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CZECHOSLOVAKIA

Referendum on Constitution Urged

90CH0383A Prague LIDOVA DEMOKRACIE in Czech
17 Aug 90 p 1

[Article by Dr. Stanislav Myslík: "On Constitutional Structure"]

[Text] The trip of five Czech representatives of the Federal and Czech Governments and the Office of the President to meet with two representatives of the Slovak Government in Trenčianske Teplice obviously had a high purpose—to prevent a breakup of the state. The acute danger of a breakup stems mainly from the separatist efforts of a part of the Slovak representatives. The results of the negotiations in Trenčianske Teplice could be perhaps welcome if they were definite. The Federation is to be retained even though the jurisdiction of the Federal Government will be reduced to only elementary functions. The breakup of the state would have, in addition to serious political and foreign policy consequences for both republics, enormous economic repercussions. The separation of the thus far uniform economy could be the greatest blow to our economic plans, particularly after the disruption of our foreign trade—oriented 60 percent toward the USSR and the GDR—after the oil shock and the growing chaos in our industry and increasing inflation.

A certain realism prevailed among the participants in the negotiations at the small table in Trenčianske Teplice. Nevertheless, some questions come urgently to mind.

First of all, the question to what extent this meeting was representative, and whether it really was a "meeting of three governments". Premier Čalfa participated only in part of the negotiations, the vice premier of the Slovak Republic, Dr. Carnogurský, was not present. The public knows nothing about whether the seven-mentioned politicians were sent to the meeting by their governments or whether they went on their own initiative. The Slovak participants accepted the principles which at first glance appear to retreat from the previous demands announced by the Slovak Government as well as by the Slovak National Council, not to mention the nationalist parties, and which were directed at the very least toward some kind of confederation with the Czech Republic, if not at secession. The question is whether the accepted principles will be accepted by the Slovak National Council, the Czech National Council, and by the Federal Assembly which were not represented at the meeting.

The slogan "only strong national republics will create a strong federation" is a contradiction. It is clear that the more jurisdiction the republics reserve for themselves and the less they grant to the federation, the weaker the federation will be. Let us admit that the dismantling of the federation has already begun and is to be speeded up. The so-called branch ministries are supposed to cease to exist and in the future all economic branches are to be directed by the republics. That is difficult to imagine in

certain branches, for example in transportation, communications, or energy, in the chemical and pharmaceutical industry, etc. The federation is to live on previously agreed upon portions of some taxes—how much that would be nobody knows—while the Army, the federal police force, foreign service, currency, etc., would cost a lot of money everywhere.

The premier of the Czech Government stated that the Slovak side showed more initiative and that the Czech Government does not oppose that initiative. That has been true now for quite a long time, and the Czech public is already quite angry about it. Maybe it is because there is no nationalist party in the Czech Republic, maybe it is because here we still do not realize the extent and the depth of this problem since even the press deals with it only marginally. The Czech political representatives should have their own program and push it. It can be a program totally identical or similar to that of the Slovak representatives, but it must finally be formulated because in Slovakia they know what they want, whereas Czech policy only "does not oppose".

Eventually the Trenčianske Teplice principles are to be discussed with the coalition partners and with the legislative bodies. But among the political forces are also those which are not in any coalition and which are perhaps not even in any parliament.

And last, there is the question of whether the authors of our future constitution know what is the actual will of our citizens. Nobody knows precisely what real support the Bratislava views have, for example, in Košice or in Komárno, or the Brno views, for example, in Ostrava or in Olomouc.

The constitution is, besides economic development, the most important unresolved issue of today's Czechoslovakia. It affects every citizen no matter where he lives. It is a question so serious that it should be subjected to a general referendum, particularly in Slovakia, particularly in the Czech lands. Every citizen has the right to state whether he wants to live with the other nation in a federation of roughly the present form, in a confederation which is being de facto planned, or in an independent state in a loose union with the other state. An absolute majority would decide on one of these solutions and the minority, including the extremists, would have to accept it. Only if the will of the majority in both republics is in accord would it be possible to formulate the adopted constitutional structure in constitutions.

Our parliaments and our constitutional authorities would then know with certainty the people will in resolving this fundamental state problem. At present they cannot be certain about it.

