults, exercises a policy of total interference in ecclesiastical matters regardless of their administrative, social, or theological nature. No decision can be implemented by the churches unless it is thoroughly reviewed and approved by the Ministry of Cults. For instance, any social or religious gathering, with the exception of Sunday worship, must be approved by the State. The same condition applies to the right of churches to use their material resources. State approval of such use has been known to take years. Moreover, Protestant congregations are denied the ancient and traditional right to elect their own ministers and presbyters. They may only propose candidates, since the State has reserved the right of selection for itself. Religious instruction is also subject to debilitating government intrusion. While the State does approve religion classes to be held during certain prescribed hours, school authorities are instructed to organize compulsory school activities at precisely the same hours. Non-attendance at such activities results in official reprimand of not only the "delinquent" child but the parents as well.

It should be emphasized that these restrictions harm especially the minority populations. Religious affiliation generally corresponds with nationality in Rumania. The Church then is the only remaining institution which could fulfill the minorities' needs and permit them to nurture their ethnic heritage. In this sense, therefore, "harassment of churches" assumes a far greater meaning for minorities than only the curtailment of religious freedoms. Hungarian ministers, for instance, are subjected to severe interrogation, if -- as frequently occurs in the many communities which have no Hungarian school -- they teach children in their native tongue.

By paying one third of the salaries of clergymen, the State claims the right to their complete and faithful cooperation. If the situation calls for it, they can be forced at any time to become part of the Communist propaganda machinery -- both at home and abroad. It is no accident, for example, that on June 4, 1976, a five-member delegation of church leaders was herded on three days' notice to the United States to promote the Rumanian Government at various educational and theological institutions. Nor is it accidental that since that time, several other church leaders have been sent on similar public relations missions to American legislators and politicians.

Forced isolation harms minority churches which have sister communities in the West and which are dependent to a great extent on donations from abroad to support their charitable work. Aside from limitations on their travel, clergymen are forbidden to receive gifts from abroad and to correspond with relatives, friends or institutions in non-communist countries.

Freedom to publish theological books, periodicals, and other religious material is extremely limited. The propaganda booklet The Hungarian Nationality in Romania, distributed in 1976 by the "Romanian Library" in New York is able to list only five theological books published in Hungarian in the last quarter-century (p. 25). For the 700,000 members of the Hungarian Reformed Church (p. 23), only one bimonthly publication can be circulated in a mere 1000 copies (p. 43). Furthermore, church libraries are forbidden to lend any books, even though they were acquired through the donations of the very same parishioners who might wish to borrow them.

The Hungarian Protestant Theological Institute of Cluj (Kolozsvár) came into being in 1949 as a result of forced unification of the independent Presbyterian and Unitarian Theological Institutes. This institute is indeed, as the above-mentioned propaganda booklet claims, "a unique institute" (p. 24): Through this forced unification, both the Presbyterian and Unitarian Churches were deprived of their ancient tradition of self-determination which had included the training of their own ministers. The curriculum of the Protestant Theological Institute is now carefully designed and supervised by the Ministry of Cults. Examinations, which are all oral, are chaired by an Inspector from the Ministry of Cults to insure that future clergymen of the Hungarian minority keep in line with State policy.

Verification of the statements above and further details concerning the situation of minority churches in Rumania can be provided by several high-ranking American Protestant church leaders who have taken a direct interest in that situation.

9. BANS ON PRIVATE LODGING

Decree/Law 225 (1974) prohibits the accomodation of non-Rumanian citizens in private homes with the exception of closest relatives. The punishment for disobeying this law is a draconic fine of 15,000 leis (about \$1,200) which is imposed on the unfortunate host. The law was ostensibly created for the protection of the hotel industry and applied to all visitors. The discriminatory character of the law becomes obvious, however, in light of the fact that it is the 2.5 million Hungarians who have the greatest number of relatives and potential visitors abroad -- among the 10.5

million Hungarians in neighboring Hungary alone, not to mention the several million Hungarians in the West who have escaped Rumania's intolerant atmosphere since World War I. Indeed it is difficult to find a Hungarian family in Rumania without relatives or close friends living in either Hungary or the West. Due to the extreme scarcity of hotel facilities in rural Transylvania, the generally modest means of these would-be visitors, and especially the threat of harassment and intimidation for even the most innocent failure to obey the unreasonable and selectively enforced provisions of this law, visits are often rendered a practical impossibility.

A *Neue Zürcher Zeitung* reporter (April 3/4, 1977, p. 4), finding this law to be obviously discriminatory against Hungarians, interpreted its existence as resulting from a fear inherent in Rumanian internal policy "which sees in any visitor from Hungary, a country which by Communist standards is less orthodox, a carrier of the dangerous bacteria of freedom". One wonders at the true extent of oppression in Rumania, where visits even by citizens of a "fellow socialist country" are subject to official obstruction.

Claims concerning the alleged non-discriminatory nature of Rumania's restrictions on foreign visitors have become especially untenable since the issuance of Decree/Law 372 (November 8, 1976) amending Decree/Law 225. According to its text, one of the express purposes of the new Decree is to encourage and advance the enrichment of the "Rumanian language and culture", unmistakably excluding a similar desire for minority languages or cultures. Moreover, the lifting of visiting restrictions and the elimination of currency exchange requirements apply only to visitors of "Rumanian origin"; there have been reports that at border crossings this vague category is strictly interpreted to include only those of Rumanian nationality as determined by the name and birthplace appearing on travel documents or according to similar unwritten and arbitrary criteria.

10. FALSIFICATION OF HISTORY

The Rumanian Government is obviously annoyed by the fact that for many centuries before the first arrival of Rumanians in the region of present-day Rumania, several other nationalities (today's national minorities) had already inhabited that area. Nevertheless, in order to prove the Rumanians' historical "precedence" in the area, the government -- through its academic mercenaries -- has utilized an unproven theory based largely on pseudo-scientific speculation. According to this theory the Rumanians are descendants of the ancient Dacians, a people whose last proven presence in the area predates the appearance of Rumanians there by nine centuries. Although this theory has little credence in the eyes of any

serious non-Rumanian scholar, according to a Neue Zürcher Zeitung reporter (April 3/4, 1977, p. 3), it has been elevated to the level of State ideology.

At this point it should be noted that arguments concerning the historical priority of peoples living many centuries ago have no relevance whatsoever to the rules of international law governing the treatment of national minorities; still less can such arguments be used as an excuse for the oppression of 3.5 million minority individuals. The only reason for dealing with this theory is to point out the sinister goal which its promotion serves in Rumania today.

The theory does not stop at the assertion of Rumanian priority. Rumania's historians today stigmatize minority groups as "intruders" who upset the social and cultural order of the "original inhabitants", the Rumanians. In many cases, textbooks, travel guides and other literature actually re-christen Hungarian historical figures and make them into Rumanian national heroes having no connection with the Hungarian people. The same materials contain an almost absolute silence on the centuries of Transylvania's Hungarian history.

In this way, the dynamism and superiority of the Rumanian people becomes "historically proven", while national minority inhabitants, lacking historical or cultural roots of comparable brilliance, are considered no more than second-class citizens. One devastating practical effect of this process in Rumania today is that minority children are taught that the cultural richness of the area is solely the result of Rumanian creativity, thereby making those children ashamed of their ethnic identity. The remaining schools which still educate children in Hungarian must use official textbooks which teach these children that their nationality has no past in the area. Without a past, by implication, this nationality can have no future -- unless, of course, it assimilates into the resplendent Rumanian people.

The notion of Rumanian superiority thus provides a convenient "scholarly" justification for implementing the massive campaign of forced assimilation against minorities, involving the vast array of discriminatory measures noted above.

CONCLUSION

The Committee for Human Rights in Rumania was organized in the simple belief that Congress intends to enforce section 402 of the Trade Act. Further hope has been evoked in us by the new emphasis on the role of human rights in our foreign policy and by the fact that Congress has repeatedly endorsed this policy -- at least verbally.

Adherence to existing international law and full restoration of minority institutions is all we demand of the Rumanian government. We believe these demands to be fair and reasonable. The Rumanian Trade Agreement provides the United States with strong leverage to promote such noble objectives. It should be utilized to its full extent.

The indifference with which our requests have been met by the respective Congressional committees thus far has created widespread feelings of disillusionment and frustration in the Hungarian-American community. The survival of Hungarians in Rumania is the single issue of deepest and most urgent concern to Hungarians in America today. In light of the contemptuous manner in which Congress has avoided any meaningful action on this legitimate and real concern, Hungarian-Americans feel that they have been treated as second-class citizens. Moreover, every Hungarian knows that his small nation has made vast contributions to the scientific and cultural achievements of the United States. Their desire for our government's support is thus wholly justified and meritorious, and should no longer be ignored.

APPENDIXLETTER FROM KÁROLY KIRÁLY TO ILIE VERDET, DATED JUNE 2, 1977

Honorable Comrade Ilie Verdet,

I turn to you as the individual in the Party leadership who is responsible for supervising the Workers Councils of the various nationalities living in our country.

The issue I wish to raise concerns the activity of those Councils -- specifically that of the Hungarian Nationality Council.

In view of the fact that from the moment it came into being, I have been Vice President of that Council and have participated in its work, I am equipped with a thorough and complete knowledge of the subject. For two years I have also been a member of the Mures County Council and have therefore been witness to local developments and to the manner in which a county council operates.

I am thus in a position to make some observations.

During the past few years, the work of the Councils has become more sporadic and mostly formalistic in nature, and its effect on the working people and contact with them has greatly declined. To this very day, the national [Hungarian Nationality] Council and most of the County Councils have no headquarters and do not schedule office hours. The Council executive committees ["bureaus"] on both the national and county levels meet very rarely -- once every year or every two years. At council meetings, only subjects of a general nature are discussed relating to submissions of various declarations of the kind expressing solidarity with government positions, especially on international questions. But even if certain questions of a concrete nature

do arise, as for example education in the native tongue, cultural activities and instruction, etc., the questions remain unresolved.

For the past three years, statements made during meetings have been prefabricated and censored by comrades in the county leadership and by Central Committee officials. This practice has led to the passivity and lack of interest of the participants; in this way, lively debate has been replaced by formalism. It is characteristic that even at these County Council meetings, but on the national level as well, the materials under discussion are printed in the Rumanian language, and statements by the participants are also in Rumanian.

Under such conditions, the prestige of these councils in the eyes of the people has become practically nonexistent. This situation, I feel, does not serve the interests of the Rumanian Communist Party and that purpose for which these councils were created.

In light of these remarks, careful analysis of the role and effectiveness of the councils is necessary along the following lines:

In my view, the council's program of activities must be urgently revised; it no longer meets the current demands, it is overly narrow in scope and does not provide opportunities for viable activity among workers of nationality origin.

The new program must have a charter defining a mass, community organization of a broad and democratic nature, with joining members receiving membership cards and paying membership dues.

1. In terms of structure, the principle of democratic centralism should be utilized with local chapters in villages and communities operating under the direction of committees and executive bureaus in cities and municipalities, whose leaders are all elected from the bottom up.

2. All of the governing bodies should be elected.

3. The Executive Committees should meet every month and the Councils every four months. Elections for council seats should be held every 4-5 years, and every 5 years a National Conference should be held. The subjects to be discussed should be freely selected by each local Council according to problems which arise in the course of everyday life, and those subjects should also be part of the schedule of activities issued every four months.

4. The councils should have a single charter approved by the National Conference. The existence of the entire program should be guaranteed by the Rumanian Communist Party leadership.

5. The councils should have offices operating in a continuous fashion.

6. The councils should have newspapers and periodicals of their own.

7. The councils should be allowed to organize public gatherings and cultural and sports events.

8. In accordance with the ultimate objective of the Rumanian Communist Party and in conformity with its program to build a socialist and communist society, the National, County and Local Councils should consider it their responsibility to mobilize

workers of the various nationalities to accomplish their duties and objectives in the economic, social, cultural and athletic areas. Authorized by the Party, they [the councils] should keep constant watch to determine how the nationality policies of the Rumanian Communist Party are practically applied in the fields of culture, use of the native tongue in administrative offices and public institutions, and in other areas. They should follow the progress of education in the native tongue at all academic levels. They should contribute in every possible way to the development of the spiritual welfare of the coinhabiting nationalities

9. The councils should be given power to participate in the selection and promotion of leaders ["cadres"] at all levels of the social and political structure.

10. The councils should participate, with their own candidates, in elections of legislators to the Grand National Assembly and in People's Council elections. They should be allowed to form a group from among their Representatives, which would have the power to introduce legislation..

11. The creation of a Nationality Statute can no longer be postponed (a Statute of this sort actually existed until 1948).

12. I believe that it would be desirable and practical for the National Council to maintain international contacts as do other public and patriotic organizations which are also part of the National Unity Front.

During the 10 years since these Councils came into being profound changes have occurred in the political and social life of the country. Every aspect of life has undergone significant transformation in terms of both quality and quantity, and accordingly, all of the basic documents of the State and Party have been duly modified.

The organizational charter of the Party has changed. Improvements have been made in certain provisions of the Constitution.

Some laws have been supplemented, or repealed and in their place other, completely new ones have been enacted. Improvements have been made in the program of the National Unity Front, its organizational structure being revised to create the community councils.

It is therefore all the more difficult to comprehend why it was precisely the structure and program of the Nationality Councils whose improvement was not justified. Personally, I am convinced that the chief reason for this lies precisely in the passivity of these Councils, because their activity has sorely lagged behind the realistic demands of life and they have not kept pace during the past decade with the great and profound transformations which have occurred in the area of material and spiritual well-being. This is the reason they were unable to truly serve the development of unity and brotherhood between the Rumanian people and the coinhabiting nationalities.

Naturally, other problems also exist which need to be solved, but a prior solution of the above items would guarantee the proper

organizational framework for viable, creative efforts and would serve to increase the prestige of these organizations, deepen confidence in the nationality policies of the Rumanian Communist Party, strengthen the trust of the national minorities and regenerate unity and brotherhood between all the workers regardless of nationality differences, all along the lines of our Party's Marxist-Leninist practical solution of the nationality question.

In recent times however, we have unfortunately been ever more often witness to cases where workers of varied nationality origin mistrust our Party's declarations of principle concerning solution of the nationality questions in our country. The people expect practical measures serving the advancement of material welfare and above all the spiritual vitality of the coinhabiting nationalities, in harmony with those great changes which occurred in our socialist society in the material and spiritual welfare of the Rumanian people.

Unfortunately, in the practical reality of everyday society and politics, animosities abound and doubts are often expressed over the sincerity of certain Party and State officials because of the manner in which they solve the individual problems of the nationalities especially with respect to their cultural and educational affairs and use of the native tongue in Party offices, at Party conferences and at gatherings of a patriotic or public nature.

Unfortunately, certain Party and State officials of nationality

origin also help to maintain this kind of unhealthy atmosphere. It does not serve the cause of unity and brotherhood when some of these officials deny or avoid the expression of these sensitive questions which occupy the minds of workers of nationality origin.

In some cases, first secretaries, first vice-presidents, county secretaries in municipalities and cities and vice-presidents in the People's Councils, though of nationality origin themselves, use only the Rumanian language in their contacts with workers of nationality origin, letting them know in this way that perhaps someone prohibited them from using the native tongue and thus performing a disservice to the Party and the cause of unity and brotherhood among workers of different nationalities.

The people are justified when they accuse such officials of opportunism, insincerity, lack of courage and responsibility, and when they distrust them. Personally, I doubt that an individual who lacks the confidence of the nationality to which he belongs can be an effective Party or State official. It cannot be permitted for certain officials ["cadres"] of nationality origin not to know their own native tongue and nationality culture.

Not one nationality will tolerate someone else to speak for it simply because he declares himself to belong to that nationality but at the same time does not even speak their language either because he does not know it, or because he refuses to use it. As a consequence, he cannot feel, he cannot think as they do, because he shares no common spiritual bond with them.

Unfortunately, even at higher Party and State levels there are such officials, who, when they are sent to completely Hungarian-

inhabited regions to explain certain aspects of Party or State policy, cannot do so for the above reasons and are therefore unable to complete their assignments.

It is my conviction that serious thought should be given to this situation, because life has indeed been deeply enriched with not only accomplishments but with unresolved problems as well. It would be a grave error to believe that all problems of this nature have solved themselves forever. Such a view would also be inconsistent with the Marxist dialectic.

Just as in connection with other, economic and socio-political problems of life, in solving the nationality question we must begin with the fact that even in this field there is room for the "still better", that grave deficiencies already exist and that solutions must be sought, requiring much sensitivity, tactfulness, skill in political judgment and good faith.

National sentiment is a sensitive question which must be treated with special attention; it is a question which relates to the quality of the nationality, and its solution cannot be measured in percentages as can industrial progress and results. National sentiment is equally powerful in all peoples, regardless of how large or small, once they possess their own national identity.

Honorable Comrade Verdet, the raising of these questions and the search for solutions is always difficult -- it calls for courage and responsibility. One who articulates these problems can be sure that his intentions will be misunderstood, especially under currently prevailing circumstances. He can count on being accused, indeed, on being called a variety of names, particularly at the

time when these sensitive and specific questions are raised.

I am turning to you in the trust and belief that my intentions will be understood, especially because these problems are real and they are of concern to hundreds of thousands of people.

In light of the fact that the Hungarian nationality in Rumania is the largest nationality in our country -- indeed, the largest in Europe -- I believe that it should be treated with the care it deserves, so that this nationality (along with the other nationalities) will feel itself at home. Those principles must be consistently implemented which Comrade Nicolae Ceausescu stated in his March 1971 speech before the joint plenary session of the Hungarian and German nationalities and which, at that time, elicited widespread reaction and approval.

Unfortunately, this speech is seldom remembered today. On the contrary, there is continuous repetition of the proposition that the nationality question in our country has been finally, once and for all, solved. This proposition, from a practical standpoint, is not true and, from a theoretical standpoint, is anti-scientific and anti-dialectical. To support this thesis, industrialization and the guarantee of employment without regard to nationality differences are constantly cited. I completely agree with this, but only with this much, because the nationality question is a spiritual, and not only a material one. The primary aspect is the material, but it can only complement and enrich, not substitute for, the spiritual.

To the extent that material well-being becomes increasingly

enriched and more fully realized, social consciousness will grow and prosper accordingly. This applies equally to the consciousness of the coinhabiting nationalities in Rumania.

It is for this reason that I steadfastly adhere to a thorough, attentive, comradely and responsible examination of the question; in my opinion, we cannot do otherwise if we wish to avoid the serious headaches it will cause later on.

I have addressed these few thoughts to you with full confidence in the Rumanian Communist Party and its wise leadership and without the fear that their expression will result in undesirable consequences for the person who expressed them.

June 2, 1977

Most respectfully yours,

Károly Király

National Vice President, Hungarian
Nationality Workers Council in Rumania

LETTER FROM KÁROLY KIRÁLY TO JÁNOS FAZEKAS,WRITTEN IN AUGUST 1977

Dear Comrade Fazekas,

I herewith enclose a copy of my letter to Comrade Ilie Verdet. This letter contains my observations concerning the manner in which the nationality question in our country has been handled, together with my recommendations on the ways in which the activity of the different nationality councils could be improved.

It is common knowledge that these councils were created at the initiative of the First Secretary of the Rumanian Communist Party, Comrade Nicolae Ceausescu for the purpose of serving the brotherhood and unity of the workers of various nationalities, as well as the building of socialism.

It is an unfortunate fact that in recent times the activity of these councils has declined to zero.

Many errors are committed in the practical handling of the nationality question.

a. This year again, opportunities are being constantly restricted for children of national minorities to study in their native tongue; this breeds anxiety and deep dissatisfaction;

b. The concept of restrictive quotas ["valachus numericus"] is utilized with respect to personnel problems; in fact, employment opportunities for nationalities are being restricted in certain institutions;

c. Unpardonably extreme methods of intimidation are employed against those who dare to ask for permission to speak in the interest of having the nationality question handled legally and in accordance with the Constitution.

As you know, there was also violence and torture; the harassment of [Jenő] Szikszai, the eminent professor from Brassó, drove him to commit suicide. It is unbelievable that even after the plenary meeting of the Central Committee of the Rumanian Communist Party in 1968, when the state security organs condemned the atrocities committed against Patrascanu and others, the same kinds of negative incidents are allowed to reoccur, and the offenders are allowed to walk about freely without so much as being asked to account for their actions. I have mentioned only one example, though unfortunately, many more could be cited. I cannot believe that all this occurs with the knowledge of the Party leadership.

I greatly regret having to do so, but I must state that an entire series of incidents, facts and activities exists which have nothing in common with Marxist-Leninism, the principles which form the basis of the Rumanian Communist Party's programs.

What is most distressing is the fact that local Party and State organs try to cover up, to gloss over the facts, as if they were completely lacking in sensitivity toward such thorny problems as the nationality question or the national sentiments of the coinhabiting nationalities.

I am turning to you, because you are active in the highest levels of Party and State leadership, and I ask that you be so good as to call these problems to the attention of the Political Executive Committee.

Respectfully,

Károly Király
Vice-President,
Hungarian Nationality Council of the
Socialist Republic of Romania

LETTER FROM KÁROLY KIRÁLY TO JÁNOS VINCZE,
DATED SEPTEMBER 10, 1977

To Comrade János Vincze,

Member of the Central Committee,
Rumanian Communist Party

Bucharest

My Dear Friend,

Anxiety and concern compel me to write to you about the manner in which the nationality question has been handled in our country of late, and how the Nationality Workers Councils on both the national and county levels are performing their work.

More than three months ago, I wrote to Comrade Verdet concerning various aspects of the nationality question, and, as you know, I raised the problem at the most recent meeting of the Central Committee, as well as the Spring session of the Maros County Council. In addition, several members of the Central and County Councils have also voiced their observations, criticisms and proposals. As for myself, it has been more than a year since I asked to be heard by the Supreme Party Leadership.

To my deep disappointment, neither have I been granted a hearing, nor has my letter been answered in any manner whatsoever.

I would like to share with you some of my thoughts and concerns with regard to this subject.

First I would mention the problem in connection with these Nationality Councils, which consists of the manner in which they perform their activities. It is well known that the Party

resolution adopted ten years ago to establish these Councils was accepted and greeted enthusiastically by millions of workers of the various nationalities in our country. They considered it a well thought out and responsible act which would serve the preservation of their national identities, provide an organizational framework through which they could voice their various problems and complaints, and advance the development of their social, material and intellectual well-being.

Although from the very beginning the organizational structure as well as the rules of operation of the Councils proved narrow and inadequate, encouraging signs did appear in their activity: at meetings it was permitted to speak freely and openly; of the numerous proposals raised, a good many were considered; there were also some plenary sessions which were attended by Comrades Ceausescu and Maurer, and so on. The speech given by Comrade Ceausescu at the Spring 1971 joint plenary session of the Nationality Councils was met with lively enthusiasm and deep satisfaction. Unfortunately the satisfaction and the hope were shortlived.

In practice it became clear that these beautiful speeches, incorporating so many sound principles, were not made for our sake, but to serve the purposes of propaganda, especially propoganda directed abroad.

It is commonly known that real truth becomes manifest in its lasting vitality, in the total harmony between words and deeds. We are compelled to state that the chasm between theory and practice

is vast and that in reality while one thing is said, entirely different things are done.

We were promised new secondary vocational and technical schools in which studies were to be conducted in the languages of the nationalities, but in reality we have witnessed a decline in the number of these schools. Each year there are fewer and fewer of them. Children cannot study in their native tongue; compulsory instruction in the Rumanian language has been introduced even at the kindergarten level. In 1976 a decision was born to eliminate Hungarian institutions of higher education. After the "Bólyai" [already largely denationalized] University in Kolozsvár came the Institute of Medicine and Pharmacology at Marosvásárhely, and then, by special order from above, a Rumanian section was established at the István Szentgyörgyi School for the Dramatic Arts, thereby liquidating in effect the last "island" of higher education in a nationality tongue; and -- just to eliminate any remaining doubt concerning the latter move -- of the six [Hungarian] graduates of the School for the Dramatic Arts, only one was appointed to a Hungarian theater, while the remaining five -- whether they liked it or not -- were placed in Rumanian theaters.

It is no secret of course that the Hungarian State Theater of Marosvásárhely has a Rumanian director who does not speak Hungarian. In the same way, it is nothing new that in cities where the majority of the population is Hungarian -- such as Nagyvárad, Marosvásárhely, Szováta, etc. -- Rumanians who speak no Hungarian are being appointed as mayors.

Use of the native tongue is severely restricted at meetings

of the Party, the Young Communists League, the trade unions, and in the various workers Councils; indeed, use of the native tongue is prohibited even at meetings of the Nationality Workers Councils.

Signs identifying institutions, localities and so on in the native tongue of the local inhabitants have almost completely disappeared. In 1971 when I was First Party Secretary in Kovászna County, we posted bilingual Rumanian and Hungarian signs there, in accordance with a decree of the County People's Council. But their existence was shortlived. The signs were simply removed, and by 1975, not a single locality was identified in Hungarian.

Nationalities cannot use their native tongues even in State offices; after all, most of the officials are Rumanians who do not speak the nationality's language, either because they do not know it or because they refuse to use it.

With regard to the question of personnel, the replacement of Hungarian officials (where there still are any) with Rumanians is being carried out with incredible persistence. This applies equally to the politico-administrative apparatus and to the various economic and industrial enterprises. In Marosvásárhely at the "I.P.L. August 23" works, or at the Chemical Factory -- to mention only two examples -- not a single director or deputy director is Hungarian, in spite of the fact that measures had been initiated "to improve the nationality composition of the personnel". I don't even wish to think of such cities as, for example Nagyvárád, where there is not a single Party secretary of Hungarian nationality.

It is clear from only this much that a multitude of factual realities violate the Constitution, the founding Charter of the Party and the fundamental principles set down and provided for in Party documents. What is occurring in practice is not in harmony with the principles in these documents -- indeed, what is more, it completely contradicts them -- and has nothing in common with Marxist-Leninism, fundamental human rights, humanism, or ethical behavior and human dignity, that is, all that which is trumpeted far and wide in the most varied kinds of propaganda.

These facts give rise to many questions which are not at all difficult to answer; what is difficult to understand however, is: who benefits from all of this?

Will such measures truly contribute to the unity and brotherhood of the peoples living in this homeland? Is this not a policy of chauvinistic provocation? There can be but one reply: all of this in no way benefits either the Rumanian people or the coinhabiting nationalities.

Has the lesson of history been so soon forgotten that a people which oppresses other peoples cannot itself be free? Experience and history teach us that coercive measures do not lead to the solution of problems.

The tendency to forcefully assimilate nationalities living in Rumania is -- this cannot be denied -- also revealed by the press at times, and this creates total distrust in nationality policies; indeed, it casts doubt over the sincerity of all policies in general, and for millions of citizens, it destroys their confidence in Socialist Society.

What concerns me the most at this time is the obstinacy with which this problem is ignored by our Party organs; from the lowest level to the highest they act as if they were totally unaware of it. My own personal efforts, as well as those of others, to draw their attention to it, have thus far remained fruitless. And the situation continues to deteriorate, to the detriment of the prestige of our Party and Society.

I am writing to you with a deep sense of responsibility, as I am one of those Communists who is convinced of the truth of our ideals. I have fought for these ideals since my tender youth, and later, as a member of the Supreme Party and State Leadership as well.

The nationality question is a touchstone of democracy; it is an intrinsic element of the democracy which exists in the society as a whole. Without the just and real, not only verbal, solution of the nationality question, democracy in general cannot exist, and the new Society, the Socialism which we all want cannot be built up.

Our Supreme Leadership must analyze these problems very seriously. Unless it does so, the Leadership itself will make the entire existence of democracy within our Party and our society, questionable.

It is not society which is bad, nor is it the socialist system which must be faulted, but the methods used by the Leadership. It is necessary to illuminate the grave errors which are being committed in the interpretation of Marxist-Leninism and in the application of the fundamental principles established by the Party.

We must renounce policies based on demagoguery, the personality cult and the capricious application of Marxism. Only in this way can we achieve a proper, just and democratic solution of all those questions which reality has created in our Socialist Society.

As it has been proven, at no time and in no place has the personality cult ever led to any good. On the contrary, it has been the source of great suffering and pain, as well as the cause of political abuses, because the masses have always rejected it, regardless of the masks it wore or the excuses made for it.

My dear Comrade Vincze, I ask you to forward the enclosed letter, which I had addressed to Comrade Ilie Verdet and intended for the Supreme Leadership, to the members of the Politburo. It would be very useful if the Politburo discussed the issues raised in the letter, because, perhaps in this way, our Supreme Leadership would wake up to the truth and take the appropriate actions.

We nationalities, -- Hungarians, Germans, Serbs, Jews, Gypsies, and so on -- feel a deep respect for the Rumanian people and wish to live in harmony with them.

I personally have thousands of friends and relatives of the Rumanian nationality; my son-in-law is Rumanian, and I love him just as much as my other relatives and friends with whom I have worked, shoulder to shoulder, for the building of the new Society. I want our common home to develop, grow strong and prosper, and it is for this reason that I am writing to you with such sincerity and courage. It is my conviction that this matter is common to us all, that it is the duty of every one of us to critically examine

the negative phenomena, and that such phenomena cannot be viewed through rose-colored glasses, regardless of whether they are of an economic or social nature, or even if they derive from the co-existence of workers of the various nationalities. It would be a pity if all that would collapse which we, Rumanians and the other nationalities, built up with hard work in the decades following the Liberation. After all, this country is the common home of all of us, and we love her as a good mother. We must do all we can to prevent her from becoming a cruel stepmother to any one of her children, regardless of his nationality.

Most respectfully,

Károly Király

Marosvásárhely, September 10, 1977

THE EIGHTEEN DEMANDS FOR IMPROVED MINORITY RIGHTSLISTED BY LAJOS TAKÁCS

With respect to the Hungarian population, we recommend the following:

1. Restructuring of the Hungarian Nationality Workers Council into a mass organization with chapters in all localities where the number of Hungarian inhabitants warrants this. The organization should have the right to nominate candidates to represent the Hungarian population in every central and local organ. It should designate candidates to fill certain key positions which deal with the development of the cultural life of the inhabitants.
2. Within the framework of the Grand National Assembly, a permanent committee should be established to deal with problems of the coinhabiting nationalities. The country's nationality representatives, as well as a Rumanian representative from counties with mixed populations, should participate in this committee. (A committee such as this exists in the Slovak National Assembly.)
3. A new Statute for nationalities should be created which concretely spells out the responsibilities of the authorities in implementing the Party's nationality policies.
4. Those state agencies which operate under the Ministry of Education and the Council for Socialist Instruction should be granted decision-making powers in all those questions which bear directly on the actions of these central organs as they affect the coinhabiting nationalities.
5. A network of native-language kindergartens and general and secondary schools of all levels and specialties, which is capable of handling all Hungarian students who wish to pursue their studies in the native tongue, should be guaranteed.
6. The Babes-Bólyai University, the Dr. Petru Groza Agricultural Institute, the Ion Andreescu Art Institute, the Gh. Dina Conservatory, the István Szentgyörgyi School for the Dramatic Arts, the Institute of Medicine and Pharmacology at Marosvásárhely and the Technical School of Kolozsvár should be reorganized into two sections with independent curricula.
7. Ideological instruction should be provided in the language of the nationalities as well, in all areas where this is warranted by the number of workers, peasants or intellectuals.

8. The size of circulation of local newspapers should be determined on the basis of actual demand.
9. The possibility of publishing a high quality, [Hungarian] scientific journal should be investigated.
10. Cultural ensembles of the coinhabiting nationalities should be guaranteed greater freedom of movement.
11. We should re-examine the possibility of creating a radio station broadcasting in the languages of the coinhabiting nationalities, and a television channel with continuous programming.
12. More publications -- especially technical-scientific and children's literature -- should be allowed to appear in the languages of the coinhabiting nationalities.
13. Access by Hungarians [in Rumania] to publications which appear in the Hungarian People's Republic, and to Hungarian-language publications which appear in Czechoslovakia and Yugoslavia, should be improved.
14. The employment of Hungarian experts should be guaranteed in those libraries and archives which contain documents relating to the past history of the Hungarian nationality.
15. In those counties and localities where the percentage of inhabitants of nationality origin achieves 15%, in addition to Rumanian, use of the language of the given nationality should be instituted in the administrative apparatus of the state, in publications, and on signs and billboards.
16. Textbooks, literature pertaining to the country's history, propaganda materials, etc. should be revised to accurately reflect the past and present of the coinhabiting nationalities, and their contribution to the development of the area in which they live.
17. The composition of the apparatus of party, state and mass organizations should be revised to insure that coinhabiting nationalities are proportionally represented in the decision-making bodies.
18. The policy of scattering cadres of nationality origin to diverse areas of the country should be terminated. Those cadres should be placed primarily in regions inhabited by nationalities, where they can speak their native tongue with those people from which they themselves derive.

The Washington Post

MONDAY, JANUARY 30, 1978

A 14

Letter Charges Romania Represses Hungarians

By Michael Dobbs

Special to The Washington Post

BELGRADE—In a document that gives a rare insight into the problems of national minorities in Romania, a former high-level Romanian Communist Party official has alleged official repression against the country's 2 million Hungarians.

The claim is made by Karoly Kiraly, a member of the Romanian Communist Party Central Committee until resignation in 1975, in an open letter to the state and party leadership. A copy of the letter, which was written last month and smuggled out of Romania, has reached Belgrade through usually reliable channel.

Kiraly, who is himself of Hungarian origin, alleges job discrimination against ethnic Hungarians and suppression of the Hungarian language in violation of Romania's constitution. Professing himself to be a loyal Marxist, he lays the blame not on the Communist system but on the Romanian party leadership and in particular the personality cult which surrounds President Nicolae Ceausescu.

Western diplomats in Bucharest consider the widespread, if muted, discontent among Romania's minority nationalities more significant than last year's short-lived human rights movement led by the writer Paul Goma, who is now in Paris. Support for Goma was confined to a handful of intellectuals, but national grievances run much deeper.

Last year, considerable disquiet was reported among ethnic Germans, Roma's second largest minority after the Hungarians, who were applying in

large number to emigrate to West Germany.

There is, however, still no evidence that national unrest will have any effect on the policies pursued by Ceausescu. In his appeal, Kiraly says that efforts to improve the lot of the Hungarian minority have brought no result.

Kiraly writes: "What mostly preoccupies me is the doggedness with which the problem is ignored by our party organizations from the grass roots to the highest level as something which does not exist."

A document attached to the Kiraly appeal, apparently prepared by his supporters abroad, states that he is now facing party disciplinary action for repeatedly calling attention to minority grievances.

In the letter, which is formally addressed to a Central Committee member for circulation among the party leadership, Kiraly alleges a wide gap between theory and practice in the treatment of the nationalities question. He cites cases of discrimination against the Hungarian minority in the mountainous region of Transylvania in central Romania.

After recalling a promise for more secondary and technical schools with instruction in minority languages, he argues that the number of such schools is acutely decreasing.

The use of the Hungarian language, Kiraly claims, is officially discouraged, even in the Nationality Council that represents the Hungarian minority. He claims that bilingual signboards put up during his term of office as first party secretary of Covasna County in 1971 have all been removed.

Alleging job discrimination against ethnic Hungarians, Kiraly writes that nearly all influential posts in towns

with a Hungarian majority go to Romanians, many of whom do not speak a word of Hungarian.

Foreign observers familiar with minority problems in Romania find Kiraly's allegations plausible although it is difficult to confirm them. Western correspondents who visited the Jiu Valley last year, scene of Romania's worst post-war mining strike, were told that discontent among the sizable Hungarian minority there was an important factor in the unrest.

Miners explained that the area was once part of the Austro-Hungarian empire and was used to relatively higher living standards than the rest of Romania. They complained that Hungarian schools in the area had been closed down.

Romania's treatment of its largest national minority poses a delicate problem for its neighbor Hungary. The Hungarian government has no wish to pick a quarrel with a fellow communist state, but feels responsible for Hungarians outside the country.

While carefully avoiding any public protest, Hungarian officials frequently raise the problems of national minorities in Romania in private bilateral contacts.

FINANCIAL TIMES

TUESDAY JANUARY 31 1978

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The Hungarians of Transylvania ● By PAUL LENDVAI

Achilles heel of Romanian nationalism

PHILADELPHIA that have become public have drawn international attention to the position of the largest national minority in Europe, the 17m. Hungarians in Rumania. First, Mr. Gyula Illyes, 75, the greatest living Hungarian poet in a Budapest daily, Magyar Nemzet, made a passionate protest against the violation of what he called the elementary human rights of Hungarians living in neighbouring countries. Without mentioning any country by name, he complained about "a policy of apartheid" practised against Hungarians. The two articles were generally regarded by the Hungarian public as being directed against Rumania.

The plight of Hungarians in Rumania next became the subject of an open letter sent two months ago by Mr. Karoly Kiraly, a former top official of the Rumanian Communist Party, to the Rumanian leadership. The text was leaked a few days ago to foreign correspondents in Belgrade. Mr. Kiraly, who was for several years first party secretary in the Covasna region in Transylvania, where Hungarians are in an overwhelming majority among the 190,000 inhabitants, between 1969-1972 belonged to the Central Committee and even to the supreme party body, the Executive Political Committee, as a candidate-member.

Mr. Kiraly complained that Hungarians are discriminated against in employment and education. "What particularly worries me is the obstinacy with which party functionaries from the bottom to the very top continue to ignore the problem," Mr. Kiraly said.

He was one of the handful of people of Hungarian extraction in the Rumanian leadership, until he resigned in April 1972 from all his positions and retired from public life. At the time his resignation was overshadowed

by a large-scale reshuffle at the top. Now, however, it must be supposed that a conflict about the nationality question was the reason both for his disappearance from the political scene, and for a simultaneous purge in Tirgu Mures, capital of another region in Transylvania, also inhabited primarily by Hungarians.

The entire issue has so far been largely overlooked abroad, in contrast with the publicity surrounding the thorny problem of the emigration from Rumania of ethnic Germans. The number of Germans, according to the latest census in January 1977, was just under 360,000, which was 25,000 fewer than in 1956. Last year some 10,000 Germans were allowed to leave, and after the recent visit of Herr Helmut Schmidt, the West German Chancellor, to Bucharest, the German side concluded that the same rate of emigration could be expected during the next five years. According to German press reports, about 80 per cent of the Germans there wish to leave Rumania.

Neighbour

The situation of the Hungarians is completely different. To start with, they number, according to official statistics, 17m., according to conservative Hungarian estimates well over 2m. Furthermore, they are part of a nation whose state is a direct neighbour of Rumania. Last but not least, the Romanians regard every complaint as a prelude to territorial claims. During World War Two, Hungary temporarily regained the northern part of Transylvania which, in 1918, had become part of Rumania. Before that all of Transylvania had been part of Hungary.

The implications of the Hungarian question in Rumania so well beyond the purely

diplomatic. After the collapse of the Austro-Hungarian monarchy, one in three Hungarians fell under foreign rule. According to Mr. Illyes, there are now 15m. Hungarians between the Alps and the Carpathians, of whom only some 10m. live in Hungary proper. His estimate may well be exaggerated. But the fact remains that even according to official figures, some 600,000 Hungarians live in Slovakia and some 500,000 in Yugoslavia. A wave of aggressive Hungarian nationalism could, as in the interwar period, again pose a threat to stability in the Danube basin.

Despite growing pressures at home, Mr. Janos Kadar has made no public allusion to the Hungarians in Transylvania. At a meeting last June, Mr. Kadar and President Nicolae Ceausescu of Rumania signed a communique, stating that the minorities in each country (20,000 Romanians in Hungary and 17m. Hungarians in Rumania) should "gradually become a bridge" between the two countries. However, at Rumanian insistence, it was also clearly stated that the nationality question is within the jurisdiction of each of the two countries.

Agreements were also signed to open consulates in Cluj, and on the other side of the border, in Debrecen, and to ease travel restrictions. But Rumania insisted that the three major urban centres in these areas should not benefit fully from the travel concessions.

The visitor to Budapest hears time and again that these measures have not yet been carried out because the Romanians are dragging their feet. The treatment of the Hungarians in multinational Yugoslavia, and the full autonomy and freedom of movement they enjoy is repeatedly mentioned as a example the Rumanian com-

rades should follow.

The Romanians say that the "co-inhabiting nationalities," and thus also the Hungarians, are represented according to their proportional strength in all levels of the "elected" state organs and the party bodies that they have their own newspapers, publishing houses and theatres. This in turn is shrugged off by Hungarians as an "alibi." According to Mr. Illyes, the Hungarians are deprived of university and vocational school education in their native tongue and 20 per cent of the school children do not even learn the alphabet in Hungarian. They are given history books which describe their ancestors as "inferior incursions".

The memorandum presented by Mr. Kiraly to the Rumanian leadership is regarded by the Hungarians as striking proof of the growing ferment in Transylvania. The situation is closely watched by the Soviets. The attitudes of the Hungarians, accounting officially for 3 per cent of the total population has always been seen in the Kremlin as the potential Achilles' Heel of resurgent Rumanian nationalism. After all, President Ceausescu himself has built his policy of independence on the priority of the nation as such. Meanwhile, the case of Mr. Kiraly, who is already understood to be subjected to disciplinary proceedings, indicates that the argument works both ways.

It is stressed in Budapest that the articles of Mr. Illyes were published without any prior approval by the leadership. Yet the fact that the latest issue of "Magyar Hirek," a glossy weekly with a circulation of 100,000 published for Hungarians abroad by the world Federation of Hungarians in Budapest, devoted an entire page to extracts from the sensational articles by the great poet can hardly be regarded as accidental.

The Washington Post

THURSDAY, MARCH 2, 1978

A 20

Ex-Official Charges Romania Is Suppressing Ethnic Unrest

By Michael Dobbs

Special to The Washington Post

CARANSEBES, Romania—The Romanian government has taken emergency measures to suppress growing discontent among the two-million-strong Hungarian community in Romania, according to a former close aide of President Nicolai Ceausescu.

The charges by Karoly Kiraly, a former high Romanian Communist Party official, reflect increased tensions in Romania as well as what appears to be an unprecedented challenge to Ceausescu's authority.

Kiraly also said in an interview that 16 prominent Romanian Communist officials have associated themselves with an open letter in which Kiraly denounced the Romanian government for suppression of minority rights.

Among those backing the protest Kiraly cited former prime minister Ion Gheoghe Maurer, the present deputy prime minister, Janos Fazekas, and several other members of the Romanian Central Committee and parliament.

Kiraly said that the Romanian government has responded by taking emergency measures to suppress grow-

between the two Warsaw Pact neighbors. Publicly, however, all Soviet bloc countries have contended that such issues have been resolved.

The sudden upsurge of protest among Romania's minority and the public backing of it by the Hungarian Communist government has posed a serious domestic challenge to Ceausescu.

Kiraly spoke to three Western journalists in defiance of official warnings against contacts with the foreign press.

The interview took place in Caransebes, a town of some 27,000 people where Kiraly is in internal exile in an attempt to isolate him from his supporters in Transylvania—the mountainous region of central Romania and the setting for Bram Stoker's spine-chilling novel *Count Dracula*.

At one point, Kiraly's German wife Helga switched off the lights in the kitchen of their sparsely furnished three-room cottage to prevent a curious neighbour from seeing the journalists gathered around the table.

Soft-spoken and looking younger than his 47 years, Kiraly described what happened after he attempted to raise minority grievances in a series of letters to Romanian leaders. He is of Hungarian origin himself.

Kiraly's formidable catalogue of allegations included the closing of Hungarian universities and schools, the suppression of the Hungarian language and culture, and the appointment of Romanians to nearly all key posts in towns with a Hungarian majority.

"For years the Romanian government has had a policy of the forced assimilation of all minorities — not just Hungarians, but also Germans, Serbs and others," he said.

The most serious repercussions began at the end of January following the publication of details of his appeals in Western newspapers.

Kiraly said: "Suddenly emergency police measures were taken throughout Transylvania. Around a thousand security men were drafted into my hometown of Tirgu Mures alone. There were armed patrols and special civilian brigades in the streets. Tens of thousands of people were watched and many homes were searched for copies of my letter. This action is still continuing, although on a reduced scale."

Kiraly was summoned to Bucharest for talks with four top officials including Ilie Verdet, Ceausescu's right-hand man, and the minister of the interior, Teodor Coman. He was accused of being a traitor to Romania, threatened with a trial and expulsion from the Communist Party, and asked to denounce his own appeal as the fabrication of the CIA and Radio Free Europe. He refused.

He was ordered to leave Tirgu Mures with his wife and five-month-old baby. He said his friends were harassed in the street, his house was kept under a 24-hour watch, and he was followed by plainclothes policemen.

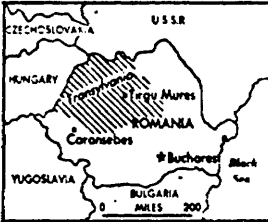
Asked what he thought were the reasons for this government reaction, he replied quietly: "They know that what I wrote is true." An official Romanian spokesman has described Kiraly's allegations as "lies, lies, lies."

Kiraly himself is an insider who knows how the system works. As an alternate member of the political executive committee from 1968 to 1972, he was at the summit of the Romanian leadership. In 1970 he accompanied Ceausescu to Moscow to attend the Lenin centenary celebrations. He is still a party member and deputy president of the Hungarian Nationality Council. He stresses that he remains committed to his social ideals.

His protests have also received the support of key leaders of the Hungarian minority. Apart from Fazekas, they include the vice-president of the Romanian parliament, Gyorgy Puskas, central committee members, writers, and the editors of the two most prominent Hungarian literary reviews in Romania.

Kiraly claimed that nearly all Hungarian intellectuals agree with his views and many ordinary people, including Romanians, had expressed support through handshakes, telephone calls, and letters.

By alleging mistreatment of national minorities, Kiraly has struck one of the most sensitive chords in Romanian politics. Underpinning Ceausescu's staunchly independent foreign policy is an attempt to build a strong unitary state at home creating the image of "an island of Latins surrounded by a sea of Slavs."



The Washington Post

ing discontent among Romania's ethnic minority. He spoke of the massive deployment of troops in Transylvania, where most Hungarians live, and house-to-house searches, interrogations and other forms of harassment.

Apart from Maurer, all other figures who reportedly associated their names with the protest are of Hungarian background.

But such an endorsement of a protest movement here is without precedent. The question of ethnic rights has long been a source of covert dispute

DAGENS NYHETER
(Stockholm)

March 2, 1978

"OUR PROTESTS ARE KILLED BY PERSISTENT SILENCE"

By Klas Bergman

Caransebes, in February. *I expected that someday you would come*, says Károly Király and shakes our hands cordially.

He receives us in his mother-in-law's kitchen in the tiny town of Caransebes where he was sent about a week ago into internal exile because of his defiance of the Rumanian Communist Party policy regarding the treatment of national minorities.

His resistance manifested itself in an open letter to the Party leadership. The letter was published in the West toward the end of January (*Dagens Nyheter*, January 23, 1978). This produced, according to Király, "a security action unprecedented in the history of 33 years of Communist rule".

In his letter, Király very sharply attacked the manner in which the two million Hungarians and the other minorities are treated and said that "this had nothing to do with Marxist-Leninism, elementary rights and human dignity". A "forced assimilation" of the minorities was occurring in Rumania.

Király is 47 years old; he has been a Communist since his youth. He has studied at the Party School in Moscow. Once, he was a member of the highest organ of the Party but resigned in 1972, "because of personal reasons" he says, without going into details. At that time as well, he was sent to Caransebes into internal exile.

Király is still a member of the Party and Vice President of the Hungarian Nationality Workers Council in Rumania. He emphasizes:

My actions have nothing to do with chauvinism. They are not directed against the Rumanian people, or against the country, or against the socialistic system. Nor am I seeking high positions or material gain, as some have claimed, and I am not trying to separate Transylvania from the rest of the country. Instead, I have assumed a great responsibility in the interest of Socialism, with the aim of improving relations between Rumania's different nationalities.

Király has received support from people in the highest Party organs.

Kiraly describes thirteen individuals who have lent support to his action with their signatures and who were ready to assume this risk, he explains. One of them is Ion Gheorghe Maurer, Prime Minister until some years ago; others include János Fazekas, the present Deputy Prime Minister and member of the Party's Executive Bureau, four members of the Central Committee, editors-in-chief, writers, a Rumanian lawyer and the head of a hospital.

My two British colleagues and I have listened to Király for almost four hours. His wife Helga, a member of the German minority, is the interpreter. They were married during Király's first exile in Caransebes.

They are now waiting for an apartment with two rooms near the furniture factory where he was given the position of manager.

Once during our conversation a man comes into the courtyard asking for directions, but otherwise we are not disturbed.

You know that this meeting is not permitted, he says. The Party leadership told me that foreign correspondents would probably come to me, as you are now doing, but that I was forbidden to receive them. They certainly know that you are here now. I am sure that they are bugging us now. But I will give you the necessary information.

We receive a rare insight into Rumanian society and into the treatment of those who dare to defy the authority of the Communist Party. Here is Király's story:

I have written three letters to the Party leadership, the third of which was published in the West. I wrote the first one on June 2, 1977.

Earlier, in 1976, I had a meeting with Ilie Verdet, Secretary of the Central Committee and a member of the highest Party organ, the Permanent Bureau. But somehow, nothing happened, not even after those countless discussions about the problems of the minorities which were conducted. The thing was killed by persistent silence. I sent another letter in September and after one week I was summoned to Bucharest for a long conversation with Ilie Verdet, among others. Then there was another meeting and a third one on October 4, when we agreed upon certain measures to ameliorate the situation of the minorities.

But this agreement was not kept. The problems were not solved. Instead, measures were taken against me and my family. The secret police began watching over us. They tried to compromise my position with anonymous letters. I was accused of economic improprieties, love affairs, contacts with Hungarian writers and with the Hungarian Church. I was accused of hostility toward the government and of chauvinism. I protested vigorously against these letters.

Then, my third letter was published in the West. For a week, nothing happened, but then extraordinary security actions were initiated in Transylvania, and a secret police force of one thousand men gathered in my hometown of Tirgu Mures.

On February 1, I was summoned to Bucharest and met with Ilie Verdet, Teodor Coman, Minister of the Interior, Peter Lupu and János Vincze.

I was questioned in very harsh tones as to why I had sent the letter abroad, and, if it was not me, then who had sent it? They called me a traitor, an enemy of the Party and of the people. They threatened me with a trial and expulsion from the Communist Party. They accused me of having contacts with Hungarian diplomats, with the CIA, etc. They instructed me to declare that the letter was not written by me but was a forgery concocted by the CIA, Radio Free Europe and the enemies of Rumania.

I refused to do this. I said that I had written the letter and that I was morally responsible for it but that it was not I who had sent it abroad.

But, I asked, who is responsible for the violation of those provisions of the Constitution which guarantee the rights of the minorities?

They replied that I was being impudent and told me to return the following day. But I went home to Tirgu Mures.

On February 3, I was summoned to appear before the Chief Party Secretary in Tirgu Mures, Ion Florea. He received me kindly and asked whether I had some proposal to calm the inhabitants. He said the atmosphere was explosive and that slogans supporting me had appeared on the walls of the houses.

On February 4 I went to Bucharest, having been summoned anew by Verdet. I was told that I had to leave Tirgu Mures because they were no longer able to guarantee my security there. They proposed a position as a director in Northern Moldavia, located in Eastern Rumania.

I went home and on the following day, gave Florea a negative answer. Florea said measures would be taken against me. I would be dismissed from my post as President of an industrial society in Tirgu Mures and expelled from the Party. But I would be permitted to remain in my hometown.

However, in the evening of the same day, Florea gave me an ultimatum. The Party leadership did not agree to my staying in Tirgu Mures. On that day, my friends were harassed, searched and shadowed. Apartments were searched. During a walk with my brother, some policemen followed us with pistols in their pockets aimed at us.

On the next day, Florea categorically stated that if I did not leave Tirgu Mures, they could not guarantee my own and my friends' security. He proposed that I go to Caransebes and I accepted.

But it is obvious that no one can endanger my security except the secret police themselves. Rumania's secret police are very powerful. About 700 of them are still in Tirgu Mures. During the Spring of 1977, they conducted a series of interrogations, violent assaults, and searches among people belonging to the Hungarian minority.

After the publication of my letter in the West, certain improvements were made. The time periods allotted to Hungarian television and radio programs were extended, bilingual signs were set up and certain authorities now permit the use of the client's own language. However, these are not substantial changes. I will therefore continue until all the problems are solved.

Unrest among the minorities is an old problem in Rumania. Its cause is the enormous abyss between theory and practice in the treatment of minorities. The discontent was there. The letters did not produce it, they only confirmed something which has existed for a long time.

Many Hungarians want to leave the country. But where can they go? Hungary accepts only a very limited number of emigrees, about two hundred a year. This is a delicate problem for Hungary. It is a problem which involves the relations between two Socialist countries.

But we Hungarians in Rumania do not represent a threat to the regime in Bucharest. We are loyal. We learn the Rumanian language, we are hardworking. But we want to be treated as the Rumanians are treated, without discrimination. And we want to be able to go to our own schools, speak our own language and develop our own culture. That's all.

[The caption beneath the photograph which appears with the article above, reads: "Karoly Király with his wife Helga at his mother-in-law's house in Caransebes, where they presently live waiting for a two-room apartment."]

DAILY NEWS

New York, Tuesday, April 18, 1978

3

Ceausescu Is Piqued by Pickets Here

By JERRY SCHMETTERER and OWEN MORITZ

It all took place in a 29th-floor suite of the Waldorf-Astoria yesterday morning between glasses of orange juice—Ed Koch (D-Manhattan) and Romanian President Nicolae Ceausescu (Communist-Ruchare!) arguing over protests against Ceausescu on New York streets.

"This doesn't happen in my country," the Romanian president told Koch through an interpreter. "This should not be allowed. If you come to Romania you would not have any picketing."

But Koch defended the ways of New Yorkers and Americans — and when it was over the plain-speaking mayor of New York appears to have headed off an international incident by reassuring the distressed Romanian president that there is nothing personal in all those demonstrations.

"It's not you, Koch told Ceausescu ever so diplomatically, it's your policies. Those policies said the mayor, do discriminate against Hungarianspeaking Romanians — the cause of protests that have nettled Ceausescu since his arrival here over the weekend.

And after all, who knows more about protests over the way things are run than Ed Koch. He gets them all the time, even in English-speaking Queens.

For the Romanian president, it's the U.S. on a business and a diplomatic mission, things got rough late Sunday when crowds protesting Romania's policies to ward its Hungarian minority swelled to 2,000 outside the Waldorf.

Shortly before midnight Sunday, Ceausescu got so agitated by the protests that he complained to the State Department, which in turn pleaded to Police Commissioner Robert McGuire to assure the Romanian president that his safety was not in danger. At midnight McGuire personally went to the Romanian UN Mission on E. 38th St., talked to Ceausescu and said he could return to the Waldorf without fear.

After midnight under a reinforced police escort the Romanian president's party returned to the Waldorf, past a small group of protesters that had remained in E. 49th St. One egg struck Ceausescu's car, police said.

But yesterday, Ceausescu was apparently still upset; even though the protesting crowd had melted away, presumably because most of the demonstrators had to go to work.

Anyway, Koch got a call at 8:45 a.m. from the State Department. His mission: settle down Ceausescu. So the mayor skipped a regular meeting of his own cabinet to rush to the Waldorf to sit down with the Romanian president. It was there that the two engaged in the great Waldorf debate.

"I am president of a foreign country," Ceausescu protested. "This (the demonstrations) should not be allowed."

Koch said protests were as American as the First Amendment.

"Why are you Americans interfering in the internal affairs of our country? There are international agreements prohibiting such interference. These treaties supersede the Constitution," said Ceausescu.

Ceausescu, who also heads his coun-

try's Communist Party, went on and on. Finally, he said, "If your security can't take care of these crowds, then our security will."

The mayor joined in the talks by McGuire, said more than 100 cops from the Manhattan South and Tactical Patrol Force details, had kept order with out incident.

Koch and the president discussed the specific issue of rights for Hungarian nationals in Romania, particularly the access of school-age children to Hungarian language studies before the session broke up.

Koch said, "Let's be friends and maybe one day we can eat in a Romanian restaurant here." On the way out the mayor found 20 uniformed guards keeping order downstairs. By this point the protest had been reduced to three old men carrying signs.

Romanian President Nicolae Ceausescu, ending a weeklong visit to the United States, said yesterday that his Communist country wanted more joint business ventures with American capitalists partly because "we also are interested in profits."

A joint U.S.-Romanian communique said that President and Mrs. Carter had accepted "with pleasure" an invitation to visit Romania, but no date was set.

The communique said that Carter and Ceausescu had both expressed determination during talks at the White House last week "to encourage and promote the continuing expansion of ties of cooperation and friendship between the two countries and peoples."

Before Ceausescu flew home from New York last night, the Romanian government signed a new 1½-year business-technical cooperation agreement with the Control Data Corp. of Minneapolis.

—Stan Carter

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THE TIMES

Tuesday, April 25 1978

9

Party officials join fight for Hungarians' rights

From Dossa Trevisan
Belgrade, April 24

The campaign against the violation of the human and civil rights of the two million-strong Hungarian minority in Romania has been taken up by three prominent Romanian Communist Party officials since Mr Karoly Kiraly, a former member of the Central Committee, first drew attention to the plight of Hungarians and called upon President Ceausescu to put minority grievances right.

Three separate appeals, including a 7,000-word memorandum have since been sent to the party leadership protesting against the state's policy of discrimination. They also urged the leadership to review the country's minority policy and amend erroneous concepts which have been at the root of the Hungarian problem. Hungarians are increasingly complaining against forcible Romanization and discrimination in every sphere of life.

The ethnic Hungarians have been living in Transylvania for over a thousand years. But since the demise of the Austro-Hungarian empire at the end of the First World War, the region has changed hands three times.

The Hungarians, who hitherto had their old cultural institutions have gradually been losing them as the policy of enforced assimilation by the Romanian state gained momentum over the past 10 years or so.

A memorandum compiled by Mr Lajos Takacs, a prominent expert on international law and a former rector of the Babes-Bolyai University at Cluj, takes up the problem of Hungarian students in Romania who, he claims, are being forced to study in the Romanian language not in their mother tongue. He further protests over the steady decrease in the number of Hungarian students admitted to universities in comparison to Romanian students over the past 17 years.

Mr Takacs, a candidate member of the Romanian party's Central Committee, was recently elected deputy president of the Hungarian Nationality Council

in Romania and his memorandum therefore carries considerable weight.

Although couched in moderate terms, it nevertheless makes the point clear that the Hungarians have been losing ground for a number of years: their cultural institutions are being gradually abolished and they are being dispersed from the regions where they live in compact communities.

Mr Takacs asserts that the country's laws guaranteeing minority rights have not been implemented and that the Hungarian Nationality Council which is the official representative body of this ethnic minority, is as a result of the state's policies, losing the confidence of the Hungarians.

The memorandum calls for increased powers for the council, as well as for more Hungarian-language radio and television programmes. It urges that restrictions on the import of newspapers and books from Hungary be lifted and demands a strictly proportional representation for ethnic minorities in areas of mixed population where Romanians now occupy all the key posts.

Another appeal has been sent by Mr Andras Sutu, a prominent writer and a candidate member of the Romanian Party's Central Committee. It protests against restrictions on Hungarian language education at formerly Hungarian schools, where Hungarian has been replaced by Romanian.

According to Hungarian intellectuals in Budapest, Mr Janos Fazekas, Romania's Deputy Prime Minister, has also sent a personal appeal supporting the grievances of the Hungarian community and proposing methods to improve the rapidly deteriorating situation.

The campaign attempting to focus attention on the plight of Hungarians in Transylvania began last autumn, when Mr Kiraly sent a letter to the party leadership asserting that the Hungarian minority was being oppressed.

The letter was published in the West and Mr Kiraly was subsequently forced into exile in Caransebas. He was also stripped of his position in the Hungarian Nationality Council

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The New York Times

NEW YORK, TUESDAY, MAY 9, 1978

10

Ethnic Hungarians in Rumania Charge Regime Seeks Assimilation

By DAVID A. ANDELMAN

Special to The New York Times

BUCHAREST. Rumania—This nation's leaders are putting pressure on the Hungarian ethnic minority to drop its cultural traditions and become part of a unified, Rumanian-dominated state.

The pressure has taken several forms—the isolation of key Hungarian community leaders, the closing of Hungarian schools and social organizations and growing discrimination in employment and dealings with officialdom.

The plight of the 1.7 million ethnic Hungarians—in a nation of 21 million—was described earlier this year in a series of letters written to the Rumanian leaders by Karoly Kiraly, a former ethnic Hungarian official, and smuggled to the West.

The letters and the Government's response to the situation are becoming a key domestic issue for Nicolae Ceausescu, the Rumanian leader, and are causing friction between Rumania and Hungary.

Hungarian Ousted From Council

In mid-March, in an apparent effort to ease the tensions before his trip to the United States, Mr. Ceausescu called a meeting of the Government's Council on Minorities. The session dismissed Mr. Kiraly from his last official post, that of a deputy chairman of the council, and listened to a message of conciliation from the Rumanian leader.

However, the meeting and other statements of support appear to have done little to appease the ethnic Hungarians in Rumania or the Hungarian Government in Budapest.

Rumania's ethnic Hungarians are settled in Transylvania, a region of northwestern Rumania adjoining Hungary proper. The Magyars, or Hungarians, who came originally from Asia, overran the area in the ninth century. During the years of Ottoman Turkish domination, in the 16th and 17th centuries, Transylvania was a major battleground. Throughout the ensuing centuries, and particularly after the rise of the Austro-Hungarian Empire, the Hungarians were the masters of Transylvania and the ethnic Rumanians were the serfs.

But since the rise of the Rumanian state and, especially since the Communist takeover, these positions have been reversed, bringing along bitterness, conflict and charges of discrimination.

It is a situation of concern to the Rumanian Government, which fears that the country's ethnic minorities, which also include Germans, Serbs, Jews, Ukrainians, Bulgarians, Tatars and gypsies, are potential sources of unrest and a brake on economic development.

The letters of Mr. Kiraly have thus had a powerful impact here, especially since they come from a committed Communist official. He was a nonvoting member of the ruling Politburo, a member of the powerful Council of State, and First Secretary of the district of Covasna in the heart of Transylvania.

But in April 1972, citing "personal reasons," he resigned from all three posts, retaining only the job of deputy chairman of the Hungarian National Workers Council, a body ostensibly designed to give ethnic Hungarians a voice in policy-making. Mr. Kiraly seems to feel that it has become a thinly veiled device to accelerate the process of assimilation of Hungarians into Rumanian society.

Use of Hungarian is an Issue

Last June, Mr. Kiraly wrote his first letter and, most Western diplomats believe, his most significant one, to Mr. Verdetz who was in charge of minority affairs and was one of the three or four members of the Rumanian leadership closest to President Ceausescu. Mr. Verdetz was subsequently demoted in a government shuffle. The shift may have been related as much to poor economic performance as to any contacts he may have had with Mr. Kiraly.

In his letter to Mr. Verdetz, Mr. Kiraly bemoaned the elimination of the Hungarian language from nearly all official transactions in the Hungarian regions of Rumania and discrimination against people who use Hungarian and who retain their traditional culture.

Factors Contributing to Strain

"The problems are real ones, the preoccupations of hundreds of thousands of people," he said. "National feeling is a sensitive problem that must be treated with the greatest care. It represents the qualitative side of any nation."

The letter was sent at a critical time—10 days before a meeting between Janos Kadar, the leader of Hungary, and President Ceausescu. It was a meeting, as it turned out, according to several persons close to the participants, that was "strained and formal." In the following months, relations continued to deteriorate.

Western observers believe that several key factors are causing particular strain between the two countries and particular concern within the Hungarian community in Rumania:

• A ban on travel to the West or, in many instances, even into Hungary, by Rumanian citizens of Hungarian origin. Hungarians point to the fact that more than 300,000 Jews have been allowed to emigrate over the last 30 years; yet many Hungarians in Rumania are not allowed even to visit relatives in Hungary.

• A continuing deterioration in the quality of Hungarian cultural life in Rumania. Mr. Kiraly in his letters talks of the removal of Hungarian street signs and other markings in Hungarian areas, and the closing of Hungarian schools.

• Growing harassment of the Hungarian minority, ranging from simple job discrimination through police actions that, Mr. Kiraly said at one point, led to the death by suicide of a noted Hungarian professor in Brasov.

The results has been a campaign by ethnic Hungarians in Rumania and within Hungary itself to publicize these abuses and to press the Rumanian Government to correct them.

Hungarian Poet Charges Abuses

Early in January, a Hungarian poet, Gyula Illyes, published a series of articles in the newspaper Magyar Nemzet of Budapest about the problem faced by Hungarian ethnic minority groups outside Hungary, the largest being in Rumania. He wrote:

"Doctors and patients, of the same mother tongue, have to communicate through an interpreter because they are allowed to speak only in the official language. This results in patients from settlements numbering hundreds of thousands, virtually entire cities, being forced to explain their most intimate symptoms mostly by gesture, thus reducing health service to the level of the jungle."

He charged distortions in history and culture when, he said, "in primary schools, textbooks inform the children that their ancestors, contrary to the truth, were barbarian invaders and inferior plunderers." And, he concluded, "national resentment and intolerance toward minorities has spread with such unexpected force that in many places the humanism proclaimed by socialism has remained ineffective."

The Rumanian Government has been sensitive to these charges. Scientists, the party newspaper, has published articles describing various aspects of Hungarian culture that "continue to flourish in socialist Rumania." But what disturbs officials most, it would appear, is not criticism from abroad or within the Rumanian party, but the implications for the future. They fear that ethnic irritation can fuel more immediate economic grievances that might otherwise be settled.

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THE CHRISTIAN SCIENCE MONITOR

Thursday, May 25, 1978

After 20 years of silent protests, Transylvanians in Romania are calling loudly for their rights

By Eric Bourne
Special correspondent of
The Christian Science Monitor

Scene The border crossing on the main highway from Hungary into northwestern Romania.

Awaiting Customs clearance, a coachload of Romanian citizens of Hungarian origin.

They are returning home to the Hungarian minority region of Transylvania in a mass after visiting relatives in Hungary.

On one side of the border the Hungarian guard waves them on quickly. But on the other side the Romanians take longer.

Passengers' suitcases and parcels are all meticulously checked — not for luxury items, but for Hungarian books and newspapers, which are invariably confiscated.

A girl is relieved of several volumes of a Hungarian encyclopedia. Near tears, she explains they are for her studies, but to no avail.

Western witnesses

Three Western tourists, waiting their turn with the Romanians, witness the incident. With them is a Hungarian who has come along to see friends in Transylvania.

He has brought with him gifts of Hungarian books. They are the recently republished works of Hungary's celebrated poet Alexander Petofi, a biography of Kossuth, another folk-hero of Hungary's 1948 Revolution, and a book on Hungarian movies. All are seized.

Returning a week later, he will get his books back. But the Hungarian-Romanian girl will not be so fortunate with her encyclopedia.



'Dracula's' castle

These arbitrary Romanian restrictions on the import of Hungarian publications are a major cause of increasing resentment among the 2 million ethnic Hungarians living in Romanian Transylvania.

For two decades, their protest has been a "silent" one noted only by roving journalists or Western professors engaged in educational exchanges.

Hungary, to which Transylvania belonged for 800 years, could do nothing about it because the two countries are co-members of the Soviet alliance.

Whatever protests could be made could only be done unobtrusively through party channels to try to persuade Romanians to observe minority rights demanded by its own constitution.

A meeting last year between the leaders of the two Communist parties did finally produce Romanian assent to more private visiting and freer cultural ties for Transylvania with Hungary.

This was spurred by the 1975 Helsinki Declaration on European Cooperation, which stipulated regard for minority rights.

In essence, however, little has changed as evidenced by the border incident described above and by recent and unprecedented open protests by four prominent figures within the minority itself.

For many people, Transylvania is the far-off, remote land of mystery amid grim mountains and sinister forest castles popularized by Bram Stoker's "Dracula" and other vampire tales.

Yet it is one of the loveliest and most individual regions in Central and Eastern Europe, contained by mountains on most sides and rich in minerals and wildlife.

Its known history dates back to a Getic kingdom three centuries B.C. called Dacia, which later became a Roman province.

When the Romans left, it was overrun by a succession of barbaric tribes, among them Goths, Huns, and Avars, until the Magyars' Christianizing King Stephen established the medieval Hungarian state there in the year 1000.

It stayed Hungarian until World War I, which destroyed the Austro-Hungarian Empire and produced the Trianon Treaty trans-

ferring Hungary and putting 2 million to 3 million Hungarians under alien rule.

Some 40,000 square miles including Transylvania, and 15 million Hungarians were transferred to Romania.

World War II

In 1940, the Axis powers, tightening control of southeastern Europe, partitioned the region and restored half to Hungary. Seven years later, it was again given to Romania, this time as a reward for changing sides from Nazi Germany to the Western Soviet alliance late in the war.

From 1918 on, therefore, there has been continuing bad feelings between the two



neighbors which are aggravated today despite their common communist ideology.

For the Hungarians, understandably, Transylvania is a historical and highly emotional matter. An added irritant now is that Romania is trying to legitimize a historical claim, though its actual tenure has been only between the two wars and again for the three decades since World War II.

Intensely nationalistic feeling has been given an extraordinary rein in Romania since the present leader, Nicolae Ceausescu, took over in 1965.

Last year's independence centenary was marked by a tide of history and legend about a Romanian "struggle for identity," reaching back all the years to Dacia B.C. to establish the "continuity" from a Dacian-Roman state to today's Romanian national state.

Historic figures long disdained by the Communists were "rehabilitated" in the process.

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even Mr. Stoker's "Dracula," the legendary fiend based on a Wallachian prince who, 500 years before, was notorious as Vlad the Impaler because of his methods of disposing of his enemies.

Romanian nationalism has only added to the uneasiness of Mr. Ceausescu's minorities (German as well as Hungarian).

He himself repeatedly insists their rights are fully protected, pointing to formal representation in party, government, and public life at all levels.

Hungarians count at least 17 million among a total population of 21 million. They claim the number is officially understated because of assimilation — and "Romanization."

There are, for example five "Hungarians" in the party's political executive of 50 mem-

bers, and a similar proportion in other party bodies. The 11-member State Council has two Hungarians. There is a Hungarian deputy premier.

But these are primarily Romanian party officials and nominees, many Hungarian only in name and not "grass rooters" having families or feeling strong cultural kinship with Hungary.

Language in public administration is predominantly Romanian. There is Hungarian schooling but it diminishes as the higher grades are reached. There are minority language newspapers and theaters. But all are strictly under a "Romanian" party control with a strongly selective watch on indigenous Hungarian books or drama, particularly the historical.

In rural areas, schooling is heavily weighted in Romanian favor. A village must have 25 Hungarian pupils to get a Hungarian-speaking class, whereas three Romanian children suffice to warrant a Romanian class.

When Hungarian students qualify in their regional university they frequently are given jobs — against their wishes — in ethnic Romanian centers.

Now "Heisenaki" thinking and increasing government insistence on a "Romanian identity" for the nation as a whole are evidently quickening protest.

A louder voice.

This year, two "Hungarian" politicians a well-known Transylvanian writer and, finally, a former rector of the Cluj (Transylvania) University, have taken up the issue.

The academician Prof. Lajos Takacs sent the party a long memorandum listing minority rights nonobservance under 13 headings.

He called for a party reevaluation of all nationality policies, and called for more autonomy for nationality councils. He suggested Transylvania's higher education be restored to the twin Romanian-Hungarian streams existing before the wreck reseeded "Romanian" merger of the university in the 1950s.

He urged more minority radio and TV time, an end to the curbs on publications from Hungary, and bilingualism in public administration wherever a minority is 15 percent of the local population.

Only official reactions so far have been some defensive admissions of shortcomings, and Mr. Ceausescu's warning that Romanian must remain the national language.



By R. Norman Mathew, staff photographer
Romanian peasant

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FINANCIAL TIMES

Tuesday October 10 1978

3

EUROPEAN NEWS

Romanian dissident stands up to pressure

By Paul Lendvai in Vienna

A FORMER member of the leadership of the Romanian Communist Party, Mr. Karoly Kiraly, has defied strong official pressure to silence his protests over discrimination against ethnic minorities. According to information from reliable sources reaching Vienna, the 47-year-old leader of a campaign for minority rights was recently sacked from his last minor job as manager of a furniture plant in the small town of Caransebes and summoned to Bucharest where he was accused of being a traitor to Socialist Romania.

Despite threats, Mr. Kiraly, of Hungarian origin, refused to denounce his own appeals, which earlier this year were widely published in the Western Press.

The same sources report that friends of Mr. Kiraly are concerned about his safety following two recent ominous incidents. First, Mr. Kiraly had a near collision with a heavy lorry which was heading straight for his car. Second, a few days later the windshield of his car was shattered after he had heard a shot. After two weeks of investigation, however, the police told him that it must have been a stone from the road that caused the damage.

Mr. Kiraly is the highest-ranking party official ever to oppose publicly President Ceausescu's policies. Until 1972 he was an alternate member of the Political Executive Committee and until 1974 a member of the Central Committee to the top leadership. In 1970 he accompanied President Ceausescu to Moscow for the Lenin centenary celebrations.

As vice-president of the Hungarian Nationality Council, Mr. Kiraly protested both at closed meetings and later in three appeals sent to top officials against the alleged suppression of Hungarian language and culture and the appointment of Romanians to all key posts even in towns with a Hungarian majority.

Several Central Committee members of Hungarian origin, including Professor Lajos Talacs and the celebrated writer, Mr. Andras Sutoe, sent similar memoranda to the Communist authorities on behalf of the 1.5m strong Hungarian community.

Mr. Kiraly is now said to live again in his native town of Tirgu Mures in Transylvania with his wife and 13-month-old baby. He has no job and lives in his parents' house, which is kept under a 24-hour watch. President Ceausescu reaffirmed in several recent speeches the full equality of the Hungarian and German minorities and only passingly referred to traitors willing to sell their country "for a plate of goulash".

Mr. Kiraly's protests and the Romanian crackdown on Hungarian dissent has provoked some tensions between the two countries. An article by the prominent Hungarian writer, Mr. Gyula Illyes, publicly expressed concern about the treatment of ethnic Hungarians in neighbouring countries.

In turn, Mr. Illyes was attacked this summer by a leading Romanian cultural functionary, Mr. Mihnea Gheorghiu, as a Fascist reactionary seeking to turn back the wheels of history.

Last week the Hungarian

writers were informed about an exchange of letters between the Hungarian and Romanian Writers Unions. The Hungarians defended Mr. Illyes. The Romanian answer complained about inadmissible attempts at interference in Romanian internal affairs.

The president of the Romanian Writers Union and former Foreign Minister, Mr. George A. Mavrococu, offered to go to Budapest to discuss the issue.

At the writers' meeting in Budapest, several noted Hungarian intellectuals stressed that it was not just the attack on Mr. Illyes but the position of the Hungarian minority which was at issue.

It is understood that the Hungarian and Romanian parties have also recently exchanged letters about the delicate problem of the Hungarian minority, which was discussed at a Hungarian-Romanian summit meeting by President Ceausescu and Hungarian party leader, Mr. Janos Kadar.

The Hungarian leadership feels that only quiet diplomacy can help the Hungarian in Romania, who account for some 8 per cent of the total population. The Hungarians maintain that their number is in fact well over 2m, while the Romanians emphatically reject charges of manipulation concerning the 1977 census results.

But 76-year-old Mr. Gyula Illyes and a strong group of writers and intellectuals in Budapest evidently feel that the tactics of silence have failed to stop what Mr. Kiraly called a tendency to forcefully assimilate the nation-state, living in Romania.

As to the fate of Mr. Kiraly himself who was ousted from all his political positions and according to unconfirmed reports also expelled from the party, may be a significant pointer to the line President Ceausescu will choose in coping with the alleged grievances of the minority. It will also be a pointer to the path of future relations between the two countries.

THE TIMES

Thursday October 12 1978

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Romania tightens up on campaigner who refuses to recant

Mr Karoly Kiraly, a former Romanian Communist official and leading campaigner for Hungarian ethnic rights, has been dismissed from his post in a furniture factory after the Romanian authorities failed to press him into disavowing his public protest alleging discrimination against the Hungarian minority in Romania.

Mr Kiraly invoked official wrath earlier this year when his appeal to the authorities on behalf of 1,700,000 Hungarians was published in the West. He alleged they were facing a campaign of enforced assimilation. He was stripped of his remaining functions in the party and administration, forced to leave the city of Tirgu Mures and settle in Caransebes, a small town outside the Hungarian populated area, where he was given a largely titular post as manager in the factory.

Mr Kiraly and his family had lived in almost total isolation and under constant police surveillance until a short while ago. In recent weeks, however, he is said to have come under new pressure to renounce his views and, having defied it, had been dismissed. He has since returned to Tirgu Mures where he is under constant surveillance, sources close to him report.

They also say that Mr Kiraly was recently summoned to Bucharest, denounced as a traitor to Romania and pressed publicly to disavow his allegations of discrimination against

Hungarians in Romania. He refused and the sources claim that his talks with officials acquired ominous overtones. There was anxiety for Mr Kiraly's personal safety after two recent accidents occurred under suspicious circumstances.

Mr Kiraly avoided a collision with a lorry at the last moment. It was, he said, heading straight for his car. The sources report that on another occasion his windshield was shattered after what Mr Kiraly feels might have been a shot.

Last February three Western correspondents, myself included, succeeded in seeing Mr Kiraly and he told us that "if I was to die in an accident be sure it will not be an accident".

Since that interview no journalist has been allowed to see Mr Kiraly.

Mr Kiraly was not alone in campaigning for Hungarian ethnic rights. He has sent three appeals to the Government in recent years and as a result ceased to be a member of the Central Committee in 1974. Other prominent Hungarians sent similar memoranda to the Government, the most notable among them being Professor Lajos Takacs and Mr Andras Suto, the writer, both members of the Central Committee.

The Government responded by intensifying police activity, sending reinforcements to Transylvania. Later, however, they put right some of the more glaring wrongs.

All in the First Family

Indulging his fondness for state visits once again, Rumania's maverick Communist ruler Nicolae Ceausescu last week was in the middle of a 17-day, eight-nation tour of Africa and the Middle East. One thing he surely spent little time worrying about was his political base back home. In his absence there was hardly an important area of national life that was not watched over by some relative he had placed in a top position over the years.

At 61, Ceausescu himself holds an impressive number of the levers of power in Rumania. Since he became Communist Party boss in 1965, the brusque and stocky onetime shoemaker has not only had himself designated President of the Republic and Commander in Chief of the Armed Forces but also chairman of the State Council and the Defense Council.

His immediate family has not exactly under-achieved either. His wife Elena, 62, an engineer by training, presides over the chemical industry and is a member of the two highest party bodies, the Permanent Bureau and the Executive Political Committee. Elder Son Valentin, 32, is a physicist at Rumania's sole nuclear research facility. Daughter

Zoe, 29, is head of the mathematics department at the Henri Coanda Institute of Inventions. Son Nicolae ("Nicu"), 27, is secretary of the Union of Communist Youth.

Of Ceausescu's five brothers, Ilie is a major general, Ion is a deputy minister of agriculture, Marin is a counsel at the Rumanian embassy in Vienna, and Florin is a senior editorial writer for the party newspaper, *Scritoria*. His brother Nicolae (in Rumania, brothers sometimes have the same first name) is consul-general in Kiev.

Then there are the in-laws and lesser relatives. Last month the prime ministership was held by Manea Manescu, husband of Ceausescu's sister Maria. When he retired because of ill health, the job went to another brother-in-law, Ilie Verdet, husband of Ceausescu's sister Regina. Three other family members are Deputy Prime Ministers, including Elena's brother Gheorghe Petrescu; he is in charge of Rumania's arms-making industry.

Among Rumania's 21.5 million citizens, Ceausescu's family-fostering ways have stirred no great undertow of resentment. After all, nepotism is an old Balkan tradition and may be a small price to pay for a new one that Ceausescu himself has invented: keeping independent of the Soviets. In both areas Ceausescu has proved himself an adept.

Nicolae Ceausescu



THE ECONOMIST APRIL 7, 1979

All the president's men and women

Membership of the Ceausescu clan, it seems, has become an eventual prerequisite for getting on in Rumanian politics and business. The clan's chief (and the country's ruler since 1966), Nicolae Ceausescu, combines the offices of state president, general secretary (leader) of the party and commander-in-chief of the armed forces. His ambitious and able wife Elena, a chemist by training, sits with her husband on both the top bodies—the party's permanent bureau and the political executive committee, which also includes top ministers. She also runs the chemistry institute of the Rumanian Academy of Sciences in Bucharest. One of their sons, Nicu, has been secretary of the party's youth organisation, the Union of Communist Youth, since December, 1976. Their other son, Valentin, a nuclear physicist, is a "leading member" of the Maghurele Nuclear Centre. Their daughter, Zoe, a mathematician by

training, heads what used to be the mathematics section of the Henri Coanda Institute of Inventions (now attached to a ministry).

President Ceausescu's brother Ilie is a lecturer in history at the Rumanian military academy, where since 1977 he has held the rank of major-general. Brother Ion, an engineer by training, has since 1972 been deputy minister of agriculture. Brother Florin is a senior correspondent of the party daily *Scritoria*. Brother Maria runs the Rumanian economic agency in Vienna. Brother Nicolae (confusingly, same name as the president, but different man) is Rumania's consul-general in Kiev in the Ukraine.

One of President Ceausescu's sisters, Maria, is married to Mr. Manea Manescu, member of the top party bodies and, until his resignation on March 29th for health reasons, Rumania's prime minister. Another sister, Regina, is married to the new prime minister, Mr.

Ilie Verdet.

One circle farther out, one of President Ceausescu's nephews, Mr. Corneli Burtica, is minister of foreign trade and a deputy prime minister. Another nephew, Mr. Ion Ionita, used to be minister of defence and is now a deputy prime minister. Mrs. Ceausescu's brother, the president's brother-in-law, Mr. Gheorghe Petrescu, is state secretary in the machine-building ministry. And the father-in-law of the president's son Valentin, Mr. Janos Farcakas, is a deputy prime minister, minister of domestic trade and a member of top party bodies. Quite a family business.

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ROMANIA

**Forced Labor
Psychiatric Repression
of Dissent
Persecution of Religious
Believers
Ethnic Discrimination
and Persecution
Law and the Suppression
of Human Rights in Romania**

An Amnesty International USA Publication

ETHNIC DISCRIMINATION AND PERSECUTION: HUNGARIAN PRISONERS OF CONSCIENCE IN ROMANIA

I. Introduction and Summary

According to scholarly sources the number of ethnic Hungarians in Romania is between 2.4 and 3 million people, although official Romanian statistics published in 1977 put the number at 1.6 million.* Most of the Hungarian-speaking population is located in the region of Transylvania.

In recent years consistent reports have reached Amnesty International that members of the Hungarian minority who publicly complain about cultural and political discrimination or engage in cultural activities disapproved of by the authorities, are exposed to maltreatment, short term detentions and other forms of harassment. Some have been sent to forced labor camps or to psychiatric hospitals.

Despite constitutional guarantees concerning the equality under law of all citizens regardless of nationality, and the right of co-inhabiting nationalities to the "free utilization of their native language as well as books, papers, and magazines and education at all levels in their own language," a number of laws and decrees have been enacted which impinge on the cultural and religious heritage of the Hungarian minority.

The impact has been particularly noticeable in the field of education. In 1973 a law was passed which established a minimum of 25 pupils for elementary schools, and 36 for secondary schools in order for classes to be conducted in Hungarian rather than Romanian. As most of the Hungarian-speaking villages have less than 1,000 inhabitants, one-third of the Hungarian schools have since been closed. In addition, manuscripts, books and other documents in Hungarian kept by Hungarian

intellectuals, churches and other institutions of their community have been confiscated.

Other regulations, allegedly applied in a discriminatory way against Hungarian ethnics, concern banishment and allocation of manpower. During the past two decades the most frequent complaint of ethnic Hungarians has been that they are subject to especially harsh resettlement policies. Thousands of people have been removed from Transylvania and forced to settle in other parts of the country. The provisions of Decrees 24 and 25/1976, which allow the authorities to recruit or allocate manpower from one region of Romania to another, are presently being increasingly used to resettle members of the Hungarian minority.

The Hungarian minority in Romania has until very recently received little attention in the press, including the official press of the People's Republic of Hungary, which until 1977 was not allowed to comment adversely on the situation of Hungarians in Romania.

II. Relevant International and Domestic Guarantees for the Protection of Minority Rights and Freedom of Expression

Romania has ratified, signed or adhered to a number of international covenants, treaties and declarations which guarantee the rights of national minorities. These include the United Nations Universal Declaration of Human Rights, the United Nations Covenant on Civil and Political Rights, the Final Act of the Conference on Security and Cooperation in Europe, and the United Nations Convention on the Elimination of All Forms of Racial Discrimination.

All of these instruments provide safeguards for minority rights, that is, basic freedoms equivalent to those granted to

*The total population of Romania is estimated at 21.4 million people.

members of the national majority in addition to the right of national minorities to retain their distinct racial, linguistic or religious heritage. They proclaim the principle of legal equality of minorities as well as that of preservation and promotion of their racial, religious, and linguistic differences. Thus, if minorities are deprived of their cultural, religious or ethnic institutions, even though they benefit from all other rights guaranteed to members of the majority, by international standards, they are not regarded as enjoying full minority rights.

Article 2 of the International Covenant on Civil and Political Rights states:

Each State party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, property, birth or other status.

Article 27 of the International Covenant on Civil and Political Rights states:

In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own language.

Similar provisions concerning the right of minorities are laid down in the principles of the Final Act of the Conference on Security and Cooperation in Europe:

The participating States on whose territory national minorities exist will respect the rights of persons belonging to such minorities to equality before the law, will afford them the full opportunity for the actual enjoyment of human rights and fundamental freedoms and will, in this manner, protect their legitimate interests in this sphere.

The terms of these agreements bind those states that are party to them to prevent discrimination against minorities by national laws and practice.

Article 22 of the Romanian Constitution states:

In the Socialist Republic of Romania the co-inhabiting nationalities¹ are ensured the free utilisation of their native language as well as books, newspapers, magazines, theaters and education at all levels in their own language. In territorial-administrative units also inhabited by a population of non-Romanian nationality, all the bodies and institutions shall use the language of the respective nationality in speech and writing and appoint officials from its ranks or from the ranks of other citizens who know the language and way of life of the local population.

Article 28 of the Constitution states: "the citizens of the Socialist Republic of Romania are guaranteed freedom of speech, of the press, of assembly, of meeting and demonstration." Article 29, however, considerably restricts the above freedom by stating that "the freedom of speech, of the press, assembly, meeting and demonstration may not be used for aims hostile to the socialist system and to the interests of working people."

In fact, however, public criticism of official treatment of the minorities has in many cases been officially treated as "hostile to the socialist system and to the interests of the working people" and has resulted in persecution and criminal prosecution.

¹ In Romanian official language the Hungarian, German, Serbian, Slovak, Ukrainian, Jewish, Greek, Turkish and Gypsy minorities are referred to as "co-inhabiting nationalities."

III. Persecution of the Advocates of Hungarian Minority Rights

There have been frequent allegations that the Hungarian minority is deprived of the full enjoyment of their rights and subjected to official discrimination. During the past decade, a number of laws and decrees have been introduced which have tended to restrict Hungarian language education in Romania, put in question the future of the cultural and religious heritage of the Hungarian minority, discourage contact between members of this minority and citizens of the Hungarian People's Republic, and disperse the Hungarian minority.

Amnesty International is concerned that members of the Hungarian minority who have protested at such policies and legislation have been sentenced to terms of imprisonment and subjected to various forms of persecution.

For two decades the most frequent complaint by ethnic Hungarians in Romania has been that the authorities use various administrative measures, official decrees and other means, to force ethnic Hungarians to move out of the region of Transylvania, to other areas of Romania. It is alleged that members of the professions, such as engineers and medical doctors, as well as the "politically unreliable" have been especially subject to this treatment.

The Romanian authorities justify administrative resettlement by quoting the needs of the ambitious national economic plan. Romania has one of the fastest growing economies in Europe and to achieve this rapid industrialization, a mass resettlement of Hungarians was initiated after 1956. Since 1968 this practice has increased. Romanian citizens of Hungarian minority charge that this practice not only causes considerable hardship but also is applied with discriminatory severity to members of the Hungarian minority. Members of the Hungarian minority have further alleged that during the 1970's, as a consequence of new legislation and other factors, the number of Hungarian schools in Romania declined by one-third.

At present there are no Hungarian language universities in Romania. Three old Hungarian universities, Kolozsvár, Marosvásárhely and Szabón have Hungarian language facilities. Nevertheless, even here discrimination operates. In 1976 and 1977, 1,206 students enrolled at Kolozsvár University. Of these, 269 were members of the Hungarian minority, but only 20 students were allowed to attend lectures in the Hungarian language. The remaining 249 had to attend lectures in Romanian.

Particularly strong allegations have been made regarding the Csangos (a Hungarian sub-minority) of the Moldova. Whereas in 1958 there were still some 72 Hungarian language schools in the Csango region, today there are none. Ethnologists have recently predicted that the Csango minority are threatened with cultural and linguistic extinction, as a result of the Romanian government's discriminatory policies. Not only have the authorities closed down almost all the cultural and religious institutions that once operated in the Hungarian language, they have also forcibly resettled many of the Csango younger generation in other parts of Romania.

It has been reported that Csango parents speaking to their children in Hungarian in public have also been subjected to various forms of harassment. In 1974, Zoltan Kallos, a Hungarian musicologist from Transylvania visited the Csango region and tape-recorded Csango folk songs. He was subsequently arrested and sentenced to two years' imprisonment on charges of "homosexuality". Amnesty International adopted him as a prisoner of conscience after having received information that the charges were false. After considerable international attention, he was released a year before his sentence expired.

IV. Restrictions on Contact with Foreigners and Travel Abroad

Decree 225/1974 states that relatives of Romanian citizens, who are not themselves Romanian citizens, may not lodge

in Romanian homes, with the exception of members of the immediate family. Amnesty International has received reports that since the enactment of this law, hundreds of members of the Hungarian minority have been fined up to 15,000 Lei for allowing relatives from Hungary to stay in their homes. Moreover, it is reported that visitors to the Csango region have been returned to Hungary by the Romanian authorities and their hosts fined and threatened with forcible relocation to other areas.

Cultural and other contacts between members of the Hungarian minority and the People's Republic of Hungary is officially discouraged. There have been complaints by the Hungarian minority that newspapers and magazines from Hungary, which are not on sale in Romania, have been confiscated and that cultural exchange between the two countries is very limited.

During 1977, AI received reports that the number of ethnic Hungarians who applied for permission to travel to Hungary for prolonged visits exceeded the official limit of 1,000. Many of them were reportedly questioned, intimidated by the authorities, assaulted in public places by "unknown individuals" and/or pressured to withdraw their request. In other cases, ethnic Hungarians were unable to obtain passport application forms on the official pretext that these were out of print.

Under Romanian law, no one may leave the country without official permission. Hungarian minority members (and other citizens of the country) who have tried to leave after being refused such permission, have been imprisoned and in some cases confined in psychiatric hospitals.

V. Discriminatory Prison Treatment of Minorities

It is apparent from reports Amnesty International has received on prison conditions and the administration of penitentiaries, that members of national minorities, as a rule, are excluded from employment as prison guards or

other prison personnel. In all prisons in Romania, including those in Hungarian-speaking regions, the guards, political officers, and other administrators are exclusively non-Hungarian-speaking.

This also applies to maximum-security prisons such as Aiud, Gherla and Timisoara in Transylvania where during the last 30 years political prisoners have been held. In all of these prisons the official language is Romanian and Hungarian-speaking prisoners are forbidden by law to converse with relatives in Hungarian.

Reports by former prisoners of conscience allege that communication between fellow-prisoners in Hungarian was often made grounds for various forms of punishment, including long periods of solitary confinement (19 months in 1974-75 in Aiud prison, in one case known to AI), severe beatings, reduction of food rations, restrictions on letters and visits by relatives and, in a few cases, increased prison sentences. Attempts by Hungarian-speaking prisoners to complain about their treatment has led to further punishments.

Amnesty International is also concerned that in a number of cases relatives of POCs have been subjected to harassment and professional discrimination. The following account describes the treatment to which a POC of Hungarian ethnic origin was subjected while in prison.

Pal Keresztely was imprisoned several times during the 1960's and 1970's for publicly criticizing the official treatment of the Hungarian minority in Romania. In the early 1970's he made a number of attempts to cross the frontier without official permission, after the authorities had refused to consider his application for a passport. On each occasion, he was arrested and sentenced to imprisonment.

During the mid-1970's while detained in Gherla prison, he was held in a basement cell in solitary confinement for over six months. Allegedly his arms and legs were bound with chains weighing over 30 pounds, which were not removed, even during the night or when he wished to go to the toilet. Mr. Keresztely has alleged

that while in chains he was called a "Hungarian fascist," "irredentist pig" and told that he would soon be "eliminated". On a number of occasions, sewage from the cells above was allowed to flood his cell which was not cleaned out for some days. As a consequence, Mr. Keresztely suffered from a severe skin infection and had to be given intensive medical care.

In the autumn of 1977, shortly after his release from prison, Pal Keresztely left Romania without official permission.

VI. Amnesty International Cases

A number of persons who have criticized official policies have been detained. Some have been maltreated; some have died under mysterious circumstances or committed suicide.

1. KAROLY KIRALY

Karoly Kiraly, a Hungarian official in the Romanian Communist Party and, until 1975, a member of its Central Committee, sent three memoranda to high ranking Communist Party officials in the summer and autumn of 1977 accusing them of the forcible denationalization of minorities in Romania.

Karoly Kiraly's memoranda contained three principal criticisms which concern: (a) the elimination of Hungarian minority officials from governmental administration; (b) a similar elimination of Hungarians from the educational system and (c) the ineffective protection of the basic human rights of individual members of the Hungarian minority by Romanian law.

In February 1978, Karoly Kiraly was arrested after copies of his memoranda were published in the foreign press and began to circulate among members of the Hungarian minority. He and his family have been banished to Caransebes where he is under continuous police surveil-

lance and assigned to forced labor in a local saw mill.*

Amnesty International has recently received information to the effect that hundreds of apartments have been searched in Transylvania where many of the Hungarian minority live. Police and Securitate personnel have been searching for copies of the Karoly Kiraly memoranda and have reportedly detained for short periods a number of persons in whose possession copies were found.

2. ZOLTAN ZSUFFA

Zoltan Zsuffa is a lecturer in mathematics and physics at a college in Covasna. Since the beginning of the 1970's, he has spoken publicly on a number of occasions on issues relating to the elimination of the Hungarian language from schools in Hungarian areas. His first public statement in the spring of 1977, alleging a deterioration of minority rights in education, resulted in his arrest.

On 10 April 1977, Mr. Zsuffa was ordered to report to the Securitate headquarters in Sfantul Gheorghe. On arrival he was subjected to questioning by two Securitate officers, one called Captain Pop. He was accused of being a Hungarian "irredentist," and of inciting national hatred because he wrote his notes at college in Hungarian instead of Romanian. He was threatened with a military trial on charges of "anti-state agitation" and was asked to write a confession giving details of his alleged "irredentist" activities i.e. his favorable attitude towards the annexation of Transylvania (where most ethnic Hungarians live in Romania) by Hungary.

Mr. Zsuffa refused to write such a statement and reportedly stated that he had never engaged in any anti-state activities. Subsequently he was ridiculed by the two Securitate officers

*For additional information on the Kiraly case, see the chapter in this booklet on "Forced Labor in Romania."

because of his Hungarian origin and severely beaten by them with a rubber truncheon. He was then forced to sign statements about his "illegal activities." His house was searched and 28 volumes of Hungarian history published during the 19th century were confiscated.

On 3 May and 27 July 1977, Mr. Zsuffa was picked up by members of the Securitate and taken to the headquarters in Covasna, where he was again severely beaten and told that he would be "eliminated". Between fall 1977 and spring 1978, he was ordered by the Securitate to report to the local judicial authorities and was formally charged with "anti-state agitation" (Article 166 of the Romanian Criminal Code), and threatened with long years of imprisonment. This court hearing was postponed several times and Mr. Zsuffa was told by members of the Securitate in Covasna that he would be tried and sentenced as soon as Western public interest in his case declined.

According to recent reports, Mr. Zsuffa and his family are under constant surveillance and subject to what amounts to house arrest. He has been ordered to report regularly to the local Securitate headquarters and may not leave the town.

3. JANOS TOROK

Janos Torok, another member of the Hungarian minority, was confined to a psychiatric hospital in 1975. He worked as a technician in a textile factory in Cluj in the province of Transylvania until March 1975. During that month he spoke at a meeting of 2,000 fellow workers at his factory, prior to the election of regional representatives of the Romanian Grand National Assembly. While at the microphone he criticized the election system in the Socialist Republic of Romania.

He reportedly said that the candidates for the election were appointed by the Communist Party prior to the election. He also said that such candidates would not defend the interests of the workers at the factory or of those workers belonging to a minority. He appealed to

the workers present at the meeting to reject the "pre-appointed" candidates and instead to choose persons who would represent the workers at the factory and especially those of the Hungarian ethnic minority there.

Subsequently, Janos Torok was removed by force from the rostrum by members of the factory security guard and handed over to the state security police. According to eye witnesses, he was severely beaten up in front of fellow workers and suffered serious injuries to his face and head.

Shortly after his arrest he was interned in the psychiatric hospital of Dr. Petru Groza where he was injected with large quantities of drugs, including Plegomazin and Amital, for prolonged periods.

AI learned that Mr. Torok was released from the psychiatric hospital in the spring of 1978 after an international campaign was launched on his behalf. After his release he was ordered by the Romanian authorities to report regularly for checkups to the local psychiatric hospital.

4. BELA NISZLY

Bela Niszly, a pensioner living in Transylvania, was giving legal assistance, as a former lawyer, to members of the Hungarian minority in Romania who had formally submitted complaints to the authorities because they were being subjected to job discrimination or banishment to southern regions of Romania. In 1975, Mr. Niszly wrote to various Romanian authorities alleging that the house which he and his wife had legally inherited had been confiscated and illegally given to a non-Hungarian-speaking family. The police subsequently threatened Mr. Niszly with psychiatric hospitalization if he did not withdraw his complaints.

Mr. Niszly, in spite of numerous warnings from the state security police, continued to complain about official discrimination because of his Hungarian origin and was arrested in 1976. He was confined to the psychiatric hospital of Dr. Petru Groza and diagnosed as suf-

In 1975, Mr. Busa and his mother, who is employed at the railway station in Lugoj, applied for permission to leave the country. When this was refused Mr. Busa attempted to cross the frontier illegally. He was arrested and subsequently released after serving a sentence of imprisonment for trying to leave the country without official permission.

In 1978, Amnesty International received information that Mr. Busa was again sentenced to a term of imprisonment for attempting to cross the frontier illegally. AI has received no information about his trial nor the length of his sentence, but he has apparently not yet been released from prison.

8. SOPRA SFERDIAN

Sofra Sferdian is a Baptist believer, of Hungarian origin, from Arad. In April 1978, he applied for permission to leave the country but this was refused. He was arrested immediately afterwards, interrogated and allegedly severely beaten by members of the state security police causing internal injuries.

After writing a number of letters to foreign politicians alleging religious and national discrimination Mr. Sferdian was arrested again in July 1978 and subsequently sentenced to 6 months' imprisonment.

9. MR. DORBAS, ADALBERT DEMETER AND LAZAR BONDRICS

Mr. Dorbas (whose first name is not known to AI) and Mr. Adalbert Demeter, both members of the Hungarian minority, were directly involved in the group of miners who compiled and delivered a petition for the improvement of working and material conditions of the miners in the Jiu Valley to Romania's political leadership in the course of the strike of 30,000 miners in August 1977. As a result, Messrs. Dorbas, Demeter, and Bondrics were among persons who have either

been assigned to forced labor camps in the Danube-Black Sea canal, the Danube delta area or other parts of Romania.*

Amnesty International has also received information concerning the following two cases. Lajos Kuthy, a senior Hungarian teacher from Brasov, died under mysterious circumstances in 1976. Prior to his death, he had visited numerous Hungarian homes, collecting signatures for a petition asking for Hungarian-speaking classes in the Brasov region. Although there are at present approximately 100,000 Hungarian-speaking inhabitants in this region, only two Romanian schools provide teaching in Hungarian.

Mr. Kuthy was found shot dead in a forest near Brasov after being detained, interrogated, and severely beaten by members of the state security police. Requests by friends and relatives for an official inquiry into his death were met with threats of imprisonment by members of the state security police (the Securitate).

Jeno Szikszai, also a teacher from Brasov, was picked up by members of the Securitate during the spring of 1977. He was accused of persuading parents of ethnic Hungarian pupils to protest against the elimination of Hungarian-speaking schools in the Brasov region, and to enroll their children in Hungarian schools elsewhere rather than in Romanian schools.

During interrogations, he was severely beaten by Securitate officers, in particular by a Lieutenant Dan Nicolescu. After an interrogation, Mr. Szikszai committed suicide. In a letter to his family, he accused the Romanian authorities of "mentally and physically torturing him."

*For additional information on the Jiu Valley strike, see the chapter in this booklet on "Forced Labor in Romania."

fering from "senile dementia" although, according to his friends, he had never suffered from any form of mental illness.

Information received by AI at the beginning of 1978 alleges that Bela Hiszly's wife has been harassed and threatened with imprisonment because of the numerous pleas she has sent to various Romanian officials on behalf of her husband.

5. MR. SIMA

Mr. Sima (whose first name is not known to AI), who taught Hungarian-speaking classes at the high school in Fagaras, was forcibly interned in a psychiatric hospital in 1976. His internment took place after he had voiced criticism of official attempts to encourage pupils to enroll in Romanian, instead of Hungarian-speaking, classes, and to pressure Hungarian teachers into avoiding references to Transylvania's former status as a Hungarian principality.

Mr. Sima was interned in Margescu hospital in Brasov on the basis of Article 114 of the Criminal Code. He was reportedly injected with large doses of Plegomazin over periods lasting up to a few months.

It has since been reported that he was released in 1977 but under Article 113 of the Criminal Code, he is obliged to report for regular psychiatric checkups at the local psychiatric hospital. He has not been allowed to resume his teaching post and is under constant surveillance by the state security police.

6. JANOS SZABO*

According to reports received by Amnesty International, Janos Szabo has been subjected to harassment since the beginning of 1975 because of his criticism of the official treatment of the Hungarian minority in Romania. During 1977 he circulated two documents, once called Manifesto for Humanity and the other A Country of Laughter. In these docu-

ments, he alleged official discrimination against the Hungarian minority in Romania and denial of freedom of expression.

In the spring of 1977 Mr. Szabo sent a letter of support to dissident writer Paul Goma, who had initiated a human rights appeal in January 1977 to the 35 signatory states of the Final Act of the Helsinki Conference on Security and Cooperation in Europe in which he criticized human rights violations in Romania. The letter was apparently intercepted by the Romanian authorities and Mr. Szabo was arrested and detained for a period of two months. During his imprisonment he was subjected to severe beatings, threatened with death, and had his head shaved by security police officers. After his release Mr. Szabo publicly expressed sympathy in the fall of 1977 with Karoly Kiraly's criticisms of the treatment of the Hungarian minority in Romania.

AI received information early in 1978 to the effect that Janos Szabo had again been arrested and sentenced to a term of forced labor under Law Decree 25/1976 which states that "persons who refuse to take up employment or to follow a course of training and continue to lead a parasitic way of life, shall be obliged by court order to work for a year on a construction site." According to information received by AI, Mr. Szabo has never led a "parasitic life" or refused to work.

It appears that he was sent to a forced labor camp on the Danube/Black Sea canal. However more recent reports suggest that he may have been sentenced to a term of psychiatric confinement.

7. TIVDAR BUSA

Tivdar Busa is an artist who for several years belonged to a group of young Hungarian intellectuals in Lugoj and Timisoara (both towns in Transylvania). The group consisted of a few artists whose work was officially banned as it was not, according to the official view, "devoted to total national participation in patriotic work and it lacked revolutionary character."

*Adopted by a US group.

Senator MOYNIHAN. And now we are to hear from Mr. Niculescu, who is chairman and president of the American-Romanian Cultural Foundation.

Mr. Niculescu, we welcome you to the committee.

Mr. NICULESCU. Thank you, Mr. President.

Senator MOYNIHAN. Perhaps you would have the kindness to introduce your colleague.

STATEMENT OF B. NICULESCU, CHAIRMAN AND PRESIDENT, AMERICAN-ROMANIAN CULTURAL FOUNDATION, INC., ACCOMPANIED BY THAD LEMPICKI, VICE CHAIRMAN, AMERICAN-ROMANIAN CULTURAL FOUNDATION, INC.

Mr. NICULESCU. Mr. Chairman, my name is Mr. Barbu Niculescu and I am honored to have this opportunity to testify as chairman and member of the American-Romanian Cultural Foundation. I have brought with me also our vice chairman to assist me on this occasion. But I will present the testimony of our foundation.

Senator MOYNIHAN. And your vice chairman's name, sir?

Mr. NICULESCU. Yes, Mr. Thad Lempicki. He is an American-born person of Polish extraction. He has nothing to do with Eastern Europe. He has no relatives. They have been killed during the Germans. But he has a great interest in the Eastern European countries.

It is with great honor and sincere personal conviction that we again join with the President of the United States, distinguished members of various agencies and others in recommending continuation of the waivers permitting most-favored-nation trade status for Romania. Our organization is formed of, I would like to say, very prestigious people.

We have great American intellectuals from practically every university in this country. Ph. D. professors are members of our foundation, over 230 of them. All of the scholarships of our Senator Fulbright, in number of 22, are all members of our foundation.

We have also different people like Mr. Hammer. Dr. Armand Hammer is a member of our foundation. We have Dr. Palade who is a Nobel Prize laureate. We have Rabbi Schneier, who I remember you had a speech at his Appeal of Conscience Foundation. I am a member of his committee.

As in past years, we also recommend the provision whereby the waiver of the most-favored-nation trade status be granted for a 5-year period, providing recipients successful performance under the 1-year provision is recognized for 3 consecutive years.

The basis for our recommendation in support is the proven and documented prior 4-year performance by Romania to the letter and spirit of the Trade Act as amended by the Jackson-Vanik amendment. We also recognize Romania's very satisfactory performance under various other commercial agreements with America here.

I must add that there is not one agreement with Romania in the United States which was not respected. In addition to the above, we also properly recognize and appreciate the results that have been realized during the past 4 years of relations between America and Romania under most-favored-nation and other agreements.

These are, briefly, as follows, and are well-documented and recognized to all concerned. Despite adverse pressure and criticism by its

neighbors, Romania bravely accepted most-favored-nation under the Jackson-Vanik amendment, and by 4 years of performance, proved that this American international policy can work and benefit all concerned.

As far as Romanian emigration is concerned, Romania is the only country among the political socialist countries in Eastern Europe which has the greatest number of emigration among all other nations. We had almost 800,000 ethnic Jewish people, and they all left Romania, except 37. And this fact has been proved to other Jewish international organizations. They are willing to let them go any time they want. That is not a problem.

The chairman of the committee also read the letter, which has been published in the New York Times twice. It is very clear that Romania does not have any kind of desire to embarrass anybody. What we don't understand is the fact that Romania being a country with a complete political, social, and economical structure, and in the course of development has fulfilled there obligations. The education is paid by the government. They prepare people to build the country, because after the Russians left and Romania became an independent sovereign country they never played the game of the Warsaw Pact, they didn't allow any maneuvers of the armies, which they were obligated to do according to the Warsaw Pact. They didn't allow even that, so the Russians had to move around Romania. They didn't want to have a conflict like they had with Czechoslovakia or with Berlin or with Budapest or with Potsdam or with Poland.

So they realized that this is not the moment to start trouble with Romania. So the wise politician, Nicolae Ceausescu from Romania, the President, took advantage of it, put his foot down, and said I am independent and I am the master of my house.

So in view of these facts, the result of the most-favored-nation will reach, in 1980, \$1 billion. Every American business organization is very happy. There is no complaint registered in the Commerce Department. We keep a very close eye on Romania. We are an American organization but we are with the purpose of strengthening the friendship and relationship between Romania as a Socialist country with a capitalist free society, America, and we want to prove that the American legislation was the smartest thing as a basis for American foreign policy to modify the Trade Act which introduced the amendment of Jackson-Vanik for human rights.

They cannot officially put it in writing because next door is Russia and there would be a suicide. But they can do it because they proved to let 150,000 Germans to go to Germany, 400 Jewish people to go to Israel and other parts, and other nationalities and other Romanians who claimed to be imprisoned for some reasons. And because of our foundation, we told them that human rights has to be respected.

So people have been allowed to leave the country. For example, the great historian of Romania. He was critical about the government. The government published his book and he is now a scholar of Woodrow Wilson scholarship in this country in Washington at the Smithsonian Museum.

Senator MOYNIHAN. If I may say, I was chairman of the board.

Mr. NICULESCU. He had a chair at Columbia University, for your information, sir, because you are a special type of intellectual which I admire highly, and therefore I think you will be interested.

Senator MOYNIHAN. I am aware of this gentleman.

Mr. NICULESCU. He is young. He is about 42 or 43 years old, a great historian.

Balance of payments has always been in favor of the United States. American jobs are not lost to Romanian goods but expanded and preserved by trade with Romania. Exchanges in scientific and other technical areas of mutual benefit to both countries. The stability of the Romanian economy is of great benefit to American business.

Opportunity and diversification of opportunity available to Romania.

Of greater importance than all of this, most-favored-nation is intended to help strengthen Romania's economy and encourage Romanians to become more independent and play a greater role in international activities. For example, it has helped significantly to reinforce Romania's sovereignty as a nation and to assure continuation of Romania's freedom from domination by other nations.

Of many actions by Romania in past years, the recent refusal to follow the Moscow dictates at the Warsaw Pact meeting to increase military expenditures illustrates Romania's independence. Romania's recent cutback in the military budget and its many actions such as its role in helping to establish the Middle East Peace Treaty. The President of Egypt, Sadat, said:

My friend Ceausescu—he went to Ceausescu to ask if he can believe Mr. Begin first before he talked with Mr. Begin—told me that I can trust him.

We would like to summarize by asking everyone to recognize Romania's many contributions to world peace and progress and that Romania has proven beyond any doubt that it is a true and valued friend of America. Most-favored-nation has helped to bring both nations closer together in many ways, and with continued extension of most-favored-nation, Romania will continue to benefit America, Romania, and all mankind.

I thank you very much.

Senator MOYNIHAN. I thank you so much, Mr. Niculescu.

Let me ask you one question. We must keep on schedule. There has been considerable emigration from Hungary to Israel, and a lesser but probably just as significant movement to West Germany, which the West German Government, the Federal Republic, has helped finance.

The situation in Transylvania. Is it possible that Hungarians migrate freely, ethnic Hungarians, migrate freely to Hungary?

Mr. NICULESCU. They are invited to go to Hungary if they want to. They don't.

Senator MOYNIHAN. They want to stay in Transylvania?

Mr. NICULESCU. They want to stay there. They have a better life in Transylvania because the Russians are not there.

Senator MOYNIHAN. Well, that is important. To go where the Russians are not is not the worst principle in central Europe, I suppose, and yet there remain these questions of language and university access.

Mr. NICULESCU. Yes. We heard enough about this story, which is absolutely untrue. If it is true what is claimed, Romania is persecuting the Hungarians, how does it happen that there are so many publications in Hungarian, so many schools in the Hungarian language? It depends upon the density of the population, and the country should have a national language like in this country.

I cannot come to the State Department speaking Romanian or asking the American authorities to learn my language.

Senator MOYNIHAN. If you come to the Department of State and speak Romanian, you will be very welcome. [General laughter.]

We won't settle that question, I know.

Mr. NICULESCU. The problem is very old, Your Honor. It is over 1,000 years old when the first king came in power. Hungarian people are tribes from Mongols and from Siberia, two tribes, and they started moving their tribes on the back of the horse. They started going into Bessarabia, a part of Romania. They were stopped. They went into Bulgaria, were pushed back in Romania, and Romania pushed them back into Puszta, into the prairie of Hungary, and they set down over there because they had food for the animals. This is where they established their country. They are the same family with the Finnish people.

Senator MOYNIHAN. That is the history as I understand it.

Thank you very much, sir.

Mr. NICULESCU. Thank you.

[The prepared statement of Mr. Niculescu follows:]

STATEMENT OF BARBU NICULESCU, REPRESENTING THE AMERICAN-ROMANIAN CULTURAL FOUNDATION

SUMMARY STATEMENT

Mr. Chairman and distinguished members of this important Subcommittee. It is a great honor to have this opportunity to present our recommendations and to testify on the subject of further extension of MFN trade status to Romania. We sincerely appreciate your invitation and this opportunity to be here today.

I am Mr. Barbu Niculescu and am honored to have this opportunity to testify as Chairman and President of the American-Romanian Cultural Foundation. Our offices are at 6 East 80th Street, New York, N.Y. Our Foundation's membership and friends consist of distinguished Americans with various backgrounds and from fields of Science, Education, Business, etc. We all share a common interest in America's international relations with all nations and especially those expanding relations with Romania. I and the Foundation were among the first to support and testify on behalf of MFN for Romania in each of the hearings held in past years.

It is with great honor and sincere personal conviction that we again join with the President of the United States, distinguished members of various agencies and others in recommending continuation of the waivers permitting MFN trade status for Romania. As in past years, we also recommend the provision whereby waivers and MFN trade status be granted for five year periods provided recipients successful performance under the one year provision is recognized for three consecutive years.

Basis for our recommendation and support is the proven and documented prior four year performance by Romania to the letter and spirit of the Trade Act as amended by the Jackson-Vanik Amendment. We also recognize Romania's very satisfactory performance under various other commercial agreements with America.

In addition to the above, we also properly recognize and appreciate the results that have been realized during the past four years of relations between America and Romania under MFN and other agreements. These are briefly as follows and are well documented and recognized by all concerned:

1. Despite adverse pressure and criticism by its neighbors, Romania bravely accepted MFN under the Jackson-Vanik Amendment and by four years of performance proved this American international policy can work and benefit all concerned.

2. *Emigration has increased.*—Various American government statistics and findings prove such increases have materialized.

3. *Trade has significantly increased each year since MFN was granted and should reach \$1 billion in 1980.*—This level would have been realized much earlier but was delayed by the ravages to the Romanian economy resulting from the recent major floods and earthquake. However, it should be noted that the increases have been significant and reflect a steady trend.

4. *Balance of payments has always been in America's favor.*—Such balance of payments have also been significant in amount. A favorable balance to America is expected to continue well into the future. While narrowing toward parity, the 1978 trade level of approximately \$840 million provided America with a favorable \$50 million balance of payments (Romanian statistics). American statistics for 1978 presently reflect a questionable \$29 million unfavorable balance of payments which appears unexplainable and doubtful in its accuracy. Regardless of the statistical bases and rules utilized in developing this factor, it is expected that the favorable balance of payments to America will continue for many more years into the future.

5. *American exports to Romania are primarily from depressed industries and agriculture where surplus persists.*

6. *American imports from Romania are primarily in fuels and raw materials which are normally in short supply in America.*—Romania has always responded to America's petroleum crisis by increasing its production and shipping large quantities to America to help alleviate America's shortages and problems in this area.

7. *Excellent and improved atmosphere for American business in Romania.*—With cooperation of American representatives, Romanian laws are continually being rewritten to protect and encourage American Businessmen to invest in doing business with Romania. Not one known case of patent infringement, appropriation of assets or any other major problem is known to exist.

8. *American jobs are not lost to Romanian goods but expanded and preserved by trade with Romania.*—Imports from Romania were primarily of raw materials in short supply and availability had the effect of preserving jobs by avoiding shut-downs and cutbacks and in some instances, permitted expansion of industries which also created more jobs for Americans. Exports to Romania naturally created and preserved jobs for Americans. It should be noted that exports account for 1 out of 5 jobs in American industry.

9. *Exchanges in scientific and other technical areas of mutual benefit to both countries.*—Especially those working toward resolution of common problems such as energy.

10. *Stability of Romanian economy of great benefit to American business.*

11. *Opportunity and diversification of opportunity available in Romania.*

12. *Of greater importance than all of the above, MFN as intended helped to strengthen Romania's economy and encouraged Romania to become more independent and play a greater role in all international activities.*—It has helped significantly to reinforce Romania's sovereignty as a nation and to assure continuation of Romania's freedom from domination by other nations. Of many actions by Romania in past years, the recent refusal to follow the Moscow dictates at the Warsaw Pact meeting to increase military expenditures illustrates Romania's independence. Romania's recent cutback in the military budget and its many actions such as its role in establishing the Middle East Peace Treaty all testify to Romania's policy of helping the world maintain peace.

We would like to summarize by asking everyone to recognize Romania's many contributions to world peace and progress, and, that Romania has proved beyond any doubt that it is a true and valuable friend of America. MFN has helped to bring both nations closer together in many ways and continued extension of MFN to Romania will continue to benefit America, Romania and all mankind.

DETAILED STATEMENT

Mr. Chairman and distinguished members of this subcommittee, the following detail discussion is presented to further support our recommendations that Romania's performance clearly and completely justifies all extensions of MFN and any other actions that can be taken by America to support and encourage Romania's valiant struggle for independence and peace.

The basis for our overall support and recommendation is the proven and documented outstanding four year performance by Romania to the letter and spirit of the Trade Act with the demanding Jackson-Vanik Amendment and all other commercial agreements between America and Romania. Everyone must recognize that four years of successful performance by America and Romania did much more than generate significant benefits for each country. It proves to the world that this new type of American policy and international relationship can work and therefore is a great step forward for all mankind. It proves that two countries with significantly

different forms of government, history, cultures, etc. can successfully cooperate and work together for the mutual benefit of not only their own people but for all people of the world. It clearly proves that cooperation and not confrontation is possible in all situations provided the parties are sincerely committed to and respect their commitments to and each other, are willing to enter into and maintain frank and open dialogue and are willing to work toward resolution of even the most sensitive of problems.

We cannot pass over the fact that the Jackson-Vanik Amendment was really one of America's first steps to formally incorporate concern for human rights into our foreign policy and was precedent breaking in international relations. Romania was the first and at the time the only world nation willing to accept this new American policy and essentially by doing so also recognized this as her policy. Our own State Department's representative in the 1978 hearings expressed this when saying "it is worthwhile to remember that Romania was the first country to enter into a trade agreement with the United States under the terms of the Jackson-Vanik Amendment to the Trade Act of 1974. Romania took this step at a time when Soviet opposition to this amendment was abundantly clear. Without that Romanian initiative, it is highly doubtful whether even by now any other country would have followed suit".

We believe that Romania's initiative in acceptance and the following years of successful performance by both America and Romania under these terms resulted in encouraging greater incorporation of concern for human rights into all of America's policies and it is an American action that we sincerely and totally support. Results from these four years of performance clearly support the importance and need for such policies throughout America's activities with all nations.

