

Open Letter to Mr. Markku Markkula, President of the Committee of the Regions

**Dear Mr. President!**

On their joint sitting the Transylvanian Hungarian National Council and the Szekler National Council posed two important questions to the Committee of the Regions and to you personally, regarding the regional policy of the European Union.

1. The European Union has several regions and geographic units with no administrative competences that are distinguishable from their neighbouring areas, due to their national, linguistic and cultural characteristics. The national communities that form a local majority, or are present there in substantial number but are in minority in the member state itself and are therefore treated by the state as a minority, are keepers of old European cultures and languages and are significant sources of the cultural and linguistic diversity of the EU, and in a broader sense of Europe.

In 2013 a group of European citizen`s started a citizens initiative entitled, Cohesion policy for the equality of the regions and sustainability of the regional cultures, with the purpose to achieve that the „cohesion policy of the EU would pay special attention to regions with national, ethnic, cultural, religious or linguistic characteristics that are different from those of the surrounding regions”.

The European Commission rejected this initiative on the grounds that it „manifestly falls outside its competencies to propose a legal act of the Union for the purposes of implementing the treaties”.

In order to underpin his arguments, the Commission engaged in a unique interpretation of the Treaty on the Functioning of the European Union, and formulated numerous assertions on the cohesion policy of the EU that are obviously flawed. Consequently, the initiators turned to the General Court of the European Union asking it to annul the Commission’s decision, and to oblige the Commission to register the initiative. The lawsuit is being conducted and we are waiting for the decision of the Court.

**Dear Mr. President!**

Regardless of the outcome of the lawsuit, bearing in mind the provisions of the Treaties we think that the jurisdiction of the Committee of the Regions was violated on two counts. Firstly, during the drafting of resolution 211/2011 on the European citizens` initiative, which neglects the advisory role of the Committee, and secondly, during the above mentioned lawsuit, where the European Commission, has interpreted provisions on regional policy in an arbitrary manner, again without asking the advice of the Committee of the Regions.

**Bearing all these in mind Mr. President we would like to ask you to invoke Art. 263 of the**

### **Treaty on the Functioning of the European Union and turn to the European Court of Justice in defence of the prerogatives of the Committee of the Regions. □ □**

2. 53 of the municipalities of Szeklerland, a territory located in the middle of Romania, have so far turned to the government and the Parliament of Romania, with the request to enable the 153 municipalities of Szeklerland to form one unified administrative unit. They request this administrative unit to be called Szeklerland, and to be provided with an autonomous status, in order to administer their own affairs, to protect the identity of the autochthon Szekler-Hungarian population, and to ensure that their mother tongue, Hungarian, is recognized as an official language, parallel with the official language of the state. The municipal resolutions, containing these requests have been forwarded to the Council of Europe, to the European Union's Committee of the Regions, as well as to the Human Rights Council of the United Nations. A prequel to these resolutions was that Romania stands before an administrative reorganization, and even though the government has committed herself, to respect the international commitments of the country, according to their plans Szeklerland would be incorporated into an administrative region in which the proportion of Hungarians constituted only 29% of the population, whereas in Szeklerland their proportion is 75%. These plans violate the provisions of both the Framework Convention for the Protection of National Minorities, as well as the European Charter for Local and Regional Languages.

These plans of the government are also in contradiction with the cohesion policy of the EU. The above described planned region, which consist of 6 existing counties, is also one of the 8 NUTS II regions of the country. Resolution No 1059/2003 on the establishment of a common classification of territorial units for statistics stipulates that the creation of NUTS units has to take into consideration such relevant criteria as geographical, socio-economic, historical, cultural or environmental circumstances. The NUTS regions are tools for the implementation of the cohesion policy of the EU, which should not be used as a weapon against the peoples of a country who possess a language and culture, other than that of the majority of the state. As a matter of fact, Resolution No 1059/2003 stipulates that, NUTS regions must reflect economic, social, historical, cultural, geographical or environmental circumstances. It was due to this article that South-Tyrol, Valle d'Aosta, Friuli-Venezia Giulia, Corsica, Sardinia, Catalonia, Basqueland, Galicia, Friesland or Bretagne could become one unified NUTS II region. Romania is the only country which neglected the historical, cultural, and geographical circumstances and which forced Szeklerland into a region where it constituted less than 30% of the population. Similar conduct was performed with regards to Hungarians living in the westernmost parts of Romania, in the Partium region. The current administrative plans of the government would further exacerbate the situations of Hungarians living in Szeklerland and Partium. Instead of establishing the new administrative borders in the spirit of the above documents, and adjust the borders of the NUTS regions accordingly, the government wishes to give administrative competencies to the existing NUTS II regions, which it had established in violation of the provisions of Resolution No 1059/2003, and wishes to terminate the historically, culturally, and linguistically unified regions of Szeklerland and Partium.

The quoted EU regulation also states that NUTS regions should not be altered too often, they should remain stable over time. However, the administrative reorganization of the country is a good chance to mend the above outlined deficiencies, and bring forth a new NUTS II division, in which social cohesion, solidarity among the population, and linguistic-cultural-social- and historical unity prevails, and not the assimilationist aspirations of the Romanian government.

**Bearing all these in mind we ask you Mr. President, to present this topic to the Committee of the Regions, discuss the mentioned resolutions of the Szekler municipalities, give an opinion on them, and follow the developments of the administrative reform in Romania.**

Marosvásárhely/Târgu Mures, the 3rd of June 2015

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