A referendum, or a plebiscite, is the usual method of deciding the most important issues in democratic countries. It carries the risk that a lot of time and energy would be lost, the cost would be considerable, and most of all, it could foster a surge in nationalism. But a referendum would remove all doubts and would rid us of

the trauma of endless discussions about constitutions and of growing tensions. Nationalism is already here anyway, as it is in all of Eastern Europe and the Balkans, and limiting to political groups the discussion on how this state should look in the future will probably not halt it anyway.

The Trencianske Teplice proposals are the beginning of a great discussion which in Slovakia has already begun, in some places even in a very militant way. This discussion should include the consideration of arranging a referendum about the future structure of our state.

HUNGARY

POW Held in USSR for 46 Years Returns Home

History of Captivity Recalled

25000767A Budapest TALLOZO in Hungarian No 27, 6 Jul 90 p 1272

[Article by Istvan F. Takacs, originally published in MAI NAP on 28 Jun 90, page not given: "46 Years as a Soviet Prisoner of War; Like Moric Benyovszky, He Escaped From Everywhere; He Could Have Been at Home in 1949; He Was Regularly Exiled to Minusinsks"]

[Text] After 46 years as a prisoner of war, Antal Kulcsar returned from the Soviet Union on Tuesday by way of a regular MALEV flight from Moscow. This "achievement" fits into the Guinness Book of World Records. The 67-year-old modern Moric Benyovszky [world traveler Count Benyovszky (1741-86) who was captured by the Russians in 1769. He staged an adventurous escape from Kamchatka] arrived with two satchels in his hands. This is his entire "inheritance" he brought home from the empire.

He came home to the unknown. After all, ever since [Regent] Miklos Horthy, he did not know most of the time who the country's first man was. Perhaps only one of his relatives is still alive. He heard that his younger brother had served as military attache in Vienna. But yesterday the Foreign Ministry received information to the effect that during the past few decades they have not heard of an officer with that name in Austria, and thus Kulcsar must continue his search for the brother he hopes to find. The Hungarian Maltese Charity Service took uncle Tony [Kulcsar] under its patronage; they provided him shelter and are helping to help him find his way around Budapest. Indeed, such guidance is needed, because otherwise he would have had difficulty in finding the Foreign, Defense, Welfare and Interior Ministries where the aged man was received with love and with an intent to help. Perhaps the 20,000 forints he received from the Ministry of Welfare will suffice until the case is settled. The world traveler's final destination is Nyiregyhaza where he would like to spend the rest of his days. And most certainly, he will have to recite the lengthy story of his imprisonment several times:

"I completed the Ludovika [military academy] as a first lieutenant in the air force, and served at the Ungvar [Uzhgorod] airfield. I fell captive on 18 August 1944. They took me to a camp in Kraganda, Kazakhstan, together with German, Japanese and Finnish soldiers. I escaped from there in March 1948, but I could no longer tell you on which day; this was a long time ago. I got as far as the Lower Carpathian region, all the way to the Hungarian border. There the border guards captured me and took me to Ungvar. After investigative detention and presentation to the court I was sentenced to two years."

In the Center of Siberia

"They took me to the other side of the world, to the Chukotski Peninsula where the air warms up to minus 40 degrees if the weather is good. After completing my sentence they designated the city of Minusinsks in the center of Siberia as my mandatory place of residence. I once again escaped in 1955, but at that time I did not even reach the border. I was captured on the way. I was sentenced to five years but I served only three years and two months, and I was once again returned to Minusinsks.

"I went to Latvia, and in 1961 I escaped once again. I wanted to reach Sweden, because relatives of my parents live in Malmö. Members of an organization called Erdei Brothers ["Erdei Testverek"] who fought against the Soviets during the war and who were active in the underground concealed me and provided help. They purchased a rubber boat for me and equipped it with a motor, and this is how I got on my way on the Baltic Sea. I was caught during the initial part of the trip, even though I also had oars so that the border guards would not detect the motor's noise. They let the boat float away in the water and confiscated the motor, although it is true that they paid for it. I spent one day at the border guard station, then the KGB took me to Riga. There they locked me up in an insane asylum for 10 days. The court sentenced me to serve 10 years as a notorious offender who commits crimes against the state.