Emigration was the first specific human right formally identified and incorporated into America's international policy the Jackson-Vanik Amendment and we sincerely believe that Romania's performance in this area clearly satisfies and meets all requirements and expectations.

Our State Department and other departments have proven that emigration from Romania has significantly increased since MFN was granted to Romania. Having an open and frank relationship between the two countries enabled America to bring forward, discuss and resolve with Romania those special cases that always fall out whenever any particular area is regulated by any government agency. Emigration is no exception to this rule and neither is Romania an exception.

However, regardless of the claim and interpretation, it must be recognized that emigration is working and increasing in Romania and that special cases brought to the attention of the American government must represent a very small percentage of the large number permitted to emigrate from Romania. It is also clear that these cases are being resolved and that while some take longer due to complexity of the case, others are resolved relatively quickly. The American government recognizes and gives Romania credit for being receptive to open and frank discussions of special cases with American representatives and to mutually work together toward resolution of these problems.

The most important fact documented by American agencies is that the Jackson-Vanik Amendment is working, special cases are being resolved and that overall emigration has increased since MFN was granted.

We must properly and fairly recognize that Romania has always permitted emigration as part of its national policy and that the doors to emigration have never been closed. Romania's past history in emigration proves this to be a true fact. This is especially proven when it is recognized that prior to MFN Romania permitted nearly 400,000 Romanians of Jewish Faith to emigrate to Israel. America's new policy based upon the Jackson-Vanik Amendment served to further open these doors of emigration and establish a cooperation between America and Romania that would lead to assurances such doors would never be closed and that improvements in conditions, policies and procedures would serve to permit higher levels of emigration to exist in Romania.

We must also properly recognize Romania's other efforts in the human rights area and its significant progress during the years since Romania gained its independence. America also played a part in this effort. What must be accepted is that Romania's efforts in past years were to effectively satisfy basic human needs (rights) and that such progress would be on a priority basis due to meager resources available in this developing country. We will all agree that human rights such as elimination of starvation; availability of proper diets, medical care, education, housing, clothing and other basics demand priority and must be satisfied as quickly as possible. Americans will agree that Romanians have a standard of living that is relatively very low in comparison to other countries but what only few Americans

realize and accept is the fact that the Romanian people are presently enjoying the highest standard of living they ever were able to enjoy. There is no doubt that it should in today's society be much higher, that they are striving for such improvements and that one of the objectives of MFN was to help achieve such goals in countries such as Romania.

We realize that constructive and permanent change takes time and have enough examples here in America alone to support this age old fact. The same is true in our relationship with Romania and what we are striving to achieve. We must not let ourselves be misguided into thinking that overnight curealls exist. If we pursue such an unrealistic course of action, we will not only stop all future progress from materializing but will also reverse much that has already been accomplished worldwide. It is not being insensitive to strive for progress and to not recognize a few exceptions as being representative of the whole situation.

To summarize our position on the emigration segment, we join with the State Department and others in the conclusion that emigration is working, has increased overall since MFN, that additional progress is being made to assure continuation of these favorable trends and simplification of Romania's policies and procedures are being incorporated in this most sensitive area. Therefore, there is no justification to recognize emigration as an area that warrants delay or even deferral in extension of MFN status to Romania in future years.

We do feel it necessary to stress our position that we consider each and every special case in the emigration and any other rights area to be important and that no case is of greater importance than other cases that are pending resolution. We sincerely encourage and support prompt discussion, processing and resolution of all cases and efforts to be made to remove the sources that result in such special cases falling out of the overall emigration policy and operation. Our position is identical to that of our government and to construe otherwise is completely incorrect and far fetched.

The second major area of concern under the MFN agreement is the status and progress of trade between Romania and America. This has proven to be an area that because of MFN reflects significant growth and resulting major benefits to both America and Romania. There are no known major problems or violations by Romania in this particular area and any instances where Romania was not in full compliance with its commitment under the MFN trade provisions.

The record includes numerous testimonies on this subject and it is worthy to note at this time the very recent statement made by Secretary J. Kreps who declared that "The economic relations between the United States and Romania have been excellent at all times. I can say that the United States is very satisfied with the continuous economic gains between our two countries and that we appreciate the stability of the Romanian economy, and have all the reasons to believe that these economic relations will steadily increase in the future".

The satisfactory performance of Romania not only justifies continuation of MFN status but also justifies extension of waivers and MFN from one to five year increments. A five year increment would be granted to any recipient who proved successful compliance with American policy in each of three successive one year increments of MFN. We recognize the value of one year increments but also recognize that after three years of proven compliance, this value reverses and becomes a restriction on further expansion of the trade the Trade Act is designed to encourage. American businessmen are ready to make long term commitments in Romania but feel that one year increments are a preventative for such action.

The following briefly highlights those major benefits generated by MFN trade status and resulting trade with Romania. All necessary statistics are well documented and made available by our government and we therefore feel it unnecessary to repeat them here. Especially since they are included in the printed record of these hearings.

1. *Trade has significantly increased each year since MFN was granted and should reach the \$1 billion level in 1980.*—This level would have been reached earlier but was prevented by the ravages to the Romania economy arising from the recent major floods and earthquake. However, it should be noted that increases have been significant and reflect a steady trend.

2. *Balance of payments always significant and always in America's favor. Also expected to remain in America's favor in the future.*—While narrowing toward parity, the 1978 trade level of \$840 million provided America with a favorable balance of payments of \$50 million (Romanian statistics). American statistics indicate a favorable balance of payments to America of \$29 million. Regardless of source and rules for developing the statistics, all consistently identify the balance of payments as being in America's favor.

3. *American exports to Romania are primarily from depressed industries and agriculture where surplus persists. American imports from Romania are primarily in fuels and raw materials which are normally in short supply in America.*—Romania increased its petroleum product shipments when OPEC invoked its embargo and such increases were sent to the United States to help relieve the crisis.

4. *Excellent and improved atmosphere for American business in Romania.*—Laws are always being rewritten in cooperation with American representatives to protect and encourage American businessmen to invest in doing business with Romania. Not one known case of patent infringement, appropriation of assets or any other major problem is known to exist.

5. *American jobs not lost to Romanian goods but expanded and preserved by trade with Romania.*—Imports were primarily in raw materials in short supply and availability had the effect of preserving jobs and creating additional jobs in industries suffering these persistent shortages. Exports to Romania naturally created more jobs. It is worthy to note that exports account for 1 out of every 5 jobs in American industry.

6. *Exchanges in scientific and other technical areas of mutual benefit to both countries.*—Especially those working toward resolution of common problem areas such as energy.

7. *Stability of Romanian economy of great benefit to American businessmen.*

8. *Opportunity and diversification of opportunity available in Romania.*

9. *Romanian and American companies joining together in expanding trade in other world markets.*—Mutual benefits.

10. *Improves standard of living and aids in reducing/controlling inflation.*

The above clearly and obviously support extension of MFN to Romania for many years. Providing MFN status for periods greater than the present 1 year waiver, results in greater benefits to both countries.

All the above and more benefits generated by trade under MFN status have been accepted by all experienced and objective observers and well documented in these hearings and other places. There is no doubt that MFN had a very favorable effect in significantly improving trade and clearly warrants further extension to Romania.

MFN also achieved many other purposes that it was designed for. Among these are bringing Romania further out into the free world and by encouraging trade and international relations with America, also encouraging greater trade and relations with all western nations. It has undoubtedly been successful as approximately 60 percent or more of Romania's international trade is now with western nations and that with eastern European nations has decreased substantially.

MFN also served to establish dialogue on many subjects other than emigration and trade. Such dialogue has been successful in many ways and has served to benefit both countries as well as all mankind.

It is also proper and justified that we recognize and give credit to Romania's support of America's efforts worldwide to relieve tensions and strive to establish and maintain peace. Many of these efforts do not receive publicity and for very very valid reasons. However, some publicity was given to the major and key role played by Romania's President N. Ceausescu in initiating, maintaining and bringing the recent Middle East Peace Treaty to a successful conclusion. This recognition was given by the leaders from America, Israel and Egypt.

MFN encourages and preserves Romania's independence and permits this independence loving country that is by performance proven to be committed to peace, detente and disarmament and also a nation that can be trusted to be utilized by nations worldwide as a counselor in times of great difficulty. These qualities resulted in Romania's being asked for counsel and then its role in the Middle East evolved because of these very same reasons. The United States follows a similar policy and there is clear need for each other to mutually support the other's efforts and capabilities in these peaceful pursuits. America especially needs such a friend in Eastern Europe.

We must recognize that Romania obviously follows its course on disarmament and detente. This is consistently done as proven by the Romanian rejection of Moscow's recent declaration to have all Eastern European nations increase their arms budgets and expenditures. Romania's stand was brave and resulted in others leaning in the same direction and not merely accepting without contest the Soviet declaration to spend more on arms.

An April 13, 1979 announcement at the United Nations General Assembly served to further prove Romania's commitment to disarmament and peace. It was announced and entered into the official UN record that Romania had made a significant reduction in its arms budget and expenditures effective March 1, 1979 and that

this entire arms cut was transferred to increase the budget and expenditures for child care.

Another area that should be properly recognized is Romania's stand at Helsinki which is completely opposite to that of the Soviet Union. In addition, Romania played a very crucial role in bridging the differences between the Soviet Union position and that of western nations with the result being the Helsinki Accords which all recognized and signed.

We must also recognize the fact that Romania was one of the first nations and the only Eastern European nation to formally recognize Israel, establish full diplomatic and other relations and maintain these relations uninterrupted for all these many years. Romania also regularly works with Israel in resolving special cases in emigration to Israel in the same manner Romania cooperates with America on those special cases brought to Romania's attention by America.

There are numerous other documented and proven actions and contributions to world peace and for mankind's overall benefit. However, we feel that these are as well known to every official and private individual and group that is interested in these activity areas and is willing to spend the time and effort to stay abreast of all possible information on this entire subject.

In summary, we feel that the documented evidence and conclusions by American government and non-government sources is overwhelmingly in favor of extension of MFN trade status to Romania. We also feel that further extension of MFN is also testimony to all other nations that America's new policy will continue to remain in force and will work in the future. Extension is also America's testimony to the world that the United States will always respect and meet its commitments to any nation that will work with America in the execution of her international policy directed toward peace, cooperation, human rights and the overall well-being of all mankind. It is also proof that cooperation and not confrontation results in permanent gains and that such cooperation does not require massive grants/gifts of American dollars to secure. In the case of Romania, no massive grants/gifts were made by America but to the contrary, all that was given was trust, confidence and cooperation in providing opportunities which returned significant monetary and non-monetary benefits to each nation and all mankind.

Senator MOYNIHAN. We have a panel next, consisting of Mr. Istvan Gereben, who is the executive secretary of the Coordinating Committee of Hungarian Organizations in North America, accompanied by Mr. Louis Lote. Mr. Lote is President of the Committee of Transylvania?

Mr. LOTE. It is supposed to be "on."

Senator MOYNIHAN. All right. The Committee on Transylvania, Inc.

Gentlemen, good afternoon. As is our practice, we will hear from the first witness listed, Mr. Gereben.

STATEMENT OF GAZA A. KATONA, FOR ISTVAN GEREBEN, EXECUTIVE SECRETARY, COORDINATING COMMITTEE OF HUNGARIAN ORGANIZATIONS IN NORTH AMERICA

Mr. KATONA. My name is Gaza A. Katona, Mr. Chairman. As an executive officer of the Washington chapter of the Hungarian Freedom Fighters Association, I am representing Istvan Gereben.

Senator MOYNIHAN. You are representing Mr. Gereben? Forgive me.

Mr. KATONA. Yes. He is temporarily on assignment out of the country and has asked me to present this statement on his behalf.

Senator MOYNIHAN. Please do. Would you like to put it in the record? It is a lengthy statement. We would welcome that, and you could summarize it.

Mr. KATONA. Yes. I would like to excerpt a few statements in regard to our particular views on the subject at hand.

With respect to Romania, we presented our views in our testimony submitted to this subcommittee last year. We opposed the con-

tinuation of the waiver applicable to the Socialist Republic of Romania. Our testimony was based upon undisputable documentation of the violations committed by the Romanian Government against the basic human and nationality rights of Hungarians living in Romania.

This year, the Committee of Transylvania, Inc. and the Committee for Human Rights in Romania in their statements submitted an update of the situation of Hungarians in that country. We fully support those statements and their conclusions. Since there are no appreciable changes observed in the treatment of Hungarians in Romania, we oppose the approval of the extension of authority under the Trade Act of 1974 to waive the freedom of emigration requirements under section 402 and for continuation of the waiver applicable to the Socialist Republic of Romania.

With respect to Hungary, we would like to call the attention of this subcommittee to events which occurred in the past year and having direct effects on the subject before the subcommittee today. Our views presented on May 9, 1978 to this subcommittee on the subject of extending nondiscriminatory treatment to Hungary was based primarily on the claims by the President, his advisors and officials of the State Department that the execution of the Trade Agreement with the People's Republic of Hungary will benefit the Hungarian people.

No such benefit could be recognized by us during the past year. In fact, the increase of indebtedness of Hungary cast shadows on the economic future of the Hungarians. Trade between the United States and Hungary did not increase appreciably. Economists cannot identify specific changes in the volume, type and quality of goods traded by the two countries which could be attributed to the granting of MFN to Hungary.

The slight increase of export by the United States to Hungary resulted in the enlargement of the deficit in Hungarian balance of payments. MFN did not generate an upsurge in the formation of joint ventures and the increase in the influence of the personnel, management and wage policies of the enterprises operating in the market economy.

Our conclusions and recommendations. Granting MFN status for Hungary in 1978 has not yet resulted in the substantial promotion of the objectives of section 402 of the Trade Act as the President determined in his message to Congress in April of 1978 that it would.

The new laws implemented since that time did not change substantially the immigration policies of the government in Hungary. As a matter of fact, as the Library of Congress study which is included in our report concluded, the changes are insignificant.

In Hungary, no improvements could be discovered in the observation of human rights specifically mentioned in the Final Act of the Conference on Security and Cooperation in Europe. The Hungarian economy did not show any significant change that can be attributed to MFN.

In the past year, the Hungarian Government and its spokesmen were more vociferous in their attacks on U.S. policies than any other Soviet Bloc representative, including the Soviet Union itself. The Hungarian Government did not live up to its commitments

and to the President's expectations on which the congressional approval of the waiver of the requirements of section 402 of the Trade Act of 1974 have been granted.

We recommend that as a condition for approval of the extension of authority under the Trade Act of 1974, Congress persist in its demand for substantive and explicit fulfillment of the commitments given by the government in Hungary on which the President and Congress acted in 1978. Such persistence and the unequivocal declaration of that persistence are central to produce the desired results, namely, the tangible liberalization of the immigration laws and practices of the Hungarian People's Republic and the gradual moderation of the stranglehold of the Hungarian Communist regime on the freedom and human rights of the Hungarian people.

I request that Mr. Gereben's statement and his appendices be made a part of this statement and included in the record.

Senator MOYNIHAN. They will be. We thank you, sir.

We will move now to the next panel after Mr. Lote.

Mr. LOTE.

STATEMENT OF LOUIS L. LOTE, PRESIDENT, COMMITTEE ON TRANSYLVANIA, INC.

Mr. LOTE. Mr. Chairman, my name is Louis Lote. I am president of the Committee on Transylvania, Inc., a national organization in the United States which has members also in about 20 other countries of the world.

The distinguished members of the Subcommittee on International Trade had heard many detailed reports on the continuous and planned suppression of an estimated 2.5 million indigenous Hungarian inhabitants of Transylvania by the Romanian Communist Government. Therefore, I do not intend to go into the details of minority human rights violations in that country.

Instead, I would like to point out emphatically that in Transylvania, virtually under our very eyes, a human tragedy is taking place. It is not a spectacular tragedy. People are not massacred. They are not thrown in the sea. Therefore, this tragedy seldom makes news in the media, and seemingly, it is not recognized as human suffering that cries for help.

But nonetheless, the Romanian goal to forcibly assimilate the non-Romanian population of the country, to compel them by many different overt or covert means of force to give up their 1,000-year-old national identity, the mother language and national culture, makes life a daily series of insults, threats and fears, and projects the nightmare depicting the death of a nation.

It is important to bear in mind that Hungarians did not emigrate into Romania. They started to populate Transylvania at least 1,000 years ago. Their right to remain Hungarian once they were born Hungarian is an inalienable, natural human right, which in my opinion is not dependent on national or international laws or on the lack of them.

Romania's treatment of the Hungarians and other nationalities is diametrically opposed to the human rights policies of the United States. Our negative trade balance with that country and the ma-

nipulated flow of emigrants indicates that Romania did not live up to its obligations under the Trade Agreement either.

Senator Moynihan, you, I believe, grasped the Romanian attitude perhaps the best when you wrote to the subcommittee 2 years ago, and I quote:

We can no longer be satisfied with bland assurances of Romania's good intentions, nor will we necessarily accept those explanations of Romanian conduct which seek always to portray Romanian behavior in the most favorable light.

I myself believe that our country should take a stern second look at our relations with Romania and give it a warning. To be effective, this warning should have some sharp teeth, such as suspending Romania's most-favored-nation status for a period during which a thorough reexamination and reassessment of Romanian performance under the terms of the 1974 Trade Act and the U.S.-Romanian Trade Agreements be carried out, and the Romanian Government, together with Hungarian minority leaders such as Karoly Kiraly, Lajos Takacs and others, and in agreement with them, prepares and submits to the U.S. Government a comprehensive plan for an overall national minority law—which was a demand disclosed to me by a well-known Transylvanian Hungarian leader a couple of years ago, whose name I am not ready to disclose for security reasons—incorporating in this law the minority's human and national rights based, in Transylvania, on full equality with the Romanian population and including Hungarian as an official state language in Transylvania—to be sure, a second one.

If Romania reapplies for the continuation of most-favored-nation status after this stern warning, the Bucharest regime will exactly know what the United States stand is with regard to the Romanian State.

Thank you very much.

Senator MOYNIHAN. Thank you, Mr. Lote. Your full statement will be put in the record.

Let me ask you this. Is it settled in your mind that it is the policy of the Romanian Government to insist upon the assimilation of the Hungarians?

Mr. LOTE. Yes, sir, Romanian minority policy aiming at the forceable assimilation of the Hungarians and other minority groups.

Senator MOYNIHAN. It is the historical fact that the Hungarians have resided in that region.

Mr. LOTE. Right.

Senator MOYNIHAN. From medieval and modern history of Europe, they have always lived there. It is not an immigrant group.

Mr. LOTE. That's right, sir, according to generally recognized history, Hungarians were the first settlers in Transylvania after a 700-year period of migration of different people, like the Visigoths, Avars and Huns, and many others and 700 years after the Romans retreated from Transylvania, the Hungarian State, which was established with the inclusion of Transylvania, was the first and only stabilizing force in that part of Europe, which lasted until today, of course under very different circumstances, under Russian occupation.

Senator MOYNIHAN. I would simply want to say to you both that your understanding of history is similar to mine. The Romanian

Government has responsibility under the Helsinki Agreements to this group and this population. Generally, they are not abiding by it. This is a matter of which the U.S. Government must take cognizance with relation to both countries.

I thank you both for excellent testimonies. I must say that the Romanian Government has been adept in its management of diplomacy since World War I and World War II. I won't deny them that. And we thank you both, gentlemen, very much.

Mr. KATONA. Thank you.

Mr. LOTE. Thank you.

Senator Moynihan, may I submit a few copies from our periodical?

Senator MOYNIHAN. Fine. Is that a single issue or several issues?

Mr. LOTE. It is a single issue, five copies.

Senator MOYNIHAN. Fine. I accept that with pleasure. I would like to put this most recent issue in the record as an appendix to your testimony.

Mr. LOTE. Thank you very much.

[The prepared statements of the preceding panel and the periodical follow:]

STATEMENT OF ISTVAN B. GEREKEN, EXECUTIVE SECRETARY OF THE COORDINATING COMMITTEE OF HUNGARIAN ORGANIZATIONS IN NORTH AMERICA

My name is Istvan B. Gereben. I am the Executive Secretary of the Coordinating Committee of Hungarian Organizations in North America, the consultative body of all major Hungarian organizations in the United States and Canada. It is in this capacity that I am making this statement. We are grateful for the opportunity to present our views on the subject considered by this Subcommittee today.

With respect to Rumania we presented our views in our testimony submitted to this Subcommittee last year. We opposed the continuation of the waiver applicable to the Socialist Republic of Rumania. Our testimony was based on undisputable documentation of the violations committed by the Rumanian Government against the basic human and nationality rights of Hungarians living in Rumania. This year the Committee of Transylvania Inc. and the Committee for Human Rights in Rumania in their statements submitted an update of the situation of Hungarians in that country. We fully support those statements and their conclusions.

Since there are no appreciable changes observed in the treatment of Hungarians in Rumania we oppose the approval of the extension of authority under the Trade Act of 1974 to waive the freedom of emigration requirements under Section 402, and for continuation of the waiver applicable to the Socialist Republic of Rumania.

With respect to Hungary we would like to call the attention of this Subcommittee to events occurred in the past year and having direct effects on the subject before the Subcommittee today.

At the request of the President, sent to Congress on April 7, 1978, the Congress extended nondiscriminatory treatment to the products of the Hungarian People's Republic.

The President based his request for Congressional approval of his waiver of the requirements of Section 402 of the Trade Act of 1974 upon the letter Foreign Minister Frigyes Puja wrote which emphasizes that the People's Republic of Hungary strives for the full implementation of the Helsinki Final Act. By making this letter public the President broadened the scope of the periodic performance review required by the Jackson-Vanik Amendment to the Trade Act of 1974.

The President's action meant that the performance of the People's Republic of Hungary will be monitored, evaluated and reviewed not only on the issues of emigration but other human rights issues as well.

Our views presented on May 9, 1978 to this Subcommittee on the subject of extending nondiscriminatory treatment to Hungary was based primarily on repeated claims by the President, his advisors, and officials of the State Department that the execution of the Trade Agreement with the People's Republic of Hungary will benefit the Hungarian people.

No such benefit could be recognized by us during the past year. In fact, the increase of indebtedness of Hungary casts shadows on the economic future of the

Hungarians. Trade between the United States and Hungary did not increase appreciably. Economists cannot identify specific changes in the volume, type, and quality of goods traded by the two countries which could be attributed to the granting of MFN to Hungary.

The slight increase of export by the United States to Hungary resulted in the enlargement of the deficit in the Hungarian balance of payments. MFN did not generate an upsurge in the formation of joint ventures and an increase of the influence of the personnel, management and wage policies of the enterprises operating in a market economy.

Hungary and the United States failed to live up to the expectation on this field.

The Hungarian economy—praised by western diplomats, economists and reporters as something “miraculous” is in critical condition.

Jozsef Drecin, the deputy chairman of the Hungarian National Planning Office—in an interview, broadcast on December 9, 1978—presented the status and described the future of the Hungarian economy the following way:

“It is a characteristic of the present Hungarian economy that it has surpassed itself somewhat. We have run ahead in many spheres: The level of investment, and, I must say this quite frankly, we have run ahead, in relation to our level of development and with regard to the level of consumption. Thus, in the coming period the reduction in growth must not be accompanied by a deceleration in exports. Thus there will be less of the results of growth available for internal consumption. This means that growth will be decelerated in investment, bringing it almost to the point of stagnation during the next few years and that the rate of consumption growth by the population will decelerate to a very low rate. According to present ideas, this will slow down to approximately 1 or 2 percent per year.”

I think Mr. Drecin's informed evaluation and prediction are more realistic than the enthusiastic but superficial statements of eager American diplomats and professors quoted in an article written about the Hungarian economy and published in the June 6 issue of the Wall Street Journal.

Most Favored Nation status did not—and in our view could not—alleviate the difficulties of the Hungarian economy. The primary need for such a status for the government in Hungary was and is not economic but political. If that is the case the question “should we extend nondiscriminatory treatment to the products of Hungary” should be answered by considering political rather than economic arguments.

The President's primary argument for waiving the application of subsections (a) and (b) of Section 402 of the Trade Act of 1974 was that the waiver will substantially promote the objectives of that Section.

In his message the President justified his action in the following manner:

“I wish to report to the Congress that I have determined that this waiver will substantially promote the objectives of Section 402 of the Act; and that I have received assurances that the emigration practices of the Hungarian's People's Republic will henceforth lead substantially to the achievement of those objectives.”

Subsections (a) and (b) of Section 402 of the Trade Act of 1974 provide that most favored nation treatment may not be accorded to a country that—

- (1) denies its citizens the right or opportunity to emigrate;
- (2) imposes more than a nominal tax on emigration or on the visas or other documents required for emigration, for any purpose or cause whatsoever; or
- (3) imposes more than a nominal tax, levy, fine, fee, or other charge on any citizen as a consequence of the desire of such citizen to emigrate to the country of his choice.

Apparently the President could not be convinced in March 1978 that the Hungarian People's Republic complied with the requirements concerning freedom of emigration as set forth in subsection (a) of Section 402. In order to grant the waiver he had to receive some assurance that the waiver would promote the realization of the objectives of Section 402.

The necessary assurance was provided by the letter written by Hungarian Foreign Minister Puja to the U.S. Ambassador Kaiser, in which he commits the People's Republic of Hungary to act in cases of emigration “in accordance with the letter and spirit of the Final Act of the Conference on Security and Cooperation in Europe, and to deal with them promptly, constructively and with good will.”

The letter was considered by many of us here in the United States, including the President himself, as a meaningful concession on behalf of the government of Hungary. Most Favored Nation status was granted. The tone and substance of our official and semi-official communications with the government in Hungary became more than conciliatory. Relations were declared friendly. Criticism of the Hungarian regime was and is considered outdated and willing supporters of the “new” policy are favored by the Administration.

We expected the government in Hungary to react in the same conciliatory spirit. The reaction came quickly, but it was not conciliatory.

Mr. Laszlo Marothy, first secretary of the Young Communist League and member of the Political Committee of the Party said on July 24, 1978 at the farewell ceremony for the Hungarian delegation attending the 11th Meeting of the World's Students and Youth in Havana: "We are going to a country which has refused to make compromise with Yankee imperialism".

Mr. Gyorgy Aczel, deputy prime minister spoke to the same group on July 18, 1978: "The application of the so-called most favored-nation clause did not actually mean a special favor, but the normalization of the two countries economic relations on the basis of equal rights and peaceful coexistence. Hungary, in accordance with its external economic policy has done no sort of concessions in return for this".

Foreign Minister Frigyes Puja in a speech delivered before the General Assembly of the United Nations on September 27, 1978 stated:

"My government rejects any attempt at intervening in affairs coming under the legal competence of other countries under the pretext of human rights. Legitimate international action taken toward an observation of human rights must also in the future be distinguished from political campaigns aimed at recurring cold war confrontation."

This speech rejects the legal competence of the United States Congress in the subject matter before this subcommittee today.

I wonder, how does our Administration reconcile the glaring contradiction between the words of Mr. Aczel and Foreign Minister Puja and the content of the letter written by Foreign Minister Puja on March 15, 1978 which served as the basis for the President's request to Congress to waive the requirements of Section 402 of the Trade Act of 1974 and to grant MFN treatment to Hungary?

In our testimony last year we warned Congress against placing unquestioned faith in the promises of the Kadar-lead Government of Hungary. It seems to us that our judgment of the credibility of the Communist regime in Hungary endures the test of time.

I am afraid that the officials of our government misread the signs, acted on good faith, and devised a policy toward Hungary which cannot fulfill its stated objectives: The enhancement of gradual liberalization of the Hungarian economic and political system. If success means more that highly publicized and propagandistically exploited visits by members of the Cabinet, Congress, diplomats, religious leaders and political figures, then our policy is a disillusion. If our actions are limited to repeatedly expressed hopes for mellowing of the dictatorship in Hungary and the establishment of U.S. financed, Hungarian controlled cultural and scientific exchange programs then the policy of the United States toward Hungary will result in disappointment. If the only advantage we can extract from our "new" economic relationship with Hungary is the "privilege" to manufacture Levis in Hungary, and the only right that the Hungarian people gained from that relationship is the right to pay the exorbitant price for the jeans, then that relationship is hollow. A policy toward Hungary which is based on benign neglect of facts and naive assumptions about the lack of Soviet domination of Hungary and the "independence of the Soviet installed leadership of the Hungarian Communist Party" is doomed to failure.

The performance of the People's Republic of Hungary in the field of human rights issues specifically outlined in the Final Act of the Conference on Security and Cooperation in Europe did not improve during the past year. In our testimony last year we gave a detailed analysis of the three major areas of basic human rights: freedom of movement, freedom of speech and freedom of religion.

Today we cannot report favorable developments. An update, however, seems appropriate.

Freedom of movement

At the end of 1978, the Presidium of the Hungarian People's Republic—in an apparent attempt to defuse criticism regarding the inaction concerning revision of the strict emigration laws of Hungary—issued a new edict regulating the foreign travel and stay abroad of Hungarian citizens and the issuance of passports. This edict became effective on January 1, 1979.

The European Law Library of the Library of Congress at the request of Senator Robert Dole, who is a member of the Helsinki Commission, conducted an exhaustive analysis of this new Edict in order to determine a trend in the policy of the Hungarian People's Republic. Is it leaning toward relaxation of the restrictions imposed on its citizens, thereby taking steps toward compliance with its obligations set in international public law, which is also part of the national law? Or are the changes meaningless amendments of substantive and procedural laws that do not offer any relief for Hungarian citizens from the severity of the restrictions?

The conclusion of the Library of Congress report titled: "Travel Abroad and Emigration Under New Rules Adopted by the Government of Hungary" states:

"This analysis of the statutory provisions on foreign travel and stay abroad issued in 1978, and a comparison of these statutes with the statutes in force until 1978 reveal that very few changes have been made in the new regulations. Moreover the changes of benefit to citizens are insignificant. In fact, some of the changes are detrimental to Hungarian citizens, especially to those citizens who live permanently outside Hungary, regardless of whether or not they have acquired the citizenship of their present homeland.

"The conditions of emigration from Hungary have not changed at all. But it may be assumed that under the new regulations only those persons who declare that they wish to retain their Hungarian citizenship, and therefore request the issuance of a Hungarian passport instead of an emigration permit, will receive permission to leave the country permanently . . .

"It can be established that by merely issuing a new set of regulations on foreign travel and passports the Government of the Hungarian People's Republic has not lived up to the expectations of the president of the United States. Whether its practices will be different from the provisions of the statutes only time will tell."

It is a well known fact that authorities in the People's Republic of Hungary, through the use of their discretionary power, in practice do not observe their own laws consistently. In some cases the practices of the authorities are stricter than the written law; in other cases they are more liberal.

Our limited experience with this new law indicates that the Hungarian authorities do not use their discretionary power as often and as liberally as they did before January 1, 1979.

The time limitation on consecutive visits to the West is now strictly observed even for those for whom the financial means required for the stay abroad are assured by someone inviting them for a visit.

I request that the Library of Congress Study quoted above be made part of my testimony and included in the record.

Freedom of speech

According to Laws No. 4/1959 VI. 9 and No. 11/1969 III.5 normally anything that will be printed—even mimeographed—must be approved by a designated authority of the state. The political leadership exercises full control over all newspapers, publishing houses, radio and television stations.

No change occurred since last year.

Gyula Illyes, the living giant of Hungarian literature, who generally enjoys the favor of the Communist regime collected his writings about Transylvania and its people in a book titled: "Szellem es Eroszak" (Intellect and Despotism). He planned to publish it last fall. The book was banned by the regime.

Section 127 of Chapter IX: Criminal Acts Against the State of the Criminal Code of the Hungarian People's Republic defines the "crime" of incitement, and establishes punishment for that "crime".

Andras Benkei, Minister of Internal Affairs of the Hungarian People's Republic in an interview published in the October 29th, 1978 issue of NEPSZABADSAG said:

"Last year 0.2 percent of all crimes were political offences, the situation did not change basically this year."

Benkei admits that there are political offences in Hungary and that these offences are recurring year to year in about the same numbers.

Dr. Imre Markoja, the Justice Minister of the Hungarian People's Republic at a press conference held on October 31st in Budapest stated: "Last year 110,000 court and noncourt cases awaited decision." (MTI Budapest Oct. 31).

Based on this number, and the percentage of political offences revealed by Benkei, we assume that 220 political trials were held in Hungary during the year of 1977.

It is safe to assume that most, if not all, of the trials resulted in conviction.

This number is in agreement with previously published official statistics putting the number of adult Hungarians convicted yearly for incitement of others (in words or in the press) to hatred directed against the state and international relations of Hungary and for other political crimes, between 195 and 200.

Amnesty International in its Report for 1978 lists several Hungarians who were tried and convicted for the crime of compilation and distribution of a short statement on human rights violations in Hungary. Gyorgy Hajas, who planned to establish the Hungarian Helsinki watch Committee, was jailed for 18 months.

Dr. Maria Dombovari-Lorincz was confined to a military psychiatric hospital for the "crime" of calling for the withdrawal of Soviet troops from Hungary.

Hungarian authorities avoided to respond to official U.S. inquiries to confirm or to deny Amnesty International's report.

Apologists for the Hungarian Communist Regime quote the New Criminal Code, adopted by the Hungarian Parliament during its last session of 1978 to show the "changing attitude" of the Hungarian regime and to justify their optimistic predictions regarding the affects of MFN. They contend that the Section defining the crime of incitement is more "liberal" than in the Old Code. For the benefit of those who do not want to be confused by the subjective comparison of the old and new definition of the crime of incitement, I request that both versions be made part of my testimony and included in the record.

Kati Marton, a journalist who left Hungary in 1956 when she was 10 years, old, recently returned to her birthplace. She gave account of her impressions in an article published in the May issue of ATLANTIC magazine. She wanted to find the answer to the question: "How much really changed in Hungary?"

She writes:

"During dinner with one of my childhood friends, I am overwhelmed by how little.

"I sense that something is wrong the minute my friend opens the door to receive me. We have not seen each other in twenty-two years. It does not seem to matter. He says I haven't changed. I tell him the same. We both know we are lying. But it feels perfectly comfortable to be together. He is balding and looks older than his thirty-four years. He speaks in a low voice. When he signals me to follow him to the balcony, I recall those balcony conversations my parents used to have, with American diplomats and journalists, in my childhood. My friend waits for a streetcar to rumble by underneath us. 'My sister and her family have defected to France,' he tells me. 'It means I had to report to the government that you were coming for dinner. You're an American journalist and that's the law. These days I've got to watch it. I know they're watching me.'

"We go back inside, and his wife, another childhood playmate, says, 'See, things haven't really changed. Our boy can't get better than average marks, because in class he chatters about going to church. His fourth grade teacher is a member of the Party.'

"Dr. Rezzo Banyas, spokesman for the Hungarian Foreign Ministry, receives me in his elegant Persian-carpeted office. 'We want you to see as much as you can, talk to whomsoever you want. Just judge for yourself,' he says. 'We want America to understand us. Hungary has had twenty-two peaceful years. In our history, that's not something we take for granted.' I write Banyas a letter, requesting an interview with a high-ranking member of the Foreign Ministry. I am asked for my questions in advance. I list, as general topics, the future of U.S.-Hungarian relations, Hungary's experiment with a modified socialist economy, the so-called New Economic Mechanism, the impact of China's assertive foreign policy moves, and how Hungary deals with critics within her own system. All but the question on the future of U.S.-Hungarian relations, a throwaway, are crossed out. I politely decline the interview."

This is present day Hungary, where not only Hungarians but everybody is told what to question and what not to question. The regime selects the subjects for discussions.

Jonathan Spivak in his article in the June 6, 1979 issue of the Wall Street Journal after quoting praises for the regime by western diplomats and professors, writes:

"Many Hungarian intellectuals however take a far-more-hostile view. They contend that the party, which controls all major government posts, exerts a ruthless, though concealed, stranglehold. Opponents who challenge the regime on a fundamental issue are often forced to emigrate or are fired from their jobs and kept out of work."

This is how the status of freedom of speech in Hungary is evaluated by the most authoritative source on the subject.

Freedom of religion

The laws and practices of the People's Republic of Hungary were analyzed in a statement: "Freedom of Religion in Hungary and the Final Act of the Conference on Security and Cooperation in Europe", submitted by the Hungarian Freedom Fighters Federation to the Commission on Security and Cooperation in Europe on May 19, 1977.

An update to that report was included in our testimony made before this subcommittee on May 9, 1978.

The situation of the churches in Hungary has not changed. The use of sophisticated methods of eliminating religious belief in Hungary continues.

Ministers of the Hungarian Reformed Church published a statement which describes the plight of the Hungarian Protestants. The statement was distributed in samizdat form last summer. This statement describes the total control of the Com-

minist regime over the state appointed leaders of the Church, the administration of Church affairs and Church organizations. The authors stated that the danger of annihilation of the Church reached such a degree that they were compelled to tell the truth, further silence would constitute conspiracy. I request that the English translation of this statement be made part of my testimony and be included in the record.

The affairs of the Catholic Church are governed by a church administration created and controlled by the Communist regime.

This control lead to the split between the state approved leadership and the priests of the Church. Hungarian Catholics lacking trust in their hierarchy formed small religious communities, the so called "base communities" which select their own priests, which operate independently from the state controlled church administration. The problem of isolation of the faithful from the hierarchy reached such a degree that the Hungarian bishops in their pastoral letter dated November 29, 1978 point out the duties of priests and the faithful to remain loyal and obedient to the bishops.

Interestingly the vice chairman of the Office of Church Affairs, Mr. Istvan Straub addresses the same problem in an article published in the December issue of "Allam es Igazgatas". He warns the priests that illegal—i.e., outside of state control and observation—religious activities are against the law and will be punished.

The Hungarian authorities following tradition, did their best to create obstacles for Hungarian Catholics who recently wanted to go to Poland to participate in the religious festivities marking the Pope's visit to that country.

These actions of the Hungarian regime, reported widely by Western journalists, violated not only the right of freedom of movement but the right of freedom of religion for Hungarians.

Conclusions and recommendations

Granting MFN status to Hungary in 1978 has not yet resulted in the substantial promotion of the objectives of Section 402 of the Trade Act as the President determined in his message to Congress in April 1978 that it would.

The new laws implemented since that time did not change substantially the emigration policies of the government in Hungary. As a matter of fact—as the Library of Congress study quoted above concluded, the changes are insignificant.

In Hungary no improvements could be discovered in the observation of human rights specifically mentioned in the Final Act of the Conference on Security and Cooperation in Europe.

The Hungarian economy did not show any significant change that can be attributed to MFN.

In the past year the Hungarian Government and its spokesmen were more vociferous in their attacks on U.S. policies than any other Soviet Block representatives, including the Soviet Union itself.

The Hungarian Government did not live up to its commitments and to the President's expectations, on which the Congressional approval of the waiver of the requirements of Section 402 of the Trade Act of 1974 have been granted.

We recommend that Congress—as a condition for approval of the extension of authority under the Trade Act of 1974 to waive the freedom of emigration requirements under Section 402 and for continuation of the waiver applicable to the Hungarian People's Republic—persist in its demands for the substantive and explicit fulfillment of the commitments given by the Government in Hungary, on which the President and Congress acted in 1978. Such persistence and the unequivocal declaration of that persistence are essential to produce the desired results: the tangible liberalization of the emigration laws and practices of the Hungarian People's Republic and the gradual moderation of the stranglehold of the Hungarian Communist regime on the freedom and human rights of the Hungarian People.

I request that the Library of Congress study, titled: "Travel Abroad and Emigration Under New Rules Adopted by the Government of Hungary", prepared by Dr. William Solyom Fekete of the European Law Division of the Law Library of the Library of Congress, the Statement of the Faith-Proclaiming Hungarian Reformed Church and the English translations of the old and new definition of the crime of incitement be made part of my statement and included in the record.

APPENDIX I.—TRAVEL ABROAD AND EMIGRATION UNDER NEW RULES ADOPTED BY
THE GOVERNMENT OF HUNGARY

(By Dr. William Solyom-Fekete)

The 104 page report, published by the European Law Division, Law Library of the Library of Congress, can be obtained free by sending your request to:

Mr. Carleton W. Kenyon
Law Librarian
Library of Congress
Washington D.C. 20540

APPENDIX II.—CONFESSION AND OPINION STATEMENT OF THE FAITH-PROCLAIMING
HUNGARIAN REFORMED CHURCH

THE SHAPING OF A CONFESSING CHURCH—CONFESSION AND OPINION*

Many Christians residing in western Europe and America received in the past months an 8 page memorandum from Hungary which gave an account of the fact that quietly a confessional reformed attitude is developing there, which is at variance with the existing theological basis, and which sharply criticises the open and covert corruption of the ecclesiastical and government leadership. The writers titled their memorandum: "Confession and Opinion". From this we report a few noteworthy details.

Introduction

"Our new joint position was born as a result of individual decisions, just as it happened in Barmen. Our desire is to serve in our given situation the cause of the Kingdom of God on Hungarian soil as ambassadors of the eternal message. We hope that our brethren residing all over the world and belonging to various nations and denominations—as they will learn from this paper—will find our information useful."

For "explanation" the writers of the memorandum say:

"The time is here that we should give our testimony about a few burning subjects of faith, about the answer we received from Above and at the same time uncover the plan of the liquidation of the Hungarian Reformed Church. Through our experiences and through numberless trustworthy and confidential information during the past decades we were able to discover the broad lines of the plan of liquidation. Now, however, the repression of the Hungarian Protestant churches has become so grave that the parts of the great plan and the details of the "magic circle" became visible. In this situation remaining silent would make us traitors and fellow criminals".

In the outset the writers laid down the following basic principles:

"Since God has called us to preach the Word we are not willing to subordinate its proclamation to human ideas and pursuits. It is our sad experience that the government wants to use the sermons—under pious pretenses—for political agitation. We refuse to be part of this profanation. It is in the vital interest of every nation that real, effectively operating churches should be serving in it. Any one who destroys the churches is working against the interest of the people. The government applies the immoral method of taking over the churches, to promote its aim and to control them by transforming the real church into a make believe church, replace the efficiently serving ministers with make believe priests and turning the leaders of the churches into state officials. This is a dangerous assault against the people because it loses its firm moral foundation, thus leaving the people without guidance and leadership. With this method they dry out the very fountain which nourishes the working ethics, the sexual morals, the family coexistence, and the quality of the social life. This represents an atheistic victory—and we can hardly imagine a greater defeat than this. It is not true that the churches have to give up their missionary tasks in an atheist secular surrounding or that they have to forsake their sacred duty for agitation in the interest of sociological experiments of dubious value. The less favorable the circumstances the more natural it is that the churches should fulfill their task with greater zeal, not intimidated by the sufferings that accompany them". The editors of the Confessional Memorandum point out that "the deterioration of the churches commenced in 1948. In that year the leaders of the church ended and liquidated the most lively church activities and organizations, and virtually paralyzed the life of the congregations. To this mission-terminating activity they gave the following perverse title: "Missions Rules Instruction". The officials

* Originally published in the October-November 1978 and March 1979 issues of the Quarterly: Hungarian Reformed News.

made it appear that the government did not prohibit the mission work, but the leaders of the church themselves hindered the ministry—and employed the harshest punishment against those who wanted to continue their mission work. This way they could show the outside world that the state was not to be blamed.

The Communist system always places great importance on outward appearances. For "home-consumption" the leaders of the church, who acted as puppets of the state, explained their mission-restricting activity as "this is the new, good and obedient way of the church". Some of the leaders were sent abroad—not sparing the expenses—to make the West believe that the leaders of the Hungarian Reformed Church created an exemplary model church in the Marxist society. This double-faced church-policy conducted by the State has worked thus far: the church is frozen, the effective inside forces are manacled, and we are proceeding on the road to perdition. At the same time well intentioned foreign visitors—impressed by the "window-show politics" still give credence to the ecclesiastical masters of demonic deceptions". What does the Memorandum say about the church elections?

"On the basis of the aforesaid we protest against the arbitrary interference of the State in the elections, which renders it impossible for the churches to select their officials, although the government can quote the written law to justify its acts. This improper intervention is evidenced by the fact that the Presbytery of the local churches can "elect" only one person as dean, bishop, member of the Council or district supervisor and indeed local ministers whose election the State previously openly or secretly approved. Because the approval is given to only one person, the Presbyteries are forced to play the election comedy, for after all the State selects leaders and ministers for the churches. And woe to the one who dares to suggest another candidate, because such a person will be charged with "agitating". It is clear to us that the aim of such arbitrary state interference on the one hand serves a security purpose; on the other hand it is useful to cause hostile feelings against the elected church officials, thereby creating more confusion, dissension and hurtful distrust in the churches."

About making ill use of the new Bible translation:

"The new translation is a carefully prepared, beautiful and scholarly work. And for this the credit goes to the translators. Under difficult working conditions, the translators worked ardently for decades, assisted by sacrificial donations of the Hungarian churches at home and abroad. In order that the prepared translation could be printed without delay and sold for the same price as the previously published "Karoli revised edition", our brethren in foreign lands provided paper and donated such printing equipment to our Reformed Church as was of great value even in the West. But we know—what has also been broadcast through foreign radios, and published by the press—that the leaders of our church sold the new printing machines and equipment for a low price to the state—and according to an alleged state ordinance the price of the newly translated Bible was doubled".

As for our paper we would like to remark that the 30,000 Bibles which were printed for two million Hungarian Protestants, were sold out a long time ago. Only in foreign lands can one buy it in book stores supported by the Hungarian government. The price, however, is much more than the 180 forints in Hungary. In New York, for instance, it costs \$22.50. The printing equipment donated by the good-willed Western Christians, is producing in the University Printing Shop of Budapest the materials of Marxism. Naturally those Western Christian leaders who return to their home from Hungary, after the dining-wining carrying in their visit brief-case by chance an honorary theological doctor's diploma from the Theological Academy of Debrecen—keep deep silence toward the donors about this regrettable mishandling of their gift.

The memorandum about the need for ministers and presbyters.

"Most of the churches solved this problem by filling the positions of ministers, elders and higher ecclesiastical offices with women. But for some strange reason the Office of Church Affairs does not recognize the women as equal in their rights with men. This viewpoint of the State—speaking mildly—is odd. The same State system which inserted the equal rights of the women into its official program, prevented the churches, which were regarded regressive, from making this progressive step. Evidently the more intensive participation of the women in the life of the church would add vitality and create results contrary to the liquidation plan. On the other hand there would be no need for more presbyters if the ones who take part in the church life and who cannot be organized by the State for its purpose would not be harassed in their place of daily work for their church activities. Complaints against this vexation were heard from many corners. State officials promised that they will remedy this anomaly, but the situation—although well covered—is getting even

worse. We repeat: well covered, because they are carefully watching the sensitivity of foreign business people who might have Christian convictions".

The evil collusion of the church-leaders with the state to liquidate the churches"

"In what realm and manner is the aim of this collusion realized?

"The church leaders assist the state in the fraudulent violation of the Concordance of 1948. This they substantiate with the well-sounding phrases: 'Obedience to the Lord of the Church', and 'This is the way of the serving church'. They are fighting against the interest of the church and they make the church-liquidating steps of the government appear as a magnanimous good deed toward the churches.

"They remove those ministers who raise their voices for the defense of their church, for their ministry to the youth, for religious education, for the cause of the confirmation, or against moral and material turpitude of the leaders by condemning them upon conceptual charges by ecclesiastical courts.

"They approve the actual political decisions of the government with their 'solemn' declarations, and oblige the ministers to do the same. It appears as though the Holy Spirit called to the churches to existence just to sanction these hastily brought political decisions, some of which are contrary to the written word of God. They sabotage the training of ministers and with this the replacement of ministers by cunning methods: they pretend that they work hard for the cause of ministerial education, yet in fact they do everything to destroy the spirit and the sound educational system of the theological academies. In case of the two theological schools in Budapest—Calvinist and Lutheran—with the exception of two professors, and at the school of Debrecen with the exception of one professor, the members of the faculties are pseudo-professors, simply political agents who did not even have doctoral degrees in the first 5-8 years of their teaching. They were presented the doctor's degree—not earned—as a result of a new order of requirement for the degree, according to which those who were already professors should receive automatically the doctor's diploma. With their life example they endeavor to totter spiritually those who chose the ministerial profession, and with their teaching they render uncertain the theological foundation."

The Church and the future generation

In the church the ministry to the youth "on paper" is free. In fact, it is forbidden. When a "theological professor", Dr. Frank Bajusz, learned from his students which ministers were carrying on work among young people, he reported them to the Office of the Church Affairs and to the Ministry of Interior. To the disapproving questions as to his action, his answer was: "I only did my duty". The situation of those who were reported did not get worse for the ample reason that the report reached the authorities just before the Belgrade Conference, and the government did not want to "serve propaganda material" to the West. But the ministry to the youth still belongs to the "forbidden" category, and the participating young people are advised in their place of work or elsewhere that their taking part in church activities is regarded as a political step against the socialist system. The one who is relating the warning usually appears under the guise of good will and tries to speak heart-to-heart with the young man or woman. He does it "discreetly" and requests them to keep the talk secret. The Roman Catholic board of bishops successfully fought with the state to permit parochial religious education. In the Reform Church this is forbidden. The religious education in the public schools, as we know, amounts to almost nothing.

Is there any ideological thaw in Hungary?

We see clearly the tactical change of the Marxist ideological struggle, which changes some people—seriously mistaken—think as a thaw. It is always a grave error to make a judgement on the aim of a struggle by the way the fight is conducted, whether savagely, or more restrained. A good Marxist measures the effect of an action not by the manner it has been executed, but by the real value gained. The new Marxist ideological tactics are more effective than the old one, and for us they are incomparably more dangerous. In the west, they propagated translated books against the Bible, written by Soviet authors. Those books argued that Noah, Moses, Jesus and the Apostle Paul never lived on this earth. These people were imaginary, mythological beings. These works had an impact only on those who wanted to be convinced of its content; these books ideologically suggested themselves. The majority of the people rejected them and felt sorry for the authors, saying: printing those books was money wasted.

Not long ago, however, a Dr. L. Rapcsányi of Budapest arranged two series of radio-lectures about the Bible, and these lectures appeared in book form. Rapcsányi and his co-workers were raving about the Bible, about which, as they said, one can

speak only with reverence. The Bible is a collection of masterpieces, matchless vehicles of culture, the living history etc. One could continue the laudatory expressions, until we come to the final conclusion that: all these are merely human products and only the culturally immature people believe that there is divine content in it. Thus sounds the wolf's howl in siren's voice. But the wolf can howl either as wolves do, or in mellow siren tone—that is his business. There is a more dangerous activity within the church than the above deception: the transforming of the theology toward the Communist ideology. We meet this attempt quite often in the Hungarian Protestant periodicals, in the so-called ministers' seminars, which every minister is obliged to attend, the contents of these articles and courses are set forth according to the aim of the said transideology.

The new confessional trend is not organized, therefore it cannot be stopped

Within today's church the Confessional Hungarian Reformed Church appeared spontaneously, and legally, at the end of the 1960's. Spontaneously, because there is no founder, leadership, organization, rules, membership campaign, secret meetings, treasury, and foreign connections; yet, the membership is growing in number and resoluteness. This movement is not an organization, as is proved by the fact that there are many members who stand on the basis of the "Confession and Opinion", make decisions and act upon questions accordingly, and are not conscious that after all they belong to and are members of the group. This membership does not weaken but rather strengthens the awareness of belonging to the Hungarian Reformed Church, and the feeling of solidarity with the historical Church, although the sense of reservation against the official leadership is stronger than ever.

State and church must be completely and actually separated.

It is our opinion that ministers and lay leaders of the Hungarian Reformed Church can and should assume political, public, and social duties and offices, however state officials should not accept positions of leadership in the churches. The separation is not a hostile act, but a natural process, and it does not mean that the church should reject the support of such public endeavor which protects the existence of the members of the churches and with the help to improve their well being. The separation would result in mutual independence from each other—based upon mutual consent. The outstanding writer, George Konrad said: "It takes more brain to reach a good agreement than to conquer or to submit to arbitration." /Lecture at the 1977 Biennale in Venice/. The respect for the Constitution precludes such a possibility that either the church or the state would infiltrate into the other body and be an organic part of it. Everyone knows that the intention of the so-called clerical peace movements as far as the state is concerned is nothing else but gradual infiltration into and taking commanding positions in the organization of the churches. In a genuine separation of states and church the peace movement among clergymen loses its reason to exist. When the whole church "ab ovo" and "sui generis" is a peace body, it is ridiculous to organize special peace groups in it. This peace movement causes hostile impulses, even in men of moderation. This is a real temptation. "The Sermon on the Mount" is the rule for Christian conduct. In this Sermon we read: "Blessed are the peace makers; for they shall be called the children of God". It is not necessary to teach the nightingale how to sing. It would be well if everyone would learn that freedom produces real friendship.

In short: The party and the government should work out an open, honest church policy. The present leaders could make their own position easier if they would voluntarily give up their office to more worthy and competent persons. Just who those more worthy and competent persons are can be decided only by the Word of God through the Holy Spirit. Because the church, according to the Holy Scripture, is subject to the state authorities, we do not see any harm, even in case of a complete separation, if the authorities in the interest of the good of the people and good order would watch the life of the church. But to this end, as we are convinced, the state does not need an organization such as the Office of the Church Affairs, with its large staff and expensive budget.

Closing words

Our signature is missing. We do not want to facilitate the work of our oppressors. From experience at home and abroad we learned that those who set their hope on the reasonableness and humanitarian feelings of our persecutors built their future on sand, and perished prematurely.

Anyone who passes on this Confession to someone has, in fact, "signed" it. One can receive it, read it, do with it what he pleases. But if anyone would like to help, he can make copies, distribute them, and if he can, translate it into other languages. "I must work the work of Him that sent me, while it is day." /John 9:4/

APPENDIX III.—DEFINITION OF THE CRIME OF INCITEMENT IN THE CRIMINAL CODE OF THE HUNGARIAN PEOPLE'S REPUBLIC IN EFFECT AT THE PRESENT

LAW NO. V OF 1961

On the Criminal Code of the Hungarian People's Republic as amended by Edicts No. 16 and 20 of 1966, and Edict No. 28 of 1971, in the version of the officially consolidated text, published on December 22, 1971.

CHAPTER IX—CRIMINAL ACTS AGAINST THE STATE

INCITEMENT

SEC. 127. (1) Whoever commits an act suitable to incite others to hatred towards:

(a) the Hungarian nation;

(b) the Hungarian People's Republic, its political system, any fundamental institution of the political system, the Constitution of the Hungarian People's Republic, against any of its fundamental principles,

(c) the international relations of the Hungarian People's Republic aimed at alliance, friendship, or cooperation;

(d) against any people, nationality, denomination, or race, furthermore,—because of their socialist conviction—against certain groups or persons,

shall be punished with deprivation of liberty ranging from 1 year to 5 years (crime).

(2) the punishment shall be deprivation of liberty ranging from 2 years to 8 years if:

(a) the incitement has been committed through the press, mass-reproduction, or otherwise so as to reach a large segment of the public;

(b) it has been committed by a recidivist; or

(c) the criminal act—in case of paragraph (1)(c)—leads to the disturbance of the international relations of the Hungarian People's Republic.

(3) Whoever carries out a preparatory act for incitement qualified under paragraph (2)(a) shall be punished with deprivation of liberty not exceeding 3 years, and in time of war with deprivation of liberty ranging from 1 year to 5 years.

(4) In the application of this Section, a person shall be regarded as a recidivist also if he was sentenced to deprivation of liberty for other criminal acts included in this Chapter, and between the serving of the sentence, or the expiration of the enforceability of the punishment and the commission of the recent criminal act 5 years have not elapsed. (crime)

SEC. 128. Whoever inflicts bodily harm on another because of the latter's activity in the interest of socialism shall be punished with deprivation of liberty ranging from 1 year to 5 years. (crime)

APPENDIX IV.—DEFINITION OF THE CRIME OF INCITEMENT IN THE NEW CRIMINAL CODE OF THE HUNGARIAN PEOPLE'S REPUBLIC ADOPTED BY PARLIAMENT ON DECEMBER 31, 1978, BUT NOT PUT IN EFFECT AS OF THE DATE OF THIS STATEMENT

LAW NO. IV OF 1978 ON THE CRIMINAL CODE

(M.K., No. 92, p. 1047, December 31, 1978)

CHAPTER X—CRIMINAL ACTS AGAINST THE STATE

INCITEMENT

SEC. 148. (1) Whoever, for the purpose of inciting [others] to hatred against

(a) the Hungarian nation or any national minority;

(b) the constitutional order of the Hungarian People's Republic;

(c) any other connection of the Hungarian People's Republic aimed at alliance, friendship, or international cooperation;

(d) any people, denomination, or race, furthermore for their socialist convictions against certain groups or certain persons, commits an act suitable for this purpose,

shall be punished for a crime by deprivation of liberty ranging from 1 year to 5 years.

(2) The punishment shall be deprivation of liberty ranging from 2 years to 8 years, if:

(a) the incitement has been committed before a large public [audience], or as a member of a group;

(b) the incitement in cases of paragraph (1), subsections (c) and (d), leads to the disruption of international connections of the Hungarian People's Republic.

(3) Whoever makes preparations to commit the incitement defined in paragraph (2), subsection (a), shall be punished for a misdemeanor by deprivation of liberty ranging up to 2 years, and during war for a crime from 2 years to 5 years.

SEC. 149. Whoever bodily harms another person for his activity in the interests of socialism commits a crime and shall be punished by deprivation of liberty ranging from 1 year to 5 years.

STATEMENT OF LOUIS L. LOTE, PRESIDENT, COMMITTEE OF TRANSYLVANIA, INC.

Mr. Chairman, the distinguished members of the Subcommittee on International Trade had heard many detailed reports on the continuous and planned suppression of the est. 2 and a half million indigenous Hungarian inhabitants of Transylvania by the Rumanian communist government. Therefore I do not intend to go into the supposedly well known details of minority human rights violations in that country.

Instead, I want to point out emphatically that in Transylvania, virtually under our very eyes, a human tragedy is taking place. It is not a spectacular tragedy; peoples are not massacred, they are not thrown in the sea, there are no streetfights. Therefore this tragedy seldom makes news in the media and is not generally recognized as human suffering that cries for help. But none the less the Rumanian national goal to forcibly assimilate the non-Rumanian population of the country, to compell them on many different overt or covert means of force to give up their thousand years old national identity, the mother language, the national culture, makes life a daily series of insults, threats and fears, and projects the nightmare depicting the death of a nation. It is important to bear in mind that Hungarians did not emigrate into Rumania, they started to populate Transylvania at least a thousand years ago, and have never left their and their ancestors' beloved native land. Their right to remain Hungarian once they were born Hungarian is an inalienable natural human right which is not dependent on national or international laws, or on the lack of them.

Rumania's treatment of the Hungarian and other nationalities is diametrically opposed to the human rights policies of the United States. Our negative trade balance with the country and the manipulated flow of emigrants indicate that Rumania did not live up to its obligations under the trade agreement, either. Senator Moynihan grasped the Rumanian attitude perhaps the best when he wrote to this Subcommittee two years ago: "We can no longer be satisfied with bland assurances of Romania's good intentions, nor will we necessarily accept those explanations of Romanian conduct which seek always to portray Romanian behaviour in the most favorable light." I myself believe that our country should take a stern second look at our relations with Rumania and give it a warning.

It is unfortunate that since the last hearing in 1978 no improvement in the situation of the Hungarian population of Rumania took place. On the contrary, conditions and prospects for the future worsened:

(a) The vague language of the new education law renders Hungarian schooling more uncertain than ever before.

(b) It seems that instead of embarking upon a course of honestly intended improvement of minority policies, Bucharest rather strengthens its propaganda efforts to prove that all is in order with its minority policies and the nationalities have never had it so good as today in Rumania.

(c) There are news about a new mass resettlement program of Rumanians from the Regat (i.e. the old Rumanian provinces of Moldavia and Wallachia) into Transylvania in a scale which is thought to outnumber all previous resettlements all together. Undoubtedly the Rumanian government still sees the solution of the minority problem in forcibly turning overwhelmingly Hungarian populated communities into Rumanian strongholds, i.e. Hungarian majorities into minorities all over in Transylvania.

I am deeply worried that the forceful absorption policy of Rumania, if never stopped by outside influence, will, on the long run, result in the gradual disappearance of the Hungarian nation in Rumania's Transylvania province in which I was born, my ancestors had been born and lived Hungarian life for a thousand years.

I strongly feel that, in the spirit of President Carter's human rights protective policies, neither England or France, the makers of the Trianon peace treaty of 1919, nor the Soviet Union, the dominant power at the 1947 Paris peace treaty and one of the prime-violator of human rights, can be expected to work on remedies to ameliorate the plight of those 3.5 million Hungarians who were forced into minority status by the dictate of said peace treaties, but only the United States of America, the world's most powerful country born out of the noble ideals of liberty, self-determination, human dignity and equal chances for all.

It would be fallacious to say that the United States have no interest in having good relations, including trade, with a communist country, such as Rumania. I feel, however, obliged to point out some aspects of uncertainty of that relation. Historical records indicate limited reliability of Rumania's friendship. In this connection may I remind to Rumania's changing stand in World War I. As a quasi ally of the Central Powers Rumania overran the undefended Carpathian Mountains into the then Hungarian Transylvania without any declaration of war: (1) Thrown back into Rumania by Hungarian and German forces, Rumania became ally of the Central Powers and as such their army joined the Germans in occupying Ukraine, (2) Finally after the German retreat from the Ukraine and Rumania toward end of the war, Rumania again joined the Allied Powers, thus ending the war on the victor's side, (3) As Prof. James B. Gidney (Kent State University) put it on a symposium on Transylvania: "Bratianu (Rumanian Primeminister in 1919) simply waited until he saw what the winning side was and then brought Rumania in on it." Rumania's reward for turning coats so often and so deftly was Transylvania and other Hungarian territories.

Or, in World War II, the Germans had no stauncher ally than Antonescu's "Iron Guardist" Rumania. Yet when the Russians approached the country in 1944, Rumania changed position and became allied with the Soviet Union. The result: Soviet insistence during the 1947 peace negotiations to turn over Northern-Transylvania where the bulk of the Hungarian population was concentrated, from Hungary to Rumania. Transylvania being safely in Rumanian hand, the Soviet armed forces withdrawn from Rumania for good behaviour in 1958, Rumania turns his back to his benefactor, the Soviet Union. It should not be surprising that Rumania will do the same to the United States when the time is right.

It is self-evident that minority grievances, or for the matter any grievances of importance can not be aired in the press and other media in Rumania. Not only because they all are in the hand of the communist party, but also because of the arrest, torture, imprisonment or deportation of those found responsible. Peaceful demonstrations as well as organizing civil right movements are, of course, clearly beyond the realm of possibilities because in Rumania these are crimes against the state punishable by many years of prison terms if not by death.

(a) Under these circumstances, may the assertion often heard, that "the Rumanian government has preferred to deal with the problem of minorities as an exclusively domestic question" be seen as a valid reassurance to the improvement in observing human rights of Rumania's minorities? The Hungarians, Germans, Serbs etc. in Rumania have only one problem: the Rumanian government. Is it right to expect the perpetrator of misdeeds to indict himself? The Ceausescu-led communist party is the only valid law in Rumania, and even the communist-made Rumanian Constitution which guarantees certain rights to the nationalities, has never been adhered to during Mr. Ceausescu's 15 year reign.

(b) Under the circumstances in Rumania can it be realistically expected that the minority problem may be resolved within Rumania between the Government and leaders of the ethnic Hungarian community? Hardly. The exile of Karoly Kiraly, the appearance of thousands of militia men in Hungarian districts, the house searches, interrogations, arrests and tortures can not permit such conclusions to draw. We cannot trust in the goodwill toward minorities of a government which purposely, systematically and consistently wants to assimilate its unwilling national minorities, as a national policy for making the country 100 percent Rumanian. It is cultural ethnocide (genocide) that has been in progress in Rumania for many years. The end of this threat will be in sight only if Mr. Ceausescu and his communist party would renounce of their maniac idea of destroying the Hungarian nation and other minorities of Rumania.

(c) Not much promise can be seen for the solution of this problem by approaching it "in accordance with the international norms adopted by the United Nations for the protection of the rights of ethnic minorities" as Hungary and Rumania are said to have agreed. These words have still not been transformed into actions. It is known that the planned new consulates in Kolozsvar (Cluj) (Rumania) and in Debrecen (Hungary) agreed upon by Mess. Kadar and Ceausescu according to a joint

communiqué issued on June 17, 1977, are still not set up on account of Rumanian footdragging. Hungary has no means to enforce or even monitor the execution of any agreement between the countries concerning the minorities. Reciprocity, as a means of enforcement, is out of question, as Rumania's more than 2 million Hungarian inhabitants cannot be balanced by Hungary's less than 20 thousand Rumanians. The reluctance or/and timidity of the Kadar government to act resolutely on behalf of Hungarians beyond the border, in Transylvania further diminishes the probability that bilateral talks between Hungary and Rumania would help improve the situation of the oppressed 2.5 million Hungarians in Rumania. It is most likely that the Soviet Union ties up Hungary's hand in pursuing the Kremlin's interest in peace and tranquillity in their satellite empire. The Soviets surely would support the Hungarian cause in Rumania only in case if Ceausescu's so called "independent" foreign policy will step out of bounds causing to Russia an intolerable situation. But the Rumanian dictator is very careful not to commit that mistake. This may mean that his "independent" stance has very little actual advantage for the United States even so that Rumania gains many miles of propaganda for its own benefit.

I listed here some reasons why the Hungarian-American community turns with confidence to the Government of the United States for solution to the problem of the oppressed indigenous Hungarian population of Transylvania. We firmly believe that the US can influence the behaviour of the communist government of Rumania. I am not in the position to assess the value of our good relations, trade and otherwise, with that country except that imports from Rumania are on the increase while exports to Rumania are shrinking. Our last year trade balance with that country is negative. But I can visualize the peril threatening 2.5 million human beings if the United States lets the Hungarians down in their struggle for survival in Rumania. I strongly feel that resolute and affirmative action on the part of the US Government in defending the persecuted minorities in the Soviet Union controlled Eastern, and Central Europe will enhance our image as the hope of humanity for the survival of freedom and national cultures, as well as our prestige that we are able to exercise influence within the Soviet controlled part of Europe. On the other side of the scale I see a negative trade balance, thousands of disgruntled American workers, violations of the basic emigrational law by manipulated low of emigrants, and an indigenous nation condemned to slow death in his ancestors' homeland by a dictatorial government, a never freely elected dictator and the indifferent free world.

I strongly believe that the time has come to warn Rumania now. The warning should have some sharp teeth such as suspending Rumania's most-favored-nation status for a period during which—

(1) a thorough reexamination of Rumanian performance under the terms of the 1974 Trade Act and the US-Rumanian Trade Agreement be carried out; and

(2) the Rumanian government, together with Hungarian minority leaders (such as Karoly Kiraly, Lajos Takacs and others) and in agreement with them, prepares and submit to the US Government a plan for a comprehensive national minority law (a demand which a Transylvanian Hungarian leader personally disclosed to me) incorporating the Hungarian's human and national rights based on full equality and including the Hungarian as an official state language—in Transylvania.

When Rumania would reapply for the continuation of the favorable tariff rates, the Bucharest regime will exactly know that our government means business.

In conclusion I refer to the editorial of our periodical, "Carpathian Observer" by attaching the top page of the December, 1975 issue as part of my statement.

From CARPATHIAN OBSERVER, Vol. 3, No. 2, December, 1975

NATIONAL MINORITIES PROTEST DISCRIMINATION IN RUMANIA

In an unprecedented move leaders of Hungarian and German nationalities in Transylvania, in a joint appeal to the Rumanian government, demanded the end of discrimination against the non-Rumanian population of the country.

It seems that the ever growing spirit and practice of oppression of the two largest and culturally richly endowed nationalities of Rumania could not be silently endured any longer. It is also likely that the Helsinki agreement added to the impetus, particularly because President Ceausescu showed himself at the Helsinki conference to be the spokesman of national independence. Now Mr. Ceausescu is called to live up to his spokesman-ship and respect the human rights of national minorities in his own country, too.

—The full text of the appeal, which is being circulated countrywide, as published in the November 10 issue of the prestigious, independent liberal West-German newspaper, "Frankfurter Allgemeine Zeitung" is as follows:

"The Hungarian and German nationalities of Rumania, — 2 million Hungarians and 600,000 Germans in Transylvania and in Banat — comprising 13% of the population of Rumania¹ — protest discrimination practiced in the country and strongly urge that the rights of minorities be fully recognized and guaranteed in Rumania.

Therefore we demand:

1. The freedom to use our own language, especially in schools and in the civil service,
2. Autonomy for Hungarian and German schools from the primary through the university levels,
3. Equal rights in all phases of political, cultural and scientific life (literature and the press, free cultural contacts with foreign countries),
4. Return of expropriated cultural institutions (museums, archives) before they are "rumanianized".

1. Over 40% of the population of Transylvania. — Ed.

5. A constitutionally recognized "Federation of Nationalities" as the constitutional, freely elected representation of the minorities in Rumania,

6. Establishing a permanent United Nations "Commission for Transylvania" to safeguard the nationalities' rights.

With these demands for recognition of Human Rights for all citizens of Rumania, the national minorities of the country wish to make their contribution to the peace and security of Europe."

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PLIGHT OF THE NON-EMIGRANTS

Numerous Senators and Representatives spoke up in conjunction with the Rumanian-American Trade Agreement in the first half of the year, pointing out the opportunity to pass judgement upon the practice of grave and constant discrimination in Rumania by making the approval dependent on the amelioration of the plight of national minorities in Transylvania.

This question emerged during the hearings in committees both House and Senate. Yet when the bill was approved 24 to 3 by the House Ways and Means Committee and subsequently in the House of Representatives and Senate, only one aspect seems to have been considered by the overwhelming majority of the legislators, namely, that of the 1974 trade act which ties in favorable U.S. trade terms to any country allowing free emigration of its citizens.

When the legislators sharply focused their attention on emigration, and largely neglected the plight of those who do not even think of leaving the ancestral land, their humanitarian impulse may have been put to work in a one-sided manner.

Prospective emigrants, and non-emigrants (the overwhelming majority among the nationalities oppressed in Rumania) turn their faces toward us, the shiniest symbol of freedom and champion of human rights, and look to us for at least a modest degree of support. We should lend an ear to both groups, and act on both their behalves, dividing our attention and care more equitably.

The Editor

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THE PLIGHT OF THE HUNGARIAN MINORITY IN TRANSYLVANIA (RUMANIA)

THE PEACE-TREATIES OF 1919 AND 1947

Hungary celebrated the millennium of her statehood in 1896, but it was barely a century ago, in 1877, that the independent Rumanian state was created by the unification of the provinces of Wallachia and Moldavia.

Some 40 years later, in the 1919 Trianon peace-treaty concluding World War I for Hungary, Transylvania, the hitherto Hungarian land was awarded to Rumania. Was there good reason for this decision, was it just and equitable, did it promote genuine peace, are questions which even now, 60 years later, await objective evaluation.

Many critics answer in the negative. For instance, Harold Nicolson participating at the peace conference as secretary of the British Peace Delegation in Paris, writes in his book, "Peacemaking 1919": "We arrived determined that a peace of justice and wisdom should be negotiated: we left conscious that the treaties imposed upon our enemies were neither just nor wise..."

Although the British Memorandum on war-aims expressed some enlightened principles for a just settlement of Central and Eastern European territorial questions for friend and foe alike to ensure enduring, just peace and promote international trade once the war was over, the recommendations contained in the Memorandum were not followed at the peace conference. Critics claim that the victors, led by France and England, felt compelled, under the emotional influence of the long and destructive war, to use their power to penalize the vanquished (considered to be the warmakers), and with the same stroke, to reward the countries siding with the Allies. Among the latter was Rumania which, after severally shifting allegiance between the Central Powers (Germany, the Austro-Hungarian Monarchy, Turkey and Bulgaria) and the Entente Powers (France, England, Italy, Russia, United States), deftly ended up the war on the winner's side. The Hungarian government had been against the war in 1914 and got drawn into it reluctantly and only by virtue of her constitutional obligation of being part of the Monarchy, the foreign affairs, defence and finance of which was in the hands of Vienna. So it is ironic that Hungary proper became the victim of drastic territorial changes imposed upon her by the peace-treaty. This 1,000 years old country suffered the staggering losses of 1/3 of her territory and more than half of her population, among them 3,200,000 Hungarian peoples. The country was literally dismembered, the nation torn apart.

Rumania was given the largest Hungarian territory with the most Hungarian population (some 1,700,000). The area includes Transylvania proper and other adjoining Hungarian land. Rumania has claimed Transylvania as a reward for entering the war on the Allies' side which she did by attacking the Habsburg Monarchy in 1916 (as a nominal ally of the Central Powers),

occupying sections of Transylvania for a few weeks or so. At the peace conference, on economic grounds Rumania claimed in addition four Hungarian cities and their vicinities with several hundred-thousand population, overwhelmingly Hungarian. This request was also granted to Rumania. The total territory detached from Hungary for Rumania thus became larger than the truncated Hungary of today.

The next territorial change occurred in 1940 when in the Vienna Award, arbitrated by Germany and Italy, the northern and southeastern counties of Transylvania (where the bulk of the Hungarian population was concentrated) was restored to Hungary.

The 1947 Paris Peace-treaty concluding World War II reaffirmed the decrees of the 1919 Trianon treaty but not without dissent. The United States advocated Hungary's retaining already reincorporated counties of Transylvania while the Soviet Union wanted to reward Rumania, since 1941 a German ally with a Nazi-type government, for changing side again, when Soviet troops reached the Rumanian border in August 1944. The Russians won, and all of Transylvania was again awarded to Rumania.

The replay of the 1919 tragedy continued in 1945 when Rumanian troops marched into Transylvania and started a mass slaughter of Hungarian civilians. The withdrawing Soviet army returned to put an end to the bloodshed and to protect Transylvania's Hungarian inhabitants.

TRANSYLVANIA

Roughly the size of Portugal, Transylvania is on a high plateau situated in the eastern part of the Carpathian Basin and nestled between the southeastern and southern ranges of that mountain-chain which in its full length of some 1,000 miles formed the northern and eastern boundary of entire Hungary for a thousand years. Bastionlike, the Carpathian Mountains rise high up as a huge barrier from the plains of the original Rumanian provinces of Wallachia and Moldavia, thereby separating Transylvania from Rumania. Transylvania's western border, less of a natural barrier, is marked by wide valleys and hilly regions, gradually descending to the Great Hungarian Plain. Transylvania's main rivers (except one) flow into Hungary, and discharge in the river Tisza, the second largest river of Hungary. Indeed, geographically Transylvania is clearly part of Hungary.

Apart from a period of independence in the 16th and 17th centuries brought about by Turkey's conquest of Hungary's center part, Transylvania itself has always been part of an autonomous state — Rumania after World War I and Hungary one thousand years before that.

For many centuries three nationalities have lived together in Transylvania — Hungarians, Rumanians, and Germans. Despite

language, cultural and religious differences, these three diverse strains proved able to coexist with relatively little strife. Hungarians started to settle in Transylvania in the 10th century. Documents mention first in 1147 another group of Hungarians in Transylvania, the Szekelys, but there is no certainly about the earliest date of their settlement there. Some maintain that they are descendants of Attila's huns, but others describe them as Hungarian frontiersmen resettled by the Hungarian kings from inner Hungary in the southeastern part of Transylvania for defense purposes. Every relic of their language is Hungarian. They are, still today, the mainstay of Hungarianness in Transylvania, living in their own district along the southeastern range of the Carpathians, and making up about 35% of the total Hungarian population of an estimated two and a half million. Hungarian kings invited German (Saxon) settlers to immigrate to the southeastern districts of Transylvania between 1180 and 1220, granting them far-reaching autonomy. Documents from 1222 on mention the presence of Rumanians (Vlachs, Blaced) in the southern Fogaras (Fagaras) district. When the "csango," another ethnic Hungarian group first settled in the Rumanian principality of Moldavia is not quite clear. Some historians think they are descendants of a Hungarian tribe which had not followed the 7 other tribes across the Carpathian Mountains at the time of the Hungarian conquest of the Carpathian-Middle Danube Basin in the 9th century and settled in Moldavia. Others surmise that they are Szekelys - who had emigrated into Moldavia in the 14th century or some later time. Presently, their dwindling number may amount to 100,000.

There are theories which put the first appearance of Rumanians as well as Hungarians in Transylvania much earlier than can be documented. But the solid historical fact is that Hungarians and Rumanians have lived together for centuries in Transylvania, so there is more than adequate reason to call Transylvania the homeland of all Hungarians and Rumanians whose ancestors settled there hundreds of years ago. Likewise, the long time of co-existence amply justifies full equality of rights for both groups in the common native land, including unhindered use of mother tongue, preservation and promotion of national culture, as well as all other aspects of full equality for the two ethnic groups, both as individuals and as nations.

TRANSYLVANIA'S ROLE IN THE HUNGARIAN AND RUMANIAN HISTORY

Transylvania takes a special place in the history of both, the Hungarian and Rumanian nations. Besides being an organic part of Hungary right at the formation of that country, Transylvania's role in the Hungarian history and in the preservation of Hungarian culture and national consciousness is crucial. In the nearly 200 years period when the center part of Hungary fought a life and death struggle against the occupying Turkish forces, and factually was under Turkish control, Transylvania, as an independent Hungarian principality became the guardian of Hungarian culture, tradition, education, and contributed immensely to the continuity of Hungarian statehood and national survival.

No less significant was her role in the expansion of Protestantism. Her early embracing of the new teachings made Transylvania, — already the easternmost outpost of Western Christianity, — Protestantism's eastern bulwark. This was soon followed by a declaration of religious freedom, the first in Europe and, indeed, the entire world (1557, National Assembly at Torda). This act, occurring under Hungarian sovereignty, preceded the major religious wars in Western Europe by more than a half a century.

Another phenomenon peculiar to Transylvania has been the existence, side by side, of three major Christian religions: Roman Catholic (Hungarians), Protestants (Hungarian-Calvinists, Saxon-Lutherans), and Eastern Orthodox (Rumanians). A new religion,

the Unitarian was founded in Transylvania in the 16th century under Hungarian sovereignty and an old religion, the Rumanian Eastern Rite Catholic Church was forcibly dissolved in 1948 by the Rumanian government.

Because of the relatively late development of the Rumanian people into a more homogenous nation, Transylvania could not possibly have such a historic role for Rumania as she had for Hungary. Though a Rumanian population was there, and in the last six centuries increased swiftly by several waves of immigration from the neighboring Rumanian provinces, we can talk about modern Rumanian national consciousness only since the 19th century. One of its milestones is the Hungarian Revolution and Freedomwar of 1848/49 against Austrian domination when the Rumanians of Transylvania first rose up against the Hungarians (who themselves were engaged in a desperate fight against the joint forces of the Austrian and Russian armies in Transylvania), but then changed allegiance and sided with the Hungarians against the Austrians in the hope for more autonomy. The establishing of independent Rumania 100 years ago gave another boost to Rumanian nationalism and turned the attention of nationalist circle toward Transylvania.

Another significance of Transylvania for Rumanians is the remarkable fact that the roots of the Rumanian intelligentsia developed rather in Transylvania than in the original Rumanian provinces (Wallachia and Moldavia). This is likely due to the influence of the much earlier existence of Hungarian (and Saxon) middle classes and their overall and outstanding cultural achievements. Recent government-inspired Rumanian historical works seem to stress the Rumanian role of Transylvania beyond reality.

"It should be noted," writes the *Neue Zürcher Zeitung*, one of the leading Swiss newspapers (Apr. 7, 1977), "that Transylvania, due to her different history, is a better developed and thus more desirable place than Moldavia and Wallachia. A side effect of the historical differences is that not only the Hungarians but also the Transylvanian Rumanians like to look down on their landmen living beyond the Carpathians."

RUMANIAN MINORITY POLICIES, 1919-1945

In the period between the two world wars the subsequent governments of new, enlarged Rumania undertook oppressive policies against the Hungarians who were made a minority in their own homeland overnight. About 150,000 civil servants and teachers were expelled from Rumania, constitutional and extra-constitutional means were used to reduce the importance of the Hungarians, and police terror was applied widely. Dissatisfaction was felt also by Transylvanian Rumanians who were not given the role in the new state commensurate with their superior education and administrative experience. The non-totalitarian aspects of the pre-communist (and also pre-Nazi) regimes, however, could not exert as total control over national minorities as communist governments can. Initiatives of Hungarian leaders, ecclesiastic, national, cultural, were able to counteract, to some degree, the effect of oppressive policies in the fields of education, literature, journalism and religion. But the treatment of the then nearly 2 million Hungarians whose forefathers settled in Transylvania many hundreds of years ago, was highly detrimental. Their land confiscated, their public schools closed, Hungarian enterprises forced out of business, the Hungarian minority was all but ruined in the 25 years in the non-communist era of Rumania. The American Committee for the Rights of Religious Minorities gave the following report of the situation: "The administrative oppression, the violent enforcing of the Rumanian language, the closing down of the schools, the many interferences, the aggressive hostility by which the school problems are being treated, all these are aimed for the total destruction of the minority school system. The laws of 1925 serve as oppressive political and nationalistic tools against the minorities." ("Rumania ten years after." The Bacon Press, Inc. Boston, 1928.)

OPPRESSION OF MINORITIES BY THE SOCIALIST REPUBLIC OF RUMANIA

After the communist take-over following World War II Rumanian minority policies gradually developed into a patent combination of two contrasting ideological elements of rigid communism and extreme nationalism, both working against Transylvanian Hungarians. Communist theories drawn upon nationalism, as a "bourgeois" holdover, and minority questions can not possibly cause problems (so say the communist teachings), if Lenin's respective principles are followed for an equitable treatment of minorities. However, Rumania's example shows that nationalism is far from being dead in the most communist of countries. It is actually stronger than it was in the "bourgeois" era because its implementation is aided by the totalitarian power of the communist state which, as it is well known, controls life from cradle to grave. This total power, uncontrollable from abroad, unless meaningful actions (such as trade restrictions, public opinion and other strong actions) are undertaken, looms over the Hungarian minority in Rumania, the largest anywhere in Europe, west of the Soviet Union. Their being in Rumania, not only as Rumanian citizens, but also Hungarian nationals, appears to be seen by Rumanian chauvinists as a potential danger because of their historic role, cultural superiority, strong feeling of national identity and love of mother tongue. Accordingly, actual Rumanian minority policies have been directed against Hungarian language, education, culture, historical role and national consciousness.

In Rumania there are two sets of rules for minorities: one on the books for propaganda purposes to show the world how much Rumania respects minority rights, human rights, and another one for actual application in order to carry out the real but unacknowledged minority policies which aim at the liquidation (assimilation, absorption) of the non-Rumanian population, as a Rumanian national goal.

The Department of State and the United States diplomatic missions in Bucharest have been following developments in Transylvania. An information summary prepared by the State Department as early as 1964 states: "The Rumanian government has pursued a cautious but systematic policy of Rumanizing the Hungarians by requiring them to learn the Rumanian language, by gradually reducing the number of Hungarian-language cultural institutions in Transylvania, by intermixing Rumanians with Hungarians in positions of authority, and by assigning Hungarian intellectuals to posts outside of Transylvania." "It appears from information presently available to the Department that the Rumanian Government has indeed been following a course aimed at reducing Hungarian cultural and nationalistic influence in the Transylvanian region, at assimilating the Hungarians there into the Rumanian population."

The testimony of Paul Goma, a Rumanian dissident author, living now in France, in an international press conference on human rights, in Frankfurt, Germany in 1978, is an outright indictment of the minority policies of the Rumanian government. Out of his testimony emerges the design of a plot for destroying the Hungarian schoolsystem and for executing anti-Hungarian measures beyond imagination, involving "internal decrees" (never officially publicized), ordering dispersals, interrogations, arrests, intimidation, terror, and physical tortures. According to Mr. Goma (who is not of Hungarian extraction) the Western free governments, naively, do not see through President Ceausescu's deceptive maneuvers, or recognize the rift between the propaganda-painted image of Rumania and the realities of a most intolerant, and repressive nationalist-communist system.

In the last 15 years or so there has been much information on the plight of the Hungarians in Rumania from visitors from Rumania, Americans and Canadians returning from Rumanian visits, refugees, in the spot and in depth reports by major Western-European and American newspapers, periodicals,

United States legislators, US Congressional Record, special documents reaching the West by secret channels, and, more recently, official statements of Transylvanian-Hungarian political leaders, scholars, writers and other prominent people.

In spite of the Rumanian official campaign of denial of any wrong doing in treatment of minorities, all information available points to the same conclusion: Rumania's unstated but unmistakable aim is to become a state without any national minorities.

The Sunday Times of London (April 17, 1977) writes about a special document, prepared pseudonymously by a Transylvanian intellectual, and detailing the cultural oppression of Rumania's Hungarian population: "The 27 page document is the first account of how an anti-minorities campaign is being operated in Rumania, whose government claims to be Marxist, Communist and internationalist, but practices policies that are intensely nationalist. The evidence of the document, which tallies with other information, is of a campaign to eliminate the Hungarian intelligentsia and skilled working class, which have a strong national consciousness and cultural traditions, and to break up the cohesion of Hungarian districts."

In the summer of 1977 Karoly Kiraly, a Hungarian member of the Rumanian communist leadership first revealed in letters to high-ranking Party officials that Rumanian minority policies gravely abuse the some 2.5 million Hungarian inhabitants of Rumania. This hitherto "silent" minority, muted by the memories of the post-war forced labor camps at the Danube delta in Rumania, the persecution of Hungarians after the Revolution of 1956 in neighboring Hungary, and the ever harder pressure of Rumanian state power against Hungarian culture, language, education and national identity, has thus gotten, in the person of Karoly Kiraly, a spokesman who is effective, authentic, and even official. The 47 years old Kiraly, vice-president of the Hungarian Nationality Workers Council, and an alternate member of the Rumanian politburo until 1975, deplored in the letters a government tendency "to forcibly assimilate the nationalities living in Rumania." He cited many discriminating and oppressive measures such as the refusal to grant national minorities a representative voice in government, "restrictive quotas" denying employment to minority workers, elimination of Hungarian schools and classes, the "naming of non-Hungarian speaking, Rumanian mayors" in cities "inhabited predominantly by Hungarians," the prohibition of minority languages in public institutions and administrative offices, and a host of other deprivations.

In one of his letters, Kiraly decries the "violence and torture" used against minority inhabitants and points out that "the harassment of Jeno Szikszai, the eminent (Hungarian professor from Brasov), drove him to commit suicide." Sandor Kuti, another teacher from Brasov (Brasso in Hungarian) was found dead in the vicinity of the city, executed or dead from torture. Before their death, attempts were made to force them to put their signatures to a variety of declarations praising the nationality policies of Rumania, and stating that there is no need for Hungarian schools in Brasso. At the cost of their lives, they refused to sign.

Among those in Rumania who endorsed Kiraly's views, were Ion Maurer, a Rumanian and retired Prime Minister of Rumania, and many prominent members of Rumania's Hungarian minority. Lately, Transylvania's top Hungarian writer, Andras Soto, has protested restrictions on Hungarian language education, the Hungarian-born Deputy Premier of Rumania, Janos Faszka, has decried minority grievances in a letter to the Party, and Dr. Lajos Takacs, former rector of the Kotelesvar (Cluj) University, in a 7,000 word memorandum to the Party, said that laws on minority rights were not being observed and called for a full-scale party review of all nationality questions.

Kiraly was summoned to Bucharest for talks with top Rumanian officials. He was accused of being a traitor to Rumania, threatened with trial and expulsion from the Communist Party,

and asked to denounce his own appeal as the fabrication of the CIA and Radio Free Europe. He refused. He was ordered to leave his hometown, the Hungarian city of Marosvásárhely (Tirgu Mures in Rumanian) and was exiled with his wife and five-month-old baby to Karansebes in the southwestern corner of Transylvania.

Books are written about the many facets of the consistent Rumanian efforts to destroy the vestiges of Hungarian life in Transylvania. It would be impossible to condense all essential information into a brief treatise. We hope that after some prefatory general statements, a few concrete examples will shed more light for the reader upon the essence and nature of the Rumanian striving to stamp out the national identity of over 3 million non-Rumanian citizens of Rumania, the so called "co-inhabitant nationalities" who, other wise, as individuals, contribute so importantly to build up Rumania from an agricultural country into a modern industrial state.

Schooling, education in the mother tongue. As we said before, the general trend of Rumanian school policies is the reduction of Hungarian, and other nationality schools in all levels. Thus at present the number of Hungarian schools do not cover the need for Hungarian education in Rumania. The danger is imminent that consistent and gradual reduction today, will mean a complete liquidation of Hungarian schooling some time in the future. The best situation for teaching in the mother language existed in grammar schools, at least in the cities. Yet at least 30% of Hungarian children have to attend Rumanian elementary education for lack of enough Hungarian schools. Much worse is the situation with high school and university level education. Each year more and more Hungarian high schools are closed down and, in the still remaining ones, more and more subjects are taught in Rumanian. There is a general trend to convert high schools into technical schools where the language of teaching is invariably Rumanian.

Smaller communities are hit the worst because at least 30 Hungarian students are necessary for opening a Hungarian class while 2 or 3 Rumanian children are sufficient to open a Rumanian class. In many small Hungarian villages there are not enough people to have that many children of the same age. If the parents get together to send their children to school in the nearest village, either authorities refuse to arrange for transportation or if the parents take in boarders from the neighboring villages, they will be harassed by the Rumanian authorities. In any case, in many pure Hungarian villages a Rumanian school will be opened, even though not one Rumanian lives there.

Kolozsvár (in Rumanian Cluj) had been the cultural and historical capital of Transylvania for many hundred years. It was sort of "holy" city the name of which awakes warm feelings anywhere in Hungarian hearts still today. The city was second only to Budapest in the total number of teachers and students but first in proportion to its population in the Hungarian era. Now, not more than 15% of the Hungarian students can attend Hungarian highschools. In the last ten years, from 1967 to 1977, the number of Hungarian highschool graduating classes was smashed down from 21 to only 7.

In 1976 a decision was born to eliminate Hungarian institutions of higher education. After the "Bolyai" University in Kolozsvár (already largely denationalised) the decision was carried out in the Institute of Medicine and Pharmacology in Marosvásárhely (in Rumanian Tirgu Mures), and, then, by special order from Bucharest, a Rumanian section was established at the Hungarian "Istvan Szentgyorgyi" School for the Dramatic Arts, thereby liquidating in effect the last "island" of higher education in a nationality tongue; and — to eliminate any doubt in regard to the latter move — of the six Hungarian graduates of the school for the Dramatic Arts, only one was appointed to a Hungarian theater, while the remaining five — whether they liked or not — were placed in Rumanian theater.

Hungarian education for the "csangos" in Moldavia was carried out by 100 Hungarian teachers up until 1948. Since the Rumanian government has gradually closed down all the csango schools. This Hungarian group has been without any Hungarian language education for years.

Freedom of Churches sharply curtailed. In Rumania religion denotes nationality. Hungarians are either Roman Catholics, Reformed or Unitarians, the Germans are mostly Lutherans (Saxons) or Roman Catholics (Banat Swabians), and almost all Rumanians are Eastern Orthodox since the Byzantine-rite Catholic Church was forcibly dissolved by government decree in 1948. The Rumanian communist government, through the Ministry of Cults, carries out a policy of total interference in ecclesiastical matters. Even the bishops of the Transylvanian Reformed Church are appointed by the communist government.

While in Hungary about 1/4 of the population is Roman Catholic, in Transylvania Hungarian Protestants slightly outnumber Catholics. Thus, in Rumania, both the Catholic and the Protestant Churches have equally been under attack while the Rumanian Orthodox Church enjoys considerable freedom and support from the government. After the war hundreds of Hungarian priests and ministers were imprisoned and many perished in forced labor-camps at the Danube delta. The immensely revered Hungarian Catholic bishop, Aron Marton spent 18 years in Rumanian prisons and house arrest just because he raised his voice on behalf of the oppressed Hungarian minority.

A government decree in 1974 stipulated that churches are not allowed to receive gifts or money from abroad, without having applied for special permission from the Ministry of Cults. Such permissions are seldom granted.

During the earthquake of 1977 in Rumania some 80 Hungarian Reformed Churches located in an overwhelmingly Protestant district of Transylvania were seriously damaged. News about the damages were suppressed by Rumanian authorities. According to a report by the World Reformed Presbyterian Alliance, sister churches in the United States and Western Europe were ready to send financial aid to rebuild and renovate these churches but the Ministry of Cults would not issue a permit to the bishops to receive these funds. The churches are still in disrepair, among them many gothic structure built in the Middle Ages. The disappearance of these historic churches represents an irreplaceable loss to the Transylvanian Hungarians.

The report further states that it is impossible to buy a Reformed hymnbook in Rumania. They have been out of print for years. Church delegates from abroad, visiting the country, are not allowed to meet with Hungarian colleagues freely. Theological literature cannot be sent to them from the West. There is an acute shortage of Bibles and prayer books for Protestants (and also Catholics). Any social gatherings or religious meetings, except for Sunday services, have to be approved by the government.

The law on the protection of the national cultural treasury and the decree on church archives, both from 1974, appear to be one of the most serious blows against Hungarian culture and history of Transylvania. Under these laws the Rumanian government nationalised, i.e., expropriated, all "documents, official and private correspondence, memoirs, manuscripts, maps, films, slides, photos, engravings, imprints, seals and like material" over 30 years old, from the possession of religious and cultural institutions and private citizens. Also confiscated were church archives, antique chalices, altar cloths and other irreplaceable items. This material — taken in many cases without receipt — was dumped into trucks and carted away to unknown destinations: According to the Neue Zürcher Zeitung of Switzerland ("Bureaucratic Chicaneery Against the Churches in Rumania," Feb. 12, 1975) "the intent behind the nationalization of the ecclesiastical archives is to sever the religious communities from their historical roots. A church without a past (tradition) has no future, especially one which represents a religious and national

minority. The first victim of these warlike designs against the religious and cultural minorities by the Rumanian regime was the Hungarian Reformed Church." Here, in the mother country of the Reformation in Transylvania, appeared officials from the State Archive, assisted by an authorized agent from the Department of Culture and a representative from the episcopate, who seized the archives of approximately 200 church communities and deaneries. "Especially the two reformed churches (i.e., the Reformed and Lutheran) have been preserving in their archives the tradition of their religious and linguistic individuality, dating back to the time of the Reformation."

The church archives were generally in excellent order and condition and they were accessible to researchers. In contrast, for the past 26 years Rumania has maintained absolutely no facilities for the professional training of archivists, not even Rumanian. The few archivists are not expert in ancient Slavic, ancient Greek, Hungarian, Latin, the languages in which the documents were written.

Use of mother tongue. The new Rumanian constitution of 1952 assures free use of mother language for all nationalities and provides for educational institutions teaching in mother tongue. Further, it authorizes administrative and judicial organs to use the language of the majority nationality in their respective jurisdiction. In reality, however, the use of mother tongue is practically forbidden and is restricted to home, school, church, and the theater. Except the still overwhelmingly Hungarian Szekelyland, one has to be very careful when speaking Hungarian in public, because of the danger of being attacked by Rumanians. Police, as a rule, protect the attacker Rumanians. It is impossible to use mother tongue in administrative offices and law courts. Even if the Rumanian official can speak Hungarian, he or she will not answer if addressed in Hungarian. The use of Rumanian is pressed so forcefully that even Hungarian shopkeeper has to speak Rumanian with a Hungarian customer. It is not uncommon for a doctor and his patient, of the same mother tongue, to have to communicate through an interpreter because they are allowed to speak only in the official language. Ancient Hungarian names of communities, streets are non-existent. Before its transfer to Rumania, 85% of the population of Kolosvar was Hungarian, 11% Rumanian. Now after a continuous influx of Rumanians, resettled mainly by the government; from outside Transylvania, the population of Kolosvar has tripled to 200,000 in the last 60 years, but because of a ban which prevents Hungarians from moving to Kolosvar, only 45% of the population is Hungarian. Not one street sign in Hungarian is permitted. Only announcements of the Hungarian theater and notices, etc., of Hungarian churches are allowed to be in Hungarian.

Cultural restrictions. Though there is a minority publishing company operating in Bucharest, the subjects and the number of copies are controlled by the Rumanian government. It would be natural were the supply of Hungarian language publications for Transylvania Hungarians to be augmented by publications from the mother country, Hungary. But import of Hungarian language publications, books, literary or scientific works, daily newspapers, periodicals and magazines is so strictly controlled by the Rumanian government as to be practically forbidden. Budapest newspapers are on sale in Bucharest but not in Transylvania's larger cities where Hungarians could read them. Subscriptions are artificially kept low. In Kolosvar, one can subscribe to receive Budapest newspapers at the post office once a month only and only during one hour which, however, is not publicly announced. Travelling Transylvanian Hungarians (allowed to go abroad every other year) returning from Hungary are not allowed to bring home Hungarian books. If found at customs clearance, they will be confiscated. Similarly, books brought by visitors from Hungary to relatives and friends will be seized at border checkpoints. — Minority folk-assemblies, in the service of promoting their own culture, of late are being compelled by the Rumanian government to perform mixed

programs containing 3 Rumanian songs or dances, and one of still another nationality, for every one of their own national tradition. — Literary magazine editors are being strongly pressed to publish more and more translations of Rumanian writers (but this rule is not followed by Rumanian editors). Similar is the situation with stage plays. — Cultural institutions, including theaters, literary associations, etc., are systematically deprived of their independence, and made atrophied appendages of corresponding Rumanian cultural institutions. — The Hungarian State Theater of Marosvásárhely, a large, historically Hungarian city, has a Rumanian director who does not speak Hungarian.

Census. According to the latest census taken in January 1977, the total population of Rumania increased by 12.9% since 1967. In the same 10 years, however, the number of Hungarians is officially alleged to have grown only 5.3%. It is hardly necessary to point out that this huge difference is biologically impossible so that the census data of the Hungarian population must have been gravely understated, at least by 7%. While it is possible that many Hungarians could not resist the Rumanizing pressures any longer and declared themselves Rumanian, what is more likely is that the census and/or its results are inaccurate. Rumanian census data have notoriously understated minority population figures heretofore. Past experience with Rumanian statistics also indicates that census taking is one of the weapons which the government uses for the purpose of reducing ("assimilating") minority population. — In the absence of reliable statistical data, official Rumanians census figures cannot be taken at face-value. Many researchers in the United States estimate the number of Rumanians in Transylvania to about four million, while the minorities are thought to amount to some three million. Accordingly, the relative proportions may be 56-58% Rumanians, 44-42% all nationalities, the Hungarians alone making up 33-35% of the total population.

Falsification of history. The foregoing presentation demonstrates that the present Rumanian minority policies aim at the complete elimination of national minorities in Rumania by some time in the future. Remarkably, the bright prospects of a future nationally united, homogeneous Rumanian Rumania does not satisfy the Bucharest nationalist leadership. Transylvania's past, which is mostly Hungarian, has been under attack, too. Historical works, including school-books, are being published which falsify the history of Transylvania. These works, which are silent about Hungarian and other minority achievements which were the mainstay of Transylvanian culture and progress, magnify the Rumanian role (and indeed invent it in some cases) by boldly altering the facts and by subtly twisting them. Minority children are taught that the cultural richness of the area is the result solely of Rumanian creativity, causing the children to be ashamed of their national identity. Reference by a Hungarian teacher to Hungarian cultural achievements often results in the teacher's arrest, torture, imprisonment.

CONCLUSION

For brevity, many other aspects of the oppressive Rumanian policies had to be left unmentioned here. The systematic assault and discrimination against minority languages, culture and national identity are the most obviously dangerous political weapons the Rumanians use not only to harass, but also to threaten the survival of, Hungarian and other national minorities of Rumania. But dispersal of professionals, dissolution of Hungarian communities and districts by skillful manipulating of labor policy, tendentious Rumanianization of pure Hungarian districts by the industrialization process are not less damaging weapons in Rumanian hands if carried out consistently. Confiscation of church and cultural archives and religious relics is likely to be related to the steady process of de-Hungarianizing the visible remnants of Transylvania's Hungarian past.

The complete refusal to allow bilingualism in Transylvania where there are communities and districts with still 50-90%

Hungarian population, and many others with strong minorities of 25-50% Hungarians is blatant violation of human rights not only by western standards but also according to communist principles. The case of bilingualism is strong and clear where people are not emigrants but live in their and their ancestors' own native land as Hungarians live in Transylvania.

Many experts believe that the principle of complete equality of Romanians and Hungarians should be recognized and implemented in Transylvania as the main guiding idea. If in their striving for equality the Transylvanian Hungarians cannot obtain the support of the free world, be it governmental, religious denominations, human rights organizations, or public opinion, their call for equality may be muted to a desperate cry for bare survival.

LOUIS L. LOTE

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"ROMANIA—FORCED LABOR CAMPS AND ETHNIC MINORITIES"

This is the headline of an article in the Autumn 1978 edition of the *Matchbox* published quarterly by AMNESTY INTERNATIONAL, USA.

We repeat a section of this article entitled

THE HUNGARIAN MINORITY

Jenő Szikszai, a teacher and member of the Hungarian minority in Romania, was arrested by the Romanian Securitate early in 1977. He was accused of persuading parents of ethnic Hungarian pupils to protest against the elimination of Hungarian schools in the Braşov region of Romania and of asking them to register their children in Hungarian schools rather than Romanian ones.

During interrogations he was beaten by members of the Securitate and reportedly committed suicide.

The Hungarian minority in Romania, until very recently, has received little attention in the press, including the official press of the

People's Republic of Hungary, which until 1977, was not allowed to comment adversely on the situation of Hungarians in Romania.

In recent years, however, consistent reports have reached Amnesty International that the Hungarian minority is subject to cultural and political discrimination and that those who protest or engage in cultural activities disapproved of by the authorities are exposed to maltreatment, short-term detentions and other forms of harassment. In addition, some have been sent to forced labor camps or to psychiatric hospitals.

According to scholarly sources, the number of ethnic Hungarians in Romania is between 2.4 and 3 million people, although official Romanian statistics published in 1977 put the number at 1.6 million. Most of the Hungarian-speaking population is established in the compact demographic region of Transylvania.

DISCRIMINATORY DECREES

Despite constitutional guarantees concerning the equality under law of all citizens regardless of nationality, and the right of co-inhabiting nationalities to the "free utilization of their native languages as well as books, papers, magazines and education at all levels in their own languages," a number of laws and decrees have been enacted which impinge on the religious and cultural heritage of the Hungarian minority.

The impact has been particularly noticeable in the field of education. In 1973, a law was passed which established a minimum of 23 pupils for elementary schools, and 36 for secondary schools for classes to be conducted in Hungarian rather than Romanian. As most of the Hungarian-speaking villages have less than 1000 inhabitants, one-third of the Hungarian classes have since been closed. In addition, manuscripts, books and other documents in Hungarian kept by Hungarian intellectuals, churches and other institutions of their community have been confiscated.

Other regulations allegedly applied in a discriminatory way against Hungarian ethnics concern banksmen and allocation of manpower.

In 1976 Romanian industrialization was stepped up significantly with the initiation of an economic five-year plan. Romania, at the same time, increased its foreign trade with several industrially developed nations.

In order to ensure the necessary work force for new construction projects for the five-year plan, Decree 25/1976 was passed "concerning the allocation of able-bodied persons to useful employment." As a result of this Decree, intellectuals and dissidents, who were dismissed from their posts because of political beliefs, have been charged with parasitism and sentenced to one year of forced labor, which often takes the appearance of prison terms and camps.

The Decree is also used as a resettlement policy to disperse members of the Hungarian minority.

During the past two decades, the most frequent complaint of ethnic Hungarians has been that they are subject to especially harsh resettlement policies. Thousands have been removed from Transylvania and forced to settle in other parts of the country. The provisions of Decree 25/1976 allow the authorities to recruit or allocate manpower from one region of Romania to another, and are being used to resettle and disperse members of the Hungarian minority.

In mid-1977 Károly Király, a prominent member of the Hungarian minority and a former member of the Central Committee of the Romanian Communist Party, wrote three letters alleging forcible assimilation of the Hungarian minority and sent them to the Romanian authorities. When the letters became public, Mr. Király was arrested, threatened with imprisonment and eventually banished without any legal procedure to another part of Romania. He is, at present, assigned to work in a timber yard in Caransebeş, reports twice daily to the police and is forbidden to contact any visitors.

PSYCHIATRIC ABUSE

Members of the Hungarian minority have also been subjected to psychiatric confinement for expressing their beliefs. Decree 12/1965

Dialogue in the State Department

Some 70 representatives of the Hungarian-American community, leaders of national organizations, scholars, political writers were invited by the Department of State for an informal discussion and dialogue about present-day Hungary and United States-Hungarian relations on November 17. An overview was presented to those present by State Department officials and extended question-and-answer period followed. Remarkably, the situation of Transylvania's Hungarian population was in the center of interest as indicated by the large number of inquiries on that subject. Also, thank was expressed to President Carter and the Department of State for bringing up the plight of Transylvanian Hungarians to President Cassese and Romanian foreign affairs officials at their April visit in the United States, and further follow up was requested. The meeting attended by a capacity crowd of guests lasted three hours.

describes as "dangerous mentally ill persons" those who "endanger their own or other people's lives or physical well-being or who may imminently commit grave acts stipulated under penal law which disturb the normal working conditions."

János Török, a member of the Hungarian minority, was confined to a psychiatric hospital in 1975, after he had addressed a meeting of 2,000 workers at the textile factory 'g Csej/Kolozsvár, where he worked as a technician. In his speech, Török criticized the election system in Romania and suggested that members of the minorities were discriminated against. He was forced from the rostrum by

members of the factory security guard, and reportedly was beaten in front of fellow workers. During internment at the Dr. Petru Groua psychiatric hospital he was reportedly injected with large quantities of drugs, including piogamazine, a strong sedative generally invoking a state of apathy and slowing down both mental and physical reactions.

Török was released in early 1976 after an international campaign was launched on his behalf. He sent a letter to Amnesty International stating that he is a "convinced Marxist," that he falsely accused the Romanian authorities and that he is convinced that "the Romanian social order is better than

a capitalism system." Evidence from previous cases suggests that prisoners are pressurized to write such letters to relatives and friends abroad upon their release.

Török is at present under house arrest and ordered to report regularly to the Securitate—a local psychiatric hospital.

Allegations by Romanian dissidents suggest that the number of members of the Hungarian minority confined to psychiatric hospitals, forced labor camps or serving for commenting on the situation of the Hungarian minority runs into hundreds. At present, 11 has six adopted prisoners of the Hungarian minority under investigation or adoption.

FINANCIAL TIMES

Tuesday, October 10, 1978

European News

ROMANIAN DISSIDENT STANDS UP TO PRESSURE

A FORMER member of the leadership of the Romanian Communist Party, Mr. Karoly Kiraly, has defied strong official pressure to silence his protests over discrimination against ethnic minorities.

According to information from reliable sources reaching Vienna, the 47-year-old leader of a campaign for minority rights was recently sacked from his last minor job as manager of a furniture plant in the small town of Caransebes and summoned to Bucharest where he was accused of being a traitor to Socialist Romania.

Despite threats, Mr. Kiraly, of Hungarian origin, refused to denounce his own appeals, which earlier this year were widely published in the Western press.

The same sources report that friends of Mr. Kiraly are concerned about his safety following two recent ominous incidents. First, Mr. Kiraly had a near collision with a heavy lorry which hit his leg and dented his car. Second, a few days later the windshield of his car was shattered after he had heard a shot. After two weeks of investigation, however, the police told him that it must have been a stone from the road that caused the damage.

Mr. Kiraly is the highest-ranking party official ever to oppose publicly Ceausescu's policies. Until 1973 he was an alternate member of the Political Executive Committee and until 1974 a member of the Central Committee to the top leadership. In 1976 he accompanied President Ceausescu to Moscow for the Lenin centenary celebrations.

As vice-president of the Hungarian Nationality Council, Mr. Kiraly protested both at closed meetings and later in three open appeals to top officials against the alleged suppression of Hungarian language and culture and the appointment of Romanians to all key posts even in Hungarian majority.

Several Central Committee members of Hungarian origin, including Professor Lajos Falcsai and the celebrated writer, Mr. Andras Sotoc, sent similar memoranda to the Communist authorities on behalf of the 1.7m strong Hungarian minority.

Mr. Kiraly is now said to live again in his native town of Tigris Mures in Transylvania with his wife and 13-month-old baby. He has no job and lives in his parents' house, which is kept under a 24-hour watch.

President Ceausescu reaffirmed in several recent speeches the full equality of the Hungarian and German minorities and only passively referred to traitors willing to sell their country "for a plate of goulash."

Mr. Kiraly's protests and the Romanian crackdown on Hungarian dissent has provoked some tensions between the two countries. An article by the prominent Hungarian writer, Mr. Gyula Illyes, publicly expressed concerns about the treatment of ethnic Hungarians in neighbouring countries.

In turn, Mr. Illyes was attacked this summer by a leading Romanian cultural functionary, Mr. Mihnea Cioculescu, as a Fascist reactionary seeking to turn back the wheel of history.

Last week the Hungarian writers were informed about an exchange of letters between the Hungarian and Romanian Writers Unions. The Hungarians defended Mr. Illyes. The Romanian answer complained about inadmissible attempts at interference in Romanian internal affairs.

The president of the Romanian Writers Union and former Foreign Minister, Mr. George Macovescu, offered to go to Budapest to discuss the issues. At the writers' meeting in Budapest, several noted Hungarian intellectuals stressed that it was not just the attack on Mr. Illyes but the position of the Hungarian minority which was at issue.

It is understood that the Hungarian and Romanian parties have also recently exchanged letters about the delicate problem of the Hungarian minority, which was discussed at a Hungarian-Romanian summit meeting by President Ceausescu and Hungarian party leader, Mr. Janos Kadar, in the summer of 1977.

The Hungarian leadership feels that only quiet diplomacy can help the Hungarians in Romania, who account for some 8 per cent of the total population. The Hungarians maintain that their number is in fact well over 2m, while the Romanians emphatically reject charges of manipulation concerning the 1977 census results.

But 74-year-old Mr. Gyula Illyes and a strong group of writers and intellectuals in Budapest evidently feel that the tactics of silence have failed to stop what Mr. Kiraly called a tendency to forcefully assimilate the nationalities living in Romania.

The fate of Mr. Kiraly himself, who was ousted from all his political positions and according to unconfirmed reports also expelled from the party, may be a significant pointer to the line President Ceausescu will choose in coping with the alleged grievance of the minority. It will also be a pointer to the path of future relations between the two countries.

Bishop Boky died

(1903-1978)

The Right Rev. Bishop Faldin Boky, D.D., died in Washington, D.C. after brief illness, on November 24. With him is the Hungarian-American community lost one of its greatest leaders.

He was born in the village of Herendmezocsanak (Hungary). He studied at the Reformed Theology of Sarvaspatak (Hungary), the Rutgers University, the Divinity Theological Seminary in Philadelphia where he graduated. Bishop Boky was made doctor of Religious Sciences at the Western Theological Seminary, he emigrated to the United States in 1926. He served as pastor of numerous Hungarian-American Reformed (Calvinist) congregations. Before he was elected bishop of the Independent Hungarian Reformed Church in America, he was minister of the Truants, N.J. congregation for decades. After serving as bishop, first he was elected president of the American-Hungarian Reformed Federation, later president of the American-Hungarian Federation and other Hungarian organizations, retaining his title as Bishop Emeritus of the Hungarian Reformed Church. In his last years he was very active on behalf of the Hungarian population of Transylvania. Among other efforts he submitted the Appeals to the United Nations (Division of Human Rights), and presented the question of oppression of religious freedom in Romania to the World Council of the World Council of Churches in Nairobi (Kenya), Bishop Boky advocated the restoration of the Holy Cross in the United States until independence and freedom will prevail in Hungary. His death is an immeasurable loss for the national spiritual heritage.

No Anniversary Celebration by the U.S., Bulgaria, Hungary and the Soviets

A Romanian anniversary became involved in an unexpected development of the Russo-Romanian relations. At the Moscow meeting of Warsaw Pact countries end of November, President Ceausescu refused to join six other communist countries in increasing military expenditures. He left the meeting abruptly for home to commemorate the 60th anniversary of the establishment of the "Romanian united national state". On the eve of the anniversary the ambassadors of the Soviet Union, Hungary and Bulgaria had left Bucharest. They may not have wanted to attend Ceausescu's

references to the territorial acquisitions of Romania in 1918, such as Transylvania from Hungary, Besarabia, the present Moldavia Republic from the Soviet Union and Dobrogea region from Bulgaria. Ceausescu's arguments at the Moscow meeting were lately called by the Kremlin sheer "demagoguery."

Romania had pressed for high-level American representation at the anniversary celebrations, but the U.S. was reluctant to appear to give that kind of endorsement to Romania's absorption of Transylvania.

The 60th Anniversary of Transylvania's annexation to Rumania

Rumania celebrates these days the acquisition of Transylvania in the peace-treaty of Trianon in 1919, more exactly the assembly at Gyulafehérvár (Abe-Julia in Rumania) December 1, 1919, where Rumanian delegates of Transylvanian communities proclaimed their wish that Transylvania be annexed to Rumania.

On the 60th anniversary of that event a Rumanian history panel was arranged at Kent State University Student Center November 26 and 27 under the auspices of the Rumanian Studies Program of that university.

Some university professors from Bucharest and Cluj (Kolozsvár in Hungarian) read papers on the significance of the Assembly at Abe-

Julia and the annexation of Transylvania to Rumania. Conspicuously, the task to speak about "the rights of national minorities in Rumania from unification to the present was given to a Hungarian professor from Transylvania, the retired László Bazsaly."

Sunday, Nov. 26 the assembly room was packed by the audience to capacity.

Not by Rumanians, but by Hungarian-Americans. Their interest in that subject must be attributed to the fact that though the transfer of Transylvania is an immense gain for Rumanians, it is a tragic loss for Hungarians which still hurts them.

Some Hungarians, university professors and others, had the chance to comment on what

the lecturers had to say about the controversial subject as to which of the two countries Transylvania justly belongs. Their remarks and a written comment submitted some time before the panel by the Committee of Transylvania, Inc. (Rochester, New York), a major free Transylvanian organization, helped to make the panel a more balanced affair. So did the demonstration in front of the building, a pronounced and duly authorized action, protesting oppression of Hungarians in Rumania.

Among those scheduled for commentaries Prof. James Oldney, and Lawrence Kaplan, both from Kent State, took issue with some of the Rumanian historic assertions.

A Hungarian view was set forth in a Statement (see below) prepared for that occasion by the Committee of Transylvania, Inc. and submitted to Prof. Olof E. Wilson of Kent State, coordinator of the panel.

STATEMENT

OF THE COMMITTEE OF TRANSYLVANIA, INC.

FOR THE "HISTORY PANEL ON THE 60TH ANNIVERSARY OF THE UNIFICATION OF ROMANIA AND TRANSYLVANIA"

Kent State University — November 26, 1978

1. The detachment of Transylvania and additional areas from Hungary and their annexation to Rumania was an unjustified provision of the 1919 Trianon peace-treaty, unfair and unjust to Hungary, causing detrimental consequences for the Hungarian population of the annexed ancient Hungarian territories, not only, but aggravating problems arising from the ethnically mixed population.

2. Dismembering the thousand years old Hungary has brought crucial consequences not only for Hungary, but also for the neighboring countries, the beneficiaries of Hungary's dismemberment, thus the fragmentation of Europe's strategic gateway, historic Hungary, has created a dangerous power vacuum which opened the way for Hitler's aggression and made the Soviet domination possible.

3. In less than 25 years after the peace-treaty oppressive Rumanian minority policies have all but destroyed the Hungariness of Transylvania who became a national minority in their and their ancestors' own native land overnight.

4. The plight of the Hungarian minority worsened considerably in the Socialist Republic of Rumania since the totalitarian state power of the communist, yet chauvinist Rumanian regime implements minority policies aiming at the forcible assimilation of the nationalities of Rumania.

5. With regard to Hungarians the general purpose of Rumanization has been recognized in practically all aspects of human life and national awareness, such as

- * consistently reducing number of Hungarian schools and classes,

- * teaching more and more subjects in the remaining Hungarian schools from kindergarten to university level in Rumanian language,

- * substituting use of Hungarian in administrative offices, law courts and other public places,

- * complete refusal of bilingualism,

- * general trend to replace Hungarian language with Rumanian in ancient Hun-

garian communities and districts, and even at the nucleus of the Hungarian Nationality Workers' Council,

- * abolishing Hungarian cultural institutions and making them stripped appendages of corresponding Rumanian institutions,

- * keeping Hungarian language publications from Hungary out of Transylvania,

- * curtailing freedom of Hungarian churches
- * confiscating church archives, historic documents, antique chaires and other irreplaceable items,

- * destroying, altering or neglecting visible landmarks of Transylvania's Hungarian past,
- * discriminating in housing and employment,

- * dispersing Hungarian intellectuals outside Transylvania,

- * breaking up ancient Hungarian districts by resettling Rumanians,

- * consistently understating the numbers of Hungarians by manipulated census data,

- * falsifying Transylvania's history by magnifying the Rumanian role, and ignoring Hungarian achievements, and

- * many other discriminatory and oppressive measures, among them threat, violence, torture, police terror.

6. No nation should be destroyed whether by forced assimilation or gradual absorption. Rumanian minority policies against the survival of a nation violated fundamental human rights and international laws, treaties and pronouncements, such as the Charter of the United Nations, Declaration of Human Rights, Trianon Peace Treaty of 1919, Paris Peace Treaty of 1947, and even the Constitution of the Socialist Republic of Rumania.

7. It is the destiny of the Hungarian and Rumanian nations to co-exist in the eastern part of the Carpathian Basin, i.e. Transylvania, where their ethnic frontiers overlap.

8. Rumania controls some two and a half million Hungarian inhabitants of Transylvania, the largest national minority anywhere in Europe west of the Soviet Union. There can be no fruitful co-existence, true brotherhood

and genuine peace between oppressed and oppressor, for these things can only exist between equals.

9. Thus the key to genuine peace between the two nations, based on equality in the common home-land, Transylvania, is in the hand of Rumania, so is the historical responsibility.

10. Therefore we call upon the Government of the Socialist Republic of Rumania to abandon the existing, actual, but unacknowledged minority policies of oppression, discrimination, absorption, assimilation, cultural liquidation and start a new page in the history of Rumanian-Hungarian relations.

"Interrogations, threats, intimidation repressions, tortures, can be expected by those who give the smallest signs of being Hungarian."

Paul Goma,
Rumanian dissident

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Senator MOYNIHAN. Now we have a further panel. We have the pleasure of seeing Reverend Alexander Havadtoy, who represents the Hungarian American community of Connecticut, the Human Rights Commission of the United Church of Christ, and the Human Rights Commission of the World Reformed Presbyterian Alliance, North American and the Caribbean Area.

