

On 09 March 2018, I attempted to cross the Hungarian-Romanian border at the Ártánd-Bors border check point at 12:44 CET, together with a Swiss-Hungarian friend. After checking our ID cards, the Romanian border guard asked us to pull over to a nearby administration facility, where he informed me that I was barred from entering Romania. My friend could pass, but I would need to return to Hungary. In response, I requested them to clarify the legal grounds for my entry refusal. I repeatedly asked the officers to provide information on the specific decision - either a court judgment or administrative ruling - which stipulates my entry ban, as well as the name of the public institution making the decision. These terms are required by the government ordinance no. 102/2005, invoked in the document handed to me on sight. The border guards refused to answer, but they made it clear multiple times that they “received a high-level order from Bucharest” not to allow me into the country. The refusal of my entry came one day prior to the largest public demonstration, the Day of Szekler Freedom, held each year in Szeklerland, calling for more regional decision-making competencies and protesting the planned administrative reform of the central government, aimed at altering the proportions of the population in areas inhabited by the Szekler community, with a view to restricting the enjoyment of their minority rights.

I have no criminal record. I enter Romania on a regular basis, and I have never violated the laws of Romania. Given the circumstances of my entry refusal, I have a reason to believe that this decision was politically motivated and comes as a response to my international minority rights advocacy work I carry out on behalf of the Szekler community, as well as to my participation in, and role of assisting the organizers of the Day of Szekler Freedom demonstration. Despite constitutional guarantees, public authorities have consistently tried to restrict the Szekler community’s right of peacefully assembly through prior restraints on and sanctions and penalties imposed during and after this annual event.

My entry ban violates the domestic laws of Romania and its international obligations stemming from several treaties ratified by Romania. It violates in particular my right as an EU citizen to move freely within the EU's internal borders. Imposing an unlawful entry ban on a law abiding citizen of another EU member state calls into question Romania’s willingness to implement EU law, including among others the *European Parliament and Council Directive of 2004/38 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States*. Furthermore, preventing me from attending the Day of the Szekler Freedom event violates my fundamental rights and freedoms, including my rights to freedom of speech and expression and of peaceful assembly, guaranteed by international and regional human rights treaties and the EU Charter of Fundamental Rights.

I will surely seek legal remedy for the unlawfully imposed entry ban, as well as continue with my minority rights advocacy work, and I aim to return to Szeklerland as soon as possible.

DABIS Attila, Ph.D.

Foreign Affairs Commissioner

Szekler National Council

Budapest, 2018.03.10.

Emergency government ordinance no. 102/2005 on the free circulation on the territory of Romania of the citizens belonging to the Member States of the European Union, of the European Economic Area and of the citizens of the Swiss Confederation.

A region of central Romania, home of the Szeklers, a Hungarian speaking regional community in southeast Transylvania, Romania.

The planned administrative reforms, which would merge three counties with substantial Szekler-Hungarian population (Harghita/Hargita-82.9%, Covasna/Kovászna-73.79% and Mureş/Maros-38.09%) into a larger administrative region (together with overwhelmingly Romanian Alba, Sibiu, and Braşov counties), in which the proportion of Szekler-Hungarians would drop below 30%.

This includes the Treaty between the Republic of Hungary and Romania on Understanding, Cooperation and Good Neighbourhood; the Treaty on the Functioning of the European Union, and several other international and regional human rights treaties ratified by Romania.