"I spent the first three years at the prison in Vladimir. Fate brought me together there with Aleksandr Solzhenitsyn. But I also escaped from that place. A 50 meters [wide] river flows under the city, and a canal leads to that river from the prison. I reached the river banks by crawling and sliding through that canal. I swam across the water, I was on my way for two weeks. On the way I ate whatever I found, or what I received from well-intentioned people. But they caught me at the first railroad station and an additional year was added to my sentence."

Across the Amu Darya

"My term expired in 1968, and I was once again taken to Minusinsks. After two years I escaped to Uzbekistan, from there I reached Afghanistan across the River Amu Darya. I hoped to get back to Hungary by way of the

British Embassy in Kabul, but the Afghans captured me and returned me to the Soviet Union. The Tashkent court sentenced me to another 10 years in prison, after which the KGB took me to the Lower Carpathian region by airplane. Although I never requested such a thing to happen, at that place I received Soviet citizenship as a homeless person who has resided in that country for 15 years. Well okay, so be it, they gave it to me! After six months I once again started out toward the border, but once again I got only as far as Beregszasz [Beregovo—USSR]. I spent my next three year sentence in Lvov, thereafter, in 1984 they returned me to Minusinsks.

“By then, the Ukrainian woman who was my wife, and who had been exiled to the same place, was no longer alive. Although we met in 1951, we spent very little time together because I escaped all the time. She died in 1983, we had no children, thus I have left no one behind.

“In the course of the years I sustained myself by performing occasional work. I worked on construction projects as long as I was able to do so. Once I grew old I became a street sweeper, I received 120 rubles per month for that work, that’s how I made a living. They gave me an apartment which I furnished modestly.

“The year before last I once again started out toward Hungary. I boarded a train without permission in the direction of Moscow. But they took me off the train in Achinks, near Krasnoyarsk and ordered me to return. This occurred on 12 April, but I once again escaped on 27 May, and at this time I succeeded in reaching Moscow. On 2 June I paid a visit to the Hungarian Embassy. Chief Consul Pal Fabian listened to my story and promised that he would help me to return home.

“Well, thereafter the events accelerated. In Minusinsks I had to wait a mere two years for Mr. Fabian’s response. It arrived on 12 June of this year. On the following day, with the help of an airplane ticket purchased by the KGB, I found myself in Moscow, and at this time no longer as an escapee! I only had to wait for permission from the Soviet Foreign Ministry before I was able to board a plane for Budapest on Tuesday, at last after 46 years.”

Home, Nyiregyhaza

“I never believed I would see this day. It took very much patience and endurance for me to survive all the things I experienced in the course of the years. Had I not escaped from the prisoner of war camp in 1948, I could have been home with the rest of my fellow soldiers in 1949. It was at that time that I made the greatest mistake in my life, because from then on they treated me as a fugitive, and they punished me, punished me and punished me.... Although it is also true that basically they regarded me as a prisoner of war and observed the international requirements in my regards. They did not hurt me, they only punished me. It was their goal that I acquiesce in my fate, surrender everything and stay in the Soviet Union as a result of so many years in prison. But I was not

willing to do so, I always wanted to come home, and I did everything in order to get home. And this time I succeeded, at last.

“It is unreal how many things changed in Budapest. I would not find my way back even from the next street, unless someone accompanies me. I received a promise at the Ministry of Defense that they will once again grant me my rank as a first lieutenant. Hopefully at that time I will receive a military officer’s pension. And at the Ministry of the Interior they are helping me to return to my native city of Nyiregyhaza. They will be amazed to see me!”

50,000 Deportees in 1956

25000767A Budapest TALLOZO in Hungarian No 29,
20 Jul 90 p 1359

[Article by Istvan F. Takacs, originally published in MAI NAP on 11 Jul 90, page not given: “The ‘Eternal POW’ Found Some Relatives”]

[Excerpt] [passage omitted] Many of those who fell captive at the same time as Kulcsar returned [as late as] in 1955 and during the spring of 1956. These POWs stated that there still remains a great number of people out there. The October Revolution disrupted the flow of returnees, thereafter no word was received of prisoners of war returning home.