Reverend, we welcome you. Is Dr. Szilagyi here?

Reverend HAVADTOY. He was unable to stay for the afternoon session.

Senator MOYNIHAN. Do you have his testimony?

Reverend HAVADTOY. No, I do not.

Senator MOYNIHAN. Then we will welcome him back on another occasion, but we welcome you.

Reverend HAVADTOY. I have written testimony.

Senator MOYNIHAN. May we put that in the record as if read? And then will you proceed?

**STATEMENT OF THE REVEREND DR. ALEXANDER HAVADTOY,
ON BEHALF OF THE HUNGARIAN-AMERICAN COMMUNITY OF
CONNECTICUT, THE HUMAN RIGHTS COMMISSION OF THE
UNITED CHURCH OF CHRIST, AND THE HUMAN RIGHTS COM-
MISSION OF THE WORLD REFORMED PRESBYTERIAN ALLI-
ANCE, NORTH AMERICAN AND CARIBBEAN AREA**

Reverend HAVADTOY. Thank you. My name is Rev. Dr. Alexander Havadtoy, pastor of the Calvin United Church of Christ, Fairfield, Connecticut. I appreciate this opportunity to present the views of the Hungarian-American community of Connecticut.

I am also representing the Human Rights Commission of the United Church of Christ and the Human Rights Commission of the World Reformed Presbyterian Alliance.

For myself, I was born in that part of Romania which is inhabited by Hungarians, and I still have extensive contacts with my brethren there.

Senator MOYNIHAN. That which we commonly refer to as Transylvania.

Reverend HAVADTOY. Thank you. I appeared before the Subcommittee on International Trade last summer and submitted written and oral testimony concretely documenting the failure of the Romanian Government to allow aid from Western churches for the repair and reconstruction of Hungarian churches in Romania damaged during the earthquake of March 4, 1977.

Briefly, our testimony stated that the Romanian Government, by virtue of Decree No. 21465/1974, prevented the transfer of funds for the rebuilding of 78 seriously damaged Reformed churches. The damages amounted to approximately \$2 million. Although sister churches in the West were ready to send money to rebuild and renovate these churches, the Romanian Ministry of Cults would not issue permits to the bishops to receive these funds.

In our statement, we also described—

Senator MOYNIHAN. Could I just ask you, Reverend, just as a question of the translation here, about the Romanian Ministry of Cults. That term in English is rather a stark one and suggests a denigration of the institutions involved. To refer to an organized

church as a "cult" is not a friendly reference, at least in English. How is it in Romanian?

Reverend HAVADTOY. In Romania there has always been a difference between a church and a cult. The Orthodox Church was considered the church because that is the Romanian church. Roman Catholic and Protestant Churches are usually referred to as cults because they were not orthodox. They were primarily of Hungarian background.

You probably know that the division in Romania in nationality terms is also the same as in religious terms. Roman Catholics and Protestants are of Hungarian background, and Romanians are of Orthodox background, except for the Uniate Churches which were forced back into the Orthodox fold after the Second World War.

Senator MOYNIHAN. It is rather extraordinary. A Communist government—

Reverend HAVADTOY. And many bishops among them. Cardinal Julius Hossu was actually murdered after the Second World War.

Senator MOYNIHAN. Yes. And the Uniate Churches we refer to as the Byzantine, right?

Reverend HAVADTOY. That is right.

Senator MOYNIHAN. So the term is what it appears to be.

Reverend HAVADTOY. Yes. Thank you, sir, for your expertise in this matter.

In our statement we also described in detail the Romanian Government's efforts to confiscate church archives, chalices and other religious materials from the possession of Hungarian religious and cultural institutions. During my oral testimony, Chairman Ribicoff expressed deep concern about the Romanian Government's prevention of aid to earthquake-damaged churches.

Chairman Ribicoff further requested Assistant Secretary of State for European Affairs, George Vest, to raise the issue with the Romanian Government, and he agreed to do so. During the past 12 months, we have been engaged in constant efforts to followup on this issue.

On July 25, 1978, we submitted to Assistant Secretary Vest a detailed account of the provisions used by the Romanian Government to prevent aid to damaged churches in Romania. We also provided various other State Department officials with detailed evidence during the course of the year.

In early May of this year, Counselor Matthew Nimetz raised this issue with his Romanian counterpart. In response to their inquiries, the Romanian Government supplied completely evasive and false replies. The Romanian Government still insists that the earthquake of March 4, 1977 did not hit Transylvania, the area where the ethnic Hungarians live.

In the written testimony we submitted to the Committee on Finance, we submitted the pictures of several Hungarian Reformed Churches which were damaged during the earthquake. These are recent pictures. It was the Romanian Government which closed down 15 earthquake-damaged buildings for safety reasons. Five churches had to be demolished completely, also on Government orders. Don't they know what they are doing?

Unfortunately, Mr. Chairman, the only conclusion to this extensive correspondence and the diligent efforts on our part is that

there has been absolutely no change in the situation which we reported to the committee last year. Above all, Mr. Chairman, we are deeply disappointed by this dismal performance on the part of the Romanian Government.

We were not requesting any far-reaching or all-encompassing policy changes, but simply that small, elementary, human steps be taken which would be self-evident in a civilized society.

Mr. Chairman, it has been disturbing to us to witness the Romanian Government's persistent efforts to mislead and confuse you, as well as the representatives of the State Department. In view of the Romanian Government's unwillingness to provide even the simplest of remedies, we have no alternative but to urge you in the strongest terms to terminate the 1975 United States-Romanian Trade Agreement and the most-favored-nation status of the Socialist Republic of Romania.

Senator MOYNIHAN. Reverend Havadtoy, you make a very explicit and important case. I cannot have too much praise for your coming before this committee with specifics, with particulars, with names and places and amounts and dates and photographs.

Reverend HAVADTOY. Mr. Chairman, we heard this morning the report of Counselor Matthew Nimetz, which somehow contradicted his letter written to us after he came back from Romania in May of this year. We had submitted to him at his request detailed information concerning these damaged churches.

Senator MOYNIHAN. Yes, yes.

Reverend HAVADTOY. And when he came back, he wrote to me:

After some discussion, the Romanians agreed that there may be factual questions on which neither we nor they are totally informed and suggest that further study would be appropriate.

In light of this extensive documentation which was made available to Counselor Nimetz, his acquiescence to postponing the matter because he was, as he said, "not totally informed" is rather surprising.

Senator MOYNIHAN. As I recall, Senator Ribicoff asked for and the State Department will submit a report with photographs of repairs on these churches and the handling of funds. I am sure that you would share my great regard for Mr. Nimetz. He does not flinch at facts as they are presented to him, and I know of no better way to win his involvement than to present him with facts.

Reverend HAVADTOY. I also give him a 6 in diligence insofar as the report cards are concerned. No. 6 is the highest, as I understand it, in our government. But I must give him a 1 in results. [General laughter.]

Senator MOYNIHAN. There are people who would have some negative results on that scale. We have his interest, and that is important. I gather you have not heard back from Ambassador Vest. Has he changed his position?

Reverend HAVADTOY. No; I have not heard.

Senator MOYNIHAN. All right. Let me say that I am submitting a concurrent resolution on this matter which speaks more generally to the Romanian Government's relationship to these several churches. There are the Latin and Byzantine rites of the Catholic Church, and then there are a number of Protestant groups, and a Unitarian group. This is just a very clear situation.

For example, the Holy See is not able to appoint bishops, is it? Is that your understanding?

Reverend HAVADTOY. Yes.

Senator MOYNIHAN. This is intolerable. No government can deny a church which has bishops the right to appoint them. If they deny that, it is an official position of hostility to that group, clearly.

In referring to the cults, you have told us about yourself, as it were. This is not a matter which should go unnoticed by our Government. It certainly will not, as far as I am concerned, and I know Senator Ribicoff feels the same.

Reverend HAVADTOY. One of the problems concerning our Christian churches is that the Communist government is appointing our bishops and it selects the men whom it wants to act as bishops.

Senator MOYNIHAN. Oh, really.

Reverend HAVADTOY. Oh, yes. And this is a terrible situation and it weakens our churches tremendously. This is how it is possible that the Romanian Government can send a whole delegation of church leaders here to America, as it happened a couple of weeks ago, but these are not elected by the church.

Senator MOYNIHAN. Your bishops are chosen by their congregations, are they not?

Reverend HAVADTOY. Yes, that is correct, in our constitution, but it is not so today in Romania. They are handpicked by the Government.

Senator MOYNIHAN. What is the case with the Orthodox bishops in Romania? Are they under a Government control, would you say? I don't know.

Reverend HAVADTOY. Yes, they are. And as far as I know, the head of the Orthodox Church is very much obliging to the Government.

Senator MOYNIHAN. It is all too familiar a situation, Reverend. We thank you very much. We particularly thank you for the specific nature of your testimony. We must deal with facts.

[The prepared statement of Reverend Havadtoy follows:]

STATEMENT OF THE HUNGARIAN-AMERICAN COMMUNITY OF CONNECTICUT AND THE HUMAN RIGHTS COMMISSION OF THE UNITED CHURCH OF CHRIST AND THE HUMAN RIGHTS COMMISSION OF THE WORLD REFORMED PRESBYTERIAN ALLIANCE, NORTH AMERICAN AND CARIBBEAN AREA BY REV. DR. ALEXANDER HAVADTOY

My name is Rev. Dr. Alexander Havadtoy, pastor of the Calvin United Church of Christ, Fairfield, Connecticut. I appreciate this opportunity to present the views of the Hungarian-American Community of Connecticut. I am also representing the Human Rights Commission of the United Church of Christ (consisting of 2 million members), and the Human Rights Commission of the World Reformed Presbyterian Alliance, North American and Caribbean Area (consisting of major denominations). For myself, I was born in that part of Rumania which is inhabited by Hungarians, and I still have extensive contacts with my brethren there.

I appeared before the Subcommittee on International Trade last summer and submitted written and oral testimony concretely documenting the failure of the Rumanian Government to allow aid from Western churches for the repair and reconstruction of Hungarian churches in Rumania damaged during the earthquake of March 4, 1977.

Briefly our testimony stated that the Rumanian Government, by virtue of Decree No. 21465/1974, prevented the transfer of funds for the rebuilding of 78 seriously damaged Reformed churches. The damages amounted to approximately \$2 million. Although sister churches in the West were ready to send money to rebuild and renovate these churches, the Rumanian Ministry of Cults would not issue permits to the bishops to receive these funds.

Since the Church represents the last stronghold of minority culture in Rumania, the deterioration of these buildings deprives the congregations of much more than their places of worship. Many of these churches are historic and artistic monuments, built by Hungarians many centuries ago. They represent

cultural landmarks for all Hungarians and their present neglect is clearly a part of the overall campaign by the Rumanian Government to eradicate Hungarian cultural heritage from that part of Europe.

With respect to that campaign, in our statement we also described in detail the Rumanian Government's effort to confiscate church archives, chalices and other religious materials from the possession of Hungarian religious and cultural institutions.

During my oral testimony, Mr. Chairman, you expressed deep concern about the Rumanian Government's prevention of aid to earthquake-damaged churches.

You stated:

That seems rather strange, for any type of society. If the churches are allowed to function and if they are damaged by earthquake or fire, and if their sister churches in other sectors of the world want to help rebuild them, I am at a loss to understand why that is refused. I have never heard of that, in any country.

You further requested Assistant Secretary of State for European Affairs George Vest to raise the issue with the Rumanian Government, and he agreed to do so:

SENATOR RIBICOFF. I think this is worth making representations to the Rumanian Government. I mean if churches are allowed, they are permitted, and if they are damaged and they do not have the funds, which obviously they do not, to rebuild the church, and if another sister church of the same denomination in another country wants to help rebuild the church, I am at a loss to understand the refusal of a government to allow funds to come in from the United States or Great Britain or France, or whatever country you have to help rebuild a sister church.

I mean, that seems to be almost universal, all over the world. I am at a loss to understand that type of a restriction.

MR. VEST. I understand your point of view, and I share it. If the churches would give us the exact information so we would have the basic data.

SENATOR RIBICOFF. If you, or any other church group here is in a similar situation, if you will get that to this committee we will see that the Secretary of State receives that information to be forwarded on to the Rumanian authorities.

REVEREND HAVADTOY. Thank you, sir.

Your words, Mr. Chairman, gave us great encouragement that at least some progress would be possible in this matter which is of such great importance to us. As you know, during the past 12 months we have been engaged in constant efforts to follow up on this issue. On July 25, 1978 we submitted to Assistant Secretary Vest a detailed account of the provisions used by the Rumanian Government to prevent aid to damaged churches in Rumania:

1. The decree No. 21.465-1974 of the Department of Cultural Affairs in Bucharest stipulates that churchmen are not allowed to receive gifts, money from abroad without having asked for special permission from the Department of Cultural Affairs. It is further forbidden to send parcels to pastors from abroad even if the rest of the population may receive such gifts or parcels in time of disaster.

2. During the earthquake of March 4, 1977 in Rumania, 80 Reformed churches and 16 parsonages were seriously damaged (10 churches in the Brasov district, 2 in the Mures district, 5 in Harghita district, 63 in Covasna district).

The Rumanian authorities suppressed all news that these minority churches had been damaged. (The first confidential information from the Bishop of Cluj was on August 6, 1977.)

Help from the sister churches from abroad has been hindered through the following process:

- a. Church in the West must send a letter to the Bishopric of Cluj indicating intention to remit funds and the amount involved.
- b. The Church in Rumania will then apply for government approval of this intended support.
- c. If government approval is given, the Church in Rumania will then give an account number for the transfer of money.

- d. Money can be sent from abroad to a given account, but the bank will release the money only upon government approval of reconstruction plans.
- e. Church in Rumania then applies for permission from the Ministry of Cults to repair or reconstruct damaged buildings. (Up to November, 1977 out of thirty reconstruction plans only one was approved. Thus fifty-thousand Deutsche Mark left for rebuilding purposes in March, 1977 could not be used by the Bishopric of Cluj.)
- f. Only if permission is granted on reconstruction plan can the church withdraw its own money from the bank account.

Slightly damaged churches were repaired by local congregations in a few instances, but the great bulk of the churches are still in disrepair.

Our desire is to be allowed to send monies directly to local congregations where church buildings or parsonages were damaged.

In response to your inquiries (which incorporated the information above), the Rumanian Government supplied a completely evasive and false reply which is quoted in full below:

The Government of Rumania made the following points:

- 1. The Rumanian Government controls literature sent to any group in Rumania but does not restrict the giving of funds to churches in Rumania.
- 2. The earthquake which caused damage to several churches was in two precise regions of Rumania and did not hit Transylvania, the area where ethnic Hungarians and Germans live.
- 3. The following churches received these amounts of money:

Evangelic Presbyterian Church:	\$130,000
Reformed Church:	75,000
Unitarian Church:	9,000
Roman Catholic Church:	<u>300,000</u>
Total:	<u>\$514,000</u>

4. The money was given to the church organizations and they used the money as they wished. The Reformed Church distributed it to 25 churches; the Catholics spent \$270,000 of their \$300,000 for Bucharest parishes affected by the earthquake and also repaired a total of 11 churches including some outside the earthquake area.
5. Some of this money did go to churches in Transylvania, specifically the Evangelist Presbyterian Church and the Reformed Church.

With regard to these misrepresentations, we provided you, Mr. Chairman, and various representatives of the State Department on several occasions with the following information, enclosing photographs of the damaged Hungarian churches in Transylvania:

1. It is true that on paper the Rumanian Government does not restrict the giving of funds to churches in Rumania. However, the funds sent to the churches remain in accounts controlled by the Rumanian Government and are not forwarded to the churches themselves.
2. The Rumanian Government still insists that the earthquake of March 4, 1977 did not hit Transylvania, the area where ethnic Hungarians live. We have submitted to the Committee on Finance, Subcommittee on International Trade of the U.S. Senate the pictures of several Hungarian Reformed Churches which were damaged during the earthquake. We have in our possession an 8 mm film depicting the damaged churches. It was the Rumanian Government which closed down 15 earthquake-damaged church buildings for safety reasons. Five churches had to be demolished completely also on government order. Don't they know what they are doing?
3. The list of churches given by the Rumanian Government is questionable to say the least. There is no "Evangelical Presbyterian Church" in Rumania, therefore it could not have received \$130,000.

The Reformed Church which is entirely Hungarian unfortunately did not receive \$75,000. Even the DM 50,000 which was personally given to Bishop Gyula Nagy of Cluj by Mr. K.H. van Kooten, representative of the World Council of Churches in West Germany, was taken away by the Rumanian Government.

5. If the Rumanian Government still insists that there was no earthquake in Transylvania, why does it say that some of this money went to churches in Transylvania? Was the money sent to a non-existent church, such as "The Evangelical Presbyterian Church"? Or is it rather so that the money sent by the Presbyterian and Reformed Churches of the West for the rebuilding of the Hungarian Reformed Churches in Transylvania is still in the accounts of the Rumanian Government?

In response to requests for further detailed evidence, we provided Assistant Secretary Vest, Deputy Assistant Secretary Richard D. Vine, Director of the Office of Eastern European Affairs Carl W. Schmidt, and various other officials with the following particulars:

1. The Hungarian Reformed Church in America indicated its readiness to transfer financial aid to Bishop Gyula Nagy of Transylvania, Eparhia Reformata Cluj, Oficiul Episcopal, Str. 23 August Nr. 51, Cluj, Rumania (Tel: 1 34 31) for the reconstruction of the churches. Reply came in May, 1978 which indicated that the money could not be sent until they obtain a bank account number from the Rumanian Government for this purpose.

The Hungarian Reformed Church in America then submitted \$6,000 to the World Alliance of Reformed Churches, 150 Route de Ferney, 1211 Geneva 20, Switzerland (Tel: 98 94 00) to implement the transaction. As of February 28, 1979, this was not completed because Bishop Nagy could not obtain from the Rumanian Government the necessary bank account number. Thus the money collected by the Hungarian Reformed Church in America in 1977 is still in Geneva waiting for delivery.

2. The Rev. Alfred C. Bartholomew, General Secretary, Division of World Service, 475 Riverside Drive, New York, New York 10027, an official of the United Church of Christ, was willing to send \$5,000 for the same purpose indicated in a letter to Bishop Gyula Nagy on December 8, 1977.

Bishop Nagy informed him as of June 5, 1978 that the money can be sent to bank account No. 45.10.2.32.2. Dr. Bartholomew forwarded the \$5,000 to this account designating it for the rebuilding of the medieval gothic church of Zabala, Jud. Covasna. As of this date, Dr. Bartholomew has not received notification of the arrival of this sum, neither does the pastor of the church of Zabala know anything about this monetary gift.

You might be interested to know that the much younger and smaller Rumanian Orthodox church building of Zabala, which also suffered damages during the earthquake on March 4, 1977 was immediately renovated through state aid of 192,000 Lei.

3. Dr. Edmond Perret of the World Alliance of Reformed Churches, 150 Route de Ferney, 1211 Geneva 20, Switzerland, according to his letter of December 20, 1978, sent the sum of \$7,000 to Bishop Gyula Nagy in June 1978, which was acknowledged by the Bishop only in December 1978. However, this does not mean that the church can use this money deposited in the given account, as it requires a special permit for the churches to obtain their own money from the given account for the rebuilding of the damaged churches or parsonages.
4. The Dutch Reformed Church of Holland sent aid directly to Bishop Nagy for the reconstruction of the churches in Transylvania immediately following the earthquake of March 4, 1977. This sum was promptly confiscated by the Rumanian Government because it was given to the Bishop without its previous "consultation".

The Rumanian Government not only hinders the transfer of monies but even confiscates the aid directly given to church officials if the lengthy red tape procedure of the transfer is not followed. A similar incident was experienced by Bishop Klein of the Lutheran Church in Transylvania when Dr. Hansen, General Secretary of the Lutheran World Federation, dared to give him money without the previous approval of the Ministry of Cults. (Source: Director K.H. van Kooten, Vice President of the Reformed Church of North-West Germany, Nurnberger Strasse 6, D 4460 Nordhorn, West Germany, Tel: 05921-4861 or 4074.)

5. In the County of Covaşna, fifteen church buildings are still closed for services on government orders. We also have several letters from local churches requesting urgent financial aid. These prove the need for further financial assistance which the churches in America are ready to render if there would be a way for direct help. Presently the Calvin Synod of the United Church of Christ has \$10,000 for this purpose but it is unable to transfer it to Transylvania for the above-described difficulties.

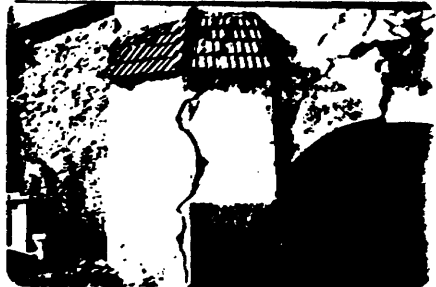
Unfortunately, Mr. Chairman, the only conclusion to this extensive correspondence and the diligent efforts on our part is that there has been absolutely no change in the situation which we reported to you last year.

After more than two years, the Hungarian churches damaged during the earthquake still remain in a state of ruin or disrepair, and efforts to send funds from the West for their reconstruction are still blocked by the Rumanian Government. Instead of recognizing our legitimate concern and allowing the Western funds to be used for their designated purpose, the Rumanian Government has on several occasions misappropriated those funds. Moreover, it has deliberately misled those -- including some of the highest-ranking officials of our own government -- who have ventured to inquire into the situation.

As evidence of this continuing problem, the following are only some of the photographs taken very recently which illustrate the still unrepaired damages to Hungarian churches in Transylvania:



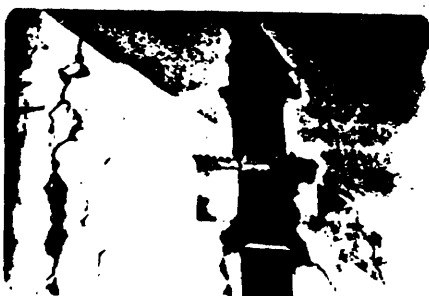
FORTRESS CHURCH AT ILIENI (HUNGARIAN: ILLYEFALVA) DEPICTING PARTIALLY CAVED IN ROOFS AND CRACKED WALLS



CRACKS IN BUTRESS AND ARCH OF FORTRESS CHURCH AT ILIENI (ILLYEFALVA)



CRUMBLING WALL OF FORTRESS CHURCH AT
ILTENI (ILLYEFALVA)



CLOSE-UP OF CRACKS IN WALL OF FORTRESS
CHURCH AT ILTIENI (HUNGARIAN:ILLYEFALVA)



CRUMBLING VAULT OF CHURCH AT ZABALA
(HUNGARIAN: ZABOLA)



CRACKS IN STEEPLE OF CHURCH AT DOBOLII DE SUM (HUNGARIAN: FELDOBOLY)



GUTTED PARSONAGE OF REFORMED CHURCH AT BOROSNUL MARE (HUNGARIAN: NAGYBOROSNYO)



CRACKS IN WALL OF CHURCH AT CERNATUL DE SUA (HUNGARIAN: FELSOCSERMATON)

Apparently State Department Counselor Matthew Nimetz, during his visit to Rumania in early May, 1979, did raise this issue with his Rumanian counterparts. His efforts however were ineffectual, and in his letter of May 25, 1979 all he was able to report was that "[a]fter some discussion, the Rumanians agreed that there may be factual questions on which neither we nor they are totally informed and suggested further study would be appropriate".

As summarized above, Mr. Chairman, during the past twelve months we have assembled and presented a wide variety of detailed and specific factual evidence on this matter.

In light of this extensive documentation, which was made available to Counselor Nimetz prior to his trip, his acquiescence to postponing the matter because he was "not totally informed" is rather surprising.

Above all, Mr. Chairman, we are deeply disappointed by this dismal performance on the part of the Rumanian Government. We were not requesting any far-reaching or all-encompassing policy changes but simply that small, elementary, humanitarian steps be taken which would be self-evident in a civilized society. We do appreciate, Mr. Chairman, your sympathy and deep concern in this matter, but it has been disturbing to us to witness the Rumanian Government's persistent efforts to mislead and confuse you as well as the representatives of the State Department.

In view of the Rumanian Government's unwillingness to provide even the simplest of remedies, we have no alternative, Mr. Chairman, but to urge you in the strongest terms and in accordance with the July 1977 resolution of the General Synod of the United Church of Christ to "terminate the 1975 United States-Rumanian trade agreement and the most-favored-nation status of the Socialist Republic of Rumania".

Senator MOYNIHAN. On the subject of bishops, at 4:30 this afternoon President Carter will accept Secretary Blumenthal's resignation. At that time Mr. William Miller of the Federal Reserve Board will be nominated as his replacement.

Now, our next witness is Mr. Dimitrie Apostoliu, who is president of the American-Romanian Committee for Human Rights.

Sir, did I pronounce that correctly?

Mr. APOSTOLIU. Apostoliu.

Senator MOYNIHAN. The emphasis is on the second syllable. We welcome you, sir.

STATEMENT OF DIMITRIE G. APOSTOLIU, PRESIDENT, AMERICAN-ROMANIAN NATIONAL COMMITTEE FOR HUMAN RIGHTS

Mr. APOSTOLIU. Your Honor, thank you for giving to me again the opportunity to defend the human rights here on the U.S. Senate floor. This time I will speak not only about the lack of human rights in Communist Romania and about the cooperation of Romanian officials in Russian spy network all over the world, but about the extension of Stalinist terror of Nicolae Ceausescu here in Washington, D.C., and New York City, too.

During the Eighth Romanian Hunger Strike for Family Reunion in the U.S.A. and for human rights in Communist Romania, started on May 24, 1979, in front of UNO in New York City and then continued in Washington, D.C., in Cleveland, Ohio, in Los Angeles, Calif., and in San Francisco, here in Washington, D.C., while we were in hunger strike in front of the Romanian Embassy, at a legal distance of 500 feet away, the Romanian officials watched us from the sidewalk.

On Saturday, May 27, four of us went to find some water. When they reached Sheridan Circle, Mr. Badalicescu together with some other eight Romanian officials came over to the four hunger strikers. Mr. Badalicescu, the Romanian consul, tried to convince Dr. Dionisie Gartu to become a spy for them.

The former political prisoner, Dr. Dionisie Gartu, rejected Badalicescu's proposal. Then Badalicescu threatened the hunger strikers that if they did not end their hunger strike immediately, he will call by telephone Romania and will order the immediate arrest of all hunger strikers' hostage relatives over there and they will not see them, never in their life.

We made a written testimony about this and presented it to Hon. Senator Henry M. Jackson and other U.S. Senators. In the same night, Mrs. Viorica Basa of New York was called up by phone at Downtown Motel, where we lived, and implored by her daughters from New York to come back immediately at home and to end the hunger strike because otherwise she will be killed by Romanian secret agents over here.

A Romanian official visited the daughters in New York and put them to make the telephone call and to transmit security's message to their mother. Mrs. Viorica Basa, afraid for her and her daughters' lives, left immediately Washington, D.C., and came back to New York.

When Mr. Traian Copil came back to New York, a Romanian official went to his place of work, Perry Manufacturing Co., of 21 Snediker Street of Brooklyn, and told him to stop the hunger

strike. If not, he will be killed over here and his hostage relatives will be killed over there, too, in Romania.

In Communist Romania, over there were arrested, hard beaten and threatened with confinement in psychiatric hospitals the hostage relatives of participants in previous hunger strikes and participants of the eighth one, too: Mrs. Maria Sita and Mr. Gheorghe Sita—Mrs. Viorica Stanoiev's parents—of Targu Mures; Mrs. Andrei and her daughter of Braila, mother and sister of Mr. Aurel Andrei of New York City; Mrs. Ileana Dobre, 76, of Bucharest, mother of Mr. Aurel Dobre of New York; Prof. Dr. Eng. Viorel Sorin Badea, husband of Mrs. Marietta Badea of 1760 Pomona Avenue, Apartment 7, Costa Mesa, California [114] 645-7495; Prof. Dr. Eng. Viorel Sorin Badea living in Bucharest, too; Mr. Engineer Viorel Calinescu of Bucharest; the nephew of Mr. Traian Copil, living in Oradea Mare; Mr. Vociu Marin of Bucharest, brother of Mr. Mihai Marin of New York, et cetera.

I have to point out that all of these hostage relatives were and are on the list for families reunification and mixed marriages handled to Nicolae Ceausescu by five U.S. Senators delegation on November 20-21, 1978 and on the list handled to Stefan Andrei, the Romanian Foreign Minister by a delegation of U.S. Congress Commission on Security and Cooperation in Europe in Bucharest, too, on May 15-18, 1979.

Nicolae Ceausescu's Communist strategy to defy the human rights and to induce in error the U.S. Senate and U.S. Congress about his human rights record was: Before the U.S. Senate's or U.S. House of Representative's hearings on MFN, he released some hostage relatives or he announced to the U.S. Ambassador in Bucharest that he approved new exist visas.

By the way, Dr. Dionisie Gartu was announced by Congressman Mario Biaggi that his hostage relatives obtained the exit visa on April 5, 1978, but they are still hostages.

Other Nicolae Ceausescu strategy: Under the Umbrella of Paul Goma Movement for Emigration, he released in 1977, 10,000 ordinary criminals. More of them were recruited and trained by Security and then sent to the West as dissidents, political refugees, as Paul Goma, himself a former Central Committee of Romanian Communist Party's Activist as writer, granted two times by Security with tourist passport for himself and his family.

These kind of security agents over here were signalled in Hon. Daniel Moynihan's report as chairman of U.S. Senate Committee on Intelligence, at the hearing about Russian and East European intelligence infiltration, as political refugees in the United States and generally in the free world.

In New York right now, four Romanian so-called Paul Goma's dissidents: Tasse Marian, Radu Lonescu, Radu Ciobanu and Gheorghe Gheorghe have to face the jurors charged with criminal acts by the Criminal Court of New York, 100 Centre Street, New York 10007. Files N91156, 7; 8 and N91162.

From this information about the "increase of emigration" from Communist Romania, President Jimmy Carter was inspired—being induced in error by Nicolae Ceausescu—when made his wrong recommendation to Congress to grant again the MFN to Communist Romania.

Now to conclude about the "increase of emigration". On U.S. Senate list and on U.S. Congress list handled on November 20-21 by five U.S. Senators delegation to Nicolae Ceausescu and on May 15-18, 1979, 8 months later, by the delegation of U.S. Congress Commission on Security and Cooperation in Europe, were the parents and twin sister of Mrs. Engineer Alexandra Ghita of New York.

Her parents and twin sister's application were rejected. Two weeks ago Mrs. Alexandra Ghita's mother died by brain commotion during a Security investigation under hard pressure in Security's so-called Commission on Passports and Visas on Nicolae Iorga Street in Bucharest. This is a crime against humanity.

I ask that the U.S. Senate do not grant any longer the most-favored-nation clause to Communist Romania until all hostage relatives of American citizens and residents will be set free and the human rights will be reinstated over there through a general amnesty for political prisoners whose respect and strict application must be controlled by a UNO's special commission on human rights.

Senator MOYNIHAN. Mr. Apostoliu, we must keep to our schedule. I am going to ask that you stop there. But the remainder of your statement will be put in.

I would like to thank you for your specifics. It is so important. There is very little to the question of human rights in the abstract. You either take the experience individuals have or they do not exist.

I have always thought one of the striking qualities of the Soviet dissidents from the very top down is that when they send messages to the West, almost with exception they will talk about this person who is in this prison for this long a sentence and having this experience. They want you to know that these are things that happen to people and that those people have to know that they are known about and here in the West we have them.

I think your call for an amnesty for political prisoners is altogether a correct one, and you may know that you have my complete support in this matter. I do not know why we do not press it at the United Nations. We did once; we should do it again. And it will be persons such as yourself who encourage us in this. I would like to thank you very much for your testimony.

Mr. APOSTOLIU. I thank you again, Your Honor, and I would like to insist to look deeply into these crimes against humanity committed by Romanian Security against the relatives of American citizens and American residents only one week before U.S. Senate's hearing on Communist Romania's record on human rights.

Senator MOYNIHAN. Yes.

Mr. APOSTOLIU. Tomorrow, July 20, 1979, there will be 10 years since we the Americans succeeded to send for the first time in world's history—a human being on the Moon! This is a shame for the name of man that in our century, when we send the man on the Moon, a mother was forced, separated from her children and only a week before U.S. Senate's hearing on Communist Romania's record on human rights she was killed in the office of the Commander of Security's so-called The Governmental Commission on Visas and Passports on Nicolaelorga Street in Bucharest, Romania!

Senator MOYNIHAN. Exactly. I must agree and I thank you for your testimony.

[The prepared statement of Mr. Apostoliu follows:]

STATEMENT OF DIMITRIE G. APOSTOLIU, PRESIDENT, AMERICAN-ROMANIAN NATIONAL COMMITTEE FOR HUMAN RIGHTS

Honorable Chairman, Honorable Senators, Thank you for giving to me again the opportunity to defend the human rights, here, on U.S. Senate floor. This time I will speak not only about the lack of human rights in Communist Romania and about the cooperation of Romanian officials in Russian spy network all over the world, but about the extension of Stalinist Terror of Nicolae Ceausescu, here, in Washington, D.C. and in New York City, too.

During the Eighth Romanian Hunger Strike for Family Reunion in the U.S.A. and for human rights in Communist Romania started on May 24, 1979 in front of UNO in New York City and then continued in Washington, D.C., in Cleveland, Ohio, in Los Angeles, California and in San Francisco.

(1) Here, in Washington, D.C.: While we were in hunger strike in front of Romanian Embassy at legal distance of 500 feet away, the Romanian officials watched us from the side walk. On Saturday, May 27, four of us went to find out some water. When they reached Sheridan Circle, Mr. Badalicescu together with other eight Romanian officials came over the four hunger strikers. Mr. Badalicescu, the Romanian Consul, tried to convince Dr. Dionisie Gartu to become a spy for them. The former political prisoner Dr. Dionisie Gartu rejected Badalicescu's proposal. Then Badalicescu threatened the hunger strikers that if they not end their hunger strike immediately he will call by telephone Romania and will order the immediate arrest of all hunger strikers hostage relatives over there and they will not see them never in their life. We made a written testimony about and presented it to Hon. Sen. Henry M. Jackson and other U.S. Senators. In the same night Mrs. Viorica Basa of New York was called up by phone at downtown motel where we lived and implored by her daughter from New York to come back immediately at home and to end the hunger strike because otherwise she will be killed by Romanian secret agents over here. A Romanian official visited the daughters in New York and putted them to make the telephone call and to transmit security message to their mother. Mrs. Viorica Basa afraid for her and her daughter lives left immediately Washington, D.C. and came back to New York. When Mr. Traian Copil came back to New York, a Romanian official went to his place of work: Perry Manufacturing of 21 Snediker St. of Brooklyn and told him to stop the hunger strike. If not he will be kill over here and his hostage relatives will be kill too over there in Romania.

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I have to point out that all this hostage relatives were and are on the list for families reunification and mixed marriages handled to Nicolae Ceausescu by a five U.S. Senators delegation on Nov. 20-21, 1978 and on the list handled to Stefan Andrei the Romanian Foreign Minister by a delegation of U.S. Congress commission on security and cooperation in Europe in Bucharest too on May 15-18, 1979.

Nicolae Ceausescu's communist strategie to Defy the Human Rights and to induce in error the U.S. Senate and U.S. Congress about his human rights record was: before the U.S. Senate or U.S. House of Representatives hearings on MFN, he released some hostage relatives or he announce the U.S. Ambassador in Bucharest that he approved new exit visas. By the way Dr. Dionisie Gartu was announced by Congressman Mario Biaggi that his hostage relative obtained the exit visa on . . . April 5, 1978. But they are still hostages . . . Other Nicolae Ceausescu's strategie: under the "umbrella of Paul Goma movement for emigration" he released in 1977 10.000 ordinary criminals. More of them were recruited and trained by security and then sent to the West as "dissidents" political refugees as Paul Goma, himself a former Central Committee of Romanian Communist Party activist as writer, granted to times by security with tourist passport for himself and his family. This kind of security agents over here were signaled in Honorable Daniel Moynihan's report as

chairman of U.S. Senate Committee on Intelligence at the hearing about Russian and East European intelligence infiltration as political refugees in the U.S.A. and generally in the Free World.

In New York, right now four Romanian so called Paul Goma's dissidents Tasse Marian, Radu Lonescu, Radu Ciobanu and Gheorghe Gheorghe have to face the jurors charged with criminal acts by the criminal court of N.Y. 100 Centre St, NY 10007, from this information about the "increase of emigration" from Communist Romania President Jimmy Carter was inspired when made his wrong recommendation to U.S. Congress to grant again the MFN to Communist Romania. Now to conclude about "the increase of emigration":

On U.S. Senate list and on U.S. Congress list handled on Nov. 20-21, 1978 by a five U.S. Senators delegation to Nicolae Ceausescu and on May 15-18, 79 (8 mos. later) by the delegation of U.S. Congress Commission on Security and Cooperation in Europe were and the parents and twin sister of Mrs. Engineer Alexandra Ghita of New York. Her parents and twin sister's application were rejected two weeks ago Mrs. Alexandra Ghita's mother died by brain commotion during a security investigation under hard pressure in security's so-called Commission on Passports and Visas on Nicolae Iorga Street in Bucharest. This in a crime against humanity! * * *

I ask that U.S. Senate do not grant any longer the most favored nation clause to Communist Romania until all hostage relatives of American citizens and residents will be set free and the human rights will be reinstated over there through a general amnesty for political prisoners whose respect and strictly application must be controled by a UNO special commission on human rights.

Now let see "The Human Rights in Communist Romania"

FREEDOM OF RELIGION

The new Romanian Communist Patriarch Justin Moisescu is an older KGB agent. He is member of Communist's People's Assembly (Romanian House of Representatives.) He is writing Nicolae Ceausescu's atheistic address to the Polit Bureau of Central Committee of Communist Party.

He limited the number of students of Theological Institute to a 10 students per year in a country of 221.000.000 inhabitants the majority of them being Christian Orthodoxes . . . there will be . . . 10 new priests a year. He demolished churches: Biserica Enei and Saint George in Bucharest and a lot of others churches in country side. He invited at his patriarchale residence in Bucharest distinguished nuns, priests of all religious denominations, arrested them and turned them to the security to be sent to serve differened terms of political prisoners in Communist's jails or tortured to death, or confined to psychiatric hospitals. As happened to Rev. Prof. Dr. Calciu Dumitreasa, former professor with Theological Institute of Bucharest, Christian Orthodox Reverend Zaminicu, tortured to death by security and a lot of others as American press reported . . .

Moses Rosen, the chief rabbi, is a older KGB agent, too. He is too a member of People's Assembly. He turned over the security the Rabbi Daniel Safran who after served 8 years as political prisoner in Communist Romania succeded to escape in the Free World and is living in Israel. Over there rabbi Daniel Safran wrote a book about what himself and others rabbies turned to security by Chief Rabbi Moses Rozen suffered in Communist Romania's jails as political prisoners.

Moses Rosen, together with Segal, the President of Jews Community, turned to communist government hundreds of tausends of dollars sent as contributions by the Jews communities of U.S.A. to the poor and disability Jews of Romania. In their statement Rabbi Mosez Rosen and Mr. Segal wrote that: we turn to the communist government this dollars sent by Jews communities of the U.S.A. to the Jews of Romania who are poor or in disability because in Communist Romania . . . there are not poor, disability or needed or old Jews . . . If the chief rabbi Mosez Rosen turned over security his brother rabbies and stole the poors and older Jews money sented to them by U.S. Jews communities . . . you can understand Honorable Senators what the religious worship and the Jews community life there is in Communist Romania. As a recently new escaped from Communist Romania an artist who renovated Mozes and other art work of central synagogue of Bucharest and of Jews community over there and was a eyewitness of the theft of U.S. Jews communities dollars by Chief Rabbi Mozes Rosen and President of Jews community Mr. Segal. What it seem strange to me it is the fact that Mozes Rosen is traveling often in the U.S.A. and is "collecting money from Jews communities over here . . . as subscriptions in behalf of Romanian Jews Then he is turning over Communist government the money. . . . He must be investigated by U.S. authorities and convicted by U.S. courts for his facts as a ordinary theft., and of cause as a Russian spy

over here. He must pay for what he did with Rabbi Daniel Safran and other Romanian Jews. Since a baptist, Jimmy Carter became the President of the U.S.A., the Baptist Church in Romania is strong persecuted. Their churches are demolished. Pastor Pavel Niculescu, the leader of baptist resistance was arrested. Arrested and hard beaten were the baptists: Nicolae Radoi, Petru Ciocarteu, Ionel Prejban, Ion Samu. More of them were confined to psychiatric hospitals. The same thing happened to Adventists: Mircea Dragomir, Professor Ghezan, I Mocuta and S Sofra sentenced to six years each. Were arrested too the Pentecostalists Francis Paris, Victor Lacatus, Shamu D. Abrudeanu and others * * *

The religious persecution now is more hard then in 1948 when the Roman Byzantine Catholic Church know over there as Romanian Uniate Church was forcibly integrated into the Romanian Orthodox Church and its six bishops were tortured to death. The last one Bishop Hosu died in exile to Caldarusani Monastery (Cuvent) near Bucharest * * *

FREEDOM OF PRESS AND INFORMATION

There is any kind of freedom of press and information. All newspapers are of Communist Party. The radio and TV, too. They printed only censored information under strict surveillance of the Party. There is not only a single news paper or revue who can criticise the regime and the Communist Party.

FREEDOM OF CONSCIENCE

There is any freedom of conscience in Communist Romania. There is only a party: the Communist Party. And in the so called "election" there is only a candidat: the communist

There is a strong persecution and there were arrested again former members of the National Peasant Party Iuliu Maniu the bigste anti*communist party of Romania abolished by communist government in 1947 when their leaders Iuliu Maniu and Ion Mihalache and others were arrested, convicted to serve many years of prison as political prisoners and the majority of them died in jails or forced labor camps.

From the list which I submitted to the hearing of this U.S. Committee and is printed at pages No. 149-150 of Congressional Record of the hearing of July 12, 1978. Only two from 14 former members of the National Peasant Party who served each more than 10 years in Communist jails—succeeded to reach the free world only two: Ropesch Toma Iosif and Traian Demetres the other 12 and more others are still political prisoners over there.

I appeal again to U.S. Senate to do a strong intervention to the Romanian Communist President Nicolae Ceausescu for their immediate release and emigration. The same kind of humanitarian intervention as the U.S. Senate and U.S. administration did often in behalf of release and emigration of prisoners of conscience from Communist Russia.

THE SO-CALLED NICOLAE CEAUSESCU'S INDEPENDENCE FROM MOSCOW

This story on each unfortunately the President recomandation to Congress is based too—is the one that even the kids don't believe in. Because the facts are opposite to President Jimmy Carter affirmation:

The Military Museum of New York City is displaying weapons manufactured in Romania with which the American soldgers were killed in different so called "liberation wars" around the world.

Two Romanian seamen who defected in New York from Romanian ships stated that "under the grains and clothes which they formally carried to African countries as "humanitarian help" there were hidened machine gungs, ammuntions and different weapons manufactured in Romania and delivered to Communists guerrilas in differents countries of the third world. . . .

In Bucharest, near the international airport, there is a forest: Baneasa. Over there, there is a military campus where KGB Russian officers are giving training to Cuban terrorist to became Russian spy in the USA!

The capacity of this military camp is of 2000 Cuban terrorists. The timing is for one year. . . .

In the war of Zair, Romania sent 3000 Angolan terrorists who received the military training from Russian KGB officers too in Romanian city Sibiu—where is a military camp like the one of Baneasea—Bucharest!

Honorable Chairman, Honorable Senators, in respect of the above facts, I ask that the U.S. Senate do not grant any longer the men to Nicolae Ceausescu and his Communist government until:

(1) All hostage relatives of American citizens and residents who are on the lists of families reunification and mixed marriages handled to Nicolae Ceausescu by a five U.S. Senators delegation on Nov. 20-21, 1978 in Bucharest and to Stefan Andrei the Romanian Foreign Affairs Minister by a delegation of U.S. Congress Commission on Security and Cooperation in Europe on May 15-18, 1979 in Bucharest too, will be set free.

(2) The human rights will be reinstaurated in Communist Romania through a general amnesty for political prisoneers whose application must be observe by a special UNO's Commission on Human Rights.

(3) The years served in jails by political prisoners will be counted as years of work on the procedeeings for pensions for former political prisoners or their widows wives or orphans kids.

(4) Nicolae Ceausescu will stop the extension of his Stalinist terrorism and his cooperation with terrorists all over the world under Moscow criminale leadership for.

Down Communism, the worldwide enemy of religion and man. Long live to Freedom! God bless America!

[From the Cleveland Plain Dealer, June 1, 1979]

REFUGEES STAGE HUNGER STRIKE IN EFFORT TO FREE KIN

(By Thomas J. Brazaitis)

WASHINGTON.—Constantin Marandici, a boyishly handsome man with dark, curly hair and ruddy cheeks, sat in front of the White House yesterday afternoon and took two small black and white photographs from a briefcase.

One showed Marandic and his wife, Olivia, on their wedding day seven years ago. His hair was tousled by the wind. She was clutching a bridal bouquet. The other photo, taken two years ago, showed the couple on a picnic in their homeland of Romania.

For the last 10 years that he lived in Bucharest, Marandici plotted how to escape. His chance came last summer, when he was assigned to a trade delegation to Turkey. He refused to go back to Romania and was granted political asylum. Eventually, he wound up in Cleveland where he works as a mechanical engineer.

"The reality of life in the United States is more than my hopes, my dreams," Marandici said.

But life is incomplete without his wife, he said. She has been denied permission to leave Romania six times without explanation, he said. She has been harassed by the Romanian secret police, he said.

So Marandici, 30, took a bus to New York a week ago, where he joined other Romanians in a hunger strike in front of the United Nations building. After a day there, the Romanians came to Washington, where they have continued their hunger strike in front of the Capitol, the White House and the Romanian embassy.

Dimitrie G. Apostoliu, leader of the hunger strike, described it as the last resort of desperate people. Such a strike has been staged every year since 1975 to coincide with congressional hearings on most-favored-nation trade status for Romania. Favored trade treatment is linked to Romania's record on emigration.

Thirteen of the demonstrators have been living in two rooms in a motel on Capitol Hill. They take turns on the hunger strike. A few go without food for as long as they can (Marandici lasted six days), then they are relieved by others.

Mr. and Mrs. Mircea Streza, who, like Marandici, live on the West Side of Cleveland, also are participating. Mrs. Streza's son by a previous marriage and daughter-in-law have been refused permission to leave Romania, she said. Mrs. Streza cried as she told the story.

Marandici, who had weighed 150 pounds, has lost 10 or 15 pounds. He said he would stay in Washington at least through the congressional hearings on Romania's trade status.

"If they get most-favored-nation, I know I will not see my wife," said Marandici, who said the economic threat to Romania was the only hope for freeing his wife and others.

Rep. Charles A. Vanik, Democrat of Euclid, chairman of the House Ways and Means trade subcommittee that will conduct hearings on Romania, said Romanians tend to expedite emigration cases each year with the favored-nation renewal pending.

"My trade staff is the negotiating agent with the Romanians on these cases," Vanik said. "Certainly I ought to be able to help and I want to help."

Rep. Mary Rose Oakar, Democrat of Cleveland, wrote to the Romanian ambassador on behalf of the three from Cleveland, who live in her district.

THE AMERICAN-ROMANIAN NATIONAL COMMITTEE FOR HUMAN RIGHTS
 345 WEST 86 th St, Apt 717, NEW YORK CITY, NY 10024
 Phone (212) 873-9600 Ext 717

 THE EIGHTH ROMANIAN HUNGER STRIKE FOR FAMILY REUNION in THE USA and for
 HUMAN RIGHTS in COMMUNIST ROMANIA

Started: MAY 24, 1979 in UN PLAZA in NEW YORK CITY and then continued in
 WASHINGTON D.C., in CLEVELAND-OHIO in LOS ANGELES and in SAN-FRANCISCO

 HUNGER STRIKERS HOSTAGE RELATIVES in COMMUNIST ROMANIA

 1.- Mrs SUZIE BUTARIU 1.- NICOLA E ILIESCU, brother
 1310 FINLEY Avenue 2.- ANA-MARIA ILIESCU, his wife
 LOS ANGELES, Ca 90027 3.- DAN ILIESCU, their son
 Phone (of: ALEEA BARAJUL BISTRITEL 5, Bloc 3, Apt 3)
 U.S. CITIZEN BUCURESTI

 UNRESOLVED CASE since 1975

 2.- Mrs VIORICA BASA 1.- TEODOR BASA, 29, son
 18-13, GEORGE Street 2.- VERONICA BASA, 26, his wife
 Ridgewood, NY 11127 CALEA AUREL VLAICU Nr B1 e A 22, Seara 2, Apt 2
 Phone (212) 841-4082 ARAD
 U.S. RESIDENT

During the HUNGER STRIKE in WASHINGTON DC Mrs VIORICA BASA received a phone call from her daughters of NEW YORK. They were visited by a ROMANIAN OFFICIAL in fact a ROMANIAN SECRET POLICE AGENT who ordered to the girls to stop by phone his message: IF Mrs VIORICA BASA DOES NOT LEAVE THE HUNGER STRIKE NOW SHE WILL BE KILL BY SECURITY OVER HERE AND HER RELATIVES WILL BE KILL IN ROMANIA.

1.- DOMNICA COJOCARU, 78, mother
 2.- PENTILIE COJOCARU, 86, father
 3.- LIDIA TUDORACHE, 54, sister
 4.- NICOLAE TUDORACHE, 56, her husband
 5.- CORNEL TUDORACHE, 28, their son
 6.- MIRCEA TUDORACHE, 26, their son
 7.- ABBYANA TUDORACHE, 25, their daughter
 8.- EVELIA TUDORACHE, 21, their daughter
 9.- SILVIA TUDORACHE, 19, their daughter
 10.- LUMINITA TUDORACHE, 17, their daughter
 11.- DANIELA TUDORACHE, 15, their daughter
 12.- CARMEN TUDORACHE, 12, their daughter
 All of them (#7-14) residing at: Strada MACARAIETI Nr 20, Bloc 2 12, Apt 76 Seara A, BUCURESTI 4
 13.- FELICIA IONESCU, 40, sister
 14.- MIRCEA IONESCU, 53, engineer, her husband
 15.- CRISTIAN IONESCU, 10, their son
 16.- DRANA IONESCU, 7, their daughter
 IONESCU FAMILY is residing at: BULEVARDUL GHEORGHE GHEORGHIU DEJ Nr 69, Etaj 3, Apt 7, BUCURESTI 6.

Mrs VIORICA BASA AFRAID FOR HER DAUGHTERS LIVES CAME BACK TO NEW YORK...

 3.- Mrs MARIA COPIL 1.- IOSIP SABAU, brother
 Maiden Name: SABAU 2.- MAGDALENA SABAU, his wife
 4.- Mr. TRAIAN COPIL (husband) 3.- IOSIF TEOFIL SABAU, their son
 33-22, 29th St Apt E 2 4.- NICOLAE ADRIAN SABAU, 17-th li son
 ASTORIA, NY 11106 5.- DAN IEREMIA SABAU, 17, their son
 Phone (212) 912-1657 6.- MARIUS STELIAN SABAU, 16, their son
 A ROMANIAN OFFICIAL 7.- MAGDALENA SABAU, 15, their daughter
 came over Mr TRAIAN COPIL 8.- SABRELLA SABAU, 13, their daughter
 at his place of work in 9.- CLAUDIA SABAU, 12, their daughter
 a BROOKLYN FACTORY and 10.- SORIN VIORET SABAU, 26, their son
 THREATENED HIM THAT IF 11.- MARCEL SABAU, 8, their son
 HE DOES NOT LEAVE THE 12.- BENIAMIN SABAU, 7, their son
 HUNGER STRIKE HE WILL 13.- OVIDIU IONEL SABAU, 5, their son
 BE KILL OVER HERE AND 14.- EUGEN SABAU, 3, their son
 HIS GERMAN RELATIVES 15.- CORNEL SABAU, 1, their son
 WILL BE KILL IN ROMANIA residing at: Strada TUDOR VLADIMIRESCU Nr 64,
 (Mrs COPIL is GERMAN CRADEA-MARE, Judetul BIHOR
 born: after her mother 16.- FRANCISC SABAU, father
 WETMAN) 17.- BARBARA SABAU (Maiden Name WETMAN) mother of
 SAMATEI CORVIN Nr 6, CRADEA-MARE, Jud. BIHOR

BEST COPY AVAILABLE

Expelled by ROMANIAN'S
OFFICIAL THREATENED THE
OTHERS WORKERS PUSH THE
SPY AWAY FROM FACTORY
Mr COPIL DID NOT GAVE UP
THE HUNGER STRIKE HE RE-
PORTED ABOUT ROMANIAN
SECRET POLICE AGENT THREA-
TEN TO US CONGRESS.

18. FRANCISC SABAU, -brother
19. ILIANA SABAU, - his wife
residing at: Strada AURORA Nr 26 ORADEA, JUH,
BIHOR.

Being "BORN AGAIN CHRISTIANS" all of them
are under permanent investigation of SECURITY
Laid off from their jobs, threatened with con-
finement in PSYCHIATRIC HOSPITALS, WITHOUT ANY
POSSIBILITY TO TAKE CARE ABOUT THEM SELFS
AND THEIR FAMILIES. ALL THEIR APPLICATIONS FOR
EXIT VISAS WERE REJECTED BY SECURITY.

5.- Miss JOSEFINA CRAMER 1.- ALEXANDRU PAULESCU, - fiancée
6.- Mrs EUFROSINA CRAMER (mother) Strada STUPINEI Nr 27, Sector 3,
34-28, 33rd St, 3rd Floor BUCURESTI
I.C. NY 11106 Tel: 61-24-64
Phone (212) 937-5426

7.- Mrs ELENA TEODORESCU FACET 1.- VERONICA IONESCU, - daughter
47-43, 43 St, Woodcye, 2.- ANGHEL IONESCU, - her husband
NY 11477 3.- VLADIMIR IONESCU, 24, - their son
Phone (212) 937-6790 of SOFANA OLTENETI 188, Bloc 17,
U.S. CITIZEN Apt 105, BUCURESTI 5,
UNRESOLVED CASE since 1975.

8.- Mr DIONISIE GARTU, DDS 1.- ATANASIE GARTU, brother
43-09, 40th St, Apt 3 P 2.- ANA LUCIA GARTU, -his wife
I.C. NY 11104 3.- CRISTIANA GARTU, 2, - their daughter
Phone (212) 937-3430 of Strada TEIUL DOAMNEI Nr 108, Apt 7
Scara 1, Etaj 9, BUCURESTI, Tel 87 46 65

PERMANENT RESIDENT

ROMANIAN CONSUL BADALIGESCU
tried to convince Dr GARTU
to become a ROMANIAN SPY in
the USA. Dr GARTU REJECTED
BADALIGESCU's dirty proposal
BADALIGESCU threatened him that
his relatives will be arrested
in ROMANIA if he does not LEAVE
THE HUNGER STRIKE... Dr GARTU
DID NOT GAVE UP HIS FIRM PROTEST.
Despite the fact that CONGRESSMAN
MATEO BIAGGI ANNOUNCED Dr DIONISIE GARTU
THAT HIS RELATIVES RECEIVED THE AFRO-
VAL OF THEIR EXIT VISAS, ON APRIL 1978,
THEY ARE STILL HOSTAGES IN COMMUNIST
ROMANIA

9.- Mr ION GALDAU 1.- ELENA SIMPLICIANU, daughter
10.- Mrs FLORICA GALDAU 2.- VIRGIL SIMPLICIANU, -her husband
50 WEST, 89th St, NY, NY 10024 of Aleea DUMBRAVITA Nr 3, Bloc T 8,
Phone (212) 595-1694 Apt 67, DRUMUL TABEREI, BUCURESTI 7

PERMANENT RESIDENTS

3.- MARIN GALDAU, -son
4.- DORINA GALDAU, -his wife
5.- FLORIAN GALDAU, -their son
6.- VALENTIN GALDAU, -their son
85-Strada BEGA Nr 10, BUCURESTI 7

11. Mrs RADA GEORGESCU 1.- ETENA ANDREI, 69, - mother of Strada
41-44, 43rd St, Apt C 1 Prisaca Dornei Nr 2, Bloc D 3, Apt 51
I.C. NY 11104 Sect 2, BUCURESTI, Of Post 56 COD 7646
2.- CONSTANTIN DONCU, -son Bloc 8 B
3.- MARIANA GABRIELA SERBAN, - daughter of Strada
30-32, Lt 24, Apt 96, BUCURESTI COD 77692

BEST COPY AVAILABLE

 12.- Mrs FLORENTINA GEORGESCU 1.- VASILE TEODOR GEORGESCU, 26, -son
 30-89, 54th St, Apt 1 G of Bulevardul ION SULEA Nr 19, Bloc 4
 ASTORIA, NY 11103 56So L, Et 9, Apt 38, BUCURESTI 4
 US RESIDENT Tel: 47 17 14

 13.- Mr CORNEL GABOR 1.- VIORIGA GABOR, 28, wife
 17-24, BELKER St, Ridgewood 2.- YVONNE LAURA GABOR, 3, - daughter
 NY 11237 of Strada LUTERANA Nr 1, Et 2, Apt 11,
 Phone (212) 497-1734 BUCURESTI 7, COD 70741, Tel: 51 85 95
 US RESIDENT 3.- MARIA CSERNAK, 60, Mrs GABOR's mother
 4.- MARIA STANGU (Maiden Name CSERNAK) sister
 Mrs GABOR's sister, 38 years old
 Both of them residing at: Strada ZANOAGA
 Nr 19, TIMISOARA.

 14.- Mrs CARMEN POPOESCU GUTULESCU 1.- CORNELIU POPOESCU, 32, -brother
 15.- Mrs ELENA POPOESCU (mother) 2.- MARIA POPOESCU, 31, -his wife
 2212 NELIA VISTA Ave # 4 FILIP AURELIAN POPOESCU, -their son
 LOS ANGELES, Ca 90027 of SOBRAUA MIHAI BRAVU Nr 293, Bloc 12
 PERMANENT RESIDENTS Scara B, Etaj 10, Apt 87, BUCURESTI 4,
 Tel: 30, 62, 75.

4.- MARIA GEORGESCU, Mrs ELENA's sister
 5.- TRAIAN GEORGESCU, her husband
 6.- BOGDAN GEORGESCU, their son
 of INTRAREA ION SULEA Nr 4, Bloc I 18,
 Sc C, Apt 35, BUCURESTI 4, Tel 30 62 65

 16.- Mrs PAULINA LERESCU 1.- CONSTANTIN LERESCU, son
 17.- Mr ROMULUS LERESCU 2.- SILVIA SIMONA LERESCU, his wife
 221, 3rd St, FAIRVIEW Strada FIIDESUIU Nr 8, BUCURESTI 4
 NEW JERSEY, NJ 07022 3.- LIVIA LERESCU, daughter
 Phone (201) 941-1734 CALEA CALARASI Nr 99 BUCURESTI 4

 18.- CONSTANTIN MARANDICI 1.- OLIVIA MARANDICI, -wife
 6713 WEST CLINTON Strada ALEEA COMPOZITORILOR Nr 5, Bloc
 CLEVELAND, OHIO 44102 G 9, Et 3, Apt 20, Sect 7 BUCURESTI
 Phone (216) 651-4395 (home) 0 9, Et 3, Apt 20, Sect 7 BUCURESTI
 (216) 391-3885 Ext 226 Office

U.S. RESIDENT

 19.- Mr STEFAN NOVAC 1.- VIORIGA NOVAC, 55, MD. -wife
 2910 Spréher Ave 2.- ALEXANDRU NOVAC, -son
 CLEVELAND, OHIO of Strada CONSTANTIN BRANCUSI Nr 7,
 Phone (216) 433-7749 Bloc D 14, Scara A, Etaj 8, Apt 36
 US RESIDENT BUCURESTI 7, 406; Tel 22 68 13

3.- MIHAI NOVAC, 26, -son
 4.- ADRIANA NOVAC, his wife
 5.- ANDREI NOVAC, 3, -their son
 6.- CRISTIAN NOVAC, 2, their son
 of: Bulevardul I MAI Nr 327, Bloc 12,
 So A, Et 3, Apt 16, BUCURESTI 78332
 Tel: 65, 90 78

 20.- Mr DRAGOS POPOESCU 1.- DORU POPOESCU, 41, M.D. - brother
 31-77, 3rd St, Apt 2 E 2.- CORALIA IACRANIOARA POPOESCU, 4, wife
 ASTORIA, NY 11106 3.- ADINA IOANA POPOESCU, 16, their daugh
 Phone (212) 545-2962 (home) of: Strada CIUNFA Nr 9, Apt 2, Bloc 82
 (212) 678-3200 Ext 3553 OFFICE Scara A, BUCURESTI 3,
 NY 10001 CITIZEN

BEST COPY AVAILABLE

21.- Mrs VIORICA STANCOIEV
22.- Mr ION SITA (brother)
70-19, 66th St Glendale
NY, 11227
Phone (212) 821-0259
PERMANENT RESIDENTS

1.- GHEORGHE SITA, father
2.- MARIA SITA, 53, mother
3.- GHEORGHE SITA 32, brother
4.- ELENA SITA, 28, his wife
5.- VIORICA SIMONA SITA, 4, their daughter
6.- ION SITA, 25, brother
7.- Strada BENEFALAU Nr 1 TARGU-MURES
8.- VIRGIL HERMAN 46, uncle
9.- VIORICA HERMAN, 45, -his wife
10.- VIRGIL HERMAN 12, their son
11.- SORIN HERMAN 7, their son
all fo them (HERMAN FAMILY) residing at:
Strada SOIMILOR Bloc 98, Seara C, Apt 19,
TARNAVENI Judetul TARGU-MURES
Mrs MARIA SITA and Mr GHEORGHE SITA were
arrested four times and hard beaten by SH
CURITY which tried to force them to re-
nounce TO BE REUNITED WITH THEIR FORCED SE
SEPARATED DAUGHTER VIORICA STANCOIEV and S
SON ION SITA, ALL OTHERS WERE THREATENED
WITH CONFINEMENT IN PSYCHIATRIC HOSPITALS

23.- Mr IOAN VICTOR STOICA
24.- Mrs ALDEA STOICA (brother)
25.- Mrs OLIMPIA STOICA (wife)
(IOAN's wife) Maiden
NAME: ZAHARIA
66-22 FLEET St Apt 4B
FOREST HILLS, NY N375

1.- ROMULUS STOICA (Mr ALDEA's son) SON
2.- MARIANA STOICA, -his wife
Bulevardul Alexandru Vlahuta 59, Bloc 141
Sc B, Apt 41, 2200 BRASOV
3.- EPREM ZAHARIA, father
4.- JENICA ZAHARIA, mother
Strada MIHAIL EMINESCU 22, Bloc 7, Apt 22
PLOIESTI, COD 2000
5.- TEODOR ZAHARIA, brother
6.- AURELIA ZAHARIA, his wife
7.- TIBERIU ZAHARIA, their son
Strada MIHAIL EMINESCU 22, Bloc 2, Apt 13
Ploesti, Cod 2000
8.- NICOLAE VERESTEANU, (Mr ION STOICA's
cousin of Strada Patriotilor 1, Bloc PM
Sc B, Apt 38, Sector 4 BUCURESTI 74594

PHONE (212) 268-0163

26.- Mr AUREI STRECHB
45-59, 45th St, Apt 2 D
WOODSIDE, NY 11377
Phone (212) 937-9125
PERMANENT RESIDENT

1.- EVA ANDRAS, fiancée
2.- SIMONA SELARU 7, daughter
of Strada FUNDATURA RUIMENTULUI 13,
Bloc 1, Apt 10, BRASOV
THE SECURITY REPUSED TO GIVE TO HER THE
APPLICATION FORMS. THEY LAYD HER OFF HER
JOB AND THREATENED HER WITH CONFINEMENT
IN PSYCHIATRIC HOSPITAL.

27.- Mrs VIRGINIA TATU
369 PARK Ave Apt 10 F
ORANGE, NEW JERSEY, NJ 07050

1.- MEMAI PASNICU, brother
2.- LAURENTIA PASNICU, his wife
of ALEKA LUNCA CERNEI Nr 4, Bloc D 47
Sc C, Et 4, Apt 14, BUCURESTI 7
3.- ALEXANDRU PASNICU, -brother
4.- AURELIA PASNICU, his wife
5.- DANIEL PASNICU, -their son
of Strada INTRAREA ANCOREI Nr 6,
BUCURESTI 6

U.S. CITIZEN

BEST COPY AVAILABLE

 28.- Mrs VIRGINIA BALACI 1.- DAN IONUT BALACI, 4, son
 Maiden Name: Mandoky 2.- NADIA MANDOKY, mother
 3.- GEORGHE MANDOKY, father
 SAN FRANCISCO, Ca residing at: Strada ISLAZ Nr 2, BOCSA ROM
 Phone() BOCSA ROMANA
 US RESIDENT Dan Ionut Balaci 4, is suffering by a
 skin illness which can be treated in
 ROMANIA. Despite UNIVERSITY'S of BARKLAV
 HUMANITARIAN OFFER TO TAKE CARE ABOUT
 THE POOR SIX KID HE IS STILL HOSTAGE
 OVER THERE AND STILL FORCED SEPARATED BY
 HIS MOTHER

 29. Mr AUREL ANDREI 1.- ILEANA ANDREI, 62, mother
 2.- MARIA ANDREI, 39, sister
 32-15, 34th St, Apt 4 D of: Bloc A 4, Apt 19, HIFODROM-BRAILA
 ASTORIA, NY 11106 Jcy were arrested three times by SECURITY
 Phone(212) 626-4755 investigated under hard pressure, HARD
 U.S. RESIDENT BEATEN and THREATENED WITH CONFINEMENT
 IN PSYCHIATRIC HOSPITAL. Miss MARIA
 ANDREI WAS LAYD OFF FROM HER JOB AS TEA-
 CHER. THEY DO NOT HAVE ANY POSSIBILITY
 OF SELF SUPPORT.

 30. Mrs ROXANA BADESCU 1.- MIHAI IONESCU, artist, fiancée
 22-14, 29th St, Apr 3 residing at: Strada CIAUOIU Nr 3
 ASTORIA, NY 11106 BUCURESTI
 Phone(212) 626-4755 The SECURITY refused to give to him
 PERMANENT RESIDENT the APPLICATION FORM. He was arrested
 hard beaten and threatened with PSY-
 CHIATRIC HOSPITAL.

 31.- Mrs GABRIELE MICHELLE ISAC 1.- VICTORIA GATULESCU, sister
 819 Route 9 N, Nyas, New York residing at Strada MACARALEI Nr6,
 Phone(212) 860-7867 Bloc M 27, Sec2, Apt 23, TITAN
 U.S. CITIZEN BUCURESTI.
 UNRESOLVED CASE since 1977

 A CRIME AGAINST HUMANITY
 COMMITTED BY NICOLAE CRAUSESCU'S SECURITY ONLY TWO WEEKS BEFORE
 US SENATE 's HEARING on ROMANIA'S RECORD ON HUMAN RIGHTS. (JULY 1979)

22.- Mr ALEXANDRA CHITA 1.- ELENA ARETI DRAGAN, mother
 26-45, 9th St, Apt 804 2.- ION DRABAN, father
 ASTORIA, NY 11102 of: Strada BACALOGU Nr2, Sect 2,
 Phone(212) 274-9625 BUCURESTI.
 PERMANENT RESIDENT 3.- VIORICA MIHAELA DRAGAN, twin sister

4.- ELENA BARBU, cousin and ELENA'S
 5.- VIORICA BARBU, 17, ELENA'S daughter
 of Alena Otosan 7, Apt 163, Sect2 BUC
 Their applicatios were rejected.
 MRS ELENA ARETI DRAGAN, DIED BY BRAIN
 CONGESTION DURING AND INTERVIEW UN-
 DER HARD PRESSURE OF SECURITY'S SO
 CALLED COMMISSION OF VISAS AND PAS-
 PORTS on NICOLAE IONGA Street BUCU-
 RESTI. HER BODY WAS GAVE TO THE FAMI-
 LY ONLY AFTER TWO DAYS. TO THE FOLLO-
 WING WERE ALLOWED ONLY HER HUSBAND
 AND DAUGHTER. THE SECURITY WANTED

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 NICOIAE CEAUDESCU'S PERSONAL VIOLATION OF HUMAN RIGHTS AND OF HIS
 PERSONAL COMMITMENTS TO US SENATE, US CONGRESS AND PRESIDENT JIMMY CARTER

 During NICOIAE CEAUDESCU'S appointment to President JIMMY CARTER on
 JULY 1978 HE RECEIVED FROM JIMMY CARTER THE LISTS OF US SENATE AND OF
 US CONGRESS WITH CASES OF FAMILIES REUNIFICATIONS. HE SIGNED THE APPRO-
 VAL OF EXIT VISAS OF THOSE HOSTAGE RELATIVES AND THEN, WHEN HE CAME BACK
 TO COMMUNIST ROMANIA GRANTED WITH MFN BY US CONGRESS, HE DENIED HIS SIG-
 NATURE ON AND ORDERED TO SECURITY SO TERRORISE THE HOSTAGE RELATIVES OF
 US CITIZENS AND RESIDENTS.

 U.S. CITIZENS and RESIDENTS HOSTAGES IN COMMUNIST ROMANIA

 32.- MICHAEL AMANCI 1.- FLORIAN GABA, scholar, -cousin
 45-54, 41st St, Apt 5 Strada IONESCU GION Nr 6 Sector 4
 IIC, NEW YORK, NY 11104 BUCURESTI, Tel: 211-657
 PHONE (212) 361-8209 UNRESOLVED since 1975
 US CITIZEN

 33.- Mr. MARIETTA BADEA, DDS 1.- Prof Dr PAV. VIOREI SONIN MADNA, husband
 760 POMONA Av., Apt. 7 Strada ANDREI MURESANU Nr 11 A BUCURESTI 1,
 COSTA MESA, Ca 9627 Phone(714) 645-7495
 Phone(714) 645-7495

 34.- Mr DORU BRASOVEANU 1.- ALEXANDRU NOVIC, cousin
 88 CHARLES St, Apt 3 B Intrarea PLUTONIER MAJOR TUCI VASILE Nr 5
 NEW YORK CITY, NY 10014 BUCURESTI, Tel: 350-578
 Phone (212) 242-5057
 US CITIZEN UNRESOLVED CASE since 1975

 34.- Mr MICHAEL BULBOACA 1.- ALEXANDRU FLORIN BULBOACA, brother
 314 Forehester Drive 2.- NATALIA BULBOACA, his wife
 Saint Louis, Miss 63125 3.- JULIANA BULBOACA, their daughter
 Phone(314) 544-0339 Residence Strada VALEA LURGA Nr 14, Bloc Z 3
 1314) 381- 1504 Office Se 1, Apt 15, BUCURESTI 7, Tel 600359
 US CITIZEN UNRESOLVED CASE since 1976

 35.- Mr FLORIN CARMOCANU 1.- ION CARMOCANU, brother
 45-26, 44th St, Apt 2 A 2.- EUGENIA CARMOCANU, his wife
 Sunnyside, NY 11104 3.- ROZALIA CARMOCANU, daughter
 Phone (212) 392-4270 Residence - AUREL CARMOCANU, brother
 U.S. CITIZEN 5.- DOMNICA CARMOCANU, 32, his wife
 6.- DAN CARMOCANU, 12, their son
 7.- DORU CARMOCANU, 11, their son
 Strada PROGRESULUI Nr 2 CONSTANTA
 UNRESOLVED CASE since 1975

 36.- Mrs BRIGITTE DOBRE 1.- ILEANA DOBRE, Mr AURFL's mother
 US CITIZEN 2.- ANTON DOBRE, her son
 37.- Mr AUREL DOBRE (BRIGITTE'S 3.- OCTAVIAN DOBRE, 17, ANTON's son
 HUSBAND) Strada Dr MIHAIL MIRINESCU Nr 9,
 42-46, 149th St BUCURESTI
 Flushing, NY 11355 UNRESOLVED CASE since 1975
 Phone (212) 445-9656

 38.- ESMERALD EMILIAN DUTESCU 1.- FLORIN BEJAN, Mrs DUTESCU's son
 39.- Mrs ILEANA DUTESCU (WIFE) Strada ALINA SEGUILOR Nr 1 b, Bloc 19
 30-47, 29th St, Apt 30 Sc D, Apt 47, BERCEMI, BUCURESTI 5,
 ASTORIA, NY 11102 Tel: 82-97, 63
 US CITIZEN c/o Mrs ANA ANDRONIC.

 ho. Mr VASILE DUMITRASCU 1.- NECULAE DUMITRASCU, father
 h1-1, 47th Ave Apt 4 D Strada VERDISOAI, COMUNA CODAESTI, Judetul
 Sunnyido, NY1114
 Phone(212) 392-0887 VASLUI.
 2.- MARIA LUNGU, sister
 h. Mrs DUMITRASCU(wife) 4.- CONSTANTIN LUNGU, her husband
 US CITIZEN 5.- EUGEN LUNGU, 8, their son
 6.- VASILE LUNGU, 6, their son
 7.- NECULAE DUMITRASCU, brother
 of them (#2460 residing at: ATELIERELE CR
 CPA.- NICULINA, IASI
 7.- PETRE MELINTE, my wife's brother
 8.- IRINA MELINTE, his wife
 9.- MARIA MELINTE, 19, their daughter
 10.- PETRE MELINTE, 8, their son
 11.- VASILE MELINTE, 5, their son
 12.- MIRAI MELINTE, brother
 13.- MARIANA MELINTE, his wife
 14.- MARIANA MELINTE, 10, their daughter
 of Strada MUSATINI Nr 15, Bloc P 5, Seara A,
 Etaj 3, Apt 2, CARTIER ALEXANDRU CEL BUN, IASI
 15.- MARIA BUTNARU, 42, daughter
 16.- MIHAI BUTNARU, her husband
 17.- DOREL BUTNARU, their son
 18.- ION BUTNARU 11, their son
 UNRESOLVED CASE since 1975

 42.- 1.- ION DAISA, born on Sept 7, 1919 on SHERON,
 PENNSYLVANIA USA, HOSTAGE IN COMMUNIST ROMANIA
 AN US CITIZEN HOSTAGE IN ROMANIA, WHY?.....
 2.- MARIA DAISA, his wife
 3.- STELIA MOGA, 32, his daughter
 4.- ION MOGA, 32, her husband
 5.- DESPINA MOGA, 9, their daughter
 6.- MELA IRIMIS, Mrs ION DAISA's daughter
 7.- CORNEL IRIMIS, her husband
 8.- BOGDAN IRIMIS, 5, their son
 of them residing at: Strada OSPATARIEI NR 1
 by Mrs VENERA KARANGATONERAI CLUJ. THEY WERE ALL LAYD OFF FROM THEIR JOBS,
 MAIDEN NAME : VENERA MOGA SINCE 1978 WHEN THE US CITIZEN ION DAISA RECEI-
 of KIKINDISE Street 10022 VED HIS RIGHT OF REPATRIATION IN THE USA.
 DEN, HAAG, *****
 NETHERLANDS, EUROPE *****

h3. Mr PATRICIU GANESCU
 h. Mr GEORGE GANESCU (son)
 MIAMI, FLORIDA
 Phone (305) 940-1403

1.- DRAGOS GANESCU, son
 2.- CORNELIA GANESCU, 30, his wife
 3.- MAGDALENA GANESCU, 6, their daughter
 4.- ELENA GANESCU, 2, their daughter
 of Aleea VERGUTUI Nr 4, Bl c 15, Sc A, St 2
 Apt 7, BUCURESTI
 Tel: 278-208

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 45.- Mrs IOANA GEORGESCU 1.- DUMITRU GEORGESCU, husband
 PERMANENT RESIDENT 2.- VICTOR GEORGESCU, son
 46. Mrs EMILIANA PARVU (daughter) ELENA GEORGESCU, his wife
 US CITIZEN in 1979 4.-) TEODOR GEORGESCU; 7.-their son
 17-56 W Main Apt 8 STRADA SNIPIIOR Nr 10, Bloc R 22, Apt 9,
 HUSTON, TEXAS 77098 BERGENI, BUCURESTI 5.-
 Phone (713) 523-6242 UNRESOLVED CASE since 1977

47. Mr MIHAI MARIN 1.- VOIGU MARIN, brother
 2485 Devos Terr, Apt 3E 2.- ELISABETA MARIN, 36, his wife
 NEW YORK CITY, NY 10468 3.- BOGDAN MARIN; 17; student, their son
 Phone (212) 733-8093 4.- CORINA MARIN, 13, student, their daughter
 residing at: Strada COMESUT, PECE Nr 19,
 BUCURESTI SECTORU 1
 UNRESOLVED CASE since 1975

48. Mr EDU UTOCAN, 1.- RAVEGA KOSA, mother
 2345 BROADWAY, Apt 526 2.- IOSIF KOSA, her husband
 NEW YORK CITY, NY 10024 Strada DECBAL Nr 24, TURDA, Judetul CLUJ
 US CITIZEN in 1979 3.- AURELIA MANY, sister
 4.- EIDY MANY, her husband
 5.- KEVARD MANY, 3, their son
 6.- ELIN IOANA FABIOLA, 2, their daughter
 residing at: Strada LOTUS Nr 52, TURDA 3350
 Judetul CLUJ
 **

49.- Mrs VOICHIITA MUNTEANU 1.- TIMOTEI MUNTEANU, 75, father
 21-35, CRESCENT St, Apt 5 V, CALEA TRAIAN Nr 19, SAN-NICOLAUL MARE
 ASTORIA, NY 11106 COD 1976, Judetul TIMIS
 Phone (212) 545-8726 UNRESOLVED CASE since 1975
 US CITIZEN

50 Mr OVIDIU PIATICA, MD 1.- ADRIAN PIATICA, 31, engineer, -brother
 315 East 65th St, Apt 1'D, 2.- VIRGINIA PIATICA, 28, his wife
 NY, NY, 10021 Aleea ROTUNDA Nr 1, Bloc J 1 B, Scara 5,
 Phone (212) 744-4831 Etaj 5, Apt 196
 US CITIZEN Tel: 433 833
 LAST REJECTION: JULY 2, 1979,
 after 9 previous rejections;
 UNRESOLVED CASE since 1975

OTHER UNRESOLVED CASES

51.- Prof ALEXANDRU BOGDAN 1.- SORINA DIACONESCU, 27, wife
 37-09, 95th Ave 8rd Fl 2.- MUGUR CATAIN BOGDAN, 3 years
 ASTORIA, NY 11106 3.- ALEXANDRA CRISTINA BOGDAN, 1; daughter
 Phone (212) 977-1646 Strad BURDUJANI Nr 1, Bloc A 12, So 7,
 US RESIDENT Et 4, Apt 87, BUCURESTI 4, COD 74634
 TEL: 42.57.51

52.- Mrs ANA-MARIA DOMSODY 1.- IUDOVIC ANDREI DOMSODY, husband
 6219 VINEWOOD LANE 2.- ANDREA ELENA DOMSODY, 10, daughter
 LEAGUE CITY, TX 77573 of: Strada POREA Nr 22, MEDIAS, Jud.SIBIU
 Phone (713) 332-37753 COD 5125

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53. GHEORGHE ALEXANDRU GEORGESCU 1.- STEIA GEORGESCU, 15, daughter
25-22, Stenway St, Apt 7 B Bulevardul ION SULEA Nr 72
ASTORIA, NY 11103 Bloc PM Nr 31, Se B, Et 4, BUCURESTI 4
Phone (212) 728-0845

54.- Mr GAVRIL PORA 1.- ANA PORA, mother
28-01, 33rd Ave, Apt 3 A 2.- GAVRIL PORA, father
ASTORIA, N.Y. 11106 Strada AVRAM YANCU, Nr 55, BRASOV 2200
Phone (212) 728-5826 Their applications were rejected
four times

58.- Mrs GENOVICA NICULESCU 1.- RADU NICULESCU, 56, husband
45-35, 44th St, Apt 2.- RADU NICULESCU, 13, son
SUNNYSIDE, NY. 11104 3.- DAN NICULESCU, 12, son
Hidrocentrala LOTAU, COMUNA VOINEASA
judetul VALCEA. They received applica-
tions ONLY in June 1979, UNRESOLVED since 197

US RESIDENT

56.- Mr. VASILE UNGUREANU 1.- ZOE UNGUREANU, daughter
30-95, 30th St, Apt 3 B 2.- AUREL UNGUREANU, 27, her husband
ASTORIA, NY 11102 Strada GODEANU 8, Et 3, Apt 14, Bloc 8,
Phone (212) 728-0861 GURA VAIL, judetul MEREDETINTI.
VRTEIANOF THE SECOND They were threatened with confinement
ROMANIAN HUNGER STRIKE in PSYCHIATRIC HOSPITAL, THE SECURITY
FOR FAMILY REUNION The SECURITY REFUSED TO GIVE TO THEM
NOV 0, 1975 - JANUARY 13, 1976 THE APPLICATION WORKS

57.- Mr NICOLAE TUDOR 1.- CRISTINA TUDOR, 19, daughter
28-30, 34th St, Apt 4 N 2.- Strada REDUTEI Nr 8, Sect 5, BUCURESTI
ASTORIA, N.Y. 11103 CBD 75353.- Tel: 86.29.22
Phone (212) 726-2449

59.- Rev DINU TATULESCU 1.- FLORICA TATULESCU, 24, wife
c/c 2.- IOAN TATULESCU, 1, son
Very Rev. VASILE HATEGAN CATEA GIURJESTI 127, Bloc C, Sect, Apt 16,
St MARY ORTHODOX ROMANIAN CHURCH Sector 7, COD 77811, BUCURESTI
2256 WARER ROAD
CLEVELAND-OHIO 44111

60. Mrs IRINA LINA CALINESCU 1.- VICTOR CALINESCU, husband
28-01, 53rd Ave, Apt 4 C 2.- CORNEL VICTOR CALINESCU, 8, son
ASTORIA, NY 11106 Soseau GIURGIUTUI Nr 121, Bloc 5,
Phone (212) 626-3053 Et 5, Apt 148 Sect 5, BUCURESTI
U.S. RESIDENT 75114
3.- IDA ION, mother
4.- NICOLAE ION, 62, her husband
5.- MARIN ION, 27, their son
6.- IJIE ION, 18, their son
Soseau GIURGIUTUI Nr 122, Bloc 5, Apt 227, Sect 5, BUCURESTI, Tel 863227
7.- NICUTINA FLEACA, 28, Mrs ION's mar-
ried daughter
8.- TEODOR FLEACA, 30, her husband
9.- ANDREA FLEACA, 2, their daughter
10.- COSTIN FLEACA, 1, rentho, their son
SOSEAU GIURGIUTUI Nr 122, Bloc 5
Apt 227, BUCURESTI, TEL 86.32.27
Mr Ing VITOR CALINESCU was invited to
SECURITY's so called COMMISSION ON
Visas and Passports.

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MR. IRINA LINA CALINESCU DID A HUNGER STRIKE IN EMIGRATION CENTER OF TRAIKIRCHEN(WIENNA-AUSTRIA) Arrived in NEW YORK CITY SHE ASK FOR US SENATE AND US CONGRESS HELP. HER case was on the list presented to NICOLAE CEAUDESCU by a five US SENATE DELEGATION on NOV 20-" in BUCHAR.

REST and on the list of FAMILY REUNIFICATION handled by a delegation of US CONGRESS COMMISSION ON SECURITY AND COOPERATION IN EUROPE to STEPA ANDREI-the ROMANIAN MINISTER ON FOREIGN AFFAIRS in BUCHAREST too on MAY15-18,1979.- Mr Eng VICTOR CALINESCU was invited by the COMMANDER of SECURITY's so called COMMISSION ON VISAS AND PASSPORTS on NICOLAE IORGA Street in BUCHAREST, few days befer the visit to NICOLAE CEAUDESCU of the five US SENATORS DELEGATION(NOV 20-22,1978). The COMMANDER told him that HIS PASSPORT and HIS SON PASSPORT were approved and this is a matte of days-their issue. He ask Mr VICTOR CALINESCU to call his wife by Phm and TOLD HER TO KEEP QUIET AND DO NOT CONTINUED HER PROTEST TO US SENATE Mr VICTOR CALINESCU DID SO. Three days after the visit to NICOLAE CEAUDESCU, Mr CALINESCU received a official letter which anness him....THAT THE PASSPORTS ISSUED WERE REJECTED! He went to THE COMMANDER OF, HE WAS HARD BEATEN ON HIS LEFT EYE WHICH UNDESO A SURGEON, AND WAS IN DANGER TO BECOME BLIND... AFTER RECOVERIO OF HE MADE 32 CONTESTATIONS AND CLAIMS WITHOUT ANY RESULT. LAST TIME HE AND HIS 8 YRAPS SON WERE SAW BY EYE WITNESS ES ON THE WAITING ROOM OF COMMANDER ON NICOLAE IORGA ST, ON MAY, 79

ONE OFFICER OF SECURITY CAME OVER HERE, PUT HIS GANG ON HIS CHEST AND IN PUSHING THE KID WITH HIS BOOTS, FORCED THEM IN AN OFFICE AND CLOSE THE DOOR. THE KID WAS SCREAMING, THE EYE WITNESS LISTEN TO, MR VICTOR CALINESCU CRY: PLEASE, KILL ME, BUT WHE KID GO HOME!.. THERE WERE A LOT OF NOISES OF HARD BEATEN, KIDS SCREAMING... UNDER THE OFFICE'S DOOR THERE WAS FRESH BLOOD, FATHER AND KID'S BLOOD....

In the same SECURITY'S OFFICE OF NICOLAE IORGA Street WAS KIL'ED Mrs' ENGINEER ALEXANDRA GRITA'S MOTHER ON JULY 12,1979. SHE DIED BY BRAIN CONGESTION DURING SECURITY'S INVESTIGATION..

THE LIVES OF Mr Eng VICTOR CALINESCU and of HIS 8YEARS KID, MUST BE SAVED THROUGH A STRONG INTERVENTION OF OUR AMBASSADOR IN BUCHAREST WHO MUST ASK NICOLAE CEAUDESCU TO RELEASE THEM IMMEDIATELY. TILL NOT BE TO LATE AND THE ROMANIAN SECURITY DOES NOT COMMITTE A NEW DOUBLE CRIME AGAINST HUMANITY!

In order to save the life of her husband and to bring her kid over here Mrs. IRINA LINA CALINESCU was advised by a US CITIZEN, ROMANIAN born, named ION CRISU who has a PLACEMENT PERSONNEL OFFICE on PENNSYLVANIA State tion on WEST 34th St in NE' YORK CITY- to divorce her husband. DESPERATE SHE DIVORCE HER HUSBAND, But despite the so called "INSURANCE of Mr ION CRISU, HER CHID IS STILL HOSTAGE OVER THERE. WE MUST SAVE Mr VICTOR CALINESCU and HIS KID 8 years old. TILL NOT BE TO LATE!

- 6).- Mr BCILOGA
12-21, 31, Av. Apt 49
ASTORIA, NY 11106
US RESIDENT
- 1.- Reverend VIOREL DUMITRESCU, cousin
 - 2.- Reverend DUMITRESCU's wife
 - 3.- REVEREND DUMITRESCU's so,1, year old
 - COMMUNA VISAG, Județul TIMIS
 - 4.- EMERIC AMBRUS, cousin, student with THEOLOGICAL INSTITUTE of SIBIU
 - 5.- EMERIC AMBRUS' wife
 - 6.- EMERIC AMBRUS' so,1 year old
- Strada VUJA Nr 19, LUGOJ

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 62.- Mrs PAULINE DINN, MD
 681 CLARKSON Ave
 BROOKLYN, NY 11203
 Phone (212) 778-4554
 U.S. CITIZEN.

She joined THE FIRST ROMANIAN
 HUNGER STRIKE FOR FAMILY REU-
 NION IN THE USA and FOR
 HUMAN RIGHTS IN COMMUNIST
 ROMANIA (May 17-JULY 17, 1975)
 She succeeded to save ONLY her
 son CORNELIAN ENE who is a
 student with NEW YORK UNIVER-
 SITY.
 BUT ALL OTHER RELATIVES
 ARE STILL HOSTAGES IN
 COMMUNIST ROMANIA

1.- ELENA FENESAN, 56, MD, sister
 2.- MIRCEA ROMUL FENESAN, 56, MD, her hus
 3.- ADRIANA TAMARA POPOVICI, 28, their da
 4.- DORU VASILE POPOVICI, 28, her husband
 5.- GORINA SIMONA LUCACI, 23, their daughte
 6.- DAN VASILE LUCACI, 23, her husband
 All of them residing at: Strada NICOLAE
 BALCESCU Nr 1, CIUJ; Tel 13359
 They are under hard SECURITY's investiga
 tion since Mrs PAULINE DINN became a POLI
 TICAL REFUGEE in the USA (years ago) and
 since Mr MIRCEA FENESAN's brother became
 a POLITICAL REFUGEE too as a counselor
 working with ONU's FAO in ROME (ITALY)
 All their applications for EXIT VISAS we
 were rejected by SECURITY, THEY WERE RE-
 CENTLY THREATENED WITH CONFINEMENT IN
 PSYCHIATRIC HOSPITALS. THEIR CASES ARE
 UNRESOLVED SINCE 1975! There is need a SE
 STRONG INTERVENTION OF OUR AMBASSADOR IN
 BUCHAREST TO SAVE THEIR LIVES!

 63.- Mr ALEXANDRU SUCIU
 600 West, 122nd St, Apt 617
 NEW YORK CITY, NY 10027
 Phone (212) 865-9223
 POLITICAL REFUGEE

1.- FERNANDA ISABELA BRAGA, 25, fiancée
 residing at Strada LAMASENI Nr 7
 She is under permanent investigation
 of SECURITY since her parents defec-
 ted in WEST GERMANY (Prof Dr GERALD
 BRAGA and his wife) where they are
 living and working and since her fin-
 fiancée Mr ALEXANDRU SUCIU became a
 POLITICAL REFUGEE too in the USA whe-
 re he is completed his doctoral degre-
 e in MATH. with COLUMBIA UNIVERSITY
 All her applications for EXIT VISAS
 were rejected by SECURITY. The last
 rejection: JUNE 1979. She applied
 again. No word about, till JULY 17, 79

 64.- Mr ION NOTINARU
 31-78, 34th St Apt 3 F
 ASTORIA, NY 11106
 Served 9 years as POLITICAL
 PRISONER in COMMUNIST ROMANIA
 US RESIDENT as POLITICAL REFUGEE

1.- IULIANA JAQUELINE NOTINARU, 14, daughter
 2.- ION CATALIN NOTINARU, 12, son
 of COLONIA FABRICA BOD, COMUNA BOD,
 Judetul Brasov.
 UNRESOLVED CASE SINCE 1978

 65.- Mrs ELEONORA CIOINIGEL
 30-97, 32nd St, Apt 2F
 ASTORIA, NY 11102
 Phone (212) 626-9473
 US RESIDENT

1.- EUGENIA ILIS, 29, sister
 2.- AUREL ILIS, 28, her husband
 3.- DANIEL ILIS, 3, their son
 4.- GRATIELA ILIS, 1, their daughter
 of Strada ALEKA BACAU Nr 6, Bloc B3, 2
 Sa B, Apt 3), Et 3, Sectb, BUCURASII
 After they applied, when came back home
 on JULY 12, 1979 Mr AUREL ILIS, was arres-
 ted. His wife and kids are helpless and
 with any possibility of selfsupporting
 THIS IS A VERY HUMANITARIAN PROBLEM OF
 VIOLATION OF HUMAN RIGHTS.

5.- GRATIELA PETCU, 21, sister, same address

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 66.- Mr DAN BUZEA 1.- DOINA BUZEA, 37, MD, wife
 56-29, 141st St Apt 2 2.- RADU BUZEA, 11, son
 PLUSHING, NY 11355 3.- VIOLETA BUZEA, 13, daughter
 Phone (212) 672-1758 Residing at: Boulevardul VICTORIEI Nr 15, Bloc
 PERMANENT RESIDENT 33, Sc B, Etaj 5, Apt 23, BRASOV 2200,
 Tel 38, 3332

Their applications were rejected twice.
 They applied again on JANUARY 1979. No answer
 till JULY 18, 1979

 67. Mr VASILE LEUCA 1.- ADRIANA IORDANESCU, 33, accountant, sister
 3315 VERDOGO ROAD 2.- IORDAN IORDANESCU, 36, truck driver, husband
 Los Angeles, Ca. 90065 3.- GIOVAN GIUNCA IORDANESCU, 16, daughter
 4.- BOGDAN IORDANESCU, 8, their son

PERMANENT RESIDENT

all of them residing at: Aleea CAMPULUI
 FLORI Nr 12, Bloc A 49, Et 3, Apt 55, Sc D
 Sector 7, DRUMUL TABERETI, BUCURESTI
 5.- MARIANA MARDARE, 33, computer prog, cousin
 6.- CALIN MARDARE, 38, computer techn, husband
 7.- IULIA MICHAELA MARDARE, 7, their daughter
 Residing at: Strada BAICULESTI Nr 17, B' C 13
 Sector 8, Cartier PAJURA, BUCURESTI, ROMANIA
 Tel: 67.08.42

Their applications were rejected twice
 Last rejection: JULY 1979

 68.- JOSEF STUHL 1.- MATEI STUHL, 34, auto-mechanic, brother
 HEILIGEN STRASSE 94/92 2.- VERONICA MONIKA STUHL, 35, his wife
 4010 WILDEN 3.- RALF STUHL, 4, their son
 B.R.D. Residing at: COMUNA POCIU-NOU, Jud TIMIS
 BRD CITIZEN They have the entry visas in BRL
 with Pub 111, IV of Sept 28, 1964

Mr Matei Stuhl was convicted to serve as PCL
 POLITICAL PRISONER for... attempting to cross
 across illegally the ROMANIAN border, in JULY
 15, 1976. He served his jail term as POLITI
 CAL PRISONER, and was released from jail
 THEY ARE STILL HOSTAGES IN COMMUNIST ROMANIA
 UNRESOLVED CASE since 1964!

 FORMER MEMBERS OF THE NATIONAL PEASANT PARTY IULIU MANIU WHO SERVED
 DIFFERENT TERMS OF POLITICAL JAIL AND FORCED LABOR CAMPS AND WHO STILL
 ARE UNDER HARD INVESTIGATION AND TERROR OF COMMUNIST SECURITY.
 WE ASK THAT US SENATE DO THE SAME KIND OF STRONG INTERVENTION AS
 IN THE CASE OF RUSSIAN DISSIDENTS AND ASK THAT ROMANIAN COMMUNIST
 PRESIDENT NICOLAE CEAUȘESCU RELEASE THEIR EXIT VISAS IMMEDIATELY O
 ON HUMANITARIAN REASONS AND IN RESPECT OF UNO'S UNIVERSAL DECLARA
 TION OF HUMAN RIGHTS

 I. Dr GOMNEȚIU COPOSU Str MAMULARI Nr 19, Apt 24
 FORMER DEPUTY GENERAL SECRETARY Sect 7, BUCURESTI
 of THE NATIONAL PEASANT PARTY IULIU MANIU
 Served 18 years as POLITICAL PRISONER

 2.- NICOLAE CARANDINO Retired with UNION of WRITERS
 DIRECTOR of "THE JUSTICE" ("DREPTATEA") BUCURESTI
 The central newspaper of the PARTY
 Served 15 years as POLITICAL PRISONER

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- *****
 3.- CICERONE IOANITOIU Strada EMIL BODNARAS Nr 195 ,Apt 24
 Leader of YOUTH ORGANISATION BUCURESTI
 of the PARTY
 Served 10 years as POLITICAL PRISONER

- 4.- Engineer ION PUTU CALEA VICTORIEI Nr 101,Apt 35, Et6,
 Leader of the YOUTH ORGANISATION BUCURESTI Sect 1
 Of the PARTY
 Served 15 years as POLITICAL PRISONER

5. ION BARBUS BUCURESTI
 Leader of the YOUTH ORGANISATION of THE PARTY. Served 18 years as
 POLITICAL PRISONER

- 6.- CONSTANTIN DUMITRESCU,lawyer COMUNA BORDUSANI, JUDETUL IALOMITA
 Served 15 years as POLITICAL PRISONER

- 7.- GRIGORE CAPATANA COMUNA BORDUSANI, Jud IALOMITA
 Served 23 years as POLITICAL PRISONER

- 8.- PAUL LAZARESCU Researher with INSTITUTUL
 Leader of YOUTH ORGANISATION Editor of "THE JUSTICE" de CERCEETARI LINGUISTICE al
 ACADEMIEI RSR,- BUCURESTI
 Served 1e years as POLITICAL PRISONER

- 9.- DUMITRU TEODORESCU Str CALARASI 41, BUCURESTI
 Served 1e years as POLITICAL PRISONER

- 1e.- OVIDIU BORCEA, lawyer Str PASCANI N3 13, Blee T D,
 Served 1e years as POLITICAL PRISONER Et 10, Apt 2, FOCSANI

- 11 OMBONGHE MIROM COMUNA CONDUNI, Jud ROMAN
 Served 10 years as POLITICAL PRISONER Released from jail in 1976

- 12.- ION MOURCEANU Str CAVAFII VECHI Nr 3, Et 3
 Served 8 years as POLITICAL PRISONER Apt 5, Seat 4, BUCURESTI

- 13.- VALERIU BASARABEANU Seseaua Pantelimon Nr 280
 Served 10 years as POLITICAL PRISONER Blee 1e, BUCURESTI

14. DAN ALEGU
 SERVED 10 YEARS AS POLITICAL PRISONER BUCURESTI, SECTOR 1

 OTHER POLITICAL PRISONERS STILL IN DANGER

- 15.- MIRCEA NICOLAU,59, Strada EPISCOPUL RADU Nr 6
 Teacher BUCURESTI
 Served 17 years as POLITICAL PRISONER

- 16-ION ALDEA, ships architecht,67, last residence in 1976 Strada
 Served 20 years as POLITICAL PASTEUR Nr 37, Seat 6 BUCURESTI
 PRISONER, Arrested again in 1976 and convicted to other 15 years of jail

- 17.- OCTAVIAN POPA,55 New is working with DEPOUL ITB
 Served 2e YEARS as POLITICAL PRISONER. BUCURESTI
 Str ACADEMIEI BUCURESTI.
 18. NICOLAE ZMEUREANU,59, poet With UNION of WRITERS,BUCURESTI
 Served 8 years as POLITICAL PRISONER

 RECAPITULATION

CHILDREN.....80
 WOMEN.....66
 MEN..... 85

 TOTAL HOSTAGE RELATIVES231.

 Academician DIMITRIE G APOSTOLIU (COSTIN JURCA)

1980 Apostoliu (Costin Jurca)
 President of THE AMERICAN-ROMANIAN NATIONAL COMMITTEE FOR HUMAN RIGHTS
 13 years POLITICAL PRISONER in ROMANIA'S COMMUNIST JAILS and in FORCED
 LABOR CAMP DANUBE-BLACK SEA.
 ORGANISEN, PARTICIPANT and SPOKESMAN of EIGHT ROMANIAN HUNGER STRIKERS
 FOR FAMILY REUNION IN THE USA and FOR HUMAN RIGHTS IN COMMUNIST ROMANIA
 IN HUNGER STRIKE

IN HUMANITARIAN SOLIDARITY WITH HUNGER STRIKERS
 AND IN MEMORIAM OF HIS FAMILY:

GEORGE G APOSTOLIU, brother, KILLED BY COMMUNIST SECURITY IN
 CONSTANTA, because he refused the job of GENERAL SECRETARY of DEPARTMENT
 of JUSTICE in 1948. Shot at place by STEFAN DUSA, the FIRST SECRETARY OF
 COMMUNIST PARTY of CONSTANTA, NICOLAE CEAUSESCU when became GENERAL SEC-
 TARY OF THE CENTRAL COMMITTEE OF ROMANIAN COMMUNIST PARTY, ASSIGNED THE
 KILLER STEFAN DUSA IN THE CENTRAL COMMITTEE OF THE PARTY

GEORGE D. APOSTOLIU, father, KILLED BY COMMUNIST SECURITY IN
 CONSTANTA CITY, in 1954

ELENA D APOSTOLIU, mother, KILLED BY COMMUNIST SECURITY IN TIMISOARA
 CITY in 1955

BEST COPY AVAILABLE

FROM:
Mrs VIORICA BASA
18-13 GEORGE Street
Ridgewood, NY 11127
Phone(212) 821-4082

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS
Art 13

- 1.- Everyone has the right to freedom of movement and residence within the borders of each state
- 2.- Everyone has the right to leave any country including his own and to return to his country.

H O N O R A B L E S I R ,

I am VIORICA BASA, ROMANIAN born and a POLITICAL REFUGEE in the USA together with my sisters MARIANA 34, teacher, EMILIA 29, fashion designer and ANGELA 27, shoes designer,- since JANUARY 25,1979 In our native country COMMUNIST ROMANIA we were discriminated because of our PENTHECOSTALIAN faith. My daughter MARIANA BASU, was laid off from her job as a teacher in 1977 and only a year later she succeeded to found a job as SIMPLE WORKER. HER STORY WAS PRINTED IN A ENGLISH BOOK AND THE ENGLISH NEWSPAPERS REPORTED ABOUT HER DISCRIMINATION BECAUSE OF HER PENTHECOSTALIAN BELIEFS. OUR DISPERATE LETTER WAS AIRED BY FREE EUROPE BROADCASTING AND AFTER A HARD STRUGLE WITH ROMANIAN COMMUNIST SECURITY WE SUCCEEDED TO OBTAIN THE EXIT VISAS. But , painfully I was forced to left behind in COMMUNIST ROMANIA as

HOSTAGES:

- 1.- TEODOR BASA, 29, electronist; MY SON
 - 2.- VERONICA BASA, 26, technician, HIS WIFE
residing at: CALEA AUREL VLAICU, Nr Bloc A 22, Scara 2, Apt2, ARAD
 - 3.- PINTILIE COJOCARU 36, MY FATHER
 - 4.- DOMNICA COJOCARU, 78, -MY MOTHER
 - 5.- LIDIA TUDORACHE, 54, -house wife, -MY SISTER
 - 6.- NICOLAE TUDORACHE, 53, photograph, - HER HUSBAND
 - 7.- CORNEL TUDORACHE, 28; - THEIR SON
 - 8.- MIRCEA TUDORACHE, 26, -THEIR SON
 - 9.- ADRIANA TUDORACHE, 25; THEIR DAUGHTER
 - 10.- EMILIA TUDORACHE, 21; - THEIR DAUGHTER
 - 11.- SILVIA TUDORACHE, 19, - THEIR DAUGHTER
 - 12.- LUMINITA TUDORACHE, 17, - THEIR DAUGHTER
 - 13.- DANIELA TUDORACHE, 15, - THEIR DAUGHTER
 - 14.- CARMEN TUDORACHE, 12, -THEIR DAUGHTER
- ALL OF THEM(#3-14) residing at: Strada Macaralei Nr 20, Bloc 2 12, Apt 76. Scara 6, BUCURESTI 4.-
- 15.- FELICIA IONESCU, 40, BOOKEPER, - MY SISTER
 - 16.- MIRCEA IONESCU, 55, construction engineer, - HER HUSBAND
 - 17.- CRISTIAN IONESCU, 10, -THEIR SON
 - 18.- DIANA IONESCU, 7, - THEIR DAUGHTER
- ALL OF them(#15-18) residing at: Bulevardul GHEORGHE GHEORGHU DEJ Nr 69. Etaj 3, Apt 7, BUCURESTI 6.-
- FELICIA IONESCU, my sister applied for exit visa on 1978. SHE WAS LAID OFF IMMEDIATELY FROM HER JOB. HER HUSBAND MIRCEA IONESCU WAS NOT ACCEPTED TO A JOB IN HIS PROFESSION WITH THE METRO COMPANY BECAUSE HIS PENTHECOSTALIAN FAITH.

As a desperate mother, and daughter, and sister of the above HOSTAGE RELATIVES I APPEAL TO YOU, HONORABLE SIR TO USE YOUR INFLUENCE IN PER SUADDED THE ROMANIAN COMMUNIST PRESIDENT NICOLAE CEAUDESCU TO RELEASE THEM. I APPEAL TO YOU TOO TO NOT GRANT ANY LONGER THE MPN TO COMMUNIST ROMANIA UNTIL ALL HOSTAGE RELATIVES OF HUNGER STRIKERS WILL BE SET FREE AND UNTIL THE HUMAN RIGHTS WILL BE REINSTAURATED IN COMMUNIST ROMANIA AND A GENERAL AMNESTY FOR POLITICAL PRISONERS WILL BE ISSUED AND APPLIED.

GOD BLESS YOU. HONORABLE SIR, FOR YOUR HUMANITARIAN SUPPORT.

Yours Sincerely
VIORICA BASA *Viorica Basa*

FROM:
 Mrs MARIA COPIL (Maiden name MARIA SABAV)
 Mr. TRAIAN COPIL
 33-22, 29th St, Apt E 2
 ASTORIA, NY 11106
 Tel (212) 932-1657

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS
 Art 13

- 1.- Everyone has the right to freedom of movement and residence within the borders of each state.
- 2.- Everyone has the right to live any country including his own and to return to his country.

HONORABLE SIR,

We are Mrs MARIA COPIL (maiden name MARIA SABAV) and Mr TRAIAN COPIL, ROMANIAN born and POLITICAL REFUGEES in the USA together with our three sons since SEPTEMBER 1977. Being POLITICAL DISCRIMINATE by NICOLAE CEAVSESCU's SECURITY in our native country, we succeeded to obtain a PASSPORTS after a strong and persistent FIGHT with CEAVSESCU's GOVERNMENT. In AUSTRIA we were granted with POLITICAL ASYLUM by the HIGH COMMISSIONER FOR REFUGEES OF VIENNA from GENEVE and then we reached the USA. But painfully we were forced to left behind in COMMUNIST ROMANIA as HOSTAGES:

- 1.- IOSIF SABAV, water pollution technician, born on SEPT 6, 1934, -my wife's brother.
- 2.- MAGDALENA SABAV, born on NOV 27, 1935, -his wife
- 3.- IOSIF TEODIL SABAV, born on NOV 15, 1958, technician -their son
- 4.- NICOLAE TRAIAN SABAV, born on MAY 3, 1960 -their son
- 5.- DAN FERDINAND SABAV, born on FEBRUARY 17, 1962 -their son
- 6.- MARIUS SIMEON SABAV, born on JULY 28, 1965 -their son
- 7.- MAGDALENA SABAV, born on DECEMBER 1, 1964 -their daughter
- 8.- GABRIELA SABAV, born on MARCH 17, 1966 -their daughter
- 9.- CLAUDIA SABAV, born on DECEMBER 1, 1967 -their daughter
- 10.- SCRIE VICHEL SABAV, born on JULY 26, 1969 -their son
- 11.- MARGEL SABAV, born on JANUARY 30, 1971 -their son
- 12.- BERTIANU SABAV, born on AUGUST 18, 1972 -their son
- 13.- OVIDIU VICHEL SABAV, born on MARCH 13, 1974 -their son
- 14.- EVGEN SABAV, born on APRIL 8, 1976, -their son
- 15.- CORNEL SABAV, born on APRIL 9, 1978 -their son

Mr IOSIF SABAV, his wife and their 13 children are living at Strada TVDOR VLADIMIRESCU Nr 64, GRADEA MARE, Jvdetvl BIHOR, ROMANIA. They were and still are terrorize by CEAVSESCU's SECURITY because their religious faith from which they are forbidden to workship with. As father of 13 children Mr IOSIF SABAV was layd off from his job as water pollution technician and only after several months when he succeeded to found out a job as bus driver he was lay off from by SECURITY. His wife was layd off from her job too. There are 13 children who are walking from door to door pity because their parents are forbidden to work in their native country COMMUNIST ROMANIA. Their applications for EXIT VISAS were rejected last time in DECEMBER 1979.

In the same desperate situation are and the other HOSTAGES:

- 16.- FRANCISC SABAV, -my wife's father, and his wife
- 17.- BARBARA SABAV (Maiden name BAREVRA VETMAN) a HEROINE MOTHER of 11 children who is suffered by HUNGER together her 11 children forbidden to work. They are living at: Strada MATEI CORVIN Nr 6, GRADEA MARE, Jvdetvl BIHOR
- 18.- FRANCISC SABAV, -my wife's brother
- 19.- IVILIANA SABAV, his wife, -both residing at Str, AYRORA Nr 26, GRADEA MARE. We appeal to you HONORABLE SIR to use your influence in persuade the ROMANIAN'S COMMUNIST PRESIDENT NICOLAE CEAVSESCU TO GRANT THEM IMMEDIATELY WITH EXIT VISAS in respect of THE UNIVERSAL DECLARATION OF HUMAN RIGHTS, OF MFN AND HEISINGER AGREEMENT in order to REVIVIFY OUR FORCED SEPARATED FAMILY FOR ACCOMPLISH THIS HUMANITARIAN GOAL WE JOINED THE SIXTH ROMANIAN HUNGER STRIKE FOR FAMILY REUNION IN THE USA, STARTED ON FEBRUARY 1, 1979 in WASHINGTON, DC. WE WILL LIVE THE HUNGER STRIKE PLACE ONLY WHEN OUR HOSTAGE RELATIVES WILL BE HERE IN OUR NEW HOMELAND: THE USA.

GOD BLESS YOU!

MARIA COPIL *Maria Copil*
 TRAIAN COPIL *Traian Copil*

BEST COPY AVAILABLE

FROM:

Miss. JOSEFINA CRANER
 34-38 33rd St. 3rd Fl.
 Long Island City, N.Y. 11106
 Tel.: (212) 937-5426

Mrs. Eufrosina Craner (mother)

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS.
 Art. 13

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Honorable Sir,

I am JOSEFINA CRANER, Romanian born, and a political refugee in the U.S.A. since July 15, 1978. I left Romania together with my parents on January 21, 1978 with legal passports, and expected the approval of the American visas in Vienna.

I graduated the University of Bucharest, Faculty of Germanic Languages in 1974, and I am a Bachelor in Philology. I worked in Bucharest as an English teacher and for the time being I am working for CIGCI ENTERPRISES, INC. as a secretary.

Here I am enjoying all the opportunities of a free life which I never knew before.

But unfortunately I was forced to leave my fiancé behind in Communist Romania. My fiancé's name is ALEXANDRU PAULESCU, born June 3, 1945. He resides in Bucharest, Strada Stupinet no. 27, sector 3, and he is a mechanical engineer with the Institute for Projects and Constructions of Bucharest, Strada Tudor Arghezi, no. 21, sector 2.

In July 1978 Mr. Paulescu visited Mr. Luciano Mangiafico, the American Consul and Mr. Lawrence Goodrich, the Vice-Consul of the American Embassy in Bucharest, and expressed his desire to immigrate to the United States.

On July 22, 1978 my fiancé applied for an exit visa at the Romanian Authorities, and on September 27, 1978 his application was rejected for alleged lack of grounds.

All his other applications for an exit visa in order to reunify our forced separation and to marry me here in the United States, were rejected by Communist Security. He was and still is under the hard pressure surveillance and investigation of Communist Security. He was threatened with mental hospital if he does not give up his wish to emigrate. He notified me that he has difficulties at his office, and that his salary was cut down considerably as result of his application for emigration. But despite all pressure against him he will not give up his desire to join me here in the U.S.

Mr. Nicolae Ceausescu, the Romanian Communist President violates all UNO's resolutions about family reunion, the M.F.N. express condition of easing the emigration from Communist Romania and Helsinki Agreement Basket Three.

In order to obtain his release from Communist Romania I joined together with my mother EUFROSINA CRANER the 8th Romanian Hunger Strike for family reunion in the U.S.A.

I appeal to you Honorable Sir, to use your influence in persuading the Romanian President Mr. Nicolae Ceausescu to grant an exit visa to Mr. Paulescu in respect of the Universal Declaration of Human Rights, Helsinki Agreement, in regard to freedom of emigration.

Thanking you from the bottom of my heart for your Humanitarian Support, I remain,

Yours, truly,

J. Craner
 Josefina Craner

Strada Stupineti no. 27
sector 3
Bucharest, Romania
Tel.: 61-24-64 (home)

ALEXANDRU PAULESCU
Mechanical Engineer

History of Security's Harassments against my
person as an applicant for an exit visa in order
to immigrate to the U.S.

- On July 19, 1978 I applied for an exit visa at the Romanian Authorities
- On August 15, 1978 I was called at City Hall where they tried to convince me to give up my wish to emigrate.
- On September 27, 1978 my application was rejected.
- On October 3, 1978 I sent a contestation no. 565718 to the Commission for Passports, and I paid 188.00 lei for having my folder review by the Commission.
- On October 11, 1978 I sent a Contestation no. R393 to the Council of State.
- On October 12, 1978 I had an appointment at the Commission for Passports (Nicolae Iorga Street)
- On October 16, 1978 I sent a Memorandum to the Council of State - Governmental Commission. The no. is R3660.
- On October 24, 1978 I had an appointment at the Commission for Passports (N. Iorga St.)
- On Nov. 28 , 1978 I sent another Memorandum to the Governmental Commission of Passports (Calea Rahovei St.) with the No. R3712.
- On Nov. 30 I sent a Memorandum no. R3333 to the Commission of Passports (N. Iorga St.)
- On Dec. 6, 1978 I had an appointment at the Commission of Passports (N. Iorga)
- On Jan. 8, 1979 I had an appointment at the Governmental Commission for Passports (Calea Rahovei St.)

Gremer

Josefina Gremer
34-38 33rd St. 3rd Fl.
Long Island City, N. Y. 11106

FROM:
Mrs PAULINE DINU, MD.
671 CLARKSON Ave, Apt 305
BROOKLYN, NY 11203
Phone (212) 778-4554

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS
Art. 13.

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HONORABLE SIR,

I am PAULINE DINU, MD., ROMANIAN born, arrived as a POLITICAL REFUGEE on OCTOBER 28, 1977, now naturalized as US CITIZEN.
I joined THE FIRST ROMANIAN HUNGER STRIKE FOR FAMILY REUNION on MAY 17, 1975-JULY 17, 1975 in order to REUNIFY MY FORCED SEPARATED FAMILY:
1.- CORIOLAN ENE, my son of TIMISOARA
2.- ELENA PENESAN (Maiden Name ELENA DINU) M.D., my sister, born SEPT 23, 1923
3.- MIRCEA PENESAN, MD, her husband, born DEC 24, 1923
4.- CORINA SIMONA LUGACI, born April 26, 1950, student, their married daughter
5.- DAN VASILE LUGACI, born on Feb. 16, 1950, student, CORINA's husband
6.- ADRIANA TAMARA POPUVICI, born on Jan 1, 1952, ELENA's married daughter
7.- DORU VASILE POPUVICI, born on Sept 20, 1951, student, ADRIANA's husband
All of them residing at Strada NICOLAE BALCESCU nr 1, GIUJ
Only my son CORIOLAN ENE was release in 1975. BUT ALL OTHERS HOSTAGE RELATIVES OF MINE ARE STILL HOSTAGES IN COMMUNIST ROMANIA. AL' THEIR APPLICATIONS FOR EXIT VISAS IN ORDER TO REUNIFY OUR FORCED SEPARATED FAMILY WERE REJECTED BY COMMUNIST ROMANIAN SECURITY. THEY ARE UNDER WARD SECURITY INVESTIGATIONS THREATENED WITH CONFINEMENT IN PSYCHIATRIC HOSPITAL AND TERRORISE BY SECURITY.

HONORABLE SIR,

Since MAY '75 when I JOINED THE FIRST ROMANIAN HUNGER STRIKE FOR FAMILY REUNION IN THE USA AND FOR HUMAN RIGHTS IN COMMUNIST ROMANIA, the US CONGRESS GRANTED COMMUNIST ROMANIA WITH THE MFN in 1975, 1976, 1977 and 1978 My money as an AMERICAN TAXPAYER were going in the hand of ROMANIAN COMMUNIST PRESIDENT NICOLAE CEAUDESCU, the traitor of ROMANIAN people and BREZHNEV's spy in the FREE WORLD who VIOLATED AND IS STILL VIOLATING: the PARIS TREATY OF PEACE (1947) UNO's UNIVERSAL DECLARATION OF HUMAN RIGHTS (1948) and all UNO's RESOLUTION about FAMILIES REUNIFICATION, THE MFN EXPRESS CONDITION OF EASING THE EMIGRATION FROM COMMUNIST ROMANIA which he else agreed with the USA upon TRADE AGREEMENT and MFN in 1975, 1976, 1977 and 1978. NICOLAE CEAUDESCU instead to respect it, he start to TERRORISE THE HOSTAGE RELATIVES OF US CITIZENS AND RESIDENT AND HE IS VIOLATING TOO BESIDE THESE OF HELSINKI AGREEMENT (Helsinki 1975 and BELGRAD 1977). I have to point out that this kind of TERRORISM AND PERSECUTION DO NOT HAPPENED TO RELATIVES OF WEST GERMAN, FRENCH OR OTHER CITIZENS OF FREE WORLD BUT IT IS HAPPENED ONLY TO RELATIVES OF US CITIZENS AND RESIDENTS. THAT IS CLEAR: NICOLAE CEAUDESCU ORDERED TO HIS SECURITY TO DISCRIMINATE AND TERRORISE ESPECIALLY THE RELATIVES OF US CITIZENS AND RESIDENTS!.... I APPEAL TO YOU HONORABLE SIR TO PERSUADE THE ROMANIAN COMMUNIST PRESIDENT NICOLAE CEAUDESCU TO RELEASE IMMEDIATELY MY HOSTAGE RELATIVES. PLEASE WRITE TO HIM AND TO ROMANIAN COMMUNIST AMBASSADOR IN WASHINGTON DC AND ASK THEM: HOW THEY COME TO ASK AGAIN THE MFN SINCE CEAUDESCU'S PERSONAL COMMITMENTS TO US PRESIDENT, US SENATORS and US REPRESENTATIVES ARE DENIED BY HIM SELF AND THE RELATIVES OF US CITIZENS AND RESIDENTS IN-DEAD TO BE RELEASED FOR REUNIFY THEIR FORCED SEPARATED FAMILY ARE KEEP STILL HOSTAGES AND TERRORISE BY SECURITY!!
AS AN AMERICAN CITIZEN I ASK THAT US SENATE AND US CONGRESS DO NOT GRANT ANY LONGER THE MFN TO COMMUNIST ROMANIA UNTIL ALL HOSTAGE RELATIVES OF HUNGER STRIKERS AND OTHER US CITIZENS AND RESIDENTS ENLISTED ON US SENATE AND US CONGRESS LISTS OF FAMILIES REUNIFICATION WILL BE SET FREE AND UNTIL THE HUMAN RIGHTS WILL BE REINSTITAURED IN ROMANIA BY A GENERAL AMNESTY FOR POLITICAL PRISONERS WHOSE REALY APPLICATION MUST BE CONTROLLED BY A SPECIAL UNO'S COMMISSION ON HUMAN RIGHTS.

Pauline Dinu

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June 3 1979.-

From :

" "
 ANA MARIA DOMSODY born GHITULESCU
 STEFAN GHITULESCU her cousin
 Antonia and Octavian Ghitulescu -sunt and
 uncle.-
 6219 Vinewood Lane
 LEAGUE CITY -Texas 77573
 Tel. (713)332-5075

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS. Art.13

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.-.-.-.-

HONORABLE SIR,

I, Ana Maria " " " " being engineer PETRE TOMA GHITULESCU, s daughter, was permanently interviewed by the Security in communist Romania and from my childhood prosecuted and threatened by the roumanian communist regim.-

My father was an important scientific and financial personality in the pre-communist Romania. Although his scientific activity in mining and geology had established to my father an international reputation. The communist regim imprisoned him for ten years and after that imposed on him forced residence status -as former political prisoner-the only reason being his refusal to adhere to the communist principles and policy.-
 Also my whole family has been at the same time jailed and prosecuted.-

In these conditions I took advantage of the first opportunity, and I had to leave Romania (October 1978) and asked for political asylum and permanent residence in THE UNITED STATES (nine months ago)

Now, I am free in the U.S.A. the country of real democracy and freedom, but, painfully I was forced to leave in communist ROMANIA as hostages :

- 1.-ANDREEA -ELENA DOMSODY my daughter -born on June 30 1969.-
- 2.-LUDOVIC -ANDREI DOMSODY my husband -born on December 26, 1944 Both residing in MEDIAS str. Horea nr. 22 Judet SIBIU zip c. 3125 ROMANIA.-

All their application for EXIT VISAS in order to reunify our forcefully separated family were rejected by romanian authorities. The communist government does not respect The Paris Treaty of Peace (1947), UNO, s Universal Declaration of Human Rights (1948) nor the condition of easing the emigration from communist Romania as agreed with the USA on The Trade Agreement and The Most Favored Nation, s Clause in 1976 and the Helsinki Agreement (1975). I and my relatives above mentioned, appeal to you, HONORABLE SIR to use your influence in persuading the Romanian Communist President Nicolae Ceausescu to respect his commitments about Human Rights and Family Reunion and grant the Exit Visas to our hostages Andreea-Elena and Ludovic-Andrei Domsody

Thank you, Honorable Sir for your humanitarian support

Handwritten signature: Ana Maria Domsody

Handwritten signature: Ana Maria Domsody

BEST COPY

FROM:
Mrs ELENA DUTESCU
299 Jefferson St # 1
Brooklyn, NY 11237
Tel(212) 381-4776

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

Art 13

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HONORABLE SIR,

I am ELENA DUTESCU, ROMANIAN born and a PERMANENT RESIDENT of the USA since APRIL 4, 1979 when I arrived in the USA in obtaining the EXIT VISA from COMMUNIST ROMANIA after a long and hard struggle with the SECURITY over there and only as a result of my husband's HUNGRO STRIKE supported by the US SENATE, US CONGRESS, President JIMMY CARTER, the GENERAL SECRETARY of UN and DEPARTMENT OF STATE.

Despite the fact that I am the wife of an US CITIZEN, Colonel EMILIAN DUTESCU and despite the annexed letter of Honorable Senator Henry W. JACKSON dated APRIL 24, 1978 that THE ROMANIAN GOVERNMENT approved my emigration and the emigration of my son FLORIN BEJAN, I struggled one more year with ROMANIAN COMMUNIST SECURITY until I succeeded to obtain my EXIT VISAS. They rejected three times my son's applications..Last rejection is of MARCH 30, 1979

In the same time the ROMANIAN SECURITY'S TERROR AGAINST ME IS SPILL ON: I ASKED TO GIVE UP MY COMMUNIST ROMANIA'S CITIZENSHIP AND TO COME IN THIS COUNTRY WITH A PASSPORT WITHOUT CITIZENSHIP BECAUSE I HATE THE COMMUNISM WHICH TERRORISED ME ALL MY LIFE OVER THERE AND I WOULD LIKE TO BECOME ONLY AN US CITIZEN AS MY HUSBAND. BUT THE ROMANIAN SECURITY FORCED ME TO APPLY FOR A PASSPORT AS ROMANIAN CITIZENSHIP RESIDING IN A FOREIGN COUNTRY IN THREATENING ME THAT OTHERWISE I DO NOT SEE NEVER IN MY LIFE MY HOSTAGE SON FLORIN BEJAN.

I accepted to do so in order to obtain the EXIT VISA and then, ever here to send this passport to DEPARTMENT OF STATE and to struggle to obtain the RELEASE OF MY HOSTAGE SON FLORIN BEJAN, residing after my departure at my sister Mrs ANA ANDRONIC, at: Strada Alesu Secuilor Nr 1 B, Bloc 19, ScD, Apt 4 47, Berceni, Sector 5, BUCURESTI-ROMANIA (Tel: 82-97-63)

I have to point out that since I applied for EXIT VISA, my son FLORIN BEJA was expelled from FACULTY and since I finish with my residence of SUCEAVA CITY, where I lived and worked, HE DOES NOT HAVE ANY RESIDENCE, HE WAS NOT ALLOW TO HAVE A TEMPORARY VISA FOR BUCHAREST IN ORDER TO PERSUADE IN THE APPROVAL OF HIS EXIT VISAS AND HE IS NOT ALLOW TO WORK, HE IS RESIDING AT MY SISTER BUT HE IS IN ANY MOMENT IN DANGER TO BE ARRESTED AND SEND TO A FORCED LABOR CAMP OR MENTAL HOSPITAL.

As a desperate mother I appeal to YOU, HONORABLE SIR, TO PERSUADE THE ROMANIAN COMMUNIST PRESIDENT NICOLAE CEAUȘESCU TO RESPECT THE HUMAN RIGHTS THE MFN, BASKET THREE OF HELSINKI AGREEMENT AND MORE THAN THAT HIS PERSONAL APPROVAL OF EXIT VISAS GRANTED TO ME AND MY SON AS SENATOR JACKSON ANNEXED LETTER OF APRIL 24 1978 STATE, -AND TO GRANT THE PASSPORT TO MY HOSTAGE SON FLORIN BEJAN,

As a wife of an US CITIZEN-my self a PERMANENT RESIDENT of the USA, -I appeal to YOU TOO, TO INTERFERE THE STATE DEPARTMENT TO ASSISTE MY SON IN HIS DESPERATE EFFORTS TO OBTAIN THE EXIT VISA, THROUGH THE HUMANITARIAN HELP OF Mr LUCIANO MANTUAPICO (our CONSUL in BUCHAREST) and of HIS EXCELLENCY AMBASADOR AGOBEY. THEY CAN CALL HIM AT MY SISTER TELEPHONE: 82-97-63, I INVITE HIM TO OUR CONSULATE AND HELP HIM PRACTICALLY IN ASKING DIRECT THAT NICOLAE CEAUȘESCU TO DISPOSE TO HIS SECURITY TO RESPECT HIS PERSONAL APPROVAL OF MY SON EXIT VISA DATED APRIL 24, 1978 DIPLOMATICALLY, THEY CAN "INFORME" THE COMMUNIST PRESIDENT NICOLAE CEAUȘESCU THAT HIS ORDERS AND DISPOSITIONS ARE DENIED BY SECURITY. HOW COME? AND TO ASK TO BE RESPECTED. THE SON OF A MAUSCITIZEN'S WIFE DOES NOT HAVE THE RIGHT TO JOIN HIS MOTHER

I WILL JOIN THE RIGHT ROMANIAN HUNGRO STRIKE FOR FAMILY REUNION. IN THE NAME OF HONORABLE SIR I AM ASKING YOUR SUPPORT. ELENA DUTESCU

BEST COPY AVAILABLE

MR. CHAIRMAN, HONORABLE SENATORS

I the undersigned Dionisia Gartu, D.D.S. reside in New York at 43-09 40th St., Apt. 3F, Long Island City, N.Y. 11104. I am coming in front of you to protest the inhuman treatment by the leaders of Communist Romania of the emigres in the U.S.A. who want to reunite with their families.

In October 1977, I asked the Romanian authorities in Bucharest to allow the immigration into the U.S.A. of my brother Atanase Gartu, who is an Engineer in Bucharest, my sister Florica Miliu from Constanta and their family.

The Romanian authorities have promised them that they shall receive shortly their Passports. Four months later, my relatives received the answer that their application was rejected.

Since then, I have written to the Romanian officials in Bucharest and Washington, to intervene in my favor. But I have received no reply.

Then I appealed to several Senators and Congressmen of the U.S.A. to help me reunite with my family. But up to the present, I have achieved no results.

In my despair, I started the hunger strike in front of the White House, the Capitol and the Romanian Embassy. I continued the protests in front of the Romanian Mission in New York.

In this manner, I was attracting the attention of the people on the disregard of the Romanian Government of my rights.

From the windows of the Romanian Mission the employees were threatening me with their clenched fists and obscene gestures.

In Communist Romania there is terror, lack of freedom, fear to trust people because it is well known that two out of three men are informers of the Security Service and the Police.

All citizens are forced to spy on each other and those who refuse are dismissed from their jobs, or sent to work in the country.

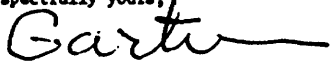
The people are permanently deceived. For over ten years we were promised that we shall work 5 days a week and up to today people are working 7 days a week (also on holidays) without paid overtime.

The Romanians are forbidden to talk to foreign tourists. If they talk, they must give to the Police a statement on what they said. The tourists are followed all the time by the Security Service until they leave the country.

The Communist Party commits without fear all kinds of abuses, and the people are deprived of any rights.

As a proof that the word of the Romanian officials is absolutely worthless, I have a letter of reply to Congressman Mario Biaggi, dated April 5, 1978, proving that the Romanian officials are not respecting their promises even to a Congressman of the U.S.A.: On ground of the above facts, I beg you to refuse categorically to bestow the clause of the most favored nation to Communist Romania because the Romanian people have no benefit and the Communist government is violating permanently the Helsinki treaty. Begging you to help me in the reunification with my family and thanking you for your kindness and understanding, I beg to remain,

Respectfully yours,



Dionisia Gartu, D.D.S.

MARIO BIAGGI
18TH DISTRICT, NEW YORK

WASHINGTON OFFICE:
8427 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D. C. 20515
(202) 223-2464

DISTRICT OFFICE:
BROOK
2004 WALKERBROOK ROAD
BROOK, NEW YORK 10461
(212) 931-6100

QUEENS
SECOND FLOOR
21-77 31ST STREET
P.O. Box 5101
QUEENS, NEW YORK 11106
(212) 932-4448

Congress of the United States
House of Representatives
Washington, D.C. 20515

April 5, 1978

COMMITTEES:
EDUCATION AND LABOR
FISHERIES
LABOR STANDARDS
POST SECONDARY EDUCATION
SELECT EDUCATION
MERCHANT MARINE AND FISHERIES
CHAIRMAN:
SUBCOMMITTEES:
CHAIRMAN, COAST GUARD AND NAVIGATION
MERCHANT MARINE FISHERIES AND WILDLIFE CONSERVATION AND THE ENVIRONMENT
SELECT COMMITTEE ON AGING
SUBCOMMITTEES:
CHAIRMAN, FEDERAL, STATE AND COMMUNITY SERVICES
SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL (EX-OFFICIO)

Dionisie Gartu, D.D.S.
41-20 46th Street, Apt. 2B
Long Island City, New York 11104

Dear Dr. Gartu:

I have just received notification, from the Ambassador of Romania, that permission has been granted to your family to leave Romania. I fully understand the importance of this matter to you and am pleased to have been able to assist.

I trust you have already been advised of the status of this situation by your family. If they have not yet reached the United States, and I can be of further service in any way, please be sure to let me know.

With best wishes, I am

Sincerely,


MARIO BIAGGI, M.C.

MB/jm

Rada Georgescu
41-34 43rd. St. Cl
L.I.C. N.Y. 11104

Honourable Sir,

My name is RADA GEORGESCU , Together with my husband Corneliu Georgescu , we were left the communist Romania in January the 16, 1977 to visit my husband's father Constantin Georgescu who lives in Rome , Italy Via Cavour 278 where we lived between January 18, 77 and April 19, 77.

During this period of time we contacted the W.C.C. organization and asked for an emmigration visa to the U.S.A. in order to build up a new life in the free world. On the April 19th, 77 , my husband and I entered in the U.S.A. at Kennedy Airport where we received the " White Alien Cards " with the following numbers:

Rada Georgescu A21-704-312
Corneliu Georgescu A21-704-311
Now, we are living and working in N.Y.C.

Since we arrived in the U.S. both my mother: ELENA ANDREI who lives in Bucharest-Romania Str. Prisaca Dornel Nr.2, Bl.D3. Sc.2, Ap.51, tel 458082 and our son :

CONSTANTIN DONCU who lives in Bucharest-Romania Str. Ghita Serban Nr.2, Bl.8b, Sc.2, Apt.96.

tried several times to join us in the U.S. but every time the Romanian Governement brutally refused to issue them emigration passports. We tried everything possible for us to get them over , we took part in the hunger stricke in front of the U.N. on April 10,78, as well as in Washington D.C. in 1978 and 1979, and now I participating on the protest action in front of Romanian Mission from New York City in each weekend, for be continue the protest actions against of the Romanian Governement .

From the moment my mother and our son requested the emmigration visa there has been constant bluster upon them. Our son who was employed , was told by the local party leader and police that he would be fired if he still should insist to join his parents who betrayed their country by leaving the communist regime. Niether my mother nor our son were ever member of the communist party. In the mean time our son , who is so very young 24 years old, lost his job, all medical benefits and is now permitted to do only unqualified work, that the governement might offer him, and be payed with the lowest possible salary. He is constantly blustered to be fired again this time for good.

Please see next page,

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On the other hand , my mother , who is almost 70 years old , has been refused free medical service although she has no other income than a poor pension. She desperately needs medical treatment which we could offer her here, if she was to come over. She is poverless and unable to fight against the brutal regime of that beings in Romania.

I would like to mention that in May 78 and June 79, I sent to my mother and our son an " Affidavit of Support " as well as to Mr. Consul Luciano Mangiafico, the U.S. ambassador in Bucharest.

For the reasons mentioned above, the last chance and hope is to apply to the U.S. Senate because of the stand in human rights that U.S.A. is leading in the world. This is the main reason , freedom , why we chose the United States as our new home.

Thank you for the interest
in this letter,

Sincerely

Rada Georgescu

July the fourth, 1979



June 19, 1979

Statement to the Hearing of Thursday, July 19, 1979
on Waiving of the Jackson-Vanik ammendment for
Romania

My name is Gabriela Michelle Isac, I live in New York State, 819 Route 9W Nyack, New York. I am an American citizen, married, resident of New York State since 1970. In 1970 I requested from the Romanian Embassy approval to renounce to my former Romanian citizenship, request which was granted in 1973 by the State Council of the Republic Socialist of Romania, Decree No. 333 of June 1973.

I would like to express my deep concern with regard to the freedom of travel and emigration in Romania, which seems to be denied to some of those who wish to join their relatives in West countries. I would like to make particular reference to my sister, Victoria Gatulescu who for the last two years has been denied a travel document by the Romanian authorities. She is 28 years old, single, was never involved in classified work and has no outstanding debts. She is entitled to apply for US immigrant visas as soon as is issued a passport, however, there have been repeated denials of her requests for passport. There is no reason for this denial, and no reasons are given in the rejection notices which she has been receiving for the past two years. I strongly feel that this is an abuse which should be corrected, and I am sure that the Roumanian authorities could be made to understand that freedom of emigration and respect for human rights are indeed the foundation upon which our country is willing to build economic relations. There should be freedom of choice for everybody who is eligible to leave Romania, not for a selected few. They must understand that our nation prides itself in helping to secure the human rights of all men.

Therefore, I respectfully request that the Jackson -Vanik ammendment not be waived until the Roumanian government shows its good faith in allowing issuance of passports to those who have requested to be allowed to leave. I am confident that the decision which will be taken here today will be instrumental in securing the best was for my sister and all other Romanian hostages to achieve their right to freedom.

I would like to ask you to inquire on my sister's present status and request the REASON for denial of her passport . She is A. P. Victoria Gatulescu, residing at St. Macaralei No. 6, Bloc M. 27, Sc. 2, Apt 23, Titan, Bucharest. Perhaps your inquiry will receive an answer - My telegram to the President Nicolae Ceausescu requesting the reasons for her being denied a passport has remained unanswered to date...

Would you please make this statement part of the record.

Thank you.

Submitted by Gabriela Michelle Isac
819 Route 9 W
Nyack, New York

On behalf of Victoria Gatulescu
Str. Macaralei No. 6
Bl. M.27, Sc. 2, Apt 23
Titan, Bucharest

FROM:
 Mrs PAULINA LERESCU
 Mr ROMULUS LERESCU
 221, 3rd St, FAIRVIEW
 NEW JERSEY, NJ 07022
 Phone(201) 941- 1734

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS
 Art 13

- 1.- Everyone has the right to freedom of movement and residence within the border of each state
- 2.- Everyone has the right to leave any country including his own and to re - turn to his country

HONORABLE SIR,

We are PAULINA LERESCU and ROMULUS LERESCU, ROMANIANS born and POLITICAL REFUGEES in the USA since OCTOBER 17,1977 when we came in this country to our son NICOLAE LERESCU of NEW JERSEY.

Over here we gave up our former COMMUNIST ROMANIA's citizenship and we start the struggle to force the ROMANIAN COMMUNIST PRESIDENT NICOLAE CEAUȘESCU to set free our son with his wife and our daughter who are HOSTAGES over there, in order to reunite our FORCED SEPARATED FAMILY. In COMMUNIST ROMANIA all our family was and still is discriminate and investigate under hard pressure by SECURITY because our anti-communist feelings and actions and of our CHRISTIAN-ORTHODOX faith.

My son wife, SILVIA SIMONA LERESCU who is a ENGLISH TEACHER was laid off from her job in 1976 and ONLY AFTER MORE THAN A YEAR she succeeded to found a job as UNQUALIFIED WORKER being washed all time by SECURITY . Painfully we were forced to left behind in COMMUNIST ROMANIA as HOSTAGES:

- 1.- CONSTANTIN LERESCU, born on NOV 26,1945, construction engineer, OUR SON
- 2.- SILVIA SIMONA LERESCU, born on SEPT 25, 1952, ENGLISH TEACHER, -HIS WIFE both residing at: Strada FILDREȘULUI Nr 8 , BUCUREȘTI 4.

3-LIVIA LERESCU, born on SEPT 25, 1952, computer programmer-OUR DAUGHTER residing at: CALEA CALAPASI Nr 99, BUCUREȘTI 4.

ALL THEIR APPLICATIONS FOR EXIT VISA WERE REJECTED BY SECURITY. OUR MAIL WAS CUT. OUR PHONE CONVERSATIONS TOO.

THE ROMANIAN COMMUNIST PRESIDENT NICOLAE CEAUȘESCU WHO IS BREZHNEV'S SPY IN THE FREE WORLD AND THE STALINIST TERRORIST OF ROMANIAN PEOPLE DIRECTED THE SECURITY'S TERROR AGAINST RELATIVES OF US CITIZENS AND RESIDENTS.

IN DOING SO HE VIOLATED THE PARIS TREATY OF PEACE(1947) THE UNIVERSAL DECLARATION OF HUMAN RIGHTS OF UNO(1948) AND ALL UNO'S RESOLUTIONS FOR FAMILIES REUNION. HE VIOLATED AND IS STILL VIOLATING TOO THE MFN WITH WHICH COMMUNIST ROMANIA WAS GRANTED IN 1975, 1976, 1977 and 1978 and BASKET THREE OF HELSINKI AGREEMENT. (1975 and 1977)

We appeal to YOU, HONORABLE SIR, to use YOUR influence in persuading the ROMANIAN COMMUNIST PRESIDENT NICOLAE CEAUȘESCU TO RESPECT HIS INTERNATIONAL COMMITMENTS AND TO SET FREE OUR HOSTAGES SON WITH HIS WIFE AND OUR HOSTAGE DAUGHTER.

WE APPEAL TO YOU TO DETERMINE THE US CONGRESS TO SUSPEND THE MFN TO COMMUNIST ROMANIA UNTIL THE HOSTAGE RELATIVES OF HUNGER STRIKERS WERE SET FREE AND UNTIL IN COMMUNIST ROMANIA THERE WILL BE A GENERAL AMNESTY FOR POLITICAL PRISONERS AND THE HUMAN RIGHTS REINSTITAATED.

WE JOINED THE EIGHTH ROMANIAN HUNGER STRIKE FOR FAMILY REUNION IN THE USA AND FOR HUMAN RIGHTS IN COMMUNIST ROMANIA, STARTED IN FRONT OF THE UNO IN NEW YORK CITY, ON MAY 24, 1979.

LONG LIFE TO FREEDOM!
 GOD BLESS AMERICA!
 GOD BLESS YOU!

Yours sincerely
 PAULINA LERESCU
 ROMULUS LERESCU

BEST COPY AVAILABLE

Mr. Vasile Leuca
3315 Verdugo Road
Los Angeles, Ca. 90065

Dear Sir:

For the past two years I have been trying to make arrangements to bring some relatives to the United States from Romania. It seems that at every turn an obstacle appears and as soon as it is surmounted another and then another appears.

I had hopes that since the Most Favored Nation Status was granted Romania, immigration might be somewhat easier. It does not appear that such is the case, at least not in my own two instances.

Having read that you are amongst those who constantly battle for human rights, I have taken the liberty of writing this letter to you in hopes that in some way you might be able to help or intercede. I would be eternally grateful.

My relatives referred to are:

My sister ADRIANA IORDANESCU, 33, Accountant, her husband IORDAN IORDANESCU, 36, Truck Driver, and their children, GIOVANI GIUNCA, 16, and BOGDAN IORDANESCU, 8. Their address:
Aleia Cimpul Cu Flori, Nr. 12
Bl. A 49, et. 3, Apr. 55, Sc. D
Sector 7 - Drumul Taberei
Bucharest, Romania
Telephone: 78.11.45

My cousin MARIANA MARDARE, 33, Computer Programmer, her husband CALIN MARDARE, 39, Computer Technician, and their daughter IULIA MIHAELA MARDARE, 7. Their address:
Str. Baiculesti, Nr. 17
Bl. C 13, Apt. 63
Sector 8 - Cartier Pajura
Bucharest, Romania
Telephone: 67.08.42

Thank you for any help that might be able to give.

Respectfully,

Vasile Leuca

V Leuca

From; Constantin Marandici
 6713 West Clinton
 Cleveland, Ohio 44102
 Phones: (216) 651-4395
 (216) 391-3885 ext 226



MARRIED FOR SEVEN YEARS



SEPARATED FOR ONE
 YEAR WITHOUT HOPE
 OF REUNIFICATION.



The Universal Declaration of Human Rights
 Art. 13

- Pg. 1. Everyone has the right to freedom of movement and resident within the border of each state.
 Pg. 2. Everyone has the right to live in any country, including his own and to return to his country.

Dear Sir:

I, Constantin Marandici, was born in Bucharest, Romania in 1949 and currently I am residing at the above address in the United States.

Due to the intense dislike of the communist dictatorship in Romania, and knowing that our lives (mine and my familys') were in jeopardy, I was able to escape to Turkey and later I received political asylum in the U.S.A.

My wife, Olivia Marandici, currently resides in Romania where she is constantly harassed by communist authorities because of my escape to liberty. The Romanian authorities have been refusing the necessary exit papers to her for over a year, thus committing an act of revenge against my choice for freedom.

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Page 2

Her petitions for an exit visa from Romania have been rejected six times without an indication as to the legal reasons. The authorities did imply to her that they would never let her leave the country.

The Romanian secret police is harassing her constantly, both at work and at home. The correspondence is under surveillance and very seldom is received by her. Our telephone conversations are tapped and sometimes interrupted.

In order to obtain my wife's release, I joined The Eighth Romanian Hunger Strike for Family Reunion in the United States. Mr. Ceausescu, the Romanian communist President violated, (1) all United Nations resolutions concerning family reunions, (2) the Most Favorite Nation express conditions of easing immigration from Romania, and (3) the Helsinki Agreement.

In the following days, the Congress of the United States will review the Most Favorite Nation clause accorded to Romania in view of the Vanick-Jackson Amendment for the extension of such clause. Under the Amendment, Romania will be extended the Most Favorite status only if it demonstrates the rights of the Romanian citizens to immigrate.

On behalf of my wife and myself, I am imploring you sir, to intercede with the members of Congress and/or anybody that could influence the Romanian authorities in granting the exit papers for my wife in order to be reunited.

Respectfully yours,



Constantin Marandici

BEST COPY AVAILABLE

FROM:
Mr STEFAN NOVAC
12910 Sprecher Ave
CLEVELAND-OHIO
Phone(216) 433-7749

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS
Art 13

- 1.- Everyone has the right to freedom of movement and residence within the borders of each state.
- 2.- Everyone has the right to leave any country including his own and to return to his country

H O N O R A B L E S I R,

I am engineer STEFAN NOVAC, ROMANIAN born and a POLITICAL REFUGEE in the USA since FEBRUARY 17, 1979. In my native country, today COMMUNIST ROMANIA, I worked as an engineer but all times I was close wached by SECURITY because my anti-communist feelings and actions. Several times I was investigated by SECURITY under hard pressure. I succeeded to obtain an EXIT VISA for a COLECTIVE EXCURSION by cars, a round trip excursion with private cars to VIENNA(AUSTRIA) and back to BUCHAREST on AUGUST 25, 1979. In VIENNA(AUSTRIA) I defected and I asked for POLITICAL ASYLUM. I was granted with by the HIGH COMMISSIONER FOR REFUGEES of UNO of GENEVE and then I arrived in the USA as a POLITICAL REFUGEE. Now, my self I am free and I enjoy the SAINT FREEDOM here in the USA. But painful I was forced to left behind in COMMUNIST ROMANIA as HOSTAGES:

- 1.- VIOERICA NOVAC, 55, M.D.--MY WIFE
- 2.- ALEXANDRU NOVAC, 24, our son
residing at: STRADA CONSTANTIN BRANCUSI Nr 7, Bloc D 14, Scara A, Etaj 8, Apt 36 BUCURESTI 74406(Phone 22.68.13)
- 3.- MIHAI NOVAC, 29, our son
- 4.- ADRIANA NOVAC, --HIS WIFE
- 5.- ANDREI NOVAC, 3, --their SON
- 6.- CRISTIAN NOVAC, 2, --their SON

all of them(#3-6) residing at: BULEVARDUL 1 MAI Nr 327, Bloc 12, Scara A, Etaj 3, Apt 16, BUCURESTI 78332 Phone(65. 90.78)
ON AUGUST 1978 I sent AFFIDAVITS of SUPPURT to the US EMBASSY in BUCHAREST for all of them

They applied for EMIGRATION in order to REUNIFY OUR FORCED SEPARATED FAMILY but except the fact that all of them ARE UNDER HARD INVESTIGATION OF SECURITY WHICH IS WACHING THEM CLOSE AND BY THE WAY MY SON ALEXANDRU NOVAC WAS ARRESTED AND INVESTIGATED ON NOV 1978 WHEN HE TRIED TO SEE OUR CONSUL OVER THERE(Mr LUCIANO MANGIAPICO) THEY DID NOT RECEIIVE ANY RESPONSE ABOUT THEIR APPLICATIONS TO DATE. My wife submitted MEMORANDUM to all ROMANIAN competent authorities THE SECURITY, THE GOVERNMENTAL COMMISSION FOR PASSPORT, THE COUNCIL OF STATE, THE PRESIDENT NICOLAE CEAUDESCU.

Any answer, except the one: TO WAIT UNTIL MARCH 1979
ON MARCH 1979 they receive the answer: THEIR APPLICATIONS WERE REJECTED...

THIS IS NICOLAE CEAUDESCU'S STALINIST TERROR AGAINST RELATIVES OF US CITIZENS AND RESIDENTS DESPITE THE FACT THAT HE WAS GRANTED WITH MFN IN ORDER TO RESPECT THE HUMAN RIGHTS I MEAN THE FAMILY REUNION. ON JUNE 1, 1979 I JOINED THE EIGHT ROMANIAN HUNGER STRIKE FOR FAMILY REUNION IN THE USA AND FOR HUMAN RIGHTS IN ROMANIA STARTED IN FRONT OF UNO IN NEW YORK ON MAY 24, 1979 AND CONTINUED IN WASHINGTON DC. I appeal to YOU HONORABLE SIR, To use your influence in persuading the ROMANIAN COMMUNIST PRESIDENT NICOLAE CEAUDESCU THAT IN RESPECT OF HUMAN RIGHTS, OF MFN AND BASKET THREE OF HELSONKI AGREEMENT TO SET FREE MY HOSTAGE FAMILY IN ORDER TO BE REUNITE HERE IN THE USA I APPEAL TO YOU TOO, TO DETERMINE THE USA CONGRESS TO NOT GRANT ANY LONGER THE MFN TO COMMUNIST ROMANIA UNTIL ALL RELATIVES OF HUNGER STRIKERS WILL BE SET FREE AND UNTIL THE HUMAN RIGHTS WILL BE REIN-
STATED THROUGH A GENERALY AMNESTY FOR POLITICAL PRISONERS

Thank you

Sincerely yours
Stefan

BEST COPY AVAILABLE

Dragos Popescu
31-77 33rd St. Apt. 1E,
L.I.C., N.Y. 11106

Honorable Sir:

I am an American citizen and I appeal to your Humanitarian Support as the only hope to have my family reunited.

It is well known that granting of the most-favored-nation-trade treatment to Romania was conditioned on compliance with the freedom of emigration provision.

It is well known that the Communist Romania it is making the emigration more and more difficult and very often impossible.

Even though the Human Rights regarding family reunification and freedom to emigrate are legalized both by the Romanian laws and the International Agreements ratified by the Romanian Government practically they are very often ignored and the worst of it is that they are violated by the very people who have to reinforce them. The double standard regarding Romanian laws it is obvious. There is a liberal law, written on the paper, which is designed to make a good impression abroad and to lift up the international prestige of the Socialist Romania and there is another unwritten law, totally opposed to the first one, which is applied inside of the country.

I realized this tragic fact when:

- my brother Doru-Eugeniu Popescu; M.D., born 3/31/38,
- his wife Coralia-Lacramioara Popescu, M.D., born 9/25/38,
- their daughter Adina-Ioana Popescu, born 9/25/63,

all of them residing at the address: Str. Ciurea, Nr. 9, Apt. 2, Bloc E2, Sc. A, Sect. 3, Bucharest, Romania,

asked Romanian Authorities for the Exit Visas. On 12/28/78 they filled out at the U.S. Embassy in Bucharest all the necessary forms for the U.S. Immigrant Visas. As a result of the approval received from the U.S. State Department, the U.S. Embassy in Bucharest confirmed that they qualify for the U.S. Immigrant Visas.

Their applications for the Exit Visas have been repeatedly denied by the Passport Department of the City of Bucharest (File Nr. 22121). At their appeals to these refusals (Nr. 1675/IEE from 5/19/79 addressed to the Romanian State Council and Nr. 63211 from 5/23/79 addressed to the Central Committee of the Romanian Communist Party) they did not receive any answer.

Instead the Communist Romanian Authorities started to:

-put the constant pressure on my brother and his wife in order to determine them to change their minds,

-put them in an awkward position on their jobs,

-completely suppress their correspondence addressed to me, making our communication very difficult,

-harass and force them to live in permanent nervous stress,

If the extending the M.F.N. Clause to Romania becomes just a formality I am sure that the Human Rights in Romania will be more and more violated and our families will never be reunited.

Thank you for your Humanitarian Support.

Sincerely yours,

Dragos Popescu

Dragos Popescu.

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Letter NR. 9

1/24/79

Dear Gutza (My Romanian nickname):

I've got the impression that my nr. 7, even nr. 8 letters got the same badluck as Nr. 6, so I will repeat again the most important events up to the present time.

On 3/24/79 I received the answer from the Passport Department of the City of Bucharest stating: "We inform you that you were denied the Application forms for the Exit Visas. Signed Chief of the Passport Department...illigible." (This was bearing the Nr. 22121, wich is the Nr. of my file at the Passport Department).

On 4/10/79 I received an identical answer (with the same Nr. 22121 wherefrom I come to the conclusion that this is the Nr. of my file).

On 3/13/79 I mailed a registered letter to the Passport Department (because there is no roman one could fix an appointment) and on 4/4/79 I mailed a memo to the Minister of the Internal Affairs.

On 4/18/79 I received an answer from the Passport Department bearing the Nr.22121, wich was identical with the previous answer, except having added in pen : " As a result of your memo..."

On 4/30/79 finally I manage to get an appointment with the Passport Department of the City of Bucharest. They tried to delayed and complicate an already complicated situation saying that this depend on the Governmental Commission for Passports and Communist Party Committee of the Department of Health (my brother and his wife being MDs) and that the late one is the one which does not agree. They advised me to apply again at the Communist Party Committee of the Department of Health.

On 4/10/79 I managed to get an appointment with the Communist Party Committee of the Health Department. They told me that they don't have anything to do in connection with this matter.

On 5/11/79 I had an appointment with the Governmental Commission on Passports. They told me that the problem does not depend on them and that they receive just those files which have already the Application forms for the Exit Visas granted to them. Total deconsideration, passing you from one to the others, and everybody saying that is somebodyelse's problem. I expressed my protest against their provocations and bureaucratic policy, warning them that they will bear all the responsibility for this.

On 5/18/79 I got an appointment at the Central Committee of the Communist Party, where I was told that I must change my mind because according to newest regulations nobody will allowed to emigrate any one. My complaint that I was expecting from them to respect and defend our laws was in vain (meantime I found that people without any relatives abroad got the Application Forms for the Exit Visas.)

5/19/79 I had ~~also~~ an appointment at the State Council where the only thing I could do was to leave a memo (Nr. 1575/IEB from 5/19/79).

I send also an memo to the Central Committee of the Romanian Communist Party (Nr. 63211 from 5/23/79.) Theoretically I have to receive an answer within 40 days, but usually the memo is send back to the Passport Department and so the old vicious circle restarts. Tomorrow I plan to mail a memo to the Minister of the Internal Affairs. They rejected my application for an appointment motivating that I should go to the Passport Department. Everywhere you usually get the same rejection if you are not registered well in advanced through your Police Section. Your Police Section does not register you unless you show it that you have been previously rejected by the Passport Department, and when they do you can get the application sooner than normal. (with the).

BEST COPY AVAILABLE

This is a flagrant violation of both national and international agreements. I think that our president is not aware of this violations but it is impossible to communicate with him. You have nothing left but get a penhard, get down in the street and declare a hunger strike. I told them that you are going to protest and take all the necessary actions in the U.S., but they said they don't care.

I have been to the American Embassy but I could not speak to the Mr. Consul. I was informed though that as a result of your actions in the U.S. my name is on his list.

After all this harassment I could hardly concentrate on my work for the E.C.F.M.G.. As a conclusion the main field of fight have to be moved in the U.S. where like here, is required a lot of calm perseverance and judgement. If you have all this qualities you will succeed at the end, even though, one could not tell how long it will take.

Please write me the Mr. of the last letter you received, to stop repeating the same stories all over again. (The letter Mr. 7 was registred and signature request.)

Many kisses from us.

DAL

P.S. Try to push the Romanian Embassy overthere, and may be the good idea to write a letter, in adequate terms, to our President.

BEST COPY AVAILABLE

Ioan-Victor STOICA
 Olimpia STOICA
 Aldea STOICA (father)
 66-22 Fleet St. 4B
 Forest Hills, N.Y.
 New York 11375
 Tel. 212.268.0163

New York, July 9, 1979

HONORABLE SIR,

A long time ago our relatives did not receive the passports from the Romanian Government to immigrate to the U.S.A. :

- Efrem & Jenica ZAHARIA (parents): Str.M.Eminescu 22, Bloc 7, Ap.22, 2000 Ploiesti, Romania,
- Romulus & Mariana STOICA (brother & sister-in-law): Blvd.Al.Vlahuta 59, Bloc 141, Sc.B, Ap.41, 2200 Brasov, Romania,
- Teodor, Aurelia & Tiberiu ZAHARIA (Brother, sister-in-law, nephew): Str.M.Eminescu 22, Bloc 2, Ap.13, 2000 Ploiesti,
- Neculae VERESTEANU (cousin): Str. Patriotilor 1, Bloc PM 16, Sc.B, Ap.38, Sector IV, 74594 Bucuresti, Romania.

We joint the 8th. Romanian Hunger Strike for family reunion in the U.S.A. in the name of the Human Rights and signed by the Romanian Government.

We would like to request not to grant an extension of the MFN to communist Romania until all hostage relatives of hunger strikers will be set free.

Sincerely yours,

Alina
Alina
Alina

FROM:
 MR. AUREL STRECHER
 45-59, 45th St, Apt 2 D
 Woodside, NY 11377
 Phone(212) 937-9125

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS
 Art 13

- 1.- Everyone has the right to freedom of movement and residence within the borders of each state
- 2.- Everyone has the right to leave any country including his own and to return to his country

HONORABLE CHAIRMAN, HONORABLE SENATORS,

I am AUREL STRECHER, ROMANIAN born, former POLITICAL REFUGEE in the USA since JANUARY 27, 1977 - now a PERMANENT RESIDENT of this country. In my native country COMMUNIST ROMANIA because of my CHRISTIAN and ANTI-COMMUNIST feelings and actions, despite the fact that I was a simple busdriver (what mean in COMMUNIST IDEOLOGY: WORKER CLASS) I wasn't allowed to attend a FACULTY and I can't afford to support a FAMILY with my low income. I tried hard to reach a FREE country together my fiancée EVA ANDRAS. We lived together, she became pregnant and she gave born to a baby girl - now 7 years old. We acted separately to obtain an EXIT VISAS because over there if one of spouses succeed to obtain a passport, his or her spouse and children has to be HOSTAGES until the other one came back from his or her overseas trip. For this reason we don't get married. She tried unsuccessful to obtain the EXIT VISAS. I took the desperate decision to get underground: I crossed illegally the ROMANIAN-JUGOSLAVIAN border in swimming across the DANUBE river then I walked across all JUGO-SLAVIA and I crossed illegally too the JUGO-SLAVIAN-AUSTRIAN border. In AUSTRIA I asked and I was granted with POLITICAL ASYLUM by the HIGH COMMISSIONER FOR REFUGEES of UNO of GENEVA. Then with GOD'S help I reached the USA where I'm enjoying the SAINT FREEDOM and all the opportunity of a new life being the owner of a TAXICAB.

But painfully I was forced to left behind in COMMUNIST ROMANIA as HOSTAGE

- 1.- EVA ANDRAS, born on MAY 26, 1948, saleswoman, my FIANCEE
- 2.- SIMONA SELARU 7, her DAUGHTER (and mine)

both residing at my former ROMANIAN residence: Strada FUNDATIA VEIE DE TULUI Nr 13, Bloc 1, Apt 10, BRASOV, ROMANIA.

ATL HER ATTEMPTS TO OBTAIN EXIT VISAS FOR HER AND HER DAUGHTER 7, IN ORDER THAT BOTH TO BE REUNITED WITH ME HERE IN THE USA AND TO GET MARRIED FOR OUR FORCED SEPARATED FAMILY REUNIFICATION WERE REJECTED BY SECURITY. THE SECURITY INVESTIGATED HER UNDER HARD PRESSURE AND THREATENED HER WITH CONFINEMENT IN PSYCHIATRIC HOSPITAL IF SHE WILL PERSUADE TO EMIGRATE. -THE ROMANIAN COMMUNIST PRESIDENT NICOLAE CEAUDESCU WHO IS BREZHNEV'S SPY IN THE FREE WORLD AND THE TRAITOR AND STALINIST TIRANT OF ROMANIAN PEOPLE TERRORISE THE RELATIVES OF AMERICAN CITIZENS AND PRESIDENTS AS MY FIANCEE AND OUR DAUGHTER 7. IN DOING SO HE VIOLATED THE PARIS TREATY OF PEACE (1947) UNO'S UNIVERSAL DECLARATION OF HUMAN RIGHTS (1948) THE HELSINKI AGREEMENT BASKET THREE (IN MY CASE IN REFERENCE TO MIXED MARRIAGE) AND THE EXPRESS CONDITION OF EASING THE EMIGRATION FROM ROMANIA: A CONDITION WITH WHICH HE CLOSE AGREED WITH THE USA UPON THE TRADE AGREEMENT (1974) AND THE MFN in 1975, 1976, 1977 and 1978 too.

- I joined THE SIXTH, SEVENTH AND EIGHTH ROMANIAN HUNGER STRIKES FOR FAMILY REUNION IN THE USA AND FOR HUMAN RIGHTS IN COMMUNIST ROMANIA.

- MY FIANCEE EVA ANDRAS AND OUR DAUGHTER 7 SIMONA SELARU, ARE ENLISTED ON US SENATE LIST FOR FAMILIES REUNIFICATION AND MIXED MARRIAGES HANDLED BY A FIVE US SENATORS DELEGATION TO NICOLAE CEAUDESCU ON NOV 20-21, 1978 in BUCHAREST AND GO STEFAN ANDREI THE ROMANIAN FOREIGN AFFAIRS MINISTER BY A DELEGATION OF US CONGRESS COMMISSION ON SECURITY AND COOPERATION IN EUROPE ON MAY 15-18, 1979, in BUCHAREST TOO.

I APPEAL TO US SENATE TO PERSUADE THE ROMANIAN COMMUNIST PRESIDENT NICOLAE CEAUDESCU TO GRANT THE EXIT VISA TO MY FIANCEE AND DAUGHTER 7, STILL HOSTAGES OVER THERE.

I ASK THAT US SENATE DO NOT GRANT ANY LONGER THE MFN TO COMMUNIST ROMANIA UNTIL ALL HOSTAGE RELATIVES OF US CITIZENS AND US RESIDENTS WILL BE SET FREE AND UNTIL THE HUMAN RIGHTS WILL BE REINSTAURATED OVER THERE THROUGH A GENERAL AMNESTY FOR POLITICAL PRISONERS.
 GOD BLESS AMERICA!

AUREL STRECHER.



BEST COPY AVAILABLE

FROM:
Mrs MARIA STREZA
Mrs MIRCEA STREZA
1952 W 54
CLEVELAND-OHIO 44102
Phone(216) 651-4277

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS
Art 13

- 1.- Everyone has the right to freedom of movement and residence within the borders of each state
- 2.- Everyone has the right to leave any country including his own and to return to his country.

H O N O R A B L E S I R ,

I am MARIA STREZA (maiden name MUSTEA) ROMANIAN born and a POLITICAL REFUGEE in the USA since SEPTEMBER 9, 1978. As an engineer I was close wached by SECURITY and several times investigated by, because of my anti-communist feelings and actions. After a lot of attempts to escape from communism finally I succeeded to obtain a TOURIST PASSPORT for a visit in FRANCE. I defected in WIENNA (AUSTRIA) where I asked for POLITICAL ASYLUM and I was granted with by the HIGH COMMISSIONER FOR REFUGEES OF UNO of GENEVE.

Here in the USA I married MIRCEA STREZA, who this year will become an US CITIZEN. He applied for and the proceedings are on the way. Since I was in EMIGRATION CENTER TRAIKIRCHEN in AUSTRIA I started my action to REUNIFY my FORCED SEPARATED FAMILY, HOSTAGE IN COMMUNIST ROMANIA:

- 1.- IOAN GRIGORIU, born on DECEMBER 21, 1947, engineer, - MY SON
- 2.- LILIANA GRIGORIU, born on DECEMBER 18, 1952, teacher, - HIS WIFE residing at: ALEEA NICULITEL, Nr1, Bloc D 4, Apt 9, Etaj 2, Scara 1 BUCURESTI 5 (Phone 83 26 41)

My son is close wached by SECURITY and his wife was laid off from her job since I arrived in the USA as a POLITICAL REFUGEE. All their applications were rejected by SECURITY. Our mail was cut. Our phone calls too.

My husband's sister who is HOSTAGE too in COMMUNIST ROMANIA:

- 3.- PARASCHIVE HALMAGHI, born on SEPTEMBER 24, 1924, residing at: PIATA ARMELOR Nr 9, SIBIU was laid off from her job in 1969 when her brother succeeded to escape from COMMUNIST ROMANIA and only one year latter she succeeded to found a job as a simple worker (office cleaner) She applied for EXIT VISAS in 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977 and 1978 and 1979. All her applications for EXIT visa were rejected by COMMUNIST SECURITY. This is the STALINIST TERROR OF NICOLAE CEAUSESCU AGAINST RELATIVES OF USA CITIZENS AND RESIDENTS.

In doing so, the ROMANIAN COMMUNIST PRESIDENT NICOLAE CEAUSESCU VIOLATED THE PARIS TREATY OF PEACE (1947) THE UNIVERSAL DECLARATION OF HUMAN RIGHTS OF UNO and all UNO's RESOLUTIONS IN REFERENCE TO FAMILY REUNIFICATION, THE MFN EXPRESS CONDITION OF FAMILY REUNION (1975, 1976, 1977, and 1978 too) and BASKET THREE OF HELSINKI AGREEMENT (1975 and 1977 in BELGRAD-JUGOSLAVIA)

I appeal to you, HONORABLE SIR to use your influence in persuading the ROMANIAN COMMUNIST PRESIDENT NICOLAE CEAUSESCU to respect his international commitments in reference to HUMAN RIGHTS and first of all THE MFN which him self agreed with, and TO GRANT IMMEDIATE THE EXIT VISA TO OUR HOSTAGE RELATIVES IN ORDER TO REUNIFY OUR FORCED SEPARATED FAMILY.

WE JOINED THE EIGHT ROMANIAN HUNGER STRIKE FOR FAMILY REUNION IN THE USA AND FOR HUMAN RIGHTS IN COMMUNIST ROMANIA STARTED IN FRONT OF UNO IN NEW YORK CITY ON MAY 24, 1979 AND CONTINUED IN WASHINGTON DC IN FRONT OF THE WHITE HOUSE, ROMANIAN EMBASSY AND ON CAPITOL'S STEPS. WE DO NOT LEFT THE HUNGER STRIKE'S PLACE UNTIL OUR HOSTAGE RELATIVES WILL JOIN US HERE IN THE USA.

Thank you, HONORABLE SIR, for your HUMANITARIAN SUPPORT.

Sincerely YOURS,
MARIA STREZA
MIRCEA STREZA

Maria Streza
Mircea Streza

BEST COPY AVAILABLE

Virginia Tatu
369 Park Avenue 10F
Orange, New Jersey 07050

"We shall pay any price, bear any burden meet any hardship, support any friend, oppose any foe to assure the survival of liberty."

J.F.Kennedy

Honorable Sir:

At the time when the hearings regarding the extention of MFN to Romania are taking place, as an american citizen and a taxpayer, I felt that it is my duty to make aware the U.S. Senate about Romania's compliance with the assumed obligations of easing the emigration policy to its' citizens. Ratifying the Declaration of Human Rights at Helsinki in 1975, Romania promised its' people the liberty to choose another country to live in, if they so desire. So far, these are just words on paper for Romania and they will continue to be so, until the Romanian Government will not be made responsible for the breach of promise to its' people and to the United States. The only reason Romania signed the Declaration of Human Rights, was to facilitate the obtaining of most-favored-nation trade treatment from United States. Between 1975 to 1977, Romania's emigration policy was going to a more liberal direction. Immediately after MFN treatment under the authority of the Trade Act of 1974 was granted to Romania, instead of promoting a freer emigration, she tightened its' policy making it impossible for its citizens to reunite with their families abroad.

They ignore the Jackson-Vanik amendment and they will continue to do so, until United States will reinforce tougher control methods of Romania's compliance with its' provisions.

The balance of trade with Romania may show you growing figures in exchanges, but the humanitarian purposes of MFN are not reached at all.

The everyday life of people is becoming unbearable. In Romania there is a new privileged ruling class, who is enjoying a totally different life style from the rest of the people. Corruption at all levels is a general occurrence. To live in Romania is to be part of the ruling class, otherwise to buy a loaf of bread becomes a problem. The new ruling class beneficiates of out of the reach stores, where they can buy everything they need, special farms where they grow cattles, poultry and vegetables where common people are not permitted. They also beneficiate of special housing conditions.

The real people of Romania feel forgotten and without any hope for the future.

To ask for a passport with an exit visa from Romania is an impossibility, unless you are a member of the ruling class. The only people they let out are those who are working for the communist dictatorship who acts also as a sole employer, it's directives being obeyed by all appointed secretaries of PCR in any kind of institutions.

To ask for an application for a passport means to expect immediately to be fired from your job, to be harrassed, threatened with imprisonment, forced labor camps or confinement in mental hospitals and at the risk of never receiving an application, never mind to be let go in another country to live in freedom and human dignity.

This was the case of my 2 brothers:

1. PASNICU MIHAI (and LAURENTIA - his wife)
domiciled at: Aleea Lunca Cernei nr. 4
Bloc D47-Sc. C et 4 apt. 44
Buc., Sector 7
last negation #213100 - 5/3/79 - File #421
2. PASNICU ALEXANDRU (AURELIA - his wife and DANIEL their 3 year old child)
domiciled at: Intr. Ancorei nr. 6
Buc. Sector 6
last negation #213101 - 5/11/78 - File #431

They expressed their desire to leave the country in June 1978 and so far, eventhough they wrote endless number of petitions, went before all the committees, they did not receive even the applications for the passports. All this time they were discouraged and treated without any dignity for their intentions. All the representations made in my behalf by Hon. Sen. H. Jackson, Wm. A. Harrison, Jr., House Representatives M. Fenwick and J. Minish have had no results.

That's why I've joined the Romanians protest against the repeated violations of human rights in Romania.

"ASK THE U.S. SENATE TO DELAY MFN TO ROMANIA UNTIL ALL OUR FAMILIES ARE LET GO FREE FROM THAT COUNTRY. AT THE SAME TIME, SHE SHOULD BE MADE RESPONSIBLE FOR IGNORING IT'S OWN SIGNATURE ON THE DECLARATION OF HUMAN RIGHTS."

Please do not take away the hope of those who believe in our country and what she stands for in the world. Help them to live in freedom and for the love of god.

Sincerely,

Virginia Tatu
Virginia Tatu

Attached there is a list of the participants in hunger strike and demonstration of protest.

FROM:
REV DINU TATULESCU

s/o
Very Rev VASILE HATSIAN
St. MARY'S ORTHODOX ROMANIAN CHURCH
3256 Warner Rd
CLEVELAND-OHIO 4411

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS
Art 13

- 1.- Everyone has the right to freedom of movement and residence within the country
- 2.- Everyone has the right to leave any country and to return to his country

HONORABLE SIR,

I am REV. DIMITRIE TATULESCU, ROMANIAN born and a POLITICAL REFUGEE in the USA since APRIL 1979.

As the son of the Very Rev IOAN TATULESCU, I attended the THEOLOGICAL INSTITUTE of BUCHAREST and I became myself a Reverend on APRIL 23, 1978. I served as a reverend with a CHRISTIAN ORTHODOX CHURCH since April 23, 1978 until NOV 7, 1978 when I succeeded to left COMMUNIST ROMANIA for GREECE where I asked and I was granted with POLITICAL ASYLUM by the HIGH COMMISSIONER FOR REFUGEE of UNITED NATIONS ORGANISATION.

I tried to escape from COMMUNIST ROMANIA because of RELIGIOUS PERSECUTION, and with GOD'S help I succeeded. BUT MY DUTY NOW IS TO OPEN THE EYES OF FREE WORLD ABOUT THE COMMUNIST TERRORIST AGAINST ANY KIND OF RELIGIONS: ORTHODOX, ROMAN-CATHOLICS, the ROMANIAN BYZANTINE CATHOLIC CHURCHES so called ROMANIAN UNIATE CHURCH (which was forcibly integrated into the ROMANIAN ORTHODOX CHURCH in 1958 when its six BISHOPS were arrested and tortured to death and all six died) JEWS, MOSLEMS, ADVENTISTS, BAPTISTS, PENTACOSTALISTS etc....

THE ROMANIAN COMMUNIST PATRIARCH JUSTIN IS A STALINIST TERRORIST OF ALL RELIGION DENOMINATIONS. UNDER HIS PATRIARCHATE CHURCHES ARE DEMOLISHED, ALL KIND OF PRESTES, REVERENDS, PREDICATORS, RABBIS etc. ARE ARRESTED AND TORTURED TO DEATH OR CONFINED TO MENTAL HOSPITALS. THE ROMANIAN COMMUNIST PATRIARCH JUSTIN MOISESCU, HIM SELF BEYOND HARM DISTINGUISHED MONKS AND PRIESTS IN HIS "PATRIARCHAL OFFICE" OF BUCHAREST, ARRESTED THEM AND GAVE THEM TO THE SECURITY.

HE ARRESTED RECENTLY REV Fr. GEORGE CALCIU-DUMITRESCU, a professor at the THEOLOGICAL INSTITUTE of BUCHAREST (who before served 15 years in COMMUNIST POLITICAL JAILS for his believe in GOD)

HE ORDERED TOO A SEVERE PUNISHMENT TO STUDENTS OF INSTITUTE, FELLOW OF REV. Fr. GEORGE CALCIU DUMITRESCU. In ORDER TO DESTROY THE PRIME MOOD HE LIMITED THE NUMBER OF STUDENTS OF THEOLOGICAL INSTITUTE TO 10 UNDER HIS DIRECTIONS WERE ARRESTED. Rev ZAMINISCU WHO WAS TORTURED TO DEATH. PASTOR PAVEL NICULESCU, THE LEADER OF ROMANIAN BAPTIST RESISTANCE, HAD HIS FELLOW NICOLAE RADOI, PETRE CIOCABTU, IOHNL PREJDA, ION SANU, THE PENTECOSTALISTS FRANCISCO PARIS, VICTOR LACATUS, SHANU D. ABRUTEANU, ADVENTISTS MIRCEA DRAGOMIR, PROFESSOR GHEBAN, I MOCUTA S SOFRA. ONLY 150 PASTORS ARE LICENSED BY COMMUNISTS ALTHOUGH THE BAPTISTS HAVE 1100 CHURCHES...

CHRISTIAN ORTHODOX CHURCHES ARE DEMOLISHED THROUGH THE COUNTRY. ONLY IN BUCHAREST WERE RECENTLY DEMOLISHED TWO HISTORICAL CHURCHES.

THE ORTHODOX PRIEST S GAVRILA WAS PLACED IN A PSYCHIATRIC ASYLUM. All the above are only a little part of PATRIARCH JUSTIN CRIMES. THE ATHEISTIC PROPAGANDA IS LEADED DIRECT BY ROMANIAN COMMUNIST PRESIDENT NICOLAE CEAUDESCU THROUGH HIS ADDRESSES TO CENTRAL COMMITTEE OF THE ROMANIAN COMMUNIST PARTY. THEY ARE WRITTEN BY PATRIARCH JUSTIN. My self I escaped from COMMUNIST ANTI-CHRISTIAN TERROR. But still I was forced to left behind in COMMUNIST ROMANIA as HOSTAGES:

1.- FLORICA TATULESCU (maiden name GUTEA) born on AUGUST 1, 1955 - JUDGE
2.- IOAN TATULESCU, I, born on FEBRUARY 26, 1978. - SON
residing at: Calea Giulesti 127, Bloc C, Seara 4, Apt 16, Sector 6, BUCHAREST, ROMANIA, GOD 77811, BUCURESTI.

I APPEAL TO YOU, HONORABLE SIR, TO USE YOUR INFLUENCE IN BRINGING THE ROMANIAN COMMUNIST PRESIDENT NICOLAE CEAUDESCU TO GRANT US THE HELP YOU IN ORDER TO REUNIFY OUR FORCED SEPARATED FAMILIES. DEAR

GOD BLESS YOU

GOD BLESS AMERICA.

YOUR SINCERELY

REV. DINU TATULESCU

BEST COPY AVAILABLE

FROM:

Mr AUREL STRECHE

45-59, 45th St, Apt 2 D

WOODSIDE, NY 11377

Phone (212) 937-9125

Dear Mr MICHAEL STERN,

I send ice copies of my testimony seeking the release of my FIANCEE EVA ANDRAS and our DAUGHTER 7 years old, SIMONA SENARU, HOSTAGES in COMMUNIST ROMANIA to be printed in CONGRESSIONAL RECORD of the HEARING of US SENATE COMMITTEE ON FINANCE about MFN.

As participant to the SIXTH ,SEVENTH and EIGHTH ROMANIAN HUNGER STRIKES FOR FAMILIES REUNION IN THE USA AND FOR HUMAN RIGHTS IN COMMUNIST ROMANIA ,I PLEASE YOU TO ACCEPT THAT M Y CASE TO BE PRESENTED TO THE ORAL HEARING OF JULY 19,1979 BY Dr DIMITRIE G APOSTOIU,PRESIDENT OF THE AMERICAN -ROMANIAN NATIONAL COMMITTEE FOR HUMAN RIGHTS, ORGANISER, PARTICIPANT AND SPOKESMAN OF ALL EIGHT ROMANIAN HUNGER STRIKES FOR FAMILY REUNION IN THE USA AND FOR HUMAN RIGHTS IN COMMUNIST ROMANIA
SINCERELY YOURS,

AUREL STRECHE



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Statement for July 19, 1979
 Hearing of the U. S. Senate
 Committee on Finance
 Subcommittee on International Trade

American group for the Family
 Reunification and Freedom to
 Emigrate in Romania

Spokesman: Dragos Popescu
 31-77 33rd St.
 Apt 1E
 L. I. C., New York 11108

Honorable Chairman, Honorable Senators:

On behalf of American Romanians fighting for family reunification and freedom of emigration for all native Romanians, I would like to express our gratitude for allowing us the opportunity to testify before this committee.

When the United States granted the Most Favored Nation's (MFN) Clause to Romania, it was with the hope and expectation that it would induce the Romanian government to relax its emigration laws. Facts, however, speak to the contrary. The granting of this Clause has not facilitated the emigration process, nor has it aided in the move toward family reunification. In fact emigration becomes increasingly difficult with each passing year.

We have in our possession hundreds of pages documenting incidences of human rights violations and emigration abuses proving that the so-called liberal Romanian laws are not, in fact, liberal. They are merely used as ploys by this communist government to enhance its international image while it propagates its violations against its citizens at home.

A Romanian citizen attempting to secure a passport risks the following:

- spending an unlimited amount of time before several committees and commissions.
- being subjected to permanent police surveillance and hard censorship.
- being forced to live with the constant dread of repussions.
- losing his job and jeopardizing his future and that of his family.
- being humiliated, harassed, or even beaten.

After all these indignities, he is still quite likely to be denied his passport. Bearing these facts in mind, few Romanians dare to risk the anger of their government.

Deception is a common ruse used by the Romanian government to cover up its violations. One significant effort to deceive the world was the releasing of a batch of criminals and sending them abroad as "political refugees". This move enabled the government to falsely claim:

1. the loosening of emigration laws.
2. the freedom of political prisoners to emigrate (most of the men shipped abroad were, in fact, common criminals).

While ridding itself of its undesirables, the Romanian government was able to enhance its reputation by claiming falsely to have freed political prisoners. The criminals, labeled as "political refugees", were used later to discredit the true political prisoners who were blamed for the crimes committed by Romanian prisoners abroad.

The communist Romanian newspapers presented the horrors of the Austrian in-transit camp as products of the capitalist world. They, of course, refused to acknowledge that these

criminals were planted to discourage emigration. Despite outside pressure, many of the government's unorthodox practices are still rampant.

We have been demonstrating peacefully in front of the Romanian Mission to the United Nations in New York for one month and a half. We have been demanding and still are demanding freedom of emigration and family reunification. This demonstration is a continuation of our two-week hunger strike which was held in Washington at the end of May. Our aim is to make the United States government and the American public more aware of the plight of the Romanian citizens and the existing violations against their basic human rights in their own country. We believe that persistent negative publicity would severely retard our government's efforts prevent emigration. In our fight for human rights and freedom to emigrate, we appeal to you, our Senators and to the American public for your continued support. Help us stem the flow of human suffering. Families are being destroyed.

Finally, we are convinced that human rights violations in Romania will escalate if the extension of the MFN Clause were granted. Do not aid the Romanian government in these wrongs. We believe that the threat of nullifying the MFN Clause might have a significant effect on the Romanian government's attitude to its emigration and human rights problems.

Thank you for your humanitarian support.


Dragos Popescu

PARTICIPANTS IN HUNGER STRIKES
AND DEMONSTRATIONS OF PROTEST

RELATIVES

TATU VIRGINIA 369 Park Avenue - 10F Orange, New Jersey, 07050	In behalf of	<u>Brother & his wife</u> PASNICU MIHAI & LAURENTIA Aleea Lunca Cernei nr.4 Bl.D 47 Sc.C et.4 apt.44 Buc. sector 7 <u>Brother, his wife & child</u> Str. Intrarea Ancorei nr.6 Buc. sector 6 PASNICU ALEXANDRU, AURELIA & DANIEL
JOSEPHINA CRAMER 34 - 38 33rd. Street Long Island City New York 11106	In behalf of	<u>Fiancee</u> ALEXANDRU PAULESCU Str. Stupinei nr.27 Buc. sector 3 File nr. II AS10868 1979
PAULINA IERESCU 221 Third Street Fairview, N.J. 07022	In behalf of	<u>Son, his wife & daughter</u> CONSTANTIN, SILVIA IERESCU & their daughter Str. Pildesului nr.8 Buc. sector 4 <u>Daughter</u> LIVIA IERESCU Str. Calarasi nr.99 Buc. sector 4
GEORGESCU RADA 41-34 43rd. Street New York, N.Y. 11104	In behalf of	<u>Mother</u> ELENA ANDREI Str. Prisaca Dornei nr.2 Bl.D 3 Sc.2 et.2 apt.51 Buc. sector 4 <u>Son</u> CONSTANTIN DONCU Str. Ghita Serban nr.2 Rl. 8b Sc.2 et.8 apt.96 Buc. sector 4

OLIMPIA STOICA
Forest Hills, N.Y.

In behalf of Parents
ZAHARIA EPREM & JENICA
Str. Mihail Eminescu nr.22
Bl.7 apt.22 Ploiesti
Brother, his wife & child
ZAHARIA TEODOR, AURELIA & TIBERIU
Str. Mihail Eminescu nr.22
Bl.2 Apt.13 Ploiesti

ALDEA STOICA
17 - 04 Madison Street
Ridgewood, N.Y. 11227

In behalf of Son & his wife
ROMULUS STOICA & MARIANA
Blvd. Alex. Vlahuta nr.59
Bl.141 Sc.B apt.41
Brasov
Nephew
VERESTEANU NECULAI
Str. Patriotilor nr.1
Bl. PM 16 Sc.B apt.38
Buc. sector 4

DRAGOS POPESCU
31 - 77 33rd. Street
Long Island City,
N.Y. 11106

In behalf of Brother, his wife & daughter
DORU-EUGENIU, LACRAMIOARA-CORALIA,
& ADINA-IOANA POPESCU
Str. Ciurea nr.9 Bl.E 2 SC.C
apt.nr.2
Buc. sector 3

TRAIAN COPII

In behalf of Brothers in law
SABO IOSIF & his family
Str. Tudor Vladimirescu nr.64
Oradea
SABO FRANCISC & his family
Str. Aurora nr. 2
Oradea

LIONISIE GARTU

In behalf of

Sister, her husband & 2 sonsMILIU FLORICA, NICOLAIE,
GHEORGHE & DUMITRU
Str. Ecaterina Varga nr. 46
ConstantaBrother & his familyGARTU ATANASE, wife & 2 children
Str. Teiul Doamnei nr. 108
Bl. 15 Sc. 1 apt. 77
Buc. sector 2FLORENTINA GEORGESCU
30 - 89 34th. Street
Astoria, N.Y. 11103

In behalf of

SonGEORGESCU VASILE - TEODOR
Blvd. Ion Sulea nr. 19
Bl. 56 Sc. 1 apt. 38
Buc. sector 4ANDREI AUREL
32 - 15 34th. Street
Astoria, L.I.C. 11106

In behalf of

Mother & sisterELENA & MARIANA ANDREI
Str. Hipodrom Bl. A 4 apt. 19
Braila, jud. BrailaMUNTEANU CORNELIU
102 - 16 Corona Avenue
Flushing, N.Y. 11368

In behalf of

ParentsGHEORGHE & MARIA MUNTEANU
Str. Ho Shi Min nr. 13
Buc. sector 7DUMITRU COVALCIC
30 - 11 JOHN R. Avenue
Trenton, Michigan 48183

In behalf of

PianceeTODOSIE FLOAREA
Str. Tamponului nr. 31
Buc. sector 8
File nr. II AS 11218 1978

Virginia Tatu
369 Park Avenue 10F
Orange, New Jersey 07050

"We shall pay any price, bear any burden meet any hardship, support any friend, oppose any foe to assure the survival of liberty."

J.F.Kennedy

Honorable Sir:

At the time when the hearings regarding the extension of MFN to Romania are taking place, as an American citizen and a taxpayer, I felt that it is my duty to make aware the U.S. Senate about Romania's compliance with the assumed obligations of easing the emigration policy to its' citizens. Ratifying the Declaration of Human Rights at Helsinki in 1975, Romania promised its' people the liberty to choose another country to live in, if they so desire. So far, these are just words on paper for Romania and they will continue to be so, until the Romanian Government will not be made responsible for the breach of promise to its' people and to the United States. The only reason Romania signed the Declaration of Human Rights, was to facilitate the obtaining of most-favored-nation trade treatment from United States. Between 1975 to 1977, Romania's emigration policy was going to a more liberal direction. Immediately after MFN treatment under the authority of the Trade Act of 1974 was granted to Romania, instead of promoting a freer emigration, she tightened its' policy making it impossible for its citizens to reunite with their families abroad.

They ignore the Jackson-Vanik amendment and they will continue to do so, until United States will reinforce tougher control methods of Romania's compliance with its' provisions.

The balance of trade with Romania may show you growing figures in exchanges, but the humanitarian purposes of MFN are not reached at all.

The everyday life of people is becoming unbearable. In Romania there is a new privileged ruling class, who is enjoying a totally different life style from the rest of the people. Corruption at all levels is a general occurrence. To live in Romania is to be part of the ruling class, otherwise to buy a loaf of bread becomes a problem. The new ruling class beneficiates of out of the reach stores, where they can buy everything they need, special farms where they grow cattles, poultry and vegetables where common people are not permitted. They also beneficiate of special housing conditions.

The real people of Romania feel forgotten and without any hope for the future.

To ask for a passport with an exit visa from Romania is an impossibility, unless you are a member of the ruling class. The only people they let out are those who are working for the communist dictatorship who acts also as a sole employer, it's directives being obeyed by all appointed secretaries of PCR in any kind of institutions.

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This was the case of my 2 brothers:

1. PASNICU MIHAI (and LAURENTIA - his wife)
domiciled at: Aleea Lunca Cernei nr. 4
Bloc D47-Sc. C et 4 apt. 44
Buc., Sector 7
last negation #213100 - 5/3/79 - File #421
2. PASNICU ALEXANDRU (AURELIA - his wife and DANIEL their 3 year old child)
domiciled at: Intr. Ancorei nr. 6
Buc. Sector 6
last negation #213101 - 5/11/78 - File #431

They expressed their desire to leave the country in June 1978 and so far, eventhough they wrote endless number of petitions, went before all the committees, they did not receive even the applications for the passports. All this time they were discouraged and treated without any dignity for their intentions. All the representations made in my behalf by Hon. Sen. H. Jackson, Wm. A. Harrison, Jr., House Representatives M. Fenwick and J. Minish have had no results.

That's why I've joined the Romanians protest against the repeated violations of human rights in Romania.

"WE ASK THE U.S. SENATE TO DELAY MFN TO ROMANIA UNTIL ALL OUR FAMILIES ARE LET GO FREE FROM THAT COUNTRY. AT THE SAME TIME, SHE SHOULD BE MADE RESPONSIBLE FOR IGNORING IT'S OWN SIGNATURE ON THE DECLARATION OF HUMAN RIGHTS."

Please do not take away the hope of those who believe in our country and what she stands for in the world. Help them to live in freedom and for the love of god.

Sincerely,

Virginia Tatu
Virginia Tatu

Attached there is a list of the participants in hunger strike and demonstration of protest.

Josefina Cramer
 34-38 33rd St. 3rd Fl.
 Long Island City, N.Y. 11106
 Tel.: (212) 937-5426

Statement for U.S. Senate Hearings
 Held on July 19, 1979
 Subcommittee On International Trade
 Finance Committee, 2227DSOB

Honorable Chairman, Honorable Senators,

I am Josefina Cramer, Romanian born and an American resident since July, 1978. I left Romania together with my parents and we joined our relatives who are American citizens.

I graduated the University Of Bucharest, Faculty of Germanic Languages and I am a Bachelor in Philology.

Here I am enjoying all the opportunities of a free life but unfortunately I was forced to leave my fiance behind in Romania. My fiance's name is ALEXANDRU PAULESCU. He resides in Bucharest, St. Stupinei no. 27 sector 3, and he is a mechanical engineer with The Institute For Projects And Constructions of Bucharest, St. Tudor Argezi no. 21 sector 2.

On July 1978 Mr. Paulescu visited Mr. Luciano Mengisfio, the American Consul in Bucharest, and expressed his desire to immigrate to the United States.

On July 22, 1978 my fiance applied for an exit visa at the Romanian Authorities, and on September 27, 1978 his application was rejected on alleged lack of grounds.

All his other applications for an exit visa in order to reunify our forced separation and to marry me here in the United States were rejected. He was and still is under the hard pressure surveillance and investigations of the Communist Security. He was threatened with mental hospital if he does not give up his wish to emigrate. He notified me that he has difficulties at his office and that his salary was cut down considerably as a result of his desire to marry. But despite all the pressure against him he will not give up. He applied again for a marriage permit to the Romanian Council of State and his file no. is: II/AS 10868/1979.

The Romanian Government and Mr. Nicolae Ceausescu, the Romanian President violate all UNO's resolutions about family reunion, and the Most Favored Nation Clause express condition of easing the emigration from Romania.

I appeal to your understanding and help and I am begging you to make representation on my behalf with the Romanian Ambassador in Washington and during the Senate Hearings when the Most Favored Nation Clause will be voted. This could be a great help for me and my fiance.

Thanking you from the bottom of my heart for your Humanitarian Support, I remain,

Yours truly,



Josefina Cramer

BEST COPY AVAILABLE

Rada Georgescu
41-34 43rd. St. Cl
L.I.C. N.Y. 11104

Honourable Sir,

My name is RADA GEORGESCU , Together with my husband Corneliu Georgescu , we were left the communist Romania in January the 16, 1977 to visit my husband's father Constantin Georgescu who lives in Rome , Italy Via Cavour 278 where we lived between January 18, 77 and April 19, 77.

During this period of time we contacted the W.C.C. organization and asked for an emigration visa to the U.S.A. in order to build up a new life in the free world. On the April 19th, 77 , my husband and I entered in the U.S.A. at Kennedy Airport where we received the " White Alien Cards " with the following numbers:

Rada Georgescu A21-704-312

Corneliu Georgescu A21-704-311

Now, we are living and working in N.Y.C.

Since we arrived in the U.S. both my mother: ELENA ANDREI who lives in Bucharest-Romania Str. Prisaca Dornei Nr.2, Bl.D3. Sc.2, Ap.51, tel 438082

and our son :

CONSTANTIN DONCU who lives in Bucharest-Romania Str. Ghita Serban Nr.2, Bl.8b, Sc.2, Apt.96.

tried several times to join us in the U.S. but every time the Romanian Government brutally refused to issue them emigration passports. We tried everything possible for us to get them over , we took part in the hunger strike in front of the U.N. on April 10, 78, as well as in Washington D.C. in 1978 and 1979, and now I participating on the protest action in front of Romanian Mission from New York City in each weekend, for be continue the protest actions against of the Romanian Government .

From the moment my mother and our son requested the emigration visa there has been constant bluster upon them. Our son who was employed , was told by the local party leader and police that he would be fired if he still should insist to join his parents who betrayed their country by leaving the communist regime. Neither my mother nor our son were ever member of the communist party. In the mean time our son , who is so very young 24 years old, lost his job, all medical benefits and is now permitted to do only unqualified work, that the government might offer him, and be payed with the lowest possible salary. He is constantly blustered to be fired again this time for good.

Please see next page.

On the other hand , my mother , who is almost 70 years old , has been refused free medical service although she has no other income than a poor pension. She desperately needs medical treatment which we could offer her here, if she was to come over. She is poverless and unable to fight against the brutal regime of that beings in Romania.

I would like to mention that in May 78 and June 79, I sent to my mother and our son an " Affidavit of Support " as well as to Mr. Consul Luciano Mangiafico, the U.S. ambassador in Bucharest.


For the reasons mentioned above, the last chance and hope is to apply to the U.S. Senate because of the stand in human rights that U.S.A. is leading in the world. This is the main reason , freedom , why we chose the United States as our new home.

Thank you for the interest
in this letter,

Sincerely

Rada Georgescu

July the fourth, 1979



Mrs MARIA COPIL (Maiden name MARIA SABAV)
 and TRAIAN COPIL
 35-22, 29th St, Apt E 2
 STORIA, NY 13306
 Tel (212) 932-1657

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS
 Art 13

- 1.- Everyone has the right to freedom of movement and residence within the borders of each state.
- 2.- Everyone has the right to live in any country including his own and to return to his country.

HONORABLE SIR,

We are Mrs MARIA COPIL (maiden name MARIA SABAV) and Mr TRAIAN COPIL, ROMANIAN born and POLITICAL REFUGEES in the USA together with our three sons since SEPTEMBER 1977. Being POLITICAL DISCRIMINATED by NICOLAE CEAUȘESCU'S SECURITY in our native country, we succeeded to obtain a PASSPORTS after a strong and persistent FIGHT with CEAUȘESCU'S GOVERNMENT. In AUSTRIA we were granted with POLITICAL ASYLUM by the HIGH COMMISSIONER FOR REFUGEES OF VIENNA from GERMANY and then we reached the USA. But painfully we were forced to left behind in COMMUNIST ROMANIA as HOSTAGES:

- 1.- IOSIF SABAV, water pollution technician, born on SEPT 6, 1954, -my wife's brother.
- 2.- MARGARETA SABAV, born on NOV 27, 1935, -his wife
- 3.- IOSIF TEOPIL SABAV, born on NOV 15, 1950, technician-their son
- 4.- NICOLAE MARIAN SABAV, born on MAY 3, 1960-their son
- 5.- DAN IREMIJA SABAV, born on FEBRUARY 17, 1962-their son
- 6.- MARIUS STANILIA SABAV, born on JULY 20, 1963-their son
- 7.- MARGARETA SABAV, born on DECEMBER 1, 1964-their daughter
- 8.- CARMELA SABAV, born on MARCH 17, 1966-their daughter
- 9.- CLAUDIA SABAV, born on DECEMBER 1, 1967-their daughter
- 10.- SORIN VIOREL SABAV, born on JULY 26, 1969-their son
- 11.- MARCEL SABAV, born on JANUARY 30, 1971-their son
- 12.- SERGIU SABAV, born on AUGUST 18, 1972-their son
- 13.- OVIDIU IONEL SABAV, born on MARCH 13, 1974-their son
- 14.- EUGEN SABAV, born on APRIL 8, 1976-their son
- 15.- CORNEL SABAV, born on APRIL 9, 1978-their son

Mr IOSIF SABAV, his wife and their 15 children are living at Strada TVDOR VLADIMIRESCU Nr 64, CRAIEA-MARE, JUDETUL BIHOR, ROMANIA. They were and still are terrorized by CEAUȘESCU'S SECURITY because their religious faithfull for which they are forbidden to workship with. As father of 15 children Mr IOSIF SABAV was laid off from his job as water pollution technician and only after several months when he succeeded to found out a job as bus driver he was laid off from by SECURITY. His wife was laid off from her job too. There are 15 children who are walking from door to door pity because their parents are forbidden to work in their native country COMMUNIST ROMANIA, their applications for EXIT VISAS were rejected last time in DECEMBER 1979. In the same desperate situation are and the other HOSTAGES:

- 16.- FRANCISC SABAV, -my wife's father, and his wife
 - 17.- BARBARA SABAV (maiden name BARBORA WESTMAN) a HEROINE MOTHER of 11 children who is swiftered by HUNGRY together her 11 children forbidden to work. They are living at: Strada MATEI CORVIN Nr 6, CRAIEA MARE, JUDETUL BIHOR
 - 18.- FRANCISC SABAV, -my wife's brother
 - 19.- IVELIANA SABAV, his wife, -both residing at Str. AVRONA Nr 26, CRAIEA MARE
- We appeal to you HONORABLE SIR to use your influence to persuade the ROMANIAN'S COMMUNIST PRESIDENT NICOLAE CEAUȘESCU TO GRANT THEM IMMEDIATELY WITH EXIT VISAS in respect of THE UNIVERSAL DECLARATION OF HUMAN RIGHTS, OF MFN AND HELSINKI AGREEMENT in order to REUNITE OUR FORCED SEPARATED FAMILY FOR ACCOMPLISH THIS HUMANITARIAN GOAL WE JOINED THE SIXTH ROMANIAN HUNGARIAN STRIKE FOR FAMILY REUNION IN THE USA, STARTED ON FEBRUARY 1, 1979 in WASHINGTON DC. WE WILL LIVE THE HUNGER STRIKE PLACE ONLY WHEN OUR HOSTAGE RELATIVES WILL BE FREE IN OUR NEW HOMELAND: THE USA.

GOD BLESS YOU!

MARIA COPIL *Maria Copil*
 TRAIAN COPIL *Traian Copil*

BEST COPY AVAILABLE

Florentina Georgescu
30-29 34th St. Apt. 10,
L.I.C., N.Y. 11103

Honorable Sir:

I appeal to your Humanitarian Support in behalf of my son,
Vasile-Theodor Georgescu residing at the address:

Blvd. Ion Sulea, Bloc 56, Apt. 38, Sect. 4, Bucharest, Romania.

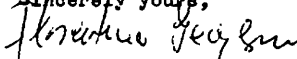
I have applied on numerous occasions to the Romanian authorities asking to consider my request and allow him to leave the country and join me and my daughter in the U.S..

As a result of my request my son has been summoned by the local party officials and has been threatened that this "case" will be forwarded to his working place for further discussions. Following his request for a passport on March, 1976, he was told by the Major Zdrenghea that "he will not be able to get out, not even as far as Russia, and if he has any objections, there is a place for him in the forced labor camp...".

I appealed to the Romanian Authorities but I did not receive any answer. My son is actually an hostage who has no hopes to ever be able to see his mother and his sister again.

I appeal to your humanitarian support to consider the plight of our families left hostage in Romania, and not to waive the Jackson- Vanik amendment until our request will be heard by the Romanian Authorities. Thank you for your humanitarian support.

Sincerely yours,



Florentina Georgescu

Dumitru Covalcic
30-11 John R Avenue
Trenton, Michigan 48183

Honorable Sir:

I am a naturalized American Citizen, born in Romania. I am very proud of my new country where I am enjoying a life of opportunities and freedom which I never new existed before.

Nevertheless, being alone in this country I find myself in a helpless situation in determining Romanian authorities to issue a marriage permit for my fiancée: **Todosia Floarea**
domiciled at: Str. Tamponului nr. 31
Buc. - Sect. 8 Romania
File #II AS 11218-1978

There are 19 months since we have asked for the marriage permit and an exit visa from Romania for my fiancée. In all this time, we have exhausted all the legal channels. As of now, we do not have an approval yet and no hopes for the future.

The American Embassy in Bucharest through the Hon. Consul Luciano Mangiafico made 5 representations in my behalf to the proper Romanian authorities with no better results.

Honorable Sir:

I am 49 years old. I've already waisted almost 2 years of my life asking for this marriage approval. My fiancée's case is not an isolated one. As an american citizen I am asking myself:

1. Why do we have to reward Romania extending the MFN when the basic human rights are systematically violated in that country?
2. Why do we have to extend a helping hand to a country which is ignoring its' own signature on the Declaration of Human Rights?
3. 1 year before obtaining MFN, Romania has had a much more liberal emigration policy. Immediately after it was granted, even though it was conditioned by President Carter and by Jackson-Vanick amendment, the Romanian emigration policy became much more tighter. This demonstrates Romania's appreciation for our government and for its' own commitments.

This is why I have joined all the Romanians participating in the hunger strike and demonstrations of protest against systematical violations of human rights in Romania.

We do not think that by granting MFN to Romania, its' humanitarian purposes will be achieved. Besides the violation of human rights, the everyday life of the people in that country did not improve at all. It gets worse everyday, in spite of all the figures shown by the Balance of Trade between USA and Romania. If none of its' humanitarian purposes is achieved, extending MFN to Romania, becomes just a formality. That's why tougher control should be imposed on Romania's compliance with its own assumed obligations.

As an American Citizen, I AM ASKING THE SENATE TO DELAY THE EXTENTION OF MFN TO ROMANIA, UNTIL ALL OUR FAMILIES WILL BE ABLE TO LEAVE ROMANIA. ALSO, WE THINK THAT U.S. SENATE SHOULD MAKE ROMANIA RESPONSIBLE FOR ITS' OWN BREACH OF PROMISE, ASKING THE ROMANIAN GOVERNMENT TO EXPLAIN THE REASONS WHY ALL OUR RELATIVES HAD TO BE CONTINUOUSLY DISCOURAGED TO APPLY FOR A PASSPORT. THIS WILL BE THE ONLY WAY TO HELP ROMANIAN PEOPLE.

Sincerely,

Dumitru Covalcic

Dumitru Covalcic

Ioan-Victor STOICA
 Olimpia STOICA
 Aldea STOICA (father)
 66-22 Fleet St. 4B
 Forest Hills, N.Y.
 New York 11375
 Tel. 212.268.0163

New York, July 9, 1979

HONORABLE SIR,

A long time ago our relatives did not receive the passports from the Romanian Government to immigrate to the U.S.A. :

- Efrem & Jenica ZAHARIA (parents): Str.M.Eminescu 22, Bloc 7, Ap.22, 2000 Ploiesti, Romania,

- Romulus & Mariana STOICA (brother & sister-in-law): Blvd.Al.Vlahuta 59, Bloc 141, Sc.B, Ap.41, 2200 Brasov, Romania,

- Teodor, Aurelia & Tiberiu ZAHARIA (Brother, sister-in-law, nephew): Str.M.Eminescu 22, Bloc 2, Ap.13, 2000 Ploiesti,

- Neculae VERESTEANU (cousin): Str. Patriotilor 1, Bloc PM 16, Sc.B, Ap.38, Sector IV, 74594 Bucuresti, Romania.

We joint the 8th. Romanian Hunger Strike for family reunion in the U.S.A. in the name of the Human Rights and signed by the Romanian Government.

We would like to request not to grant an extension of the MPN to communist Romania until all hostage relatives of hunger strikers will be set free.

Sincerely yours,

Alina
Alina
Alina

FROM
 MR. MINAI MARIN
 2885 Deves Terr, Apt 3 E
 NEW YORK CITY, NY 10068
 Phone (212) 733-8093

HONORABLE SIR,

I am MINAI MARIN, ROMANIAN born, former POLITICAL REFUGEE in the USA and naturalized as US CITIZEN since 1975.

In order to reunify my ~~FORGOTTEN~~ SEPARATED FAMILY

- 1.- VOICU MARIN, dental technician, born on FEBRUARY 18, 1933, my brother
- 2.- ELISABETA MARIN, 36, dental technician, his wife
- 3.- BOGDAN MARIN, 17, student, their son
- 4.- CONINA MARIN 13, student, their daughter

residing at: Strada SOMESUL RECE Nr 19, SECTORUL 7 BUCURESTI

I gave up my former COMMUNIST ROMANIA CITIZENSHIP and I JOINED THE ROMANIAN HUNGER STRIKE FOR FAMILY REUNION in the USA

Their applications were permanent rejected by SECURITY since 1975.

My brother was and still is under hard investigation of SECURITY which tortured him. HE UNDERGO A KIDNEY'S CANCER SURGERY. OVER THERE THERE IS NOT THE POSSIBILITY TO BE CURED. THERE IS ONLY THE POSSIBILITY TO DIE! OVER HERE THERE IS THE POSSIBILITY TO SAVE HIS LIFE, and in the same time the lives and the future of his two kids, in danger to become orphans and helpless...

FOR THIS HUMANITARIAN REASON I AM IMPLORING YOU, HONORABLE SIR, TO PERSUADE THE ROMANIAN COMMUNIST PRESIDENT NICOLAE CEAUSESCU THAT IN RESPECT OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS OF UNO, of MFN CONDITION OF EASING THE EMIGRATION FROM COMMUNIST ROMANIA, AS HERAGLOSE AGREED WITH THE USA in 1975, 1976, 1977 and 1978 and in respect of BASKET THREE OF HELSINKI AGREEMENT TO SET FREE IMMEDIATELY MY HOSTAGE AND VERY SICK BROTHER AND HIS FAMILY.

UNTIL WILL BE NOT TO LATE!...

My brother VOICU MARIN and his FAMILY are enlisted on US SENATE list of FAMILIES REUNIFICATION handled by a five US SENATORS delegation to NICOLAE CEAUSESCU on NOV 20-22, 1978 and on the one handled to STEFAN ANDREI the ROMANIAN FOREIGN MINISTER by a delegation of US CONGRESS COMMISSION ON SECURITY and COOPERATION in EUROPE on MAY 5-8, 1979 in BUCHAREST too ON US EMBASSY IN BUCHAREST THEY ARE RECEIVED THE ENTRY VISAS IN THE USA ON FIFTH PREFERENCE VISA CATEGORY.

In the respect of the above dramatical situation of my brother, endangered LIFE I APPEAL TO YOU, HONORABLE SIR, TO ASK THAT HE AND HIS FAMILY BE GRANTED PAROLE AUTHORITY IN ORDER TO COME OVER HERE AS SOON IS POSSIBLE TILL WILL BE NOT TO LATE FOR HIM AND FOR HIS WIFE AND KIDS. A LIFE OF A HUMAN BEING DESTROYED BY NICOLAE CEAUSESCU'S STALINIST TERROR AGAINST HOSTAGE RELATIVES OF US CITIZENS AND RESIDENTS. STOP THIS CRIME AGAINST HUMANITY! SAVE THE LIFE OF MY HOSTAGE BROTHER! GOD BLESS YOU!

Minai Marin

BEST COPY AVAILABLE

June 3 1979.-

From :

ANA MARIA DOMSODY born GHITULESCU
STEFAN GHITULESCU her cousin
Antonla and Octavian Ghitulescu -sunt and
uncle.-

6219 vinewood Lane
LEAGUE CITY -Texas 77573
Tel. (713)332-5075

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS. Art.13

- 1-Everyone has the right to freedom of movement and residence within the borders of each State.
- 2-Everyone has the right to leave any country including his own and to return to his country.-

---.---

HONORABLE SIR,

I, Ana Maria " " being engineer PETRE TOMA GHITULESCU, s daughter, was permanently interviewed by the Security in communist Romania and from my childhood prossecuted and threatened by the roumanian communist regim.-

My father was an important scientific and financial personality in the pre-communist Romania. Although his scientific activity in mining and geology had established to my father an internatio nale reputation. The communist regim inprisoned him for ten years and after that imposed on him forced residence status -as former political prisoner-the only reason being his refusal to adhere to the communist principles and policy.- Also my whole family has been at the same time jailed and prosecuted.-

In these conditions I took advantage of the first opportunity, and I had to leave Romania (October 1978) and asked for political asylum and permanent residence in THE UNITED STATES (nine months ago)

Now, I am free in the U.S.A. the country of real democracy and freedom, but, painfully I was forced to leave in communist ROMANIA as hostages :

- 1.-ANDREEA -ELENA DOMSODY my daughter -born on June 30 1969.-
- 2.-LUDOVIC -ANDREI DOMSODY my husband -born on December 26, 1944

Both residing in MEDIAS str. Horea nr.22 Judet SIBIU zip c. 3125 ROMANIA.-
All their application for EXIT VISAS in order to reunify our forcefully separated family were rejected by romanian authorities The communist government does not respect The Paris Traty of Peace (1947) UNO, s Universal Declaration of Human Rights (1948) nor the condition of easing the emigration from communist Romania as agreed with the U.S. on the Trade Agreement and the Most Favored Nation, s Clause in 1976 and the Helsinky agreement (1975)
I and my relatives above mentioned, appeal to you, HONORABLE SIR to use your influence in persuading the Romanian Communist President Nicolae Ceausescu to respect his commitments about Human Rights and Family Reunion and grant the Exit Visas to our hostages Andreea Elena and Ludovic Andrei Domsody.-

Thank you, Honorable Sir for your humanitarian support.

D. Ghitulescu

Stefan Ghitulescu
Ana Maria Domsody

BEST COPY AVAILABLE

Senator MOYNIHAN. Now, getting toward the end of the afternoon and our witness list, we have the special pleasure of hearing from Mrs. Amy Young-Anawaty, who is the executive director of the International Human Rights Law Group. And Mrs. Young-Anawaty is accompanied by Mr. Frank Koszorus. Mr. Koszorus is an attorney and an associate of the group.

We welcome you.

I see you, too, have a brief prepared, and a very proper one, too. We will include this in the record as if read, and would you go right ahead?

STATEMENT OF AMY YOUNG-ANAWATY, ESQ., EXECUTIVE DIRECTOR, INTERNATIONAL HUMAN RIGHTS LAW GROUP, ACCOMPANIED BY FRANK KOSZORUS, ESQ.

Ms. YOUNG-ANAWATY. Mr. Chairman, I appreciate the opportunity to appear today before the distinguished chairman and members of the Subcommittee on International Trade—I see there are no other members present—of the Committee on Finance on continuing the President's authority to waive the Trade Act Freedom of Emigration Provisions.

With me, as you mentioned, is Mr. Frank Koszorus, who has assisted me in the preparation of this testimony.

I am testifying on behalf of the International Human Rights Law Group, which is a nonprofit legal organization established by the Procedural Aspects of International Law Institute in September 1978, with assistance of funding from the Ford Foundation and the Rockefeller Brothers Fund.

Assisted in its work by lawyers, paralegals, and law students, the law group provides legal assistance to individuals and nongovernmental organizations on a pro bono basis as well as offering educational programs in the field of human rights law.

Since the chairman may not be familiar with the law group, I am including at the end of this statement excerpts from our interim report which explain fully the purposes, procedures and structures of the law group.

Since its inception, the law group has been monitoring the massive and flagrant human rights violations directed against the 2.5 million to 3 million member Hungarian minority in Romania. The law group has collected evidence from a variety of internationally-recognized sources, including Amnesty International and the Minority Rights Group, both registered in Great Britain.

The undeniable conclusion drawn from the evidence is that the aim of the Romanian Government is the total dispersion and assimilation of the Hungarian minority. And in order to carry out this policy, the Government has implemented a host of oppressive measures under which the members of the minority suffer major cultural deprivation as well as political, social, religious and economic discrimination.

These include the precipitous decline of Hungarian language educational opportunities at the elementary and high school levels and the even more explicit decline at the university level. It includes also the dissolution of compact Hungarian communities, suppression of minority languages, curtailment of human contacts, of cultural opportunities and cultural and education exchanges

with Hungary, harassment of churches and confiscation of their archives, and falsification of population statistics and history.

All of these you have heard in today's testimony as well.

Karoly Kiraly, a Hungarian official in the Romanian Communist Party, had a particularly good vantage point on these oppressive measures and protested the official denationalization efforts in a series of letters to high-ranking party leaders. The terms of his statements are totally consistent with the spirit of the Helsinki Act and include his expressed devotion to the Romanian State, people, and the cause of brotherhood between Hungarians and Romanians. Nevertheless, as a result of his stand, Kiraly is under virtual house arrest and is constantly harassed and threatened.

The conclusion is inescapable: The Romanian Government is engaged in an intentional and systematic policy of cultural genocide while at the same time paying lipservice to the concepts of national independence and the promotion of human rights.

As recently reported by Amnesty International in its lengthy "Report on Rumania," an equally disturbing turn of events is the brutal campaign of terror waged against members of the Hungarian minority who speak out about cultural and political discrimination or engage in cultural activities not favored by the authorities. These individuals are subject to numerous forms of barbarism such as being shipped off to forced labor camps or to psychiatric hospitals.

For instance, in 1975, Janos Torok, a member of the Hungarian minority and a technician in a textile factory in Cluj, was forcibly removed from a rostrum where he was addressing a meeting of fellow workers. His remarks criticized the election system in Romania and suggested the workers reject the preappointed candidates in favor of persons who would represent the workers of the Hungarian minority who worked at the factory.

For this activity, he was severely beaten and confined in the Dr. Petru Groza Psychiatric Hospital where he was administered large quantities of drugs, including plegomzin and amital. Only an international campaign on his behalf secured his release from the psychiatric hospital in 1978. However, he was ordered to report periodically to a local hospital for psychiatric checkups.

Another tragic example of the brutality visited upon outspoken members of the Hungarian minority is the case of Jenó Szikskai, a teacher from Brasov, who was arrested, severely beaten, and eventually driven to suicide. His offense was allegedly encouraging parents of Hungarian pupils to protest against the decline of Hungarian-speaking institutions and attempting to persuade them to enroll their children in the remaining Hungarian schools.

If time permitted, legion examples could be cited of persons critical of the official assimilationist policies who, because of their outspoken concern, were detained, harassed, maltreated or who died under mysterious circumstances.

Because of the systematic campaign of forceful assimilation, the national minorities are subjected to burdens in addition to the general suppression of freedoms experienced by the Romanian population as a whole. Moreover, this most blatant oppression of groups based solely on their ethnicity violates not only the Romanian Constitution but also the Helsinki agreement, and a number

of binding international covenants, treaties and other declarations signed and ratified by Romania.

For example, not only the U.N. Charter and the Universal Declaration, but Romania has ratified the International Covenants on Civil and Political Rights, the Racial Discrimination Convention, which includes within its definition of racial discrimination ethnicity, and also the Convention on Discrimination in Education. These are all international agreements that are in force internationally and Romania has ratified them.

Equally disturbing is the total insensitivity and callous disregard of the most rudimentary observances of human rights even after Romania has been granted most-favored-nation status by the United States. Romania's capricious attitude towards human rights during the past 4 years while it has enjoyed the benefits of most-favored-nation does not hold much hope that the proposed waiver will substantially promote the objectives of section 402 of the Trade Act.

Our purpose in testifying today is not motivated by an attempt to permanently undercut United States-Romanian relations. Rather, it reflects a deep concern for the tragic fate of the minority populations in Romania.

Therefore, we urge Congress to at least temporarily suspend the trade benefits accorded to Romania until it takes some positive steps to restore the fundamental rights to its national minorities. This would be totally consistent with Presidential declarations which have been repeatedly endorsed by Congress that our relations toward any country is strongly influenced by that country's record on human rights.

Senator MOYNIHAN. That was superb testimony, and again, very specific. I have a question of you.

Would you, when you review your own testimony, which you will have a chance to do, make sure that you put down that list, or perhaps do this for us? Why don't you give us as an appendix a list of the international treaties and conventions that the Romanian Government has agreed to that you feel it is in violation of?

I see that we are fellow authors. I see that you have an article in the Case Western Reserve Journal of International Law, "International Human Rights Norms and the Soviet Abuse of Psychiatry."

Ms. YOUNG-AWATY. That is right.

Senator MOYNIHAN. This is a subject which has interested me. When I was a U.S. permanent representative to the United Nations, I wrote for the Harvard International Law Journal a long review article. They have an article once a year on the preceding General Assembly. I suppose if you wanted to conceal your thoughts from the world, there would be no more effective way than to have them published in the Harvard International Law Journal, with the possible exception of having them published in the Congressional Record. [General laughter.]

But I gave it the title "Abiotrophy at Turtle Bay." Abiotrophy is a wonderful word. It means the ceasing function of an organism without apparent injury, and my argument was the charter had ceased to function in many important respects.

I put forward this argument, that silence is either of universal assent or universal embarrassment, I don't know which. But the

United Nations Charter imposes two sets of obligations upon its members, two general sets. The first have to do with the relations between members of the United Nations: you agree to be peaceable in your relations and not to be aggressive, and generally to abide by the Law of Nations.

But there is also a second agreement, and that concerns the relations between the state and its citizens, in which the state has a clear obligation to be a liberal state in one sense of that word, to be law abiding and to be liberal in its laws.

This document was written by British American Constitutional lawyers, and when they talked about fundamental human rights in 1884, their understanding of that term is accessible. We can discover and establish what they meant. They meant what you mean, and that nations which do not abide by such standards are in violation of the charter and ought to be so held.

I am not here to lecture you; but you know, in 1946 the Government of Poland, if you will, blocked the admission of Spain to the U.N. on the grounds that Spain was not a democracy, that they did not have a two-party system, that they did not have regular elections, that they did not have a political opposition.

I can see, I am sorry to say, from the expression on your face that you have not read my article. [General laughter.]

Ms. YOUNG-ANAWATY. Oh, but I certainly will. [General laughter.]

May I ask if you have read mine?

Senator MOYNIHAN. No. We can make an agreement on that.

I just heard that Mr. Roche was an editor of the Harvard Journal. Strike everything I have said. Start this afternoon over again, shall we? [General laughter.]

But would you comment on that, and would your colleague, also? Do you feel that this is a fair reading of the charter, that this is what people undertake to do when they sign it?

Ms. YOUNG-ANAWATY. It imposes obligations on one state to another to observe human rights, and that that obligation devolves upon each state with regard to its own citizens..

Senator MOYNIHAN. I guess my distinction is that between one state and another there exists an obligation to be law abiding with respect to the Law of Nations, which means that one is not supposed to invade another or subvert another. You know, the Law of Nations sets forth these parallel relations between states.

But then the charter provisions for human rights clearly refer to the relationship of the state to its citizens; there is a discrete and identifiable set of obligations as well.

Ms. YOUNG-ANAWATY. Yes. I think the wisdom of those who drafted the charter was in perceiving that in order to have peaceful relations among nations, the condition within a nation was of paramount importance to other nations, and therefore they sought to secure peace within a country. And one way of doing that is to insure that the fundamental human rights of the individuals and the minorities within a country would be assured and guaranteed.

Senator MOYNIHAN. Well, I don't know that I wholly agree with you there, and I wouldn't even know that I would want to encourage too much that line of argument that democratic societies are necessarily more peaceful than nondemocratic.

Ms. YOUNG-ANAWATY. I did not say democratic societies. I said a guarantee of fundamental human rights, which, of course, include—

Senator MOYNIHAN. Or societies which have human rights are more peace-loving societies? They may or may not be. The value is sufficient unto itself. It is an end, legitimate as an object. I always thought that there was a soft minded, certain kind of corrupt Wilsonianism which said that if you have social security, then you won't go to war. History doesn't prove much of anything, but it certainly doesn't prove that either.

To the contrary, the people who go to war most often are the people who are most likely to have social security, or at least that seems to be the record in the 20th century. But I guess my point was, regardless of what might have been in the minds of the people who drafted the charter, that is what the charter says, does it not?

Ms. YOUNG-ANAWATY. Yes, that is right, it does.

Senator MOYNIHAN. And the United States once fought that. We once sent delegations to the U.N. and said so. We don't do so anymore. Why do you think we don't do so anymore?

Ms. YOUNG-ANAWATY. Why is it that we don't do—

Senator MOYNIHAN. Why don't we insist upon that understanding of the charter?

Ms. YOUNG-ANAWATY. I don't know why the United States does not. In fact, it is a national disgrace that the United States has not pursued in signing and ratifying many of the covenants and agreements which make more explicit those guarantees of respect for human rights, especially when the United States is obviously a party in the drafting of these agreements.

Senator MOYNIHAN. Would it be enough to insist upon the charter if you did not want to go further?

Ms. YOUNG-ANAWATY. I don't think so. The whole trend has been toward making the guarantees of rights more explicit, defining them, defining the standards, defining ways of implementing and enforcing guarantees for human rights. The charter is certainly a binding treaty on its own and it certainly could be argued that that would be sufficient. Of course, the California Supreme Court in *Sei Fujii*—phonetic—didn't find that particular charter provision self-executing, and therefore not binding in the United States.

The supreme court has not addressed that. The matter has rested with *Sei Fujii*. So in the case of the United States, it is not sufficient.

Senator MOYNIHAN. Well, I offer you the thought that I guess I have a little concern about how many more treaties we sign with people who obviously do not consider that because you sign a treaty, you must keep it, the Romanian example not being a good one. I would like to see us insist on what we have all already agreed to. The value of these words are being lost, as it clearly involves no commitment when you commit yourself to these governments.

That is a vote. I must leave this chamber very shortly, and I have one last gentleman to testify.

I want to thank you both very much. Your testimony on behalf of the Romanian situation is—I don't want to suggest anything and I hope no one will take offense, but I will say it is the most

disinterested, professional, and lawyer-like, and it carries weight on those grounds. We appreciate very much having heard from you, and I, for one, don't mean to let this pass. Thank you very much.

Ms. YOUNG-ANAWATY. Thank you, Mr. Chairman.

Mr. KOSZORUS. Thank you, Mr. Chairman.

[The prepared statement of Ms. Young-Anawaty follows:]

STATEMENT OF THE INTERNATIONAL HUMAN RIGHTS LAW GROUP

Mr. Chairman, I appreciate the opportunity to appear today before the distinguished Chairman and members of the Subcommittee on International Trade of the Committee on Finance on continuing the President's authority to waive the Trade Act Freedom of Emigration Provisions. With me is Mr. Frank Koszorus, Jr. who has assisted me in the presentation of this testimony.

I am testifying on behalf of the International Human Rights Law Group which is a non-profit legal organization established by the Procedural Aspects of International Law Institute in September 1978 with the assistance of funding from the Ford Foundation and the Rockefeller Brothers Fund. Assisted in its work by lawyers, paralegals and law students, the Law Group provides legal assistance to individuals and to non-governmental organizations on a pro bono basis and offers education programs concerning human rights law. At the request of the Chairman who is unfamiliar with the Law Group, I am including at the end of this statement excerpts from our Interim Report which explain fully our purposes, procedures and structure.

Since its inception, the Law Group has been monitoring the massive and flagrant human rights violations directed against the 2.5 to 3 million member Hungarian minority in Rumania. The Law Group has collected evidence from a variety of internationally recognized sources including Amnesty International and the Minority Rights Group registered in Britain. The undeniable conclusion drawn from the evidence is that the aim of the Rumanian government is the total dispersion and assimilation of the Hungarian minority. And in order to carry out this policy, the government has implemented a host of oppressive measures under which the members of the minority suffer major cultural deprivation as well as political, social, religious and economic discrimination. These include the precipitous decline of Hungarian language educational opportunities at the elementary and high school levels and the even more explicit decline at the university level; it includes also the dissolution of compact Hungarian communities; suppression of minority languages; curtailment of human contacts, of cultural opportunities, and cultural and education exchanges with Hungary; harassment of churches and confiscation of their archives; and falsification of population statistics and history.

Karoly Kiraly, a Hungarian official in the Rumanian Communist Party, had a particularly good vantage point on these oppressive measures, and protested the official denationalization efforts in a series of letters to high-ranking party leaders. The terms of his statements are totally consistent with the spirit of the Helsinki Act and include his expressed devotion to the Rumanian state, people, and the cause of brotherhood between Hungarians and Rumanians. Nevertheless, as a result of his stand, Kiraly is under virtual house arrest and is constantly harassed and threatened.

The conclusion is inescapable, the Rumanian government is engaged in an intentional and systematic policy of cultural genocide, while at the same time paying lip service to the concepts of national independence and the promotion of human rights.

As recently reported by Amnesty International in its lengthy Report on Rumania, an equally disturbing turn of events is the brutal campaign of terror waged against members of the Hungarian minority who speak out about cultural and political discrimination or engage in cultural activities not favored by the authorities. These individuals are subject to numerous forms of barbarism such as being shipped off to forced labor camps or to psychiatric hospitals.

For instance in 1975, Janos Torok, a member of the Hungarian minority and a technician in a textile factory in Cluj, was forcibly removed from a rostrum where he was addressing a meeting of fellow workers. His remarks criticized the election system in Rumania and suggested the workers reject the "pre-appointed" candidates in favor of persons who would represent the workers of the Hungarian minority who worked at the factory. For this activity, he was severely beaten and confined in the Dr. Petru Groza Psychiatric Hospital where he was administered large quantities of drugs, including plegomzin and amitil. Only an international campaign on

his behalf secured his release from the psychiatric hospital in 1978. However, he was ordered to report periodically to a local hospital for psychiatric checkups.

Another tragic example of the brutality visited upon outspoken members of the Hungarian minority is the case of Jenő Szikaskai, a teacher from Braşov, who was arrested, severely beaten, and eventually driven to suicide. His offense was allegedly encouraging parents of Hungarian pupils to protest against the decline of Hungarian speaking institutions and attempting to persuade them to enroll their children in the remaining Hungarian schools.

If time permitted legion examples could be cited of persons critical of the official assimilationist policies who, because of their outspoken concern were detained, harassed, maltreated or who died under mysterious circumstances.

Because of the systematic campaign of forceful assimilation, the national minorities are subjected to burdens in addition to the general suppression of freedoms experienced by the Rumanian population as a whole. Moreover, this most blatant oppression of groups based solely on their ethnicity violates not only the Rumanian Constitution but also the Helsinki Agreement, and a number of binding international covenants, treaties and other declarations signed and ratified by Rumania.

Equally disturbing is the total insensitivity and callous disregard of the most rudimentary observance of human rights even after Rumania has been granted most-favored-nation status by the United States. Rumania's capricious attitude towards human rights during the past four years while it has enjoyed the benefits of most-favored-nation does not hold much hope that the proposed waiver will substantially promote the objectives of section 402 of the Trade Act. Our purpose in testifying today is not motivated by an attempt to permanently undercut U.S./Rumanian relations. rather, it reflects a deep concern for the tragic fate of the minority populations in Rumania. Therefore, we urge Congress to at least temporarily suspend the trade benefits accorded to Rumania until it takes some positive steps to restore the fundamental rights to its national minorities. This would be totally consistent with presidential declarations which have been repeatedly endorsed by Congress that our relations toward any country is strongly influenced by that country's record on human rights.

Thank you.

INTERIM REPORT OF THE INTERNATIONAL HUMAN RIGHTS LAW GROUP OF THE PROCEDURAL ASPECTS OF INTERNATIONAL LAW INSTITUTE

This is a report on the activities of the International Human Rights Law Group of the Procedural Aspects of International Law Institute for the period September 1, 1978 to April 15, 1979.

INTRODUCTION

The Procedural Aspects of International Law (PAIL) Institute is a non-profit educational organization established in 1965 and incorporated under the laws of New York. During the past fifteen years the Institute has conducted research projects on numerous procedural problems in international law under both private and government grants and research contracts. The Institute has published the results of such projects as well as other major studies initiated by PAIL members in its PAIL Series, other books, book chapters, monographs, articles, comments and occasional papers.

Many of PAIL's research activities have focused upon the implementation of international human rights law. For example, the Institute published *J. Carey, U.N. Protection of Civil and Political Rights (1970)* and *Humanitarian Intervention and the United Nations (R. Lillich ed. 1973)*, and this fall Little, Brown will publish a PAIL-supported coursebook by R. Lillich and F. Newman, *International Human Rights: Problems of Law and Policy*. Thus oriented toward exploring the procedural aspects of human rights law, PAIL readily perceived in the late 1970's the need for an effective human rights law practice.

Human rights initiatives taken by Congress and the Carter Administration, renewed emphasis on human rights in formulating foreign policy, and the recent signing and submission to the Senate of four human rights treaties underscore the fact that concern for the implementation of human rights law is increasing rapidly, and with it the demand for trained practitioners.

Since human rights "clients," a term which includes both individuals who are being deprived of their rights and organizations representing them, generally are not in a financial position to seek legal assistance, the demand for lawyers trained in the field of human rights will not be solved by the marketplace principle in the

foreseeable future. To fill the need for skilled human rights practitioners offering free legal assistance, The Procedural Aspects of International Law Institute established The International Human Rights Law Group in September 1978 with funding assistance from the Ford Foundation and the Rockefeller Brothers Fund.

The Law group's objectives are to promote international human rights law by providing professional legal assistance to individuals and to non-governmental organizations on a pro bono basis and by offering educational programs such as its current series of teaching seminars entitled "Nuts and Bolts of Practicing International Human Rights Law." Practitioners, paralegals and law students, utilizing legal knowledge of human rights law and procedures gained in the seminars, volunteer their professional skills and time to work on actual cases of human rights violations identified by the Law Group.

The Law Group currently is working on numerous cases potentially involving litigation before federal courts and government agencies and is preparing to file complaints with international and regional human rights organizations. Much of the Law Group's activities involves more preliminary legal work aimed at promoting the observance of international human rights law, including studies and investigations of human rights situations here and abroad, filing comments on proposed agency regulations, filing Freedom of Information Act requests and monitoring state and federal compliance with international human rights obligations. Some of these activities are initiated by the Law Group; others are executed at the request of non-governmental organizations concerned with protecting human rights.

PERSONNEL

The International Human Rights Law Group is staffed by a full-time attorney, Amy Young-Anawaty, who serves as Executive Director, and Dee Tennant, the Administrative Assistant. The Law Group is assisted in its work by its distinguished Advisory Board as well as by the PAIL Institute's Board of Trustees and Advisory Council (see Appendices I, II, III, IV). To maintain the current full caseload, however, the human rights law draws upon a roster of attorneys, paralegals and law students who have volunteered their professional skills and time.

Washington, D.C. has a large pool of talented and public-interest minded lawyers anxious to engage in volunteer work on international human rights matters, either on pro bono or on their own free time. Several major law firms in Washington, D.C. have expressed an interest in establishing a working relationship with the Law Group for handling human rights cases entirely on a pro bono basis. Similarly, there are a number of major law schools, most notably American University's Washington College of Law and the nearby University of Virginia School of Law, who offer regular courses or seminars in international human rights law and whose students are available, either on a full-time basis as off-campus interns or on a part-time basis under faculty-supervised independent research or clinical programs, to engage in similar work.

In collaboration with the efforts of the Washington Council of Lawyers and Dean Bert B. Lockwood and Professor Richard B. Lillich of American University and the University of Virginia, the Law Group currently has recruited and is training 75 lawyers, paralegals and law students to undertake volunteer work or cases generated either by the Law Group or referred to it by other organizations. At present, 38 attorneys—largely from the Washington areas but some as far away as Houston and San Francisco—representing 10 law firms, 7 government agencies and 13 private organizations have indicated their willingness and interest in assisting the Law Group. Of that number, 21 actually have had the opportunity to participate in Law Group projects. Combining both volunteer professional and pro bono time, these attorneys have donated a total of 384¹ hours to legal research, writing and preparation of legal memoranda and complaints to be filed before government agencies, federal courts and international and regional human rights fora.

Paralegals, trained in legal research and other support skills, often are an overlooked resource. The Law Group actively solicited the assistance of these paraprofessionals and currently counts four paralegals on the roster. The active participation of two paralegals assisting Law Group attorneys in various projects contributed an additional 43 volunteer and pro bono hours.

Since most of the work is done by attorneys volunteering their own time, the Law Group relies heavily on interns and law students to prepare background informa-

¹ An additional 215 volunteer attorney hours were spent by a member of the Law Group's Advisory Board in researching United States restrictions on exports to South Africa. A final report has been prepared in conjunction with the efforts of the law firm with which he is associated and the Law Group. Authors drew upon the resources of the Law Group on a continuing basis during preparation of the report.

tion and legal memoranda and to provide whatever assistance is needed to lawyers with over-crowded schedules. Interns, therefore, are in a position of serious responsibility and receive a great deal of practical legal experience in international human rights law which will enable them to continue making such a professional contribution to human rights throughout their career.

In each semester of the 1978-1979 academic year, the Law Group had the full-time assistance of a third year law school intern from American University Law School. These students received academic credit for work with the Law Group directly supervised by the Executive Director and two members of the Advisory Board, Dean Bert B. Lockwood, Jr. and Professor Robert K. Goldman. The Law Group also received additional support on a part-time basis in the spring semester from two pre-law candidates from the University of Maryland. In addition to four interns, the Law Group has been assisted on specific projects by eight highly qualified law students from American University Law School, George Washington Law School and the University of Virginia School of Law, all of whom receive law school credits for their participation in Law Group projects. To date, these students have donated to the Law Group 459 hours of legal research and preparation of reports and draft complaints.

It also should be noted that professionals from the Washington community, including political scientists, artists and journalists, have provided collateral and non-legal assistance and have donated generously their professional talents to the Law Group's endeavors.

CLIENTS

As distinguished from other non-governmental organizations concerned with human rights, the Law Group was established to promote human rights by providing professional assistance and expertise in international human rights law and procedures. This assistance is available both to non-government organizations and to individuals, although the Law Group's limited resources dictate a strong preference for working with other organizations.

The importance of assisting other organizations, and the potential value such legal assistance may have, cannot be stressed too much. In the first place, only a handful of nongovernmental organizations have full-time international law experts serving on their staffs. None has been able to provide the legal counsel and aid needed by individuals and groups except in isolated cases on an ad hoc basis. Thus, these organizations readily seek and utilize professional assistance in the international human rights area when offered on a pro bono basis.

The Law Group has contacted 128 non-governmental organizations, with the majority located in Washington, D.C. and New York City. A working relationship has been established with several organizations having legal interests similar to the Law Group, most notably the Lawyers Committee for International Human Rights and the Alien Rights Law Project of the Lawyers Committee for Civil Rights Under Law.

Thirteen non-governmental organizations either have brought cases to the Law Group or have requested that the Law Group undertake legal research on human rights issues on their behalf. The Law Group has established a lawyer-client relationship with eleven organizations, including Amnesty International in New York, Washington and Charlottesville, P.E.N. American Center in New York, Friends of the Filipino People in Washington, D.C. and the Indian Law Resource Center in Washington, D.C. (see Appendix V).

CASES AND PROJECTS

The Law Group handles numerous cases and legal research projects implementing international human rights law and procedures both at its own initiative and on behalf of other organizations and, in special instances, for individuals. Violations of international human rights norms demanding such legal action or investigation either have been identified by the Law Group or have been referred to it by other organizations. The Law Group's decision to pursue a case or legal research project is determined according to the following criteria: (1) the reliability of the source of information and availability of documentation; (2) the importance to the international community or the group concerned of a particular human rights violation; (3) the potential for strengthening implementation of existing provisions of human rights law or human rights procedures or developing new strategies; and (4) the possibility of impact on a particular human rights situation.

As an international organization, the Law Group's mandate is to promote human rights by invoking international human rights law and by utilizing established

procedures to redress violations wherever they occur. Cases and projects undertaken by the Law Group fall into four categories: those focusing on human rights violations for which the United States federal or state governments are responsible; those responding to human rights situations in other countries; those using domestic federal and state courts to achieve recognition and enforcement of human rights norms internationally as well as domestically; and those projects reporting on human rights procedures and other specific areas of concern, such as U.S. ratification of the human rights treaties. The third category, the use of the domestic legal process to focus concern on human rights abroad, is particularly important to the Law Group's operations. Since U.S. foreign relations with every foreign country is governed by some and more often a plethora of federal and state statutes, it is not difficult to find and utilize that domestic nexus to attack and spotlight human rights violations in another country with which the U.S. is trading, granting assistance or selling arms. Although this approach is not novel and has been utilized only with minimal success, the not insignificant byproduct in using domestic legal fora as an avenue for human rights protection is the opportunity of education the Bar, the government and the general public about certain human rights situations.

APPENDIX I

Ms. Amy Young-Anawaty is the Executive Director of the International Human Rights Law Group. B.A., Marymount, 1969; J.D., American University, 1977; LL.M., University of Virginia, 1978; Member, District of Columbia Bar and American Bar Association. Vice President, Association of Student International Law Societies, and Executive Editor, ASILS International Law Journal, 1976-1977. Extern, Office of the Legal Adviser (Human Rights), Department of State, 1977. Author, "International Human Rights Norms and Soviet Abuse of Psychiatry," 10 Case Western Reserve Journal of International Law 785 (1978).

Ms. Young-Anawaty is a member of the Committee on Human Rights, American Bar Association, International Law Section; Member, Committee on Human Rights, American Branch, International Law Association; Member, Committee on Human Rights, Council of Washington Representatives on the U.N.

APPENDIX II

INTERNATIONAL HUMAN RIGHTS LAW GROUP ADVISORY BOARD

Professor Richard B. Lillich—University of Virginia School of Law.
 David Carliner, Esquire—Carliner & Gordon, Washington, D.C.
 Professor Tom J. Farer—Rutgers School of Law.
 Professor Robert K. Goldman—American University School of Law.
 Dean Bert B. Lockwood, Jr.—American University School of Law.
 Thomas H. Milch, Esquire—Arnold & Porter, Washington, D.C.
 William D. Rogers, Esquire—Arnold & Porter, Washington, D.C.
 Dr. John P. Salzberg—Consultant, Department of State.
 John H. F. Shattuck, Esquire—Director, Washington Office, American Civil Liberties Union.

APPENDIX III.—LIST OF HUMAN RIGHTS TREATIES, COVENANTS AND AGREEMENTS
TO WHICH ROMANIA IS A PARTY

PART A: TREATIES AND COVENANTS

Treaty or agreement	Entered into force	Signed and ratified by Romania	Specific articles of human rights documents abrogated by Romania's treatment of the Hungarian minority
1. International Covenant on the Elimination of All Forms of Racial Discrimination—adopted December 21, 1965.	Jan. 4, 1969	Sept. 15, 1970	Entire Covenant applicable.
2. International Covenant on Civil and Political Rights—adopted December 16, 1966.	Mar. 27, 1976	Dec. 9, 1974	7, 8, 9, 12, 14, 15, 17, 18, 19, 20, 21, 24, 25, 26, 27.
3. International Covenant on Economic, Social, and Cultural Rights—adopted December 16, 1966.	Jan. 3, 1976	Dec. 7, 1974	1, 2(2), 3, 6, 7, 10(3), 13, 15.
4. Convention Concerning Discrimination in Respect of Employment and Occupation—adopted June 25, 1958 (ILO No. 111).	June 15, 1960	June 6, 1973	1, 2, 3.
5. Convention Against Discrimination in Education and its Protocol—adopted December 14, 1960.	May 22, 1962	July 9, 1964	1, 2, 3, 4, 5.
6. Convention Concerning Employment (ILO No. 122)—adopted July 9, 1964.	July 15, 1966	June 6, 1967	1(c).
7. Forced Labor Convention (ILO No. 29).	May 1, 1932	May 28, 1957	Entire Covenant applicable.

PART B: DECLARATIONS AND AGREEMENTS

Declaration or agreement	Adoption date	Specific articles of human rights documents abrogated by Romania's treatment of the Hungarian minority
1. Universal Declaration of Human Rights	December 10, 1948 (G.A. Res. 217A (111)).	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 15, 17, 18, 19, 20, 21, 23, 26, 27, 28, 29.
2. Declaration on the Promotion Among Youth of the Ideals of Peace, Mutual Respect, and Understanding Between Peoples.	December 9, 1975 (G.A. Res. 2037 (xx)).	1, 2, 3, 4, 5.
3. Declaration of the Principles of International Cultural Cooperation.	November 4, 1966 (UNESCO Resolu- tion).	In toto.
4. Declaration on the Protection of All Persons From Being Subjected to Torture and Other Cruel, Inhuman, and Degrading Punishment.	December 9, 1975 (G.A. Res. 3452 (xxx)).	1, 2, 3, 4, 8, 9, 10, 11.
5. Helsinki Final Act—Conference on Security and Cooperation in Europe (Helsinki accords).	Signed August 1, 1975	Basket I, sec. VII; Basket III, sec. I, 1(a), 2, 2(a), 3, 4.

Senator MOYNIHAN. And now, in what must be the somewhat attenuated time remaining, Mr. Mesterhazy, who has appeared before in this committee and is welcome once again.

Do you have a colleague accompanying you, Mr. Mesterhazy?

Mr. MESTERHAZY. My name is Szabolcs Mesterhazy. That was the other Szabolcs who wrote discourses, but I can swear I never wrote on the Carcasus.

Senator MOYNIHAN. I am sorry to hear that, but you are very welcome. You have a prepared statement.

STATEMENT OF SZABOLCS J. MESTERHAZY

Mr. MESTERHAZY. Here is my written statement of today, and there is a written statement I wrote when the trade agreement with Romania was first before this committee. I was unable at that time to present it, and I want to present it now because it is true, and truer today than it was then.

Senator MOYNIHAN. And not everyone can say that about statements they may have made 4 or 5 years ago.

Mr. MESTERHAZY. Mr. Chairman, I am just a plain American citizen. I represent no one but maybe those Americans back home who the President of the United States recently acknowledged that we are losing faith in our institutions and our Government. Yes, there are many, who are losing confidence.

But I want to tell you that I still have confidence. I am still optimistic. I have learned that the American people are maybe the most patient people on this globe. This may show to some people an ignorance, but when we get fed up, we always make up for the time we have lost. And we are now close in this status.

I think we lost confidence mostly because the people of our Government have too much confidence. They are saying: Oh, no, we don't trust the Communists. But they keep trusting them. This is the problem.

But I want to tell you one thing, sir. I heard here many accusations of the Communists lying everywhere, and this is not true. I was trained by the Communists as one of their own. I have a master's degree with honors from Communist political science, and they trained me how to make you do what they want. You think that they are lying. They are telling the greatest truth if you accept their definition of the truth. The greatest truth in Communist doctrine is to deceive you, to fool you. This is the greatest truth. And they will swear on a lie detector test that they are telling the truth, that there is nothing more true than to deceive you.

I was here today. I heard the testimonies. There are many problems and the problems are repeating themselves, yes, and there is an idea that you don't talk the language that the poor Communists understand. They are not bad people. What do you think? If I am in the jungle and the lion ate one of my children, and then I will make a beautiful speech to the lion. You can make beautiful speeches and tell the lion, "Don't eat my other daughter." And then you can complain later, when he has eaten her too, that he didn't heed your appeal, but the truth is: he didn't understand you.

But I know the language of the lion and I will tell the lion, "Let my other daughter alone," in his tongue. I will shoot a bullet beside his ear. And then he will know what I mean. I heard about the Jewish people complaining because the Romanian Communists didn't keep their promises. Now, I know well what happened. But they are saying today: "Oh, now it will be different; the Communists always fooled us but not anymore; this time they will keep their promises."

I can tell you, sirs, they will not. But I have a solution for them. I will tell you. But to tell you the truth, I don't come here to make solutions for them. I came here to make solutions for us, Americans. But I know, I learned the political way. It looks like in this

country, as the President said, the interest groups, the Hungarians, the Romanians, the Jews, can't do too much. So I want to help them, too, because when I help them, I help my country as well.

Senator MOYNIHAN. I look forward to reading your testimony, but I am afraid that my obligation as a Senator is to be on the floor and vote at this moment.

Mr. MESTERHAZY. Can I make my proposition, what I think will work?

Senator MOYNIHAN. I have 1 minute, and then I have no choice but to go.

Mr. MESTERHAZY. OK. My proposition is the Trade Act is under a revision, the Jackson amendment. You have heard about it.

Senator MOYNIHAN. Yes.

Mr. MESTERHAZY. I will propose a change on this section 409, and what I am suggesting, I read section 409 in the present form, and my proposal is to put into the legislation, for example, for the Jews, that if the Romanians or the other government receiving our help will not let out within 2 months after the Communist government receive the list, give a small number—200 Jews which American Jewish organizations put on a list [indicating] then the most-favored-nation status is terminated automatically.

Now, for the businessman who was testifying here: If any government who has most-favored-nation status steals again, as we heard here, steals again a patent which we offered them to buy and sells it all over the world, then they automatically lose their favored status.

Senator MOYNIHAN. I follow your idea, sir. I have no alternative. I must be on the floor. It is an important vote.

[The prepared statement of Mr. Mesterhazy follows:]

TESTIMONY OF MR. J. MESTERHAZY

Mr. Chairman, I respectfully ask the Subcommittee to recommend to the Senate to pass a Resolution of Disapproval on the Presidential recommendation for a further extension of the authority under the Trade Act of 1974 to waive the freedom of emigration requirements under section 402 and for the continuation of the waivers applicable to the Socialist Republic of Romania and to the Hungarian People's Republic, for the reasons described below.

As you may know, I am of Hungarian origin and I escaped in 1956 from my native land as a middleaged man. So my culture, my customs and my language are still mostly Hungarian and I can never forget the land and people, where I was raised. Nearly all my relatives still live in the Hungarian People's Republic and in the Socialist Republic of Romania. To continue the waiver will benefit both countries, but especially their communist governments and their masters in the Soviet Union. The independent role that the communist government of Romania plays was assigned to her by the Soviet Union, which I can prove to you, if you have any doubt. Just question me.

Regardless of my past and origin, I am an American now and I consider it my scared duty to defend the vital interests of my country. Accordingly, I came here from Michigan to ask you to stop allowing the sale of our superior technology—our most valuable national resource—to the Soviet Union through the back door in low interest-rate credits, subsidized by our shrinking dollars. I know it will not be easy. Dated back from the days when we were super-rich and super-powerful, we picked up a giveaway habit. But today when both our richness and power is diminishing, it looks not only silly, but dangerous to aid those of our enemies, who are quietly preparing to raise our country off the map.

It is obvious that the communist countries will try every method at their disposal, be it direct or indirect, to induce you to propose the continuation of the waiver. They surely are not hesitating to try to use the same method for which the South Koreans became famous. But I think they are hoping for much more success by

approaching you indirectly through some profit hungry short-sighted capitalists, who are hoping for fat profits at the expense of our taxpayers.

If anyone, I can understand the feelings of the Jews in our country knowing the suffering of those of their fellow Jews, who cannot come out from behind the Iron Curtain. A few years ago I had not a fellow American, but a son behind the Iron Curtain unable to leave. And I obtained his release, but not through secret deals, but I obtained my son's release from the hands of the communist pharaoh in the Moses way! If the Jews, living in this country had done as Moses had and yes, as I had, they can force the communist pharaoh to "let their people go" in the Moses way too, without endangering the security of our nation. I hope they realize in time that if we Americans go down the drain in the evening, the Israelis will be forced to swim in the Mediterranean before dawn!

Those arguing on behalf of Jewish immigration argued until recently that the waiver not be applicable to the Socialist Republic of Romania. But now they are all for it. Some wonder what changed their attitudes overnight. It was reported in the news media that a secret deal was arranged again between the Romanian communists and the Jewish welfare agencies. It looks as though these same people did forget that the communists broke the previous secret deal with them. Or maybe they just don't care if the communists will fulfill only a part of the bargain, because not they, but our nation, is footing the bill with our money now and with our security later.

These were strong words, Mr. Chairman, but they came from a worrying private citizen, of which there are too many in our land these days. Many of us lost confidence. President Carter was right on this one. Confidence in the Executive Branch under his Presidency is diminishing and in some degree in the Legislative Branch as well. It was close to a half decade ago that the then Chairman of the Joint Chiefs of Staff, General Brown, talked about a so-called Jewish lobby: "It's so strong you wouldn't believe now. We have the Israelis coming to us for equipment. We say we can't possibly get Congress to support a program like that. They say: 'Don't worry about the Congress. We'll take care of the Congress.' Now this is somebody from another country, but they can do it. They own, you know, the banks in this country, the newspapers, you just look at where the Jewish money is in this country." (From *The Washington Post*, November 1974.)

I cannot agree with his assessment. General Brown is long dead, but his assessment unfortunately is believed more and more every year in our land. The General was outspoken like myself; most of the others are not. But the fire is burning under the ashes. I feel its heat as I felt it in Europe in the late twenties.

If the General were right, I would not be able to make my testimony before you today. But I am confident the Congress of the United States will act for the benefit of all separated families. In my judgment the main surge of the success of the Jewish people today is not their money, but their dedication. I cannot match their money, but I can match their dedication!

And I trust you, Mr. Chairman, and the members of your Subcommittee, that if you disagree with any part of my statement, you will say so and question me. I will be honored with any of your questions and will answer with the best of my ability.

Thank you.

STATEMENT BY SZABOLCS MESTERHAZY

Mr. Chairman, a trade agreement is before you, for your consideration—a routine, innocent-looking treaty. The only excitement shining in its surface is a new break-through in the wall of unanimity of the Warsaw Pact Countries, who rejected any trade agreement with us based on the Trade Act of 1974. Yes, it looks like our brilliant Secretary of State has achieved a new break-through, similar to the one for which he so proudly received his Nobel Prize for Peace.

Troubled as we are with the collapse of our trade agreement with the Soviet Union and Hungary—it looks as a great gift from independent-minded Romania. This how it looks, but I know it is not true; and I know the great danger hiding under its shining surface. Seeing this modern wooden horse, it will be simple to use against it the same argument that another private citizen used in ancient times: "Quid, quid id est; timeo danaos it dona ferentiaes." In English, "It does not matter, how it looks; I am afraid of the Greeks, even when they arrive with a gift." But when Cassandra used this argument, the Trojans were not afraid of their Greeks, as we are not afraid of ours anymore. The Trojans were hypnotized by the great gift as we are drugged by the sleeping pill produced just for us by detente.

Therefore, with the will that produces miracles, I transferred myself to a termite, ate myself through the wood, through everything surrounding this treaty—to see

what is inside the horse to see from where this treaty comes from; how it arrived before your gates; what is written on its lines and between its lines, and what it can produce to us in the short, as well as in the long-run.

Today, I will try to tell you what this termite saw inside the wooden horse. But before I proceed with my presentation, I wish to jump just for a moment into *Medias Res*, into the middle of the subject and state: It is my conviction that beside the many, many other questions raised by this treaty, the main one is this: After we paid so high a price, with nearly everything we had for re-making the President in 1972, is it fair to ask us now to pay his campaign debt of 1968 as well, with this treaty? It looks like his shadow is still in the White House, nourished by his only surviving advisor and cabinet member, who was able to bring in, even reinforcements, including our present Vice-President. Yes, this is the main question before you, Mr. Chairman, and I wish to speak about it in detail, at the proper time in my presentation.

But after jumping into *Medias Res*, into the middle of the subject for a moment, now I wish to jump back to the start.

Mr. Chairman, as I said, you are considering, today, whether or not to give your consent to a treaty, to which, for the first time, the proper provisions of the Trade Act of 1974 will apply. It is not so surprising maybe, that I am able to testify before you, today, because it was my idea to include Section 409 into this Act. I drafted it in its original form. But fourteen months ago, in a beautiful Washington spring, when I was able to appear before you, sir, for the first time representing no-one but myself, and my ideas, I didn't have the background, moreover, I didn't know anyone on Capitol Hill. But it was still possible for me to testify. It was possible, because our system is working, and the American dream can still be realized. It can, contrary to the loud statements of those who are of little faith. Yes, our system is working, because it has such hard working, dedicated and capable servants, like the staff of your committee, Mr. Chairman. Only one of them has the name, Mr. Best, but in my heart and in my dreams, I call them all The Best. And to those who claim that our system is not working, I can say only this: If I, with neither an organization nor resources, and with a so-broken English like mine, if I was able to correct injustice first by convincing the Congress of the United States to include the amendment I drafted for this purpose into the Trade Act of 1974, and if now I am able to correct a major injustice in its implementation, then, my dear fellow Americans, who are of little faith, please see the light and come on and work and fight inside our system to help correct things for the better. Because, you see, you can succeed—and I go farther: you will succeed.

While I was drafting this statement, I feel I found the key to my success, which can be yours, and I wish to share it with you. You must love your country at least as much as you love your ideas. This is the key, my fellow Americans. There are people who cannot understand how there can be one God in three Persons. And you see, in this past year, I saw the one Uncle Sam in many, many persons, coming to my aid, without my asking for it. The Uncle just felt that he was my first concern, and that he just didn't want to let me down.

As I indicated originally, I wish to testify about the Trade Act of 1974 now being implemented in this treaty, especially Section 409, which I drafted in its original form. This gave me the inclination to testify, in the first place. But the more I examined this treaty and its environment in space and time, the more I realized that because of my special background, it is my duty to my country to share with you my personal experience and knowledge with every aspect of this treaty.

Romania. I know the land, I know its people, and this present status of life. I was born in an area with mixed Romanian and Hungarian population, which belonged to Hungary when I was born in 1914, but became part of Romania when I was six years old. I became a Hungarian citizen only in my twenties. My father was an administrator of a farm of around one-hundred employees, partly Hungarians and partly Romanians. I do not have the time to go into detail—unless you ask for it. But it was much, much easier to control the Romanians, under a Romanian Government, for a Hungarian administrator, then to control the Hungarians. The Romanians were just born to obey orders, unlike the Hungarians, with their rebellious nature. They were controlled by others throughout nearly all of their history without open resistance.

When Hitler told Hungary and Romania to go to war, Hungary went with half of her heart and with a quarter of his military force. I, for one, did not take part in the war. But Romania mobilized its population from eighteen to sixty, and sent them to war.

The Romanian people are good-hearted people, who are helping others in trouble. The Romanians are nationalistic people, who maybe never had the courage to revolt

for their full independence, but were always ready for great sacrifices for a partial autonomy through their history.

Today, the people in the richest country in the Warsaw Pact are sacrificing with their partial starvation, with their greatest internal suppression in the whole Eastern Europe, for the luxury not to see foreign troops in their soil. And the so-called not-existing monolithic Communists accept this gracefully, with Communist flexibility, knowing that the Romanians are paying more than their share for the Communist cause with their sacrifices.

Romania had bad luck through its history having joined in the start of every war, always on the losing side. But with the help of her first-class diplomats like Titulescu and Chaișescu, she was able always to end up with the winning side, through a timely switch of partners in the duration of the game. As I said, the Romanians are easy to control, and they are good-hearted . . . in general. So I will always be glad to hire Romanians to work for me, and I will never hesitate to accept a Romanian as a friend.

But I would be screening very carefully the terms and circumstances on which I will accept a Romanian as a trading partner. And I will not believe with my own naked eyes if I see a Romanian revolt against great odds. At least I will run after my glasses. With the experience I was able to gain by living with Romanians and by learning her history first from Romanian, and then from Hungarian texts, and by visiting Romania so many times, including twice in the last three years, I feel I can make a quite accurate judgment as to what we can or cannot expect from Romanians and their leaders in the present circumstances. For example, I am convinced that Romania, even with an anti-Communist Government in power, never will say or do anything against the wish of the U.S.S.R., while sitting in its geographic stomach. Especially not now, in the so-called post-Vietnam period—I do not believe anymore in dummy rebellions staged in Moscow against Moscow. But I cannot blame anyone who does.

I cannot, because once, I believed in it, too. And I did, after I lived under Communist rule for more than a decade; after I graduated from Communist Political Science, with honors, and after I was briefed as a trustful Communist by an administrative mistake. Yes, after all this experience and knowledge, I fooled myself in 1956, to accept a puppet of the U.S.S.R. as a great hero of freedom. Yes, I accepted him, together with the millions of Hungarians with similar backgrounds like mine.

How did it happen? You may recall in 1956, the episode which started the Hungarian fight for freedom. But people have short memories, and I was taught by the Communists to count on it. So today, I am afraid that I must remind most of you that the historic revolution of the children and of the Proletariate of Hungary against their Communist-ruling gang was born before a statue with a cry. The statue was the statue of the legendary Polish General Bem, who fought in the middle of the nineteenth-century against the combined suppression of Russia and Austria—first in Poland and then in Hungary. And the cry was: Bem and Austria—first in Poland and then in Hungary. And the cry was: Bem and Gomulka, Bem and Gomulka, Viva Gomulka.

As you may recall, an unorganized revolution with the great anti-soviet sentiment was in the making in Poland many months before the Hungarian revolution started. Then suddenly, the brilliant Gomulka jumped into the front, and with the occupied Soviet army in the background, he had the courage to demand the immediate expulsion from Poland of the Soviet General who was then the Secretary of the Defense in Poland. His demand was in the minds and hearts of the millions of Poles, but only Gomulka had the guts to say it openly. By this act, he was accepted as the actual leader of the revolution. Then without any resistance from occupying Soviet forces, he ousted the old pro-Soviet Communist Government and established a government of his own, with a liberal and mild anti-Soviet tone. The Poles celebrated their liberation from the Communist Soviet Union, and their great leader Gomulka, who achieved it without Soviet intervention and bloodshed.

You know, today, the fate of Gomulka: When a new unrest erupted in Poland recently, Gomulka was deposed as a puppet of the Soviet Union by a new mildly anti-Soviet liberal person, the present chief of Poland. Now it is history that Gomulka carried out skillfully the assignment of the Kremlin in 1956 with dummy resistance. It was not his fault that he was unable to carry out any longer. His people are much less controllable than the Romanians, and he was no match to Chaișescu. There's always a temptation when we have to deal with anybody to assume or partner has the same thinking habit, definition for terms in discussion, as we have. The Communists are right, when they say, that we are tempted to believe only what we like to hear. When we see something really bad, we will say: It

is impossible. I will never do that. How can I believe they do? At least they are human, too. Yes, the Communists are human, all right, but they are a different type, who are forced to think differently, plan differently, and act differently in order to be able to preserve their dictatorship. They have no other choice.

But it is not enough to realize this. We must keep this always in mind, when we are dealing with Communists. The Hungarians did realize this, but without keeping it always in their mind. The result: In 1956, the millions of Hungarians cried as one: "Viva Gomulka."

I had no intentions to tell you a part of history, Mr. Chairman, This, you and your committee know as much, if not better, than I do. I wish only to remind you and ask you to keep in your mind this part of history, if you wish to come with me, now, to see how this treaty, before you was born.

In the second part of the sixties an ex-vice-president of the United States decided to challenge the sitting vice-president for the presidency. To beef up his chances as an expert in foreign affairs, he planned an East European trip including the Soviet Union. The Communists planned to deal with a good hearted, naive president, and never, dreamed that the former vice-president would be the best for them. So a decision was made in Moscow to cut him down, but with Communist flexibility, with different methods and with an insurance policy for the case, if he might win anyway. The producer in the Kremlin assigned for himself a middle-of-the-road character in the play. He let him in the country as a tourist, but the visitor was able to see the Kremlin only from the outside. There were no discussions with the former Vice-President, this time, neither in the kitchen nor elsewhere. Because of the great voting population of Polish origin in our country, Poland got the role not to let him in, even as a tourist.

President Ceausecu of Romania offered that he will provide the insurance policy, the hardest part of the play, and his offer was accepted. Accordingly, the stage was set, and independent-minded Romania in the geographical stomach of the USSR revolted against her master. in the first time in her history. While the Kremlin closed its doors, and Poland, even its borders before the candidate, President and Chairman, Ceausecu opened the red carpet for him. And this is how this treaty and detante were born.

So it was just fair that the producer in Moscow was generous and not jealous, when the Candidate, after becoming president, paid his first tribute with his visit to the best actor of the play, in Bucharest, and not to the producer in Moscow. The man in the Kremlin smiled in satisfaction when the President stepped into the footsteps of the Candidate in the Romanian red carpet in the land where detante was born with such fine products like our Soviet wheat deal, the free travel of the Soviet spyships in our Great Lakes, the sleeping pill for our national awareness and the peace for all Indo-China, with the prospect to extend this type of peace to the whole world.

But this visit to Romania was only an advanced payment for the red carpet by the Candidate. As you know the Trade Agreement before you was arranged by the Candidate after becoming President. But as you may assume no producer will agree to be left in the cold and let the Best Actor of his play profit only from his own production. Therefore, no one can blame the Kremlin for requiring a fat trade agreement for itself, and for some others in its orbit. So a Trade Agreement was concluded soon with the Soviet Union and with Hungary as well, and all of them containing the delivery of the most favored nation status. No other President would ever hope to get away with such a sellout except the one with a communist-baiting past. But even he had to maneuver wisely, because the nut was hard to bite and too big to swallow by Congress. And Congress was at that time still the only branch of Government capable to grant most favored nation status. So he picked the old, good-working cliché, an authorization buried in a huge Trade Act.

I heard Mr. Chairman, that some of your power was taken away by our Courts and even more by our Executive Branch, but with full respect combined with frankness I must state that sometimes you are tempted to give up some of your remaining power by authorizing the Executive Branch to act on your behalf, mostly when the nut is too hard to bite. Your voters may not make you responsible for the actions taken by the Executive Branch through your authorization, but History surely will, as well as your children and grandchildren who will suffer as a result of the delegation of your remaining power to the bureaucrats.

Our founding fathers gave us a Republic two centuries ago with such safeguards that no Executive Branch can transform it into a monarchy, to an imperial Presidency without your help, without the help of Congress. If this will happen no one will be responsible for it but you, Sir. When our former President buried his request into the Trade Bill, it looked as if our national interest would do down the drain

and our national security would be seriously damaged. But then an unexpected source came to our rescue: the determined and powerful pro-Israel lobby, and soon the original nation saving Jackson-Vanik amendment was born. This original Jackson-Vanik amendment looked to me as an answer to a request for more rope by a hangman, who is killing freedom by now so famous a "step-by-step" approach. The answer looked to me as follows: "Dear Hangman, we see you are running out of rope. You now ask us to send more on credit. We have a habit of helping our enemies more than we help our friends, but we just do not like your profession. If you wish to get more rope from us on credit: You must first change your profession. If you don't, we still will not try to harm you, we do not need to, because without our rope, sooner or later you will be unable to continue your present profession."

Inexperienced in the day-to-day politics, I admired the Jackson-Vanik team and I hoped to see them in the White House some day. I knew their amendment would be unacceptable to the Soviet Union unless she changed her aggressive nature. And for this reason, I came to Washington to testify before your Committee, Mr. Chairman, that time to support the amendment.

It is our tradition to help our past enemies and I for one was glad and willing to help the Soviet Union if she would become a past enemy, but not until then.

I am 61 years old, and I never loved anyone in my whole life more than I loved my dear Mother, who was a Jew. One of my cousins is a diplomat of Israel and others were burned in Dachau. So I was proud to see that the Pro-Israel lobby realized that no one else is able and willing in the long run to save Israel for the children of Israel, but our own United States. I thought they came with this amendment to stop us from committing suicide. But soon my illusions were gone. The shortsighted lobby agreed to replace the historic effect of the original Jackson-Vanik amendment with a secret deal with the Soviet Union for stepped-up Jewish emigration only. I was shocked and soon I arrived in Washington again, but this time not to defend the Jackson-Vanik Amendment ready to be waived, but with 120 copies of my own amendment, hoping to find someone to introduce it in Congress.

While trying to sell my amendment to the legislative assistants of U.S. Senators, I had an argument with one of them, a gentleman who was later to become an official of the Jewish Defense League; today he is the executive vice-president of an Israel-supporting organization and is a registered lobbyist in Congress. It was in the heat of the argument that he revealed to me that negotiations were underway with Romania to revive the trade agreement negotiated by our former President. Some of you, Gentlemen, may believe that the renewal of the trade agreement before you was constructed by the appropriate section of our State Department, the Directorate for Eastern European Affairs in our State Department. But by accident, I learned, Mr. Chairman, that this was not the case. It was not, because the head of the Directorate for Eastern European Affairs in our State Department learned of the negotiations from me and no one else. He was at first surprised and asked my source. When I revealed it, he said quietly, "If he said it, it must be true because he knows." He did. And the renegotiated treaty, renegotiated by whom I do not know, is before you for your consideration.

And now I wish to quote a sentence from an earlier part of my testimony: "So it was just fair that the Producer in Moscow was generous and not jealous when the Candidate, after becoming President, paid his first tribute with his visit to the best Actor in the play in Bucharest, and not to the Producer in Moscow." And I can assure you, Sir, that contrary to the artificially spread rumors of anger of the Soviet Union toward Romania for agreeing to this treaty in actual fact, the Producer in Moscow is still generous and not jealous seeing the best Actor in his play breaking through for him once more. For many, but not for all, it is a mystery why the Trade Agreement with the U.S.S.R., broke down after a secret agreement was concluded and the Trade Act of 1974 was passed and became law. It is my judgment that the heated debate on the Senate floor about the unjust, one-sided, secret deal with the Soviet Union made it impossible for the dealmakers in our country to carry out their commitment. I am convinced it was not the Soviet Union this time who broke the deal which was at least ten-to-one in its favor. The unjust secret deal with the USSR, and with it the Soviet-U.S. Trade Agreement, was killed unwillingly by Senator Javits, on the Senate floor. This old professional member of the Senate Foreign Relations Committee was maneuvered skillfully, politely and patiently into a corner and presented with a dilemma by a freshman Senator before my own eyes. Senator Javits had but two choices: (1) to admit that he and his partners made the secret deal for stepped-up Jewish emigration from the Soviet Union and from Romania to Israel—from the two countries where Jews were left alive by Hitler—discriminating against U.S. citizens who wanted to be reunited with their children, brothers, sisters, and parents living in Eastern Europe; or (2) deny this discrimina-

tion and by doing so gamble that the USSR would deliver more than she agreed to. He decided to gamble; the USSR declined and the deal was dead. It was dead, but only temporarily. "Why pay one more in this deal when I have a Ceausescu, "the man in the Kremlin thought; and then he concluded: "What I was unable to get without paying more, Ceausescu will. And then who will dare to discriminate against me, asking more from me than from Romania? I just have to hint that this discrimination will insult me, resulting in unpredictable consequences. Then they will cave in, for sure."

The dealmakers in Washington learned their lesson from their fiasco and this time they were super-quiet. In the final steps of the deal with Romania, the brilliant Chairman Ceausescu stopped in town quietly to conclude the deal with them. The Dealmakers able to influence, if not control, our news media, the general public of our nation did not even notice that the President of independent-minded Romania was in Washington. As a result it looked to the public as if there were no secret deal this time and if no secret deal, how can there be discrimination against our own citizens? But if there was no secret deal, and there was no open one, then this treaty before you, Mr. Chairman, is not a sellout. It is a precedent setting give-away.

The amendment I drafted was really a moderate one, as you know. It asked from the big emigration pie only a thin slice for U.S. citizens who, with their tax money and by the weakening of their national security, are paying so much for the whole emigration pie. As you know it required only the freedom to emigrate or to visit the children, parents, brothers and sisters of United States citizens. Uncles, cousins, and anyone else were excluded from this amendment. I proposed to restrict it so harshly with the purpose of being able to make it mandatory without exceptions. The public without justification is already losing faith in our political system. So I do not wish to put gasoline on the fire, but he who did the job knows well what method he used to glue the waiver to this so restricted amendment. The method outdated in my humble judgment to say the least.

The original Trade Agreement with Romania as it was concluded in 1973 by our former President is not available to me, but it is to you and to your experts, Mr. Chairman. I feel it will be useful to compare it with the one you are considering, if it has not been done by now. I am not an expert in Trade Agreements, and even less in their language. But there were some point which I was able to observe.

1. In the 3rd paragraph of the preamble, the Trade Agreement in question gives treaty sanctions, quietly, to Executive Agreements between our former President and the President of the Socialist Republic of Romania—specifically, the agreements of December 5, 1973.

2. If someone does not wish to completely misunderstand the treaty, he must read it backwards. Oh, I do not mean completely backwards, in a literal sense, but I mean that he must read the last Annex before he reads anything else. It is entitled: "Annex 3: Definitions."

From the two definitions contained in this paragraph, one can learn that at least in part, the terms of the treaty mean different things for the United States, and different things again for the Socialist Republic of Romania. But to those who lived behind the Iron Curtain for a decade, like myself, to those people, it is clear that the terms of this treaty mean different things—not partially, but nearly completely—to the parties involved. In practice, then, it amounts to a precedent-setting give-away.

Just as an example of the inequality within an apparent equality: there will be no discrimination against U.S. citizens working for U.S. firms in Romania. They will enjoy the same basic freedoms as the Romanian citizens enjoy in their country. There will be no discrimination against Romanian citizens working in the United States for Romanian "companies" (see definitions). They will enjoy the same basic freedoms as U.S. citizens enjoy in their country. But this is only one example, and if you wish, I can go on, read the trade agreement, and mention the rest I discovered.

But I must mention one more inequality in an equality. Some persons may assume that the Communist world and the Western world will gain equal opportunities for espionage by being granted greater access to each other through trade relations. But the situation in each case is different. Indeed, by the terms of the agreement, Romania is classified as an underdeveloped country, while the United States is classified as a developed country. We get to spy on an underdeveloped country, which has of little consequence, but Romania will be sending its agents to a highly developed country.

But this injustice can be corrected easily; and some of us may be tempted to do just that. We just have to approve a trade agreement with the Soviet Union with similar terms as with Romania. And this can be the carrot to the stick of the Soviet threat of serious consequences if we do not promise her the same terms as Romania received.

Mr. Chairman: I still support the original, broader Jackson-Vanik Amendment, which did not have the waiver. Because with it on our books, we will give aid and comfort to our past enemies only and not to our present ones. But if we have to carry out what was written in the Bible—I mean in the Communist Bible written by Lenin—that the Capitalist World will send to the Communists the rope to be used to hang them and the shovels to be used to bury them. If we cannot escape our final fate, then, at least until that fate comes, I ask you, Sir, to stop at least partially the discrimination against U.S. citizens. I ask you, Sir, if you do not judge that U.S. citizens deserve justice, then take this action for humanitarian reasons. I do not blame those who wish to achieve their goals through secret deals. And I hope they do not blame me that I wish to achieve mine in the open. Not because I am more honest than they are; I cannot judge myself. But simply because I am a one-man lobby without any resources. And I cannot sit on Capitol Hill to conduct secret deals. So I am forced into the open. But I have to admit to you: I am at home there. And as a conclusion, I wish to present to you a proposal:

Hold up your recommendation on the trade agreement until the following are realized:

1. If possible, the waiver is completely eliminated from the Trade Act of 1974. In precise terms: until subsection (d) of section 402 is completely eliminated.

2. If you consider it impossible to achieve my first proposals, then eliminate the effect of the waiver from the very restricted amendment which I first proposed for the relief of U.S. parents, children, brothers and sisters, making the relief for them mandatory, and not selective—because this one-man lobby cannot fight for them forever. In precise words, I propose that in Section 409 of the act, subsection (d) be eliminated.

3. If neither my first nor my second proposal is acceptable to you, Sir, then I beg that you require a written commitment from the President that if subsection (a) and/or (b) and/or (c) are violated by the Socialist Republic of Romania, then he will revoke the most favored nation status at once.

Mr. Chairman, If I appear arrogant, I ask you to forgive me. I believe in our system, and I have faith in Congress and especially in your Committee. I am no more than just a plain U.S. citizen, who feels he owes more to his new country than others, and who may have a little more courage to say what so many millions of U.S. citizens feel.

And now Mr. Chairman: the one-man private lobby wishes to quit. His proposal above was his last request and it would be polite if it could be granted. The one-man lobby is grateful for Senator Curtis and what he did for his cause, but he thinks that Senator Curtis as the Chairman of the Republican Conference did already as much as he possible could. But the one-man lobby has further great expectations from a young Senator, the Senior Senator from North Carolina. I will not turn out the light from my torch now when I quit—I will just hand it to Senator Jesse Helms who will carry it with as much courage and dedication as I did. Finally, I thank you, Mr. Chairman, and I thank your staff, as I thank those in our news media who helped my cause when I carried the torch. Please support the torch I carried, regardless of who holds it in his hand.

Thank you.

WE ARE OUR OWN WORST ENEMIES

(By Szabolcs Mesterhazy)

*"As a nation of free men we must live all the time—or die by suicide!"—
Abraham Lincoln.*

By these words, our president left to us not only encouragement, but a forceful warning as well. He reminded his countrymen in generations to come, that the "unbelievable" can happen, that we as a nation can commit suicide, or at least some of our politicians can do it for us if we the people don't stop them in time. But how can this happen?

We can find the answer in the teachings of Lenin. He said, "don't worry Comrades about not yet having the tools to bury the capitalist world. The capitalists will send us the ropes to hang them and the shovels to bury them. They are so addicted to profit they can't see that in the long run they will lose, not only their investments, but their lives as well!"

I was "liberated" by the communists at the end of the second World War and was trained by them as one of their own. So, I can testify to you that the communists always knew that they could never advance without the helping hand of the capitalist world and especially of the United States. But, they were even more

convinced that their great Lenin was right and we will send them the tools for our own destruction. This we did and this we are doing on a rapidly growing scale. More precisely, some profit hungry capitalists (Lenin described them well) and some our naive or unwise politicians are doing it for us. Many people feel that we are already in danger and only a few don't see the danger ahead as our nation is going downhill. They are trying to find complicated solutions without success for simple problems.

But, there is no reason to panic. Our suicidal process is far from complete. We don't have to die by suicide if we just do not want to. We are still stronger than the communist powers combined. Otherwise, they already would have buried us in nuclear ashes. Their longstanding plan is calling for this. To be safe, we do not have to do much, just to stop all wishful thinking and stop all deliveries of the "ropes and shovels" to the communist countries.

But, what are these "ropes and shovels" that the communist still need from us to be able to destroy us? Here are a few:

1. *Technology.*—The communist countries were, are, and always will be far behind us in the potential of technology. They never can match the potential of a free society like ours in this field. They can move ahead only in a few selected subfields of technology and only if they concentrate on them exclusively, neglecting all the rest.

While attending a communist seminar behind the Iron Curtain, someone asked the leading cadre, how can the Americans beat us in a few technological fields while we are living in a much superior society? I clearly remember his answer. "The Americans are ahead not only in a few, but in many technological fields. The reason is obvious. We do not have to work at all on those so-called peaceful technological projects. The Americans are selling to us at bargain prices, mostly on credit, all those which we cannot obtain free through our well-trained agents or through our various exchange programs with the Americans, as scientific technology, agricultural, student, professor, etc., and even the so-called cultural exchange programs. We care as much as anybody else about the health and well-being of our people and more. But, as our great teacher, Ilyevich Lenin predicted, the capitalists are helping us to work only on military technology ensuring their own destruction."

Later I learned that the communists were able to use even in their military projects some of the so-called nonmilitary type of technology they received from the United States.

2. *Credit and loan.*—I will start with a few quotations from the New York Times, Jan. 26, 1979, "By the end of last year, Poland had built up long-term debts of \$14.8 billion plus an estimated \$2 billion more in short term credits . . . new credits from the west will be essential if Poland is to meet those obligations . . . The communist-bloc countries debt in the five years from 1974 to 1978 rose from about \$13 billion to about \$55 billion." It more than quadrupled.

I wish to note that we provide such loans and credits to the communist governments so they pay, if they pay, less than one third of the interest rate than you or I pay when they get a loan. The rest is paid from our taxes to the lending capitalists. Some occasions we provide this low interest rate loans wholly from our own treasury. This way we are sometimes financing and sometimes just subsidizing our own destruction.

3. *Credit and loan guarantees.*—Until Jan. 3, 1975, when president Ford signed into law the Trade Act of 1974, our government was able and guaranteed that if a communist government did not pay back the loan or credit to the lending American business, then it was paid for from our taxes quietly. The law I mentioned left this opportunity open only to those communist countries who are enjoying, from us, "Most Favored Nation" status. Presently they are: Yugoslavia, Poland, Rumania and Hungary. I drafted one section of this law, namely Sec. 409, and I lobbied for it until it became law. I am proud for being able to contribute, at least to a small restriction, on our suicidal foreign policy. It is obvious that without a guarantee, at least, some less "profit-hungry capitalists" think twice before extending credit or lending to a communist government.

It is much easier to start than to stop the lending. Look just at the example of Poland. The denial of a new loan can endanger the previous investment. As the New York Times writes, "New credits from the West will be essential if Poland is to meet those obligations." To extend more and to provide more loans is good business in the short run even for our country. We guaranteed the loans. If we aggravate the communists they simply don't pay and we have to pay off all their loans. We provided Poland the means to blackmail us. Now we are preparing to do this in a larger scale with Red China. Oh not now, but soon.

After many of our politicians decided to rely on the once ousted Shah of Iran, now they wish to rely on the aging twice ousted vice-premier of Red China. There are those some who never learn. But at least we the people, with common sense must realize, that regardless if the dispute between Moscow and Peking is real or fabricated for our deceit, it makes little difference to us, if our destruction will be directed against us from Moscow, Peking or from a United Command Post. Seeing our newest one-sided deal, now with Red China, many people worry for the survival of Taiwan and for the losing of our honor by deserting this super-loyal friend.

I myself worry for all these things and their consequences, but I worry even more for the survival of our own nation. I worry about the coming danger, in which we will find ourselves if we the people do not stop those of our capitalists and politicians, who are preparing to create another communist giant by our technical knowhow and with our money, which in these days we borrow and print.

Soon I will be meeting with and talking to our congressmen and senators about these important matters and will be reporting to you what is said.

Senator MOYNIHAN. The hearing is recessed. Thank you very much, gentlemen all. I apologize.

[Whereupon, at 3:55 p.m., the hearing was adjourned.]

[By direction of the chairman the following communications were made a part of the hearing record:]

STATEMENT OF SENATOR HARRISON WILLIAMS, JR.

Mr. Chairman, I wish to express my gratitude for this opportunity to discuss the issue of most favored nation treatment (MFN) with Romania and Hungary.

On June 1 President Carter sent to Congress a recommendation for an extension of waiver authority for Romania and Hungary under section 402(c) of the 1974 Trade Act in which he concluded that MFN is vital to our relationship with these two countries and to American national interests in general. I wish to discuss some of the factors that I feel are important in our attempt to reach a decision on this important issue.

In 1978 the United States suffered a record trade deficit of \$28.45 billion. Although imports account for a large portion of this imbalance, especially our oil imports, an equally serious problem is the difficulty many American firms have in marketing their products overseas. Exports make up less than 7 percent of our gross national product and Department of Commerce figures show that only 25,000 out of 300,000 American manufacturing firms export their goods. Clearly, our record in this area must improve if we are to reverse the current trend towards ever larger trade deficits.

One encouraging aspect of our trade picture is America's record in East-West trade. Between 1965 and 1975, annual two-way trade with Eastern European nations has increased from \$277 million to \$3.5 billion, and since 1976, this trade has contributed a surplus of \$1.22 billion to the United States' balance of payments. Because these nations comprise a sizeable portion of the world's population, the potential expansion of trade with Eastern Europe could play a vital role in efforts to improve the U.S. trade position.

Our growing economic relationship with Romania demonstrates the promise of these nations as markets for American goods. Trade between the U.S. and Romania has multiplied 10 times over the last decade, reaching \$664 million in 1978. Much of the increase has occurred since the granting of MFN status to Romania in 1975, for MFN made possible implementation of the U.S.-Romania trade agreement which was signed in that year. Moreover, our trade with Romania has been favorable to the United States. The first four months of this year have already yielded a surplus with Romania of \$74 million, showing signs of dramatic improvement from 1978.

Increased economic activity between these two countries has contributed to an overall improvement in relations between the U.S. and Romania, as demonstrated by Romanian President Nicolae Ceausescu's state visit to Washington in 1978. Although basic differences in outlook still exist between our two countries, the improved cooperation between our two people can make an important contribution to Romania's demonstrated economic and political independence within COMECON and the Warsaw Pact. This independence has often enabled Romania to serve as a discreet yet vital intermediary for diplomatic contacts between East and West.

Because of the link established by the Jackson-Vanik amendment between MFN and emigration, it is important that we examine Romania's policy in this area. 1978 saw a marked increase in overall emigration from Romania. President Carter's report that "close dialogue with Romanian officials has led to the favorable resolu-

tion of emigration and other humanitarian problems" lends hope for even more improvement in the future. While we must continue to fulfill our obligation to monitor Romanian emigration trends, I have noticed a willingness to cooperate in achieving the aims of the Jackson-Vanik amendment on the part of the Romanian Government. Past performance and future promise fully warrant Romania's continued MFN status.

Similarly, our granting of MFN to Hungary on June 27, 1978 has been followed by great strides in widening the areas of mutual interest which improve the overall relationship between our two countries. Maintaining MFN status for Hungary will not only further develop our beneficial trade relations but should also give tangible support to Hungary's emigration policy.

Early in my congressional career I worked on reunification cases with several Hungarian families. I recall that, even then, the Hungarian officials emphasized the need for normalized trade arrangements to facilitate better relations between our two countries in other areas. I was greatly pleased when the Senate unanimously agreed to the concurrent resolution which granted MFN to Hungary. Since that time Hungary has dealt positively with matters in a responsive way. The majority of Hungarians seeking to emigrate may do so without undue difficulty. Very few problem cases arise, and U.S. officials can discuss these constructively with the Hungarian Government. Most problem cases ultimately are resolved successfully.

While the need for an annual review of MFN for Hungary and Romania does create certain difficulties in establishing long-term economic ties, this provisional MFN situation is better than none at all. Still, I am hopeful that Congress and the administration will carefully consider the feasibility and desirability of placing MFN status for nonmarket nations on a more stable basis. Although the granting of MFN does not in itself ensure the removal of points of disagreement, the increased economic relationships made possible by MFN do help to reduce the tensions which have been generated by competing economic systems.

STATEMENT OF SENATOR MARK O. HATFIELD

Mr. Chairman, I offer this statement today in favor of Most Favored Nation Status for Romania. I have done so in the past, and I think I can point to the advantages the U.S. has derived in both economic and political terms, from maintaining MFN status with Romania since it was first granted four years ago.

Economically, trade between the United States and Romania has climbed from \$79.5 million in 1970 to almost half a billion dollars in 1977. The United States has consistently shown a trade surplus over those years. While we are attempting to find a way out of our trade deficit problem, good sense would dictate that we do not eliminate those countries which are giving the U.S. a trade surplus, without good reason.

Politically, we have been witness to Romanian President Nicolae Ceausescu's demonstration of increased independence from the Soviet Union. I do not imply that we have found an ally in Romania, though I would like to think that is true. But independent nations within the Warsaw pact provide the healthy dissension which is necessary to reach well-reasoned conclusions. Americans remain concerned about a monolithic Communist menace. Romania has joined the other Eastern European countries of Yugoslavia and Albania in helping to temper the monolithic nature of the Soviet bloc. As an example, last November, President Ceausescu refused to sign documents condemning the Middle East peace talks between Egypt and Israel, and to increase the Warsaw Pact military support of Russia.

Dissension is a luxury indulged in by those who can afford it. One of the reasons Romania can afford that luxury is her independence in trade. Refusing to grant MFN status to Romania will force her into more economic dependence on Russia. Thus, refusal to grant MFN without good reason would seem to me to be a minor instance of the United States cutting off its nose to spite its face.

Opponents of the Romanian MFN may say that there is good reason to withhold this status. Several Senators oppose this action because of decreased emigration from Romania to Israel. I have attached a letter written July 5, 1979, from Mr. Jack Spitzer, President of the B'nai B'rith International to Congressman Charles A. Vanik on behalf of the Presidents of Major American Jewish Organizations which gives "unqualified endorsement of another extension of most-favored-nation for Romania on the strength of understandings between the Conference of Presidents and the Romanian Government."

Some opponents of this move cite persecution of religious minorities. I am deeply concerned about these issues. Over the months, I have been communicating with Christians inside Romania, and I know the truth of these allegations. I have been

forwarding facsimiles and synopses of these allegations to the Romanian Embassy. Recently my staff and I met with the Romanian Embassy representative, who assured me that progress was being made along these lines, and that I would see the substantive results of that progress upon investigation. State Department documents also indicate that some progress is being made.

I am prepared to advocate granting MFN status this year, and give the Romanian Government time to demonstrate its good faith. Through my connections in Romania and through the American Jewish Conference connections, I am sure we will be able to ascertain whether any progress is made on these human rights issues during the following year.

Mr. Chairman, we are past the days when defense is assured through armories and men. Today, any major military victory is likely to be a Pyrrhic victory. This nation must understand that increased missiles and nuclear warheads will only assure greater destruction of the nuclear-armed enemy. They will not protect us one iota. Our protection will be obtained by making ourselves and any potential enemy intertwined politically, economically and culturally. Our purpose should be to blunt incentive for destroying each other by making part of the burden of destruction fall on the aggressor. Increased trade to the Communist countries is part of that philosophy. And increased trade is what MFN to Romania is all about.

Thank you for giving consideration to these thoughts. I hope the Committee will act soon to extend the MFN for another year.

Enclosure.

B'NAI B'RITH INTERNATIONAL,
July 5, 1979.

Congressman CHARLES A. VANIK,
Chairman, House Trade Subcommittee,
U.S. House of Representatives, Washington, D.C.

DEAR CHAIRMAN VANIK: I regret that my participation in an important conference in Geneva, Switzerland prevents me from personally appearing before the Subcommittee on Trade to give testimony on most-favored-nation trade status for Romania.

However, I am pleased to submit written testimony on behalf of the Conference of Presidents of Major American Jewish Organizations which gives an unqualified endorsement of another extension of most-favored-nation for Romania on the strength of understandings between the Conference of Presidents and the Romanian government. Those understandings were reached after intensive discussions between officials of the the Romanian government and a delegation headed by Alfred Moses, a national vice president of the American Jewish Committee, acting on behalf of the Conference of Presidents.

I would like to take this opportunity to say, Mr. Chairman, that the Romanian government has made an honest and diligent effort to satisfy our concerns on Jewish emigration, and we have been assured that it is willing to make the same effort to resolve any other human rights questions brought to its attention by the U.S. Government, the Congress, or private organizations.

With every kind wish.

Sincerely,

JACK J. SPITZER.

B'NAI B'RITH INTERNATIONAL,
July 19, 1979.

Hon. ABRAHAM RIBICOFF,
Chairman, International Trade Subcommittee,
U.S. Senate, Washington, D.C.

DEAR SENATOR RIBICOFF: I am pleased to submit written testimony on behalf of the Conference of Presidents of Major American Jewish Organizations which gives an unqualified endorsement of another extension of most-favored-nation status for Romania on the strength of understandings between the Conference of Presidents and the Romanian government. Those understandings were reached after intensive discussions between officials of the Romanian government and a delegation headed by Alfred Moses, a national vice president of the American Jewish Committee, acting on behalf of the Conference of Presidents.

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tive Branch of the United States Government, the Congress, or responsible private organizations.

With every good wish.

Sincerely,

JACK J. SPITZER.

Enclosure.

STATEMENT OF JACK SPITZER

Mr. Chairman: I am President of B'nai B'rith International, an organization of a half million American men and women, in addition to our members in 41 other countries. I appreciate this opportunity to present the views of the Conference of Presidents of Major American Jewish Organizations, an umbrella organization made up of 33 constituent bodies.

Romania has enjoyed most-favored-nation trade status with the United States for the past four years, a status granted in expectation that emigration from Romania would become freer. Yet we have been confronted by the fact that though the volume of U.S.-Romanian trade has increased handsomely during this period, the level of Jewish emigration has fallen.

When Congress originally gave its consent to most-favored-nation status for Romania in mid-1975, it was with the advice of the State Department to let Romania's actual performance on emigration substitute for the formal assurances called for in Section 402 of the Trade Reform Act. Regrettably, Jewish emigration to Israel has gone from 3,700 in 1974—the last full year before MFN—to 2,400 in 1975, 2,200 in 1976, 1,500 in 1977, to 1,200 in 1978. Emigration thus far this year is running at approximately half of last year's rate. In the first five months of 1978, 459 Jews were permitted to leave; the same period this year shows only 251 leaving.

The Romanian government has offered several explanations for this decrease, but they have not fully resolved our questions.

This record of Romanian Jewish emigration has been the single exception to an otherwise positive picture of Romanian policy toward both Jews and the State of Israel. The Romanian Jewish community enjoys considerable religious, cultural, and communal freedoms, and Romanian foreign policy, particularly with respect to the Middle East, has been a courageously independent one. Romania alone among the Eastern bloc countries maintains friendly and productive relations with Israel. Indeed, President Ceaucescu was a major catalyst behind the Israeli-Egyptian peace process that culminated in the signing this past March.

But in the light of our experience with Romanian emigration policy these past four years, we have been reluctant to recommend another extension of most-favored-nation status. Happily, however, recent developments have given us substantial reason to make a positive recommendation. We have received concrete assurances from the Romanian government—assurances which have been shared with, and endorsed by, the Department of State—that, in the spirit of the Jackson-Vanik amendment, will hopefully remove remaining impediments to the freedom of Jews to emigrate.

It is our belief that these assurances were made in good faith and that they will be honored by the Romanian government. It is on this basis that we believe we can now give our endorsement to renewal for the forthcoming year of most-favored-nation status for Romania.

We hope that our close observance of Romania's emigration performance will enable us to continue to endorse most-favored-nation status in the future. Indeed, we would like to believe that on the basis of recent understandings reached between the Conference of Presidents and the Romanian government, the problem of Jewish emigration from Romania may be resolved once and for all.

The Romanian government has shown a spirit of cooperation and flexibility in helping to resolve the issues which will hopefully serve as a model for resolving other human rights issues which the U.S. government, the Congress, or private organizations may want to bring to the attention of the Romanian government in the future.

We appreciate your permitting us to state our position.

THE GOOD SAMARITAN
Chicago, Ill., July 15, 1979.

Hon. ABRAHAM RIBICOFF,
Chairman, Subcommittee on International Trade, Finance Committee, U.S. Senate,
Washington, D.C.

DEAR SENATOR ABRAHAM RIBICOFF: In connection with the extension of "The most Favored Nation Clause" which our Congress will give to Romanian Country, our Mission desire to bring to your attention the following.

In 1978 I have visited Romania after an absence of 12 years. Things have been changed in Romania. Our mission's working among the Romanian people, we need good Romania Christians to be Missionary in our organization.

For this purpose we asked to Romanian Government to give a passports to a family, named Titianu Ladislau and after 10 months this family arrived here in Chicago, working as a missionary with us.

The freedom of religion is realized in a satisfactory proportion, comparing 12 years ago.

We are proposing to you, to give to the Romania Country the "Most Favored Nation Clause" for one more year because we have more people, who are eager to leave the Romania and come to U.S.A. to build a new life.

We are considering that the Romanian government will continue to permit, free immigration for those who do wish to live in U.S.A. and to educate their children in the spirit of God.

See a list attached of those who wish to obtain a passport to come to U.S.A. They asked for passport in 1978 and local police refused to give approval.

Hoping that the Romanian Government will help those who wish to leave Romania, giving them passports, we remain,

Sincerely yours,

JEREMIAH J. WALKER,
President of Mission.

Enclosure.

The name of the family or person desiring to leave Romania in 1979 and the address were they are residing in Romania:

Arcan Constantin and wife and two children, Str. Calea lui Traian Nr. 2 Bloc A apt. 13, Sanicolaul Mare cod 1976, Jud, Timis, Romania.

Guica Ana and husband and two children, Str. Compozitorilor Nr. 34 Bloc. 4 apt. 57 et. II, Bucuresti Sect. 7, Romania.

Cornel Jurma, solo, Str. Rosiorilor Nr. 2 Arad, Romania cod 2900.

Draucean Cornel and wife and two children, Str. Luncei Nr. 24 Arad, 2900 Romania.

Capatina Melania and Capatina Eugen, brother, Str. Petru Rares Nr. 5 Bloc. C apt. 11 Arad, cod 2900 Romania.

Florin Blaj and wife and one child, Str. Aurel Vlaicu Nr. 142 Arad. cod, 2900 Romania.

For the above families our mission will send affidavits of support and we will sponsor them.

JEREMIAH J. WALKER,
President of Mission.

STATEMENT OF ROBERT D. SCHMIDT, EXECUTIVE VICE PRESIDENT, CONTROL DATA CORP.

Control Data Corporation is pleased with the opportunity to present testimony to this committee and once more to express our support for the extension of most-favored-nation tariff treatment of imports from the Socialist Republic of Romania.

Control Data Corporation is a major manufacturer of computers and related computer peripheral equipment, not only for our own systems needs, but for other computer manufacturers in the United States and abroad. In 1978 our computer operations produced revenues of just over \$1.8 billion. Of this, \$600 million was from overseas business.

We operate in thirty-three countries worldwide, including Romania, where we have been active in marketing our products since 1968. In April 1973 Control Data entered into a joint venture with the Central Industrial for Electronics, Technology and Computers (CIETC), a Romanian enterprise, to form Rom-Control Data S.R.L. This company manufactures computer peripheral products, and is 45 percent owned by Control Data of the U.S.A., and 55 percent by CIETC of Romania.

The joint venture currently produces three models of a line printer and two models of a disk storage drive. We operate out of a new plant of 65,000 square feet and employ over 200 people.

As you may know it is the first joint venture between a U.S. firm and a Romanian enterprise: a capitalist corporation and a socialist entity. The establishment of this joint venture was possible because of changes in Romanian law that were made in November 1972. Also in 1972 Romania became a member of both the World Bank and the International Monetary Fund. In 1975 a U.S.-Romanian Trade Agreement was concluded, with the approval of Congress. Under that agreement Romania first acquired most-favored-nation treatment. This was followed, in 1976 by a U.S.-Romanian ten-year agreement on economic, industrial, and technical cooperation. These actions on the part of Romania attest to its efforts to encourage industrial cooperation with the United States.

Control Data's experience to date with our joint venture has been most rewarding. First, Romania has become a second source of supply for the products to be manufactured there, and the workers in the plant have met the high technical standards necessary to ensure quality products. Second, these products now are firmly established in the Romanian marketplace, and other East European countries. As we expand our product line, we will increase our penetration of these markets. This, in turn, will strengthen our sales efforts in other socialist countries as well. These marketing opportunities would not have been available to us had we not been willing to enter into some form of cooperation with Romania. Third, our Romanian partner has agreed to share future research and development costs of new products to be manufactured at this plant. The sharing of research and development costs with our Romanian partner not only increases the profitability of both parties, it also reduced the technological risk for both sides. It has always been the intent of both sides to have an exchange of technology—the Romanian side would return to Control Data technology of a value equivalent to the value of the technology that Romania received.

This activity of the joint venture has been greatly facilitated by the most-favored-nations treatment accorded to Romania.

The success of this joint venture has encouraged Control Data to enlarge our cooperative activities with our Romanian partner. During the recent visit of President Ceausescu to this country, a new "business and technical cooperation agreement" was signed between Control Data and CIETC. This agreement runs for a period of ten years and covers a number of cooperative ventures in the general computer area. Each of these technical cooperation ventures will be organized on the basis of a technology exchange, thus enhancing the profitability of both sides, reducing the risk for both parties, and increasing the size of the technology pool available to each partner. However, each technology exchange is still subject to approval by the appropriate agencies of both the governments of Romania and the United States.

The U.S.-Romanian Trade Agreement is automatically renewed unless either party chooses to withdraw from the agreement. But under the Trade Act of 1974, MFN tariff treatment for Romania automatically expires unless the President recommends further extension of such treatment. Certainly a more stable business and trade environment would be established if the Trade Act of 1974 were amended to allow a procedure similar to the one that prevails under the U.S.-Romanian Trade Agreement and for a similar period of time. Due consideration should be given to such an amendment.

In conclusion, I should like to acknowledge that a profitable business operation is not the only reason for our support of the President's request for extension of MFN treatment. Romania has taken many steps to encourage trade and cooperation with the West.

Passage of this extension by the Congress will surely indicate to Romania and the rest of the world that this approach to cooperation is correct and worthy of emulation.

As a pioneering effort, this joint venture has proven successful in establishing a system of mutual benefit and satisfaction, and could be used as a model for other companies and countries to undertake.

STATEMENT OF DR. DENIS A. COOPER, PUBLISHER, INTERNATIONAL LIBRARY

Mr. Chairman, Members of the Committee: I greatly appreciate the privilege accorded to me to submit this statement for inclusion in the printed record of your hearings on the above subject.

I am an American citizen of the Jewish faith who immigrated from Romania in 1939. I am availing myself of the privilege to testify before this Committee because of my abiding concern for the welfare of my coreligionists who dwell in Romania. Let the record show that I speak neither for nor on behalf of any organization.

I grew up and was educated in Romania. I served in the pre-World War II Romanian Army, hold academic degrees from Romanian universities, was a member of the Romanian bar, and practiced law in Romania.

While serving as an officer in the United States Army during World War II, and stationed in London, England, I was assigned to broadcast, in the Romanian language, Allied news beamed at Romania which was then fighting on Germany's side.

After the Armistice with Romania, and while that country was under Soviet military occupation, the United States maintained a Military Mission in Bucharest. I was the only Romanian-speaking officer of that Mission. As such, and because of my legal training and former law practice in Romania I was assigned to function as official United States Observer at the war crimes trial of Marshal Antonescu, Romania's war-time Head of State, and of his Cabinet.

My then sojourn in Romania enabled me widely to travel throughout the country and to acquaint myself with the then prevailing conditions. Being of the Jewish faith, I gave close attention to the battered remnants of the Romanian Jewish community which had suffered enormous losses in lives and property under the Romanian Antonescu regime. That regime had reduced Romania's pre-World War II Jewish population from approximately 800,000 to a mere 200,000 sick, disabled and dispirited souls.

My subsequent departure from Romania, return to the United States, and release from active military service did not, however, end my involvement with Romania. Her postwar communist regime's suppression of freedom of religion, press, assembly and of human rights, in general, caused the United States to appeal for redress to the International Tribunal at the Hague. Again, my legal training in the United States (I am a member of the bars of the District of Columbia and of the Commonwealth of Virginia), my first hand knowledge of the then conditions in Romania, my familiarity with her new legislative enactments, and my proficiency in the Romanian language brought me an invitation to join the legal staff of the Department of State which was preparing the United States case against Romania. For reasons herein irrelevant, however, that case never came to trial.

Nevertheless, economic conditions compelled the Romanian Government to look to the United States and, in the process, it relented its oppression of its citizens. The new trend resulted in President Lyndon Johnson's program of "building bridges" to the East, and in the dispatch of the first U.S. Trade Mission to Romania, which I was invited to join as its Deputy Director and only Romanian-speaking member. It was then that the Romanian Government voiced, for the first time, its aspiration to MFN status.

I was also apprised at that time of the urgent need of the Romanian Jewish community for outside financial assistance to meet the most elementary requirements for its survival. By that time, old age, sickness, hunger and a trickle of clandestine emigration had reduced the Jewish community to less than one hundred thousand (100,000) souls. In its desire to engender American good will, the Romanian Government was prepared to allow the Joint Distribution Committee, Inc., an internationally highly reputed Jewish welfare organization, to provide this needed financial aid. The Romanian Government, however, was not prepared to accord to that Committee a favorable dollar conversion rate into Romanian currency. I have reasons to believe that it was my intervention which advanced the subsequent negotiations with the Romanian authorities and, ultimately, caused them to reach a satisfactory arrangement with the Joint Distribution Committee.

Ever since my return from that trade mission I maintained an active interest in Romanian domestic and foreign affairs and, specifically, in the welfare of the Romanian Jewish community. I thus know, and it is common knowledge, that the present Ceausescu Administration accords to the Romanian Jewish community treatment no less favorable than that accorded to their fellow-citizens of all other creeds. Physical excesses against Jews—for many years a Romanian trademark—have been effectively brought to an end. As a result, many of the older generation are now content to live out their years among their relatives and old friends, and in the peace and tranquility which the Government's equal treatment affords them.

This, of course, is not to say that there is no need for a liberal Romanian emigration policy. There are still people who wish to be united with their children and other relatives now living in Israel, in the United States and in sundry other countries. There is still a substantial number of younger people who see in emigration the prospect of a better and more productive life for themselves and their

children. To this they are entitled, and the Romanian Government has given to the United States and to the people of America solemn assurances that it is its present as well as its future policy to deal with emigration applications promptly, constructively, with good will, and in the letter and spirit of the Helsinki Final Act.

The extent to which these assurances are being honored, however, is in dispute. It is undeniable that Jewish emigration has decreased during the past year. Although the Romanian Government strongly denies the existence of a deliberate policy to restrict Jewish emigration, some ascribe the emigration decrease to just such alleged policy, which is said to take the form of making it difficult to obtain emigration application forms and sundry documentation required by existing emigration regulations.

However, while such difficulties may, indeed, exist, and the processing of emigration applications may be cumbersome, or intentionally made cumbersome by the Romanian bureaucracy, I have been assured, at a recent meeting with representatives of the Romanian Embassy in Washington, D.C., including by the Romanian Ambassador, that the Romanian Government is prepared to take effective measures to eliminate whatever obstacles to free emigration may exist, actively to facilitate emigration of those who desire to leave, and to give favorable consideration to any idea designed to assist prospective Jewish emigrants in obtaining and completing application forms and necessary documentation, in expediting the emigration procedure and, in general, to shield them from alleged harassment and intimidation ascribed to the emigration bureaucracy.

I respectfully submit that this new development is deserving of heavy and favorable weight in this Committee's approach to the issue at hand.

There are, of course, other considerations which militate in favor of Romania—considerations which relate to the international political climate in which MFN treatment of Romania is being considered. One of these considerations is that upon this Committee's decision hinges Romania's ability to maintain her freedom of political action and, notwithstanding threatening external forces, her territorial integrity. It is common knowledge that Romania is engaged in a valiant struggle to resist outside interference in her domestic and foreign policies by her powerful neighbor. Unlike the latter, Romania does not oppress her minorities. Her citizens enjoy religious and cultural freedom, and their government is endeavoring to raise their standard of living. As a nation, Romania pursues peaceful aims and maintains friendly relations with all who care to maintain such. Romania is visibly a reluctant partner in that sinister enterprise known as the "Warsaw Pact". At great personal risk to her leaders, and no lesser one to her territorial integrity, Romania has expelled foreign troops from her soil. Just recently Romania declined to increase her war potential, demanded by her giant neighbor. It is common knowledge that the specter of a Czechoslovakia-like invasion and occupation of her territory is perennially hovering over that country, and that Romania was the only country among the Warsaw Pact members which courageously refused to participate in the rape of Czechoslovakia. While other nations, more favorably treated by the United States than is Romania, are aggravating America's energy crisis, which they themselves created, are gouging the United States and its allies, are disrupting our and our allies' economic equilibrium, and are creating widespread unemployment and hardships to our citizens, Romania is sharing her relatively meager petroleum resources with the United States and with Israel—a country whose fuel needs have become an American concern.

If we are to have a realistic foreign policy, it must be attuned to the realities of the geographical areas in which it is to operate, and one that interacts with the national interests of the nations in those areas. Thus, it is all too obvious that Romania will be able to maintain its present stance only so long as its strong neighbor is convinced of America's determination to assist that country, politically and economically, in maintaining at least its present relatively independent status. Any sign that America is prepared to abandon Romania in any way or manner is, therefore, certain to be interpreted as a signal of relaxation of United States interest in that country. As a result, it will force Romania to alter its present course, and thus sink to the level of a servile and unquestionably obedient vassal of its giant neighbor. This is further certain to have a chilling effect upon the smaller nations of the world, which can be expected to seek their salvation by means other than reliance on the United States.

Taken together, I believe that these points constitute an impressive challenge to those who would make our MFN treatment of Romania dependent solely upon emigration statistics although they are, I emphasize, important. However, our government has sufficient means other than complete discontinuance of MNF treatment to drive home the point that the American people have a right to expect, and

do expect nations entering into agreements with the United States, and receiving benefits thereunder, scrupulously to abide by such agreements. I believe that by her expression of a willingness to allow American participation in the emigration facilitation process, Romania is evidencing such understanding.

It is certainly not the purpose of this Committee's diligent labors to punish Romania for past sins. This Committee is and has been groping for many years for means to make the Trade Act work effectively. To accomplish this aim, it appears well worthwhile to allow Romania to make good on its proposed new and novel approach to the solution of the emigration issue. I, therefore, thus respectfully urge this Committee and, in the meantime, to express its support for the extension of Romania's present MFN status.

STATEMENT OF WILLIAM D. ROGERS, ARNOLD & PORTER, COUNSEL FOR JOHN
TUDOR

This statement is submitted on behalf of Mr. John Tudor of New York City, a United States citizen of Romanian origin. Mr. Tudor is the owner by inheritance of one-half of the Orghidan collection, an historically significant collection of coins and other art objects. The Romanian Government refuses to recognize Mr. Tudor's rights in the collection and continues to hold the collection.

Representatives of Mr. Tudor appeared before this Subcommittee last summer, when the Subcommittee was considering granting Romania a previous waiver of noncompliance with section 402 of the Trade Act of 1974. At that session, Chairman Ribicoff raised the issue of how best to address the question of the validity of Mr. Tudor's claim. Since that hearing, Mr. Tudor has sought the opinions of recognized experts on both Romanian and international law. They have concurred in their opinions. Mr. Tudor's claim is valid.

First, Titu Ionescu, former judge of the Court of Appeals for Bucharest, has examined Mr. Tudor's claim and the issues of Romanian inheritance law it raises. His opinion unequivocally supports Mr. Tudor's rights in the Orghidan collection and demonstrates that Romania has no claim under Romanian law to Mr. Tudor's interest in the collection.

Second, Dr. Richard B. Lillich, Professor of International Law at the University of Virginia, has considered the issues of international law Mr. Tudor's claim raises. He has determined that Romania's refusal to recognize Mr. Tudor's rights in the collection violates both the United States-Romanian Consular Convention of 1972 and customary international law. Professor Lillich's opinion has been reviewed and endorsed by Hardy Cross Dillard, former United States judge of the International Court of Justice, and by James N. Hyde, former member of the Curatorium of the Hague Academy of International Law. The opinion establishes that the taking of Mr. Tudor's property by the Romanian Government did not occur until after 1974—that is, after Mr. Tudor became a United States citizen.

Both Professor Lillich's opinion, accompanied by the endorsements of Judge Dillard and Mr. Hyde, and Judge Ionescu's opinion are submitted herewith. I request that they be made part of the record.

Since 1974, Mr. Tudor has repeatedly requested Romania to recognize his rights in the Orghidan collection. Romania, however, has made no meaningful response to these repeated overtures, and is apparently content to maintain the status quo, hoping that Mr. Tudor will abandon his efforts.

As I mentioned, representatives of Mr. Tudor testified before this Subcommittee last year and also before the Subcommittee of the House Ways and Means Committee. Those hearings last summer and the evident congressional interest in the matter did create some Romanian response at the time. But that response evaporated once the section 402 waiver was granted. It seems quite evident therefore that, unless this Subcommittee takes some direct action to ensure that Romania responds to Mr. Tudor's claim, no resolution of the matter will be obtained.

The Subcommittee is considering whether to extend most favored nation status to Romania for another year. We believe that it is inappropriate to grant such status to a country which has taken the property of a United States citizen without providing prompt, adequate and effective compensation. Not only does the wrongful nationalization of property violate the spirit of international comity inherent in the concept of most favored nation treatment, it further violates the specific requirements of section 502 of the Trade Act dealing with the generalized system of preferences for beneficiary developing countries.

We do not urge that the Subcommittee undertake to determine the claim of John Tudor, or substitute its processes for those of the judicial fora. As the Chairman pointed out last year, adjudication is not the proper function or purpose of a

congressional subcommittee. We do urge, however, that the Subcommittee take into account the prima facie case of wrongful nationalization made out by the formal opinions of the legal experts now introduced into the Subcommittee's record by opening the door to an appropriate adjudicatory forum.

Specifically, we urge the Subcommittee to report a bill that will include a provision authorizing the Foreign Claims Settlement Commission to rule on the validity and amount of the Tudor claim, unless the parties either arrange to have that claim arbitrated or adjudicated in some other forum or settle it within 90 days of the effective date of the Act. The Commission is a quasi-judicial body that has for some 25 years been the chosen instrument of the Congress for adjudicating hundreds of thousands of claims by U.S. citizens involving property deprivation by foreign governments. Its use is appropriate here as well.

Amending the waiver legislation in this way will open a forum for the determination of the claim; none is available now. Romania would have ample opportunity to submit and advocate its views. The Commission will resolve the issue, and the results of the Commission's careful consideration will be available to the Congress and relieve it of the necessity of determining what is in essence a judicial matter.

There can scarcely be any sound objection to this suggestion, that a vexed controversy, and one in which the rights of a United States citizen are so directly involved, should be resolved in this objective, careful and deliberate fashion.

ATTACHMENT

The International Claims Settlement Act of 1949, 64 Stat. 12, as amended, is amended by adding the following:

TITLE VII

1. The Foreign Claims Settlement Commission is hereby authorized to determine the validity and amount of the claim as to property purportedly belonging to John Tudor against the Peoples Republic of Romania, unless within 90 days of the effective date of this Act the parties resolve or otherwise arrange for the binding determination of such claim through other processes to their mutual satisfaction.

2. Such claim shall be determined according to the applicable principles of international law, justice and equity.

3. The Commission shall render an advisory opinion to the President within 90 days after such request. Unless authorized by the President, the Commission should not publish its advisory opinion except to the claimant and the Peoples Republic of Romania.

4. Subject to the Commission's rules and regulations, the Peoples Republic of Romania may file a brief as amicus curiae with respect to the claim and, with the consent of the Commission, participate in any oral hearing on the claim.

5. There is hereby authorized to be appropriated such amount, to remain available until expended, as may be necessary to enable the Commission to carry out expeditiously its function under this amendment.

OPINION ON THE CLAIM OF JOHN TUDOR AGAINST ROMANIA, JUNE 5, 1979

(By Richard B. Lillich)

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I have been asked to review the file in the matter of the Claim of John Tudor against the Romanian Government based upon its refusal to honor the claimant's inheritance rights under Romanian law in the "Orghidan Collection." This claim was filed with the U.S. Department of State on or about February 6, 1975, but the Department, while expressing sympathy for the claimant's plight, has questioned the international legal validity of his claim and to date has refused to espouse it

formally against Romania. The Department's position is based upon the contention that whatever deprivation claimant or his predecessor may have suffered at the hands of Romania occurred well before December 23, 1974—the date on which claimant acquired U.S. citizenship—thus precluding formal espousal, since the nationality-at-the-time-of-loss requirement would not then be met.

In the following opinion, I have relied upon the factual data supplied by the claimant in his initial 1975 submission and in subsequent submissions, especially the Briefs of Claimant dated May 20, 1976 and July 18, 1978. I also have relied upon the translations and the interpretations of relevant Romanian law set out in the above and in the Memorandum of Judge Titu-Servan Ionescu date December 1, 1978. It is my understanding, confirmed during the course of my interview on April 11, 1979 with Mr. Mark Feldman, Deputy Legal Adviser, Department of State, that the Department accepts both the claimant's statement of facts and his interpretations of Romanian law; it apparently differs from claimant on one ground only, namely, it contends that "judicial notice" should be taken that the inheritance rights relied upon by claimant were the subject of a "constructive taking" or a "creeping expropriation" prior to his acquisition of U.S. citizenship.

This opinion consists of two parts. The first shows that the inheritance rights of the claimant under Romanian law entitles him to at least one-half and arguably all of the Orghidan Collection, and that Romania's refusal to recognize such rights constitutes an undeniable violation not only of its own law, but of customary international law and also the U.S.-Romania Consular Convention, July 5, 1972, 24 U.S. T. 1317, T.I.A.S. No. 7643. The second demonstrates that the constructive taking or creeping expropriation of claimant's inheritance rights that actually took place accrued after rather than before his acquisition of U.S. citizenship.

I

Constantin Orghidan, who over a lifetime assembled the world-famous collection of old coins and other art objects known as the Orghidan Collection, was a Romanian national who died in Romania on August 29, 1944, leaving a surviving wife (Martha, also known as Marta) and no descendants or ascendants. Under Paragraph I of his duly authenticated Last Will and Testament dated June 9, 1944, he left to his wife, as one bequest, "all the modern gold coins beginning with the year 1850," coins that, as specified in the Will, "do not constitute the subject of any collections." Under Paragraph II, he left his entire residuary estate (including the Orghidan Collection) to "the Romanian Academy," then a prestigious and independent academy whose membership consisted of artists and scholars in various fields. However, under the Romanian Civil Code and Law No. 319 of June 10, 1944 (known as the "Marinescu Law"), in force at the time of Constantin Orghidan's death in August 1944, a surviving spouse such as Marta Orghidan inherited as a matter of right one-half of the entire estate left by the deceased spouse. Thus, to the extent that Constantin Orghidan's Will attempted to convey to the Romanian Academy in excess of one-half of the estate, it was null and void, since Romanian law guaranteed Marta Orghidan one-half of the property owned by her husband at the time of his death.

Not only was the Romanian Academy's interest in the estate limited by the Marinescu Law, but whatever interest it was entitled to was further restricted by the terms of the Will itself. For, according to Paragraph III(a), the bequest to the Romanian Academy was a conditional rather than an absolute one, being subject to a number of conditions subsequent, the most important one being the payment of 150,000 lei monthly to Marta Orghidan. Since the Romanian Academy failed to comply with this obligation, the conditional bequest to it can be said to have failed completely under Romanian law. In the absence of any descendants or ascendants, the interest thus descended to Constantin Orghidan's surviving spouse, Marta Orghidan. Thus she arguably became entitled, as a matter of right, to the entire residuary estate left by her husband.

Subsequent to her husband's death, Marta Orghidan submitted his Will to a Bucharest court and filed a petition with it stating that she was exercising her right of election under the Marinescu Law and demanding her statutory share of one-half of his entire estate. The court, in a decision dated November 23, 1946, specifically acknowledged her right under the Marinescu Law, but held that "this special law does not grant the surviving spouse the possession by right . . ." Instead, the Romanian Academy, "in its capacity of a universal legatee," was "granted possession of the property left by the deceased" under his Will. The "possession" granted by the court had nothing whatever to do with the apportionment of property rights between Marta Orghidan and the Romanian Academy, however, but merely provided for the interim possession of the property, such possession in the yet-undivided

ed estate to continue only until final distribution of the estate was made. This possession, contrary to the assertion contained in the Romanian Note Verbale dated May 30, 1978, was of a fiduciary character only; it left totally unaffected the property rights of Marta Orghidan as provided for in the Will and under the Marinescu Law.

This conclusion is underscored by the decision of the same court in 1948, which noted that "an agreement was reached with Mrs. Marta Orghidan the widow of the defunct, in order that she shall receive her part only after the definitive conclusion of the transactions, the goods remaining further in the custody [possession] of the Romanian Academy." This language indicates that an agreement had been reached in the court between the academy and the widow recognizing her rights under the Will and Romanian law, such rights to be received upon the eventual distribution of the estate. Further support of the above is found in the Process Verbale date May 5, 1951, which shows that the Romanian court was in the midst of taking an inventory of the entire assets of the estate. This Process Verbale reveals that, contrary to the recent assertion by the Romanian Government, the Orghidan Collection never became "the property of the Romanian Academy" in 1946, but remained in 1951 (and at all times thereafter) within the jurisdiction of the Romanian courts.

Since the court never proceeded to an allocation and final distribution of the estate, the claimant—who as sole heir of the entire estate of Marta Orghidan under her last Will and Testament dated January 28, 1967 has succeeded to her rights in the estate of Constantin Orghidan—is entitled to ask, as he has since December 26, 1974, for at least one-half and arguably all of the latter estate. No statute of limitations in Romania bars such a request, Article 728 of the Romanian Civil Code—directly in point—specifically providing that "[a] co-heir can demand at any time the partition of the estate * * *."

Romania's refusal to respond to claimant's request not only constitutes a violation of Romanian law, but, the exhaustion of local remedies rendered unnecessary by the thrust of the Romanian Note Verbale dated May 30, 1978, a violation of customary international law as well, in that the claimant has been deprived of valuable property, i.e., the Orghidan Collection, by the Romanian Government without the payment of just—or indeed any—compensation. Moreover, Romania also has violated its treaty obligations with the U.S., since under a Protocol to the U.S.-Romania Consular Convention it has guaranteed that "United States nationals may exercise their inheritance rights in the Socialist Republic of Romania on the same conditions as Romanian nationals * * *."

II

As stated in the introduction to this memorandum, the Department of State does not deny that the claimant or his predecessor suffered a substantial deprivation at the hands of Romania. Rather, acknowledging but ignoring the legal arguments advanced in the preceding part, it apparently finds a "constructive taking" or "creeping nationalization" to have taken place at some unspecified time before claimant became a U.S. national. No dates are given. No act or acts amounting to a "taking" are singled out. Instead, the Department seemingly is asking that "judicial notice" be taken that the Communist wealth deprivations were so widespread in postwar Romania that they must have embraced the Orghidan Collection—despite the fact that Romania itself never has claimed to have nationalized, expropriated or otherwise taken the collection.

The first point that should be made about this argument is that if it were being made by a claimant—and it is claimants who normally are attempting to establish the existence of a "taking," the present claim being a reserve-twist situation—it would be rejected by the Department out-of-hand. One would be told that, absent an accumulation of acts by a foreign state directly or indirectly aimed at depriving one of the use or enjoyment of one's property, no taking sufficient to warrant the bringing of an international claim existed. In addition, it would be pointed out that as long as the foreign courts were open to the claimant remedies remained to be exhausted. Indeed, at present the Department has raised both arguments to avoid formally espousing the claim of a family I represent who has suffered a substantial property deprivation in a major Latin American country. Yet in the present case, when the shoe is on the other foot, with literally no factual or legal analysis, the Department has leapt to the conclusion that a taking of the Orghidan Collection occurred sometime before December 23, 1974. The conclusion is difficult to support, as can be seen from the above examination of Romanian law and will be seen from the following discussion of relevant international precedents.

A survey of postwar international claims practice reveals no cases precisely in point with the present one. However, claims where property has been placed under

provisional administration by a state offer some guidance by analogy. Since such claims involve "temporary takings" by the state—which is not the case here, where the Romanian Academy only held possession in a fiduciary capacity—they must be used with care and their pro-taking bias discounted. Keeping this fact in mind, they reveal that postwar international claims practice rather uniformly has refused to find such claims compensable unless the temporary taking has ripened into a permanent expropriation. Christie, "What Constitutes a Taking of Property Under International Law?" 38 Brit. Y.B. Int'l 307, 322-24 (1962). As I have written elsewhere, "deprivative measures conceived as 'temporary' yet by one means or another matured into 'permanent takings' * * * have been considered to warrant compensation usually as of the definitive, not the initial, seizure dates. The general rule, thus, must be amended to read that State responsibility commences as of the time of effective and permanent wealth loss or injury." 1 R. Lillich & B. Weston, *International Claims: Their Settlement by Lump Sum Agreements* 143 (1975) (emphasis in original). The significance of this conclusion in view of the date-of-claim-accrual problem in the present case is apparent.

The key precedent in this area is a Panel Opinion by the U.S. Foreign Claims Settlement Commission (FCSC) dealing with the state administration measures instituted in postwar Czechoslovakia. At the end of World War II, that country nullified all German confiscatory measures and, pursuant to Decree No. 5/45 Sb. of May 19, 1945, placed such affected properties under "national administration." A subsequent decree in December 1946 provided for restitution proceedings in Czech courts, but on December 21, 1949 such proceedings were suspended and no action was taken thereafter. In Panel Opinion No. 6, noting that Decree No. 5/45 Sb. "was originally considered by the Czech Government as a temporary action," but noting also that "in 1948 and thereafter some businesses were placed under national administration for the purpose of their liquidation," the FCSC concluded—

"That the placement of property under national administration does not, in and of itself, constitute a taking of property * * *; however, in those cases where it is established that a national administrator was appointed specifically to liquidate a business, such action shall be considered as a taking on the date of the decision or order placing the property under national administration."

FCSC, Eleventh Semiann. Rep. 28, 29 (1959). See also FCSC, *Decisions and Annotations* 416-17 (1969).

The FCSC has adhered to this Panel Opinion in subsequent cases, finding no constructive taking or creeping expropriation where the state administration is truly custodial in character. See, e.g., *Claim of Dayton*, *id.* at 417, 418; *Claim of IBM*, *id.* at 419; *Claim of Lipson*, *id.* at 384, 387-88; *Claim of Aris Gloves*, FCSC, Seventeenth Semiann. Rep. 239 (1962); *Claim of Lipper*, FCSC, Fourteenth Semiann. Rep. 156 (1961); and *Claim of Walder*, FCSC, Seventeenth Semiann. Rep. 192 (1962). The British Foreign Compensation Commission has taken the same position. *Application of Kac*, BP 1188 (1959) (unpublished), discussed in R. Lillich, *International Claims: Postwar British Practice* 67 (1967). So have the French commissions established to distribute lump sums under agreements with Czechoslovakia, Hungary, Poland and Romania. See B. Weston, *International Claims: Postwar French Practice* 126-30 (1971). In short, mere state administration in and of itself uniformly has been deemed not to give rise to a compensable taking of property. 1 R. Lillich & B. Weston, *supra*, at 171.

Scholarly commentary supports the above reading of international law precedents. In his definitive monograph on the subject, my colleague Professor Weston has concluded—

"That the State administration of private wealth is by itself to be regarded not as a compensable event but as a temporary custodial action not amounting to a constructive taking. Only when such measures are determined to be truly noncustodial in character, or, alternatively, when they are determined to be part of an ultimately definitive dispossession—such as would transfer title or otherwise conclusively deprive an owner of the yield therefrom—is the appointment and subsequent functioning of a State administrator regarded as the equivalent of a direct taking." Weston, "Constructive Takings" Under International Law: A Modest Foray into the Problem of "Creeping Expropriation," 16 Va. J. Int'l 103, 165 (1975). See also *id.* at 169, to the effect that "genuinely conservatory 'State administrations' are not to be regarded as deprivations such as will engage international responsibility."

Additional support for the view that custodial measures do not constitute an actual taking of property may be found in U.S. practice under the Trading with the Enemy Act (TWTEA). Although that statute authorizes the blocking (or "freezing") of foreign-owned assets, the former owner's property rights are not automatically extinguished by such action. "As between the former owner and the Custodian," Dr.

Domke has written, "the seizure does not determine the title and does not settle the property rights finally, but merely gives preliminary control to the Alien Property Custodian * * *." M. Domke, "Trading With the Enemy in World War II," at 268 (1943).

Moreover, assets may remain blocked under the TWTEA for many years without any taking by the U.S. occurring. Thus, in Article II (B) of the U.S.-Chinese Claims Agreement, 11 May 1979, the U.S. "agrees to unblock by October 1, 1979 all assets which were blocked because of an interest, direct or indirect, in those assets of the PRC, its national, or natural or juridical persons subject to its jurisdiction or control * * *." This return of frozen PRC property after 30 years underscores the fact that mere denial of access to property need not constitute its taking.

That the U.S. continues to maintain this position is shown in two contemporary cases. Cuban assets, seized in 1959, specifically were frozen and not vested by a 1965 amendment to Section 511 of the International Claims Settlement Act; they remain frozen today, 20 years after their initial seizure. Even more dramatically, Czech gold, looted by the Nazis during World War II, currently is being held by the U.S., over three decades later, pending the conclusion of an "equitable claims settlement" with that country. Lillich, "The Gravel Amendment to the Trade Reform Act of 1974: Congress Checkmates a Presidential Lump Sum Agreement," 69 Am. J. Int'l L. 837 (1975). Thus mere passage of time does not give rise to a constructive taking or creeping expropriation of property, absent an act or acts of a deprivatory nature.

Applying the above line of claims, commentary and U.S. practice by analogy to the present case, the temporary "possession" granted the Romanian Academy by the Romanian court obviously did not constitute a compensable taking of Marta Orghidan's interest in her deceased husband's estate. As shown above, an inventory looking to the distribution of the estate was being taken in May 1951, and unsuccessful efforts were made by the Romanian Government to have Marta Orghidan execute a renunciation of her rights on 29 December 1956. A similar effort, also unsuccessful, was made to have the claimant, John Tudor, renounce his rights on 12 June 1967. These attempts by Romania to acquire formal title to the Orghidan Collection clearly reveal an awareness that it lacked such title. Nor do Romania's actions until 1974 reflect a course of conduct by which the Romanian Academy's possession can be said to have ripened into a defacto taking. Indeed, Romania has repeatedly rested its claim to the collection upon Constantin Orghidan's will, as allegedly construed by Romanian courts, rather than upon an act of nationalization, expropriation or other taking. Ironically, the Department of State, whose responsibility it is to protect U.S. citizens who have suffered wealth deprivations abroad, seeks effectively to "non-suit" the claimant here by arguing that his property rights in the Orghidan Collection somehow were snuffed out before 23 December 1974, the day on which he became a U.S. citizen.

Although these rights were in existence at the time of claimant's naturalization, they have been seriously impaired, if not formally extinguished, by events since late 1974. In the first place, Romania, recognizing somewhat belatedly that among the numerous nationalization laws and decrees it had promulgated in the immediate postwar period there was one glaring omission—a law covering private art collections—enacted a law on 30 October 1974 known as the "Law on Protection of National Patrimony." This law required private owners of certain objects of art of a particular historical, artistic or documentary value—such as the Orghidan Collection—to file affidavits describing such objects with the "Office of Evidence of the Cultural-National Patrimony" before 31 December 1974. In compliance with that decree, on 23 December 1974 the claimant, John Tudor, filed an affidavit with the above-mentioned Romanian authority asserting his ownership of the collection. This affidavit was not rejected and its allegations of claimant's ownership interests in the collection were not denied, thus implying once again that up until that time the collection had not been nationalized or otherwise taken by the Romanian Government.

Since then, however, various events have occurred in Romania or with respect to the ownership interests of the claimant in the Orghidan Collection that cumulatively amount to a "constructive taking" under international law. First, during March 1977 the Romanian Government, under the guise of protecting them after the earthquake that destroyed large areas of Bucharest, seized most of the private art collections in the city. According to the New York Times of 15 December 1977, "[t]he Romanian Government has seized the cream of Bucharest's private collections of Romanian and Western art and has closed more than a dozen museums throughout the city." This action, which surely constitutes an admission that such collections had not been nationalized or otherwise taken before, shows the intention of the government to assert absolute control over private art collections in the coun-

try. Next, despite repeated efforts dating back to late 1974 to achieve some recognition from Romania as to his rights in the Orghidan Collection, the claimant—using written, oral and diplomatic communications—was unable to obtain any clarification, much less a definitive statement, from the Romanian Government during 1975, 1976, 1977 and early 1978. Finally, Romania's Note Verbale dated 30 May 1978, revealing a complete misunderstanding of Romanian law and demonstrating that that government considers the matter closed, indicates that a fair hearing, much less justice, cannot be obtained in the courts of Romania. Thus, the claimant is relieved of the burden of exhausting local remedies there and—a constructive taking of property coupled with a denial of justice having occurred—is entitled to take his private grievance to the Department of State for its possible formal espousal as a claim of the U.S. against Romania.

One final matter warrants mention in view of the claimant's acquisition of U.S. citizenship on 23 December 1974; the interaction here of the nationality requirement with the date-of-claim-accrual problem. As mentioned above, in cases of constructive takings or creeping expropriations, the internationally wrongful act is deemed to have occurred at the time of the effective and permanent deprivation. See 1 R. Lillich & B. Weston, page 7 above. The taking, in other words, occurs at the very end of the continuum and does not relate back to the initial deprivative act. Thus, Christie observes that—

"[W]hen a seizure which is not originally deemed to be an expropriation ripens into one, the date of the 'taking' should not be held to go back to the time when the property was initially seized, but from the time at which it is determined that there was no reasonable prospect that the property would ever be returned."

Christie, *supra*, at 337. *Accord*, Weston, *supra*, at 170: "If the 'State administration' measure is one that originally was conceived as only 'temporary' (and truly custodial), then the diacritical date should commence as of the time the measure is determined to have ripened into a 'taking.'"

In the present case, only after the claimant had filed an affidavit with the Romanian authority on 23 December 1974 and subsequently asserted his inheritance rights through various channels did it become apparent "that there was no reasonable prospect that the property would ever be returned." It was then and only then—subsequent to the claimant's acquisition of U.S. citizenship—that the constructive taking of and the denial of justice in connection with the Orghidan Collection took place.

CONCLUSION

Summarizing the contents of this opinion:

1. Under the Will of Constantin Orghidan and the Marinescu Law in force at the time of his death, his surviving spouse, Marta Orghidan, became entitled to at least one-half of his residuary estate, including the Orghidan Collection.
2. Neither the Romanian court decision dated 23 November 1946 nor its follow-up decision in 1948 deprived Marta Orghidan of her inheritance rights; rather, they gave a fiduciary "possession" to the Romanian Academy, as residuary legatee, pending the eventual distribution of the estate (as confirmed by the court-supervised inventory being undertaken in 1951).
3. Marta Orghidan's understandable reluctance to press for the distribution of the estate in the period between 1951 and her death on 17 February 1967 did not constitute a waiver of her inheritance rights under Romanian law, since Article 728 of the Romanian Civil Code specifies that "[a] co-heir can demand at any time the partition of the estate"
4. By the Will of Marta Orghidan, John Tudor in 1967 succeeded to her inheritance rights, including her just claim to one-half of her husband's estate.
5. Romania's refusal, subsequent to John Tudor's acquisition of U.S. citizenship on 23 December 1974, to acknowledge that he is entitled to one-half of this estate constitutes not only a violation of Romanian law, but also a violation of both customary international law and the U.S.-Romania Consular Convention.
6. Consequently, all the requirements of a good and valid claim under international law have been satisfied, and the U.S. is entitled to espouse it formally against Romania.

JUNE 12, 1979

We have studied the opinion of Professor Richard B. Lillich, dated 5 June 1979, on the claim of John Tudor against the Peoples Republic of Romania.

We have also examined the factual data as well as the interpretations and conclusions concerning Romanian law to which Professor Lillich refers on pages 1 and 2 of his opinion and on which he relies.

We consider that Professor Lillich, who is well known to the profession and to us, is a competent, experienced and responsible scholar in the area with which his opinion deals.

We consider the opinion a sound and complete analysis of the legal basis of the Tudor claim, both from the point of view of the application of the principles of international law, and also as an appreciation of United States practice in the area of claims.

Accordingly, we express our entire support of the body of the opinion and its conclusions.

HARDY CROSS DILLARD.
JAMES N. HYDE.

MEMORANDUM.

Claim of John Tudor (formerly Ungureanu) against the Government of Romania, filed with the United States Department of State on or about February 5, 1975, praying the Department to use its good offices in order to recover his inheritance rights in the world famous art Collection known as the "Orghidan Collection".

I.

BACKGROUND FACTS.

During a period of time of forty years, Constantin Orghidan, a well known engineer and industrialist, a resident of the City of Bucharest, Romania, together with his wife, Marta Elena Orghidan, succeeded to assemble an unique collection of old coins and objects of art, known all over the world as " The Orghidan Collection ", which since 1951 has been in the custody of the Romanian Academy, Bucharest, Romania.

Constantin Orghidan died on August 29, 1944, in the town of Ferdinand-Bistra, County of Severin, Romania, and, at the time of his death, he was survived by his wife, Marta Elena Orghidan, without to leave children, parents, brothers or sisters.

Less than three months prior to his death, on June 9, 1944, Constantin Orghidan executed his Last Will and Testament, by which he bequeathed to his wife certain assets, included all the coin collection subsequent of the year 1851, and " All the residue " of the assets to the Romanian Academy.

The examination of the aforesaid Will, reveals, inter alia, that Constantin Orghidan has bequeathed to the Romanian Academy " All the residue " of the assets, subject to certain terms and conditions, clearly set forth in the said Will, terms and conditions to be performed by the bebeficiary, The Romanian Academy.

None of the said terms and conditions, imposed by the testator upon the Romanian Academy have been performed; not even the obligation imposed by the testator upon the Romanian Academy un-

der Art. III (a) of his Last Will, to pay to his widow, Marta Orghidan, the sum of One Hundred Fifty Thousand Lei monthly.

Under such circumstances, the surviving widow, Marta Orghidan was compelled to live in poverty until she was rescued and supported, for the rest of her life, by John Tudor, the claimant herein.

Marta Orghidan died on February 17, 1967, leaving no descendants or ascendants, or other surviving heirs, but leaving an authenticated Last Will and Testament, dated January 8, 1967.

By the said Last Will and Testament, Marta Orghidan appointed John Tudor as her sole heir of the entire estate and, on April 25, 1967, a " Certificate of Inheritance " was issued by the State Notary Office of the District " 30 Decembrie ", Bucharest, Romania, recognizing John Tudor as the sole heir of Marta Orghidan, and, in that capacity, entitled to her entire estate.

On or about October 27, 1969, John Tudor arrived in the United States, and established his permanent residence in the City and State of New York. On December 23rd, 1974, John Tudor was granted the United States Citizenship.

On November 28, 1972, The Surrogate's Court of the State of New York, granted to the claimant Limited Ancillary Letters of Administration on the Estate of Marta Orghidan, and, on August 3rd, 1973, the same Court, granted to the claimant Limited Ancillary Letters of Administration on the Estate of Constantin Orghidan.

Repeated oral and written demands and representations made by the U.S. Government upon the Romanian Government regarding the inheritance rights of the claimant have remained, during a period of three years, without any reply.

Finally, the answer of the Romanian Government came, and its position is reflected in the " Note Verbale Nr. 8/15535, dated May 30, 1978, from the Government of Romania, Concerning Tudor Claiu ", and in the " Excerpts of Text of Diplomatic Note from the Romanian Government, dated July 7, 1978 ".

II.

THE INHERITANCE RIGHTS OF MARTA ORGHIDAN AND OF HER SOLE HEIR, JOHN TUDOR.

1. The Romanian Law 319/1944, known as Marinescu Law, established in favor of the surviving spouse, Marta Orghidan, an intangible reserve of one half of the Estate of her deceased husband, Constantin Orghidan.

The legal status of the inheritance rights of Marta Orghidan has to be established on the basis of Romanian Law 319/1944, corroborated with the provisions of the Romanian Civil Code, Art. 728, 1837, 1846 and 1853, in full force and effect, from the death of Constantin, until the present time.

The pertinent part of the Law 319/1944, in its English translation, reads as follows:

Art. I.

" The surviving spouse inherits from the inheritance of the other spouse, as follows:

a) When comes to the inheritance in competition with the legitimate and recognized children or only with one of them, or with their descendants, inherits one forth ;

b) When comes to the inheritance in competition with the father and mother of the deceased spouse, or only with one of them, in both cases together with the brothers or sisters of the deceased spouse and his descendants, or only with one of them, inherits one third;

c) When comes to the inheritance in competition with the father and mother of the deceased spouse, or only with one of them, or only with the brothers and sisters of the same and descendants of them, or only with some of them, inherits one half ;

d) When comes to the inheritance with other ascendants

or collateral relatives until the fourth grade, inherits three fourths ;

e) Lacking the aforementioned relatives, the surviving spouse inherits all the inheritance."

Art. 2.

" The legacies made by the predeceased spouse shall not exceed one-half of the rights set forth in the Art. 1 in favor of the surviving spouse."

According to the above-mentioned Art. 1, letter e, of the Law 319/1944, and taking in consideration that Constantin Orghidan did not leave children, parents, brothers and sisters, or their descendants, Marta Orghidan, the surviving spouse, would have been entitled to the entire estate of her predeceased spouse.

Marta Orghidan would have had the inheritance rights of all the Estate of her husband, if he had not left a Last Will and Testament, but, according to the Art. 2 of the above-mentioned Law, Constantin Orghidan could not bequeath to the Romanian Academy more than one half of the Estate.

If a Last Will and Testament goes beyond one half of the Estate, which constitutes the intangible reserve of the surviving spouse, the said Will will be reduced to one-half.

The above-mentioned Law establishes, beyond any possibility of doubt or dispute, that Constantin Orghidan's widow, as a surviving spouse, inherited one-half of her husband's Estate, and that any attempt to convey to the Romanian Academy in excess of that one-half of the Estate, is declared, by Law, null and void.

The rights of the surviving spouse to one-half of the property owned by her deceased husband at the time of his death, is sacrosanct, and it can not be disposed of by the Will of the husband; it constitutes the intangible reserve, to which the surviving spouse is entitled, and it can not be affected,

or invaded by a Last Will and Testament. . . .

The best evidence of the undisputed inheritance rights of Marta Orghidan, is the very 1946 Decision of the Romanian Court, to which is referring the " Note Verbale Nr. 8/15535, dated May 30, 1978, from the Government of Romania, Concerning Tudor Claim (Exhibit 1).

We quote, from the said decision, the following excerpt:

" We consider that, although the deceased engineer Constantin Orghidan, left behind a living wife, Marta Elena Orghidan, who according to the Law 319/1944 has a right to inherit from her husband's succession.....".

--- --

2. The undisputed inheritance rights of Marta Orghidan are imprescriptible ; are not subject to any statute of limitation, and can be exercised at any time by the surviving spouse, or successors in interest, heirs or assignees.

In order to establish the complete legal status of Marta Orghidan's inheritance rights, we have to corroborate the provisions of the Romanian Law 319/1944 with the Art. 728 of the Romanian Civil Code, which, in its English translation, reads as follows:

" Art. 728. Nobody can be obliged to maintain the condition of a joint property. A co-heir can ask any time for the partition of the inheritance, even when would exist contrary agreements or prohibitions ".

The Law 319/1944 created, between Elena Orghidan and the Romanian Academy, a joint property, each of them being entitled to one-half of the Estate left by Constantion Orghidan, and we have to add, an undisputed and unconditioned right of one half in favor of Elena Orghidan, and only a conditional right of one-half in favor of the Romanian Academy, taking in consideration that the Romanian Academy had to perform certain express obligations under the Will, and, until the present time, the Romanian Academy did not show the slightest evidence of performing any of its obligations.

According to the above-mentioned provisions of the Art. 728 of the Romanian Civil Code, Marta Orghidan could ask " any time " for the partition of the inheritance of her deceased husband, and if she did not exercise her right during a period of 20, 30, or more years, her right of partition did not lapse.

The passing of time, of " any time ", could not affect, change or diminish, in any way, the legal status of the joint property established by law, between Elena Orghidan and the Romanian Academy.

The inheritance rights of Marta Orghidan were clear and undisputed, on August 29, 1944, at the death of her husband, remained continuously as such during her life, and remained of the same, unchanged character, when transferred to her heir John Tudor, and afterwards, until " any time ", in the future.

For this reason, the reference of the " Note Verbale " of May 30, 1978 of the Romanian Government to the fact that John Tudor was granted the U.S. citizenship on December 23, 1974, becomes irrelevant.

III

Let us examine now, in the light of the Law 319/ 1978 and of the provisions of the Romanian Civil Code, the " Text of Note Verbale Nr. 8/15535, Dated May 30, 1978 from the Government of Romania, Concerning Tudor Claim, and the " Excerpts of Text of Diplomatic Note from Romanian Government Dated July 7, 1978 ".
(Exhibit 2).

The Government of Romania relies in support of its position on three documents cited by it, namely:

1. The last Will and Testament of Constantin Orghidan dated June 9, 1944.

2. The decision rendered by the former Ilfov Tribunal, Civil Section 6, recorded in its ledger on November 23, 1946, and Do-

ssier Nr. 3700/1944 and ANC Certificate Nr. 6654/1948 of the Ilfov Tribunal, Civil Section 1.

3. The Successor's Certificate Nr. 187/1967 issued by the State Notary Office of District " 30 Decembrie " Bucharest.

1. THE LAST WILL AND TESTAMENT OF CONSTANTIN ORGHIDAN,
DATED JUNE 9, 1944.

The above " Note Verbale ", states in its paragraph 1:

" 1. The Constantion Orghidan Collection became the property of the Romanian Academy in accordance with the Will left by Constantin Orghidan on June 9, 1944".

The Will, a copy of which the State Department has in its possession, states in paragraph I:

" I also leave to my wife all the furniture and personal property located in our home in Bucharest, Str. Alex. Lahovary Nr. 9, and all the modern coins beginning with the year 1850, coins do not constitute the subject of any collections. "

It is obvious, that " all the modern coins beginning with the year 1850 ", bequeathed expressly by Constantin Orghidan to his wife, could not become the " property of the Romanian Academy, in accordance with the Will left by Constantin Orghidan ", as the "Note Verbale " states.

The Will of Constantin Orghidan further provides :

" II... All the residue of all my real and personal property
... I hereby bequeath to the Romanian Academy."

" This bequest is made with the following obligations for for the Romanian Academy:"

" The entire income of this property, after deductions of 20% to be used for the payment of expenses of administration, the fee of the testamentary executor and other expenses, the Academy shall distribute as follows:

a) to my wife one hundred fifty thousand (150,000) lei monthly, up to the time of definite determination of the entire income."

From the last-quoted language, it is clear that even the bequest of that portion of the Constantian Orghidan's property, that was made to the Romanian Academy, as a residuary bequest, was a conditional and not an absolute bequest.

It was expressly and conditional upon the Romanian Academy paying to Constantin Orghidan's wife the sum of one hundred fifty thousand lei monthly, such payments to continue " up to the time of definite determination of the entire income."

The Romanian Academy has never showed the slightest evidence that, at least, the obligation to pay to Constantin Orghidan's wife the above-mentioned amount of money was fulfilled.

We have demonstrated above, that the Last Will and Testament of Constantin Orghidan was invalidated by the Law 319/1944, by which was established between Marta Orghidan and the Romanian Academy a joint property, each of them having one half of the Estate, left by Constantian Orghidan at his death.

The position taken by the Romanian Government, contradicts, on one hand, the Law 319/1944, and, on the other hand, the clear conditions imposed upon the Romanian Academy by the Will of Constantin Orghidan.

2. THE 1946 DECISION OF THE ROMANIAN COURT.

The Note Verbale asserts that the Constantin Orghidan Collection became the property of the Romanian Academy, not only in accordance with the Will, but also in accordance with " the decision of the former Ilfov Tribunal, Civil Section 6, recorded in its Ledger on November 23, 1946". The decision of November 23, 1946 referred to, is to be found attached to the " Excerpts of Text of Diplomatic Note from Romanian Government dated July 7, 1978".

The above-mentioned 1946 decision reads as follows:

" We consider that, although the deceased engineer Constantin Orghidan left behind a living wife, Martha Elena Orghidan, who according to Law 319/1944, has a right to inherit from her husband's succession, since this special law does not grant the surviving spouse the possession by right, that is the share which Art. 653 of the Civil Code grants to descendants and ascendants, it follows that the Romanian Academy was right in addressing the court according to Article 891 of the Civil Code, requesting to be granted possession of this inheritance."

" that, therefore, since the wife, in this specific case, does not have possession by right of inheritance, the request of the Romanian Academy submitted to the court according to Article 891 of the Civil Code, in its capacity of a universal legatee, to be granted possession of the property specified in the testament of the deceased Constantin Orghidan, is admissible, and consequently,

the court
for the above-mentioned reasons
decrees:

" It orders that the above-mentioned Academy should be granted possession of the property left by the deceased engineer Constantin Orghidan... ".

The " possession " granted by the Court to the Romanian Academy could not lead to the " exclusive property " of the Estate of Constantin Orghidan by the Romanian Academy.

The Romanian Civil Code makes a clear distinction between the " detention " , which is a temporary custody of an object, and the " possession " which could lead to the property, but only under certain conditions.

The pertinent legal provisions of the Romanian Civil Code applicable to our case, in their English translation , are the following:

" Art. 1837. The prescription (the loss of a right by limitation) is a means to obtain the property or to be released of an obligation, under the conditions prescribed by the present law."

" Art. 1846. Any prescription is based on the fact of possession. The possession is the detention of an object or the use of a right exercised the one or the other, by ourselves or the others, in our name. "

" Art. 1853. The acts that we exercise either upon an object of the other, under a precarious name, it means as tenants custodians, etc., or upon a common object, in the virtue of its legal destination, does not constitute a possession under the name of an owner."

The above-mentioned Art. 1853 is clear: " The acts that we exercise upon.... a common object ... does not constitute a possession under our name ", it means as an owner.

The " possession " of a " common object " is considered, by law, similar to a simple " detention ", or custody.

The possession granted to the Romanian Academy by the 1946 decision can not lead to the exclusive ownership, not only because the above-mentioned legal provisions states that the possession of a " common object " does not constitute a possession " under our name " (as an owner), but because of the very nature of a " joint property ", or " common " property, as Art. 1853 states.

We have already demonstrated, that the Law 319/1944 established a " joint property ", or a " common property," as the Art. 1853 states, between Marta Orghidan and the Romanian Academy, each of them having one-half- in property - of the Estate left by Constantin Orghidan.

By the very nature of a " joint property ", every " possessor " holds the " common object " for him, and, in the same time, for the other, and such a condition can not be changed by the simple passing of time.

For this reason, the above-mentioned Art. 728 of the Romanian Civil Code states that " a co-heir can ask any time for the partition of an estate ".

In order to draw the right conclusion about the legal status of the possession granted by the 1946 Decision, to which is referring the " Note Verbale ", dated May 30, 1978, we have to corroborate the Law 319/1944 with the above-mentioned provisions of the Romanian Civil Code, applicable to our case, taking in consideration that all these legal provisions make a congruent whole.

The " Note Verbale " further states, with regard to the 1946 Decision, that " The decision remained final ", for which the Romanian Government cites Dossier Nr. 3700/1944 and ANC Certificate Nr. 6654/1948 of the Ilfov Tribunal, Civil Section I. Reference to the cited 1948 decision completely refutes the above-quoted statements of finality. It expressly stated:

" The Court "

"On the demand lodged by the Romanian Academy reg. at Nr. 9893/1948, in the capacity as universal legatee of the def. Eng. Constantion Orghidan, through which they request that the seal be lifted and the keys delivered of the caskets which were put in custody by this honorable court, including the securities listed in the inventories concluded by the deputy judge in the dossier nr. 3750/944 of the inheritance the defunct above named, because it was agreed with Martha Orghidan, the widow of the defunct, regarding the division of the successional goods."

" That by this demand the Romanian Academy, in the capacity as universal legatee of the late Eng. Constantin Orghidan with one accord Mrs. Martha Orghidan, the widow of the defunct, requests that the seal be lifted and the keys delivered from the caskets which were put in custody by this Court, included the securities listed in the inventories mentioned above,

That, as an agreement was reached with Mrs. Martha Orghidan the widow of the defunct, in order that she shall receive her part only after the definitive conclusion of the transaction, the goods remaining further in the custody of the Romanian Academy."

Considering that this demand is well-founded and consequently disposes,

wants the demand lodged by the Romanian Academy in the capacity of universal legatee of the late Eng. Constantin Orghidan, reg. at 9893/948 and consequently the deputy judge is appointed in order to lift the seals and deliver the keys for the caskets which were put in custody by this court, to the petitioner, the goods remaining further in the custody of the Romanian Academy, who will deliver on Mrs. Martha Orghidan her part, only after the definitive conclusion of the transaction." (EXHIBIT 3).

The above-quoted excerpts from the 1948 decision establish " and beyond any possibility of doubt:

- That the goods of the Estate " were put in custody by this court ", and will remain further " in the custody of the Romanian Academy ".
- That an agreement was reached in court at the time, between the Romanian Academy and Martha Orghidan, the widow, recognizing her rights under the Will and Romanian Law; and " The Romanian Academy, who will deliver on Mrs. Martha Orghidan her part, only after the definitive conclusion of the transaction."

The real meaning of the " possession "; to which was referred by the 1946 decision, was cleared up by the 1948 decision, which the goods of the Estate of Constantin Orghidan " were in custody ", and " will remain in the custody of the Romanian Academy ".

It follows, that the conclusions we have drawn on the basis of Romanian Law 319/1944 and the Romanian Civil code, Art. 1846 and 1853 are confirmed by the decisions of the Romanian Courts.

3. CERTIFICATE NO. 187/1967.

The " Note Verbale " states in paragraph 2:

BEST COPY AVAILABLE

"2. Martha Orghidan's succession (succesiunea) was deliberated (a fost desbatuta) upon April 25, 1967, and the successor's Certificate Nr. 187/1967 was issued by the State Notary Office of District " 30 Decembrie ", Bucharest."

Reference to the Certificate of Inheritance cited in the " Note Verbale " shows that, under that Certificate, Ion Ungureanu (John Tudor) was recognized as the sole heir, and, in that capacity, entitled to the entire Estate of Marta Orghidan. Accordingly, the said Certificate states:

"1. Ungureanu Ion domiciliat at Bulevard Magheru Nr. 20, Floor 4, Apartment 5, Borough December 30, to whom, in his capacity as testamentary heir, belongs the entire estate."

Finally, the above-mentioned Certificate stated that no person had " renounced to the succession ".

The " Note Verbale " refers to the fact that John Tudor was granted U.S. citizenship on December 23, 1974.

We have showed above (page 6) that the inheritance rights of Marta Orghidan were clear and undisputed, on August 29, 1944, at the death of her husband, remained continuously, as such, during her life, and remained of the same, unchanged character, when transferred to her sole heir, John Tudor, and afterwards, until " any time " in the future.

The passing of time, " of any time ", could not affect, change, or diminish, in any way, the legal status of the " joint property " established by the Romanian Law 319/1944, and by the Romanian Civil Code, between the Romanian Academy and Marta Orghidan.

It follows, that the reference to the date of John Tudor's U.S. Citizenship is irrelevant.

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The inheritance rights of Marta Orghidan, and of her sole heir, John Tudor, are based on the Romanian Law 319/1944, and on the above-mentioned legal provisions of the Romanian Civil Code, in full force and effect at the death of Constantin Orghidan, and continuously, in full force and effect until the present time.

Moreover, the above-mentioned Romanian laws, which established an intangible reserve in favor of the surviving spouse, are consistent with the principles of the new socialist laws of Romania.

The " Family Code " published in the Official Bulletin of April 4, 1956, and afterwards, republished in the Official Bulletin of April 18, 1956, establishes a community of goods, between the wife and husband.

The Art. 30 of the " Family Code " reads as follows:

" Art. 30. The goods acquired during the marriage, by any of the spouses, become from the date of their marriage, common goods."

If Constantin Orghidan, had died after 1956, his surviving wife, Marta Orghidan, would have inherited one-half of the entire Estate of her husband, not only on the base of the Law 319/1944, and the above-mentioned articles of the Romanian Civil Code, but also in accordance with the Art. 30 of the " Family Code ".

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CONCLUSIONS

1. The file sustains the only conclusion, that the inheritance rights of the claimant have not legally lapsed, or have been, in any way, changed, modified, or extinguished, by the passing of time, prior to the acquisition of the United States Citizenship by John Tudor.
2. The rights of inheritance of John Tudor show a clear case upon which the United States can espouse his claim against the Romanian Government, in accordance with the Consular Convention concluded, on July 5, 1972, between the United States and the Socialist Republic of Romania.

SWORN TO ME THIS 15TH
DAY OF DECEMBER, 1974

Robert A. Schindler

NOTARY PUBLIC
STATE OF NEW YORK
COMM. EXPIRES 12/31/76

Titu-Serban Ionescu
Titu-Serban Ionescu

AFFIDAVIT

TITU-SERBAN IONESCU, being duly sworn, deposes and says: I reside at 128 East 61st Street, Apartment 2F, New York, 10021, and I am a citizen of the United States.

I am a graduate of the University of Bucharest, Law School, and holder of a diploma of a "Licencié en Droit" granted to me by said University. In 1929, I registered at the University of Paris, School of Law, where I studied until 1932, when a Doctor of Laws diploma was granted to me by said University.

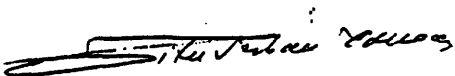
Subsequent to my graduation from the abovementioned Law Schools, in October 1932 I was appointed by the Ministry of Justice, Country of Romania, Assistant Judge at the County Court (Tribunal), County of Satu-Mare, Romania. I held this position until December 1933, when I was promoted to full judgeship at the County of Tecuci, Province of Moldavia, Country of Romania, a position which I held until December 1935, when I was transferred in the same capacity to the County Court (Tribunal) of the County of Ilfov, City of Bucharest, the capital of Romania; I held this position until 1940.

In 1940, I was appointed and became the President of the Tribunal of the County of Ilfov, City of Bucharest, and I held this position until 1945. In 1945, I was further promoted to the Judiciary and I became a Judge at the Court of Appeals, City of Bucharest, until October 1946.

On October 20, 1946, I resigned from the Judiciary and I became a member of the Bucharest Bar, and since then I was engaged in the general practice of Law as an Attorney and Counsellor-at-Law, having my offices at Strada Popor 55, City of Bucharest, Country of Romania, until April 1963. In 1963, I emigrated to the United States of America, and in 1970 I became an American citizen.

In my aforesaid capacities, as Judge in the various Courts, up to the Court of Appeals, Bucharest, Romania, and as a practising attorney-at-law, I was engaged in the general practice of law, which included, inter alia, a large number of inheritance cases in which the inheritance laws (successions) of Romania have been involved.

I can state that, John Tudor (formerly Ungureanu), under and pursuant to the Romanian Law 319/1944, and to the legal provisions of the Romanian Civil Code, is entitled to all the assets owned by Marta Orghidan, including, one-half of all the assets owned by her predeceased husband, Constantin Orghidan, and wherever such assets, real, personal or mixed property may be located.



Titu-Serban Ionescu

Sworn to before me this
1st day of December 1978.

Robert H. Schulenberg

ROBERT H. SCHULENBERG
NOTARY PUBLIC IN THE STATE OF NEW YORK
My Comm. Expires December 31, 1979

Text of Note Verbale No. 8/15535,
Dated May 30, 1978, from Government
of Romania, Concerning Tudor Claim

The Ministry of Foreign Affairs of the Socialist Republic of Romania presents its compliments to the Embassy of the United States of America and, referring to the Embassy's note No. 52 of April 27, 1978, has the honor to inform the Embassy that:

1. The Constantin Orghidan collection became the property of the Romanian Academy in accordance with the will left by Constantin Orghidan on June 9, 1944, and in accordance with the decision of the former Ilfov Tribunal, Civil Section 6, recorded in its ledger on November 23, 1946. The decision remained final.

(Dossier No. 3700/1944 and ANC Certificate No. 6654/1948 of the Ilfov Tribunal, Civil Section 1.)

2. Marta Orghidan's succession (succesiunea) was deliberated (a fost desbatuta) upon on April 25, 1967, and the successor's Certificate No. 187/1967 was issued by the State Notary Office of District "30 Decembrie," Bucharest.

3. All the above-mentioned dates and acts precede the date of December 23, 1974, when Ion Ungureanu was granted U.S. citizenship.

[Complimentary close]

EXHIBIT I

EXCERPTS OF TEXT OF DIPLOMATIC NOTE
FROM ROMANIAN GOVERNMENT
DATED JULY 7, 1978

....

- B. Copy of decision of Ilfov Court registered November 23, 1946:

Dossier No. 3760/1944

Ilfov Court, Section VI
Ledger No. (None Listed)
November 23, 1946

Concerning the request made by the Romanian Academy through the petition registered under No. 37494/1946 asking to be granted possession of the property left by the deceased engineer Constantin Orghidan on the basis of the testament authenticated by the notary, Dr. Repede of Caransebes, under No. 409 of July 9, 1944, which appoints it as universal legatee:

taking into account the fact that by his above-mentioned testament, a copy of which is to be found in the dossier, the deceased engineer Constantin Orghidan appointed the Romanian Academy as universal legatee of his property in terms of that testament;

taking into account the fact that, according to the witnesses heard by the Deputy Judge in connection with this succession, the deceased did not leave any heirs with reserved rights, that is neither descendants nor ascendants, who, according to Article 653 of the Civil Code have, by right, possession of the succession;

taking into account the fact that, according to Article 891 of the Civil Code, when the testator does not leave heirs with reserved rights, that is children or parents, the universal legatee requests from court the possession of the property specified in the testament.

F We consider that, although the deceased engineer Constantin Orghidan left behind a living wife, Martha Elena Orghidan, who, according to Law 319/

EXHIBIT 2

1944, has a right to inherit from her husband's succession, since this special law does not grant the surviving spouse the possession by right, that is the share which Article 653 of the Civil Code grants to descendants and ascendants, it follows that the Romanian Academy was right in addressing the court according to Article 891 of the Civil Code, requesting to be granted possession of this inheritance.

We consider that it is indeed inadmissible that the universal legatee should request possession of this inheritance from the wife, in this specific case, since the wife herself is not granted this possession by law, as is the case with descendants and ascendants. We consider that, while it seems that Article 2 of Law 319/1944 grants the surviving spouse a reserved right to the property of the deceased spouse, it is, however, incontestable that the law does not grant the surviving spouse the same share which the Civil Code, by Article 653, grants to descendants and ascendants.

that, therefore, since the wife, in this specific case, does not have possession by right of inheritance, the request of the Romanian Academy submitted to the court according to Article 891 of the Civil Code, in its capacity of a universal legatee, to be granted possession of the property specified in the testament of the deceased Constantin Orghidan, is admissible, and consequently,

the court
for the above-mentioned reasons
decrees:

it admits the request made by the Romanian Academy, through its legal representatives located in Bucharest, Calea Victoriei, 125, by the petition registered under No. 37494/1946.

It orders that the above-mentioned Academy should be granted possession of the property left by the deceased engineer Constantin Orghidan and specified in the testament authenticated under No. 409 of June 9, 1944, by the Public Notary, Dr. Repede of Caransebes, under benefit of inventory.

Issued in the Council Hall today, November 23, 1946.
Signature Illegible.

Clerk of the Court
Signature Illegible.

Romanian People's Republic
Clerk of the Ilfov Court, Section 1 C.C.
The present copy corresponding to the original
in dossier No. 3760/1944 is legalized by us,
on plain paper, on the basis of the letter
No. 49 of the Ministry of Foreign Trade
Dossier S 1 Civ. No. 6654/8
Clerk of the Court
Signature Illegible
Corresponds to the original.

- C. Copy of Certificate No. 45104, dated November 4, 1946,
registering acceptance of inheritance by the Romanian
Academy:

Romania
Clerk of the Ilfov Court, Section 1 C.C.
Certificate
Nr. 45104 of November 4, 1946

It is hereby certified by us, the First Clerk of
the Ilfov Court, Section 1 C.C., that the Romanian
Academy, located in Bucharest, Calea Victoriei 125,
empowered by the minute dated June 18, 1946, of the
delegation of this same institution, has stated, both
orally and by the petition registered under
Nr. 24552/946 (letter Nr. 3533 of June 27, 1946) that
it accepts, under benefit of inventory, the inheritance
left to the Romanian Academy by deceased eng. Constantin
Orghidan, according to the will dated June 9, 1944,
authorized by Notary Public Gh. Repede from Caransebes,
by minute Nr. 409/944, for the purpose of, and under
the terms provided for by the will, showing that
this statement is based on the decision Nr. 22254 of
August 27, 1945, published in the Official Gazette
Nr. 198 dated September 1, 1945, of the Ministry of
National Education, by which the Academy has been
authorized to receive the inheritance left under
benefit of inventory, and has been noted and recorded
under number 173/946 in the ledger for renouncing

inheritances and acceptance under benefit of inventory, according to the Article 704 of Civil Code.

Whereupon we have issued this certificate on regular paper, stamp-exempt.

L.S. First Clerk	Certify this is a true copy:
Signature Illegible	Signature: C. Constantinescu
Corresponding to the Original	Corresponding to the Original

- D. Copy of heir's Certificate Nr. 187, issued April 25, 1967:

Socialist Republic of Romania
Ministry of Justice
Local State Notary Office
of "30 December" District
Bucharest
Dossier S No. 187/1967

Heir's Certificate
No. 187/1967
Year: 1967, Month: April, Day: 25

On the basis of the petition registered under No. 187/1967 in the closing statement of April 25, 1967, and in accordance with Articles 18 and 22 of the Decree No. 40/1953, reprinted;

It is certified that: ..

I. The deceased Orghidan Marta, with last residence in Bucharest, Bd. Magheru No. 20, District "30 December," died on February 17, 1967, leaving behind:

II. Succession:

A. Movable:

A bed, a wardrobe, a dressing table, a little table, a table, an armchair, two chairs, a carpet, two rugs, a gas stove without a gas cylinder, two pegs, a leather suitcase, two cardboard trunks.

B. Real Estate: None

No inventory has been made.

III. Heirs:

1. Ungureanu Ion, resident in Bucharest, Bd. Magheru No. 20, Floor IV, Apartment 5, District "30 December," who, in his capacity of a devisee, is entitled to the whole property.

Succession was renounced by: None

IV. Inheritance Title

1. Legal for the heirs: None
 2. Testamentary for the heir Ungureanu Ion, on the basis of the testament authenticated under No. 709 of January 28, 1967, by the State Notary Office of the "30 December" District.
- V. The heirs can ask for the registration of the property right in land register according to the present heir certificate.

State Notary
Signature: Corici Melania

Inheritance fee in the amount of lei has been:

- by
- A. Paid with Saving Bank receipt Nr. issued
 - B. Payment spread out according to the letter of Financial Ward , District , first installment with receipt Nr. .
 - C. Debit confirmed with the letter of Financial Ward District Nr. .

The present certificate was issued today, (authenticate follows) Corresponding to the Original, State Notary, Corresponding to the Original.

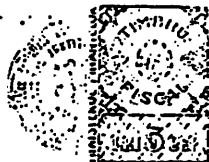
City and
District

People's Republic of Romania
Ministry of Justice
NOTARY OFFICE OF THE BUCHAREST
CITY AND ILFOV DISTRICT
Service of Translations

Mr. 22. / 1975 October 30

Doss. 6654/948

Copy



Ilfov Court, I-st civ. con. section.

Conclusion nr. 2288

3-rd April 1948

On the roll the term fixed for the settlement of the demand lodged by the Romanian Academy, in the capacity of universal legatee the def. Eng. Const. Orghidan, reg-at nr. 9893/948.

At the roll call in the council chamber, answered the Romanian Academy by procurator lawyer Calmuschi Ion and Martha Orghidan, personally.

The procedure was accomplished.

Mr. lawyer Calmuschi on the part of the Romanian Academy having the floor, points out that he agrees to the demand lodged by the widow of the def. Const. Orghidan, in order that the keys of the caskets which were put in custody by this court, be unsealed and delivered, including the securities listed in the inventory extant in the dossier, concluded by the deputy judge in the dossier nr. 3730.

The Court

On the demand lodged by the Romanian Academy reg-at nr. 9893/948, in the capacity as universal legatee of the def. Eng. Constant Orghidan, through which they request that the seal be lifted and keys delivered of the caskets which were put in custody by this court, including the securities listed in the inventories concluded

BEST COPY AVAILABLE

In view of the fact that at this court stands the opening of the succession, received for repartition, dress reg. nr. 8631 of the 27th March 1948 from the I-st division.

That of the control of the documents it is ascertained, indeed the successional goods of the late were inventoried by deputy judge, as is ascertained from the minutes extant at the court.

That by this demand the Romanian Academy, in the capacity of universal legatee of the late Eng. Const. Orghidan with one acc. Mrs. Martha Orghidan, the widow of the defunct, requests that the seals be lifted and the keys delivered from the caskets which were in custody by this court, including the securities listed in the inventories mentioned above.

That, as an agreement was reached with Mrs. Martha Orghidan, the widow of the defunct, in order that she shall receive her part only after the definitive conclusion of the transaction, the goods remaining further in the custody of the Romanian Academy.

Considering that thus the demand is well-founded and consequently

Disposes

Grants the demand lodged by the Romanian Academy in the capacity of universal legatee of the late Eng. Const. Orghidan, reg. nr. 9893/948 and consequently the deputy judge is appointed in order to lift the seals and deliver the keys for the caskets which were in custody by this court, to the petitioner, the goods remaining further in the custody of the Romanian Academy, who will deliver on Mrs. Orghidan her part, only after the definitive conclusion of the action.

Ruled and read in the chamber of council

EXHIBIT 3

BEST COPY AVAILABLE

TESTIMONY OF THE EAST-WEST TRADE COUNCIL

SUMMARY OF TESTIMONY

The East-West Trade Council supports Congressional approval of:

I. Continuation of the waivers applicable to the Socialist Republic of Romania and the Hungarian People's Republic under Title IV of the Trade Act. Waivers will facilitate trade with these countries and are in the best interests of the United States.

II. The extension of the waiver authority generally under the 1974 Trade Act. Continuation of the waiver authority will permit the United States to negotiate trade agreements with other nonmarket economy countries pursuant to the requirements of Title IV of the Trade Act, and should promote this trade with these countries.

THE EAST-WEST TRADE COUNCIL

Mr. Chairman and members of the Subcommittee, I am pleased to submit this testimony on behalf of the East-West Trade Council. My name is Max N. Berry and I am Executive Director of the Council. The East-West Trade Council is a non-profit organization, established in June of 1972, whose membership is comprised solely of U.S. businesses, agricultural organizations, financial institutions, associations, academicians and individuals interested in promoting East-West trade. The Council is financed solely through its U.S. membership and through various activities undertaken by the Council to promote the expansion of East-West trade. The Subcommittee has before it today a number of issues for consideration. These issues are:

1. The continuation of the waivers under Section 402 of the Trade Act of 1974 to the Socialist Republic of Romania and the Hungarian People's Republic.

2. The extension of the waiver authority generally under the Trade Act of 1974.

The East-West Trade Council supports the continuation of the waivers and the extension of the waiver authority generally.

The Congress should support the Section 402 waivers applicable to Romania and Hungary. The Finance Committee approved, just a year ago, the granting of the waiver applicable to the Hungarian People's Republic. There has been no change in conditions which led the Committee to approve the extension of the waiver to the Hungarian People's Republic during the past year. Thus, the Council anticipates that the Committee will approve the waiver and thereby support it for the reasons expressed by this Council before the Subcommittee in hearings held on May 9, 1978 which are still valid today.

In 1978, our country exported \$97.68 million in goods to Hungary while importing \$68.46 million. Therefore, the United States experienced a favorable balance of trade with Hungary of \$29.22 million.

With respect to Romania, the past extensions of the waiver has permitted the positive increase in trade between the United States and Romania. Since 1975, when the U.S.-Romanian Trade Agreement became effective, U.S.-Romanian trade has showed a continuing increase. U.S. exports to Romania as well as U.S. imports from that country have increased each year since the Agreement. In addition, the U.S. balance of trade figures have remained in surplus during this entire period. For the first quarter of 1979, total trade turnover between the two countries equaled \$172.96 million with the United States experiencing a favorable balance of trade of \$36.61 million. Such trade has brought benefits to the U.S. economy while increasing the economic interrelationship between the two countries, which are the very purposes for which the Agreement was originally signed.

The President has also asked that the Congress renew his general authority to waive the emigration requirements under Section 402 of the Trade Act for another year's period. The purpose of this extension would permit the United States to negotiate trade agreements meeting the requirements of Title IV of the Trade Act with other nonmarket economy countries not currently receiving the benefits of "MFN" tariff treatment. Since the existence of this authority has permitted the successful expansion of trade with Romania and Hungary, there seems to be little reason for not permitting the availability of the authority in the future for possible negotiation of trade agreements with other nonmarket economy countries.

I appreciate the opportunity to submit this testimony on behalf of the East-West Trade Council.

STATEMENT OF DR. NICHOLAS DIMA

In the matter of continuing most-favored-nation tariff treatment of imports from Romania and on extending the President's authority to waive the application of subsections (a) and (b) of section 402, the Freedom of Emigration Provision, of the Trade Act of 1974 (Public Law 93-618). Remarks concerning the Current Status of the Hungarian (Magyar and Szekler) Minority of Romania, and the attitude of the free Romanians with regard to Transylvania and the Western Romanian Boundary.

Human Rights are sacred and universal. Struggling to insure their total observance should be the right of all individuals minorities and nations. The 1.7 million Romanians of Hungarian extraction do have the right to demand full respect as individuals and, as much as possible, as a community. However, extremist and dishonest Western Hungarian circles took advantage of these principles as a convenient platform to harass Romanian rights and challenge her possession of the Western part of the country. Worse still, Budapest and her friends abroad have recently joined Moscow encircling Romania and preventing her from demanding more openly Bessarabia and Bukovina. The two Romanian provinces with over 3 million Romanians were annexed by the Soviet Union at the end of the Second World War.

It should be spelled out that everybody is oppressed in Romania and within this general framework, ethnic Hungarians have their share as well. It is a gross exaggeration, however, to complain of being persecuted for ethnic reasons.

It is hoped that the facts presented herein will enable the Senate Subcommittee on International Trade of the Committee on Finance to be more fully aware of the internal situation in Romania from an ethnic point of view and better understand what is true and what is false with regard to the Hungarian minority.

THE WESTERN ROMANIAN BOUNDARY, TRANSYLVANIA AND THE HUNGARIAN MINORITY

(By Dr. Nicholas Dima on Behalf of the Truth About Romania Committee)

HISTORICAL BACKGROUND

To advance directly or indirectly its claims on Western Romanian Territory, past and sadly present Hungarian historiography starts with a wrong premise. It claims that when the Roman authorities left Dacia-Felix (Romania) in 270 A.D. the whole local population left the province along with the Roman legions, preempting therefore Transylvania for the . . . "welcoming" of the Hungarians who migrated into Europe during the 10th century A.D. The fact is the Roman legions came to Dacia, conquered it and left when it was no longer feasible nor useful for the Romans to pay the price of keeping it.

The Roman presence and their superior culture and administration led to the assimilation of the local Dacians and the formation of the Romanian people. There is abundant evidence to confirm this process and the continuity of the Romanian presence in Romania since the Daco-Roman period to the modern times. The clearly Romance-root Romanian language stands up by itself as a living paramount testimony to this effect and to the unquestionable ethnohistorical Romanian rights over the lands inhabited by them for some 2,500 years between Nistru (Dnestr), Tisa (Tisza), Dunare (Danube) rivers; the Black Sea and the Carpathian Mountains.

Nevertheless, those who do not wish to admit the truth, particularly the Hungarians (Magyars), and the Russians, have used various arguments to challenge, justify or advance their claims against Romania.

A recent State Department study not necessarily favorable to any of the two sides, agrees that after the collapse of the Roman authorities in Dacia, the mixed Daco-Roman people held out in Transylvania and its surrounding mountains and forests while "successive waves of Goths, Gepidae, Huns, Avars, Bulgars, Petchenegs, Magyars and Slavs swept through the region. In the latter half of the ninth century the Finno-Ugrian peoples known as the Magyars, combined with certain allied Turkic tribes, arrived in the Danube delta regions. The Magyars moved westward into the Pannonian basin, a grassy region ideally suited to their nomadic existence. In the next century, the Magyars and their allies raided from Italy to France until dealt a crushing defeat by the Germans near Augsburg. The Magyars withdrew to the Pannonian basin, abandoned their nomadic existence and over the next century established the Hungarian kingdom" ("Hungary-Romania Boundary," State Department, 1965).

From Pannonia, approximately present Hungary, the Magyars gradually expanded over the mountainous surrounding areas inhabited chiefly by the Slavs and Romanians. Thus, they managed to expand their control from Transylvania in the

heart of the Romanian lands and from southern Czechoslovakia to the Adriatic coast in Yugoslavia.

Through a steady process, the Hungarians have forced many non-Hungarians to assimilate, and among them were many Romanians. Some of them provided famous personalities to Hungary. Stefan Vancea, for example son of a noble Romanian family from Maramures, was named archbishop of Ezergom in 1242 and then the first cardinal of Hungary in 1253 under Pope Innocent IV. John of Hunedoara (Hunyady) (1387-1456) was a Romanian, later became catholic and "Hungarian" and was named governor-vivode of Transylvania. His second son, Mathias Corvinus (1440-1490) became one of the greatest kings of Hungary. Nicholas Olahus (name given by Hungarians to Romanians) (1493-1568) was another Romanian who became the greatest "Hungarian" humanist. He also founded the first Hungarian academy. (Aloisiu L. Tautu, "Romanian Sources," Supplement I, 1976.)

In time, forgetting that they are just intruders, the Hungarian conquerors began to colonize Magyars, Germans, and Szeklers (a Magyarized-Turkic people) in Transylvania. Gradually, most of the Romanian nobles were forced to assimilate while the peasantry was deprived of their land and political rights for several hundreds of years, though they were the absolute majority of the population.

After the Turkish armies ravaged Hungary in 1526, Transylvania became essentially an independent state. The Hungarian rulers however, in association with the Germans and Szeklers, continued to deny any elementary rights to the Romanian peasant majority. After the defeat of Turkey at the gates of Vienna in 1699, Transylvania was incorporated in Austro-Hungary as a separate entity. Finally in 1867 Hungary managed to gain control of the provinces around her among which, Transylvania. Soon after, Budapest turned to an arrogant and brutal policy of racial superiority, antedating Nazi Germany in this respect with more than 50 years.

By 1910 Hungary was a true prison of nationalities, equivalent to the contemporary Soviet Union. Of the official 21 million "Hungarian" population, only 10 million were Magyars while 11 million were "minorities". Among them were 3-3, 5 million Romanians as well as Serbs, Croats, Slovaks, and many other ruthlessly suppressed nationalities. A Scandinavian politician declared in 1907 that the injustice done by the Magyars to their subject nationalities will lead Hungary sooner or later to its disintegration. He was right. Hungary disintegrated once and for ever at the end of the First World War ("Stindardul," No. 133B, September, 1976).

Since the Soviet Union occupied the entire East Europe in 1945, Moscow used whatever policy it found appropriate, to subdue forever the region. It is worth mentioning that at the end of the Second World War, USSR also annexed two Romanian regions with a population of over 3 million Romanians. Recently the Romanian Government began to challenge more insistently the Soviet occupation of these two provinces, Bessarabia and Bukovina, a hot issue in the East. Unwilling to accept the challenge, Moscow turned to Budapest for assistance and Hungary was all too happy to join whatever outside power against Romania. With marching signals from Budapest and indirectly from Moscow, Hungarian circles in the West began to launch well-orchestrated attacks against Romania, charging the Bucharest Government with lack of respect for human rights of its minorities. While true that Bucharest like all Eastern European governments have little respect for human rights in the sense that these rights are understood in the West, the accusation of ethnic persecution is very much a convenient invention. It masks in a fashionable and morally acceptable way, the age-old chauvinist and revisionist Hungarian policy. Unforgivably, at the same time, Hungarian historiographers revived the past falacies preventing themselves from knowing the truth and disinforming others. They continue to ignore important recent discoveries in Transylvania as if by doing it, they would change the truth (Transylvania, "Revista de istorie" vol XXVII No. 6, 1975) "Errare Humanum Est, perseverare diabolicum." We should turn first to the issue of human rights and see what independent western authors had to say about it.

HUNGARIAN TREATMENT OF MINORITIES

Vibart Dixon wrote in 1945 that "the Magyars were a ruling class and throughout history their treatment of subject peoples has been oppressive in the extreme with the result that these, the Slovaks and the Romanians in particular, were among the most backward in Europe, and developed a sturdy hatred for their Hungarian overlords" ("The Disputed Frontiers of Europe," London, Burke Publishing Co., p. 79). Other authors have concluded that the mistreatment of minorities by the Magyars in Austro-Hungary could hardly be matched. The excesses and maltreatment of the Slovaks during the 1848 revolution was most inexcusable. The intolerant attitude of Koshuth of Romanians, Serbs, Croats, Slavaks, and others drove all

of them into the arms of Austria and against the Hungarian revolution ("Hungary" and "Transylvania and the Banat," London: H.M. Stationery Office, 1920).

In 1867, taking advantage of a Austro-Prussian war, Hungary managed to annex Transylvania and other non-hungarian provinces of the Empire. With the beginning of the dual monarchy, the mistreatment of the non-Magyar, non-German minorities reached unbearable proportions. By either coercive or persuasive means, Budapest launched a policy of Magyar racial superiority and forced denationalization of the "inferior" peoples which lasted until the disintegration of the Empire. Hungarian language, for example became compulsory in both primary and secondary schools. Political and social activities of subject minorities were ruthlessly suppressed by civil, police and military authorities. Hungarian was to become "the sole language of instruction" ("Hungary," op. cit. pp. 33-43). In their own Transylvania, the underprivileged Romanians were not allowed any share in local government though they formed the absolute majority of the population. They were systematically eliminated from the political life of the province and many times their leaders, among whom teachers and even priests, were sent to prison for their activity. ("Transylvania and the Banat," op. cit. pp. 13-35). Ironically, at present, Hungarian circles in the west claim that the Romanians did not participate in the political life of Transylvania because they were . . . "uneducated". By the end of the 19th century, the ruthless Hungarian suppression of any minority rights alarmed many responsible leaders in the West ("Stindardul" op. cit.).

Lord Fitzmaurice, for example, published several articles in the Pall-Mall Gazette in 1890 and wrote that "the Hungarians pursue a violent and blind policy toward their subject nationalities and especially against the Romanians. And further, "the provocative attitude of the Magyar minority in Transylvania against the Romanians could trigger trouble any day".

Le Figaro of 8 May 1894 wrote that "it is rare to see people who fought so long for its freedom and independence, turning into an oppressor and subjugator of other nationalities. . . . There are 3, 5 million Romanians in Transylvania, totally deprived of their rights". . . .

The well-known journalist H. Rochfort wrote in L'Intransigeant on 13 May 1894. . . "oppressed, persecuted and treated as animals by Magyars, the Transylvania Romanians complain to the Emperor. The vanity of the Magyars does not admit that the exploited and tortured Romanians should ask for help from the Supreme Leader".

The French Prime Minister Georges Clemenceau wrote in La Justice on May 12, 1894 that "the Romanian schools in Transylvania have to be maintained by private subsidies while the instruction is mandatory in Hungarian. The 3, 5 million Romanians who form the majority of the population are deprived of any political rights". Such statements regarding the "humane" attitude of the Hungarians could go on and on.

On the other hand, in Hungary and Transylvania, the Magyar official and private attitude continued to be the same. The Kolosvar newspaper of 3 August 1891 wrote that "only the application of brutal force can subdue the uneducated Romanian masses. We shall make these masses feel that we are not joking. If we kick them, they have no way to respond. We have to finish with all of those who produce memoirs and proclamations".

Budapest Hirlap no. 345 of 1891 wrote: "The Magyar should be considered different than other nationalities. It is just normal that the Magyar should develop to the detriment of all other nationalities which should be assimilated. It is against the interest of the Hungarian state that other nationalities should progress" and Pesti Naplo No. 209 of 1888 stated that "the problem of nationalities cannot have any other satisfactory solution than the total magyarization of all other nationalities" ("Stindardul" op. cit.). It did have another solution. Hungary disintegrated in 1918 and the imprisoned nationalities found their freedom in their own nation-states.

In October 1918, the Romanian spokesmen told the Hungarian Parliament that based on Woodrow Wilson principles, the Romanians choose their own destiny and decide to secede. On December 1, 1918, 100,000 Romanian delegates and participants assembled at Alba Iulia in the heart of Transylvania and proclaimed "the Union with Romania of all Romanians in Transylvania and the territory inhabited by them." The Union was hailed by the Saxon-Germans gathered at Medias in January 1918 and by the Swabian Germans at Timisoara in April of the same year. According to the 1910 Hungarian Official census, the lands united with Romania in 1918 had a Romanian majority of nearly 3 million inhabitants while the Hungarians numbered only 1.6 million of which more than 500,000 were actually magyarized Szeklers ("Romania at the Peace Conference," Paris, 1946).

THE WESTERN ROMANIAN BOUNDARY

After the First World War the process of determining the new state boundaries in Eastern Europe was very complex. "It involved the actions of a committee of experts, the Supreme Council of Ambassadors" and binational boundary commissions ("Hungary-Romania Boundaries," *op. cit.*). The great powers did not concede to the extreme demands of Yugoslavia, Romania and Czechoslovakia, but "the frontiers of Hungary were drawn with a view of permanence" ("How the Frontiers were drawn," *Foreign Affairs*, April 1928, p. 432).

The new Romanian-Hungarian boundary area was predominantly agricultural and ethnically Romanian while the cities were mainly Hungarian. The strip of land from Arad-Oradea to Satu Mare was thus Romanian in rural areas and had a mixed urban population. It was the only area attached to Romania primarily for economic reasons. Otherwise ethnic features were fully taken into consideration. Harold Temperley specified however that "the argument about violation of racial or ethnic principles is really misleading in this case" ("How the Hungarian Frontiers were drawn" *ibid.*, p. 440).

Forgetting that they were late comers and intruders themselves into the territories lost by the Trianon Treaty of 1920, the Hungarians began immediately a campaign of revisionism. With regard to Transylvania, the Magyars kept crying that they unjustly lost it as if they had brought it along with them from Central Asia. Unfortunately, during the entire inter-war period, the whole Hungarian foreign policy was based on treaty revision "but by this they meant the restoration of their old dominance" ("The disputed frontiers of Europe," *op. cit.*, 82). Blinded by revision and revenge, in 1938 Hungary sided wholeheartedly with the Axis. By the Vienna Award of November 1938, Germany gave Hungary, southern Czechoslovakia. During the following months, while Czechoslovakia was further dismembered, Hungary was allowed to annex the south-eastern plains of Slovakia. Later, with the new German moves in Eastern Europe, Hungary was allowed to annex Ruthenia. When Germany attacked Yugoslavia, Hungary hurriedly annexed two northern Yugoslav provinces. Thus Budapest "treacherously broke her Pact (of non-aggression and friendship) with Yugoslavia three weeks after its ratification (R. W. Seton-Watson, "Transylvania—A Key Problem," Oxford, 1943, p. 20). It is worth mentioning that Germany invited also Romania to annex the Yugoslavian Banat, where there is a large Romanian minority, but the Bucharest Government refused it. At the same time, Czechoslovakia herself offered a piece of her territory to Romania before falling apart but Romania refused this offer as well. ("Romania at the Peace Conference," *op. cit.*).

The collapse of the Anglo-French front in Flanders and the fall of France, isolated completely Romania and made it easy prey for Soviet Russia, Germany and Hitler's little loyal ally, Hungary. In June 1940, after 48 hours ultimatum, the Soviet troops invaded Eastern Romania and annexed Bessarabia and Bukovina. Left alone, and in despair Romania turned eventually toward Germany but not after taking her punishment. While Russia hit frontally the Magyars stabbed Romania from behind. Pressured by Budapest, in August 1940 "Hitler dictated a settlement of the Transylvanian frontier in a rough-and-ready fashion, his decision based apparently upon a complete absence either of knowledge or principle. The settlement was grossly unfair to Romania, without fully satisfying Hungary. The chief and perhaps the only desired result was to perpetuate the feud" ("The Disputed Frontiers of Europe," *op. cit.* p. 83). Thus Hungary was allowed by the Axis to occupy northern Transylvania hoping to annex further Romanian lands. The population of the Hungarian occupied area was 2.8 million of which 1.5 million Romanians and only one million Hungarians and Szeklers (J. G. Pounds, "An Historical and Political Geography of Europe," London, George Harrop Co., 1947). The Vienna Diktat was actually never widely recognized. According to the Paris Peace treaty with Hungary of 1947, Part I, Article 1, Point 2, "the decisions of the Vienna award of August 30, 1940, were declared null and void. The frontiers between Hungary and Romania as they existed on January 1, 1938, were hereby restored" ("Treaty of Peace with Hungary", Paris, 1947). The treaty cancelled at the same time all the other Magyar annexations acquired before and during the Second World War with Germany's help. The atrocities performed by "civilized-superior Hungarians" in the temporarily annexed territories were, however hardly matched in modern times. Here is the case of Transylvania.

UNSPEAKABLE ATROCITIES

When Hungary received the approval to reoccupy Northern Transylvania, the Magyar military police and the support para-military formations were distributed

an "educational" brochure called "Mercilessly" which described their conduct in the following terms: " . . . I shall eliminate any Romanian crossing my way" . . . at night, I shall set afire the Romanian villages, I shall cut to pieces the whole population with the blade of my sword. I shall poison the wells. I shall strangle the babies at their mothers' bosom . . . I shall be merciless. I shall have no pity for anybody, be they children of pregnant women . . . Revenge!" (Reprinted by Dr. Traian Bunescu in *Lupta Poporului Roman*, Bucuresti: Editura Politica, 1971, p. 205). There were hardly any Romanian locality of Northern Transylvania with its inhabitants uninjured by the "defenders of European Civilization". Here is a short account of the Hungarian behavior in the very first weeks after their arrival. The account ("Ordeal in Transylvania") was first published as an appendix by the *Journal of Central European Affairs* in April 1942.

"In the village of Trasnea, district of Salaj, the commander of the Hungarian troops ordered the execution of twenty Roumanians and set the village on fire. The Hungarian soldiers fired on the inhabitants as they were trying to escape a similar fate, seventy-six more Roumanians were thus shot. The village-schoolmaster, Cozma, was hanged from the cross of the church-steeple; and the priest, Costea, was tied to a pillar and stabbed with bayonets till he died.

In the village of Huedin, district of Cluj, the priest Aurel Munteanu, after being terribly tortured was burnt at the stake. In the same village the peasant Vasile Popa was hanged up by his feet, and the Hungarians poured lime on his wounded head.

The peasant Vasile Gurzau, former Mayor of the village of Muresenii-de-Camp, district of Cluj, testified that on September 22, a detachment of Hungarian soldiers, led by an officer, murdered in the aforesaid village three Roumanian families—namely, the priest Andrei Bujor, his wife, his two daughters, his son, and their maidservant; the schoolmaster Gheorghe Patrea, his wife, his mother, and his little daughter, aged four; the peasant Ion Gurgau and his wife. All these were shot, after having been subjected to terrible tortures. The bodies were thrown into a ditch.

On September 17 a priest was shot by Hungarian troops in front of the Greek-Catholic Cathedral of Cluj. In the same town the Hungarians murdered eight Roumanian policemen. After cutting out their tongues they exhibited the mutilated bodies in every quarter of the town. On the following day the policemen Vasile Damian, Ilie Moldoveanu, Ion Pop, Alexandru Pop, and Iosif Pop, and the peasants Vasile Albu and Ion Muresanu also were murdered.

On September 22 the Hungarians hanged the priest and the deacon of the village of Irina at the entrance to the church; they also murdered the village notary; together with his son, who was a reserve officer in the Roumanian Army.

At Ip, district of Salaj, during the night of September 15, a Hungarian detachment shot 155 Roumanians, men, women and children. Even a baby in his mother's arms was shot. The bodies were thrown into a ditch.

In the village of Belin, district of Trei-Scaune, the Hungarians massacred ten Roumanians.

On September 7 the lieutenant Mihail Parau, commander of section of frontier-guards, was kidnapped and murdered by Hungarian troops.

The shockingly mutilated bodies of twenty Roumanian soldiers, shot by the Hungarians, were found on the main road at San Mihai, district of Bihor. These soldiers had been demobilized from the Roumanian Army and were on their way to their homes in the villages of Pausa and Trasnea, district of Salaj.

In the village of Stoenesti, district of Bihor, the Hungarians shot the peasants Pavel Sas, Ion Mitrus and his wife, Vasile Popa, and a boy of thirteen.

In the village of Armasul Mare, the peasant Borza Gavrilă was shot, after having been forced to dig his own grave.

In the village of Budas, district of Somes, the Hungarian inhabitants looted all the houses belonging to the Roumanians; and the former Mayor of the village murdered.

On the main road of Rastoci, district of Huedin, were discovered the bodies of 24 Roumanians, men, women and children.

In the village of Seredi, district of Salaj, the Hungarians killed 16 Roumanians, including the local priest.

For speaking Roumanian, the notary Victor Bart, of the village of Popesti, district of Bihor, was stabbed all over the body, and salt was rubbed into his bleeding wounds.

In the village of Dragu, district of Cluj, the Hungarian authorities shot 14 former Roumanian soldiers.

On September 9, in the courtyard of the King Ferdinand Barracks at Oradea, the Hungarians shot 20 Roumanians, and buried them before their identity could be established.

At Belis the Hungarians drove nails into the body of a Roumanian peasant in whose house they discovered a Roumanian flag.

In the village of Comalau, district of Trei-Scaune, the Hungarians set fire to the Roumanian church.

The Mayor of the village of Odorheiu, district of Bihor, was terribly tortured by the Hungarians; a Roumanian flag was nailed to his bare back.

In the village of Baciui, district of Cluj, two Roumanian peasants were terribly mutilated; they were found dead with their foreheads, temples, and ears pierced by bayonet-thrusts.

At Targul Mures the Hungarian authorities ordered the execution without trial of the student Alexandru Lupu, from the village of San-Giorgiu, district of Mures.

On September 23, at 5 p.m., 35 Romanians, mostly young men, were shot at Oradea. The public was allowed to witness this execution, each onlooker being charged an entertainment-tax of one pengo.

The atrocities were denounced at a mass-meeting held in Brasov, Romania.

The Hungarian Government took no steps to prevent the perpetration of such crimes. And the Germans endeavoured to shield their Magyar partners by requesting the government of Roumania to refrain from giving further publicity to the Hungarian atrocities."

Until 1942, 991 Romanians were murdered without trials while 7,000 were tortured and badly treated for no other reason except being Romanians. Numerous workers were dismissed from their jobs and thousands of peasants were deprived of their land. In practice for four years the Romanian population was totally deprived of political rights and excluded from public activities. The Romanian language was banned even in churches. Many Romanian intellectuals were expelled or forced to take refuge to southern Transylvania. By September 1944, 218,000 Romanians were sent to German concentration camps and many others were sent to Hungarian or local labor camps or prisons. ("Four years of Magyar Domination in Northern Transylvania" Romanian Documentary Report presented to the Paris Peace Conference, 1946).

The fate of the 148,000 Jews of the occupied area was simply disastrous. Dr. Filderman, a leading Romanian Jew and a former member of the Romanian Parliament, calculated that of the 313,000 Jews remaining under Romanian authority during the holocaust, only some 15,000 lost their lives. Of the 148,000 Jews of northern Transylvania, however, nearly 100,000 were exterminated by the now "human rights lovers" Magyars in cooperation with their German protectors. ("Regional Development of the Jewish Population in Romania," Roma, F. Failli, 1957). With extremely isolated exceptions the Romanian Jews were not forced to live in ghettos or to wear the insignia identifying them as Jews. Above all else, they were not sent to extermination camps in Romania or abroad. The Romanian authorities and the population did not cooperate with Germany to arrest, deport, or exterminate the Jews. This humane Romanian attitude was essentially unique in Europe and saved the Jews under Romanian jurisdiction, from the "Final Solution". (N. Minei, "Barbarie cu fata nazista" Magazin Istoric, July 1978).

When the Soviet Red Army overran Eastern Europe in 1944-45, the opportunistic Hungarian minority of Transylvania metamorphosed overnight from pro-German into pro-Soviet. They even complained that they wanted to become communists since Bella Khun 1918 revolution, but the Romanians would not let them. Since 1945, out of opportunism and hatred for Romanians, the Magyars "invaded" the Romanian communist party, joined by thousands the new "Secret Police", and for the next 10-15 years, unbelievably terrorized the Romanian population, particularly in Transylvania. Thousands upon thousands of innocent God fearing Romanians were thrown in prisons and many a time the oppressors were again the Magyars who acted now as communists. In Transylvania, the Romanians were even afraid to speak their own language. In this climate, was set up in 1952 an autonomous Magyar region right in the middle of Romania. The region proved to be however a cradle of arrogance toward Romanians, and Hungarian irredentism. As a young athlete, I traveled throughout Romania in the 1950's and I was shocked by the Magyar behavior in Transylvania. The dominant minority, would refuse to talk Romanian and would not serve you as a Romanian speaking customer in any public place, be it a hotel, restaurant or a shop. During that criminal period of time, the Western liberal Hungarian circles would keep quiet, of course. Now, when the Hungarian minority shares equally with the Romanians in the life of Transylvania,

they complain and advocate a return to the abnormal situation of the past (Julia Nanay, "Transylvania," Astor: Danubian Press Inc., 1976, p. 55).

If during the first decade or so, most of the Romanian communist party and its leadership came from minorities with a heavy Hungarian participation, in time ethnic Romanians themselves began to join the party. Since about 1960, the party acquired an ethnic structure corresponding generally with the ethnic structure of Romania's population. In Transylvania, the Romanian majority began to exercise a higher share of influence corresponding to their proportion. For the Hungarian minority, who began to lose part of its discretionary privileges, this new situation was denounced as an "Ethnic persecution", though they still enjoy more privileges than the overwhelming Romanian majority.

CURRENT DEVELOPMENTS

Apparently, during the early 1960's, Bucharest began to depart from the Soviet line. During the late 1960's Romania had already acquired a new image of independent foreign policy. In 1968, unlike the Hungarian armies who assisted the Russians in the invasion of Czechoslovakia, Romania denounced publicly the invasion, refusing to take any part in it. Whether the new Bucharest's attitude was just a new tactic or it reflected a deep change, is difficult to ascertain and beyond the scope of this paper. It is a fact, however, that during the 1960's Romania began to challenge more directly the Soviet possession of Bessarabia and Bukovina. Interestingly, the more openly Bucharest spoke of Bessarabia, the more the Hungarians would challenge Romania on the Transylvania issue and the Magyar minority.

During the 1970's the Romanian challenge of Soviet possession of Bessarabia acquired unpredictable proportions. The conflict escalated further and reached a climax in the summer of 1976 (The Washington Post, July 18, 1976). To this escalation, Moscow reacted with fury. It published scores of anti-Romanian books and articles and mobilized its Eastern European friends to join Moscow into criticizing, harrasing and challenging Romania. Like in 1940, Hungary was all-too-willing to join USSR against Romania. Thus, with KGB's blessing, Budapest and its friends and agents, began to agitate the question of Transylvania, that time under the banner of "Human Rights". Large Hungarian public rallies took place in New York and Washington in 1975 and 1976, "incidentally" when Romania approached her centennial independence and apparently Bucharest was prepared to raise openly the question of Bessarabia and Bukovina. Amazingly, the Western Hungarian rallies, their propaganda articles, and their statements in the U.S. Congress, forgot completely the common oppressor of the two peoples, Moscow and the alien dictatorship brought by her all over Eastern Europe. Nevertheless, The New York Times of June 26, 1976 conceded that the Soviet/Hungarian offensive reminded Romania of the possible territorial punishment which could be inflicted upon her if Romania's attitude gets out of control. An American academic journal wrote also more recently that "the specter of Hungarian irredentism resuscitated with Soviet blessing, played a major role in silencing Romanian historians," in their dispute with Moscow (Jack Gold, "Bessarabia: The Thorny Non-existent Problem", East European Quarterly, Spring 1979, p. 70).

All the recent Hungarian lamentations, add the Szecklers and even the Germans to the Hungarian minority, increase abusively and arbitrarily their total number by more than 100% and omit completely to mention the remaining absolute Romanian majority of Transylvania. For these, Western Hungarian circles, the widely accepted principles of "majority rule" is good for the West, not for Eastern Europe, because it doesn't suit them. Such split attitude and double standard, reminding of the Magyar attitude of 100 years ago, is a sheer matter of political hypocrisy. As a matter of fact, while in the Western languages publications they simply demand respect for human rights, in the Hungarian language publications the same problem emerges in its entire nakedness: rejection of Trianon Peace Treaty of 1918 and of the Paris Peace Treaty of 1945. As an example, Magyar Holnap of May 1976 claims that Hungary was deprived of 103,000 sq. km. attached to Romania (about half the Romanian territory) 63,000 sq. km. given to Yugoslavia (about a quarter of Yugoslavia) 4,000 sq. km. taken by Austria and 62,000 sq. km. attached to Czechoslovakia (part of it being now in the Soviet Ukraine). The publication along with others demand the restoration of these lands to Hungary.

The same western Hungarian circles are also guilty of distorting the truth in many other ways. When the Romanian leading dissident Paul Goma, for example, stated that everybody is persecuted in Romania including the minorities, but accentuated that the Romanians suffer the most, these circles spread the word that a leading Romanian writer recognized that ethnic Hungarians are persecuted in Romania. They never bothered to report that Mr. Goma was very upset with this

distorted interpretation which the author himself straightened out clearly in the U.S. Congress in the fall of 1978.

The same allegedly anti-Communist and freedom fighters embraced wholeheartedly a Hungarian-Romanian communist, Karoly Kiraly who fell in disgrace from his extremely high position of the party hierarchy and all of a sudden found the chance to complain of ethnic persecution (*The New York Times*, February 1, 1978). How come he and other thousands like him did not see any persecution in the earlier decades when they would terrorize the Romanian majority in a most ruthless stalinist manner? Such people may suffer of persecution-mania, but to complain of ethnic persecution is ridiculous and immoral.

CURRENT SOCIAL AND DEMOGRAPHIC STATISTICS

According to January 1977 Romanian census, the population of Romania was 21.6 million with nearly 90 percent of them, or over 19 million, being ethnic Romanians. Of the remaining population, the Hungarians and Szecklers totalled 1.7 million (7.9 percent) and the Germans counted for 300,000 or 1.6 percent. There are several other small ethnic groups, but none of them is large (Romania Libera, 14 June 1977). In the past, Romania used to have large number of Jews, and to a lower degree Armenians and Greeks, but nearly all of them have emigrated. The number of German-Romanians is also diminishing because many of them are emigrating to West Germany. With this trend, and given the current demographic increase of the ethnic Romanians which is larger than that of minorities, it is expected that within a generation or so, the proportion of the ethnic Romanian population will be even higher. The number of Hungarians and Szecklers in Romania, increased from 1.4 million in 1930 to 1.5 million in 1956, 1.6 million in 1966 and 1.7 million currently. With this population, the two related ethnic groups make up 7.9 percent of Romania's population and some 20 percent of Western Romania (Transylvania). Transylvania has some 70 percent Romanian majority, of which current Magyar complaints never say anything. On the contrary, some "pseudo-demographers-authors" question the accuracy of these figures and claim that the population data is false. They should be reminded that when Austro-Hungary was dismembered using the very Hungarian census data of 1910, Budapest also argued that the data were not correct. Then in 1920's the Hungarian foreign ministry claimed that the number of Hungarians in Romania, Czechoslovakia and Yugoslavia were 2 million, 1.5 million and 1 million respectively. Objective Western observers have called these exaggerations however, "statistical blunders" fostered by chauvinistic dreams ("How the Hungarian Frontiers were drawn," op. cit., p. 441).

Professor Setton Watson concluded long ago that the Magyars have had a very low birthrate for very long and in their recent history they did not gain population by a natural increase, "but as a result of a highly artificial process of magyarization" ("Romania at the Peace Conference," p. 73). Western Hungarian circles question the slow increase of Romanian-Magyars in recent decades. They should be reminded that the very director of Romanian Central Institute of Statistics was a Hungarian named Csendes, therefore falsifying data was highly unlikely ("Stindardul," op. cit., p. 2). Then, demographic comparisons over time are easily available in Romania within the socio-economic context that actually checks the population change. The truth is that demographically, it has been established long ago that ethnic groups or entire populations which modernize first and fast, in such terms as urbanization, industrialization, education, a new family mentality and so forth, cease to increase in numbers. This is the case of the West and this has definitely been the case with the Hungarians both in Romania and Hungary proper. They are now at the end of the well-established process of "Demographic Transition", characterized by low birth and death rates and low population increase. In certain cases, the population change of such nations or ethnic groups could very well be negative. In Romania, the Magyars are mostly urban and employed in the industry, whereas the Romanians are mostly rural and relatively less educated. The result is that the Romanians still have larger families and increase faster. The Hungarians have lost their power of natural demographic increase and there is no hope of regaining it. Cluj-Napoca, for example, the largest city in Transylvania, founded by Germans and then taken over by Hungarians, is now over 70 percent Romanian. The economic development and the in-migration of people from the Romanian-dominated surrounding rural areas, have changed the ethnic structure of the city. The process of industrialization/urbanization advance rapidly all over Eastern Europe and it does change previous ethnic balances. One wonders however, if there is any force in the world able or willing to stop the drive for modernization. At times and mostly indirectly, the process may adversely affect smaller ethnic groups. Within the present economically motivated world, characterized by urban/industrial growth,

high mobility, job hunting and job assignments, it is not always easy to retain old values while struggling to acquire new ones.

The Romanian-Magyar minority encounters difficulties along with the entire 22 million population of Romania. They may also encounter problems of their own related to the adjustment to a new socio-economic establishment. It is totally incorrect however to complain of ethnic persecution. People who have lived with some glory in the past, can hardly break with this past. Western Romania was dominated for hundreds of years by Magyars though it was officially part of Hungary only between 1867 and 1918. Romanian-Hungarians are threatened at present with losing just one thing: their irredentism. Otherwise, they enjoy a fair 8 percent share of whatever is available in Romania, if not more.

According to official and unofficial Romanian reports, as well as objective Western publications, Romanian-Hungarians can attend schools in their mother language, and make up 7-8 percent of the university students' body. At the Cluj-Napoca Babeş-Bolyai University, 30 percent of all courses are given in Hungarian. At the Medico-Pharmaceutical Institute of Targul Mures, 126 courses of the existing 132, are also given in Hungarian. There are also 3 other colleges where courses are given also in Hungarian. The Hungarians have 10 drama theaters, 1 drama institute and 1 opera house in Romania, along with nearly 2,000 active artistic groups, numerous clubs and so forth. They also have 30 periodicals and 11 publishing houses which in 1975 published 218 titles and 1.5 million copies and 2.5 million textbooks. Politically, ethnic Hungarians make more than 8% of the entire party membership and an equal proportion of elected representatives. (Ianos Demeter, Eduard Eisenburger, and Valentin Lipati, "Romania and the National Question," Bucharest, Meridiane, 1972); ("The Hungarian Nationality in Romania," Bucharest, Meridiane, 1976). In 1976, for example it was in Romania that the largest Hungarian Lexicon in the last 80 years was printed. The 8 volumes 10,000 pages work was extremely appreciated in Hungary, which incidentally imports many Magyar publications from Romania. ("Stindardul" op. cit.).

With regard to religion it should be spelled out that any communist government considers the Church "a necessary evil" which has to be tolerated. The Hungarian churches in Romania are as free or equally unfree, as the Romanian Orthodox Church. There are however, 1 Hungarian Romano-Catholic episcopate with 515 open churches; 2 reformed Episcopates with 836 open worship houses, 138 Unitarian churches and 46 Evangelic worship houses ("The Hungarian Nationality in Romania," op. cit. pp. 23-24). The exclusively Romanian Uniate catholic church with 1.6 million believers forbidden in 1946, has never been reopened, however. If a Romanian is persecuted in his own country, he can not claim ethnic reasons for it. If a Hungarian encounters some hardship however, he immediately complains of ethnic harassment.

In 1976, the State Department and the American Embassy in Bucharest submitted a statement which was then printed in the Congressional Record. It specified that all Romanian citizens are subject to restrictions without regard to their ethnic origin. The report continued that "any restrictions imposed by a predominantly Romanian regime will be resented with specific bitterness by the ethnic Hungarians whether or not these restrictions are imposed in a discriminatory fashion" (26 May 1976, H 4995).

To avoid dissensions, the Romanian-Hungarians must accept certain fair and very simple things: give up their irredentism, integrate into contemporary Romanian society and pay allegiance to their true country—Romania. Otherwise, they will always be at odds with the overwhelming Romanian majority and they will find no peace of mind searching aimlessly for lost privileges and an identity.

Statement for July 19, 1979
Hearing of the U. S. Senate
Committee on Finance
Subcommittee on International Trade

American group for the Family
Reunification and Freedom to
Emigrate in Romania

Spokesman: Dragoș Popescu
31-77 33rd St.
Apt 1E
L. I. C., New York 11108

Honorable Chairman, Honorable Senators:

On behalf of American Romanians fighting for family reunification and freedom of emigration for all native Romanians, I would like to express our gratitude for allowing us the opportunity to testify before this committee.

When the United States granted the Most Favored Nation's (MFN) Clause to Romania, it was with the hope and expectation that it would induce the Romanian government to relax its emigration laws. Facts, however, speak to the contrary. The granting of this Clause has not facilitated the emigration process, nor has it aided in the move toward family reunification. In fact emigration becomes increasingly difficult with each passing year.

We have in our possession hundreds of pages documenting incidences of human rights violations and emigration abuses proving that the so-called liberal Romanian laws are not, in fact, liberal. They are merely used as ploys by this communist government to enhance its international image while it propagates its violations against its citizens at home.

The Communist Romania is dumping on us the junk of their society.

- On December 1944 there were 133 Romanians in Treisbirchen in-transit camp in Austria.
 - 90% of them were unskilled, and majority of those were ex-convicts.
 - Beatings and minor crimes occurred daily
 - In 6 months there were 9 crimes ending in death.
 - The majority of robberies, rapes and crimes were done by Romanians.
 - In one room 19 out of 20 Romanians illegally possessed guns.
 - Due to the bad name created it is impossible as a Romanian, to find a job in Austria.
 - Anxious to get rid of the junk the Austrian authorities took people out from prisons and send them abroad (majority in the U.S.) as regular emigrants, as nothing happened.
 - In fact the priority to emigrate were given to the unskilled people.
 - They told to a Romanian engineer " You shouldn't say you are an engineer if you wanted to emigrate faster."
 - Herman the Romanian speaking interviewer was acting in the same manner as communist Authorities in Romania, persecuting and discouraging Romanian emigrants.
 - A lot of emigrants were suspected to be Romanian agents, since they returned back to Romania and tried to convince the other people to do the same.
 - Back in Romania they were doing a large scale propaganda about the " Capitalist Hell", failing to say that they are the founders of this hell.
 - The complaints sent to the American Consul in Austria did not have any effect.
- All this facts prove the value of Romanian's statistic about emigration. The honest people are trying to emigrate for years, and families can not be reunited, but junkies are sent abroad by thousands.
- All this common criminals are labeled "political prisoners", and sent abroad as a "political refugees".

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A Romanian citizen attempting to secure a passport risks the following:

- spending an unlimited amount of time before several committees and commissions.
- being subjected to permanent police surveillance and hard censorship.
- being forced to live with the constant dread of repussions.
- losing his job and jeopardizing his future and that of his family.
- being humiliated, harassed, or even beaten.

After all these indignities, he is still quite likely to be denied his passport. Bearing these facts in mind, few Romanians dare to risk the anger of their government.

Deception is a common ruse used by the Romanian government to cover up its violations. One significant effort to deceive the world was the releasing of a batch of criminals and sending them abroad as "political refugees". This move enabled the government to falsely claim:

1. the loosening of emigration laws.
2. the freedom of political prisoners to emigrate (most of the men shipped abroad were, in fact, common criminals).

While ridding itself of its undesirables, the Romanian government was able to enhance its reputation by claiming falsely to have freed political prisoners. The criminals, labeled as "political refugees", were used later to discredit the true political prisoners who were blamed for the crimes committed by Romanian prisoners abroad.

The communist Romanian newspapers presented the horrors of the Austrian in-transit camp as products of the capitalist world. They, of course, refused to acknowledge that these

criminals were planted to discourage emigration. Despite outside pressure, many of the government's unorthodox practices are still rampant.

We have been demonstrating peacefully in front of the Romanian Mission to the United Nations in New York for one month and a half. We have been demanding and still are demanding freedom of emigration and family reunification. This demonstration is a continuation of our two-week hunger strike which was held in Washington at the end of May. Our aim is to make the United States government and the American public more aware of the plight of the Romanian citizens and the existing violations against their basic human rights in their own country. We believe that persistent negative publicity would severely retard our government's efforts prevent emigration. In our fight for human rights and freedom to emigrate, we appeal to you, our Senators and to the American public for your continued support. Help us stem the flow of human suffering. Families are being destroyed.

Finally, we are convinced that human rights violations in Romania will escalate if the extension of the MFN Clause were granted. Do not aid the Romanian government in these wrongs. We believe that the threat of nullifying the MFN Clause might have a significant effect on the Romanian government's attitude to its emigration and human rights problems.

Thank you for your humanitarian support.


Dragos Popescu

PARTICIPANTS IN HUNGER STRIKES
AND DEMONSTRATIONS OF PROTEST

RELATIVES

<p>TATU VIRGINIA 369 Park Avenue - 10P Orange, New Jersey, 07050</p>	<p>In behalf of</p>	<p><u>Brother & his wife</u> PASNICU MIHAI & LAURENTIA Aleea Lunca Cernei nr.4 Bl.D 47 Sc.C et.4 apt.44 Buc. sector 7 <u>Brother, his wife & child</u> Str. Intrarea Ancorei nr.6 Buc. sector 6 PASNICU ALEXANDRU, AURELIA & DANIEL</p>
<p>JOSEPHINA CRAMER 34 - 38 33rd. Street Long Island City New York 11106</p>	<p>In behalf of</p>	<p><u>Fiancee</u> ALEXANDRU PAULESCU Str. Stupinei nr.27 Buc. sector 3 File nr.II AS10869 1979</p>
<p>PAULINA IERESCU 221 Third Street Fairview, N.J. 07022</p>	<p>In behalf of</p>	<p><u>Son, his wife & daughter</u> CONSTANTIN, SILVIA IERESCU & their daughter Str. Fildesului nr.8 Buc. sector 4 <u>Daughter</u> LIVIA IERESCU Str. Calarasi nr.99 Buc. sector 4</p>
<p>GEORGESCU RADA 41-34 43rd. Street New York, N.Y. 11104</p>	<p>In behalf of</p>	<p><u>Mother</u> ELENA ANDREI Str. Prisaca Dornei nr.2 Bl.D 3 Sc.2 et.2 apt.51 Buc. sector 4 <u>Son</u> CONSTANTIN DONCU Str. Ghita Serban nr.2 Pl. 8b Sc.2 et.8 apt.96 Buc. sector 4</p>

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OLIMPIA STOICA
Forest Hills, N.Y.

In behalf of Parents
ZAHARIA EFREM & JENICA
Str. Mihail Eminescu nr. 22
Bl. 7 apt. 22 Ploiesti
Brother, his wife & child
ZAHARIA TEODOR, AURELIA & TIBERIU
Str. Mihail Eminescu nr. 22
Bl. 2 Apt. 13 Ploiesti

ALDEA STOICA
17 - 04 Madison Street
Ridgewood, N.Y. 11227

In behalf of Son & his wife
ROMULUS STOICA & MARIANA
Blvd. Alex. Vlahuta nr. 59
Bl. 141 Sc. B apt. 41
Brasov
Nephew
VERESTEANU NECULAI
Str. Patriotilor nr. 1
Bl. PM 16 Sc. B apt. 38
Buc. sector 4

DRAGOS POPESCU
31 - 77 33rd. Street
Long Island City,
N.Y. 11106

In behalf of Brother, his wife & daughter
DORU-EUGENIU, LACRAMIOARA-CORALIA,
& ADINA-IOANA POPESCU
Str. Ciurea nr. 9 Bl. E 2 SC. C
apt. nr. 2
Buc. sector 3

TRAIAN COPII

In behalf of Brothers in law
SABO IOSIF & his family
Str. Tudor Vladimirescu nr. 64
Oradea
SABO FRANCISC & his family
Str. Aurora nr. 2
Oradea

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DIONISIE GARTU	In behalf of	<u>Sister, her husband & 2 sons</u> MILIU FLORICA, NICOLATE, GHEORGHE & DUMITRU Str. Ecaterina Varga nr. 46 Constanta <u>Brother & his family</u> GARTU ATANASE, wife & 2 children Str. Teiul Doamnei nr. 108 Bl. 15 Sc. 1 apt. 77 Buc. sector 2
FLORENTINA GEORGESCU 30 - 89 34th. Street Astoria, N.Y. 11103	In behalf of	<u>Son</u> GEORGESCU VASILE - TEODOR Blvd. Ion Sulea nr. 19 Bl. 56 Sc. 1 apt. 38 Buc. sector 4
ANDREI AUREL 32 - 15 34th. Street Astoria, L.I.C. 11106	In behalf of	<u>Mother & sister</u> ELENA & MARIANA ANDREI Str. Hipodrom Bl. A 4 apt. 19 Braila, jud. Braila
MUNTEANU CORNELIU 102 - 16 Corona Avenue Flushing, N.Y. 11368	In behalf of	<u>Parents</u> GHEORGHE & MARIA MUNTEANU Str. Ho Shi Min nr. 13 Buc. sector 7
DUMITRU COVALCIC 30 - 11 JOHN R. Avenue Trenton, Michigan 48123	In behalf of	<u>Fiancee</u> TODOSIE FLOAREA Str. Tamponului r.r. 31 Buc. sector 8 File nr. II AS 11218 1978

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Virginia Tatu
369 Park Avenue 10F
Orange, New Jersey 07050

"We shall pay any price, bear any burden meet any hardship, support any friend, oppose any foe to assure the survival of liberty."

J.F.Kennedy

Honorable Sir:

At the time when the hearings regarding the extension of MFN to Romania are taking place, as an American citizen and a taxpayer, I felt that it is my duty to make aware the U.S. Senate about Romania's compliance with the assumed obligations of easing the emigration policy to its' citizens. Ratifying the Declaration of Human Rights at Helsinki in 1975, Romania promised its' people the liberty to choose another country to live in, if they so desire. So far, these are just words on paper for Romania and they will continue to be so, until the Romanian Government will not be made responsible for the breach of promise to its' people and to the United States. The only reason Romania signed the Declaration of Human Rights, was to facilitate the obtaining of most-favored-nation trade treatment from United States. Between 1975 to 1977, Romania's emigration policy was going to a more liberal direction. Immediately after MFN treatment under the authority of the Trade Act of 1974 was granted to Romania, instead of promoting a freer emigration, she tightened its' policy making it impossible for its citizens to reunite with their families abroad.

They ignore the Jackson-Vanik amendment and they will continue to do so, until United States will reinforce tougher control methods of Romania's compliance with its' provisions.

The balance of trade with Romania may show you growing figures in exchanges, but the humanitarian purposes of MFN are not reached at all.

The everyday life of people is becoming unbearable. In Romania there is a new privileged ruling class, who is enjoying a totally different life style from the rest of the people. Corruption at all levels is a general occurrence. To live in Romania is to be part of the ruling class, otherwise to buy a loaf of bread becomes a problem. The new ruling class beneficiaries of out of the reach stores, where they can buy everything they need, special farms where they grow cattles, poultry and vegetables where common people are not permitted. They also beneficiary of special housing conditions.

The real people of Romania feel forgotten and without any hope for the future.

To ask for a passport with an exit visa from Romania is an impossibility, unless you are a member of the ruling class. The only people they let out are those who are working for the communist dictatorship who acts also as a sole employer, it's directives being obeyed by all appointed secretaries of PCR in any kind of institutions.

To ask for an application for a passport means to expect immediately to be fired from your job, to be harassed, threatened with imprisonment, forced labor camps or confinement in mental hospitals and at the risk of never receiving an application, never mind to be let go in another country to live in freedom and human dignity.

This was the case of my 2 brothers:

1. PASNICU MIHAI (and LAURENTIA - his wife)
domiciled at: Aleea Lunca Cernei nr. 4
Bloc D47-Sc. C et 4 apt. 44
Buc., Sector 7
last negation #213100 - 5/3/79 - File #421
2. PASNICU ALEXANDRU (AURELIA - his wife and DANIEL their 3 year old child)
domiciled at: Intr. Ancorei nr. 6
Buc. Sector 6
last negation #213101 - 5/11/78 - File #431

They expressed their desire to leave the country in June 1978 and so far, even though they wrote endless number of petitions, went before all the committees, they did not receive even the applications for the passports. All this time they were discouraged and treated without any dignity for their intentions. All the representations made in my behalf by Hon. Sen. H. Jackson, Wm. A. Harrison, Jr., House Representatives M. Fenwick and J. Minish have had no results.

That's why I've joined the Romanians protest against the repeated violatons of human rights in Romania.

"WE ASK THE U.S. SENATE TO DELAY MFN TO ROMANIA UNTIL ALL OUR FAMILIES ARE LET GO FREE FROM THAT COUNTRY. AT THE SAME TIME, SHE SHOULD BE MADE RESPONSIBLE FOR IGNORING IT'S OWN SIGNATURE ON THE DECLARATION OF HUMAN RIGHTS."

Please do not take away the hope of those who believe in our country and what she stands for in the world. Help them to live in freedom and for the love of god.

Sincerely,

Virginia Tatu
Virginia Tatu

Attached there is a list of the participants in hunger strike and demonstration of protest.

Josefina Cramer
 34-38 33rd St. 3rd Fl.
 Long Island City, N.Y. 11106
 Tel.: (212) 937-5426

Statement for U.S. Senate Hearings
 Held on July 19, 1979
 Subcommittee On International Trade
 Finance Committee, 2227DSOB

Honorable Chairman, Honorable Senators,

I am Josefina Cramer, Romanian born and an American resident since July, 1978. I left Romania together with my parents and we joined our relatives who are American citizens.

I graduated the University Of Bucharest, Faculty of Germanic Languages and I am a Bachelor in Philology.

Here I am enjoying all the opportunities of a free life but unfortunately I was forced to leave my fiance behind in Romania. My fiance's name is ALEXANDRU PAULESCU. He resides in Bucharest, St. Stupinei no. 27 sector 3, and he is a mechanical engineer with The Institute For Projects And Constructions of Bucharest, St. Tudor Arghezi no. 21 sector 2.

On July 1978 Mr. Paulescu visited Mr. Luciano Mangiafico, the American Consul in Bucharest, and expressed his desire to immigrate to the United States.

On July 22, 1978 my fiance applied for an exit visa at the Romanian Authorities, and on September 27, 1978 his application was rejected on alleged lack of grounds.

All his other applications for an exit visa in order to reunify our forced separation and to marry me here in the United States were rejected. He was and still is under the hard pressure surveillance and investigations of the Communist Security. He was threatened with mental hospital if he does not give up his wish to emigrate. He notified me that he has difficulties at his office and that his salary was cut down considerably as a result of his desire to marry. But despite all the pressure against him he will not give up. He applied again for a marriage permit to the Romanian Council of State and his file no. is: II/AS 10868/1979.

The Romanian Government and Mr. Nicolae Ceausescu, the Romanian President violate all UNO's resolutions about family reunion, and the Most Favored Nation Clause express condition of easing the emigration from Romania.

I appeal to your understanding and help and I am begging you to make representation on my behalf with the Romanian Ambassador in Washington and during the Senate Hearings when the Most Favored Nation Clause will be voted. This could be a great help for me and my fiance.

Thanking you from the bottom of my heart for your Humanitarian Support, I remain,

Yours truly,



Josefina Cramer

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Rada Georgescu
41-34 43rd. St. Cl
L.I.C. N.Y. 11104

Honourable Sir,

My name is RADA GEORGESCU , Together with my husband Corneliu Georgescu , we were left the communist Romania in January the 16, 1977 to visit my husband's father Constantin Georgescu who lives in Rome , Italy Via Cavour 278 where we lived between January 18, 77 and April 19, 77.

During this period of time we contacted the W.C.C. organization and asked for an emmigration visa to the U.S.A. in order to build up a new life in the free world. On the April 19th, 77 , my husband and I entered in the U.S.A. at Kennedy Airport where we received the " White Alien Cards " with the following numbers:

Rada Georgescu A21-704-312

Corneliu Georgescu A21-704-311.

Now, we are living and working in N.Y.C.

Since we arrived in the U.S. both; my mother: ELENA ANDREI who lives in Bucharest-Romania Str. Prisaca Dornei Nr.2, Bl.D3. Sc.2, Ap.51, tel 438082

and our son :

CONSTANTIN DONCU who lives in Bucharest-Romania Str. Ghita Serban Nr.2, Bl.8b, Sc.2, Apt.96.

tried several times to join us in the U.S. but every time the Romanian Governement brutally refused to issue them emigration passports. We tried everything possible for us to get them over , we took part in the hunger stricke in front of the U.N. on April 10,78, as well as in Washington D.C. in 1978 and 1979, and now I participating on the protest action in front of Romanian Mission from New York City in each weekend, for be continue the protest actions against of the Romanian Governement .

From the moment my mother and our son requested the emmigration visa there has been constant bluster upon them. Our son who was employed , was told by the local party leader and police that he would be fired if he still should insist to join his parents who betrayed their country by leaving the communist regime. Niether my mother nor our son were ever member of the communist party. In the mean time our son , who is so very young 24 years old, lost his job, all medical benefits and is now permitted to do only unqualified work, that the governement might offer him, and be payed with the lowest possible salary. He is constantly blustered to be fired again this time for good.

Please see next page,

On the other hand, my mother, who is almost 70 years old, has been refused free medical service although she has no other income than a poor pension. She desperately needs medical treatment which we could offer her here, if she was to come over. She is poverless and unable to fight against the brutal regime of that beings in Romania.

I would like to mention that in May 78 and June 79, I sent to my mother and our son an " Affidavit of Support " as well as to Mr. Consul Luciano Mangiafico, the U.S. ambassador in Bucharest.

For the reasons mentioned above, the last chance and hope is to apply to the U.S. Senate because of the stand in human rights that U.S.A. is leading in the world. This is the main reason, freedom, why we chose the United States as our new home.

Thank you for the interest
in this letter,

Sincerely

Rada Georgescu

July the fourth, 1979

Rada Georgescu

Dragos Popescu
31-77 33rd St. Apt. 1E,
L.I.C., N.Y. 11106

Honorable Sir:

I am an American citizen and I appeal to your Humanitarian Support as the only hope to have my family reunited.

It is well known that granting of the most-favored-nation-trade treatment to Romania was conditioned on compliance with the freedom of emigration provision.

It is well known that the Communist Romania it is making the emigration more and more difficult and very often impossible.

Even though the Human Rights regarding family reunification and freedom to emigrate are legalized both by the Romanian laws and the International Agreements ratified by the Romanian Government practically they are very often ignored and the worst of it is that they are violated by the very people who have to reinforce them. The double standard regarding Romanian laws it is obvious. There is a liberal law, written on the paper, which is designed to make a good impression abroad and to lift up the international prestige of the Socialist Romania and there is another unwritten law, totally opposed to the first one, which is applied inside of the country.

I realized this tragic fact when:

-my brother Doru-Eugeniu Popescu; M.D., born 3/31/38,

-his wife Coralia-Lacramioara Popescu, M.D., born 9/25/38,

-their daughter Adina-Ioana Popescu, born 9/25/63,

all of them residing at the address: Str. Ciurea, Nr. 9, Apt. 2, Bloc E2, Sc. A, Sect. 3, Bucharest, Romania,

asked Romanian Authorities for the Exit Visas.

On 12/28/79 they filled out at the U.S. Embassy in Bucharest all the

necessary forms for the U.S. Immigrant Visas. As a result of the

approval received from the U.S. State Department, the U.S. Embassy

in Bucharest confirmed that they qualify for the U.S. Immigrant Visas.

Their applications for the Exit Visas have been repeatedly denied

by the Passport Department of the City of Bucharest (File Nr. 22121).

At their appeals to these refusals (Nr. 1575/IIE from 5/19/79 addressed

to the Romanian State Council and Nr. 63211 from 5/23/79 addressed

to the Central Committee of the Romanian Communist Party) they did

not receive any answer.

Instead the Communist Romanian Authorities started to:

-put the constant pressure on my brother and his wife in order to

determine them to change their minds,

-put them in an awkward position on their jobs,

-completely suppress their correspondence addressed to me, making our communication very difficult,

-harass and force them to live in permanent nervous stress.

If the extending the M.F.N. Clause to Romania becomes just a formality I am sure that the Human Rights in Romania will be more and more violated and our families will never be reunited.

Thank you for your Humanitarian Support.

Sincerely yours,

Dragos Popescu

Dragos Popescu.

Mrs MARIA COPII (maiden name MARIA SABAU)
 Mr TRAIAN COPII
 75-22, 29th St, Apt E 2
 STORIA, NY 11786
 Tel (212) 932-1657

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS
 Art 13

- 1.- Everyone has the right to freedom of movement and residence within the borders of each state.
- 2.- Everyone has the right to live in any country including his own and to return to his country.

HONORABLE SIR,

We are Mrs MARIA COPII (maiden name MARIA SABAU) and Mr TRAIAN COPII, ROMANIAN born and POLITICAL REFUGEES in the USA together with over three sons since SEPTEMBER 1977, being POLITICAL DISCRIMINATE by NICOLAE CEAVSESCU's SECURITY in our native country, we succeeded to obtain a PASSPORT after a strong and persistent FIGHT with CEAVSESCU's GOVERNMENT. In AUSTRIA we were granted with POLITICAL ASYLUM by the HIGH COMMISSIONER FOR REFUGEES OF VIENNA from GENEVE and then we reached the U.S.A. But painfully we were forced to left behind in COMMUNIST ROMANIA as HOSTAGES;

- 1.- IOSIF SABAU, water polvtion technician, born on SEPT 6, 1954, -my wife's brother.
- 2.- MAGLAIENA SABAU, born on NOV 27, 1935, -his wife
- 3.- IOSIF TEODIL SABAU, born on NOV 15, 1950, technician-their son
- 4.- NICOLAE AURELIAN SABAU, born on MAY 2, 1960-their son
- 5.- DAN LERBILIA SABAU, born on FEBRUARY 17, 1962-their son
- 6.- MARIA SORINIA SABAU, born on JULY 28, 1964-their son
- 7.- MAGDALENA SABAU, born on DECEMBER 1, 1964-their daughter
- 8.- CARMELA SABAU, born on MARCH 17, 1964-their daughter
- 9.- CRISTINA SABAU, born on DECEMBER 1, 1967-their daughter
- 10.- SORIN VIOREL SABAU, born on JULY 26, 1969-their son
- 11.- MARCEL SABAU, born on JANUARY 30, 1971-their son
- 12.- EMILIAN SABAU, born on AUGUST 18, 1972-their son
- 13.- OVIDIU VIOREL SABAU, born on MARCH 13, 1974-their son
- 14.- EVGEL SABAU, born on APRIL 8, 1976-their son
- 15.- CRISTEL SABAU, born on APRIL 9, 1978-their son

Mr IOSIF SABAU, his wife and their 13 children are living at Strada TUDOR VLADIMIRESCU Nr 66, CRADEA-MARE, Jvdctvl BIHOR, ROMANIA. They were and still are terrorise by CEAVSESCU's SECURITY because their religious faithfull for which they are forbidden to workship with. As father of 13 children Mr IOSIF SABAU was layd off from his job as water polvtion technician and only after several months when he succeeded to found out a job as bus driver he was layd off from by SECURITY. His wife was layd off from her job too. There are 13 children who are walking from door to door nity because their parents are forbidden to work in their native country COMMUNIST ROMANIA. Their applications for EXIT VISAS were rejected last time in DECEMBER 1979.

In the same deperate situation are and the other HOSTAGES:

- 16.- FRANCISC SABAU, -my wife's father, and his wife
- 17.- MARIARA SABAU (maiden name BAREVRA BERTANU) a HEROINE MOTHER of 11 children who is suffered by HUNGARY together her 11 children forbidden to work. They are living at Strada MATEI CORVIN Nr 6, CRADEA MARE, Jvdctvl BIHOR
- 18.- FRANCISC SABAU, -my wife's brother
- 19.- IVELIANA SABAU, his wife, -both residing at Str, AVRORA Nr 26, CRADEA

We appeal to you HONORABLE SIR to use your influence in persuade the ROMANIAN'S COMMUNIST PRESIDENT NICOLAE CEAVSESCU TO GRANT THEM IMMEDIATELY WITH EXIT VISAS in respect of THE UNIVERSAL DECLARATION OF HUMAN RIGHTS, OF MEN AND BELGIAN AGREEMENT in order to REVIVIFY OUR FORCED SEPARATE FAMILY FOR ACCOPLISH THIS HUMANITARIAN GOAL WE JOINED THE SIXTH ROMANIAN HUNGARY STRIKE FOR FAMILY REUNION IN THE USA, STARTED ON FEBRUARY 1, 1979 in WASHINGTON DC. WE WILL LIVE THE HUNGARY STRIKE PLACE ONLY WHEN OUR HOSTAGE RELATIVE WILL BE HERE IN OUR NEW HOME LAND: THE USA.

GOD BLESS YOU!

MARIA COPII *Maria Copii*
 TRAIAN COPII *Traian Copii*

BEST COPY AVAILABLE

Florentina Georgescu
 30-89 34th St. Apt. 1C,
 L.I.C., N.Y. 11103

Honorable Sir:

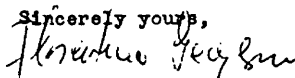
I appeal to your Humanitarian Support in behalf of my son,
 Vasile-Theodor Georgescu residing at the address:
 Blvd. Ion Sulea, Bloc 56, Apt. 38, Sect. 4, Bucharest, Romania.

I have applied on numerous occasions to the Romanian authorities asking
 to consider my request and allow him to leave the country and join
 me and my daughter in the U.S..

As a result of my request my son has been summoned by the local party
 officials and has been threatened that this "case" will be forwarded
 to his working place for further discussions. Following his request
 for a passport on March, 1978, he was told by the Major Zdrenghea
 that "he will not be able to get out, not even as far as Russia,
 and if he has any objections, there is a place for him in the forced
 labor camp...".

I appealed to the Romanian Authorities but I did not receive any
 ans sr. My son is actually an hostage who has no hopes to ever be able
 to see his mother and his sister again.

I appeal to your humanitarian support to consider the plight of our
 families left hostage in Romania, and not to waive the Jakson- Vanik
 amendment until our request will be heard by the Romanian Authorities.
 Thank you for your humanitarian support.

Sincerely yours,


Florentina Georgescu

Dumitru Covalcic
30-11 John R Avenue
Trenton, Michigan 48183

Honorable Sir:

I am a naturalized American Citizen, born in Romania. I am very proud of my new country where I am enjoying a life of opportunities and freedom which I never new existed before.

Nevertheless, being alone in this country I find myself in a helpless situation in determining Romanian authorities to issue a marriage permit for my fiancée: Todossie Floarea

domiciled at: Str. Tamponului nr. 31
Buc. - Sect. 8 Romania
File #II AS 11218-1978

There are 19 months since we have asked for the marriage permit and an exit visa from Romania for my fiancée. In all this time, we have exhausted all the legal channels. As of now, we do not have an approval yet and no hopes for the future.

The American Embassy in Bucharest through the Hon. Consul Luciano Mangiafico made 5 representations in my behalf to the proper Romanian authorities with no better results.

Honorable Sir:

I am 49 years old. I've already waisted almost 2 years of my life asking for this marriage approval. My fiancée's case is not an isolated one. As an american citizen I am asking myself:

1. Why do we have to reward Romania extending the MFN when the basic human rights are systematically violated in that country?
2. Why do we have to extend a helping hand to a country which is ignoring its' own signature on the Declaration of Human Rights?
3. 1 year before obtaining MFN, Romania has had a much more liberal emigration policy. Immediately after it was granted, eventhough it was conditioned by President Carter and by Jackson-Vanick amendment, the Romanian emigration policy became much more tighter. This demonstrates Romania's appreciation for our government and for its' own commitments.

This is why I have joined all the Romanians participating in the hunger strike and demonstrations of protest against systematical violations of human rights in Romania.

We do not think that by granting MFN to Romania, its' humanitarian purposes will be achieved. Besides the violation of human rights, the everyday life of the people in that country did not improve at all. It gets worse everyday, in spite of all the figures shown by the Balance of Trade between USA and Romania. If none of its' humanitarian purposes is achieved, extending MFN to Romania, becomes just a formality. That's why tougher control should be imposed on Romania's compliance with its own assumed obligations.

As an American Citizen, I AM ASKING THE SENATE TO DELAY THE EXTENTION OF MFN TO ROMANIA, UNTIL ALL OUR FAMILIES WILL BE ABLE TO LEAVE ROMANIA. ALSO, WE THINK THAT U.S. SENATE SHOULD MAKE ROMANIA RESPONSIBLE FOR ITS' OWN BREACH OF PROMISE, ASKING THE ROMANIAN GOVERNMENT TO EXPLAIN THE REASONS WHY ALL OUR RELATIVES HAD TO BE CONTINUOUSLY DISCOURAGED TO APPLY FOR A PASSPORT. THIS WILL BE THE ONLY WAY TO HELP ROMANIAN PEOPLE.

Sincerely,

Dumitru Covalcic

Dumitru Covalcic

MR. CHAIRMAN, HONORABLE SENATORS

I the undersigned Dionisia Gartu, D.D.S. reside in New York at 43-09 40th St., Apt. 3F, Long Island City, N.Y. 11104. I am coming in front of you to protest the inhuman treatment by the leaders of Communist Romania of the emigres in the U.S.A. who want to reunite with their families.

In October 1977, I asked the Romanian authorities in Bucharest to allow the immigration into the U.S.A. of my brother Atanase Gartu, who is an Engineer in Bucharest, my sister Florica Miliu from Constanta and their family.

The Romanian authorities have promised them that they shall receive shortly their Passports. Four months later, my relatives received the answer that their application was rejected.

Since then, I have written to the Romanian officials in Bucharest and Washington, to intervene in my favor. But I have received no reply.

Then I appealed to several Senators and Congressmen of the U.S.A. to help me reunite with my family. But up to the present, I have achieved no results.

In my despair, I started the hunger strike in front of the White House, the Capitol and the Romanian Embassy. I continued the protests in front of the Romanian Mission in New York.

In this manner, I was attracting the attention of the people on the disregard of the Romanian Government of my rights.

From the windows of the Romanian Mission the employees were threatening me with their clenched fists and obscene postures.

In Communist Romania there is terror, lack of freedom, fear to trust people because it is well known that two out of three men are informers of the Security Service and the Police.

All citizens are forced to spy on each other and those who refuse are dismissed from their jobs, or sent to work in the country.

The people are permanently deceived. For over ten years we were promised that we shall work 5 days a week and up to today people are working 7 days a week (also on holidays) without paid overtime.

The Romanians are forbidden to talk to foreign tourists. If they talk, they must give to the Police a statement on what they said. The tourists are followed all the time by the Security Service until they leave the country.

The Communist Party commits without fear all kinds of abuses, and the people are deprived of any rights.

As a proof that the word of the Romanian officials is absolutely worthless, I have a letter of reply to Congressman Mario Biaggi, dated April 5, 1978, proving that the Romanian officials are not respecting their promises even to a Congressman of the U.S.A. On ground of the above facts, I beg you to refuse categorically to bestow the clause of the most favored nation to Communist Romania because the Romanian people have no benefit and the Communist government is violating permanently the Helsinki treaty. Begging you to help me in the reunification with my family and thanking you for your kindness and understanding, I beg to remain,

Respectfully yours,



Dionisia Gartu, D.D.S.

Ioan-Victor STOICA
 Olimpia STOICA
 Aldea STOICA (father)
 66-22 Fleet St. 4B
 Forest Hills, N.Y.
 New York 11375
 Tel. 212.268,0163

New York, July 9, 1979

HONORABLE SIR,

A long time ago our relatives did not receive the passports from the Romanian Government to immigrate to the U.S.A. :

- Efrem & Jenica ZAHARIA (parents): Str.M.Eminescu 22, Bloc 7, Ap.22, 2000 Ploiesti, Romania,

- Romulus & Mariana STOICA (brother & sister-in-law): Blvd.Al.Vlahuta 59, Bloc 141, Sc.B, Ap.41, 2200 Brasov, Romania,

- Teodor, Aurelia & Tiberiu ZAHARIA (Brother, sister-in-law, nephew): Str.M.Eminescu 22, Bloc 2, Ap.13, 2000 Ploiesti,

- Neculae VERESTEANU (cousin): Str. Patriotilor 1, Bloc PM 16, Sc.B, Ap.38, Sector IV, 74594 Bucuresti, Romania.

We joint the 8th. Romanian Hunger Strike for family reunion in the U.S.A. in the name of the Human Rights and signed by the Romanian Government.

We would like to request not to grant an extension of the MFN to communist Romania until all hostage relatives of hunger strikers will be set free.

Sincerely yours,

Nitica

Alina
Alina

AMERICAN-ROMANIAN GROUP
FOR FAMILY REUNIFICATION
AND FREEDOM TO EMIGRATE IN ROM
IN ROMANIA.

Speaker: Dragos Popescu
31-77 33rd St. Apt. 1E,
L.J.C., N.Y. 11106

July 15, 1979.

Honorable Sir:

We are a group of American-Romanians fighting for family reunification and freedom to emigrate in Romania.

We like to express our deep regret and frustration that our speaker Mr. Dragos Popescu was not allowed to testify in our behalf, at July 19, public Hearing of the Committee on Finance of the U.S. Senate. If the U.S. Senators want to have the truth about family reunification and human rights in Romania, why not have it directly from the people who accumulate all the sufferings and pains in fighting for this. We wrote hundreds of letters to Romanian Authorities, to our Senators and Congressmen, we have been in two weeks Hunger Strike in Washington, D.C., and one and a half months peaceful protest in front of the Romanian Mission at the U.N.O. in N.Y.. We did not accomplish anything. The sufferings of our families are unnumberable.

We have been waiting for the opportunity to testify in front of the U.S. Senate for a whole year. Being denied this we have no other place to go and nothing else to try. We have tried everything hundred times. We hope that this being our last chance, our request to testify will be reconsidered.

Thank you for your humanitarian support and for your understanding.

American-Romanian Group for
Family Reunification and
Freedom to Emigrate in
Romania.

The undersigned delegate Mr. DRAGOS POPESCU as the only speaker
 in behalf of " AMERICAN - ROMANIAN GROUP FOR FAMILY REUNIFICATION
 AND FREEDOM TO EMIGRATE IN ROMANIA ", at the Senate hearings of
 July 19, 1979 - Washington, D.C.

1. TATU VIRGINIA
2. JOSEPHINA CRAMER
3. PAULA LERESCU
4. RADA GEORGESCU
5. OLIMPIA STOICA
6. ALDEA STOICA
7. DRAGOS POPESCU
8. TRAIAN COPIL
9. DIONISIE GARTU
10. FLORENTINA GEORGESCU
11. ANDREI AUREL
12. DUMITRU COVALCIC

Virginia Tatu
Flowers
Paula Lerescu
Rada Georgescu
Olimpia
Aldeia Stoica
Dragos Popescu
Traian Copil
Dionisie Gartu
Florentina Georgescu
Andrei Aurel
Dumitru Covalcic

STATEMENT

Of the Romanian Baptist Fellowship, publisher of The Christian, affiliated with the American Churches Convention, George Crisan, editor, 9410 Clifton Blvd., Cleveland, Ohio, 44102; the Romanian Radio Hour of Cleveland, Ohio, Rev. Danila Pascu, Founder-Director, Pastor Emeritus of the Romanian Baptist Church of Cleveland, Ohio, 9410 Clifton Blvd., Cleveland, Ohio, 44102; Rev. A.S. Lucaciu, Pastor The Romanian Baptist Church of Detroit Michigan, 30115 Mayfair Rd., Farmington Hills, Michigan 48024; and George Crisan, legal counsel, 6726 Fairwood Rd., Hyattsville, Maryland, 20784, for the benefit of Committee on Finance, Subcommittee on International Trade of the United States Senate, on the Presidential Recommendation to continue the waiver applicable to the Socialist Republic of Romania, and to extend the waiver authority under the Trade Act of 1974.

These organizations favor the Presidential recommendation to continue the waiver applicable to Romania and the extension of waiver authority under the Trade Act of 1974.

Our organizations comprise Romanian-English speaking Baptists. The Fellowship has affiliated members throughout the United States. They maintain their ties because of their ancestry and their sincere interest in promoting stronger ties of friendship, both political and economic, with Romania.

The Romanian Radio Hour of Cleveland, Ohio reaches listeners within a radius of more than 100 miles. Thousands of listeners are supporting the program. The Christian, a bilingual quarterly, is read by several thousands of people in the United States, Canada, and practically all countries of Western Europe and Romania.

We have testified in the past and supported the Presidential recommendations. We have personal knowledge that the Romanian Government tries hard to comply with the Treaty Clauses and thus to improve it's relations with the United States of America.

We, individually, have visited Romania. We were free to address many Baptist Congregations and to share in faith with our Christian brothers there.

In our trips and visits we have met with Romanian Baptist leaders of Hungarian language also. At no time or instance have we been apprized of any ethnical discrimination by the Romanian Government.

Romania was in all her past a Western oriented nation. It was the Wilson Principles in 1918 that made Romania a whole nation. Regardless of the color of her political leadership, Romania is westernly oriented and she shows courageous independence with regard to the Soviet-Russia pressure. We are persuaded that the trade relations with Romania are beneficial to the United States.

We sincerely appreciate this opportunity afforded to us by the Chairman of the Subcommittee on International Trade of the Committee on Finance of the United States Senate.

George Crisan

George Crisan
Editor, The Christian
Member of the D.C. and
Maryland Bars
Legal Counsel

Rev. D. Pascu

The Rev. Danila Pascu
Director of the Romanian
Radio Hour of Cleveland,
Ohio

A. S. Lucaciu

The Rev. A.S. Lucaciu
Pastor, The Romanian Baptist Church
Detroit, Michigan

DR. TITUS PODEA,
New York, July 6, 1979.

Re: Extension of MFN to Romania.

Hon. Senator ABRAHAM RIBICOFF,
Chairman, Subcommittee on International Trade,
Washington, D.C.

DEAR SENATOR RIBICOFF: I am writing to you in response to your call for a public hearing on the matter of granting in continuation nondiscriminatory treatment (MFN) to Romanian trade under the Trade Act of 1974 and the United States-Romanian Trade Agreement.

The United States Government through its President finds it desirable and necessary to extend to Romania nondiscriminatory treatment of tariffs in expectation of securing new opportunities for U.S. business and of further benefiting our political relations with Romania.

Our Government believes that the United States Trade Agreement with Romania is a legitimate one. It has been arrived at the conference table by reciprocal and mutual negotiations of questions deemed of common interest and has been extended to another period of three years.

Inasmuch as in the past the Senate Subcommittee on International trade has viewed the granting of MFN to Romania as a continuing process born of continual responsiveness to its own standards of performance and its verifiable measures, is it not, now, relevant to question whether another step forward would not further induce a more proper distribution of the benefits and burdens of social cooperation between our two countries? An initiative by the United States of opening its area of cooperation with Romania (within social-economic and judicial space) while it would suggest an element of uncertainty and risk would, however, at the same time separate the inequalities of information i.e., separate the pseudo-judicial propaganda play or the administrative act in disguise from the values of fairness as an active element interpenetrating the rules specifying the conditions for the availability of grievance remedial mechanisms.

After five consecutive years of trade relations in which both Romania and the United States have had the occasion to exchange substantive and meaningful expressions of their perceptions of common interest beyond the ceremonial encounters of diplomatic relations, it would seem that time has come to make a new affirmation and invest the United States-Romanian Trade Agreement with new and lasting binding authority.

After five years of accumulated experience in economic and social interactions with Romania, adjusting and equilibrating to the various rates of change, a new repertoire has been developed which comes closer to our sense of "legal adequacy", namely: a sense of comprehensiveness (all significant aspects), of consistency (Minimum of contradictions) and of an ultimacy (an irreducible principle).

The communicative power of the Trade Act results from the selective incentives it overtly espouses on the one hand, and the inhibitory propensity it obscures on the other. An authentic communication depends on authentic language, divulging the real intent of the message. It is, herewith, suggested that a new pattern be put into effect.

The essence of approving a new pattern of trade relations with Romania is very much a matter of achieving a reconciliation between national needs, requirements and objectives and the needs of the international community. It would be a creative act not simply to reconcile and resolve conflicting views and practices, but make national and international goals mutually reinforcing. We are caught in the mid-stream of vast new problems, and it is an illusion that we can insulate ourselves from the need to cooperate with the rest of the world in a new manner. The U.S. Secretary of State was emphatic in his statement on U.S. foreign policy; "... There can be no going back to a time when we thought there could be American solutions to every problem. We must go forward into a new era of mature American leadership. For 200 years we have prospered by welcoming change and working with it, not resisting it. We have understood, at home and abroad, that stability is not status quo. It comes through human progress".

This is a unique American signal for which the International community has been waiting and around which it has coordinated its expectations. It is, herewith, suggested that the Senate Subcommittee on International trade recognize these realities in the same measure.

The Jackson-Vanick amendment was not intended to constrain United States-Romanian trade. Is it not, then, fair to ask the Subcommittee to consider the new pattern which has emerged out of the experience of the last years and remove the provisions of periodic short-term yearly extensions of the Presidential waivers if not

altogether, at least, put them on a triennial basis more compatible with the three year extension of the Trade Agreement?

It is hereby suggested that the Senate Subcommittee on International trade grant the most favoured nation clause to Romania and that it consider repeal of such procedural encumbrances in the future.

It is within such context that the 95th Congress passed Public Law 95-501, Oct. 21, 1978, known as "the Agricultural Act of 1978" in which special reference is made to Title IV of the Trade Act of 1974, Sec. 604. Quote; "Within six months after the date of enactment of this Act, the Secretary of Agriculture shall submit to Congress a report detailing the effect on the United States agriculture of Title IV of the Trade Act of 1974, including a recommendation as to whether the provisions of such title should be repealed or amended." (Submittal to Congress 19 U.S.C. 2431)

An effective trade agreement between United States and Romania undertaken in good faith reinforces our expectations and their legitimacy in the international community. It elevates commercial transactions to the level acceptable to our societal setting mediating at the same time and attracting unto American interests values most functional to our policies. The collective goal of United States-Romanian interests requires such an affirmation from your committee.

Respectfully submitted,

PROF. TITUS PODEA.

P.S. I am submitting this statement as a business consultant, a university professor, a former United Nations consultant concerned with East-West trade relations.

[From News from Student Struggle for Soviet Jewry, July 11, 1979]

GREAT CAUTION URGED FOR UNDERSTANDING WITH ROMANIA ON EMIGRATION

Commenting on the reported "understanding" between a group of Jewish organizations and Romanian diplomats which may resolve the problems on Romanian Jewish emigration, Center for Russian and East European Jewry national director Jacob Birnbaum urged "great caution in the light of Romania's poor record on Jewish emigration since 1975."

The Center has been instrumental in obtaining the emigration of a substantial number of Romanian Jews in recent years. According to the group, the rate of Jewish emigration had plunged from 250-350 monthly in the early 1970s to 50 a month in 1979, while the number of Jews who sought to leave remained heavy. As of June 30th, only 9 passports had been issued for Romanian Jews for July. Despite Romania's commitment to comply with the Jackson-Vanik Amendment which links US trade credits with emigration, and Bucharest's ratification of Helsinki Agreement, both in 1975, new emigration obstacles and harassments have multiplied since then.

Mr. Birnbaum said that "without very solid evidence of good faith lasting over a period of at least six months, Congress would be in violation of its own laws in providing further extensions of most-favored-nation trade status at this time."

These assurances and evidence, Birnbaum stated, should include written assurances of—

- (1) Intention to comply with the Jackson-Vanik Amendment.
- (2) Recognition of a simple letter of intent to emigrate as being the first step to simplification of the emigration procedure.
- (3) Immediate steps to release long-separated families, at least 500 by September 1979, leading to a reversion to the 250-350 monthly emigration rate.
- (4) Granting amnesty to several dozen former "scapegoat" Jewish prisoners from the 1960s, as promised last summer, then giving them the opportunity to emigrate.

Mr. Birnbaum declared that "critical to the success of future emigration would be the introduction of an adequate monitoring procedure in Bucharest itself, preferably under the auspices of the American Embassy. This would give any Romanian Jew desiring to leave a certain protection, and also assurance that his application would not be ignored, as it so often is now."

SUMMARY OF TESTIMONY OF GEORGE F. DANCUI, PRESIDENT, UNIVERSAL INDUSTRIES INC.

1. Name and company.

2. Time spent in Romania.—Five years out of the last fifteen years of personal experience of actual living in Romania, among Romanians at all levels, high administration, as well as common man, pursuing cultural and economic commercial

objectives and promoting American—Romanian Cooperations and Relations, also representing American Firms.

3. *Minority nationality rights.*—Positive personal observance of cases of freedom for Minority Nationality of Ethnic Groups, and their right to follow individual autonomy, native culture, customs and language, all over the country in Cultural activities, and personal as well as public life.

4. *Religious rights.*—Positive observance of respect and permission by the State for the Church to follow its separate path as a separate entity with many denominations, and the rights of individual citizens to attend the church of their choice without discrimination in job or University.

5. *Freedom of emigration.*—My personal case—I married a Romanian citizen April 4, 1978 with Government approval. After three months her passport was approved. She is now a Green Card U.S. Resident. Now her mother's Romanian passport is approved and American Visa for emigration to the U.S.A. on a family integration basis. I signed a business contract with the State Romanian Steel Industry as a Consultant, Technical on Maintenance of Industrial Equipment and Products on May 28, 1978. This has since been extended into 1980. Romania will progressively purchase on an ever increasing basis American products and installations thereby improving a positive trade balance.

PREPARED STATEMENT OF GEORGE F. DANCIU

Mr. Chairman, Distinguished Senators: My name is George F. Danciu. I am President of Universal Industries Inc., Cleveland, Ohio.

I am an American-born citizen of our great country, but my parents and ancestry originate in Transylvania—one of the ancestral provinces of Romania, I've come here to humbly add my knowledge and experience to the knowledge and efforts of our distinguished senators, of members of our large communities, in the search for facts and truths and the determination of why and whether the extension of the waiver for Romania is in the best interests of our country, of ourselves, of enhancing our national foreign policy goals, and of our individual citizens.

I myself was surprised when I totaled the days of my many trips (41) forty-one in all, to Romania—as a businessman and tourist, working and relaxing among the Romanians, 224 weeks in 15 years, roughly 5 years of the 15 years which elapsed from my first visit there, in 1964 when I first went on cultural Exchange U.S. State Department approval.

About Romania I had heard many things from my parents, but their memories were from a very far past. I wanted an up-to-date, true, factual, personal opinion. I had heard about Romania, also from our newspapers and from some of my Romania friends and former citizens of Romania, and from the debates held in our legislative body—The Congress.

I could briefly characterize many of these impressions as contradictory and some attempting to create a false image of Romania as an authoritative, oppressive state, regarding the rights of its citizens, in both nationality matters and religion.

It would be an oversimplification to simply state that this is not true, and my personal opinion, as well as that as an American businessman. This is based on my personal experiences.

I think five years of living in Romania, out of 15 years is sufficient time to get to know a country, its traditions and its customs, and its people, and both good and bad aspects, all on even a personal level.

I travelled the whole country freely, in towns and villages and seaside, and had dealings with State companies and cooperatives, I lived in hotels and houses of various common people, I talked to anybody I wanted and I was able to discuss with everyone I met, any question I wanted. I had the distinguished privilege and pleasure to meet, in 1970, the President of Romania, Nicolae Ceausescu. I must confess to you, distinguished senators, how overwhelmed I was by his personality, a very warm open and bright personality, by the depth of his thoughts and strivings to achieve the highest living standards for all citizens of Romania, irrespective of their nationality, belief, religious, or political convictions etc.

I traveled a lot, of course, in Transylvania, which has a large percentage of Hungarian nationals. I had some difficulties in some places for not knowing both Romanian and Hungarian because many names of streets and shops were in Hungarian.

I saw Romanians speaking Hungarian and Hungarians speaking Romanian, and they understand each other pretty well. I took part in business meetings in some places where sometimes the officials, business, or Government were from different nationalities.

I saw in the libraries and bookshops entire departments of books, scientific, fiction, translations, books for children only in Hungarian, or Hebrew or German or other languages.

In Cluj, there is a parallelism and equal liberality of cultural pursuit of artistical institutions despite the gap in a lower percentage of the nationalities: there is a Romanian Opera near a Hungarian Opera; there is a Romanian Theatre near a Hungarian Theatre; there is an Institute for film and cinema with Romanian language, teaching and performances, and then is an Institute for a film and cinema with Hungarian language teaching and performances.

In Bucharest I attend the performances of the Jewish Theatre, in Jewish language and with Romanian simultaneous translation, and the Romanians are very proud of the fact that this is the oldest Jewish Theatre in the world.

Let me mention also the special programs broadcasted by the Radio and Television stations every day in the languages of the minority nationalities, and not limited to news, but expanded to feature films, languages courses, round-tables etc.

I am proud of our country's record in our domestic policy toward our minority populations. But I also feel that we could learn something from the Romanians experience, which I consider to be an outstanding example of how a people and a country is striving to pull itself up by its own boot straps and improve its standard of living for each and every citizen, starting from a very low level of development hampered by sensitive relationships among its ethnic nationality groups, and fed by centuries of international intrigue and strife.

In respect to religious freedom, to the best of my knowledge, there is no discrimination because of religious belief or lack of belief. The Church is separated from State and it has its own life. There is no requirement to state or declare one's religion or whether one belongs to one religious denomination or another on applying for admission to school or assignment to job. And there are as many as 14 religious denominations carrying on activities in Romania.

I myself go to church on Sundays in Romania and I have witnessed myself every Sunday or holidays many Romanians attending religious services at different churches all over Romania. I know of no policies of the Government that would put obstacles in the path of one's following his religious convictions in Romania.

The basic common sense and the knowledge fully proven to me by my own personal experience as to human rights in Romania are the reasons that enable me to fully support the extension of the waiver and MFN to Romania.

As an Addendum: I applied through normal channels for marriage approval to a Romanian girl, I've known for seven years. It was approved and we were married last April 4, 1978. My wife came to the U.S.A. in July 1978 with her Romanian Government approved passport, after only three months. She now has her U.S.A. Green Card. She is now back in Romania waiting to come back to the U.S.A. with her mother, my mother-in-law, whose passport has been approved for emigrating to the U.S.A. and they will both be coming soon to the U.S.A. on a family integration basis.

To illustrate the progressive nature of Romanian Industry, I was granted and signed on behalf of Universal Industries, Inc. a Consulting Contract in May 1978 with the Romanian Steel Industry for Installation and Maintenance of Steel Mill Equipment, the first "Unique" Contract with an American Firm not tied to a specific installation or product, only for American Technical advice, a contract which since has been renewed into 1980, to upgrade and employ American technology and products on a continuing, as well as on an increasing basis, conforming to an ambitious program of Industrial Investment for all industry in Romania not only steel all over the country. It is possible for other American Companies to aid and assist Romania in its high industrial goals, also to sell their products and installations on an increasing volume basis thereby improving a positive trade balance.

ADDENDUM TO TESTIMONY OF GEORGE F. DANCU

SUBJECT: JEWISH EMIGRATION

Since 1964, my first trip to Romania, and on each of forty-one trips later over fifteen years, I've observed fewer and fewer Jewish people in Romania. Many have been permitted to leave who were active in cultural activities I was involved in at performing levels as well as high administrative levels. I've personally known of a famous young concert violinist, instrumentalists, opera pianists, opera and symphonic personnel and composers who have left. A brilliant engineer expert on electronic organs left. I also know many of Jewish extraction in high government posts who don't want to leave, in Culture and Industry.

Among common ordinary folks from the Sector I lived in for a total of about four years, No. 3, Strada Ion Voinescu, called the Old Jewish Sector (DUDESTI) in Bucharest, every year a few more left for Israel till I think there are only (2) very old Jewish people I know, Mr. and Mrs. Greenberg who are the only ones left and they are staying because they want to spend their remaining years in Bucharest. The old Jewish Sector is no longer Jewish, most of them have been permitted to emigrate.

I studied opera singing as a hobby, all my time in Romania and made my debut sponsored by the American Embassy in Bucharest, in 1973.

My professor of voice, Mihail Vasilopolo, whose wife has emigrated, whose Jewish son-in-law and daughter, both in their twenties, and two children, also have in 1975 gone to Israel. The son-in-law is an engineer and wife a pediatrician (child doctor), both educated in Romania. The son's mother and father have been permitted to visit Israel, but returned to Romania, and want to remain their last days in Bucharest.

Professor Mihail Vasilopolo, a Romanian citizen, is the inventor of a Therapeutic Method of Phoniatry (Vocal Emission) that remakes lost singer's voices and corrects functional medical vocal dysfunction. He patented the Method in Romania from Rome, where he was permitted to travel with passport with me to promote this Romanian method; and we did successfully. It was approved and attested to by the Italian Ministry of Culture, as better than any Italian method to date for singers, and was approved by the Italian Ministry of Public Health to be used in Hospitals and Speech Therapy Institutes throughout Italy. We travelled together one year (1976-1977) promoting to Israel, Bulgaria, Greece and Belgium, he on his tourist Romanian passport. Professor Mihail Vasilopolo is *not* a member and never has been a member of the Romanian Communist Party. He was, also, a high staff member, close to a former President of Romania, Petru Groza.

I know of no Romanian Government policy that discriminates against Jewish people in job or educational admission requirement in Romania.

In Israel at Afula and Tel Aviv I observed large colonies of Romanian Jews from Romania.

In high government positions at the Cultural Ministry and at all levels of the theatre I observed Jewish names and people. In industry, also, at all levels there are many Jewish Directors and executives. My throat doctor in 1966-69 was Dr. Isaah, Jewish.

I've never heard of Jewish Religious discrimination in Romania and anyone wanting to attend the Jewish Synagogue in Bucharest can.

Another important point. Will Romania consider itself forsaken by the West, if MNF is refused, and be forced by its geographic (juxtaposition) surrounded on all four sides by Communist States to become repressive in certain Human Rights matters, to justify to its Warsaw Pact partners its re-adherence to Communist principles, or at least match the record and the level of Soviet Compliance to Human Rights Principles? (Romania is the only Warsaw Pact Country which has not permitted Warsaw Pact Armed Forces Maneuvres on its soil even under intense pressure). Or does the West, and the U.S. in particular, need an independent, just, peaceful, friend in Eastern Europe, who is interested in maintaining peace in the world. (Romania mediated the Israeli-Egypt meetings of 1977-78, Romania is the only Communist State that recognizes Israel and has direct flights to Tel-Aviv.) Romania's Relations with China opened the door to a broader more moderate Chinese attitude toward the West, and continuing improvement in U.S.-Sino political and economic collaborations.

In any issue the negative, unresolved cases are the most motivated and the most vehement. The resolved cases naturally not as motivated to surface, and sink into the background unspoken and unnoticed. My case is a positive one, and I ask that it be properly evaluated.

To more sharply focalize the issue, the question is, is Romania attempting to improve emigration and religious freedom.

Has there been progress in these points in each of three years, and now the fourth year, to justify "MNF". Obviously in three past years the answer was yes . . . The President's Recommendation for the waiver this fourth year was obviously not based upon phantasy, but on solid reports of progress and monitoring this progress this past year.

STATEMENT OF RAYMOND HESS, VICE PRESIDENT, JILRAY INTERNATIONAL TRADING INC.

Jilray International Trading Inc. is pleased to have the opportunity to testify to this committee to express our support to extend the most favored nation tariff treatment of imports from the socialist republic of Romania.

Jilray International is a trading company importing and exporting various commodities throughout the world. We represent four U.S. companies in the Far East for export.

We have started negotiations with the socialist republic of Romania to export various commodities needed in their market and to import commodities needed in our market.

We hope in the near future to have a joint venture with the socialist republic of Romania on importing and exporting items to benefit both countries. If the most favored nation tariff treatment is not extended we cannot go into a joint venture for it will then only benefit our country.

We hope that your committee and the President will recommend a further extension of such treatment.

COMMITTEE FOR THE DEFENSE OF THE ROMANIAN PROVINCES:
BUKOVINA, BESSARABIA, HERTZA AND TRANSYLVANIA,
New York, N.Y., July 5, 1979.

Hon. RUSSELL LONG,
*Chairman, Senate Committee on Finance,
Washington, D.C.*

DEAR CHAIRMAN: I am the President of the "Committee for the Defense of the Romanian provinces: Bukovina, Bessarabia, Hertza and Transylvania", a native of Romania but an American Citizen since 1959. I am a former Student of the well known sculptor C. Brancusi. I am member of the "National Sculpture Society" USA, and listed in "Who's Who in American Art" and listed in "Who's Who in Art and Antiques", International Biographical Centre, Cambridge England; also in the "National Society of the Arts and Literature" in Washington, D.C.

In these days, when U.S.-Romanian trade relations and especially the renewal of most favored nation treatment—are discussed in high U.S. legislative forums, it is my duty of conscience to join the well-minded people who positively appreciate that such relations are developing for the benefit of both nations.

As an American Citizen having long personal experience acquired during and after the war period, I am proud to see that U.S.-Romanian relations are now developing year by year.

As a native of Bukovina, one of the beautiful historical provinces of Romania, I have more reasons to be proud of the high level of such relations and to understand fully the present-day importance of developing U.S.-Romanian relations.

These are the important reasons that provide me with an opportunity to request of you, in my capacity as President of the above mentioned Committee, your favorable decision to accept the U.S. Presidential Executive Order to renew most favored nation treatment for American-Romanian trade relations. Your decision will be a most appropriate measure on behalf of the U.S. Congress, to sustain together with our Administration the present and future mansided course of the relations between the USA and Romania, between the American and Romanian people, relations that have existed beyond the moment of the Declaration of Independence of the United States.

It is well-known that today the world is living under very complex conditions and only the full cooperation between countries and peoples can preserve peace for future generations. Only good and daily sustained relations between countries can bring about greater development of mutual understanding and reciprocal respect. The people of the United States—armed with vast historical experience—are well known for their feelings of friendship and cooperation with other peoples.

It means that your favorable decision in one aspect of U.S.-Romanian relations has greater historical justification. This will elevate you to a rightful place, not only in the history of these relations but among high-minded people who fully understand the present and future international situation.

Dear Congressman, since 1967 I have visited Romania and my relatives living there, several times and personally found at every moment that everything is positively changing. I was impressed by the changes under way not only in industry, agriculture, culture, medicare and medicaid, education etc., but in the field of human relations. I had many conversations with simple people and I evidenced

sincere expression of the desire regardless of their nationality to have more and more stable relations with all countries of the world, and especially with the United States and with the American people. They told me with pride of their deep feeling and love for the Presidents of the United States who visited Romania.

Dear Congressman, it is well-known that in the last four years, the Romanian people have faced natural disasters—floods, earthquakes, which practically destroyed in some counties all. But, the Romanian people succeeded in building up with their efforts. At such moments, thanks to U.S.-Romanian relations, the Romanian people succeeded in rebuilding everything, I am sure that this assistance will not be forgotten by Romanians and that they will keep in their hearts, good feelings toward the American people and offer prayers to God for them!

You are well-acquainted with the political relations between the U.S. and Romania and with Romanian foreign policy. It is well-known that in the last decade, Romania has developed successfully extensive contacts and friendly relations with all peoples of the world. This successful policy has been based on the friendly feelings that the Romanian people belonging to the vast family of Latin people entertains. A more evident example of such an independent Romanian foreign policy is the present stage of U.S.-Romanian relations characterized by the high-level talks—the talks between the Presidents of these two countries—the most recent having been on the occasion of the visit to the U.S. in April, 1978, of Romanian President, Nicolae Ceausescu.

Therefore, as President of the Committee for the Defense of the Romanian Provinces: Bukovina, Bessarabia, Hertza and Transylvania, I humbly request you to take into consideration the above-mentioned and to urge, using your high authority, the appropriate decision for renewal of the most favored nation treatment in U.S.-Romanian trade relations. Such a decision is in line with the good feelings that exist today between the American and Romanian people.

Dear Congressman, beginning with 1975—the year when the U.S. and Romania decided upon a Trade Agreement—Romania was practically the first country to sign such an Agreement with the U.S. after the enactment of our Trade Act—The U.S. Congress studies annually the renewal of most favored nation treatment.

Such occasions provide an opportunity for well-informed people both from the Administration and Congress and the Representatives of our business Community to express points of view in connection with trade relations with Romania.

But unfortunately, for the essence of such relations and for the understanding that the American and Romanian peoples have for each other, certain people and self named organization over here are trying by hook or by crook to destroy the beautiful and human contacts which exist today between the U.S. and Romania. Unfortunately for Romania and the American people, such organizations or their young leaders, are using both our democratic system and your patient and precious time only for their sinister interests and are disseminating malicious data and misinformation; their main object being to sustain artificially the impression that the Hungarian nationality in contemporary Romanian Transylvania is under "Genocide oppression".

You have, and together with you, we have a great responsibility toward future generations of Americans. Don't make it possible for coming generations of our country, when they study their past which is our today's present—to read famous Archives of Congress—only unscientific assertions about U.S.-Romanian relations inserted year by year in these publications by such organizations.

First of all I feel it necessary to present to you a short historical background of Romania and the Romanian people:

(1) The Romanian people was formed after the Conquest of ancient Dacia by the Roman Empire after the wars of 101 AD-102 AD and 105-106 AD. The Roman troops were withdrawn in 275 AD (because the migratory peoples appeared from Asia), but the native Daco-Romanian people remained on their territory—Romania.

Fighting against the migratory peoples the Romanians saved their nationality but they could not succeed in reestablishing their former state of Dacia; on the territory of Dacia three Romanian states were formed—Transylvania, Wallachia and Moldavia. They had fought separately or together for their independence against foreign invasions.

The Hungarian migratory people appeared in the region in 898 AD—they being not first or last such people—they subdued Transylvania for a while. Years the Wallachia and Moldavia were confronted with vast empires like the Ottoman and the Russian. While Wallachia and Moldavia had special relations with the Ottoman Empire, Transylvania was an autonomous province in the Austrian Empire (and after 1866, in the Austro-Hungarian Empire, well-known as a "prisons of peoples").

In 1859 Wallachia joined with Moldavia and they formed Romania. After the first world war, Transylvania by the unanimous decision of the people joined with Romania in December 1918, at the very moment when new and independent states like Yugoslavia, Czechoslovakia and even Hungary appeared on the European map, as a result of the dismemberment of the Austro-Hungarian Empire. It is appropriate to remember that after two years, in 1920, during the Versailles Peace Conference, the political personalities of this time and first of all the President of the U.S.A., Woodrow Wilson, stated the democratic principles of "self determination" of nations and "every nationality inside its historical borders" recognizing the full legacy of both formations of new independent states and the unifications such as that of Transylvania with Romania.

(2) In the interwar period of time, the irredentist policy (1940)—in many constitutive elements sustained by Nazi Germany, was developed especially by the Horthyist government of Hungary directed against the new and independent states. In that time when Czechoslovakia fell under Nazi Germany's occupation, Poland was attacked and destroyed as a state, Yugoslavia was conquered by the same Germany, Romania found herself under tremendous pressure from outside and alone before the German and Hungarian fascist war machine was forced to cede parts of Romanian territory: a part of northern Transylvania was granted at a conference in Vienna, by Nazi Germany and fascist Italy to their faithful allied Horthyist Hungary. Bessarabia, Bukovina and Hertza were taken after the ultimatum by Soviet Russia and a southern part of Dobrudja was transferred after the negotiations to Bulgaria.

(3) As previously mentioned I have personal experience of the year 1941-1944 which I want to forget forever. My conscience will not give me peace of mind if I do not tell you the truth—this truth was experienced by me—and I will do so because today people who were directly involved in the events of that period want to create a false image for our young generations.

I know what the Nazi prison was, because I would not accept to be enrolled in Germany's army and troops. I was condemned to 6 months in a Berlin jail. I know what Horthyist troops did from 1940 until 1944, in the Northern part of Transylvania occupied by them from Romania after the Vienna Diktat. Alongside of Romanians who constituted the principal target of the chauvinistic and terrorist policy promoted by the Horthy occupiers, great sufferings were inflicted upon the Romanian and the Jewish population of this region. Only one example in April 1944; Jews began to be convicted in ghettos and in one town, Oradea, about 30,000 Jews were crowded into a small space.

In the summer of 1944, the German Gestapo and the Hungarian fascists began the deportation of all the Jewish population from the Northern part of Transylvania to the Nazi extermination camps. More than 148,000 Jews were deported and over 100,000 were exterminated and transformed into soap. At the same period of time on the territory of Romania the Jewish population found a secure shelter. No Jews were deported to Germany; more than that, Jews arrived in Romania from other countries occupied by Germany; the situation was verified by the fact that after the Second World War a large Jewish Community existed in Romania (about one million) and beginning with 1945, emigrated to Israel; while in other countries their number was substantially diminished during the war. These are realities that everybody with freedom of conscience must think about, especially when vicious-minded people are speaking about "Genocide oppressions" in Romania. Who are these people or organizations that submit to you unscientific allegations and what of the "genocide theory"?

Even in the dark period of recent European history, Romanians did not—as I stated before—use measures against the non Romanian populations. Contrary, to these allegations on so-called genocide, Romanian people—provided during their history equal conditions to all newcomers to their territory. In evidence in present-day Romania, more than 19 million Romanians are living together with the 2.5 millions of non-Romanians (Hungarians who represent 7.9 percent; Germans, 1.6 percent; and other nationalities), and they enjoy full equality of rights, and equally, expression of their cultural heritage.

I urge you to examine closely such organizations, to find out exactly who is maneuvering the people that are trying to bring into question present prospects not only for US-Romanian relations but the integrity of one country which has good relations with the United States.

When such people—and unfortunately some young people—speak about Transylvania, trying to create a false image of "Hungarian majority" there (practically they are only one million while Romanians exceed six (6) million in Transylvania) sustaining indirectly their hidden desire to separate this province from Romania they

recall to me the image of the 1940 events when a part of such Romanian territory was ceded through the Diktat by Nazi Germany to the Horthyist Hungarian Government.

Simultaneously—against my will—the images of the atrocities that Horthyist armies perpetrated in that region come to my mind; the images when Horthyists gunned Romanian villages, crucified the Romanian orthodox priests on the doors of the churches, or pregnant women were hanged in the trees.

Dear Congressman, such organizations are using every moment of US-Romanian relations—political, economic, even cultural, scientific or religious—to exhibit publicly their slogans and to disturb the understanding of American people in their relations with Romania.

Very recently, when a Romanian Theater Company—practically the first such Company to arrive in the United States—was performing in New York, a play of an American writer—they demonstrated at the entrance of the New York Theater. They demonstrated against culture, and you know very well who in the '30's burned books in the squares in Europe. Furthermore, such people that I feel have close connections with the former Horthyists, found appropriate friends in the circle of Romanian fascists here, in the United States, and together, demonstrated against even the religious delegation of the Romanian Orthodox Church, headed by the Patriarch of Romania, when it visited the United States this April (1979) for the first time in the history of the relations between American and Romanian religious communities.

I am Christian Orthodox and I cannot understand that here in the United States somebody can oppose religion. I would like to call to your attention that in Romania there is religious freedom. All churches and synagogues are open to everybody.

I have expressed openly to you all my sincere feelings on certain events.

I have loyal feelings toward my adoptive country—the United States—which granted my everything in very difficult moments of my life. At the same time I have good feelings toward my country of origin, Romania, where my family has over a 400-year history.

Ending my statement, I would like to request once more, the use of your high authority not only to approve most favored nation treatment for Romania, but to sustain all efforts against fascist circles—regardless of whether they are Hungarian or Romanian, and to put an end to their dangerous activities here. I am sure that you will do so because such things are right before God and Mankind.

Very respectfully,

CONSTANTIN ANTONOVICI, *President.*

COMMITTEE TO BRING NAZI WAR CRIMINALS TO JUSTICE IN THE U.S.A., INC., ROUMANIAN JEWISH FEDERATION OF AMERICA, INC., DR. CHARLES H. KREMER, PRESIDENT

Mr. Chairman and members of the Committee: Our organizations, the Roumanian Jewish Federation of America, Inc. and the Committee to Bring Nazi War Criminals to Justice in the U.S.A., Inc. are pleased to have the opportunity to testify before your committee. I represent these groups in my capacity of president. Since 1927, I have been active in Romanian-Jewish affairs and have visited Romania in 1927, 1947, 1965, 1967, 1969, 1971 and 1972. Because of my frequent visits there I can testify that Romania has made much progress, particularly in their treatment of the various religious and minority groups. Vulgar and pejorative terms—the Romanian equivalent of the work "kike"—are no longer found in the Romanian lexicon, although these terms were commonly used during the Iron Guard era by the like of Horia Sima, General Antonescu and rt. Rev. Bishop Valerian Trifa of the Romanian Episcopate. Trifa, a former Iron Guard commandant and now an Archbishop for the Russian Orthodox Church in the U.S. and Canada, is finally being brought to trial in Federal Court in Detroit, Michigan, after evading justice for 29 years.

While Jews were ruthlessly murdered during the Iron Guard regime, they today are granted the amenities of religious life. They are permitted to obtain kosher meat and provision is made for kosher slaughtering of animals. During Passover, matzos are baked and sold or given away free. Dr. Moses Rosen, chief Rabbi of Romania, is a member of the house of deputies. Jews have canteens and summer resorts where kosher food is served, and their Israeli relatives can visit freely. Synagogues are open daily, Israeli kosher wine is available and Jews have their own Jewish theatres and religious schools. The Joint Distribution Committee openly helps the poor and Chief Rabbi Rosen is able to travel all over the world.

All the minorities, including Magyar and German have full religious and cultural freedom. The Jews even have a religious school for rabbis which puts out a bi-monthly publication in three languages: Romanian, Hebrew and Yiddish.

We believe that some of the Romanians who testified against the Trade Bill did so because of political and/or personal reasons and are against the very progress and prosperity of the Romanian people.

We also believe that the motives of the Hungarian representatives who testified against extending MFN to the Romanian Government were strictly political rather than a desire to express the truth. Their assertions were not dealing with the actual situation of the Magyar minority which enjoys full political, religious, cultural and economic freedom—protected as that group is by the Romanian constitution, which guarantees all citizens equal rights, irrespective of their religion, nationality or sex.

During the Israel's 1967 war, Romania was the only nation behind the Iron Curtain that voted with the U.S. in favor of Israel, did not break its diplomatic ties and maintained good economic, cultural and diplomatic relations with both Israel and the Arab countries. I must state that I deplore the fact that the PLO has an office in Burcharest and that its leaders were received officially by the Romanian President Ceausescu.

Although Romania had Kings of German origin, Romania was on the Allies' side during World I; and if it was not for the Iron Guard in General Antonescu's Government, Romania would have again sided with the Allies during World War II. Before this war ended, however, Romania did leave the Nazis and join up with us.

Immediately after World War II, because of here direct frontier with Russia and being overrun by the Russian armies, Romania was forced to adopt a political policy similar to that of her giant communist neighbor. After Russia began a rapprochement with the U.S., Romania became the first Iron Curtain nation to search for closer ties with the Western world and to being a more independent life. This attitude is constantly threatened by some extreme communist elements who still wish to be subservient to Russia.

If the Western world, and especially the U.S., abandons Romania, we will lose our last stronghold behind the Iron Curtain. Before Ceausescu's regime, the Russian language was obligatory, but today, students are allowed to take up French and English, excluding totally Russian.

This fact proves that Romania wants to be a bastion of the Western world in the East and, as in the past, to serve as a bridge between Eastern and Western civilization. For her new role, we must facilitate her separation from Russia by giving her economic concessions. Today, Romania looks to the West for her salvation.

I have hunted Trifa since 1941—due to my personal efforts, Archbishop Trifa of Grass Lakes, Michigan, goes on trial in Detroit on July 30, 1979. Because President Ceausescu takes orders from Brezhnev and because Trifa is an Archbishop in the Russian Orthodox Church, Ceausescu will not give authenticated documents and witnesses to the U.S. that might discredit one of Brezhnev's clerics at the coming trial.

Mr. Thirof, Jr. U.S. attorney trying the Trifa case in Detroit, came back recently from Romania practically empty-handed—without many of the required authenticated documents and with none of the witnesses essential for the trial. I ask you: how can we tolerate seeing a Nazi war criminal go free because Ceausescu follows the Moscow line for such a low murderer? If Russia and Romania so put themselves out for a war criminal, how can we expect humanitarian actions from them in the future?

We cannot stand by and lose case after case of Nazi collaborators in American courts because governments who have pledged to execute the Helsinki Agreement fail to punish Nazi war criminals.

In order to win the Trifa trial, it is absolutely necessary to obtain: (1) all the documents that the Justice Department's Litigation Unit demands of the Romania government—authenticated by that government, and (2) the Romanian government's permission to let its citizens be questioned by Justice Department attorneys and allow them to serve as witnesses at the Trifa trial in Detroit.

I sincerely believe that until and unless the above conditions are met, it is necessary to ask this International Trade Subcommittee of the Senate Finance Committee to refrain from renewing Romania's Most Favored Nation status. I am convinced that the Romanian Communist Party and government, under the leadership of Ceausescu, is most cooperative in helping the U.S. prosecute Trifa; but I accuse the neo-Nazis within the Romanian bureaucracy of protecting their own Iron Guard past-master and teacher, Viorel Trifa. They are obstructing the delivery of much-needed witnesses and authenticated documents which record Trifa's activities from 1936—Targul Muresh Congress—through his trial and sentencing on June 15, 1941.

I refer for accurate documentation of Valerian Trifa's past to the Romanian Internal Security Police file, which contains all his activities from his college days, during the Revolution of January, 1941 to his time in Germany from 1941-1945, and even beyond that date.

I believe that when U.S. government agents visit foreign countries in search of documents and witnesses, it should be the obligation of foreign government to show our agents the easiest way of solving this problem for they know where to find the sources for the information required. Instead they place many difficulties in their paths and force them to leave the country without accomplishing their mission. I repeat, the foreign countries bureaucracies know exactly where to find the documents and how to approach their citizens to become our trusted witnesses. Why don't they help? Is the Nazi menace not a world problem? Our President Carter is preaching the Gospel of Human Rights. Throughout the world we Americans must support him and demand to enforce these rights all over the world.

It is rather sad and disappointing to find out that everytime the U.S. government approaches some Communist country for cooperation in reference to obtaining documentations and/or witnesses they have difficulties. Contrary, they should help us pursue and find Nazis' guilty. After all, shouldn't they too be desirous to get at the truth and to see the guilty Nazis punished because they committed the most cruel, inhumane and heinous crimes.

The Department of Justice has negotiated for this list of monsters, arguing back and forth with the Romanian Government to obtain the necessary tools to win the Trifa Case. All our letters and phone calls to the Rumanian Embassy in Washington have remained unanswered for months and years. I have been hunting pogromist Trifa for 38 years and as President of the Rumanina Jewry Federation of America.

I shall continue to do so until he is tried and found guilty. Why this lack of cooperation for a humane action?

Because I have learned recently that the Romanian Government has provided to the U.S. Department of Justice some authenticated documentation in the Trifa matter I would suggest that we postpone denying the renewal of the MFN trade act to Romania, thereby allowing the Romanian Government more time to provide us some additional authenticated documents, and permit our U.S. Attorneys to personally interview some witnesses in Romania in order to select some for the Detroit Trial of Trifa. If all this transpires we would then urge the International Trade Subcommittee of the Senate Finance Committee to vote in favor of granting the MFN status to Romania.

STATEMENT OF IONEL CRUCEANU

Dear Michael Stern: I am Ionel Cruceanu, Secretary of the Parochial Board of the Romanian Orthodox Church "Saint Nicholas" (Sf. Nicolae) of New York City, a retired attorney-at-law and U.S. resident; my address: 47-20, 42nd Street, Sunnyside, New York, NY 11104.

Let me address to you in the important matter of the U.S.-Romanian relations. Taking this opportunity—the renewal of most-favored-treatment nation—I want to express for the very beginning, my considerations that, I am sure, will be well received by you, the Honorable members of the High Legislative forum of the United States.

First, granting most-favored-nation treatment to U.S.-Romanian trade relations in the very early period after the enactment of the U.S. Trade Act (Pub. L. 93-618) was a matter of political decision of both sides. And I appreciate that each side took in consideration its own reasons that now, after four year period, are more than valuable. The decisions proved itself for these last years, as a very appropriate to than and present status of the political and economic relations between these two countries.

I joining myself to well-minded people who consider that such decision has had a positive impact on the U.S.-Romanian trade relations and that it was possible only on the basis of merits of the all relations between these two countries. The today level of the U.S.-Romanian relations, built up by the Presidential visits here and there—has now an active and permanent framework of the developing dialogue and cooperation between these two countries.

As an attorney-at-law I consider that such framework, established by the Presidential Joint Statements (the recent one signed in April 1978 in Washington during the Romania's President Ceausescu visit) and by the bilateral U.S.-Romanian Governmental Agreements on the every field of the state relations (economic cooperation, trade, cultural, consular, financial, aviation, agriculture, science, education etc.) entrusts our confidence in positively further developing of such relations.

It is the legal framework that gives me more than necessary reasons to ask your positive decision to renew most favored nation for U.S.-Romanian Trade relations.

Second, the implementation into practice of all U.S.-Romanian governmental agreements—both trade and non-trade ones—by observing every provision of these, created now a sufficient confidence that these two countries faithfully cooperate for developing the overall relations between them. From this point of view, the granting most favored nation treatment for the period of validity of the U.S.-Romanian trade relations will mean the observance of our President's determination "to seek ways to put existing non-discriminatory trade relations on a more stable and long term basis" commitment that was assumed in April 1978 during the President Nicolae Ceausescu's visit in U.S.A. It is my interpretation that only the experience of the four year period of the U.S.-Romanian trade relations proves to us that a such decision is now very appropriate for the today stage of relations with Romania. It is up to you, the representatives of the American people, to find an appropriate solution. I did not enjoy of such experience like yours but I consider that issuing the waiver of Section 402—in the case of the countries that experienced most favored nation treatment more than the first period of validity of the bilateral trade agreement with U.S.—could be one of ideas that will put the trade relations with Romania on a "more stable and long term basis".

Third, the development of overall relations between U.S.A. and Romania has created a good climate for enlargement of the mutual understanding and evidently of the human contacts. In my capacity of the Secretary of the Parochial Board of the Romanian Orthodox Church "Saint Nicholas" (Sf. Nicolae) I would like to point out only that such contacts are covering now and the relations between the religious Communities of both countries. Only some very recently examples: It is the first time in the U.S.-Romanian relations when His Beatitude Justin, Patriarch of Orthodox Church of Romania payed a visit in the U.S. and Canada. His Beatitude Justin and his delegation was received by the President Jimmy Carter in April of this year. Newest event of such contacts, the first interfaith religious delegation from Romania visited U.S.A. in June. And this Romanian delegation included not only the representatives of the Romanian Orthodox Church but the Chief Rabbi of Romanian Jewish Community, Bishop of the Hungarian Evangelical Church, bishop of the German Evangelical Church, the chief of Catholic Church, as well as Imam of Bucharest, and the director of the Baptist Theological Seminary.

I am referring to these events because I consider that it is my duty and very appropriate to my conscience to bring yours attention on the realities, that exist today in my native country, on that—I am sure—you are very and deeply aware. In this context, I refer to the "efforts" of some people from here who, using extremely our democratic system only for their benefits, create, year by year, artificially and by hook or by crook, a wrong imagine on these realities.

Such people are using every event of the U.S.-Romanian relations—scientific, cultural, and even in the field of religious contacts, to exhibit their slogans that are referring to the very sensitive problems not only for a certain country but for all European ones.

In my letter for last year hearings I expressed my opinion in connection with the real situation of national minorities in Romania. In that country 19 millions of Romanians who represent more than 88 per cent of entire people—live together with 1,700,000 Magyars and about 850,000 other nationalities (Germans, Sachs, Jews, Ukrainean, Greeks, Armenian) and all population—regardless of nationality—enjoy equal rights and liberties being provided with the best conditions of work, education, culture, religious expression etc. The representatives of these minorities are elected with direct and vote by ballot in the Grand National Assembly and in the local bodies. But there are some people here who aprioristic do not want to accept or to understand the essence of the situation and such realities. These people are inverting the facts and distorting the realities on today Romania, are trying to create nonscientifically a false imagine about Transylvania, one of historic Romanian provinces. More than that, these people unfortunately for the good U.S.-Romanian relations succeed to misinform some Honorable Members of U.S. Congress who—on the basis of such allegations—introduced resolutions referring to these relations or resolutions that are intended practically to stop favorable trends of such relations, requesting no more than the withdraw of most-favored-nation treatment while the President of the United States based on all informations and appreciations, is asking to renew it.

Ending my statement, I request you to accept the Presidential Executive Order on renewal of most favored nation treatment in the U.S.-Romanian trade relations.

I greatly hope that all thoughts I am now sharing with you will meet your full understanding and appropriate considerations and I wish to assure you again of all my esteem and respect.

CHILEWICH CORP.,
New York, N.Y., June 18, 1979.

Mr. MICHAEL STERN,
Staff Director, Committee On Finance,
U.S. Senate, Washington, D.C.

DEAR MR. STERN: In connection with present hearings, considering for another year "Most Favored Nation Status" to the Socialist Republic of Romania, we wish to refer to our letter of June 14, 1978 which contains the pertinent data concerning the export of cattle hides to Romania.

In order to update the statistics which we then submitted, please note that in 1978, 1,942,000 hides were exported to Romania out of a total world-wide export of 24,791,000 hides.

The value of our commodity has increased considerably during the last 12 months, and if the export figures of 1979 will come anywhere close to those of 1978, the dollar value of these exports to Romania will amount to 75/100 million dollars, which will of course reflect favorably on the balance of payments.

We therefore believe that a continuation of the waivers applicable to the Socialist Republic of Romania is in the interest of the United States, and we therefore hope that your committee will again favor the MFN status for Romania.

Respectfully yours,

HERMAN Z. ELBIN, *Vice President.*

TRUTH ABOUT ROMANIA COMMITTEE
 328 EAST 97TH STREET
 SUITE 14D
 NEW YORK, N. Y. 10022

July 14, 1979

The Honorable
 Abraham Ribicoff
 U.S. Senate
 Washington, D.C.

Attention : Mr. Michael Stern,
 Staff Director, Committee on Finance

Sir :

The Romanian group which has been protesting since March 1, 1979, against continued refusal of the Romanian authorities to allow our families to join us in France, respectfully appeals for your help and that of your colleagues on the Committee on Finance in securing the release of our following close relatives :

Elena Novacovici
 Dumitru Ghercea
 Mircea-Dan Kiran
 Petru Bodea

Angelica Bodea Cotora
 Liviu Cotora
 Marian Alexandru Optarlic

Since for obvious reason we cannot testify in person at the coming hearings, we would like to testify in this way that the Romanian government does not abide by the emigration rights set forth in various international agreements. Consequently, we ask you not to extend the Most Favored Nation's clause in the case of Romania .

Signed by :

Doru Novacovici

Eugen Optarlic

Maria Bodea

Eugenia Petria Chitic

Teodosie Ghercea

Eugen Petria Chitic

c/o Doru Novacovici

9-10 Place Salvador Allende, esc.D,Apt.448 et.I 94000 Creteil,France

This is to certify that the above is an edited yet accurate copy of the letter the signer has received on July 13, 1979, from Mr. Doru Novacovici(address shown above).

Brutus Coste

Brutus Coste
 Emeritus Professor

THE TRUTH ABOUT ROMANIA COMMITTEE

325 East 57 Street, Suite 14D

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S T A T E M E N T

by

Brutus Coste

Emeritus Professor of International Relations

In the name of the Truth About Romania Committee *)

For the Record of the Hearing Held on Thursday, July 19, 1979

Before the Subcommittee on International Trade

of the Committee on Finance of the U.S. Senate

on

The Presidential Recommendation to Extend Authority

Under the Foreign Trade Act of 1974

to Continue Nondiscriminatory Treatment

with Respect to the Products of the

"Socialist Republic of Romania"

- *) The Truth About Romania Committee is a non-profit, non-incorporated Association of Americans and U.S. residents of Romanian descent. It was formed in 1973 and is dedicated to the task of disseminating the truth about conditions in Romania and voicing, in the Free World, the freedom aspirations of the Romanian people.

Emeritus Professor Brutus Coste, the spokesman of the committee, is a former Romanian diplomat who served eleven years as Secretary General of the Assembly of Captive European Nations and taught for ten years International Relations at Fairleigh Dickinson University, Teaneck, N.J.

INTRODUCTION

By his message to the Congress of June 1, 1979, the President of the United States has for the fourth time recommended that his authority to waive, in the case of the Socialist Republic Romania (SRR), subsections (a) and (b) of section 402 of the Foreign Trade Act of 1974 be extended for another period of 12 months. Said provision sets freedom of emigration and, in our view, observance of human rights, as preconditions for granting the MFN status to non-market economy countries.

It should by now be common knowledge that in the narrow area of emigration the performance of the SRR, over the last four years, can only be described as tokenism, while in the broader area of human rights, quasi-complete denial is the only fair description. That there were, in Washington serious doubts on the SRR's compliance with the provisions of the 1974 Foreign Trade Act is attested by the fact that in forwarding his recommendation to the Congress in June, 1977, the President issued a strong warning: "for my administration's part," said the President, "we intend to monitor clearly compliance with the objectives of section 402 and should performance not accord with the intent of this provision, I would want to reconsider the recommendation."

A much milder warning, issued as part of the 1978 presidential recommendation, stated that it was the intention of the President "to continue to bring to the attention of the Romanian Government matters relating to emigration which do not seem to be consistent with the assurances which have been given in the past."

In the 1979 recommendation warnings yield to praise although the facts, as we and practically all recent emigrants and escapees from Romania see them, should have brought about a rigorous re-appraisal of the SRR performance. And since the primary reason for the presidential recommendation is not so much compliance by the SRR with the freedom of emigration provision of the Foreign Trade Act of 1974, as encouragement of Ceausescu's "independent foreign policy," we shall address ourselves once again to the question whether the reputation is well or ill-deserved.

I. Freedom of Emigration

The emigration policy of the SRR underwent changes for the worse in the second half of 1978 and the first half of 1979. Emigration to the U.S. (in terms of immigration visas issued by the U.S. Embassy in Bucharest) has dropped somewhat. But the quality of those receiving Romanian exit visas has dropped quite sharply. Whereas in previous years most emigrants had relations of acquaintances abroad, and included a large proportion of married couples, a new type has shown up more and more frequently in the Austrian refugee camps (Traiskirchen, Bad-Krenzen): single males in the 25-45 age bracket, given to violence and theft. They would often be caught red-handed in the camp or

outside. The Austrian Police, however, instead of indicting them, would most often let them loose from fear that Austria will be stuck with them once they have a criminal record. According to the bona fide refugees in the Austrian camps, the new type of emigrants had criminal records and were exported by the Bucharest regime for the twin purpose of getting rid of troublesome common-law criminals and of filling the quota of about one thousand emigrants the U.S. has come to expect from Romania as part of the price of extending the MFN.

A fact which tends to confirm the above is the large number of outstanding divided family cases. Fewer and fewer arrivals consist of people joining close relatives and more and more questionable characters take their place. *)

The Staff Memorandum of June 12, 1978, to members of the House Subcommittee on Trade rightly calls attention to another aspect of the Ceausescu regime's emigration policy: "The decline in Romanian emigration to Israel in the period following the extension of MFN has been drastic. The month-to-month figures are erratic, but the overall trend is down significantly--from 1,200 in 1978 to a rate of 600 in 1979."

It must lastly be recalled that harassment of would-be-emigrants continues. These include: job loss, demotion, refusal of emigration application forms, confiscation of property, eviction from apartments, expulsion from university or other institutions of higher learning, mail censorship, loss of telephone privileges, military induction, physical assault, detention, assignment to forced labor camps for refusal to take up any kind of work and for leading a parasitic life, demand that naturalized American citizens sponsoring Romanian emigrants formally renounce their own Romanian citizenship (they no longer have) and furthermore pay a substantial fee.

II. Human Rights

In its 46-page report of May, 1979, on human rights in Romania, **) Amnesty International (A.I.) notes that "since the beginning of the 1970's a distinct pattern of persecution of political dissidents has become apparent, and the number of persons confined to forced labor camps or psychiatric hospitals, or imprisoned for political reasons, has significantly increased during the period 1970-1978.

*) The case of the young Rauta family graphically illustrates the punitive nature of certain refusals to permit the reunion of divided families. Constantin Rauta, an electronic engineer, chose freedom while on an official study mission to the U.S. in November, 1973. He had left behind, in Romania, his wife Ecaterina Gabriela Rauta, 25, and their infant son Mihai Catalin. Despite every effort on the part of Rauta and the many members of Congress and friends who tried hard to help this family, the Rautas have now been separated for almost six years.

**) which will be frequently used in this statement as a reliable source of information.

Forced Labor

The SRR stepped up in 1976 its industrialization program and also resumed work on the Danube-Black Sea Canal--a huge forced labor project initiated in 1949 and abandoned in 1954 as a complete failure after decimating tens of thousands "enemies of the people," i.e., of the communist regime.

To make sure that adequate manpower will be available for these major undertakings, decrees 24/1976 and 25/1976 concerning the recruitment and allocation of manpower were enacted. The second of these decrees makes it clear that it is designed to lend a legal cover for compelling people "to perform useful work for society," i.e., forced labor. "Any person who systematically refuses to be hired for employment and who leads a parasitic form of life" shall be required by court order to work for a year on a construction project or other public works.

Officially the one year at forced labor is being described as an administrative measure benefiting socialist society by re-educating individuals who manifest "a parasitic attitude toward society." Decree 25/1976 claims that "no loss of freedom" is involved. Former inmates sharply contradict this claim. According to them, conditions in forced labor camps are almost identical to conditions in prisons. This includes the technique of transportation to and from the camp, constant surveillance by sub-machinegun-armed guards, watch towers, severe beatings and degrading treatment by the authorities.

It would seem that the largest influx of inmates occurred in 1977 when over 4,000 coal miners were forcibly removed from the Jiu Valley. Many of these ended up in forced labor camps or in psychiatric wards. (A list of 24 of these miners is to be found on page 11 of the Amnesty International Report.)

The Misuse of Psychiatry

Surviving political prisoners of the 1948-1964 repressive period repeatedly testified that neuroleptic drugs, electro-shock treatment and insulin-shock treatment were widely and unjustifiably administered in high security prisons. The Re-education Center of Pitesti was the best known of such prisons. Other psychiatric hospitals or psychiatric wards in general hospitals were: Aiud, Fagaras, Gherla, Jilava, Caransebes, Sighetul Marmatiei, Dr. Gheorghe Marinescu - Bucharest, Hospital No. 9 in Bucharest, Balacearca, Cimpina, Urlati (Prahova), Jebel & Gataia (Timis), Sapoca (Buzau), Timisoara North, Socola (Iasi), Raducaneni (Dolj), Raducaneni (Iasi). In the early sixties the special psychiatric hospitals of Dr. Petru Groza (Bihor) and Poiana Mare (Dolj), (the latter camouflaged as "Tuberculosis Sanatorium") were created.

For a detailed description of the various types of psychiatric hospitals and the behavior of their personnel, see the A.I. Report pp. 14-19.

Confinement in these hospitals was and is, in most cases, based on article 114 of the 1968 Criminal Code providing for psychiatric treatment of criminal offenders who are "mentally ill and a danger to society."

According to the A.I. Report, after the establishment of the two special hospitals, the number of non-violent political offenders interned in them increased significantly.

Under the SRR law, civil commitment and criminal commitment are the two procedures by which persons may be ordered to compulsory psychiatric confinement. The civil procedure is prescribed by Decree 12/1965 entitled "On Medical Treatment of Dangerous Mentally Ill Persons," which states that "dangerously ill persons may be confined forcibly to a psychiatric hospital, or alternately, ordered to undergo psychiatric treatment as outpatients. According to article 2 of this Decree, "dangerous mentally ill" persons are persons "who endanger their own or other persons' lives, health or physical well being"... or "who may imminently commit grave acts stipulated under criminal law" or who "repeatedly and seriously disrupt the normal living or working conditions of other people."

The decision for confinement or outpatient treatment is made by the State Prosecutor or health authorities. Actually, in most known cases, the decision follows and not precedes confinement or treatment.

The provision for criminal commitment applies to persons who have been charged with a political offense. Such persons are to be confined to a psychiatric hospital. Most of the known cases of confined political prisoners involved persons charged with non-violent political offenses such as anti-state propaganda or attempts to exercise their human rights.

These offenses are specified in article 166 and 245 of the SRR Criminal Code of 1968. Article 166 provides 5 to 15 years of imprisonment for "propaganda of a fascist nature" or propaganda or the "undertaking of any action with the aim of changing the socialist system" or "activities which could result in a threat to the security of the state." Article 245 sets forth that "Entering or leaving the country through illegal crossing of the frontier will be punished by a sentence of imprisonment from 1/2 to 3/4 years..."

In regard to the treatment with powerful neuroleptic drugs, Amnesty International's main finding was that, as a rule, all patients are injected with PLEGOMAZIN and MAZEPTIL and to a lesser extent with AMITAL AND MALOPERIDAL, for at least the first two weeks at the hospital. "These are given daily in amounts of 200-400 mg without any prior medical examination."

Psychiatric Treatment as Means of Re-Education

Prisoners of Conscience (the designation A.I. uses for political prisoners) confined to psychiatric hospitals testified that the treatment in such hospitals is used as a means for the political re-education of persons committed under article 114 of the SRR Criminal Code.

The psychiatrist or psychologist was often present at the interrogation which follows arrest. The political offender would usually be asked to describe in detail his attitudes towards socialism, toward the administrative system, toward specific political leaders, toward society as a whole.

The report of this interrogation, including the preliminary diagnosis with recommendations for treatment would be forwarded to a court. Once the very cursory hearing concluded, and the offender juridically classified as insane, and, as such, committed to psychiatric hospitalization, the process of political re-education would begin. Basically, it consists of neuroleptic drugs, beatings and other punishments. These were resorted to if the POC refused to admit his guilt, recant his critical political observations and declined to make derogatory statements about subjects "hostile to socialism" and persons with whom he was acquainted. Conversely, if the inmate would change his attitude on political issues, or if he recanted and repudiated his past activities, he would be treated with fewer drugs and would eventually be released, but not before committing himself to overtly changed attitudes. This means, points out the A.I. report, repeatedly stating, orally and in writing, that the prisoner now holds "positive" attitudes toward the Romanian political system and promises to never again commit a "political crime." Prisoners also have to sign, at the time of their release, a statement promising not to disclose details of their treatment.

Beatings by medical assistants, male nurses and guards, with truncheons, rubber hose, sticks and other instruments are the most frequent forms of maltreatment in the SRR psychiatric hospitals. Other forms of punishment are reduction of food rations, heavily salted food and denial of outdoor exercises. But the punishment most feared involves punitive misuse of drugs. These cause feelings of apathy, lethargy, slowing down of psycho-motor reactions, sleepiness and, above all, fear of irreparable psychological damage.

The drug treatment is regularly administered for the following types of conduct by inmates:

- derogatory statements about hospital personnel;
- complaining about food and dirt in the rooms;
- smuggling out of the hospital complaints about the treatment of political inmates in psychiatric hospitals;
- attempts to escape.

Confinement in the psychiatric ward is indefinite. It can only be terminated by decision of a court. The subject has no right of appeal, nor does his family on his behalf. The prisoner can only be released when a court receives and acts upon a recommendation for release on the ground of recovery from the medical officials (who are usually part of the security apparatus).

To illustrate the horrors of the psychiatric treatment in the SRR, the A.I. Report describes twenty individual cases of maltreatment (pp. 21-28). Annex 1 includes a shorter version of these 20 cases.

Freedom of Conscience and Religion

To the uninitiated the SRR Constitution may seem to guarantee freedom of conscience and freedom of practicing a religious cult to all citizens. On closer scrutiny, however, it becomes clear that the "modes of organization and operation of the religious cults are regulated by law." And the law, Decree 177/1948, makes a mockery of the sweeping generalities of the constitution. The restrictive nature of this decree, which is still in force, becomes evident by comparison with article 18 of the Universal Declaration of Human Rights. Indeed, the Declaration points out that "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom...to manifest his religion or belief in teaching, practice, worship and observance."

The Romanian Orthodox Church

Owing to the traditional link between the Romanian Orthodox Church and the Romanian State, the communist regime did not have to overcome overly strong obstacles in its drive for control over the Church to which belong more than 4/5 of the population of Romania. The take-over process was a step-by-step operation. In a first phase, the top hierarchy was replaced with ambitious opportunists. This was followed by the purge of those of the clergy who have shown themselves reluctant to "collaborate" with the Soviet-imposed regime and by a policy of preserving for the outside world the appearance of freedom of religion. This appearance was created by keeping most orthodox churches open but reduced to the role of dispenser of church ritual. Monastic life was forcibly suppressed and monasteries transformed into museums and tourist attractions.

In the seventies a new generation of orthodox priests emerged bringing a fresh breeze into the meek and bureaucratized world of the orthodox hierarchy in Romania. They were obviously more courageous, more eloquent and better read than many of their elders. They were, above all, men of deep and sincere faith. Outstanding among them was Reverend Gheorghe Calciu Dumitrescu. Now 51, Rev. Calciu had spent sixteen years (1948-1964) in communist prisons

for having openly opposed the regime. A young medical student at the time of his arrest, he switched to theology and languages. He was ordained as a priest and rapidly became the highly respected and beloved spiritual guide of his students at the Bucharest Theological Seminary. His reputation of fearlessness and his contagious faith soon attracted hundreds of university students to his sermons. A few quotations from his sermons best suggest the great virtues of this exceptional man:

- If all your convictions spring from an imposed official doctrine - we live in slavery.
- If all you know was learnt in school, in the atheism class, you were robbed of truth--the only thing that can make you free.
- Who put a veil over your eyes so that you would not be able to see the marvellous light of love Christ has taught and lived? You were taught about class hatred and about political struggle and always about hatred and hatred. The word love seemed strange to you, but now the Church of Christ shows you the way, the way of love.
- No atheistic ideology, no materialistic regulation, however authoritatively imposed on you, is capable to build a totally impenetrable wall between you and the world of the spirit. The soul cannot be imprisoned.
- Your ideological leaders are clamoring against religion--but are ready, at the first misfortune, to cross themselves and to ask God's help.
- Do not be afraid to reject an atheist ideology which only aims at killing your soul...or, at least, mutilating it. Do not fear to say that our nation has been from its very beginnings orthodox christian and that twenty or thirty years of forced atheism and of materialistic propaganda cannot thwart its aspiration toward the absolute.

The saintly servant of the Church who is responsible for these inspired words is once again behind bars. At the order of the Securitate which Patriarch Justin hastened to carry out, Rev. Gheorghe Calciu Dumitreasa was dismissed in May, 1978, from his teaching position at the Seminary. His second arrest and incarceration came last March 10, the charge being resistance to the order of the Patriarch to desist from delivering uncensored and politically objectionable sermons. According to trustworthy but as yet unconfirmed report, Rev. Calciu was secretly tried and sentenced to ten years of imprisonment.

The Christian Committee for the Defense of Religious Rights in Romania has managed to smuggle to its members in the West a number of documents pointing out various aspects of religious persecution.

The conclusion to be drawn from these documents is that when some believers or clerics become restless or cannot be intimidated by the repressive organs, the usual practice is to destroy him socially, to persecute all members of his family, to cut him off from the rest of the population by keeping under surveillance his home, telephone and all his encounters. Those who refuse to observe this isolation are, from case to case, given heavy fines under the pretext that they indulge in activities hostile to the state, or that they are meeting other fellow believers without permission. Others are maltreated and even arrested.

The fate of those members of the Romanian Orthodox Church who do not submit to intimidation, blackmail or violence, is in no way any rosier than the fate of those belonging to other denominations. On the contrary, to top it all, the leadership of the Romanian Orthodox Church, who holds the record of subservience to and buttering up the atheistic regime, is the one who persecutes most severely those clerics who resist openly the atheistic propaganda and the efforts aimed at destroying the faith.

The case of Rev. Calciu is not an isolated one. Among the orthodox clerics who shared some of his worst experiences are:

- Rev. Gheorghe Zapisnicul, deceased on March 15, 1974, a few months after escaping from the Socola (Iasi) Psychiatric Hospital where he had been confined and treated with drugs repeatedly.
- Rev. Stefan Gavrița, 39, father of four infants, 1962 graduate of the Bucharest Theological Institute. Underwent several years of harassment, unemployment, starvation and threats of confinement to a psychiatric hospital. His present whereabouts is unknown.
- Rev. Costica Maftai, 42, was persecuted because he kept claiming the right to build a church in the Titan industrial sector of Bucharest. He was dismissed from his job in 1978 and forced to emigrate.
- Rev. Leonida Pop, 27, graduate of Theological Institute of Sibiu, guide at the Monastery of Sinaia, was spared internment because he proved to be ready to publicize his case abroad. Was forced to leave the country in 1978.

The Uniate Church

The Uniate Church of Romania (better known under the name of Catholic Church of Byzantine Rite), established in the late 17th century in Transylvania, is the only historic church completely suppressed in the SRR. At the time of its forcible dissolution, in 1948, it numbered over 1½ million faithful, 1,700 churches, 1,600 priests (among them 35 cannons and 75 prelates). It had strong roots in the Romanian majority of Transylvania's population and played a significant role in the process of Romanian national unification. To this day the communist regime sticks to the big lie that the Uniates voluntarily "rejoined" the Orthodox Church from which they had been "forced to secede almost three centuries ago." The fact is that the vast majority of the priests, headed by their five bishops, spent years in communist jails. Many never returned alive.

Once in every while rumors are launched by the regime to the effect that the re-establishment of the Uniate Church is under consideration. Other rumors are subsequently spread suggesting that the opposition to restoring the Uniate Church does not come from the Communist Party but from the Romanian Orthodox Church.

In the meantime, a veritable Church of Silence came into being and continues to serve, though at great risk, the spiritual needs of the believers who remained faithful to their church.

The Roman Catholic Church

Before World War II, the Roman Catholic Church of Romania had 1,250,000 faithful belonging mainly to the German and Hungarian minorities. After the communist takeover in Romania, the Catholic Church led a marginal existence. Its bishops were imprisoned; its links to Rome severed; its schools and charitable institutions suppressed and its property confiscated. It was only in the late sixties that a modus vivendi with the Holy See was worked out. This brought a small measure of tolerance in terms of religious services but such essential rights as providing religious education to children of Catholic parents and training an adequate number of priests continue to be denied.

The Neo-Protestants

The Romanian State authorities recognize at present 14 religious communities, as compared to the 60 which were in existence in 1948. The Adventists, Baptists, Pentacostalists and the Brethren (or Christians After the Gospel) have a legal status. The Reformed Adventists and the orthodox-oriented Lord's Army (Oastea Dommului) are treated by the authorities as illegal groups. Membership of the Neo-Protestant denominations is rated at between 500,000 and 700,000.

Up to 1970, the Neo-Protestants were viewed as being somewhat less persecuted than other religious groups. At times they seemed to get encouragement from the authorities who might have thought that they stood a chance to lure away believers from the historic churches of Romania and thus increase division and facilitate state control.

From 1970 onward, however, the Neo-Protestant denominations came under increasing harassment. In turn, this generated a new spirit of resistance among Neo-Protestants, as illustrated by their courageous appeals to the outside world. The text of one such appeal reached the U.S. in March, 1977. It was signed by six of the most respected Baptist (Evangelical Christian) leaders, namely, Iosif Ton, Baptist pastor, Aurel Popescu, Baptist teacher, Radu Dumitrescu, Baptist teacher, Vasile Talos, Baptist pastor, Pavel Nicolescu, Baptist pastor, and Dr. Silviu Cioata, Brethren layman.

In their appeal, the six leaders declared that by signing the document about persecutions in Romania they will break "the guilty silence into which we have been content to withdraw and hide ourselves for many years." "We are pained," continued the appeal, "that under the Stalinist terror we were so terrified and so crushed within that we accepted that on every public occasion and always before the state authorities we would thank the Party and the state for the full freedom we enjoy!"

... "the first objective," went on the appeal, "is to behave correctly ourselves so that we no longer collaborate with the lie about religious liberty...nor make further public declarations which call evil good and darkness light. If religious persecution exists in Romania, let us say so by name. And indeed it does exist here. We shall not be guilty of calling this persecution 'freedom.' We want the whole world to know the truth. The call which we make to our brothers in faith is to be daring enough to free themselves of fear..."

The response of the authorities to this appeal was prompt: the six were arrested and charged with "treason" and "anti-state propaganda." But probably because the adverse publicity the imprisonment of a group of distinguished religious leaders generated in the West, the six were released in May, 1977. While imprisoned they had been dismissed from their jobs and had lost their preaching licenses. On being released, they were placed under continuous surveillance by the Securitate.

The six remained faithful to their pledges. On July 5, 1978, they forwarded to the SRR Government a 24-point Programme of Demands. The demands thoroughly covered grievances and listed all human rights in the area of freedom of conscience and religious practice which the regime was flouting. It was signed, in the name of the Romanian Christian Committee for the Defense of Freedom of Religion and Conscience, by 25 Baptists, one Orthodox and one Pentacostalist.

Two months later, on September 6, 1978, an official communication from the "Union of the Christian Baptist Associations," the communist-controlled coordinating body of the Baptists, announced the expulsion from the denomination of the two spokesmen of the Romanian Christian Committee--Pavel Nicolescu and Dimitrie Ianculovici. Together with Nicolae Traian Bogdan, Emeric Juhasz, Ioan Brisc and Ion Moldova of Timisoara; Petru Cocirteu and Nicolae Radoi of Caransebes and Ludovic Osvath of Zalau, they were expelled from the Baptist organization on the ground that they had formed an "illegal group of a political character," i. e., the Romanian Christian Committee..., which had adhered to a non-Baptist international organization. Another Baptist leader, Aurel Popescu (one of the six) was expelled "for the fact that over a number of years he denigrated and slandered orally and in writing the leadership of the denomination and the state authorities."

The communist-controlled Baptist Union had unsuccessfully tried to take over the independent-minded Baptist Association of Caransebes under the pretext that they belonged to an unspecified illegal organization or that they had erred in doctrine. In October, 1978, these attempts culminated in a police-backed physical assault designed to bring about the ouster of the Caransebes leadership. The attack was carried out by collaborationist members of the Baptist Union (the national organization) who had come to Caransebes to enforce an illegal decision by the Timisoara regional Baptist Association. The believers were brutally beaten up and evicted from the meeting hall; the duly elected executive committee of the Caransebes association was forced out and the police took little time to transform the victims into aggressors. Three of the most respected leaders were tried, found guilty of "obstructing the police in line of duty." Nicola Radoi was sentenced to 17 months imprisonment; Petru Cocirteu to 12 months and Ionel Prejban to 8 months. *)

*) A full account of this episode is to be found on pages 15-20 of a Romanian Report compiled by Victor Rascol, a Baptist leader from Romania who lives since 1976 in the U.S. The Society for the Study of Religion and Communism is the publisher.

A few cases reported by Amnesty International

1. Titu Ghejan, high school teacher from Siretal, was ridiculed in March, 1973, in a TV program called "The Classroom is not a Pulpit." He was accused at the time of contravening the "moral principles of socialist society" and of being a "conspiratorial sectarian." Soon after, he was dismissed. In the fall of 1974, he was called up for military service. A few months later he was arrested. The charge against him was that he tried to "demoralize army morale" (sic) because he refused to engage in combat training on Saturdays. He was tried in camera before a military tribunal in Bucharest and sentenced to six years imprisonment.
2. Ion Mocuța, 36, Seventh Day Adventist from Curtici, Charge: had sent, in 1967 and 1968, to foreign radio stations, reports "on alleged persecution of Adventists." Sentenced to six years of imprisonment on charges of "anti-state propaganda." In 1972, two years before the completion of his sentence, he was released under an amnesty decree. Upon his release, he was forced to take up manual labor and was the target of frequent harassment by the security police. In 1975, Mocuța publicly criticized restrictions on freedom of religion. Arrested a year later, he was tried and sentenced to six years for spreading "anti-state propaganda." Texts of reports broadcast by international radio stations were the only evidence of his hostile activities.
3. Dumitru Blidaru, from Topliș (district of Orșova) was repeatedly detained in the 1960s for participation in "illegal religious prayers." He was also fined under Decree 153 for leading a "parasitic life." After writing to Ceausescu and complaining about persecution of Neo-Protestants in SRR, he was arrested, severely beaten, tried in camera. He was found guilty and was interned in Dr. Petru Groza Psychiatric Hospital. The charge had been "spreading anti-state activities." He is still interned. He has been treated with PLEGOMAZIN in injections of up to 600 mg per day for periods of up to four weeks.
4. Patru (first name unknown) was confined to the Poiana Mare Psychiatric Hospital at the end of 1975, probably because of his religious activities, viewed as illegal by the authorities. During 1976 and 1977, he is known to have been treated with high doses of strong sedative drugs. He is still confined in the same institution.

5. Traian Dors, leader of the Lord's Army (Oastea Domului), a militant orthodox group, the authorities consider illegal, was released in the 1964 amnesty after serving a sentence of 17 years. Since his release, he was placed in compulsory residence in the town of Beiuș (Bihor). He is under constant surveillance by the police and may leave the town only occasionally. He was recently threatened with psychiatric internment after he circulated, amongst the Lord's Army believers, a document criticizing the government for the harsh treatment it metes out to religious believers.

Baptist leader Pavel Nicolescu compiled in February, 1979, a list of ~~of these~~ believers at present held as Prisoners of Conscience. The list includes essential data on those listed. It is attached to this statement as Annex 2.

Fines Used as Punishments

In the last two years the regime has been resorting increasingly to crushing fines as means of punishing and intimidating those whom they regard as their enemies. Here are a few recent cases:

- In August, 1978, four Pentecostalites from the village of Ostra (Suceava) were fined 10,000 lei for the "crime" of praying to God in a home unauthorized as a place of worship.
- In the fall of 1978, five Baptist believers from Ploesti were fined 14,000 lei (the equivalent of the annual wages of an industrial worker) for visiting a small Baptist church in the village of Pitulica (Buzău).
- On January 25, 1979, Stefan Onica, while attending in the city of Alba Iulia the trial of a relative, was given, in three steps, a total fine of 4,500 lei.
- On January 29, 1979, the Baptist Christian Church under construction in Uricani (Jiu Valley, Hunedoara) was demolished by the authorities. The believers who had helped in the construction were fined 17,000 lei.
- In January, 1979, on the occasion of the appeal trial in Alba Iulia of Pentecostalite leaders Ion Samu, Viorel Lădătuș and Francisc Paris, Pentecostalites attending the trial were fined 21,000 lei and also were brutally beaten by the Securitate.

A New Wave of Repression

On May 18, 1979, Baptist leader Pavel Nicolescu reported from Romania on what he called "a new wave of repression." A summary of his report follows:

- (a) As of 8 March 1979, Pavel Nicolescu is being followed by the agents of the Securitate everywhere he goes. In trams and buses he is flanked by two or three agents and also is regularly followed by two or three cars containing up to seven agents.
- (b) Pavel Nicolescu's home on Strada Vlad Județ 35, in Bucharest, is permanently surveilled by security agents, night and day.
- (c) Anyone attempting to visit the Nicolescu family is asked to produce his or her I.D. and is then forbidden to visit the Nicolescu's. Among visitors prevented from entering the house were: Prof. Norica Smilovici, Bucharest; Radu Căpușan, Cluj; Toderic, Cluj; Simion Ristea, Bucharest.
- (d) Nicolescu's telephone is cut off.
- (e) On March 12, 1979, at 8:00 a.m., while standing at the tram stop by the Vitan Post Office, in Bucharest, Nicolescu was threatened by a secret police agent with these words: "I'll beat you and smash your glasses. I'll throw you under a car or tram. I have eaten many like you."
- (f) Mihai Ora, son-in-law of Baptist leader Aurel Popescu, a student in Mathematics, was seized on the street on March 15, 1979, by secret service police and was interrogated seven hours. Next day he was further interrogated three hours and was asked about his links with Pavel Nicolescu and Rev. Gheorghe Calciu Dumitrescu. He was also asked if he knew Dr. Ioan Cana. He said that he had heard of him from RFE. The police asked him to break off relations with Pavel Nicolescu. He refused. Ora continues to be followed and his telephone is cut off.

The Assault Against Emerging Free Labor Union

In February last, the Free Labor Union of the Working People of Romania (Sindicatul Liber al Oamenilor Muncii din România), also known under its acrostic of SLOMR, came into being under the leadership of Dr. Ioan Cana, a physician (general practitioner) and Gheorghe Brașoveanu, an economist. The May issue of the AFL-CIO Free Trade News carried a comprehensive report on the formation of the Union, while a list of the founding members, from the same source, is to be found in Annex 3 of this statement.

By March 25, it was reported that all founding members of the Union had either been arrested or threatened with internment in a Psychiatric Hospital.

The programmatic statement of the SLOMR concludes as follows:

It is possible that we, the founders of the Free Labor Union of the Working People in Romania, will be crushed, destroyed physically or morally by the efficient machinery of repression. Any act of repudiation of the above-enunciated principles, by any of us, we declare in advance to be null and void, for it will have been obtained through force and repression. They may annihilate us but the ideal for which we are struggling will not perish as long as Romanians will be living in our country. We feel certain that others, younger and more courageous than us, will come along and carry forward in Romania the unquenchable torch of the dignity of Man.

On March 7, 1979, four officers picked up Mrs. Steliana Braşoveanu, wife of Gheorghe Braşoveanu, from her home at Strada Grigore Alexandrescu 29, Bucharest. (Mrs. Braşoveanu is the niece of the former publisher of the newspaper UNIVERSUL. She received a doctor degree in philosophy and taught from 1940 to 1970 in secondary and elementary schools). At police headquarters, Mrs. Braşoveanu was held for two hours. She was insistently urged to declare that her husband was insane and in need of "care" at a Psychiatric Hospital. Within days, Braşoveanu was indeed admitted to the Batiştei Polyclinic in Bucharest.

For writing a book titled "How I Found God," Braşoveanu had been four times confined in a Psychiatric Hospital in the 1970-1976 period.

On March 9, Pavel Nicolescu visited the Braşoveanu family at their home. He was told that on March 8 they had both been held by the police whilst crossing Amzei Marketplace. The Braşoveanus were forced into a car and carried off to the police. They refused to answer questions and were later released.

Economist Gheorghe Braşoveanu is a signer of the Goma appeal and is a member of the Christian Committee for the Defense of Freedom of Religion and Conscience. He is the author of another widely read book: "God and Life, - the Parallel between Industry and Biology."

On July 5, last, Braşoveanu's internment in a Psychiatric Hospital was confirmed.

As to the other SLOMR leader, Ioan Căna, M.D., he was reliably reported to have been arrested in June. He was tried with Rev. Gheorghe Calciu Dumitrescu and sentenced to 5½ years of imprisonment.

Photographer Gheorghe Frățilă, another founder of SLOMR was arrested two or three times during the March 6-11 period, being each time picked up in daylight from the street. He was questioned and beaten under the false charge of "theft." No news about him was received since mid-March.

Binding International Agreements on Human Rights

Most Prisoners of Conscience have been and still are imprisoned or otherwise mistreated in violation of the following binding international covenants.

1. Article 3.1 of the Treaty of Peace with Romania ("Romania shall take all measures necessary to secure to all persons under Romanian jurisdiction, without distinction as to race, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of expression, of press and publications, of religious worship, of political opinions and of public meeting.")
2. Article 55 of the U.N. Charter (... "the United Nations shall promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.")
3. The International Covenant on Civil and Political Rights & the International Covenant on Economic, Social and Cultural Rights (which the SRR ratified by Decree 212 of October, 1974).
4. The 1975 Final Act of the Helsinki Conference on Security and Cooperation in Europe, para. 1(a) VII ("The Participating States will respect human rights and fundamental freedoms including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion.")

Internal Law as Instrument of Repression

Many Prisoners of Conscience--reports A.I.--have been and are imprisoned under articles of the Criminal Code which made a criminal offense of any non-violent exercise of Human Rights in ways not approved by the authorities. Some have been confined to psychiatric hospitals under procedures for civil or criminal commitment which facilitate internment for political reasons. Other Prisoners of Conscience have been confined to forced labor camps in conditions tantamount to imprisonment, under decrees which enable the authorities to transfer citizens forcibly from their place of work either because the subject is regarded as leading a "parasitic" way of life or simply because of manpower needs of the economy.

The spirit in which the authorities in SRR implement international and constitutional guarantees of human rights is reflected with clarity by the nine guidelines for cultural, educational and political work which "President" Ceausescu announced before the General Committee of the Romanian Communist Party on July 6, 1971 (A.I. Report on Romania, pp. 43-44).

To sum up, here is a list of the articles of Laws and Decrees which most frequently serve as legal covers to the denial of human rights in the SRR.

- (1) Criminal Law - 1968 Criminal Code, art. 166 defines & punishes (5-15 years imprisonment) "anti-state propaganda;" art. 245 makes it a crime to attempt to leave the country without official permission (6 months to 3 years imprisonment).
- (2) Decree 12/1965 prescribes the civil procedure and the criminal procedure for forcible confinement in Psychiatric Hospitals.
- (3) Article 90 of the 1974 Press Law makes a criminal offense of any unauthorized writing, production or distribution of scripts, pictures or tapes for public information.
- (4) Decree 24/1976 concerning the recruitment and allocation of manpower allows the authorities to forcibly transfer any citizen to work in another area. The same decree allows arbitrary resettlement for former political prisoners.

III. Romanian Independence: Reality or Myth?

In the last twelve years the communist regime in Romania has gradually acquired the reputation of a state conducting an increasingly assertive, independent foreign policy. In maintaining an unexceptionable line of domestic orthodoxy, it is said, and in skillfully exploiting the Sino-Soviet conflict, the SRR has managed to push to the outer limit of Soviet permissiveness without, however, overstepping it.

The factual arguments adduced in support of this widely held viewpoint are, at first sight, quite impressive. We shall list, describe, discuss and, whenever warranted, refute them in the order of their occurrence.

1. The SRR is supposed to have thwarted in the early sixties Soviet plans to establish a supranational economic planning system and machinery in the framework of the Council of Economic Assistance (better known under the name of COMECON); to have successfully resisted Soviet pressures to curtail its industrialization and to have sought more than any other East Central European country, to expand trade with the non-communist world, particularly with the industrialized West.

The facts cast serious doubt on the soundness of this interpretation.

The failure of the COMECON integration attempts is due primarily to two insuperable economic obstacles: (a) the adoption in the late forties of the Soviet pattern of industrial development along autarkic lines, with a high priority to heavy industry, and (b) the inapplicability of the simplest approach to economic integration--the custom union or common market. Custom duties in non-market economies are meaningless, while the arbitrary currency rates and pricing system preclude the resort to any other means than the extremely difficult method of arbitrary division of specific production tasks.

The important point is that, with the adoption in 1971 of a Comprehensive Program, the process of economic integration has been given a new impetus. Instead of opposing the program, the SRR has become in the last two years the most vocal advocate of increased industrial cooperation and specialization, of the establishment in Romania of joint COMECON enterprises and organizations, as well as of expanded intra-COMECON trade.

Far from opposing the Romanian economic plan for 1960-1965, which provided for the construction of a four million ton capacity steel complex at Galati, on the lower Danube, the Soviets endorsed it and supplied for it many installations. In the West the project was described as one designed to bolster Romanian independence by strengthening its industrial-military underpinning. Few bothered to ask why then was the complex set up less than three miles from the Soviet border. The only opposition to the Galati project came from East Germany and Czechoslovakia. Their reason? Probably the desire to preserve their position as the principal suppliers of heavy industrial products.

As regards foreign trade, Romania's commercial exchanges with western countries have gone up from 20 percent in 1959 to 35 percent in 1965 and 36.6 percent in 1973, while Soviet trade with the same countries jumped from 25 percent to 36 percent in 1965 and has since been fluctuating around that figure. To the extent Romanian trade with non-communists has grown proportionally faster than that of other communist-ruled states, this could be due to two principal reasons:

- (a) Western credits totaling 3.8 billion dollars were extended in the seventies to SRR in recognition of its "independent" foreign policy.
- (b) Romania has been conducting an increasingly one-way trade with underdeveloped and developing countries which provide the only market for the products of Romania's heavy industry. This market exists only as long as Romanian products can be obtained on Credit (long and medium term). No wonder then that Romania has become a lender to such nations as Egypt, Brazil, Syria, Iran, Cuba, Algeria, Argentina, Portugal, to list only nations that owe Romania at least 100 million dollars. According to the best available figures, the credits extended by the SRR between 1961 and 1975 aggregate \$1.6 billion.

In broad outline, the Romanian economy functions as follows: the only products for which hard currencies can be earned are oil, grains and other foodstuffs. These are exported with very scant regard for internal consumption, as shown by the ubiquitous queues for even such staples as potatoes and bread. The foreign exchange thus earned is used to purchase machinery for the Romanian heavy and engineering industries whose products can only be sold on long credit and at discount prices to developing and under-developed countries.

2. A Declaration issued in April, 1964, by the Central Committee of The Romanian Workers' Party (since renamed Romanian Communist Party) was and still is hailed in the West as a courageous proclamation of independence.

The document is largely a rehash of a Soviet document: the November, 1960, Declaration adopted by the Conference of Ruling communist parties. The only addition is a greater emphasis on the Soviet-endorsed Bandung principles (independence, national sovereignty, equal rights, mutual advantage, non-interference in internal affairs) and a call for postponement of supra-national economic planning until all Warsaw Treaty states will have attained the same level of industrial development.

In retrospect, the Declaration appears as an opening shot in a consistent effort to build up the reputation of the SRR into a living evidence of the contention that communism and national independence are perfectly compatible. The fact that this declaration coincided with the Soviet shift from Khrushchev's intimidation and confrontation, to Brezhnev's subdued detente--the latter involving a steady effort to sow complacency in the U. S. and Western Europe--suggest that the monistic view prevalent in the West is, to say the least, questionable.

3. The rulers of the SRR are praised for their neutral and independent position in the Sino-Soviet rift.

What are the facts? In early 1964, the SRR undertook, with the obvious blessing of Moscow and the assent of Peking, the task of a mediator in the Sino-Soviet quarrel. The Romanian recommendations were promptly endorsed by the Soviets. After some delay, they were rejected by Peking. Both on their way to China and on their return journey, the Romanian delegation called upon and reported to the Soviet rulers. The presence in all the Romanian delegations visiting Peking, of Emil Bodnaraş, the Romanian Politburo member, since deceased, is another indication that Moscow wanted to maintain the Romanian Communist Party in the role of a channel of communication with Peking. According to Khrushchev (in his "Khrushchev Remembers," pp. 515-514), Bodnaraş "was a good friend of the Soviet Union, an old Bolshevik... who enjoyed our absolute confidence and respect."

In the face of such facts, the most sensible explanation of the reputation of neutrality toward the Sino-Soviet conflict the SRR gained is to be found in Peking's eagerness to play up the Romanian connection to cover up, domestically, China's isolation. The fact is that when Chou-En-lai, on a visit to Romania, in 1966, tried to deliver a severe attack against the Soviet leaders, he was made to desist. The true nature of the Sino-Romanian relationship was revealed a few days later. During the visit of Chou-En-lai to Albania, the press of that country forcefully castigated "false neutrals"--a transparent allusion to Nicolae Ceausescu.

The persistent efforts of the Romanian Communist Party to bring about a settlement, or at least a truce, between Moscow and Peking, tend to cast doubt on the interpretation according to which a Romanian policy of independence was made possible by and has taken advantage of the Sino-Soviet conflict. Should the Romanian C.P. leadership be anxious--as it is assumed to be--to promote a policy of independence by exploiting the schism, it should then be equally anxious that the gulf between Moscow and Peking be maintained (albeit in a manageable state) not bridged. It would seek to play up and manipulate their differences, and not endeavor, as Bucharest has been doing, to compose and reconcile them. *)

4. In the area of relations with non-communist states, several Romanian deviations are usually brought forward.

- (a) Apart from the Soviet Union, Romania was the first Warsaw Treaty state to establish, in 1967, in defiance of the Soviet bloc, diplomatic relations with the Federal Republic of Germany.

In the perspective of the last 12 years, it should have become by now obvious that, far from representing a defiance of Moscow, the Romanian action undermined the Halstein Doctrine by virtue of which West Germany was refusing to enter diplomatic relations with states recognizing East Germany (ie., the so-called German Democratic Republic). And the demise of the Halstein Doctrine directly led to the Ostpolitik the Soviet Union had so eagerly sought.

- (b) In 1967 Romania was the only communist-ruled country to maintain diplomatic relations with Israel. This was greeted as another proof that Romanian independence is a reality. Wouldn't it be more realistic to ascribe this decision to the need of the communist bloc to preserve a channel of communication and an observation post of great importance?

*) Romania's Foreign Policy Reconsidered, by Vladimir Socor, ORBIS, Fall 1976 Issue

For once Yugoslavia could not render this service to Moscow. Its close relations with Nasser and the Third World precluded it. Therefore, Romania, with its established reputation of a quasi-non-aligned state, was the natural choice for the role of the man left behind to carry on a significant mission.

- (c) Romania was the only socialist state to join G.A.T.T., I.M.F. and the International Bank for Reconstruction and Development. By 1975 the SRR had already drawn loans amounting to over 700 million dollars from these U.N. agencies. The profitability of membership is likely to attract other applicants from East Central Europe. In any event, the SSR has demonstrated its usefulness as pathfinder for the communist bloc.
- (d) The 1969 visit of President Nixon and the 1975 visit of President Ford to Romania are among the indicators of SRR behavior most often referred to. The visits are generally depicted as gestures of quasi-defiance on the part of "President" Ceausescu. If this were so, the invitation to the American presidents would have been gestures of deliberate provocation or an indication of total misreading, on the part of the SRR dictator, of American willingness to defend them if attacked by Soviet Russia. After Czechoslovakia's experience in 1968, it is difficult to believe any of these explanations. The much more plausible explanation would be that the visit had the prior blessing of Moscow. The Soviet leaders may have found it, indeed, useful to their campaign of detente; they may have felt that such visit would vividly drive home to Romanians and Poles that the American Presidents weren't visiting them but their oppressors; they may have reasoned that a reinforced image of Romanian independence may enhance the credibility of the nationalist and liberal image the West European communist parties were about to forge for themselves.

5. The alleged obstruction by the SRR of the Soviet-proposed World Conference of Communist parties was viewed from 1964 to 1969, in the West, as a dependable evidence of the reality of Romanian assertiveness.

For years the Western press was fed with information about such obstruction. When the conference finally met, in 1969, Ceausescu signed the Soviet-prepared Declaration on the dotted line. Before doing so, he entered a rather revealing reservation. He objected, he said, to certain paragraphs of the Declaration, namely those dealing with the problem of divergencies among Socialist countries

and/or parties. He felt that these paragraphs conveyed the impression that such divergencies were the result of imperialist activity. This, he pointed out, overrated the capability of imperialism to divide the "international working class movement" and underrated the unity of the world communist movement.

This line of argument lends a new emphasis to one of the favorite justifications the Romanian C.P. has been offering for its independence stance: Western public opinion and western governments are so addicted to wishful thinking and so vulnerable to deception that the surest way to sow complacency and disunity among them is to plug the idea that the communist-ruled East European countries have ceased to be satellites of the Soviet Union.

It was in this spirit that the often quoted 1964 Declaration of the Central Committee of the Romanian C.P. pointed out that the new relationship among communist parties "exerts a strong appeal in the world arena, is watched with the utmost attention by all peoples and represents a mobilizing factor in the struggle waged by the working people in the capitalist countries and in the newly independent states."

In other words, the 1964 statement clearly intimated that the "satellite" image had been a handicap to the expansion of communism, whereas a new perception of truly independent but voluntarily cooperating and sometimes diverging parties and states will have a double effect: it will render communism more attractive and the Western powers less keen on preserving their alliance and on maintaining an adequate defense posture.

6. Romania is purported to have taken the initiative, independently of Moscow, for the suppression of blocs and foreign military bases and for the withdrawal of armed forces stationed in foreign lands. It is furthermore credited with having successfully resisted Soviet plans for tightening up the structure of the Warsaw Treaty Organization (W.T.O.).

Regarding the Warsaw Treaty, it is undeniable that since 1967 there has been a methodical effort (via leaks to the Western press), on the part of agents of the Bucharest regime, to represent Romanian statements for the suppression of military blocs and foreign bases, as well as for the withdrawal of troops stationed in foreign countries, as Romanian positions taken in defiance of Moscow.

The fact is that as early as February, 1954, at the Berlin Conference of the Big Four Foreign Ministers, the Soviet Union had proposed every one of the measures for which the SRR was claiming credit in 1967. The same proposals were repeatedly reiterated in subsequent years. What else than deception can explain the false Romanian claims?

Regarding the alleged obstruction by Ceausescu of Soviet plans for strengthening the W.T.O., suffice it to note that the present structure of its political organs reflects the reluctance of Moscow to accept majority rule in any international body. The Soviet Union would have even less to gain from changes in the military command which is fully controlled by Moscow on every level and in every compartment.

Anyone half-familiar with the Soviet policy for the mutual suppression of military blocs (NATO and W.T.O.), a policy the Soviets pursued with utmost patience ever since they made W.T.O. in 1955, their response and exchange-chip for NATO, will easily recognize the purpose of the SRR proposals. They were attempts to achieve in a round-about way the long-standing Soviet policy of swapping W.T.O. for NATO in the sure knowledge that the demise of W.T.O. will not mean the end of the Soviet bloc, while the suppression of NATO will entail the end of the Western alliance and the withdrawal of American military power to the American continent.

It should be noted that the SRR's contribution to the acceptance by the NATO powers of the European Security Conference Project, the Soviets revived in 1966 and pushed hard ever since, was not confined to the preparatory phase of the Helsinki Summit meeting. Since 1966 Romanian diplomacy was diligently and steadfastly courting the NATO countries and the European neutrals to sell them the view that the proposed European Security system was the only means available to ease the lot of the East-Central European nations. Within the system and the partnership it would create, it would be easier to develop a European counter-weight to Soviet power.

7. It is contended in the West that the SRR has once more demonstrated its emancipation from Soviet control by the independent line it took at the 1975 Helsinki Conference on Security and Cooperation in Europe.

The three main points made by Ceausescu in these meetings were:

- (a) individual states and not blocs must be the components of the proposed European Security System;
- (b) the CESC should be institutionalized (i.e., become a permanent organization);
- (c) the Helsinki Conference should be viewed merely as an initial step in a long-term process of comprehensive change in the power relationships and political structure of Europe. (This should be read in the context of the SRR position on the Mutual and Balanced Force Reduction talks in Vienna: "Force reductions on the Central Front should be considered as interim measures toward the removal of all foreign bases and troops from Europe's states and toward the dismantling of military alliances.")

8. Recent "Assertions of Independence"

In the past two years the SRR's reputation for independence was further nourished by periodic gestures and rhetorics. We have in mind the widespread belief that the SRR deserves credit

- (a) for having helped to bring about the Israel-Egypt negotiations;
- (b) for having refused to take sides in the Sino-Vietnam and in the Cambodian conflict;
- (c) for having declined to go along with the decision of the Warsaw Treaty states to increase the military budget by 3½%.

These "deviations" present two common features: the publicity surrounding them invariably stems from the Romanian side; the purpose of the publicity is to refresh and reinforce the image of a Romanian foreign policy as independent as can be pursued without fatal consequences for Romania.

As a matter of fact, the involvement of the SRR in the contacts which eventually developed into the Israeli-Egyptian negotiation is a corollary of the diplomatic relations between Romania and Israel, relations maintained because of the Soviet need for listening and liaison posts in Israel. The neutral course followed by the SRR in the Sino-Vietnamese conflict reflects the continued usefulness of the "independent satellite" image to the USSR if not to the whole Soviet Bloc. As to the SRR's opposition to a slight raise in the military budget, contrary to press-anticipations, the Soviet leadership took the matter in stride. There was no threat and no reprimand. For the man in the Kremlin, the hysteria of the Western press and the hurried dispatch of the U.S. Secretary of the Treasury had enhanced, to the benefit of the Soviet Union, the credibility of the SRR image. After all, the Soviets had little need for an increased contribution of the East European states to the military power of the USSR. Given the strong anti-Soviet feelings of the Romanians and other East Central European people, it would not be only counter-productive but also dangerous for the Soviet Union to develop a strong military force in East-Central Europe. One is, therefore, on a much more credible ground when explaining the international relations of the SRR in terms of distribution of roles and role playing rather than in terms of genuine deviation.

CONCLUSIONS

1. The posture of nationalism and independence the Romanian regime has assumed since 1964 is preponderantly a substitute for internal reforms, political and economic, which a qualitatively weak communist party, like the Romanian, was reluctant to enact. The carefully orchestrated and amply publicized "assertions of independence" coincided with a significant shift in the European political strategy of Soviet Russia, the shift from intimidation to detente. The quadruple purpose of the policy of detente was (1) to detract attention from the huge military build-up in the Soviet Union; (2) to foster a false sense of security and complacency in the West; (3) to secure the formal acquiescence of the West for the Soviet-imposed status quo in East-Central Europe, and (4) to gain easy and massive access to Western long-range credits and advanced technology. The means employed to further these purposes included promoting the view that Moscow had its hands full with the "Chinese menace" and feeding Western wishful thinking with "facts" indicating "irreversible" trends toward "de-satellization" (in Romania) and "de-Stalinization" (in the other Soviet-dominated states). As a result, a new perception of communism as an increasingly loose movement, no longer capable of cohesive action, no longer dangerous--was born in the West. And this perception has already contributed to the weakening of Western unity and willingness to maintain a level of military preparedness commensurate to the ever-growing might confronting them.
2. Romanians disagree with the view that economic relations and cooperation are conducive to political gains. For them long and medium-term credits and other forms of economic help enable the communist regimes to maintain, for political reasons, inhuman and economically unworkable systems, such as collectivized agriculture. Without such help the communist regimes might be forced, by the pressure of necessity, to give priority to economic considerations, such as dissolving or radically reforming collective farming. Developments along the above lines would be apt to strengthen the economic independence and hence the political potential of the staunchly anti-communist peasantry.
3. The highly favorable publicity the Romanian regime gained throughout the Western world and the entirely new experience of a modicum of popular acceptance appear to have produced a dizzying effect in Bucharest. Assertive gestures and statement reached, indeed, provocative levels in the summer of 1968, in connection with the Czechoslovak crisis and subsequent Soviet military intervention. This time, Soviet reaction obviously went beyond mere irritation. The fact is that within a few days from the occupation of Czechoslovakia all criticism disappeared from Romanian statements and from the Romanian press. Moscow had clamped down.

RECOMMENDATION

For the many reasons set forth in this statement, The Truth About Romania Committee can but reiterate the conclusion it has drawn in previous years:

We hold that the continuation of the MFN status for the SRR is not in the best interest of either the United States or the freedom-loving people of Romania. Accordingly, no further extension should be granted unless a radical change for the better can be observed in the policies and conduct of the SRR government in matters of human rights and national independence.

Prisoners of Conscience (or Political Prisoners)
in SRR Psychiatric Hospitals

1. Ion Vulpe interned in Poiana Mare P.H. in January 1975 . Charge : "anti-state propaganda". Evaded in January 1976 ; was caught & beaten unconscious . In one day given 800 mg Uloleptil. Released in 1977 ; required to visit regularly the H.P. in Craiova under art. 113 of Criminal Code .
2. Virgil Dinculescu arrested in September 1975 for "anti-state propaganda" and held at Poiana Mare P.H. Had reported to management that medical personnel was stealing the meat that should have been served to the inmates. Within two days was injected 30 times with Plegomazin and Mazepetil . Died within three days of this treatment.
3. & 4 Vasile Brancu, steel-worker of Brasov, arrested on charge of arson and posting wall-slogans . Arrested on same charges: Gheorghe Rusu, night watchman at same Steagul Rosu Steel Plant . Rusu was sentenced to death in a trial at the plant on 12 May 1975 ; reportedly he was not executed but held in the Aiud Penitentiary. Prior to trial he was severely beaten & treated with neuroleptic & electroshocks in order to wrest a confession of guilt. Result : speech difficulties, loss of memory & other psychosomatic disorders. Brancu refused to sign self-inculpatng statements & was kept in 1975 and 1976 in solitary confinement in a basement cell of the Securitate (Calea Rahovei, Bucharest). Unknown drugs were regularly administered to him . He is reported to have died in his cell .
5. Paulina Catanescu (Miss), worker, signer of Goma appeal, repeatedly interned in P.H. since 1974 for complaining about working conditions and unpaid "patriotic" work .
6. Stefan Toia, 61, lawyer-economist from Cluj, signer of Goma appeal; same charges as Miss Catanescu. Interned in P.H. in July 1977 & is presumably still confined having been declared a case of paranoia .
7. Haralamb Ionescu, 70, lawyer, former journalist; arrested in 1975 for writing letters to the United Nations about the human rights situation in Romania; confined to P.H. . Now required to report regularly for psychiatric checkups. Subjected to harassment by the Securitate .

8. Stefan Gavrilă 38, Romanian Orthodox Priest; dismissed from his parish for refusal to read in church messages of Communist Party officials and officiating the liturgy in his home once evicted from his church. Arrested after applying for emigration. Confined to a P.H.. Present whereabouts unknown
9. Vasile Paraschiv, 50, worker in petrochemical plant. From 1969 to 1977 subjected to harassments, beaten and confined to P.H. As early as 1968 had complained about compulsory unpaid work on week-ends & then refused to work on week-ends on constitutional grounds. Consequently charged with violating labor discipline and had his salary reduced. After resigning from the communist party, in July 1968, was arrested, declared mentally ill and interned in the Urlați H.P.. While confined, in 1976, in the Cămpina H.P. he was released subject to the requirement of regular psychiatric examination. He had earlier been diagnosed as a case of paranoia. Because of his support of the Goma appeal, was given in 1977 a passport and was literally forced to leave the country. He returned to Romania in 1978 without official permission & was ordered to appear for regular psychiatric checkups. In March 1979, Paraschiv was once again arrested as one of the founding members of the Free Union of the Working People of Romania (SLOMR).
10. Stefan Tudor, arrested in a train, in 1974, for criticizing the Romanian regime, was tried and confined in the Dr. Petru Groza H.P. on the basis of Article 114 of the Criminal Code of the SRR. While in hospital he was injected with varying amounts of Megoptil and was diagnosed as suffering from alcoholism and oligophrenia.
11. Iliana Luca, arrested in 1956 & charged with "anti-state agitation"; was sentenced to 20 years imprisonment. In 1972 was transferred by court order to the psychiatric clinic of Răducani. Had earlier been treated for "political paranoia" at the Poiana Mare, Jabel and Gâtaia P.H.. In 1973 was assigned to the Dr. Petru Groza H.P. and reportedly is still there.
12. Marian Neagu, publicly criticized in 1968 the Romanian political system and restrictions on foreign travel; upon refusing to recant was severely beaten and confined in the Sapoca (Buzău) H.P. and is still there.

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13. Cezar Mititelu, after earning a Master degree in Philosophy in 1973, was harassed and threatened for not taking up "suitable" i.e. manual work. He also denounced forced labor as practiced in the SRR. For a short while he had a teaching assignment, human and civil rights in Romania was one of his favorite subjects in class. In the summer of 1977 Mititelu was arrested by Securitate officers in Bucharest and interrogated at length. He was assigned for work in the town of Birlad. Being given permission to leave his forced residence for a brief period, Cezar Mititelu did not return to Birlad but stayed in Bucharest and continued his criticism of the SRR authorities. He disappeared on April 12, 1978. Friends later found out that he had been arrested by the Securitate and taken to the psychiatric ward at Jilava prison where, according to a Romanian official, he was being examined "to test his capacity to work". No further information about Mititelu has leaked out.

14. Victor Murea, 28, worker from Constanța; was arrested in January 1975 and charged with "anti-state-propaganda" after allegedly painting anti-communist slogans on a wall; subjected to severe beatings by Security Lieutenant Burlacu, was forced to write self-incriminating statements. He lost consciousness several times and had to undergo medical treatment for serious head injuries caused by being hit with a truncheon. Result: speech disorder. Murea was tried at the district court of Constanța on 4 March 1975 and was found guilty. His ex-officio counsel asked the court to allow Murea to be medically examined before a sentence was imposed. Plea was granted and defendant was examined by two psychiatrists who were appointed by the Security Police. According to the two doctors' diagnosis, Murea was suffering from "oligophrenia". The recommendation was immediate confinement to a psychiatric hospital. The Dr. Petru Groza P.H. was chosen. The AI Report adds that from 1975 to 1977 Murea was injected with lepromazine 2-3 times a day for periods ranging from a few weeks to a few months.

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15. Iulia Petrescu, playwright, interned in P.H. in 1974, following letters of protest against 1971 official ban on her works. Released after several months of treatment, by the end of 1974, she has since been ordered to report as an outpatient at a P.H. in Bucharest. Was warned by Security Police (Securitate) that she would be confined to long periods of psychiatric treatment if she did not leave Romania. Her private library was confiscated in 1978. No information on her present whereabouts.
16. Ion Dobre, employee of the National Theatre in Bucharest; twice caught while attempting to cross Romanian-Yugoslav frontier without permission; interned in Dr Petru Groza P.H. and there treated from 1975 to 1977 with Plegonazin in quantities of up to 800 mg daily over long periods of time. Was told he suffers from "paranoid Schizophrenia".
17. Gheorghe Brasoveanu, civil engineer from Bucharest, founding member of the Christian Committee for the Defense of Freedom of Religion and conscience. Orthodox preacher, was confined four times to various hospitals. In 1977 signed the Goma appeal. In March 1979 founded the Free Trade Union of Romanian Workers (SLOMR) and shortly thereafter was arrested. There are indications that he is once again confined to a Psychiatric Hospital.
18. Truşca (First name unknown); target of harassment since 1973 when, as a student at the University of Iaşi, he was well known as an outspoken Marxist. Arrested in 1974 & interned in Socola P.H.. Now at the Raducaneni P.H. (near Iaşi).
19. Genevra Sfatcu, baptist believer. In 1976-1977 actively helped Neo-Protestant pastors to document persecution of religious believers in Romania. Signed the Goma appeal and was subsequently confined to a P.H.
20. Cornel Iliescu, young worker from Bucharest. Joined a group of 18 youth in demonstrating in favor of freedom of movement & in protest against refusal of SRR government to allow them to leave the country. The demonstration took place in Bucharest on 18 April 1978. The demonstrators were arrested within minutes. Interrogations and beatings followed at the Calea Rahovei & Strada Belgiman Securitate stations. Seven of the 18 received passports and were asked to leave Romania; some were sent to forced labor camps while others were confined to P.H.s. One of the latter group, Cornel Iliescu, is interned in the Jilava P.H. He is undergoing an "investigation of the form of his mental disease".

Annex 2Sixteen believers at present held in Romania as Prisoners of Conscience

(List compiled in February 1979 by baptist leader Pavel Nicolescu) *)

1. Mircea Dragomir, Seventh Day Adventist, 27, Laborer, Strada Rocilor 5, Bucharest 7; sentence No. 117 of May 19, 1978 : four years imprisonment. Earlier served 3 years for refusal to do military service on Saturdays.
2. Nicolae Rădoi, Baptist, 39, married - 3 children, Strada Partizanilor 41, Caransebeș (Timiș), Laborer, Sentence No. 38, October 24, 1978 : 18 months, for "disturbance of public peace & insulting behavior". Legal basis of condemnation : Art. 321, par. 1, Art. 239, par. 2, Penal Code of SRR . Sentenced at Caransebeș court.to 18 months imprisonment ; held at Timișoara prison (Str. Popa Șapca 7), Founding member of the Romanian Christian Committee for the Defense of Freedom of Religion and Conscience .
3. Petre Coofrteu , Baptist, 28, dental technician, married, two children, Caransebeș, Strada Tîgăriei 33 b ; Same charge and legal basis as Nicolae Rădoi. Savagely beaten by Securitate at suggestion of the Baptist Union . Charter member of Christian Committee(see full title under Rădoi).12 months in prison.
4. Ionel Pășiban, Baptist, 30, Laborer, Oțelul Roșu, Str. Tineretului, Bloc 3, apt. 202 , same charge and legal basis for condemnation as those listed under 1, 2 & 3. Sentence : 6 months. Savagely beaten. Expelled from Baptist Theological Seminary. Sentence No. 380, Oct. 24, 1978- Timișoara prison .
5. Dumitru Abrudan, Baptist, Age unknown, Laborer, married, 2 children, Oradea, Str. Iacobinilor, Nr. 33A. Legal basis of condemnation : Decree 153, Art. 1, par. d.e. Penal Code of SRR.. Charge : Parasitism etc., Real reason for arrest : request to emigrate to USA . November 13, 1978 sentenced to 6 months imprisonment . Satu Mare Prison .

*) For further details see : Victor Răscol, ed., Romanian Report, Society for the Study of Religion and Communism, pp. 26-41

6. Ioan Samu, Pentecostalist, 36, mailman, married, 6 young children, Strada Hula Veche 51, Mediaș; charge : parasitism ; legal basis of conviction : Decree 153/1970, Penal Code, art.1 par. d ; sentence No. 2979/6 Nov. 1978 -- 6 months imprisonment . Jan. 22, 1979 : following appeal sentence extended to 3½ years . Real reason for conviction : leader of Pentecostalist church in Mediaș ; no defense counsel .
7. Viorel Lăcătuș, Pentecostalist, 33, Laborer, married - 7 young children, Strada Lopeși 478, Comuna Dîrloș (Sibiu); legal basis of condemnation : Decree 153/1970 & Penal Code art. 1 (d) ; charge: parasitism ; real reason for arrest : leader of Pentecostalist church, Mediaș, functioning without authorization of Pentecostalist Union and the Department of Cults . Sentence : 6 months, Nov. 6, 1978 (tried in camera ; no defense counsel).
8. Francois Paris, Pentecostalist, 48, Laborer, married, Strada Sasimil 108, Comuna Dîrloș (Sibiu); charge : parasitism ; real reason for condemnation : same as Lăcătuș & Samu ; sentence : 6 months imprisonment (Nov. 6, 1978).
9. Dumitru Mureșan, Baptist, 41, pensioner, Comuna Arcaia 231, Bistrița Năsăud ; married - 5 children ; real reason for condemnation : seeking to emigrate to USA ; broadcasting a memo of RFE ; charge: parasitism ; legal basis for condemnation : same as Samu, Lăcătuș Paris ; suffering from silicosis as result of his work in the mines ; declared hunger strike in support of his request to emigrate ; interned in psychiatric ward of Bistrița Hospital from July 31 to August 26, 1978 ; diagnosis : Psychopathic Paranoia ; sentenced on Jan. 6, 1979
10. Paramon Gagea, Pentecostalist, 23, Laborer, strada Lempeș 5, Bistrița Năsăud ; charge: parasitism ; legal basis of condemnation : Decree 153/1970, Art. 1, par. d, Penal Code of SRR ; sentence : 4 months imprisonment, held at Gherla (Cluj)

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11. Simion Holbură, Pentecostalist, 23, Laborer, Comuna Mijloceni Btr-găului, No. 249, Bistrița Năsăud ; legal basis for condemnation : same as Gagea - supra ; charge : parasitism, etc.; real reason for arrest : seeking emigration to USA & sending memorandum to RFE on desire to emigrate ; sentence : 4 months imprisonment ; held at Gherla (Cluj) .
12. Gheorghe Budușan, Orthodox, 46, unemployed, married, 3 children (1 infant); strada Dornei, No. 4, Bistrița Năsăud ; charge : parasitism; legal basis for condemnation : same as Gagea & Holbură; real reason for arrest : seeking to emigrate to USA ; sentence : 5 months imprisonment (Jan. 4, 1979); held at Gherla (Cluj).
13. Lucian Bistriceanu, Seventh Day Adventist, 21, tailor; Comuna Perișor (Dolj); legal basis of condemnation : art. 334 (2) Penal Code ; charge : insubordination ; real reason for arrest : refusal to work & do military instruction on Saturday; sentence No. 110, May 9, 1978 : 3 years imprisonment ; held in the strict regime prison of Gherla (Cluj) although has heart & lung troubles . His father, Mitran Bistriceanu was condemned in 1958 to 15 years imprisonment for participation in Reform Movement of Adventist Church of which he only completed 4½ years because of illness .
14. Ioan Samu, Pentecostalist, 60, (father of Ioan Samu - see under 6 supra); strada Hula Veche, No. 51, Sibiu; sentence : 6 months imprisonment .
15. Dumitru Lușcă, Pentecostalist; sentence : 6 months imprisonment. Convicted for participating in peaceful courtroom protest against conviction of Ioan Samu Jr., Viorel Lăcătuș , Francisc Paris & unknown Pentecostalist believer
16. Titu Gheorghe Lăcătuș, Pentecostalist ; sentence : 6 months imprisonment .
17. Name unknown, Pentecostalist; sentence : 6 months imprisonment .

ANNEX 3

AFL-CIO FREE TRADE UNION NEWS

May 1979 issue

The Free Trade Union of
Rumanian WorkersFebruary 1979
Bucharest, RumaniaThe following are the founding
members of S.L.O.M.R.:

From Bucharest:

Dr. Ionel Cana, physician—gen-
eral practitioner;**Gheorghe Brasoveanu**, econo-
mist;**Nicolae Gugu**, veteran member
of the Communist Party, former
volunteer in the Spanish Civil
War;**Gheorghe Fratila**, cameraman;

From the City of Turnu-Severin:

Ioana Grigore, C.P. employee;**Ilie Blidaru**, welder;**Costel Haritelian**, tinsmith;**Endre Molnar**, tinsmith;**Romulus Bonda**, riveter;**Nicolae Mutu**, foundry-worker;**Aurelian Paunescu**, foundry-
worker;**Vasile Otel**, fitter;**Aurel Mustachide**, riveter;**Nicolae Balamat**, welder;**Elena Pasmagius**, welder;**Victoria Ivanevici**, electrician;**Fresa Pesteanu**, charwoman;**Mihai Gheorghiu**, electrician;**Petre Papa**, welder;**Romica Badiu**, welder.

STATEMENT OF JAMES H. OZANNE, PRESIDENT, NORTH AMERICAN CAR CORP.

Dear Chairman: North American Car Corporation wishes to submit this statement in support of the continuation of the Most Favored Nation status for Romania as authorized under the Trade Act 1974.

Without commenting on the complicated and important issues regarding Emigration Policies of the Socialist Republic of Romania, we think it would be appropriate to comment on the economic ties that have been established between North American Car and Romania, which, in turn are benefiting the United States in the area of additional job opportunities as well as favorably impacting our Balance Of Payments.

North American Car Corporation has negotiated an agreement with the Romanians for the importation of approximately 3,000 railroad covered hopper car bodies in Kit form. That is, the sides, roofs, ends, slope sheets, etc., are manufactured in Romania, transported by ocean going vessel to the United States where they are welded together forming a covered hopper car body. Other components such as brakes, couplers, wheels and axles, are of U.S. manufacture and are assembled along with the car body in various U.S. locations, forming a complete covered hopper car of 4,750 cu. ft.

These cars will be leased to Shippers of grain and grain products, primarily for export. These Kits are being assembled into covered hopper cars at three locations in the United States: Wilmington Delaware, where approximately 80 new jobs have been created; Pascagoula Mississippi, where 700 new jobs will be created; and in Sheldon Texas (suburban Houston) by a competitor.

As we all realize, there is an extremely serious covered hopper car shortage in North America. As a matter of fact, the covered hopper car shortage in Canada is limiting that country's ability to export their grain production.

In the United States, all of the car builders are sold out through mid 1981. North American Car plans to import about 3,000 Covered Hopper Car Kits during 1979-1980. Each complete car can transport approximately 3,500 bushels of grain product per trip. Assuming 10 trips per year, at \$3 per bushel, our American farmers can export an additional 105 million bushels valued at \$315 million dollars on an annual basis with these 3,000 additional cars. The import value of the 3,000 Kits is approximately 48 million dollars, so you can see that even in the first full year of utilization our Balance Of Payments are positively impacted by approximately 267 million dollars.

Thank you again for your consideration of this important matter.

NATIONAL MACHINE TOOL BUILDERS ASSOCIATION,
McLean, Va., July 10, 1979.

HON. ABRAHAM RIBICOFF,
Chairman, Subcommittee on International Trade, Senate Finance Committee, Washington, D.C.

DEAR MR. CHAIRMAN: As President of the National Machine Tool Builders' Association (NMTBA), I want to express our support for a further extension of the president's authority under the Trade Act of 1974 to waive the freedom of emigration requirements under Section 402 and for the continuation of the waivers applicable to the Socialist Republic of Romania and to the Hungarian People's Republic.

In 1978 the United States exported approximately \$98 million in goods to Hungary and another \$317 million to Romania. Close to 28% of our imports from Romania in 1978 were of petroleum and related products.

Moreover, export sales of machine tools to Romania and Hungary totaled some \$21.2 million in 1978 which was a year in which the U.S. machine tool industry suffered an overall trade deficit of approximately \$155 million. These statistics demonstrate that American industries and their employees have much to gain from continued Most Favored Nation (MFN) treatment for and extension of Eximbank credits to Romania and Hungary. Indeed, orders of the magnitude sold to Romania and Hungary in 1978 would be sufficient to account for the output of some 642 U.S. machine tool workers for an entire year.

Therefore, the National Machine Tool Builders' Association respectfully suggests that your distinguished Subcommittee give speedy approval to the further extension of Eximbank credits and of the President's authority to grant MFN status to Hungary and Romania.

Sincerely,

JAMES A. GRAY, President.

STATEMENT OF MONIQUE C. DRAGOI

I respectfully submit a copy of the letter addressed to me by the U.S. Consul in Bucharest, Romania in which he informs me that my family's request to apply for immigration to this country has been refused by the Romanian authorities. The family consists of my mother, 71 years old, and my brother, 52, with his wife, 53. Neither held nor hold important, sensitive, or professional positions. As the consul's letter points out, my brother was even demoted in his job as consequence of his request to emigrate.

Inasmuch as Romania is being considered at this time for an extension of the MFN trade privileges, I strongly urge the U.S. Senate Finance Committee to refuse such extension on the grounds that the Bucharest government is not observing its commitments regarding its emigration policies. I am sure that the Committee already is aware of yet many other instances, some of which I happen to know, when the Romanian authorities have consistently refused to permit reunification of families.

EMBASSY OF THE UNITED STATES OF AMERICA
Bucharest, Romania, March 22, 1979.

Mrs. MONIQUE DRAGOI.

DEAR MADAM: This is to acknowledge receipt of your recent affidavit of support concerning the emigration of your brother, Aurelian Ciurescu, his wife and your mother Paraschiva Dumitrache from Romania.

Please read the paragraph(s) checked below for information in the case:

1. The Embassy has no record that your relative(s) or friend(s) has (have) visited this office expressing interest in emigration. If they wish to do so, they are welcome to come in for a preliminary interview to determine eligibility.

2. In order to see how we can be of assistance in this case, we are inviting your relative(s) to visit Embassy.

3. As the above person(s) is (are) not qualified or eligible to apply for U.S. immigrant visa(s), the Embassy cannot intervene on their behalf with appropriate Romanian authorities. If they obtain Romanian emigration passports on their own, we will see what can be done to help them in leaving Romania.

4. Your brother visited this office recently to inform us that he was refused permission to apply for passports and, having expressed interest in emigration was demoted to a lower job. Unfortunately, the Embassy can not intervene on his behalf with the appropriate Romanian authorities as there are no fifth preference visa numbers available for persons with their priority date (Aug. 2, 1978—the date you filed the visa petition with the Immigration Service). Such visa numbers are not currently available for persons whose priority date is after July 1, 1978. However, for your mother, Paraschiva Dumitrache, the Embassy has intervened and will continue to do so early April.

Sincerely yours,

LUCIANO MANGIAFICO,
Consul of the United States of America.

ROMANIA

AND

MFN

A STATEMENT OF OPINION
IN FAVOR OF MFN STATUS FOR ROMANIA

By Dr. Nicholas A. Bucur, Jr.
of Cleveland, Ohio

OVERVIEW

- In terms of the vital interests of the United States the continuation of MFN status for Romania is a priority of substantial importance.
- Romania's contributions to world peace efforts and her constantly improving record of compliance with the Jackson-Vanik Amendment demonstrate her good will, her desire to be our trading partner on equitable terms and her increasingly important role as a friend of the United States.
- If Romania is spurned on MFN it could result in the closing of existing channels of communication, perhaps forever. The United States cannot risk the endangering of her own vital interests by an ill-advised act, because of overreaction to problems which are important also, but not of the same level of priority dictated by the protection of our vital interests.
- The United States, in all fairness, must not engage in a policy which rewards enemies and slights aspiring friends, without eventually paying the piper.
- This monograph presents facts and opinions as to the treatment of minorities, especially Hungarians, in Romania, as to reunification of families, and as to the emigration of Jews and others from Romania, in the spirit of providing light, not heat, to the subject of MFN for Romania.

QUESTION: SHOULD MFN STATUS FOR
ROMANIA BE CONTINUED?

On June 1, 1979, President Jimmy Carter sent his recommendation to Congress that his waiver authority as to the application of subsection (a) and (b) of Section 402, the Freedom of Emigration provision of the Trade Act of 1974 (Public Law 93-618), be extended 12 months to July 3, 1980. The recommendation was based on the president's determination under section 402 (d) (5) of the Trade Act that such extension of the waiver authority will substantially promote the objectives of freedom of emigration in general, and in particular, in the cases of Romania and Hungary.

According to Senator Abraham Ribicoff, (D., Conn.), Chairman of the Subcommittee on International Trade of the Committee on Finance, The Socialist Republic of Romania and the Hungarian People's Republic are the only nonmarket economy nations which have been granted nondiscriminatory, or MFN trade status under the Trade Act of 1974, and the granting of MFN was conditioned on compliance with the freedom of emigration provisions of that law but that the law permits the President of the United States to waive the emigration conditions subject to Congressional Review.

OBJECTIONS TO MFN FOR ROMANIA

A resolution was introduced by the Hon. Richard T. Schulze, Congressman from Pennsylvania on June 14, 1979 (together with his colleagues Congressmen McDonald and Dornan) disapproving the President's recommendation to further extend MFN to Romania, on the basis of the provisions of law providing that the President may recommend such an extension but that if either House of Congress adopt a resolution of approval in a timely manner, the extension is prevented.

Congressman Schulze listed a number of reasons for his action: "Providing MFN benefits to a nation is a privilege which must be jealously guarded and I do not feel we should reward Romania for being the most repressive Eastern European satellite in terms of their treatment of minority populations." The Hon. Schulze also asserted that Romania "severely penalizes many of its citizens for indicating a desire to emigrate" by erecting barriers to emigration" and he asserted that "It is also very distressing to note that emigration to Israel is still significantly declining and that the highest monthly levels of emigration

occur during the times we are considering renewal of the trade agreement" and he claimed that these policies contravene the requirement of Basket III of the Helsinki Final Act as well as the emigration criteria established within the Trade Act of 1974.

A further objection by the Hon. Schulze related to the balance of trade situation and asserted that Romania now enjoys a \$27.6 million trade surplus and that "the Romanian Government is utilizing its MFN status to proliferate our market with cheap goods which are costing American jobs." Hon. Schulze also argued, quite correctly in this last instance in contrast to the prior assertions in his resolution, that "Preservation of American jobs and the strengthening of our economy must be of utmost importance."

He concluded with the statement that votes in favor of the disapproval resolution would also favor the American workers, the people of Romania, and the traditional trading partners of the U.S. "who are hurt by a continuation of this waiver."

This writer reluctantly, most respectfully, but emphatically disagrees with nearly all of the assertions of the Hon. Schulze except that which concerns the need to

protect American jobs and our vital interests, and to seek ways to overcome trade deficits in general.

Considering the fact that America now suffers a trade deficit in excess of 30 billion dollars it behooves us to seek ways, quite urgently, to expand our trade in all nations. But expansion of international trade would also require immense assistance from Congress, and the Federal government so that our traders can compete on a more equal footing with the Japanese and German world traders who enjoy benefits and assistance from their governments that ours do not.

Our portion of the international market also requires much more salesmanship and entrepreneurship than that now practiced. Our academic institutions must create new interdisciplinary curricula emphasizing marketing, higher technology, cultural heritage, psychology, and languages. Traditional language instruction must be adapted by experts to fit needs of today and the relevancy of some languages must be re-examined. It might well be that the languages to be accentuated today are Russian, Japanese, Arabic, mainland Chinese, Spanish and African languages. Perhaps Romanian ought to be included, in the light of her record in world peace efforts.

It is this writer's view that people to people programs, ought to be greatly accelerated because through such ways new channels of communication are established and new windows of hope are opened. Interchange in all areas, including commercial and cultural, is needed if this free nation is to persevere and progress in a rapidly changing, violent, and increasingly hostile world.

To this writer it is axiomatic that people to people interchange cannot do other than to create better relations which in turn are reflected in increased commercial interchange. Truly, it is better to do business than to shoot one another. Truly it is better to try to be friends than to become enemies. Truly it is better to keep friends than to spurn friends and reward enemies, and while these appear to be cliches it may well be that the fundamental truths contained therein escape our attention from time to time.

Therefore it seems inescapably logical to this writer that trade with Romania ought be increased. The more we sell, the more they buy means the more jobs we create and maintain in this nation. It is self-evident that to buy one needs to sell also, and therefore mutual trade also postulates increased buying ability by the corresponding nation. In this

instance, Romania has rapidly increased its trade with the United States. From 200 million of a few years ago we have reached the present level of around 700 million and by mutual accord will reach 1 billion in 1980.

The assertion that in June of 1979 the Romanians enjoyed a 27.6 million advantage may well have been true but the picture painted is incomplete because of the fact that existing contracts will ripen progressively in such a manner that the United States will soon enjoy a trade advantage again. Trade with Romania has consistently been in equilibrium and has been so structured so as maintain an approximate future equilibrium. Would that our situation be as good with regard to other nations in the world, particularly Japan and the Middle Eastern oil nations!

Therefore the argument that trade with Romania should be curtailed, perhaps eliminated, by the removal of MFN status, is not to the best interests of the United States, especially in the purely business sense. There are other considerations, however, which will be raised later on in this monograph, relating to our fundamental vital interests and the pursuit of world peace.

Interchange of professors, lecturers, performing groups, artists and sports figures, are invaluable in

the creation and perpetuation of continuing and successful people to people programs.

It was the pleasure and privilege of this writer to serve as Chairman of the Mayor's Advisory Council on International Trade and Relations in Cleveland, thereupon as Manager of the International Trade and Relations Office of Cleveland, as well as co-founder and CEO of Cleveland Sister Cities Programs, Inc., of the Cleveland World Trade Week Committee, Inc., and other organizations of similar purpose. Cleveland eventually acquired twelve sister cities, among them, and one of the first, being Brasov, Romania.

We were privileged to host President Nicolae Ceausescu on December 6, 1973, Mayor Ralph J. Perk being the official host at that time, at which time the Cleveland-Brasov tie was officially announced. Our "Singing Angels" under the leadership of Bill Boehm, was invited on the spot to visit Romania, which they did the following year and were greeted with wild acclaim in Romania. (We have also arranged for the Singing Angels to go to Japan, Taiwan, and last fall we took them to Israel to visit our sister city of Holon).

Cleveland has been visited by Gov. G. Dumitrache and a delegation, and in turn this writer led a mission to Romania last fall, which will be reviewed a little later herein.

We also invited a large contingent from Yugoslavia to our World Trade Show in 1976 and a direct result of that effort was the stimulus and achievement of millions of dollars of trade for our area. Again, the Sister City vehicle was used, because of our relationship with Ljubljana, Yugoslavia. We were also catalytic in the visits of trade missions from the Soviet Union as well as the first high level from mainland China. Concomitantly we were active in promoting increased trade with our traditional partners such as Mexico, Canada, Venezuela, Israel, Great Britain and Taiwan.

The point is that we believed, and still believe, and will always believe, that better human relationships mean better levels of communication, and that commerce is one area which can be enhanced as a direct and proximate result.

This writer will never forget the ecstatic reaction of Cleveland's citizens when Nadia Comaneci came to our area in an unexpected and most welcome visit which was brought about, in spite of obstacles imposed by non-Romanian sources, directly and because of our Sister City ties with Brasov, Romania.

Cleveland has benefitted in its relations with Romania in many ways. This should not be reversed.

But what has happened with Cleveland can be cited in many other ways, with other American cities. The first tentative and tenuous attempts to create bonds of friendship ought not be set back by ill-advised and overly brusque methods.

Methods which promulgate boycott, polarization, rejection, and the severance of channels of communication cannot be the road to progress, it seems to this writer. The obfuscation of goals, the muddying of waters for obscure and undefined purposes, and the interruption of incipient ties, cannot be to the best interests of the United States in such delicate matters. And of course, diatribes, insults and defamatory assertions cannot do other than to inflame emotions and impede logical and constructive discourse. Whose interests are served by such negative tactics? This question will be asked again, later in this monograph, also. But for now, one is moved to ask, how equitable is it that MFN be denied to Romania, which resists Soviet domination, and which has sought our friendship at some risk, and yet MFN is advocated for the Soviet Union?

One can envisage a good deal of laughing-up sleeves, but not in Romania, nor, it is to be hoped, in the United States. Lamentably, irony is not confined to the theater of the absurd, but has its place, it appears, also in the international scene.

RESPONSE TO OBJECTIONS RELATING
TO EMIGRATION OF JEWS AND OTHERS FROM ROMANIA

A number of witnesses testified at the hearing conducted by the Hon. Charles Vanik (D., Ohio), Chairman of the Subcommittee on International Trade, on June 22, 1979 (and again on July 9th), providing information pro and con on the questions of:

- 1) alleged harrassment of Jews who wish to emigrate from Romania;
- 2) harrassment of individuals who wish to leave Romania;
- 3) harrassment of Hungarians and other minorities within Romania, and in particular in Transylvania.

A Statement was made by the Hon. Matthew Nimetz, Counselor of the Department of State on behalf of further extension of the President's waiver authority. He asserted that the waiver has proven to be "a valuable device for the promotion of our interests including our interest in freedom of emigration and that it has permitted us to broaden our relations with Romania and Hungary" and his testimony included his personal note that he had visited the capitals of both nations just last month as the leader of a delegation from the U.S. which conducted extensive consultations with both nations on the implementation of the Helsinki Final Act.

Counselor Nimetz stated that he personally regards the development of our relations with Romania and Hungary as very important to U.S. interests. While he couched this point in terms of a personal judgment this writer is inclined to believe that it is also U.S. policy.

He did stress the fact that our general policy is to seek improved relations with those nations of Eastern Europe who reciprocate a desire from improved relations and that better relations lead to the promotion of the goals of the Helsinki Final Act and thus "contribute to greater respect for human rights and to better living conditions for persons in Eastern Europe."

He also underlined the point that the attempt to seek better relations does not imply approval of the Communist political systems there.

This point was very much emphasized by Congressman Derwinski who also testified in that he called for the use of common sense; that the reality exists as to the nature of the governmental system in both countries; that one goes on from there to try to do better.

Counselor Nimetz cited the many open and candid exchanges which have ensued on many topics, including human rights, trade, security and other issues and that

the establishment of MFN with Romania in 1975 was a watershed in our relations and that continuation of MFN constitutes "a sound basis for further progress, and that were this basis to be removed, our relations would deteriorate rapidly and significantly."

Counselor Nimetz noted that President Carter and President Ceausescu have met (April, 1978), and that they agreed to maintain a continuing dialogue on a variety of bilateral and multilateral issues and that "our paramount interest in keeping this close relationship is based on Romania's considerable independence in foreign policy."

While Counselor Nimetz does not mention it, the role of President Ceausescu as a catalyst in the Middle East crisis was very much appreciated by President Carter, who himself did yeoman work in bringing about the peace. President Carter, in his toast at the White House banquet in President Ceausescu's honor, in April, 1978, said: "I believe that more than any other man, including myself, certainly, this man (President Ceausescu) contributed to the decision of President Sadat to go to Jerusalem, and Israel, to see Prime Minister Begin." While President Carter may have been modestly gallant

in his tribute it is undeniably true, and it has been so publicized, that President Ceausescu did suggest to President Sadat that he "go see Begin, who is a good man." What is not as well known is that President Ceausescu has attempted to mediate ever since 1972 when he first suggested to President Sadat that he visit Prime Minister Begin in a peace visit.

Counselor Nimetz also pointed out some of the "noteworthy developments which occurred over the past year, since the last MFN hearings:

- 1) in August of 1978 Romania hosted Chairman and Prime Minister Hua Guofeng of China. (Attached is a newspaper clipping of August 16, 1978, describing the visit, marked Exhibit One herein).
- 2) Last November, at the Moscow Warsaw Pact Summit Meeting, Romania resisted and opposed Soviet initiatives as to increased military expenditures, consolidation of the Pact command, and the maintenance of a united front against China. (Attached is a clipping, dated March 20, 1979, which quotes Mr. Ceausescu: "Never will we allow any Romanian soldier or unit to take orders from the outside.") The clipping is marked Exhibit Two. It also states that: "President Ceausescu has shaped an increasingly independent foreign policy, the only one in the Warsaw Pact (underlining

supplied, to depart from the strict adherence to Soviet policy and the same article states that "Where the Russians have broken relations with Israel and go so far as to equate its Government with Hitler's, the Rumanians quietly maintain relations with the Israelis, and with the hard-line Arabs as well." Romania, in fact, was the only bloc nation to have diplomatic relations with Israel for years, and may well still be the only one.

As further evidence of Romania's independent role, he cited her strong condemnation of the invasion of Kampuchea by Viet Nam. In fact, Romania also lamented the invasion of Viet Nam by China.

Mr. Nimetz also pointed out that Romania continues to broaden its ties with the non-Communist world.

He did not mention it, because it did not happen only within the past year, but President Ceausescu has consistently advocated the abolition of the Warsaw Pact, as well as NATO, and has sponsored a resolution in the United Nations calling for World Disarmament.

Romania, points out Mr. Nimetz, is one of the most determined supporters of the concept of European security and cooperation. As one might imagine, this writer has also gathered that he is quite concerned about

the security and sovereignty of small nations.

He states that discussions were had with the Romanian officials about the situation of ethnic Hungarians and other nationalities in Romania, and about family reunification. He emphasizes the spirit of cooperation, willingness to exchange ideas, and attempts to find practical solutions so as to enlarge the areas of mutual understanding. He states " Overall, our experience convinces us that Romania's efforts in these fields are serious, and that together we have built a solid bilateral relationship in which MFN plays a very useful and important role.

On the specific question of emigration from Romania, he reviewed Romania's position: that it is not a nation which encourages emigration as a matter of policy, based both on national pride and the needs of the nation which require that Romanian citizens remain and work there, so as to contribute to the nations well-being and eventual prosperity. He says that the Romanian government has continued to maintain that it will cooperate in the the reunification of families in a humanitarian manner. This writer has seen statements by officials of Romania in which they identify their nation as a developing nation, and associate their goals and situation very much with those of the Third World, in terms of needs.

Counselor Nimetz then provided statistics reflecting an increase in emigration, about 50% more than in the previous period. He stated that our government has expressed our concerns about the need to simplify emigrant requirements and he is confident of future positive Romanian actions, in this area.

He also discussed emigration to Israel, pointing out that there is a decline, but that remaining Jews number about 40 to 50,000, with a high proportion of aged persons. He does note that of the 450,000 Jews who survived World II that 90 % or about 400,000 have already emigrated to Israel.

When this writer was in Israel last fall he noticed the countless signs in Romanian, "Gratari", being eating places featuring charcoal broiled meat, and spoke to many residents in Romanian. In fact, the head librarian at the sister city of Holon was a former Romanian national, a Romanian lady married to a Jewish man. The remarkable thing was that she, a non-Jew, learned to speak Hebrew, a difficult language, while he, a Jew, could not learn it. This is not surprising. When this writer visited the foreign ministry, there was a dog in the patio. The guide something to it in Hebrew, and the dog nodded and moved.

The dog understood the Hebrew words and this writer did not. Very embarrassing. This writer thereupon vowed to try to learn Hebrew so as not to be outdone by "man's best friend."

Following the testimony of Mr. Nimetz, the Hon. J. Mishell George, Acting Deputy Assistant Secretary of Commerce for East-West Trade, appeared, and for the record he stated that the Department of Commerce fully endorses the views on emigration regarding both Romania and Hungary expressed by Mr. Nimetz. He attributed the expansion of our commercial relations in recent years to the efforts of both governments (Romania and the U.S.) to create a viable framework and favorable atmosphere for the development of trade and economic cooperation. He described the numerous conference and agreements undertaken by the two nations. He agreed with the notion that Romania is a developing country, saying that by that reason Romania has been eligible for GSP status since 1976 and has made increasing use of this program. Mr. George asserted that MFN for both Romania and Hungary is in our national interest; that the waiver is needed also to permit the continuance of both Eximbank financing and CCC credit programs for both Romania and Hungary and that MFN for those two nations would accelerate the development of economic and commercial relations.

From the testimony given by administration witnesses both in chief and in the course of answering questions put to them, it became quite apparent at the hearing that the administration is convinced that the government of Romania has made substantial efforts to comply with the Jackson-Vanik Amendment. The point was also made that this demonstration of compliance is not made only at the time that MFN is up for consideration, but that the effort is constant during the year and this directly contradicts the argument made by opponents of MFN for Romania who have contended that there is a surge only at MFN time to put on a show for the benefit of Congress.

On the contrary from testimony given by opponents of MFN for Romania appear to surge forward at this time in order to be able to put pressure on Romania to expedite cases of family reunification, etc., and perhaps this is as it should be. But on the other hand it is not adviseable to shoot off a cannon to kill a flea and if irrevocable, hard-line and drastic positions are taken, the results can be disastrous to both Romania and to the United States in terms of mutual trust and cooperation. The whole process is slow, difficult, and time-consuming. On the other hand, one has the example of decades of difficulty concerning the admission of orientals to the United States.

What would oriental applicants for permanent admission to the United States in past decades have said about the red tape of the United States? Indeed, what would eastern europeans, the non-Irish, the non-English, and the non-German, have said about immigration quotas and restrictions? Yet, there has been progress, albeit quite slow and at times quite difficult.

Although in the example just used the matter related to immigration into the United States, and not emigration from here, the fundamental issue still involves the mobility of people and the right to leave and enter. There is still much to be desired about the whole question of free and easy mobility on this planet.

To return to the testimony of Mr. George for one last comment, he stated that "The United States has become Romania's second leading trade partner in the West, behind West Germany." He emphasized that "our overall trade relationship is healthy and growing." Indeed it is, reaching for one billion, mutually, by 1980.

This goal of one billion was also underlined in a personal interview which this writer had with President Ceausescu in the fall of 1978, in Bucaresti. As Romania turns more and more to the West it should be self-evident that a slap in the face is the least effective means of stimulating trade.

**IT IS UNTRUE' THAT HUNGARIANS ARE
HARRASSED IN ROMANIA AND SUCH
ALLEGATIONS ARE DEFAMATORY**

This writer visited both Israel and Romania in the fall of last year. In Israel an interview was arranged with a high official of the foreign ministry and the question was directly asked: "BASED ON YOUR PERSONAL EXPERIENCE AND REPORTS YOU HAVE RECEIVED, IS IT TRUE THAT HUNGARIANS ARE HARRASSED IN ROMANIA, EXPECIALLY IN TRANSYLVANIA?" The official was Josif Gobrain, head of the eastern european desk, and he emphatically replied in the negative. A second question was asked of him as to treatment of the Jews by the Romanians which is treated later herein; a full account of this writer's testimony about the incident is contained in Exhibit Five herein.

A thorough investigation of this matter was made by Dr. C. Michael-Titus who "wanted to find out the truth" so he went to Romania too "see for myself without the help of the Romanian authorities and in no capacity whatsoever." In a word, he discovered that not only is there not harrassment but that the national minorities have prospered. He says, in his report entitled "In Search of Cultural Genocide" that "The nationalities there have all survived and developed

around their church and through their church."

This writer also went to Romania to "see for myself" and also discovered that the allegations of Hungarian harrassment are not only defamatory but that the reverse is true; that they enjoy the privdlege of having Hungarian taught in school to young children; that this writer saw signs, ads, posters, and advertising in store windows in Hungarian, in St. Gheorge, a city in Transylvania on a surprise visit, with no prior notice.

This writer is confident that if anyone is interested in the truth all he or she has to do is go to Romania and see the conditions there personally. If enough opinion makers would do this, then no amount of strident and raucous insult could overcome the truth.

In the report above mentioned Dr. Michael-Titus presents facts relating to the multi-level ways that Hungarians speak their mother tongue and enjoy privileges of language in schools, theaters, opera, schools of drama, etc.

He made a similar study as to the German minority and came to a similar conclusion and states with finality that " The Romanians allow the Hungarians to be Hungarians and the Germans to remain German, and so on."

But no amount of reports and rebuttal can replace personal experience, and for this reason this writer urges anyone con-

cerned to make a personal inspection, including surprise and unannounced tours and stops. The foregoing report by Dr. Michael-Titus, with evidence of a flourishing religious and lay cultural life found in the Hungarian minority, was published in a prior MFN hearing and included in Serial 95-33.

In another monograph entitled "Romania Under Pressure" Dr. Michael-Titus states that "Ever since Romania was propelled into the limelight by her foreign policy and it was discovered that this independence of views was not ignored by the world, the pressure against her started through the Transylvanian question. It first started with the mobilization of the whole Hungarian emigration of the United States and Europe..." (Page 10).

On Page 45 of the above report he reproduces a Press Release with the following points:

(Issued by the American-Romanian Cultural Foundation of New York, under the signature of its president, Mr. B. Niculescu)

1. Any political internal weakening of Romania will be provoked and exploited by Russia who is waiting for the opportunity to enter, take over and never leave Romania, as it did in Hungary, Czechoslovakia and Poland.
2. We believe that the majority of the dissidents

are associated with and are the tools of Russia. As was the case in Czechoslovakia and Hungary, the purpose is to create such disorders in Romania that it would legitimize a Soviet invasion and takeover.

3. It is the the best interests of the United States of America to support the Romanian effort to remain independent and even to encourage her to free herself completely from Soviet influence. (End of Quote).

This quotation from the foregoing News Release by Mr. B. Niculescu corresponds very much with a "Scenario" which has occupied a good deal of time in thought by this writer concerning the dangerous geographical situation of Romania.

The Scenario has the following basic components:

- 1) Agitation and accusations of persecution concerning minorities, especially Hungarians, in Transylvania;
- 2) Vociferous accusations in Hungary, Bulgaria and the outside world;
- 3) Disorders and uprisings fomented artificially but requiring the intervention of Soviet tanks to "restore order" by invading Romania and deposing its present offialdom;
- 4) Occupation and pillage of Romania, purges and the inevitable blood-bath.

Who end up suffering the most? The people.

The Romanians, like many other eastern europeans, have the philosophy that it is not necessary to blow one's own horn or to respond to defamation because "the truth will eventually out" or "it all comes out in the wash." This is not realistic. Other ethnic groups make it a practice to complain loudly and often on the theory that the grease goes to the squeaky wheel. This is realistic but the practice can be abused.

A good deal of misinformation has been circulated about Romanians, and not just in recent times. This writer has written a book entitled "Defamation of the Romanians, or, The Evolution of a Particular Kind of Prejudice" which delved into the wellsprings of the various kinds of defamation in question, including but not limited to newspaper articles, magazine stories, television quips, the Dracula syndrome, etc. It has been only since 1964 that the campaign of vilification diminished, almost to a trickle. The last little episode was "The Cheap Detective" by Neil Simon, in which the villain, once again, was a Romanian.

More recently, the campaign has taken a different direction and tack and now is centered on the alleged persecution of Hungarians in Transylvania and the matter of the emigration of Jews from Romania.

As to the Jews of Romania, the number is now small, since 400,000 have already emigrated, mostly to Israel. A story in the Cleveland Jewish News, July 21, 1978, (Exhibit Three herein) tells of a new Jewish Museum in Bucuresti, which features "a spectacular and poignant exhibit on the Holocaust years in Rumania." The story relates that only 42,000 Jews still remain in Romania, more than half being past the age of 60, "but the new museum is one reflection of their determination to sustain, and to memorialize Jewish life here."

The story also states "The government is the only one in Eastern Europ which maintains diplomatic and every-more-intensively commercial relations with Israel. President Nicolas Ceausescu was the 'honest broker' in arraing the meetings between Sadat and Begin last winter."

More importantly, the article points out that "Internally, the regime pursues assiduously the policy of encouraging cultural, religious and linquistic autonomy among its ethnic minorities - Germans, Hungarians and Jews." Remember, this excerpt is from a Jewish newspaper. It is attached hereto, and read it for yourself, Exhibit Three. ✓

A bulletin was forwarded to the undesigned by a Jewish friend and it is attached as Exhibit Four. It states, vis a vis the cel-

celebration of the 30th anniversary of the service of Rabbi Moses Rosen as Chief Rabbi of Romania: "This celebration was evidence that, critical problems notwithstanding, Romania's Jewish community enjoys greater religious freedom than any other in the Soviet bloc. In addition, President Nicolae Ceausescu, who exercises very rigid domestic controls, is fiercely independent in foreign policy. His is the only Eastern bloc country that recognizes Israel, and maintains cordial diplomatic and commercial relations with her."

Yet there are those who only lie about Romania, and spread falsehoods, they would also seek to isolate her and cripple her in the world scene.

No less a personage than the famous Romanian playwright, Eugen Ionesco has fallen victim to the Sirens' song of defamation and he added to the campaign of vilification his own lyrics when, last he advocated the boycott of Romania and her cultural and official personalities. This, in spite of the fact that he should advocate closer ties, and new channels of communication. See Exhibit Six, attached hereto. Those who seek to cut off MPN are seeking, analogously to cut channels of communication and are on the road to boycott themselves. The solution is not, cutting and ripping, but binding and healing.

Thus, it was with some perplexity that this writer had occasion to hear some representatives of the Jewish community raise their voices in protest at the MFN hearing before the Hon. Vanik on June 22, 1979. Knowing of the good relations between Israel and Romania, knowing of the statements of Josif Gobrîn to this writer, of basic satisfaction with Romania's policy towards Israel (except for the PLO presence in Buduresti), and knowing of the massive emigration of 400,000 leaving a core of older and settled Jews in Romania, the reaction was of puzzlement. However, this writer has been given to understand that at a later hearing Congressman Vanik read a letter from the leaders of the Jewish community in the United States that they favor MFN, but this is yet to be confirmed by the undersigned.

The point in all of this being, that Romania's picture has not always been truly painted on this side of the ocean and the facts have often been the reverse of the allegations, and that only personal investigation by those concerned will ever clear up their own doubts. This writer freely admits that many misconceptions were clarified as a result of his own visit not only to Israel, but to Romania. Incidentally, both are remarkable places to visit, for different reasons.

No review of the MPN picture would be complete without mention of the unusual leader of the Romanian people, the Hon. Nicolae Ceausescu, President of the Socialist Republic of Romania. This writer is writing a book entitled, "Ceausescu, of Romania, Champion of Peace," based on the truly dedicated contributions made by this man, and his nation to world peace efforts. He and his wife have travelled literally to the ends of this planet in the search for mutual understanding, collaboration in commercial and cultural programs, and peace. They have visited 132 nations, most recently Spain, where they were the guests of King Juan Carlos and Queen Sophia. Speaking of monarchs, they have seen the Shah Of Iran, the Emperor of Japan, the Emperor of Ethiopia (when in power), the queen and consort of the Netherlands, the queen and consort of England, probably uniquely, by the Pope. Special mention has been made of the monarchs because he is, after all, a Communist leader.

Ceausescu received Nixon, then Ford, and urged Nixon to cultivate the good will approach to China. He urged Sadat, more than once, to see Begin, and was successful the last time he did so. President Carter and he deserve the Nobel prize, in this writer's view. He as catalyst and Carter as the actual mediator. While the antagonists also deserve recognition, it should have been a a later date, after the fact

of peace and its realization.

President Ceausescu refused to join in the invasion of Czechoslovakia in 1968, and instead, the Romanians cared for the refugee Czechs who crashed their borders. Speaking of that, when American pilots fell, in the course of bombing Ploesti, they were not pilloried and jailed, but instead, the Romanian people sought to help them, hide them, and aid them to rejoin their comrades in arms.

Ceausescu was the first, and is the only Communist leader, to recognize Israel. The Chief Rabbi, Rosen, is quite free to come and go freely and easily.

Romania, under Ceausescu, has offered to mediate the conflicts of Cyprus, India-Pakistan, Viet Nam and the United States, China and Viet Nam, and others.

Ceausescu advocates world disarmament and sponsored a United Nations Resolution to that end and has also proposed the abolition of both the Warsaw Pact and NATO.

He has refused to permit Soviet maneuvers on Romania's soil, refused to permit Romanian soldiers to be under Soviet command, and refused to contribute to the military fund there. He has promulgated principles which, if adopted, would insure world peace, including the respect needed for small nations and

the right of every nation, large and small, to enjoy its sovereignty and territorial integrity. He has advocated a system of security for the nations of Europe and enjoys the respect of both sides, Israel and the PLO. He has consistently moved closer and closer to the West, and trade and interchange with the West, especially the United States, has increased dramatically.

A word about the Romanian people. When Nixon visited Romania no advance announcement was made, and yet the streets were full of people who, joyously and whole-heartedly showed an American president how they feel about America. Their pro-American feeling is undeniable, and based on historical tradition. And as to tradition, the Romanian nation has been traditionally a nation of peace. It has been the highway for barbarian hordes on their way to Europe, and has been invaded countless times, but has never been an aggressor. Ceausescu lives in that tradition.

It would be erroneous not to take into account all of the background and all of the circumstances which have been recounted here, in evaluating the issue of MFN for Romania. The picture must be looked at, as a whole, from end to end, and on the basis of individual, albeit, important, problems.

In addition, President Ceausescu is becoming an ever more important spokesman for the Third World, where, much like Tito of Yugoslavia, he is much appreciated. Ceausescu considers Romania, as a Socialist nation, to be a developing one, and it is incumbent upon us, therefore, to take into account the disparity of size, strength, situation, and other factors in comparing our viewpoint, as a large nation, with that of Romania, situated next door to the Soviet Union.

No doubt, if Romania pursued another kind of policy, less independent; the Soviet Union would reward her in much the same way that it has favored Hungary and other nations in the bloc with consumer goods and advantages calculated to demonstrate to the world that, "Look, we're good guys even though our tanks are in your streets." Romania has chosen to work harder, do with less, but to seek independence at all cost.

Romania, as a developing nation, cannot have a massive immigration or emigration policy in that five years plans are made on the basis of what they have and hope to get. Romania had instituted programs to increase its own population by prohibiting abortion and encouraging large families by paying awards for children produced. Romania has begun at a low rung on the economic ladder (everything worth taking was taken at the end of World War II by the Soviet Union), and by dint of hard work has a high industrial growth rate in which they have invested

much effort and planning. Romania invests much money in the education of higher level technicians and professionals, who, if they leave, cause a hole to appear in the five-year plan. Thus, from the viewpoint of Romania, which can't afford to make mistakes or risk too much, being so small, the emigration of its people is a serious matter since trained cadres cannot leave in mass with endangering the very survival of the nation.

A weakened Romania, including the reduction of its population, is the advantage of the Soviet Union and to its taste. The attacks on Romania are a tasty dish to the Russians.

Romania has kept its word on treaties, and this writer has found that progress is made on a quid pro quo basis. Romania has shown her good faith in compliance with treaties and enjoys excellent relations with Israel, West Germany and America.

This year's figures show higher emigration than before, and is a further demonstration of good faith. What of her own internal laws? Does not international law require the respect of her own laws as well as ours? How far can we go with Jackson-Vanik without eventually interfering with the internal laws of another nation? How much meddling do we permit in our affairs?

If MFN is denied, there would be no more ability to exchange views because the vehicle would be gone. If the dialog is interrupted, it might be for good and would be a decisive step

backwards not only for Romania, but for us.

Why not increase our ties and bonds? Why not increase trade and seek to eradicate our own huge trade deficit by increase trade efforts? Why not maintain this zone of interest in Europe which is friendly to us and not inimical which is the case now in some many parts of the world?

Why risk another Czechoslovakia, as Congressman Vanik said so eloquently at the hearing on June 22nd?

MFN should not only be extended, for for two or three years instead of one. Romania has shown her good faith and good will. It is time to show ours. Looking at the background, at the efforts of President Ceausescu and his people for world peace, and looking at Romania in the sunlight, and not in the shadows, ignoring the diatribes and the insults, and finding the facts, we must come to the conclusion that we in the United States are not so wealthy in friends that we can afford to be cavalier and indifferent to the overtures of friendship of a small and gallant nation whose survival, as well as ours, is at stake.

Once before, Romania was rendered of its provinces, and whole portions of her peoples and lands were taken. The possibility of it happening again, to a weakened Romania, is not that remote. Looking at the reality, without heat and rancor, but with light and understanding, it is to the best interests of the United States to continue MFN to Romania, and to accelerate the strengthening of our bonds of friendship.

The Cleveland Press

August 16, 1978

Hua begins Romania visit

BUCHAREST, Romania (UPI) — Chinese Communist Party Chairman Hua Kuo-feng arrived by special plane today to begin a five-day official visit to Romania, China's closest European ally.

The visit brings him to the very backyard of the Soviet Union.

Hua's 12-day trip to Romania, Yugoslavia and Iran — shrewdly timed to coincide with the 10th anniversary of the Soviet invasion of Czechoslovakia — marks the symbolic en-

try of China as a Communist alternative in Eastern European affairs.

It was Hua's second foreign trip since he succeeded the late Mao Tse-tung — Hua went to North Korea in May — and was the first European trip by a Chinese Communist Party Chief since Mao visited Moscow in 1957.

The visits to Communist independent Yugoslavia and independently-minded Romania underline China's continuing efforts to counter Soviet influence in Communist nations.

The trip to Iran — which shares a border with the Soviet Union — is seen as an attempt to introduce a Chinese touch in that fast-developing, oil-producing nation.

Independence Assured, Rumanians Crave Freedom

By DAVID K. SHIFLER

Special to The New York Times

BUCHAREST, Rumania — The Rumanians would not be pleased by the Komsomol Communist Party's history museum. In the entire sweep of displays that run through rooms after rooms, only a single panel depicts the Bolshevik Revolution of 1917, and it was a minor footnote. Lenin is displayed with a lone portrait, one of the few pictures of him to be found in the faded elegance of this East European capital.

Although Rumania used to be called a satellite in the language of the cold war and is still bound militarily and economically to the rest of the Soviet bloc, it is linked only with the present situation — Rumania, says Vlad G. G. — that Moscow's influence barely exists.

President Nicolae Ceausescu has shaped an increasingly independent foreign policy. He has signed a 10-year pact to deposit with Soviet arms to Soviet policy. He has publicly declared Soviet domination for Rumanian military needs in Eastern Europe, and in November, it was reported, he rejected an attempt by Moscow to increase the pact's command forces to include the troops of the seven member countries could be mobilized by the Soviet Union by an emergency wartime agreement involving approval.

"Never will we allow any Rumanian unit or soldier to be sent from this side," Mr. Ceausescu declared.

An Unhappy Split Personality

Westerners find much defiance everywhere, but some Rumanians see it on just one side of their country's unhappy split personality: external independence from Moscow, internal oppression built on the Soviet model, tolerance of diversity in international opinion, an intolerant political structure at home.

"The foreign policy doesn't affect my life at all," a physicist said bitterly. Said another intellectual: "Those people on the street don't care about foreign policy. They care about meat and apartments."



Rumanian civilians talking with visiting Soviet officials. The two men in the foreground are Vladimir G. G. and Vladimir G. G. in the Warsaw Pact structure.

"Am I free?" asked Vlad Georgescu, a disident historian. "Is he?" he said, pointing toward a man at the next table in a downtown restaurant. "Is the country free? No! No! Only he is free." He pointed upward, toward Mr. Ceausescu's legislative seat of power.

"We want to be independent," Mr. Georgescu continued. "But let's go further. Let's move from independence toward freedom. If you don't have freedom, what's the point of being independent?"

First a Vice, Then an Avocat

The limits of free inquiry have been measured by the 41-year-old historian's career. He taught at the University of California at Los Angeles in 1967-68 and at Columbia University in 1970, during a period in Rumanian affairs that he describes as more open than the present.

In 1977, after having sent abroad the manuscript of a book — still unpublished — that is critical of the regime, he was arrested and charged with treason, a crime carrying a possible sentence of 15 years.

After having been held two months awaiting trial, he was released, a move that he credits to the intervention of Zbigniew Brzezinski, President Carter's adviser, whom he knew at Columbia.

Ideally, Mr. Georgescu would like to stay in Rumania and write and lecture freely. This spring he and perhaps 10 other professors plan to open an unofficial "free university" where they hope this can be done.

At the same time he has applied for a passport so that he can accept a Woodrow Wilson fellowship in the United States, and he knows that he will probably not be allowed to return home if he does. So he unwittingly joins the ranks of those who have come to be called "passport chasers," people trying to leave and add to what has become a Rumanian diaspora in Israel and the West.

Yet to a visitor from Moscow many aspects of life here seem startlingly open

compared with what Russians endure, and the more flexible foreign policy appears to be responsible for many of the differences, permitting a variety of ideas to flourish.

Every week a copy of these magazines appears in Mr. Georgescu's mailbox, something that even loyal members of the Soviet Communist Party cannot dream of unless they are part of a tiny elite whose jobs carry clearance to read American publications. Furthermore, Rumanians can easily hear the anti-Communist broadcast of the Munich-based American stations Radio Free Europe and Radio Liberty, which are jammed in the Soviet Union.

Fellow Sufferers for the News

President Ceausescu's desire to have good relations everywhere opens television and movie theaters to many American films never seen in Moscow and shapes the official broadcasters' and journalists' presentation of world events, making their output less rigid than what is presented in the Soviet Union.

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The Rumanians have sidestepped the Chinese-Soviet split, continuing their close ties with China. Where the Russians have broken relations with Israel and occasionally go so far as to equate its Government with Hitler's, the Rumanians quietly maintain relations with the Israelis and with the NEW YORK TIMES as well. The links with Israel have no impact on the 40,000 Jews remaining in Rumania, the last of a community that numbered 800,000 before World War II. Half were exterminated by the Nazis and most of the rest emigrated to Israel.

Integral to Rumania's flexibility in foreign policy is diversified foreign trade, which reduces its economic dependence on the Soviet Union. The Rumanians receive no Soviet oil, though they have reportedly asked for it to replace dwindling production. They rely on Soviet coal and iron ore and are NEW YORK TIMES to receive natural gas through a Soviet pipeline.

On the other hand, trade with the Russians amounts to just 28 percent of Rumania's foreign dealings, a proportion that has been dropping in recent years as Mr. Ceausescu has turned increasingly to the West. Several joint ventures have been started with Western corporations and the Rumanians are seeking joint projects with Americans in Africa and the Middle East. The Americans would provide technology, the Rumanians cheap labor and political entrée.

Some Rumanian Communists think they sense whispers of sympathy for their

independent position among their East European neighbors, especially the Poles, Hungarians and East Germans, but they stress that they are not preoccupied with the New Soviet bloc. In the mind of Ceausescu, they are careful these days to stress that, as one official put it, "the area of agreement with the Soviet Union is much larger than the area of disagreement," and that they intend to remain firmly in the Warsaw Pact and in Comecon, the Soviet bloc's counterpart of the European Common Market.

No Intent to Test Moscow

"If we took a position against the Soviet Union or against the interests of the Soviet Union," a high-ranking Rumanian said, "then we would approach a limit." He meant a limit of Soviet tolerance. "But we have no inclination to do so," he added.

Although exit visas are reported to be harder to get now and religious freedom is far from complete, the Government permits extensive activities by the Jewish community that would be unthinkable in the Soviet Union, where the authorities

suppress most efforts to preserve Jewish culture, to teach Hebrew and even to honor Jewish victims of the Nazis.

Two years ago a Jewish museum for graphic photographs and official documents on the pogroms and massacres in Rumania, including copies of letters from Rumanian officials proving Rumanian complicity in the exterminations, opened in Bucharest.

The Chief Rabbi, Moses Rosen, has arranged what he calls "a kind of nonaggression pact" with the Government. "You don't do anything against me and I won't do anything against you" is the way he describes the Government view.

With donations of \$3 million a year from the United Jewish Appeal and the equivalent of \$600,000 raised locally, Rabbi Rosen and his staff are allowed to run a network of social services for the aging Jewish population: 11 kosher restaurants with free meals for those in need; hot "push-on wheels" delivered to the homes of the sick and infirm; a welfare program providing cash grants, maid service, free clothing and medical care; also old-age homes; a newspaper published in Rumanian, Yiddish and Hebrew, and Hebrew classes for children.

"I don't want to give you the idea that this is a paradise for Jews," Rabbi Rosen said. "It is far from a paradise. This is a Communist country. There are many shadows. We haven't made a flourishing Jewish culture, but we have maintained a minimum of Jewish customs to educate the succeeding generations."

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Friday, July 21, 1978 Page 11
THE CLEVELAND JEWISH NEWS

Bucharest Dedicates A New Jewish Museum

Exhibit Three

BY GABRIEL LEVENSON
BUCHAREST — The Jews of this city observed Yom Hasho'ah, the Day of Remembrance, this year with a solemn pilgrimage to a newly opened museum whose principal feature is a spectacular and poignant exhibit on the Holocaust years in Rumania.

The Synagogue Mare a Croitorilor - the Great Synagogue of the Tailors — has been converted into a museum of the 2000-year history of the Jewish people in this country. Their presence is recorded by hundreds of artifacts — religious objects, manuscripts, scrolls and tablets — dating as far back as the Roman conquest of Rumania in the first century of the Common Era.

The museum is at 3 Mamulari St., in Văcărești, the once-flourishing Jewish Quarter of Bucharest, where as many as 70 houses of worship were in active use before World War II. In the succeeding years, between 1940 and 1944, the Nazis and their Iron Guard Romanian collaborators destroyed half of the country's 800,000 Jews. The slaughter was particularly heavy in Transylvania, which Rumania has been forced to concede to Hungary in 1940.

THE SURVIVORS were mainly those who had lived in Bucharest and the surrounding area, where the leader of the Jewish community, Dr. Wilhelm Filderman, was able to negotiate with Ion Antonescu, the prime minister (and, fortuitously, a school classmate of Filderman's), to save hundreds of thousands from transportation to the death camps.

Since the war, a good portion of these, more than 200,000, have migrated to Israel, constituting one of the largest ethnic blocs in the Jewish State.

Only 41,000 Jews still remain in Rumania, more

than half past the age of 60; but the new museum is one reflection of their determination to sustain, and to memorialize Jewish life here.

The government is the only one in Eastern Europe which maintains diplomatic and, ever-more-intensely, commercial relations with Israel. President Nicolas Ceausescu was the "honest broker" in arranging the meetings last winter, between Sadat and Begin.

Internally, the regime pursues assiduously the

policy of encouraging cultural, religious and linguistic autonomy among its ethnic minorities — Germans, Hungarians and Jews. It supported the initiative of Chief Rabbi Moses David Rosen (whose 30 years in that post will be marked by a special celebration on July 4) in developing the museum.

A committee of Jewish scholars and artists was organized, under the leadership of Dr. Alexander Vinoc, professor of history at the University of Bucharest and the group, digging through thousands of items in the basement of a community-owned mansion which was severely damaged in the major earthquake which devastated portions of the old city in March of 1977, has put together a permanent exhibit of Jewish history that is certainly the most comprehensive in all of Europe.

THE EARLIEST artifacts on display in the series of showcases lining the walls of the synagogue are the original tablets engraved with the names of Jewish legionnaires of the first century of the Common Era. They were the kinsmen, or the children, of the heroes of the Masada who fell in the last, futile battle against the Romans in 73 C.E.; and they were conscripted into the

Roman Army for the invasion and conquest of Dacia (the ancient name for Rumania), under the Emperor Trajan, in 106 C.E.

There are documents from the time of Benjamin Tudela, the 12th century Jewish traveler from Spain, who spent 14 years traversing the then-known world to record Jewish life and customs. There are programs and posters of the State Jewish Theater, probably the best Yiddish-speaking acting company in the world, whose antecedents were the theater created by Avraham Goldfaden in Jassy, Rumania, in 1875 — the first Yiddish theater anywhere.

Yellowed newspapers in Rumanian and Yiddish, from the 1880s, recall the "walkers," the Rumanian Jews who fled the anti-Semitic excesses of the government at that time, journeying on foot all the way across Europe, from Bucharest to Hamburg, to seek passage there for freedom in America.

ABOVE ALL, dominating

the museum, on the bimah, the raised platform in front of the Holy Ark, are the grim memorabilia of the Holocaust in Rumania.

First, there are the items relating to the initial German takeover of Rumania and the constantly-increasing pressure upon its Jewish population — the yellow Stars of David, the ration cards limiting Jews to ever-diminishing amounts of food, the worthless paper money issued in the ghettos.

Then, there are the five huge volumes of documents, maps and photographs relating to the major pogroms directed against Rumanian Jews. The most infamous was the massacre in Jassy, in June, 1941. The men of the community were collected in the courtyard of the police

headquarters and machine-gunned to death. Women and children were herded into freight cars and left there to die of suffocation and hunger.

The Nazis themselves compulsively photographed these events, and their photographs, among other items, have been preserved in the five books on display.

In the center of this exhibit, a miniature Yed Vashem, in the lectern, upon which, in happier years, the reader would place the sacred Torah from which he would chant the portion of the week. Now the lectern is illuminated by six, tall, white candles, set in spiraled, black wrought-iron candlesticks, their twisted shapes suggesting the horrors they symbolize.

New Israeli Stamps

Israel has issued five new multicolor stamps. There is a set of two honoring Theodore Herzl and Dr. Chaim Weizmann. The other three stamps honor the centennials of the Jewish national anthem "Hatikva," the Jerusalem YMCA and the pioneer settlement of Keshet Pina.



Prepared by the Foreign Affairs Department of the AMERICAN JEWISH COMMITTEE
 JEROME J. SHESTACK, Chairman, Foreign Affairs Commission

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Edited by Rose Feitelson

ROMANIA'S UNIQUE JEWISH COMMUNITY

Early in July, about 400 people--among them the Chief Rabbis of Israel, France, Denmark, Sweden, Ireland and Hungary; prominent rabbis from the U.S. and other Western countries; a large Israeli delegation including Interior Minister Josef Burg and Chief Rabbi Shlomo Goren; U.S. Ambassador O. Rudolf Aggrey; and representatives of most Western Jewish organizations, including Abraham Karlikow, Director of AJC's Paris office, met in Bucharest for nearly a week to celebrate the 30th anniversary of Rabbi Moses Rosen's service as Chief Rabbi of Romania. (At the last moment, the Soviet delegation telegraphed regrets, explaining that Rabbi Yakov Fishman was ill.)

This celebration was evidence that, critical problems notwithstanding, Romania's Jewish community enjoys greater religious freedom than any other in the Soviet bloc. In addition, President Nicolae Ceausescu, who exercises very rigid domestic controls, is fiercely independent in foreign policy: His is the only Eastern bloc country that recognizes Israel, and maintains cordial diplomatic and commercial relations with her. (But Romania nevertheless favors full Israeli withdrawal to the 1967 borders and recognition of the PLO.)

At the end of World War II, 425,000 of Romania's pre-war Jewish population of about 800,000 remained. But during the past two decades the Government has intermittently relaxed its emigration barriers, and some 300,000 Jews left the country, the overwhelming majority bound for Israel. More recently, the gates were narrowed once more; only 1,300 Jews emigrated in 1977; and though the Government promised to increase the figure in 1978, statistics thus far fail to document any liberalization.

The English-language booklet published by the Government for Rabbi Rosen's anniversary reports that there are now 40,000 Jews in Romania, half of them in Bucharest, the rest in outlying communities with Jewish populations ranging from 30 to 2,500. (If some statistics in the booklet seem questionable, the reason is probably the Government's demonstrable unfamiliarity with Jewish affairs.) There are 120 synagogues in Romania--a number of them restored and well preserved--and daily morning and evening prayers are conducted in 61 of them. Some 600 children in 24 cities and towns attend Talmud Torahs (four are large enough to have their own orchestras). Last year, there were 19 collective Passover seders around the country.

Thanks to generous financial help from the Joint Distribution Committee, every Jewish community has its burial society. There are 15 mikvoth, and 12 shochtim (ritual slaughterers) provide kosher meat to every group of

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ten Jews or more. About 2500 people in various cities eat in kosher restaurants, often free of charge. There are ten old-age homes serving the Jewish aged, and 700 elderly people living at home are served "meals on wheels" every day.

Considering that not long ago it was necessary to convince Romanian authorities that Judaism embraces more than ritual prayer and perhaps social service, Jewish cultural activity in Romania today is extraordinary. A bi-monthly publication, Revista Cultului Mozaic (Mosaic Cultural Review), copies of which are sent to the U.S.S.R., features pages in Romanian, Yiddish and Hebrew. A Jewish Museum opened last January. At Rabbi Rosen's anniversary dinner, guests heard excellent performances, mostly in Hebrew, by a choir, a string ensemble, even an ear-splitting rock band.

How long can all this last? The inspiration for such religious and cultural activity--indeed the backbone of the whole Jewish communal structure--is Chief Rabbi Rosen, and no comparably effective successor is in sight. Intermarriage is frequent, and many more young people than old are emigrating when they can, leaving behind an ever more aging Jewish population. In addition, there is a severe shortage of rabbis, teachers and other community functionaries.

Why did the Romanian Government put so much effort into Rabbi Rosen's anniversary celebration? Some observers suspect the celebration was "staged" to impress the U.S. Congress, which can grant, or deny, Most Favored Nation status. At the same time, representatives of East European Jewish communities would probably not have come to the Israelis' party for Rabbi Rosen unless they felt their governments would not disapprove--which raises the possibility that ~~Communist bloc~~ nations may be ready to relax their anti-Jewish policies a little--and to signal that Israel is no longer absolutely patria non grata.

Whatever the international political implications of the celebration may be, Rabbi Rosen was honored for his leadership in building and holding together an effective Jewish community structure and a network of social programs unique in Eastern Europe.

AJC's Paris Office

* * *

Argentina: Hope for Democracy?

For more than two years after the military coup that toppled Isabel Perón's government in March 1976, Argentina was ruled by a three-man Junta made up of the Commanders-in-Chief of the Army, Navy and Air Force, with Army General Rafael Videla, the President, as first among equals. On August 1, 1978, in a significant turn of events, General Videla relinquished his Army command to General Roberto Viola and will henceforth serve as President, separate from the Junta. The present Navy Commander will be replaced by Admiral Armando Lambruschini and a new Air Force Commander will also be appointed soon. Thus, theoretically at least, Videla will be making his own independent decisions.

The structural change, which moves Argentina away from a purely military dictatorship, suggests that the moderate forces which have sought to steer the country toward a more democratic government are gaining ground. And

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June 22, 1979

STATEMENT OF NICHOLAS A. BUCUR, JR., President, American Romanian National Institute relating to extension of MFN to Socialist Republic of Romania:

The extension of MFN to Romania is important for many reasons including those which follow herein. It is important to Romania because its leadership and people seek to create closer and closer ties to the West, and in particular, to the United States. These attempts are multi-lateral in nature and include cultural as well as commercial interchange.

The overall volume of trade exchange between The United States and Romania has been cited as having increased almost four times in the period of 1975 to 1978, and that in 1978 it reached 664 million. Actually the latter figure would result in a trade deficit as to the United States, but in fact the figure is closer to 800 million, since some of the contracts are ripening even as we sit here, and in such case, the trade imbalance would be wiped out and an equilibrium will have been reached.

In Cleveland, we have been the beneficiaries of increased commercial and cultural exchange and in the latter situation, we have had luminaries such as Nadia Comaneci, the Madrigal Choir, and other notable artists, professors and scholars.

People to People interchange is of such vital importance that it may well overshadow even commercial considerations because of the bridges that can be built for greater understanding and peaceful collaboration rather than mere peaceful coexistence.

In the past, when the question of MFN for Romania arose, extraneous and irrelevant matters were injected and I would seek in my testimony to focus upon some issues which do bear upon the MFN situation and the waiver involved.

My testimony will relate to the following main points:

- 1) a summary of my conversation with an official of the Foreign Ministry of the State of Israel, attached to the Eastern European Desk, concerning his experiences with Romania as to the treatment of minorities in Transylvania, in Romania, the emigration of Jews from Romania to Israel and elsewhere, and allied questions.

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- 2) A summary of my own personal experiences as to the treatment of minorities in Transylvania, based upon my personal observations while in Romania in the fall of 1978;
- 3) A summary of my views as to the perilous geographic situation of Romania and a scenario which creates a model as to said scenario which concern the vital interests of the United States, and Romania, vis a vis the Soviet Union;
- 4) The economic situation, already alluded to, and the trade imbalance which will likely reverse itself in the very near future, and
- 5) the contributions made by President Ceausescu to world peace (which is the subject of a book which has been undertaken by the undersigned).

The above, then, are the general themes which I wish to discuss.

ISRAEL'S VIEW OF ROMANIA

It was my pleasure and privilege to lead a mission to Israel last fall, in order to participate in the World Conference of Sister Cities. We were accompanied by Cleveland's famous Singing Angels, under Bill Boehm, who made a smash impression in Israel since they are Cleveland's finest ambassadors of good will. They had also visited the Far East (Japan and Taiwan), and in 1974, visited Brasov, Romania, one of Cleveland's first Sister Cities, on the direct invitation of President Ceausescu, who had visited Cleveland on December 6, 1973. Again, it was my privilege to be one of the catalysts in these endeavors, since one of the hats I wear is that of Chairman of the Sister Cities Programs, Inc. of Cleveland.

In Israel, I was honored to also have a personal conversation with President Itzak Navon and when I expressed my desire to interview a senior officer of the Foreign Ministry, it was arranged immediately. I met with Mr. J. Gobrin, head of the Eastern European Section of the Ministry and I asked him several questions to be answered from Israel's point of view and also requested permission to quote him. It was granted. I asked him whether Israel was satisfied or dissatisfied with Romania's policy as to Jews who wished to or did emigrate from Romania. He expressed satisfaction with Romania's policy and conduct, saying that Jews were permitted freely to leave, and that even that week they were expecting a visit from Rabbi Rosen, who frequently visited Israel. In fact, I believe that Romania's Jews now number around 25,000, which is probably the bottom figure, being people who want to remain in Romania for one reason or another.

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The one concern Mr. Gobrin expressed was that Romania permitted the PLO to maintain an office in Bucuresti, the capital and asked that I communicate this concern to authorities in Romania (where I was going after my visit in Israel). Later on I did so, and was informed that Romania was treating both Israel and the PLO with even hands and that it was official Romanian policy to advocate that the Palestinians be given recognition and a homeland of their own. It is interesting to note that Romania is friendly to and with both Israel and the PLO and vice versa. It is further remarkable that of all the bloc nations only Romania has diplomatic relations with Israel, and was the first such to create such relations (if indeed any other bloc nation has since done so). Gobrin manifested gratitude for this diplomatic recognition.

I also asked whether Mr. Gobrin had visited Transylvania and what his views were as to whether or not minorities, in particular the Hungarians, were maltreated there, or whether he had received any reports of such nature. Mr. Gobrin stated that indeed not, he had not observed any ill treatment of minorities, and in particular not of the Hungarians who appeared to enjoy equal, if not better, treatment than others. (This view coincides with my personal views, as follows).

PERSONAL OBSERVATIONS IN TRANSYLVANIA

From Israel I went to Romania, to discuss the increasing of trade with Cleveland and Ohio, to invite the Romanians to send a trade mission to my city, and to invite future discussions as to making Romania the focus country in 1980 at our annual World Trade Week Celebration. I also was privileged to have a personal visit with President Ceausescu to discuss these and other matters. I also carried the message of greetings from Israel with the above content. I was privileged to meet with the associates of the Minister of Foreign Trade, the Secretary of the Sister Cities Program of Romania, Governor Dumitrache of Brasov (our Sister City), with Sec. Prof. Virgil Cădeș of the Asociația Română, Mr. Peter Ghelmez of the Tribuna României, and many others, to discuss the expansion of our exchanges, both commercially and culturally.

While visiting Brasov, I requested a spontaneous, unarranged, and unexpected visit to Transylvania, which was done. I visited St. Gheorghe, with only minutes notice. I took numerous color pictures of the store fronts, the signs, the ads and posters, all of which were in Hungarian. I visited a school of youngsters, also unexpectedly, and observe classes, in Hungarian, with questions and answers by both teachers and students, and I taped this. Previously, when I had been asked whether I thought that Hungarians were oppressed in Romania I had to reply, "I don't think so,

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based upon my readings, the evidence, etc." Now, I can say unequivocally and categorically, "No. The Hungarians most definitely are not persecuted. On the contrary, they appear to enjoy rights that the average other Romanians do not, in the sense that if you enter a store which is run by Hungarians, they will not speak to you in Romanian but in Hungarian. They also have their own newspapers, schools, theaters, etc."

I raised this question with President Ceausescu and he emphatically stated that all Romanian citizens enjoyed equal rights, and that the Hungarians of Transylvania are also Romanian citizens.

It is my view that those who would foment discord in Transylvania would enjoy seeing Romania put at a disadvantage. One is compelled to ask, whose benefit would it be, to see Romania degraded, boycotted, polarized and isolated? It would certainly not be to the best interests of the U.S. for this to happen. Yet, some of the vicious defamation about Romania is promulgated by persons who were permitted freely to leave Romania, and whose very presence in the West is a denial of their assertions and yet, they would advocate the boycott of Romania. No less prominent a notable than the playwright E. Ionesco called for such boycott. Rather than encouraging the creation of new and better channels of communication, they seek discord and misunderstanding. The path to world peace is through bridges of understanding and cooperation, and not via discord, defamation and isolation.

CEAUSESCU'S CONTRIBUTIONS TO WORLD PEACE

President Ceausescu has displayed a singular dedication to world peace. He actually has pursued peace to the ends of the earth, having made numerous trips to perhaps 130 nations. He advocates the abolition of the Warsaw Pact, but at the same time, also the abolition of NATO. His government has sponsored a peace-seeking United Nations Resolution for World Disarmament.

As previously stated, Romania recognizes Israel; did not cooperate in the invasion of Czechoslovakia in 1968; attempted to arbitrate the Cyprus dispute; attempted to arbitrate the Viet Nam tragedy and has actively pursued peace and collaboration with all nations. Ceausescu invited Nixon to Romania. Nixon then went on to China, and also visited other nations with a view to seek peace and Ceausescu was the catalyst. It was President Ceausescu who suggested that Prime Minister Begin "go see Sadat, who is a good man," and thus initiated the current successful peace drive in the Middle East. If anyone deserved the Nobel Peace Prize it was President Carter and President Ceausescu, the catalyst and the mediator. It is my view that Begin and Sadat should have received it the following year, but then I am not on the Nobel committee.

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There are many other proofs of the basic dedication of Ceausecu and Romania to peace in the world, and I will have to ask you to read my book, after it is published for more details. It will not require a Congressional appropriation to purchase it. These instances of the pursuit of peace, including an analysis of the basic principles of foreign policy of Romania, with which we are all familiar and therefore need not be repeated here, have been presented by me in order to see the mosaic in its entirety and not as a hurried sketch with intersecting and mingled lines. Romania, if it is to be judged meritorious for MFN should be seen in the sunlight, in its totality, in its overall historical perspective, and as it relates to the best interests of the United States. Romania has been a nation of peace, traditionally, and has ever been exploited by invaders and conquerors. Yet it pursues peace tenaciously and is an eloquent spokesman for and with the Third World.

THE SCENARIO

For some time I have been convinced that the obstinate and highly vociferous campaign of vilification and defamation against Romania has been directed from behind the scenes by those who enjoy seeing Romania put into an unfavorable situation. It is more than coincidence that attacks on Romania are made at one in the same time in a number of places as though orchestrated. I have asked myself, what would happen if Ceausecu were to pass on? Or if Tito dies? What are the chances for survival not only for the valiant peoples of Romania and Yugoslavia, but of the other small nations of Eastern Europe in such contingencies? To me, it seems the better part of prudence and good sense, to encourage these small nations with stronger and stronger ties of friendship, of deeper cooperation and peaceful collaboration, not only for their own best interests, but more importantly, for ours, for the people of the United States. It is better to seek peace than war. It is better to be friends than enemies. It is better to act responsibly and constructively, than negatively. Basic common sense, and survival can cause to do no other thing than to encourage more interchange. One immediate way, now, is to extend the waiver and MFN to Romania. Thank you.

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PRESS RELEASE

RE: The Appeal issued by "The Committee of Intellectuals for a Europe of Liberty" subscribed by Alain Revennes and Eugen Ionesco, and distributed by AFP on March 29, 1979.

The subject of Romanian-American relations is one which is continually in the focus of our attention at the American Romanian National Institute, and in the course of our studies and observations it has become evident that an organized campaign exists against Romania, and Romanians everywhere which is unjust, malicious and vicious and which has been initiated and perpetuated by persons and groups who are at once uninformed and ill-advised with concomitant ill-defined and sinister motives.

In the press of the free world articles have appeared recently in which spurious allegations have been published, attributed to so-called dissidents of Romanian origin, self-appointed and gratuitously voluntary supposed spokesmen for 22 million Romanians, who in fact have not appointed them as spokesmen, nor support their outrageous and false assertions.

The first such instance relates to the attempts of Rev. Gheorghe Calciu, orthodox priest, former member of the Iron Guard, to mislead the public by proclaiming fascist-like ideas directed to the youth, which ideas have been condemned by history and humanity. Reports of such activities, if unchallenged, might lead some to believe that other Romanians share his views, and this is not the case.

Other articles relate to Pavel Niculescu, a Baptist minister, who, frustrated in his own ambitions to become the leader of the Baptist faith in Romania, formed a so-called "Committee for the Defense of the Faith", which was in fact a committee of one, with no followers, but which was accorded, in the world press, a degree of attention and credibility which was undeserved and unsupported either by facts or followers.

Furthermore the above kind of defamatory conduct was given additional impetus by one Paul Goma, so-called writer, who, failing to achieve the degree of notoriety in Romania that he aspired to, now seeks to create friction, misunderstanding, and the derailment of the movement toward good will evolving in world public opinion, particularly vis a vis Romania.

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Instead of acting in a responsible and constructive manner which would create more understanding and peace between peoples, Mr. Goma with the assistance of Radio Free Europe published false and provocative statements in order to assure for himself, lacking again the recognition he so avidly seeks, public attention and material advancement.

This conduct on Mr. Goma's part would not be worthy of attention were it not for the fact that he has been successful in convincing an important and illustrious personality such as Mr. Eugen Ionesco of his point of view, which is lamentably misguided.

The conduct to which we refer and which determined us to bring world focus to bear thereon so as to cause Goma to desist is the so-called "Appeal" issued by the "Committee of Intellectuals for a Europe of Liberty" at Goma's instigation, subscribed by Alain Revernes and Eugen Ionesco, which appeal calls for the boycott of Romania in cultural and spiritual fields. The so-called appeal seeks to isolate Romanians from the rest of the world and demands the polarization of Romania and its abandonment.

We are convinced that Mr. Eugen Ionesco did not realize the full importance of his act which has monstrous repercussions and consequences. Did Mr. Ionesco realize, as in fact he was asked in a personal letter, that no good would come of this boycott and spiritual sequestration of Romania? Did he ask himself, who is in fact disturbed by Romania's actively independent policy which continually orients itself toward the West and so intensely advocates principles on the world scene which are directed to peace, such as:

- 1) that there be total disarmament, including the abolition of both the Warsaw Pact, and Nato;
- 2) that a system of European security be devised which protects the integrity of small nations, as well as large, and would prevent aggression against the small nations;
- 3) that there be no interference with the internal affairs of any nation or interference with its sovereignty, and that all nations, large or small, be treated with equal respect;
- 4) that the developing nations be assisted to achieve their own potentials without exploitation;
- 5) and that a durable and equitable peace be established in the world.

Concrete evidence of the implementation of these principles are, for example, the numerous visits of President Ceausescu and his colleagues all over the world, in the pursuit of peace, in the United Nations Resolution for Disarmament sponsored by Romania, in the role played by President Ceausescu, as catalyst, in Nixon's visit to Romania, the Soviet Union, and the People's Republic of China, followed by his role in urging President Sadat to visit Prime Minister Begin, to make peace in the Middle East, in which also, President Carter of the United States played such an important role.

Have any of the detractors and vilifiers of Romania asked themselves the question, who is the real beneficiary of this defamatory campaign, and who is enjoying the attempt to isolate Romania and the venomous atmosphere generated by the attempted boycott and campaign of defamation. In fact, are not such acts themselves a moral offense against the Romanian people in that the effect is to destroy the morale and enthusiasm of the Romanian people? Is not such conduct a retrogression to the Dark Ages in which ignorance, repression, and isolation was the mode of life?

We accuse Mr. Ionesco of moral culpability and hypocrisy in the sense that on the one hand he advocates communication between peoples (else he would not be a playwright or writer), and on the other hand he proposes that the Romanian people be cut off from communication and social and cultural interchange. Is this not a betrayal of his own principles?

But it is not only Mr. Ionesco who must bear the onus of culpability and responsibility for error in this situation, but all others who would isolate a nation must look to their consciences for the consequences of such acts.

THEY SHOULD ALL, EACH AND EVERYONE, BETTER CONTEMPLATE ON THE FAIR AND DESTINY OF THIS SMALL BUT COURAGEOUS NATION OF EASTERN EUROPE WHICH DESERVES MORE CONSIDERATION AND ENCOURAGEMENT, THAN THAT WHICH HAS BEEN THUS FAR DEMONSTRATED, ON THE PART OF ALL LOVERS OF PEACE, LIBERTY AND INDEPENDENCE.

Contact persons: Nicholas A. Bucur,
President
American Romanian
National Institute

380 The Arcade
Cleveland, Ohio 44114
Area code 216
Telephone 781-6676

FOR IMMEDIATE PUBLICATION

FROM:
 AUREL STRECHER
 45-59, 45th St, Apt 2 D
 Woodside, NY 11377
 Phone (212) 937-9125

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS
 Art 13

- 1.- Every one has the right to freedom of movement and residence within the borders of each state
- 2.- Everyone has the right to leave any country including his own and to return to his country

HONORABLE CHAIRMAN, HONORABLE SENATORS,

I am AUREL STRECHER, ROMANIAN born, former POLITICAL REFUGEE in the USA since JANUARY 27, 1977 - now a PERMANENT RESIDENT of this country. In my native country COMMUNIST ROMANIA because of my CHRISTIAN and ANTI-COMMUNIST feelings and actions, despite the fact that I was a simple busdriver (what mean in COMMUNIST IDEOLOGY: WORKER CLASS) I wasn't allowed to attend a FACULTY and I can't afford to support a FAMILY with my low income. I tried hard to reach a FREE country together with my fiancée EVA ANDRAS. We lived together, she became pregnant and she gave born to a baby girl - now 7 years old. We acted separately to obtain an EXIT VISAS because over there if one of spouses succeed to obtain a passport, his or her spouse and children has to be HOSTAGES until the other one came back from his or her overseas trip. For this reason we don't get married. She tried unsuccessful to obtain the EXIT VISAS. I took the desperate decision to get underground: I crossed illegally the ROMANIAN-YUGOSLAVIAN border in swimming across the DANUBE river then I walked across all JUGO-SLAVIA and I crossed illegally too the JUGO-SLAVIAN-AUSTRIAN border. In AUSTRIA I asked and I was granted with POLITICAL ASYLUM by the HIGH COMMISSIONER FOR REFUGEES of UNO of GENEVA. Then with GOD's help I reached the USA where I'm enjoying the SAINT FREEDOM and all the opportunities of a new life being the owner of a TAXICAB. But painfully I was forced to left behind in COMMUNIST ROMANIA as HOSTAGE

1.- EVA ANDRAS, born on MAY 26, 1948, saleswoman, my FIANCEE
 2.- SIMONA SELARU 7, her DAUGHTER (and mine)

with residing at my former ROMANIAN residence: Strada FUNDATIVA, BULEVARD TITU 12, Bloc 1, Apt 10, BRASOV, ROMANIA. ALL HER ATTEMPTS TO OBTAIN EXIT VISAS FOR HER AND HER DAUGHTER, IN ORDER THAT BOTH TO BE REUNITED WITH ME HERE IN THE USA AND TO GET MARRIED FOR OUR FORCED SEPARATED FAMILY REUNIFICATION WERE REJECTED BY SECURITY. THE SECURITY INVESTIGATED HER UNDER HARD PRESSURE AND THREATENED HER WITH CONFINEMENT IN PSYCHIATRIC HOSPITAL IF SHE WILL PERSUADE TO EMIGRATE. - THE ROMANIAN COMMUNIST PRESIDENT NICOLAE CEAUȘESCU WHO IS BRIZHNEV's SPY in the FREE WORLD AND THE TRAITOR AND STALINIST TIRANT OF ROMANIAN PEOPLE TERRORISE THE RELATIVES OF AMERICAN CITIZENS AND RESIDENTS AS MY FIANCEE AND OUR DAUGHTER 7. IN DOING SO HE VIOLATED: THE PARIS TREATY OF PEACE (1947) UNO's UNIVERSAL DECLARATION OF HUMAN RIGHTS (1948) THE HELSINKI AGREEMENT BASKET THREE (IN MY CASE IN REFERENCE TO MIXED MARRIAGE) AND THE EXPRESS CONDITION OF EASING THE EMIGRATION FROM ROMANIA A CONDITION WITH WHICH HE CLOSE AGREED WITH THE USA UPON THE TRADE AGREEMENT (1974) AND THE MFN in 1975, 1976, 1977 and 1978 too.

- I joined the SIXTH, SEVENTH AND EIGHTH ROMANIAN HUNGER STRIKES FOR FAMILY REUNION IN THE USA AND FOR HUMAN RIGHTS IN COMMUNIST ROMANIA.

- MY FIANCEE EVA ANDRAS AND OUR DAUGHTER 7 SIMONA SELARU, ARE ENLISTED ON US SENATE LIST FOR FAMILIES REUNIFICATION AND MIXED MARRIAGES HANDLED BY A FIVE US SENATORS DELEGATION TO NICOLAE CEAUȘESCU ON NOV 20-21, 1978 in BUCHAREST AND GO STEFAN ANDREI THE ROMANIAN FOREIGN AFFAIRS MINISTER BY A DELEGATION OF US CONGRESS COMMISSION ON SECURITY AND COOPERATION IN EUROPE ON MAY 15-18, 1979, in BUCHAREST TOO.

I APPEAL TO US SENATE TO PERSUADE THE ROMANIAN COMMUNIST PRESIDENT NICOLAE CEAUȘESCU TO GRANT THE EXIT VISA TO MY FIANCEE AND DAUGHTER 7, STILL HOSTAGES OVER THERE.

I ASK THAT US SENATE DO NOT GRANT ANY LONGER THE MFN TO COMMUNIST ROMANIA UNTIL ALL HOSTAGE RELATIVES OF US CITIZENS AND US RESIDENTS WILL BE SET FREE AND UNTIL THE HUMAN RIGHTS WILL BE REINSTITUTED OVER THERE THROUGH A GENERAL AMNISTY FOR POLITICAL PRISONERS.
 GOD BLESS AMERICA!

AUREL STRECHER.

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STATEMENT OF CYRUS GILBERT ABBE TO THE INTERNATIONAL TRADE SUBCOMMITTEE
OF THE SENATE FINANCE COMMITTEE, THURSDAY, JULY 19, 1979.

Based upon my visits to the Jewish community in Rumania, extensive discussions with Rumanian Jews who have, after great difficulties been allowed to emigrate from Rumania, substantial correspondence with Jews in Rumania and their relatives all over the world, and conferences with the State Department and the American Embassy in Rumania, I have the following conclusions:

- 1) Tens of thousands of Jews would like to emigrate to Israel.
- 2) Although about 4000 Jews left for Israel each year in 1973 and 1974, only 1200 Jews were allowed to leave for Israel in 1978, and the number of Jews allowed to leave for Israel during the first five months of 1979 is more than 40% below the number allowed to leave in 1978. At the current rate, less than 700 Jews will leave for Israel this year. Thus there has been a decline from about 4000 in 1973 and 1974 to less than 700 in 1979, a decline in excess of 80%.
- 3) The procedure to apply for an exit visa is extremely difficult and has become even more tortuous during the past year. The request for a visa is sometimes denied or it takes years before approval is granted. The applicant is frequently subject to harassment and persecution during this long period without any assurance that he will ever receive the visa, and therefore many Jews are too frightened to apply.
- 4) An effective monitoring system is necessary to ameliorate this situation, and the current monitoring system has failed.
- 5) An extension of the waiver at this time after the enormous decline in the number of Jews allowed to leave for Israel in recent years and after the further increase this year in difficulties placed in the path of applicants for exit visas would be contrary to America's humanitarian policy as expressed in Section 402 of the 1974 Trade Act which we are considering today and, of course, the letter and spirit of the Helsinki Accord.

I am an attorney by profession, but I have been active in Jewish affairs for many years and have worked as a volunteer to help Jews who seek to emigrate from Rumania. During my trips to Rumania, many Jews who had applied for an exit visa told me how they were followed, how their phones were tapped, how they had been fired from their jobs, etc. Many of those who had not applied told me they wanted desperately to leave but knew that if they applied they may immediately be fired and might have to wait years to receive an exit visa, should it ever be granted, without any source of income to support them and their children. They advised me that the census figure for the number of Jews in Rumania was erroneous because many Jews were afraid to tell the census taker they were Jewish and some census takers discouraged Jews from calling themselves Jewish. Estimates of the number of Jews remaining in Rumania ranged from about 50,000 to 100,000 and my best guess of the total would be around 70,000. As mentioned above, whereas approximately 4000 Jews a year were permitted to emigrate to Israel in 1973 and 1974, it appears that less than 700 Jews, which is less than 20% of the prior number, will be allowed to go to Israel this year. Some of the older Jews in Rumania receive support, care and aid from the Joint Distribution Committee supported by the United Jewish Appeal and feel too

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old to emigrate, but the overwhelming proportion of the younger Jews and some of the older ones are eager to move to Israel and be reunited with their families there. Although synagogues may exist in Rumania, everyone is required to work on Saturday so the only Jews able to attend Sabbath morning services are those who are retired. Although kosher food and other religious observances may be maintained, this limited form of Jewish life does not compare with the full Jewish existence available in Israel, and the Rumanian Jews long to join their families in Israel. There are now about 300,000 Rumanian Jews living in Israel, most having left Rumania just after the end of World War II, so those left in Rumania frequently have almost their entire family in Israel.

Although most of the estimated 70,000 Jews in Rumania want to emigrate, a complex and tortuous application procedure for an exit visa has been instituted by the Rumanian government not only to delay seriously and unnecessarily the length of time an applicant must wait for an exit visa but also to intimidate, frighten and discourage Jews from asking for exit visas. Until a couple of years ago, a person wishing to emigrate completed a large application form and then would wait many months or years for a response. A couple of year ago, the Rumanian government instituted a new procedure whereby the applicant must first complete a brief preliminary request form. Only if this is approved does he receive the large application form. (Jews in Bucharest suspect the reason for the change is so that when a member of Congress asks about an individual seeking to emigrate, the Rumanian Ambassador can say he hasn't even applied to leave, when in reality the government has rejected his preliminary request and refused to give him an application form.) After the applicant submits the preliminary request, a delay of several months normally follows and then he is summoned to a meeting at the People's Council in the area where he works. There he is frequently humiliated and advised to withdraw his request. If he refuses, he is often threatened and told orally that he will not be permitted to leave. After several months more of waiting, he will usually receive a formal written rejection of his request. He then begins to submit complaints with the hope that the decision will be reversed. It may never be reversed, or sometimes after a short or long period of waiting his complaint is recognized and he is given the application form. After he completes and submits the application form he continues to wait with no assurance of approval. Just this year, in spite of testimony at these hearings last year about this intimidating application procedure and criticism of this procedure by members of Congress, the Rumanian government decided, instead of easing the procedure to make it even worse. Now, before the applicant can even receive the preliminary request form he must first place his name on a list. Then, at a later time, he will be summoned to a meeting with the authorities who will determine if he should be given the preliminary request form. Imagine now a procedure where 1) an applicant must place his name on a list, wait and then appear before the authorities to ask for a preliminary request form, then 2) if, after waiting for a response, he is one of those who is given the preliminary request form, he will have to wait again after he has submitted it and then appear before the People's Council to determine if he should be given the application form, then 3) if, after waiting for a response, he is one of those who is given the application form, he will, after submitting the application form have to wait once again for the government's response, then 4) if his application form is approved he will have to obtain and submit to the government dozens of documents regarding his home, his job, etc., then 5) if those

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documents are all in order his exit visa will finally be granted. At all of these steps, applicants are rejected, but since an applicant has already announced his desire to emigrate from the beginning of this tortuous proceeding, he is frequently subjected during this long period of time to harassment and persecution such as being followed, having his phone tapped and being fired from his job so that he is obliged to remain in Rumania but with no source of income. Is there any doubt, in the face of this procedure which gets worse each year, that the Rumanian government has decided to violate the terms of the Helsinki Accord and the provisions of the Jackson-Vanik amendment and to disregard the repeated requests of members of Congress for an easing of the Rumanian application procedure? Can anyone doubt that this procedure and the accompanying persecution make many Jews who want to leave too frightened to take the first step and put their names on the list for the exit visa?

The Congress can help to solve the problem of reunification of Rumanian Jews with their families in Israel. The solution lies in an effective monitoring system: a monitoring system which not only reviews emigration from Rumania and describes the hardships and difficulties involved, but also causes a real and substantial improvement in Rumania's performance. With respect to Jewish emigration from Rumania to Israel, the present monitoring system has been a failure. This is obvious from the sharp decline in emigration to Israel by over 80% during the past five years, as described above.

Your Committee has helped Rumanian Jews emigrate to Israel by contacting the Rumanian Ambassador in Washington. However, your Committee hears of only a small fraction of the number of Jews who want to leave. Since Rumanian Jews know the Rumanian government opens mail and listens to their telephone calls, these Jews are afraid and unwilling to try and contact your Committee. Also, many Jews in Rumania do not know if the American government will intervene with the Rumanian authorities to help them to be reunited with their families in Israel. Once they know the American government will help them and will bring pressure on the Rumanian government to grant them an exit visa they will be less intimidated by the application procedure and will apply for the visa. I suggest the monitoring system be changed as described below so that your Committee is informed about all these applicants and the American government helps each one of them individually.

1. An official of the American Embassy in Bucharest or a staff official of this Committee assigned to Bucharest should mix in the Jewish community and advise Jews that the Embassy and your Committee want to know if they apply to leave for Israel and are prepared to intervene on their behalf.
2. Jews who apply for exit visas to Israel should be advised they can notify this American official of each step they take and the Rumanian government takes in the application procedure.
3. The American official should formally intervene with the Rumanian foreign office on behalf of each applicant and should inquire regularly (weekly or monthly) with the Rumanian foreign office about progress on his case to assure the procedure is expedited and to assure there is no harassment or persecution of the individual such as loss of job or police interrogation as frequently occurs now.
4. The American official should report back regularly to your Committee about the progress on each individual case.

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This is a modest proposal at minimal expense to assist many people who need your help desperately and is in accordance with the Administration's statements that America is interested in assuring human rights around the world.

I am proud as an American of our government's concern for human rights around the world, for free emigration, for reunification of families. But how shallow our words must appear when year after year, despite the constant expression of concern by this Committee and other members of Congress, the Rumanian government decreases the number of Jews allowed to join their families in Israel and makes the application procedure even more tortuous than the preceding year. With emigration of Rumanian Jews to Israel down by 80% and the application procedure a terrifying example of Rumania's disregard for the principle of free emigration, it is time to deny the waiver of the freedom of emigration requirements with respect to Rumania. It is time to deny most-favored-nation trade privileges to Rumania until concrete evidence is provided by the Rumanian government that the application procedure has been changed completely and free emigration will be permitted. Rumania's strong desire for trade with America will encourage her to change her emigration policies quickly, and the Jackson-Vanik Amendment will have effectively assisted numerous individuals to live free from persecution and to be reunited with their families.

§ § §

RUMANIAN JEWS SEEKING TO EMIGRATE

1. Alex and Elisabeth Abramovici
(and their daughter Anda)
Aleia Creatiei 110/12
Timisoara, Rumania

Alex's parents also want to emigrate.
Rudolf and Therese Abramovici
Aleia Creatiei 10/21
Timisoara, Rumania
2. Rodica Aronescu
Calei Calarasi St. 196
Bucharest, Rumania
3. Mihai and Irina Babus
(and her mother Henriette Anghelovici)
23 Blvd. Ion Sulea, sc. 3, #104
Bucharest, Rumania
4. Eddy Barash
Alea Lipanesti No. 2
Bl. J21, sc. B, et. 1, ap. 14
Sector 4
Bucharest, Rumania
5. Haghés Belinstein
Sos Stefan cel Mare No. 1
Bl. 1, sc. 2, ap. 64, Intra A, et. 5
Bucharest 71216, Rumania
6. Anna Blum
52 Popa Soare St.
Bucharest, Rumania
7. Mihaela Cohn
Petre Ionescu 6
Bl. 6B, ap. 1
Sector 4
Bucharest, Rumania

8. Liviu and Natalia Damian
 (and their daughter Doris)
 Sperantei St. 21
 Sector 2
 Bucharest, Rumania
- Liviu's parents also want to leave.
 Vasile and Cecilia Damian
 Costach Negri St. 25
 Sector 6
 Bucharest, Rumania
9. Nissim Doru
 Suren Spandarian St. nr. 5
 Bl. O D 21 B., sc. E, ap. 207
 Bucharest, Rumania
10. Manoil and Doina Faibish
 111 Dorobanti Road
 Bl. 9A, ap. 227
 Bucharest, Rumania
11. Harry and Rodika Flomin
 Partizanilor Street 39
 Bl. C23, ap. 46
 Tiglina 1
 Galati 6200, Rumania
12. Agneta Freudlich
 Tirografei St. 1, ap. 16
 Cluj-Napoca, Rumania
13. Eugen Fundulea
 St. N. Balcescu 55
 Bl. 8, ap. 36
 Buzau, Rumania

14. Marta Gheorghiu
Bulevardul Cosbue
Bl. M1, ap. 16
Galati
COD. 6200
Rumania
15. Benjamin and Musa Goldenberg
(and their daughters Paula and Magda and his mother)
Soseanu Oinac 48
Bl. H3, sc. B, ap. 22
Giurgiu, Judetul Ilfov
Rumania
16. Sergiu and Mihaela Gorun
Str. Ciucea 8
Bl. L 18
Bucharest 74696, Rumania
17. Silviu and Monica Grunberg
Cartier Cornisa
Bl. Turn 6, et. 1, ap. 7, sc. B
Bacau, Rumania
18. Rozalia Helmer
Str. Stefan Furtuna 2
Timisoara, Rumania
19. Radu and Gherghina Iliescu
5 N. Grigorescu St.
Arad, Rumania
20. Yosef and Marianna Imberg
(and their children Arondin and Maura)
Str. Gheorghe Lazar 27
Et. 2, ap. 12
1900 Timisoara, Rumania

Marianna's parents also want to leave.
Burah and Tica Wolf
Str. 7 November 25
Bl. 3, sc. C, ap. 3
Husi, Rumania

21. Adrian Iosifescu
Romulus Street 75
Et. 1, ap. 6
Sector 4
Bucharest, Rumania
22. Viorica Jancu
9 Av. Protopopescu
Bucharest, Rumania
23. Andrei and Anca Kantar
(Although they are married, their applications
for exit visas give the addresses of their parents)
- | | |
|--------------------|--------------------|
| Andrei Kantar | Anca Kantar |
| Negustori St. 14 | Antim St. 12 |
| Sector 4 | Sector 6 |
| Bucharest, Rumania | Bucharest, Rumania |
24. Lili Kovacs
(and her daughter Vera and her son Andrei)
Ferentari St. 72
Bl. 4C, ap. 23
Bucharest, Rumania
25. Irina Lazaride
Str. Costache Balacesev 24, ap. 3
Sector 7
Bucharest, Rumania
26. Victor Manescu
Sos M. Bravu, 42-62
Bl. P8, ap. 94
Bucharest, Rumania
27. Sascha and Miriam Masterman
(and their son Dan)
105 Calea Grivitei
Bucharest, Rumania

28. Solmon Meier
Calcaina Street 6
Iasi, Rumania

29. Dan and Tania Miclea-Anculia
75124 Bd. Dimitrie Cantemir No. 35A
Bl. A2, sc. B, et. 5
Sector 5
Bucharest, Rumania

30. Sorin and Ada-Adelina Moisi
(and their son Marc-Daniel)
Remus Street 10
Et. 2, ap. 3
Sector 4
Bucharest, Rumania

31. Alexandru and Liliana Mararu
Poenaru Bordea No. 6
Ap. 9
Sector 5
Bucharest 70502, Rumania

32. Armand and Cecilia Moscovici
(and their children Silvia and Daniel)
Str. Huedin No. 10
Bl. D19, sc. 4, et. 3, ap. 56
Bucharest, Rumania

33. Anton and Maria Negrea
(and five children)
Bd. Magheru 9
Sc.1, et. 1, ap. 1
Sector 1
Bucharest, Rumania

34. Ramono and Marietta Neumann
Splaiul Independentei 193, ap. 30
Sector 7
Bucharest 77201, Rumania

Their daughter and her husband also want to leave.
Marian and Sibyl Patrascu
Bd. Marasti 61
Bucharest 71331, Rumania

Ramono's father also wants to leave.
Nuhim Neumann
Str. Justitiei 29
Bucharest, Rumania

35. Ileana Olga Raileanu
(and her children Iulia and Barbara)
Str. Bucium No. 32
Iasi, Rumania

36. Liza Marie Ramniceanu
(and her daughter Florentina)
2A Principatele Unite
Bucharest, Rumania

37. Sergiu and Ruxandra Ratescu
(and their son Sebastian)
Str. Liviu Rebreanu no. 7
Bl. 51, et. 8, ap. 123
Sector 4
Bucharest, Rumania

Sergiu's mother also wants to emigrate.
Jeana Ratescu
B-dul Muncii no. 94
Bl. 1/B, et. 1, ap. 3
Sector 3
Bucharest, Rumania

38. Ilio and Ileana Ritter
(and their son Eugene)
Ilie Pintilie Street 11/1/16
2675 Petrosani, Rumania
39. Mircea and Margareta Ruse
(and their daughter Monica and their son Dorin Ruse,
Dorin's wife Doina, and Dorin's son Christian)
28 Racaci Street
Cluj, Rumania
40. Iuliu and Veturia Satran
(and their son Robert, aged 9)
Aleea Lipanesti No. 2
Sector 4
Bl. J22, sc. B, ap. 16
Bucharest, Rumania
41. Mr. and Mrs. Pedro Schein
(and child)
Str. Traian 34, ap. 26
Galati, Rumania
42. Benjamin and Paula Schwartz
(and thir son Adrian)
Resita
Jud Caras - Severin
COD. 1700
Str. Stefan Cel. Mare
Bl. 2, sc. 2
Rumania
43. Simon and Renee Sfarti
(and their children Adrian and Gabrielle)
Str. Batiste No. 5
Et. 5, ap. 12B
Sector 1
Bucharest 70131, Rumania

44. Solomon and Estera Slima
(and their daughter Adriana)
Str. 7 November 25
Bl. C, sc. B, et. II, ap. 4
6575 HUSI-jud. Vaslui
Rumania
45. Sesu Sorin
Str. Matei Basarab No. 2A
Gaiesti
Jud. Dimbovita, Rumania
46. Gheorghe and Ileanu Stefanescu
(and their two sons)
114 Aleea Vergulin St.
Bucharest, Rumania
47. Morris and Rebecca Terdiman
(and their daughter and son-in-law Lazar and
Angela Sfetcu and their grandson Adrian Sfetcu)
4 Pajurei Street
Bl. B3, entrance A, ap. 5
Ploesti, Code 2000
Rumania
48. Stefan and Manica Varga
Teodosie Rudeanu 3
Bl. 1-C, sc. 2, et. 3, ap. 63
Bucharest, Rumania
49. Leia Weiss
(and her son Nisen and her daughter Dorina, Dorina's
husband, and Dorina's son)
Plutasului Street No. 1
Piatra Neamt, Rumania
50. Andrei and Lilla Wertheimer
(and their daughter Eva)
13 Decembrie Street nr. 14, ap. 4
1900 Timisoara
Rumania
51. Viorica Wexler
Bolinteano 2
Sector 4
Bucharest, Rumania

the 8th October 1978

Dear Sir,

I am writing this letter to you with the greatest hope that you have the possibility and ability to help me.

I come to you on behalf of my nephew, the son of my beloved dead brother, who made many a requests to leave Roumania definitively and come to Israel. One of his aims is to be with me, who am an old man, ill, and care for me. As I have no children, my deepest wish is to adopt him in order not to be alone and that someone of my blood be with me.

My nephew is :

RATESCU SERGIU, son of my dead brother David, 32 years old, profession architect. After working as a teacher at the School of Architecture, as a painter at the firm of ANAFILM, Bucharest, and also as assistant at the Faculty of Architecture, he is now - as a result of his request to emigrate to Israel - employed as an unimportant architect in a small firm with a very low salary, barely enough for a living. He is married to :

RATESCU RUXANDRA - born Vlad, age 30, profession English and German teacher. As a result of her request to leave Roumania, being still a student, she was expelled from the last year of her university studies. In order to complete her studies, she had to withdraw her request for a passport. When she finished her degree, they applied again for the passport.

They have a son :

RATESCU SEBASTIAN - 5 years old, and their address is :

Bucharest, Sector 4, Str.Liviu Rebreanu no.7
Bloc 51, floor 8, apart.123
Telephone number : 47-27-23.

All the above have requested a passport to leave for Israel in 1970. They have sent numerous reminders, but all the replies were negative. One of their reminders no.35294 was sent to the Ministry on April 6, 1976. Another one no.2867 dated April 5, 1976, was sent to the Department of State. In one of the negative replies they received, was stated that they do not go over requests that have once been turned down.

A year ago, in 1977, they received an announcement from the Ministry that they have the passports ready. The number of the passports were :

Sergiu PFC 80526
525838

Ruxandra PFC 80527
525838 .

After they had completed their preparations and also resigned from their services, they were informed that all the matter concerning their

continued 2.

- 2 -

passports was a mistake. As a favour he was accepted back to his previous job - in that unimportant small firm, - but was also laughed at that he will finish working as a street sweeper if he again applies for a passport. His salary is very low and it is barely enough for a living. His wife is in the same position. The family is always threatened not to apply again for a passport. They suffer enormously both economically and emotionally. My nephew suffers deeply because of the emotional strain he is under all the time.

There is also a problem with my sister-in-law, the widow of my beloved brother and mother of my nephew Sergiu :

RATESCU JEANA, age 61, profession pharmacist, retired. Address :

Bucharest, Sector 3,
B-dul Muncii no.94, Bloc 1/B, 1st floor, ap.3
Telephone number : 21-80-05 .

She lost her husband - my brother David - who became very ill and had an infarctus of which he died, as a result of their sufferings. She also wants badly to come to Israel, but she cannot and does not want to emigrate without her son, daughter-in-law and small nephew Sebastian aged 5.

I personally am an retired pharmacist, 72 years old, living in Metach Tikva, 49465, Rehov Itzhak Sade 34/B, Israel. My telephone number is : 92-89-34.

I am a close relative to the aboves.

Besides, my sister-in-law Ratescu Jeana, has also a sister : ARNON HARRIST who lives in Carmiel, with her daughter and family, address : Carmiel, 16/B Hagalil Street, apart.22.

I beg you to intervene for my relatives, whose only crime is their longing to come to their homeland - Israel, to live here as free people together with their family.

With many thanks,

Yours faithfully,
Ratescu Iosef
Ratescu Iosef
Itzhak Sade Street 34/B
49465 Metach Tikva
Israel

16 March 1979
 Bnei Brak
 Kiri'at Herzog
 Neufeld St. 25/A2
 Israel

Dear Sir,

Can you please help my family to emigrate from Rumania.

I am living in Israel for three years. I have got married here and have a 9 month old daughter. The rest of my family, that is, one brother, a sister, and my parents, remained in Rumania.

My brother has been applying for a passport since October 1974, without getting any answer. In November 1974 he renewed his request (meanwhile he made his army duty) with the same result.

After a visit here in Israel last summer my parents decided to immigrate, too, together with my sister. My mother and my sister applied for a passport in December 1978. Before he could apply for the passport my father died, leaving the family without his moral and financial support. They are living in a building damaged by the March 1977 earthquake and which has not been repaired since. They are really lacking the finances to carry out the necessary repairs, being not minor damages. I myself try to help them as much as I can from here. But now having the baby I can not go to work. I did not find a solution to my problems, expecting my mother to take care of the baby, but I do not know how long that could take.

Please, if you can do something for my family and help us to unite again, we would be really grateful.

Below is personal data of the members of my family.

Looking forward for your helpful intervention,
 Very truly yours,

Eva Maier

LIST OF PERSONAL DATA

Kovacs Lili, mother, pensioned
 Kovacs Vera, sister, born 14 July 1946, diploma of assistant engineer, working at a design institute
 Kovacs Andrei, brother, born 23 October 1952, diploma of assistant engineer, working as a teacher

The family is living together at the following address:

Ferentari St. 72
 Bloc 4c, Ap. 23
 Bucharest
 Romania

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7512/4 Bd. Dimitrie Cantemir 35A
Bl.A2 Co.B et.V
Bucharest, Romania, sect.V

Mr. Cyrus Abbe
14 West 90th Street
New York, New York

Dear Mr. Abbe:

We are appealing our insufferable situation to you in the hope that you can, in some way, help us in our attempt to immigrate from Romania to Israel.

My wife and I have been trying unsuccessfully for over a year to receive the preformular, official petition papers, only after the filing and acceptance of which the Romanian government will issue a second set of petition papers leading to an immigration passport. We began this process in February, 1978. After waiting the prescribed length of time after which we might have an answer, we wrote various comorii statements to the Office of Passports and the Passport Commission.

We had no response from our actions, except for various interviews to which it was invited by the Security Police, in which they tried to convince us that it was foolish to leave Romania.

In the Summer of 1978, I was the victim of a freak motorcycle accident involving a tractor with agriculture equipment. Though there were several witnesses, I was never satisfied as to the cause of the accident, nor did I find out who the witnesses were. Due to multiple leg fractures, fractured maxillary, mandibular dislocation and multiple concussions, I was excused from work to recuperate. When I reported to work in August, I found that I no longer had a job. No sufficient reason was given for this action, and since I had been legally excused from work following my accident, I can only think that it was a case of undeclared harassment, well known among those who are a problem to the state. My wife suffered a slighter form of the same technique by, for no apparent reason, being transferred from her job in Bucharest to another outside of Bucharest, causing her to commute more than three hours daily.

Beginning on the 15th of August, we initiated a new series of hearings at the passport offices, only to find out at the end of September, that in May of the same year they had denied our petition for the papers but had "Somehow" omitted informing us. We sent more written statements and were accepted in a hearing in November, only to receive our second official denial of petition in January, 1979. I could continue, but I think you understand our situation. I have requested and received more hearings and more negative results. We are desperately caught in a "No exit" dilemma. Because we have asked to leave, we cannot find jobs, yet we cannot leave. We turn to you, having heard that you might be able to help us. When we can once again breathe easily, without anxiety and fear, we will find a way to show you our appreciation.

With great hope and gratitude,

Dan Nicolae Micloa-Anculia
Tania Micloa-Anculia (wife)

P.S. My wife was born March 30, 1953, and I was born on December 6, 1948. We are both architects.

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*Thank you very much for your letter.
Poldi Moscovici*

Poldi Moscovici
42-72, 80th St. Apt. 6A
Elmhurst, N.Y. 11373
Phone: (212)476-0975

New York, May 16 1979

I am writing to you hoping to get help for my brother and his family who have been trying desperately to leave Rumania for the United States.

In September 1975 my brother and his family applied for passports for Israel, but the Rumanian authorities have turned down their request repeatedly.

In January 1979 my brother's family made application for passports with exit visa for the United States and again, they were turned down by the Rumanian authorities.

The Rumanian government is violating the Helsinki Accord and has instituted a frightening and tortuous application procedure for an exit visa and has harassed and persecuted applicants.

May I be permitted to ask you to intervene in behalf of my brother's family to the Rumanian Ambassador until their passports and visa exits to the United States are issued.

I look forward to hear from you

Thank you very much

Poldi Moscovici

Armand Moscovici, born in Bacau, Rumania, on March 1, 1946. Chemical engineer.

Cecilia Moscovici, nee Smilovici, born in Bucharest, Rumania, Dec. 4, 1947. Electrical engineer.

Silvia Moscovici, daughter, born in Bucharest, Rumania, on May 23, 1975.

Daniel Alexander Moscovici, son, born in Bucharest, on May 23, 1978.

Their address: Str. Huedin No. 10, Bl. D 19, Sc. 4, Et. 3, Apt. 56, Bucharest

I, Poldi Moscovici, and my wife immigrated from Rumania and arrived in the United States in August 1978 sponsored by HTAS. I'm working at "Lambda Electronics" Melville-L.I. -New York, as a design engineer. My office phone: 516-6944500-322

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July 10, 1979

Dear Sir,

My friends Sascha and Miriam Masterman, 105 Calei Grivitei, Bucharest, Rumania, requested an emigration visa from the Rumanian government for themselves and their 10 year old son Dan to go to America.

Sascha is a mechanical engineer, a graduate of Bucharest University, and his wife is a chemical engineer. He has worked for 22 years at the "23 August" Plant from Bucharest and was in charge of maintenance until he submitted an emigration application in July 1978.

From then on he lost his job, was demoted, and his salary was halved. The Plant Authority considers his emigration application a crime and instructed the personnel in suitable behavior to him. The atmosphere became so unbearable that he became ill. He has now a chronic ulcer, is irritable, and his family, so happy in the past, is on the brink of a break up.

From January when he received his first rejection from the Rumanian Authorities he has had 3 consecutive rejected appeals.

Now he is making his 4th appeal.

I beg of you, if it is possible to help his family to fulfill their hopes and dreams.

For further information please contact

Georg Veiss
63-60 98 St
apt D21
Rego Park, NY 11374
Phone No. (212) 275-6953

June 4, 1979

Dear Sir:

I am a new immigrant in Israel from Romania. My immigration has influenced my brother and he has decided to emigrate to Israel, too. But he has got problems.

His name is Stefan Varga. He was born March 22, 1949, and lives at Teodosie Rudeanu 3, block 1-C, Sec. 2, 3rd floor, apt. 63, Bucharest, Romania. His phone is 582348.

He is married to a woman with no citizenship, Manica Varga, formerly Iliopoulus, which implies that she can leave Romania whenever she wishes, without any special problem.

My brother is a systems analyst.

On July 11, 1978, he completed and handed in the so-called "anexa-3", a request for the form for the request for a passport (please do not smile). On September 14th, he handed in his papers requesting a passport. On January 5, 1979, he was refused for the first time. On January 18th he appealed, and on March 14th was received for an interview at the governmental commission for visas and passports in Bucharest, Calea Rahovei 18. He was told to make a new try during the summer.

On March 25th he received a negative answer, and on May 18th had a new interview, about which I have no information.

I want, sadly, to inform you that the newest point added to the Romanian emigration system is to give an applicant who has received a negative answer, the possibility to apply again only after half a year.

Respectfully yours,

Ecaterina Cristescu
Ramot 43/23
Jerusalem, Israel

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July 2, 1979

Dear Mr Abbe,

We write you personally because you met us in Bucharest in 1977.

We are Jewish people and we have relatives in USA.

In the past some of our relatives were killed because they were Jews (two grandparents, two cousins, etc), others, including our parents were persecuted, deported, made forced labor. We decided last year to go to the USA to our relatives. In order to obtain a passport we set down at the Passport Office in Bucharest some biographic data in November 1978. After two months they let us know that we are not allowed to make the applications in order to obtain a passport. Since now we were refused four times. We wrote a lot of letters to the Passport Office; two times to Mr. President of the National Great Assembly (the Parliament), three times to Mr. President of Romania, but all was in vain. Therefore, until now, we were not allowed to make the application in order to obtain a passport, and our position is not good at all.

Please, Mr. Abbe, help us to obtain the passports.

Sincerely yours,

Mihaela & Sergiu Gorun
Str. Ciucea 8, Bl. L.18
74696 Bucharest, Romania

GENERAL INFORMATION

- a. Claudia-Mihaela Gorun is born on January 11, 1951. Sergiu-Mircea Gorun is born on January 11, 1952.
- b. Mihaela-Claudia Gorun (born Jonas) attended the courses of the Institute of Architecture "Ion Mincu" in Bucharest during the years 1970-1976, when she graduated following a diploma examination. Sergiu-Mircea Gorun has attended the courses of the Faculty of Chemistry of the Bucharest University during the years 1970-1975, when he graduated following a diploma examination.
- c. Mihaela-Claudia Gorun is working since 1976 until now in her capacity as a designing architect at the Designing Institute of the Ministry of Light Industry (Bucharest). Sergiu-Mircea Gorun has worked since 1976 at the "Policolor" Plant - Bucharest, 309 Ion Shulea Blvd., till January 10, 1979, when he was disciplinary sent to another lower place of work. At the "Policolor" Plant he has worked as a scientific chemist.
- d. History of request for emigration visa to the U.S.A. Applied for first time on November 20, 1978. After having got a negative answer, presented a memorandum to the Rumanian Authorities on December 12, 1978. On January 10, 1979, Sergiu-Mircea Gorun compulsory displaced from the "Policolor" Plant to another inferior place of work. Presented to the above mentioned Authorities 6 memoranda (on 11 January, 26 February, 17 March, 20 April, and 21 May 1979), but ineffectually.

On May 4 or 5 this year we were arrested for one day by the Security Service and were told not to come any more to the Passport Authority.

July 2, 1979

Dear Sir,

My name is Mrs Josefina Herscovici, living in Haifa, Derech Habonim 148/III. I immigrated to Israel from Rumania on the 27th of January 1976. All my life I have been living together with my only sister--who was also with me in the concentration camp in Transnistria. Since August 1977 my sister and her family try in vain to emigrate from Rumania to Israel. Four times the Rumanian Authorities denied their demand without explaining their refusal. I've never lived far from my sister, and I need her now even more than before, because I have a bad eye sickness, and I must be operated on both eyes at the end of this year. My sister and her family have already sold all their things, so the situation is really hard for them.

Now I include data about my relatives.

I Names and addresses:

1. Therese Abramovici, my sister, 64 years
2. Rudolf Abramovici, my brother in law, 64 years
Their address is Aleia Creatiei, 10/21 Timisoara, Rumania
Telephone 43615
3. Alex Abramovici, my nephew, 34 years
4. Elisabeta Abramovici, my nephew's wife, 35 years
5. Anda Abramovici, their daughter, 9 years
Their address: Aleia Creatiei 110/12, Timisoara, Rumania

II Educational background

My sister has finished the pedagogical institute Maxim Gorki, Bucharest. Her husband, Dr Rudolf Abramovici, has finished the university, he has studied chemistry. Alex Abramovici has finished the university, he has studied physics. Elisabeta Abramovici has finished the university, she has studied physics. Anda Abramovici a pupil in grade 3.

III Job

My sister Therese is a retired secondary school teacher. Her husband Dr Rudolf Abramovici is Professor of Chemistry at the Polytechnical Institute in Timisoara. Their son Alex Abramovici is assistant at the university in physics. His wife Elisabeta is a secondary school teacher teaching physics.

IV In Rumania in order to be given the permission for registering for Israel, you're supposed first to demand a register list from the police. They demanded this register list in December 1977 and received it in August 1978. After they've registered to Israel, the Rumanian authorities didn't give them permission to emigrate. Their demand has been four times denied. My brother in law went several times to Bucharest to talk to the authorities, but with no result.

Please in the name of humanity try to fulfill our dearest wish, to be united again.

Josefina Herscovici
Derech Habonim 148/3
Haifa, Israel
Tel. 231395

354 South Arden Blvd
 Los Angeles, CA 90020
 June 25, 1979

Dear Sir:

I am writing on behalf of Alexandru and Liliana Moraru, who live at Poenaru Bordea No. 6, apt 9, Sector 5, Bucharest 70502, Rumania.

They first applied for exit visas to join their relatives in Israel in January 1977, and have now received their fourth refusal for no reason.

Is there any help you can furnish? Their human rights are being denied even though Rumania receives "Most Favored Nation" Status in our country.

Please advise.

Very sincerely,

Mrs Dorothy S Gould

General Information

- 1-Alexandru Moraru, age 29 (husband)
 Poenaru Bordea No. 6, apt 9, sect. 5
 Bucharest 70502, Rumania
- 2-Liliana Moraru, age 26 (wife)
 (same address)
- 2-Alexandru Moraru is an Electrical Engineer
 Liliana Moraru has a Master of Arts (Film)
- 3-Alexandru's current job Engineer at Electro-
 technic Co, Bucharest
- 4-Alexandru's first request was January 1977.
 Large application was submitted.
 Four negative answers received for no reason.
- 5-Alexandru has had no position advancement as punishment,
 though he was eligible for several.
- 6-Relatives in Israel include:
 Sebastian & Joan Negreanu (Liliana's aunt)
 Shlomo a Melah --2819 Haifa, Israel
 Josephina Negreanu (Liliana's aunt)
 Hotel Dan, Tel Aviv, Israel
 Joshua Horovitz (Alexandru's uncle)
 Horav Str 23, Ahuza, Haifa, Israel

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Dear Sir,

I have learnt about your organization and its aims through a friend of mine Lorescu Eugen, who at present find himself in Israel.

We are a family composed of five members. Neumann Nuhim, 81 years old, pensionary, lives in Bucharest, Str. Justitiei 29; tel. 41.27.86, my father. Neumann Mariotte, my wife 46 years old, actress at the Jewish Theatre Bucharest, lives in Bucharest, Splaiul Independentei, nr. 193; ap. 30 cod. 77201; sector 7. Pătrașcu Sibyl my daughter, 22 years old, secretary at the Research Institute for Soil Science and Agrochemistry, 71331 Bucharest, Bd. Mărăști, nr. 61, tel. 17.21.80. Pătrașcu Marian, my son in law 23 years old, student of the Faculty of Architecture "Ion Mincu", Bucharest. My son in law is of Roumanian nationality but he wishes to emigrate to Israel with his wife and with all of us.

And myself Neumann Ramono, 51 years old, physician at the Cervanov hospital lives in Bucharest, Str. Splaiul Independentei 193, ap. 30, tel. 4902

We have applied for the emigration to Israel as all our nearest relations (parent, brother and sisters) live there.

So my wife's parents live in Israel, Nazaret Eilat, Reh. Hermon 1303/ her sisters Antoneta Pecker, Israel, Haifa, Reh. Palch Inaz 17/102 tel. 533740; Marcovici Ana, Israel, Haifa, Reh. Tveria 17 Tel. 53.67.09. Kaplan Zipora, 3701 Henry Hudson Parkway, Bronx New-York 10.463; her brother, Kospil Haim, Israel, Affule, Reh. Toshius 69 tel. 93666 and besides we have other relations.

The petition of emigration we presented on 28.VIII.1973 and after 6 months we received the answer that our petition had not been approved, without explaining us the reason.

Since then we have presented two memorials to which we also received a negative result.

Our parents being old and sick, need care as at this age every day of life is a gift from God, but yet we are hindered to fulfil our duty towards our old parents.

This is an inhumane thing which makes us infinitely suffer. That is why we are appealing to your good will hoping that our problem will be resolved as soon as possible; so that our parents should be able to enjoy our presence being united with the whole family.

After having tried here all we could, we consider you to be our last hope.

Dr. Neumann Ramono
Spl. Independentei 193
apt. 30, sect. 7
Bucharest 77201, Romania

Respectfully yours
G H

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Moshe Schwartz
 Kibutz Galuioth 3
 Baka
 Jerusalem
Israel.

I wish to ask your help in the name of my brother and his family who live in Romania.

My brother is a physician and he has informed the Romanian government on 15 October 1978 about his intention to emigrate with his family to Israel, but he hasn't as yet received a reply from the Romanian authorities.

Here are some details about my brother and his family:

Dr. Benjamin Schwartz 65 years old
 Mrs. Paula Schwartz (wife) 61 years old
 Mr. Adrian Schwartz (son) 25 years old

Their address is,
 Reșița
 Jud Caraș - Severin
 Cod 1700
 Str. Ștefan Cel Mare
 Bloc 2. Sc 2
 Republica Socialistă România

If you need more information I will try my best to answer all additional questions.

I sincerely hope that your organization can be of help in this case.

Your respectfully
 Moshe Schwartz.

4 May 1979

Dear Sir:

I write to you about two friends of mine, Kantar Anca Mihaela and Kantar Andrei Mihai, who applied for a passport to leave Rumania two years ago so they could join her brothers in Israel, and until now didn't receive the exit visa. Here is personal data about them:

Kantar Anca Mihaela - street Antim 12, sector 6, Bucharest 70668
 Kantar Andrei Mihai - street Negustori 14, sector 4, Bucharest
 (Though they are married, when they applied for the exit visa they gave the address of their parents.)

Kantar Anca - born 18 July 1953 - Bucharest - studied computer science - Polytechnic Inst of Bucharest - finished July 1977 - works as computer engineer at I.I.R.U.J. - Bucharest - telephone 312327

Kantar Andrei - born 10 February 1954 - Bucharest - studied civil engineering - Bucharest - finished February 1977 - works at Construction Trust - Midia-Navodari - phone (at his parents' home) 552536

History of application

- a) First step - preformalars 28 July 1977
 negative answer 10 February 1978 /No. 201969 Passport Service
- b) Second step - formulars 19 June 1978
 negative answers 10 November 1978 /No.201969
 25 February 1979
 17 March 1979 No.13402
 27 March 1979 No.201969

Eugen Lerescu
 Maon Olim Kiriat Gan
 Rehov Habilum 47/410
 Ramat Gan
 Israel

April 22, 1979

Dear Sir,

May I ask you to help a very good friend of mine, Rodica Aronescu, 28, living in Bucharest, 196 Calea Jalarasi St. She is an architecture designer, graduating a two-year technical school for architecture and building, after she had graduated high school. She is working in Bucharest, in an electric power research institute.

In July 1978, a couple of weeks after she returned from her visit to Israel, she has applied for an exit visa, in order to emigrate to Israel, where she intends to live and to join her two uncles, two aunts, and cousins.

By the end of July 1978 she received the formulars for the preliminary application, prior to the application proper. In August 1978 she was summoned in front of a commission, where she had to explain her reasons for asking for an exit visa. By the end of the same month, August, she was invited for a second time to the same commission, but this time she had to come together with her parents, although she is 28. Her parents gave their consent.

In January 1979 she got her first negative answer. She sent a memorandum, and on March 7, 1979, she was granted an audience to the Governmental Passport Authorities, where she presented another memorandum. On March 26 she obtained another audience, to the municipal passport commission /Bucharest/ of the Romanian Ministry of Internal Affairs. The Romanian authorities gave her another negative answer, but they also told her that "after 8 months she would be allowed to fill in again the preliminary application."

Thank you in advance for trying to help my friend.

Name of author omitted
upon request, as family
is still in Rumania

20 March 1979
 10 Feiorberg Street
 Tel Aviv
 Israel

Dear Sir,

Here is the information you requested.

1. The person whose immigration to Israel is asked for is Miss Agneta Freudlich. She lives at Gluj-Napoca, Str. Tipografei No. 1 Apt. 16. Her telephone number is 13745. She was born in Gluj-Napoca in 1953. Miss Freudlich is a very good friend of mine and I am willing to do everything possible to help her to come to Israel. She is still young, but she feels forlorn and hopeless for her future in her present surroundings, as she wishes to live a full Jewish life which would be impossible if she stayed on in Rumania. There is no possibility whatever for her to find there a Jewish young man, and thus she sees for herself only frustration and an empty and hopeless future. It is therefore her ardent wish to come and live in Israel.
 2. Miss Freudlich has an academic degree in music. She studied piano and other instruments and she is a full-fledged music teacher.
 3. Miss Freudlich works at present as a music teacher at a technical school.
 4. Miss Freudlich has applied several times for an emigration visa, so far without success:

on 21 April 1977	refused 1 October 1977
on 4 January 1979	refused 22 January 1979
- Prior to 4 January 1979 she had again applied for a visa on 12 January 1978 and received permission to emigrate, but on 31 August 1978 she received a request to answer several personal questions. On 12 September 1978 she supplied all the details which had been requested and thereupon the permission was withdrawn and on 27 December 1978 her above application was again refused.
- On 27 January 1979 she again asked for permission to emigrate. So far she has not received a reply.
5. So far Miss Freudlich did not suffer any persecution on account of her requests to emigrate.
 6. The following are the particulars of her relatives in Israel:
 - (a) Her father's brother Freulich Joel, Hamat Gan, Sd. Jerusholaim 83, tel. 03/746520
 - (b) Her cousin Dr Lustig Tiberi, Rav Meir Nacar St. 108, Talploth-Jerusalem, tel. 02/718489
 Her relatives in the USA are
 - (a) Her mother's sister Irene Stroll, Irvington 65 Kuma Terrace New Jersey 07111
 - (b) Eva Peterzile, Irvington, Orange Ave. 199 New Jersey 07111.

Yours faithfully,

Zeev Zimroni

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14 Aharonovitz Street
Holon, Israel
January 2, 1979

Mr. Cyrus Abbe
c/o Center for Russian and East European Jewry
200 West 72nd Street
New York, N. Y., 10023 U. S. A.

Dear Sir,

I apply to you, asking you a personal favour and please help us as much as possible.

After the war, only one brother and I were left of our big family. My brother lives in Roumania and I here in Israel. All those years, our only wish was to live together, but his only daughter and her husband preferred then to stay there, and my brother and his wife didn't want to leave them. Now they too are ready to move to Israel and applied to the government for an emigration permit, but are waiting a long time for a positive answer.

My brother, Morris Terdiman, age 73, a retired lawyer, his wife Rebecca nee Finkelstein, age 72, their daughter Angela Sfetcu, age 45, machine engineer, her husband Lazar Sfetcu, age 55, production technician, and their son Adrian, age 16, high school student. Their address: 4 Pajurei Street, block B 3, entrance A, Apt. 5 Floesti, code 2000, Roumania. Phone No. 23250.

Help us, please, to spend the evening of lives together. I haven't any relatives beside this brother and his family and my husband, and I'll be thankful to you the rest of our life. My husband Benjamin and I, both of us retired, thank you in advance and beg your pardon to have bothered you.

We wish you all the best and a long life full of Mitzves for our Jewish people.

Yours sincerely,

Bella Herscovici

NI:SIM DORU
 Burea Spandarian st. nr 5
 Bl OD 21 B. sc.B, ap. 207
 Bucharest 2
 Tel. 87.59.87
 Romania

Bucharest, 9.10.1978

Cyrus Abbe
 14 West 90th street
 N E W - Y O R K 10024 - U.S.A.

Dear Mr. Cyrus Abbe,

I am Nissia Doru, 33 years old, a Roumanian citizen of Jewish nationality, presently living in Bucharest where I work as a mechanical engineer. Through this letter I come to let you know my case:

More than half past one year ago I gave in my papers requesting permission to emigrate to Israel where I would like to settle and establish a family.

After all my appeals to the authorities who deal with emigration I received 5 (five) negatives.

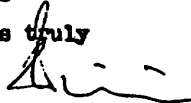
I mention that in my work I have no access to secret or top secret information, to this effect, I have a certification from my place of employment which I handed in with my request for emigration.

Being this the situation, I appeal to you to help my settle in Israel where I would like to live and work together with my people in its homeland as soon as possible.

I would like to hope that you will be understanding with regard to my situation and will help get a passport for Israel.

With many thanks and my high esteem

Yours truly



Dear Sir,

I Tony Schwartz, residing in San Diego, 6808 Hyde Park Dr. Apt. A, Calif. 92219 would like to bring to your kind attention the following:

I have lived in Republica Socialista Rumania until 1965, when I left the country, having all legal necessary forms.

From 1955 to 1965 I was married to Mr. Fundulea Julian from Buzau N. Balcescu No. 55, Bloc 8.

Due to some personal lack of understanding among the two of us, we had to divorce in 1963; my ex husband getting immediately remarried. In the present he has by his second marriage a child of 11.

From my marriage to Fundulea Julian I have a child Fundulea Eugen from Buzau St. N. Balcescu 55, Bloc 8, ap. 36, age 20, graduate of Buzau public high school.

In agreement with the decision made by the court of Buzau City, my son has remained with his father.

Being now over 18, and consequently away from his father's tutelage, my son wishes to enter the United States and stay permanently with me.

To that effect, he has filed on Sept. 26, 1978, a request of permanent emigration, in order to immigrate to the U.S.A. the request # 36329 was filed with the Militia Inspectorat in Buzau.

In order to support and to justify my son's request I have filed memoranda, and requested interview which have been accepted with:

- a) the request No. 2874 of Sept. 29, 1978, is filed with the State Consilis(Consillial de Stat)
- b) request No. 561 of October 9, 1978, is filed with the Ministry of Foreign Affairs
- c) The Ministry of Interior Section Vizas and Passports, on 27 Nicolae Torga Str.
- d) Consiliary Directorat, on 18 Rahorei Str.
- e) Finally on other request with the Police Inspectorat of the Buzau County.

2/...

My son's request was submitted to the County Council of Buzau - and approved by it. The following step would have been to forward the approved request to the Department of Vizas and Passports on 27 Nicolae Torga Str.

On 30 October 1978, while being at an interview at the above department, I was informed that the documents from Buzau are indeed with the department, and have to pass an additional comity in order to have the passport approved.

I would like to underline the fact that my son has all the aprovals necessary for his entry into the U.S.A.

Those are to be found at the American Embassy in Bucharest.

The American Embassy in Bucharest, has forwarded both to the Ministry of Interior and of Exterior, lists with the name of the persons eligible to emigrate to the U.S.A. Among them, my son was one of three special cases they had.

In fact, it was insisted to have his passport freed the soonest possible, because I was then in Rumania for a visit of 45 days.

Meanwhile, on Oct. 26, 1978. my son was drafted into the army and is now in Rimnicu Vilcea, Judet Vilcea, U.M. 01770, Rumania.

In all the memoranda, and requests, among, other facts, I have specified that my son has been registered for the school year 78-79 in the U.S.A. and requested the honorable comity to speed up the procedures, in order for him not to lose his school year.

In my support, I had Senator Javitz and congressman Ben Rosenthal, who reassured me of all their support in order to help me reunite with my son.

Both have had numerous discussions with the American Embassy in Bucarest, and wrote to the appropriate chanel.

I am confident that the detailed explanations given above, will show the kind of traumatic experience I had to go through, as a human being and as a mother desiring to reunite with her son.

I am further convinced that my pleas will be given the proper attention here in the U.S.A.

In expectance of a positive reply, I remain,
Respectfully yours,

Tony Schwartz

Nov. 7, 1978

14160 Red Hill Ave. #81
Tustin, CA 92680
April 18, 1979

Mr. Cyrus Abbe
14 West 90th Street
New York, NY 10024

Dear Mr. Abbe:

Friends of mine from the USA as from Israel advised me to ask you for help. They know that you fight for high ideals, for the right of people to have their own political religious beliefs, to choose the country they want to live in freedom.

Here is my story. One year ago, as a chief engineer of a Rumanian furniture factory, I came to the USA in a business trip and I refused to come back any more. I have to point out that my decision to defect was not taken in haste. I and my wife decided when my trip to the USA had become a reality that it might be the only chance we had to end the shameful life we used to live in that country and to accomplish something that we were dreaming for 15 years: to raise our children as free citizens of a free country.

My wife used to be a professor at the University of Iasi where she still lives. She was not trusted because she was associated with western friends, relatives and she refused to report on their conversations to the Security Polioec. She has a "shameful, capitalistic" background; she also is Jewish (her father was a victim of Nazi concentration camps).

Short time after my decision I have been granted asylum I got a nice job, everything is going well here. My problem is my family that is still in Rumania. They applied for their passport for the first time in June 1978. Since then Rumanian authorities rejected three times their application. Instead they took my wife's right to teach and they gave her an inferior job.

All of us are suffering a lot for being separated. I am a very devoted father and husband and I live for the day when they will join me here in the United States.

May I ask you to help my dream come true?

Thank you.

Sincerely yours,

Valeriu Raileanu

The names and addresses of my wife and our daughters are

Ileana Olga Raileanu

Iulia Raileanu

Barbara Raileanu

They are living in Iasi Str. Bucium Nr. 32 Rumania.

THE COMMITTEE FOR THE DEFENSE OF THE ROMANIAN TRANSYLVANIA
COMITETUL PENTRU APARAREA TRASILVANIEI ROMANESTI

Box 34804, Detroit, Michigan 48234

To:
The United State Senate
Committee on Finance
Washington, D.C.

July 25, 1979

Attn: Mr. Michael Stern
Chairman

Dear Mr.

In supporting of the Presidential Recommendation for Extension of Waiver Authority, made to the Congress of the United States, on June 1, 1979, regarding the continuation of the U.S.-Romanian Trade Agreement of 1975, the Committee for the Defense of the Romanian Transylvania respectfully submit to your attention the enclosed "Statement" prepared by our Committee in this purpose.

Very truly yours,

President and Spiritual Advisor,

V. Rev. Fr. Mihai Iancu

V. Rev. Fr. Archpriest Mihai Iancu
222 West Savannah, Detroit, Mich. 48203



THE COMMITTEE FOR THE DEFENSE OF THE ROMANIAN TRANSYLVANIA
COMITETUL PENTRU APARAREA TRASILVANIEI ROMANESTI

Box 6272, Detroit, Michigan 48234

July 2, 1979

THE COMMITTEE ON FINANCE
SUBCOMMITTEE ON INTERNATIONAL TRADE
UNITED STATES SENATE
2227 Dirksen Senate Office Bldg.

Mr. Chairman,

Pursuant to the recommendation made by President Jimmy CARTER on June 1st 1979 in regards to the MFN extension for the next twelve months for Romania the Committee for the Defense of the Romanian Transylvania herewith supports President Jimmy CARTER's recommendation, and asks for the extension of the MFN clause for Romania for the next twelve months.

Ever since the start of the MFN clause for Romania the manifold relations between our two countries improved progressively on all sectors, proving thusly that the initiated program was, and is a benefit not only to our countries; U.S.A. and Romania, but also an instigation for other countries of the world, to follow suit.

Appreciating your, and your Committee's effective support in this matter, is sincerely

Blessing you in Christ



President and Spiritual Advisor

V. Rev. Fr. *Mihai* Iancu

V. Rev. Archpriest Mihai Iancu
222 N. Savannah, Detroit Mich.
48203

Members of the Committee:

Ionelia Pelea
George Saharota
Alina A. Popescu
Liara Halmaghi
Almogh
Kerif G. G. G.
John Draganescu S.M.

Varil Popescu
Ioana Draganescu
Valer Rusack
Nikola Martin
Cecilia Iancu

BEST COPY AVAILABLE

THE AMERICAN ROMANIAN COMMITTEE FOR ASSISTANCE TO REFUGEES (ARCAR)

 UNDER THE SPONSORSHIP OF
 THE ST. DUMITRU ROMANIAN ORTHODOX CHURCH OF NEW YORK, NEW YORK

TESTIMONY OF THE VERY REV. FLORIAN M. GALDAU, RECTOR OF THE ST. DUMITRU
 ROMANIAN ORTHODOX CHURCH OF NEW YORK, NEW YORK and CHAIRMAN OF THE
 AMERICAN ROMANIAN COMMITTEE FOR ASSISTANCE TO REFUGEES (ARCAR)
 BEFORE THE FINANCIAL COMMITTEE OF
 THE U. S. SENATE

JULY 17, 1979

Mr. Chairman and Members of the Committee:

Thank you for the privilege of testifying before you today.

We are very much concerned about present conditions in Romania and the continued extension of waiver #402, insofar as it deals with freedom of emigration from Romania--as provided by the Trade Agreement of 1974 between the United States and Romania.

For the last few years human rights and freedom of emigration policies of the Romanian Government have worsened, although the U. S. A. has shown more understanding toward their position. In the past, many Romanians who wanted to emigrate were fired from their jobs and subjected to all kinds of oppression and persecution. Now this system has been changed. They do not lose their jobs immediately, but are put under surveillance and harassment from the Security Police, living in constant fear. Others are demoted to menial jobs which apparently some have refused. With the Romanian Government as their only employer, they lack other employment opportunities, and face starvation.

Believers and religious leaders opposing the Party have also been arrested, tortured and left to starve. This has happened to Fr. Gheorghe Calciu-Dumitreasa, a former professor of the Faculty of Theology, University of

Bucharest, who in one of his sermons said, that "Marxist Leninist ideology is depressing and anyone believing in Christ should reject it." A month ago he was arrested and condemned to ten years in prison. He had been beaten and tortured to the point of being completely disfigured.

When the Patriarch of the Romanian Orthodox Church arrived in New York last April 25, with the specific purpose to create deceit and confusion among U. S. citizens of Romanian origin, he was asked by a Radio Free Europe reporter about Fr. Calciu-Dumitreasa's and other believers' recent arrests in Romania. He said, "I don't know about these people. We have perfect freedom of religion. If Fr. Calciu-Dumitreasa is ready to change his attitude, we will be happy to offer him the best parish in Bucharest."

During the last year, and more recently, many Orthodox priests and Christians, of all denominations including Roman Catholics, Protestants, Moslems and Jews were also persecuted. The visit here from Romania on June 3 to 17 of this year of a delegation of religious leaders, on the heels of the Romanian Patriarch April 25 to May 13, was designed to convince U. S. politicians and religious leaders that Romania has human rights and religious freedom. We are sorry to report that facts prove otherwise.

President Nicolae Ceausescu, who is solely responsible for these persecutions, had the audacity to state during his visit to the U. S. last year that to "promote human rights and fundamental freedoms is the basic principle for international security." When he signed the Helsinki Agreement in 1975 he promised to honor his country's commitment to this cause, but after he returned home, conditions became more oppressive than ever.

In conclusion, we cannot support extension of the Most-Favored-Nations

treaty this year, or any other year, unless the Romanian Government intends to change completely its attitude towards human rights and freedom of emigration. Emigration procedures and red tape should be simplified, starting with the immediate release of those who applied to rejoin their families abroad years ago, issuing passports and exit visas for visits, and not causing any problems for citizens upon their return.

Mr. Chairman and Members of the Committee:

We respectfully urge you to look closely at the facts and suggest to the President and the State Department to review U. S. - Romanian relations, initiate new discussions with Romania on poor emigration performance and, unless Romania gives early solid evidence of improvement, reconsider the President's recommendation.

In the meantime, the Romanian Government's promises must be held without foundation without any solid factual backup.

Thank you.

V. Rev. Florian M. Galdau

P. S: Enclosed is a list of persons who for many years have tried unsuccessfully to emigrate.

THE AMERICAN ROMANIAN COMMITTEE FOR ASSISTANCE TO REFUGEES (ARCAR)
 50 West 89th Street, New York, N.Y. 10024
 Phone: (212) 874-4490

NAMES OF PERSONS WHOSE RELEASE IS SOUGHT FROM THE
 SOCIALIST REPUBLIC OF ROMANIA

1. NAME: AUSTRIACU, Dr. Stefan Dan Radu , Cond. Entrant
 50 West 89th Street
 New York, N.Y. 10024

PERSONS

INVOLVED: AUSTRIACU, Maria, wife, 50 yrs of age
 AUSTRIACU, Carmen Alexandra, daughter 25 yrs.
 Austriacu, Octavian Gheorghe, son, 23 yrs.
 No. 79 Blvd. Republicii, Ap. 2, Sector 3, Bucharest

2. NAME: AZAMFIR, Petru, Cond. Entrant
 1706 Woodbine Street
 Ridgewood, N.Y. 11237

PERSONS

INVOLVED: AZAMFIR, Lucretia, wife, 38 yrs.
 Str. Microrasion No. 3, Bloc 24, Sc. B, Ap. 13
 Lugoj, Timis, Romania

3. NAME: BILIUS, Marin, Cond. Entrant
 833 President Street
 Brooklyn, N.Y. 11215

PERSONS

INVOLVED: BILIUS, Delia, wife, age 30 yrs.
 BILIUS, Christian Emanuel, son, 3 yrs.
 Str. Brezoianu No. 44, Ap. 1 Sector 7, Bucharest

4. NAME: BOGDAN, Alexandru
 37-08 Astoria Blvd.
 Long Island City, N.Y. 11103

PERSONS

INVOLVED: DIACONESCU, Sorina, fiancee, 22 yrs.
 BOGDAN, Mugur Catalin, son, 3 yrs.
 BOGDAN, Alexandra Cristina, daughter, 1 yr.

5. NAME: BORA, Aurel, Permanent Resident
 3724 Fullerton West
 Chicago, Illinois 60647

PERSONS

INVOLVED: BORA, Ioan, brother, 20 yrs. of age
 Str. Iacobinilor no. 24, Oradea, Romania

5. (Bora Continued)

PERSONS DEZMAN, Maris, sister, 26 yrs.
 INVOLVED: DEZMAN, Pavel, brother-in-law, 29 yrs.
 Str. Cocorilor No. 65, Arad, Romania
 MEGLEI, Ilie, 33 yrs. my wife's brother
 MEGLEI, Mihai, 25 yrs., my wife's brother
 POPOVICI, Mihaela, 15 yrs., my wife's daughter from
 a previous marriage
 Str. Lacurilor No. 73 A, Brasov, Romania

6. NAME: BUCICA, Ion (Political Asylum granted, jumped ship)
 50 West 89th Street
 New York, N.Y. 10024

PERSONS
 INVOLVED: BUCICA, Victoria, wife, 36 yrs.
 BUCICA, Ioan I., son 18 yrs. (single)
 BUCICA, Marcel Adrian, son, 10 yrs.
 Str. Mitropolit Veniamin Costache No. 1
 Constanta, Cartierul Vile Noi, Romania

7. NAME: BUNA, Andrei
 47-50 41 Street
 Long Island City, N.Y. 11104

PERSONS
 INVOLVED: BUNA, Cornelia Dan, wife, 54 yrs.
 BUNA, Andrei, son, 36 yrs (single)
 DAN, Ana, mother-in-law, 79 yrs.
 Calea Victoriei 4850 Ap. 85, Sc. B, Sector 1
 Bucharest

8. NAME: BUZNEI, Dumitru Cond. Entrant
 123 Lewis Street N.W.
 Vienna, Virginia 22180

PERSONS
 INVOLVED: BUZNEI, Ruxandra, wife
 BUZNEI, Nicoleta Levenia, daughter
 Cartierul Cribada, Bloc A4, Sc.2, Nr. 9
 Turnu Severin, Romania

9. NAME: CLADOVAN, Dumitru, Cond. Entrant
 50 West 89th Street
 New York, N.Y. 10024

PERSONS
 INVOLVED: CLADOVAN, Ana, wife 22 yrs.
 Str. Alunilor No. 10
 Resita, Gares-Severin, Romania 1700

10. NAME: DELIU, Constanta
102-16 Corona Avenue
Flushing, N.Y. 11368

PERSON

INVOLVED: DELIU, Francisc Catalin, son, 18 months old
Str. Pavat No. 20, Sc.C. et.II, Ap. 51
Bucharest 7

11.

11. NAME: DULGHERU, Magdalena
Hotel Latham, 4 East 28th Street
New York, N.Y. 10016

Persons

Involved: DULGHERU, Virgil, son, 26 yrs.
DULGHERU, Ioana, daughter, 24 yrs.

12. NAME: FANOUS, Anca, U.S. Citizen
102-55 77th Road Apt 3Y
Forest Hills, N.Y. 11375

PERSONS

INVOLVED: STOICESCU, Silvia, mother, 60 yrs.
STOICESCU, Valentins, sister, 33 yrs.
Str. Calusei No. 4
Bucharest

13. NAME: FRANGU, Dan U.S. Citizen
89-04 68th Ave.
Forest Hills, N.Y. 11375

PERSONS

INVOLVED: FRANGU, Rev. Traian, father
FRANGU, Stela, mother
Str. Mircea cel Batran No. 49
Ploesti, Romania

14. NAME: GABOR, Cornel M. Cond. Entrant
48-35 43rd Street Ap. 2B
Long Island City 11104, N.Y.

PERSONS

INVOLVED: GABOR, Vioara, wife, 27 yrs.
GABOR, Yvonne Laura, daughter, 2 yrs.
Str. Luterana No. 1, Et.II, Ap.11, Sector 7
Bucharest

15. NAME: GALDAU, Pandele Alien Resident
1713 Harman Street
Ridgewood, N.Y. 11237

PERSONS

INVOLVED: GALDAU, Marin, brother
Galdau, Dorina I., sister-in-law
GALDAU, Florian, nephew 5 yrs.
GALDAU, Valentin, nephew 3 yrs.

Address: Str. Bega No.10
Bucharest, Sect.6

15. continued: SIMPLACEANU, Elena, sister
SIMPLACEANU, Virgil, brother-in-law
Aleea Dumbravitei No. 3, Bl.18, Et.5, Ap.67
Drumul Taberei, Bucharest
16. NAME: GEORGESCU, Rada, Alien Resident
41-34 43 Street Apt.C-1
Long Island City, N.Y. 11104
- Persons
Involved: ANDREI, Elena, mother, 68 yrs.
DONCU, Constantin, son, 24 yrs.
Str. Gh. Serban No. 2, Bloc 80, Sc.2, Et.8, Ap.96
Bucharest
17. NAME: ISTODOR, Ecaterina, Comd. Entrant
50 W. 89th Street
New York, N.Y. 10024
- Persons
Involved: ISTODOR, Valentin, husband 48 yrs.
ISTODOR, Freda Gheorghe Victor, brother, age 25
Str. Arh. Sterian No. 9, Sector 3
Bucharest
18. NAME: IACOVACHE, Nina, U.S. Citizen
1365 York Avenue 17 E.
New York, N.Y. 10021
- Persons
Involved: MACEDONSCHI, Stefana, sister, 40 yrs.
19. NAME: KABADJAN, Ardases, U.S. Citizen
47-09 Skillman Avenue 5K
Sunnyside, N.Y. 11104
- Persons
Involved: ANDREI, Elena, niece, age 18 yrs.
Bul. Dimitrie Cantemir Bl. 18, Sc.2, Et.III, Ap.47
Sector 5, Bucharest
20. NAME: LERESCU, Romulus, Alien Resident
221 Third Street
Fairview, N.J. 07022
- Persons
Involved: LERESCU, Livia, daughter, 27 yrs. (single)
LERESCU, Constantin, son, 33 yrs. (single)
Str. Fildesului no.8
Bucharest
21. NAME: MARMARA, George, U.S. citizen
14-36 26th Avenue
Astoria, N.Y. 11102
- Persons
Involved: MARMARA, Alexandru, son
MARMARA, Niculina, daughter-in-law
MARMARA, Oresti, grandson
Blvd. 1 Mai 148, Ap.41, Sect.8
Bucharest

22. NAME: MUCICHESCU, Doina
c/o Liliana Delesnu
1011 Laurel Avenue
Knoxville, TN 37916
- PERSONS
INVOLVED: MUCICHESCU, Dan, husband, 41 yrs.
MUCICHESCU, Matei, son, 6 yrs.
Str. Dr. Alexandru Vitzu No. 23, Sector 6
Bucharest - R76226
23. NAME: MUNTEANU, Corneliu , Cond. Entrant
102-16 Corona Avenue
Flushing, N.Y. 11368
- PERSONS
INVOLVED: MUNTEANU, Gheorghe, father, 56 yrs.
MUNTEANU, Maria, mother, 51 yrs.
Str. Ho-Si-Min no. 13, Bloc C, Sc. D
Etsaj 3, Ao. 48, Sector 7 Bucharest
24. NAME: MUNTEANU, Ecaterina, cond. entrant
140 West 69th Street
New York, N.Y. 10023
- PERSONS
INVOLVED: MUNTEANU, Ion, husband, 48 yrs.
MUNTEANU, Ioana, daughter, 18 yrs.
Aleea Terasei No. 10, Bloc R 12-B Sc. 2
Etsaj I, Ap. 47 Sector 5, Bucharest
25. NAME: NAOD, Nistor , U.S. Citizen
183 Walnut Street
Patterson, N.J. 07502
- PERSONS
INVOLVED: NAOD, Magdalena, wife
Comuna Genei No. 598
Judetul Timis, Romania
26. NAME: NEAGOE, Cornel, cond. entrant
c/o Mr. Joseph Munich
5-28 47th Avenue
Long Island City, N.Y. 11101
- PERSONS
INVOLVED: NEAGOE, Emilia, wife, 26 yrs.
Str. Becatei No. 6A, Bloc Y 7, Ap. 125
Sector 4, Bucharest
27. NAME: NEDIN, Gheorghe U.S. Citizen
46-24 No. St. Louis Ave.
Chicago, Ill. 60625
- PERSONS
INVOLVED: NEDIN, Gheorghe, father 58 yrs.
NEDIN, Florica, mother, 52 yrs.
28. NAME: NEDELICU, Margareta
P.O. Box 19, Greenvale, N.Y. 11548
- PERSONS
INVOLVED: NEDELICU, Valentin, husband, 43 yrs. Address: Str. Dostoiev-
skii, no. 34, Cluj-
Napoca

29. NAME: NICHIFOR, Stela U.S. Citizen
89-04 68th Avenue
Forest Hills, N.Y. 11375
- PERSONS INVOLVED: RADUCANU, Panait Marian, brother
RADUCANU, Maria Elena, sister-in-law
Str. Nicolae Serban no. 12
Sector VII Bucharest
30. NAME: PEFRE, Angela Alien Resident
76-10 34th Avenue A.C. 4 R
Jackson Hts., N.Y. 11372
- Persons Involved: GUGIU, Aurelia, sister-34 yrs.
GUGIU, Marian, brother-in-law
GUGIU, Cristian Paul, nephew 6 yrs.
Str. Velea lui Mibai 3, Bloc T.D. 14
Et. VII Ap 47 Sector 7
Brumul Taberei, Bucharest
- IONESCU, Virginia, cousin
IONESCU, Richard Alexandru, cousin's son, 10 yrs.
Str. Ausbrului 4 Scara B
Sector 2, Bucharest
31. NAME: REZNIC, Stefan Alien Resident
P.O.Box 311 Amityville, N.Y. 11701
- PERSONS INVOLVED: REZNIC, Anton, father 58 yrs.
REZNIC, Ana Pietraru 44 yrs.
REZNIC, Paris Emanuel, step-brother 11 yrs.
REZNIC, Carmen Luminita, step sister 9 yrs.
17 Salciilor, Tulcea, Romania
32. NAME: ROGU, Iosanna U.S. Citizen
62-11 79th Street
Middle Village, N.Y. 11379
- PERSONS INVOLVED: TOPAN, Gherghina, cousin, 38 yrs.
TOPAN, Mircea Leontin, cousin's husband 42 yrs.
TOPAN, Simona, cousin's daughter, 11 yrs.
Str. Otesanu No. 2, Bloc OD-53 A
Ap. 33, Et. 8
Sector 2, Bucharest
33. NAME: SREDOIEV, Vasile, Alien Resident
691 Tenth Avenue
New York, N.Y. 10019
- PERSONS INVOLVED: SREDOIEV, Sofia, wife, 48 yrs.
SREDOIEV, Iadrance, daughter, 20 yrs.
SREDOIEV, Gabriel, son, 14 yrs.
Comuna Rudna, Jud. Timis, No. 3
Romania

- 34 NAME: Tecu, Elisabeta - Cond. entrant
32-60 34th Street
Astoria, N.Y. 11106
- Relatives: Tecu, Ilie, husband, 39 years
Cartierul Craiovița-Nouă, Bloc 15,
Școara 1, Apt. 14
Craiova-Romania
- 35 NAME: VOLONGI, Ion, Alien Resident
50 West 89th Street
New York, N.Y. 10024
- RELATIVES: VOLONGI, Cristina - wife
Str. Trubadur No. 18, Bloc 2 A, Apt. 47
Timisoara, Romania
- 36 NAME: ZELTER, Elena - U.S.A. citizen
47-50 41st Street
Long Island City, N.Y. 11104
- RELATIVES: CZANK, Margareta, sister - 48 years
CZANK, Carol, brother in law, 48 years
CZANK, Carol Jr. nephew, 23 years
CZANK, Cristina-Elena, nece - 14 years
Str. Burdujeni No. 3, Bloc 13 A, Școara 7, Apt. 81
București - Sectorul 4.-
- 37 NAME: IONESCU, Maria Carmen: U.S. Citizen
50 West 89th Street
New York, N.Y. 10024
- RELATIVES: SALVETIU, Lucian - brother: 46 years
" Iuliana-Susana, sister in law - 37 years
" Lucian-Marinel, nephew 21 years
" Viorel-Tudorel, " 16 years
" Gelu, " 14 years
KONDACI, Iudit, mother in law 60 years
COMUNA : Semeac, 1171 - Jud. Arad - Romania
- 8 NAME: Florian M. Galdau - U.S. Citizen
50 West 89th Street
New York, N.Y. 10024
- PERSON INVOLVED: BUICAN, Alexandru - 26 years
Str. Banu Antonache No. 71, et. II, Apt. 11
București - Romania
- 9 NAME: NICULESCU, Genovica, Cond. entrant
45-35 44th Street
Sunnyside, N.Y. 11104
- RELATIVES: NICULESCU, Radu Sr. husband
" " Jr. son - 13 years
" George " 11 years
HidroCentrale LĂTRU- Com. Voineasa - Jud. Vâlcea

- 40 NAME: STANESCU, Stefan N. U.S.Citizen
13763 Caldwell
Detroit, Michigan 48212
- RELATIVES: STANESCU, Mihail, brother
STANESCU, Ileana, sister in Law
Str. Lezăr Seinesu No.3
Bucuresti- Romania, Sector 7
- 41 NAME: DUMITRESCU, Ilie (M.D.) Conditional Entrant
C/O Mr. Rudolph Nyary
32-05 Newton Avenue, Apt. 5C
Astoria, N.Y. 11102
- RELATIVES: DUMITRESCU, Alexandra-Suzana, daughter : 14 years
" Anca - daughter : 12 years
C/O Doamna Josefina Christodulo
Str. Drobets No.19 A, et. IV, Apt. 15
Bucuresti- Sect. 2, Romania
- 42 NAME: MARMUREANU, John (Rev.) U.S.Citizen
2100 John White Road
Hubbard, Ohio
- RELATIVES: MARMUREANU, Georgeta M.D. Daughter, 29 years
Comuna Bălteni, jud. Vaslui - Romania
- 43 NAME: IONESCU, Vlaicu (Prof.) U.S.Citizen
15 Vermilyea Avenue
New York, N.Y. 10034
- RELATIVES: TEODORESCU, Tudor - 28 years, nephew
Str. Gantemir No.15
Cluj-Napoca 3400 ROMANIA
- 44 NAME: IONESCU, Elens : U.S.Citizen
171 West 71st Street, Apt. PTH
New York, N.Y. 10023
- RELATIVES: IONESCU- IARU, Mihaela - 34 years
(daughter)
Str. Colaborării - No.2, Scara 3, Apt. 6
1900 Timisoara - Romania
- 45 NAME: GHITULESCU, Valentin, Conditional Entrant
39-15 14th Avenue - Brooklyn, N.Y. 11218
- RELATIVES: GHITULESCU, Mariens - wife - 30 years
" Beatrice- Cristina - daughter - 5 years
Str. Verdeței No.7 - Sect.4, București- Romania

- 46 NAME: MARANDIOI, Constantin - Cond. Entrant
6713 West Clinton
Cleveland, Ohio 44102
- RELATIVES: MARANDIOI, Olivia - wife
Aleea Compozitorilor No.5 ,Bloc G9,et.III,Apt.20
Bucureşti- Sect.6,Romania
- 47 NAME: URSU, Gavriil (M.D.) U.S.Citizen
333 East 30th Street,apt. 7F
New York,N.Y. 10016
- RELATIVES: URSU, Lucian-Ion - son
Str. Brediceanu No.4
Timişoara - Romania
- 48 NAME: GOLOPENTIA, Dan - permanent resident
200 Lower Creek Road
R.D. No.7 Apt.12
Ithaca,N.Y.14850
- RELATIVES: GOLOPENTIA- ERETESCU, Senda - sister - 35 years
ERETESCU, Constantin - brother in Law - 35 years
Aleea Băniţ No.3, Bloc D 14 , et.IV,Apt.9
Bucureşti 77438, Romania
- 49 NAME: DEW, Joseph (Prof.) U.S.Citizen
University of the District of Columbia
929 East Street,N.W.Room 618
Washington,D.C. 20004
- FRIEND: MOLDOVAN, Vladimir - student
U.S.Embassy
Bucharest- Romania
- MOLDOVAN, Cornelia - student
same as above

The Very Rev. Florian M. Geldau
Chairman

July 17, 1979, New York N.Y.

For the past few years, in one case as many as eight, the following U. S. citizens and residents have been attempting to bring their Romanian relatives to the U. S. A. to join them. Many have INS approval for entry; none was able to secure Romanian Government approval for their exit papers.

1. Dr. AUSTRIACU, Stefan-Dan-Radu, of 50 West 89 Street, New York, NY 10024 left Romania in 1977 and arrived in the U.S. March 28, 1979 as Conditional Entrant. His wife, Maria, 52, daughter, Garsen and son, Octavian stayed in Romania and applied for passports in October 1978. Dr. Austriaeu's wife was called to the People's Council of Sector 3 in Bucharest in December 1978 and advised to divorce me and renounce leaving Romania," he said. (The People's Council is the local Soviet organization). "My daughter Garsen was summoned to the local Party of her Institute and advised to withdraw her passport and visa application. When she refused she had to return her Communist Youth I. D. card. All teenagers and students must belong to the Youth Organization, although she has never belonged to the Communist Party. When she refused, she was fired.

"The Senate of the University of Bucharest called my son last March and asked him to stay in Romania. After he refused they wanted him to pay 35,000 lei to reimburse the State his three years at the Faculty of Medicine. Right now, neither I nor my son can refund them this sum. This past April 11 my family's application for exit papers was denied. They live at Blvd. Republicii 179, apt. 2, Bucharest, Sector 3.

"My request for a reunion with my family is based on human rights and especially the Helsinki Agreement and the Declaration of Human Rights signed and ratified by the Communist Government of Romania."

2. MUCA, Andrei, of 47-50 41 Street, Long Island City, NY 11104. For six years he tried to bring his wife, Cornelia, 59, here; also his son,

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Andrei, 25, and mother-in-law, DAN, Anna, 70. They live at Calea Victoriei #48-50, Apt. 85, So. B., Bucharest. Mr. Buna has a good job and can take care of them. Any help from the Committee would be welcome.

3. BILIUȘ, Marin, 833 President St., Brooklyn, NY 11215 is a political asylum refugee. INS approved his petition October 20, 1978. He is 32 and works at Standard Brands, 625 Madison Avenue, New York, NY. On March 2, 1979 the Romanian Embassy at Washington asked him to get in touch as otherwise they won't send him his request to renounce his Romanian citizenship. He is trying to bring his wife, Delia, 30, and son, Cristian Emanuel 3, here. They live at Str. Brezoianu #14, apt. 1, Sect. 7, Bucharest.

4. Rev. FRANGU, Treian., and his wife, Stela, of Str. Mircea, Cel-Batran, #49 Ploesti, Romania, a retired priest has tried to join his son, Dan FRANGU, of 89-04 68 Ave. Forest Hills, NY 11375, a U. S. citizen for years. Last time their exit papers were refused was March 1979.

5. KALADJIAN, Ardashes, a U. S. citizen, of 47-09 Skillman Ave. #5K, Sunnyside, NY 11104 is seriously handicapped, a senior citizen with both legs amputated. For five years he tries to bring his niece over. ANDREI, Elena, of Blvd. Dimitrie Cantemir, bloc 18, sc. 2, et. 47, sec. 5, Bucharest, even for a short visit.

6. NICHIFOR, Stela, Miss, of 89-04 68 Ave., Forest Hills, NY 11375, U. S. citizen, tries to bring her brother here, RADUCAUNU, Marian Pansit and wife, Maria Elena, of Str. Nicolae Serban #12 sec. 7, Bucharest. They applied in March 1978 and in September the same year he was dismissed from the Party when he refused to withdraw his request. Both are unemployed since a year and a half. The U. S. Embassy in Bucharest

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- gave him clearance as a former Party member on March 1979.
7. NAOD, Mistor, of 183 Walnut St., Paterson, NY C7502, a U.S. citizen, tried to bring his wife, Magdlena here, of Com. Genei #598, Distr. of Timis, Romania.
8. REZNIC, Stefan, P. O. Box 311, Amityville, NY 11701, is one of the few very successful Romanians in this country. Since three years he tries to bring his family over. His father is Anton Resnic, his step-mother, Ana, nee Pietraru, his brother, Paris Emanuel, 11, and sister, Carmen L., 9, all of Str. Salciilor-Tulcea, Romania. He says that "On July 1978 I sent my application to renounce my Romanian citizenship to the Romanian Embassy in Washington and by August 29 of the same year I got confirmation of receipt. The Embassy telephoned me several times that they wanted to see me but I refused. So far I have not heard anything from them."
9. Mrs. ZELTER, Elens, U. S. citizen, of 96-10 57 Ave. #9B, Rego Park, NY 11368 has tried for eight years to get her family here. They are: CZANK, Margareta and husband, Carol, both 48, nephew, Carol, 23, and niece, Cristina Clara, 14. INS Distr. of New York approved their application since August 27, 1976.
10. BULBOAGA, Mihail, U. S. citizen, tries since two years to bring his brother and family here. They are: Alexandru Florin and wife, Natalia, and niece, Julia, 11. After their application for exit papers was accepted in August 1978 the head of the family, a good engineer, was asked to resign from his job if he was to get their papers. Two weeks after he resigned in April 1979 he was threatened with arrest on vagrancy charges. The Government refused to offer him another job. To avoid arrest, friends offered him a designing job at night.

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11. GRABEL, Lucian, of 255 West 90 Street, #60, New York, NY 10024 left Romania with help from the U.S. Embassy in Bucharest and arrived here two years ago. He had refused to sign the oath of allegiance to the Party on the basis of the 1975 law, which all citizens had to sign, regardless of political affiliations. His father remained, his only relative in Romania. None of his letters to him were delivered. He wrote to the Romanian Post Office, protesting the disappearance of his letters. He got no reply. Every last Saturday of the month he telephoned his father. The Security tapped the calls and told the father to stop them. They arrested, beat and tortured him.
- "After his release from jail my father and I talked again on the phone. A Security man arrived. When he saw him, my father suffered a cerebral hemorrhage, got no help, and died.
- "My father was a member of the National Peasant Party. In 1964 he was elected Prefect (Governor) of Dolj District. Afterwards he was arrested four times and sent to prison without trial for seven years. Even there my father continued his anti-Communist activities. Our country has much talent, but few characters like my father. He taught me the history of Romania, and how to be a MAN in the true sense of the word.
- "He was a national hero, among many unknown heroes who died for their struggles against Communism. When in one of our last conversations I invited him here, as many children invite their parents, he didn't want to hear of it. He said, "You did not leave Romania of your own choice and you have to struggle on against the Communists. Stay there and fight as I will stay here and fight. I hope you will not bring shame to your country or to me. I stayed here when it was good, now I must stay when it is bad." "My father was 68 when he died, happy to die for the Romanian people. He was one of the bravest men I knew. May God rest his soul."

12. GALDAU, Marin and wife, Dorina and nephews, Florian, 5 and Valentin, 3, of Str. Bega #10, Bucharest, Sect. 6. The above is my nephew and shouldn't have had any problems to join his brother and parents here. When he applied for his papers, he was especially harrassed.
13. SIMPLACEANU, Mrs. Elena and husband, Virgil, my niece, of Aleea Dumbrevitei #3, Bl. TB, Et. 5, Apt. 67, Drumul Taberei, Bucharest. Both work at the Institute of Atomic Physics of Bucharest as scientific research engineers and never intended to leave Romania. Three years ago the Government began to bring pressure on them to write and ask me to stop my activities here on behalf of the Romanian refugees. Since then the Security has harrassed them and made their lives miserable. Their exit papers were twice denied.
14. DRAGAN, Mrs. Doina, a U. S. citizen, of 10 Tall-Cock Rd. Sparta, NJ, 07871, got INS approval June 30, 1978 for her parents, HABILAS, Emil and Valeria nee Ionescu, of Str. Toamnei #87-89, Sec. 2, Bucharest. Both parents are retired and Mrs. Dragan is able to take care of them. Several applications were refused.
15. DR. URSEU, Gavril, a U.S. citizen, of 333 East 30 Street, #7F, New York, NY 10016, wants to bring his son, Lucian Ion, here, of Str. Brediceanu #4, Timisoara, Romania. His son was not permitted to fill out the passport application forms and asked to give up emigrating. When he refused, he was asked to pay 60,000 lei or about \$10,000 as a ransom for his State education. Since there are many similar cases as the above described, we feel this is proof enough of the lack of good will on the part of the Romanian Government and that's why we request the termination of the Trade Agreement, between U.S.A. and Romania.

The Very Rev. F. M. Galdau
Chairman

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June 19, 1979

Statement to the Hearing of Thursday, July 19, 1979
on Waiving of the Jackson-Vanik amendment for
Romania

My name is Gabriela Michelle Isac, I live in New York State, 819 Route 9W Nyack, New York. I am an American citizen, married, resident of New York State since 1970. In 1970 I requested from the Romanian Embassy approval to renounce to my former Romanian citizenship, request which was granted in 1973 by the State Council of the Republic Socialist of Romania, Decree No. 333 of June 1973.

I would like to express my deep concern with regard to the freedom of travel and emigration in Romania, which seems to be denied to some of those who wish to join their relatives in West countries. I would like to make particular reference to my sister, Victoria Gatulescu who for the last two years has been denied a travel document by the Romanian authorities. She is 28 years old, single, was never involved in classified work and has no outstanding debts. She is entitled to apply for US immigrant visas as soon as is issued a passport, however, there have been repeated denials of her requests for passport. There is no reason for this denial, and no reasons are given in the rejection notices which she has been receiving for the past two years. I strongly feel that this is an abuse which should be corrected, and I am sure that the Roumanian authorities could be made to understand that freedom of emigration and respect for human rights are indeed the foundation upon which our country is willing to build economic relations. There should be freedom of choice for everybody who is eligible to leave Romania, not for a selected few. They must understand that our nation prides itself in helping to secure the human rights of all men.

Therefore, I respectfully request that the Jackson -Vanik amendment not be waived until the Roumanian government shows its good faith in allowing issuance of passports to those who have requested to be allowed to leave. I am confident that the decision which will be taken here today will be instrumental in securing the best way for my sister and all other Romanian hostages to achieve their right to freedom.

I would like to ask you to inquire on my sister's present status and request the REASON for denial of her passport. She is A. P. Victoria Gatulescu, residing at St. Macaralei No. 6, Bloc M. 27, Sc. 2, Apt 23, Titan, Bucharest. Perhaps your inquiry will receive an answer - My telegram to the President Nicolae Ceausescu requesting the reasons for her being denied a passport has remained unanswered to date...

Would you please make this statement part of the record.

Thank you.

Submitted by Gabriela Michelle Isac
819 Route 9 W
Nyack, New York

On behalf of Victoria Gatulescu
Str. Macaralei No. 6
Bl. M.27, Sc. 2, Apt 23
Titan, Bucharest