“No word was received from me either,” Kulcsar interrupts, “and here I am. Still, there must be many people out there, particularly those who were dragged away in 1957!”

[Takacs] Did they take Hungarian prisoners to the Soviet Union even after the 1956 Revolution?

[Kulcsar] And what a number of them, at that! About 50,000! I met some who were taken in 1957 in the village of Vaskinkluch in the Siberian Krasnoyarsk border region. There were between 2,000 and 3,000 people there; they lived in huts dug in the soil, and were engaged in timber work. This occurred in 1958. They told me that at least 50,000 of them were taken to Siberia. I am unaware of their fate because, later on, I was only with Hungarians at my designated place of residence, in Minusinsks. True, only the fathers of these were Hungarians, they had fallen captive during World War I and remained in the Soviet Union.

It is indeed stunning that the country the size of a continent still holds surprises for us! Deportees from 1956, a prisoner of war emerging from Siberia after 46 years—what else may come?

Romanian Securitate, Arab Terrorist Threat Assessed

25000763A Budapest MAGYAR HIRLAP in Hungarian
20 Jul 90 pp 1, 3

[Interview with Lt. Col. Istvan Toth, head of the Csongrad County office of the National Security Office, by Andras Gyorgy Lengyel; place and date not given: "Securitate Threat in Szeged; Uninvited Guests From Romania—Refugees Are Their Targets"—first paragraph is MAGYAR HIRLAP introduction]

[Text] Not only the number of ordinary crimes committed in Szeged and in other Csongrad County settlements has increased with the opening of the Hungarian-Romanian border, and in general with the increasing transit traffic from the Balkans. The activities of certain secret services have also become more intensive. We inquired about the latter from lieutenant colonel Istvan Toth, head of the Csongrad County office of the National Security Office. As a former county division head of counterintelligence, he acquired a wealth of experience. The work of lieutenant colonel Toth and his associates is made more difficult by the lack of a finalized law concerning [national] security.

[Lengyel] Lieutenant colonel, even on an average weekday the pandemonium of Babel exists in downtown Szeged. Should one pay attention primarily to guests speaking Romanian, Serbo-Croatian, Polish, Russian, or perhaps Arabic?

[Toth] I will preface my response by saying that all foreigners are suspect; in other words, we have no reason to scream "vigilance!" The fact is, however, that we must work harder than before to ensure stable work conditions for certain academic research institutes, even if this is not stipulated by law. Similarly, the danger that certain groups of people, such as refugees from Transylvania, become the targets of secret services has also increased. Most of our work involves uninvited guests from Romania. I do not intend to divulge state secrets, but I have substantial grounds for stating that the Securitate is alive and well, despite the reorganization efforts.

Also Much Loose Talk

[Lengyel] Did you catch professional intelligence agents already, or are you dealing more with the "social activists" of the Romanian secret service?

[Toth] We are dealing exclusively with the latter. But the number of these is not small. While in 1987 and 1988 we became aware of altogether five or six each year, the number of agents has increased with the growing traffic across the so-called green border, and with legitimate tourism. Their preparedness does not confirm Ion Pacepa's statement that the secret service was Ceausescu's favorite child. These informers, whose native tongue is generally Hungarian, and who have a midlevel education, did not receive thorough training; at least not the majority of them. They are not aware of even the most elementary rules of conspiracy. Most frequently

their task is to lure Romanian refugees, such as well-trained agronomists, back to Romania. On occasion they try to accomplish this with promises, at other times by making pointed and coarse threats against relatives who remained behind. They have even tried to join the Hungarian national security service.

[Lengyel] In December, in several Romanian cities, the Securitate people tried to create disturbances by scattering the personal files of informers on the streets. In these files, patriotism was listed most often as the motivation for being an informer. In your view, is patriotic zeal the most important motivation?

[Toth] Not in the least. Some agreed to go on a "mission" to Hungary in order finally to get a passport, while others did so in order to avoid further harassment. Some are willing to forward what only appears to be information. We had a "delinquent" thrown across the border to acquire certain information of an economic nature. This gentleman hung around the city for a few days, bought the local newspapers, and sent home facts clipped from those papers as "top secret" information. We have not seen him since.... Incidentally, we have received information about people in the Securitate from 2,400 Romanian refugees settled in Csongrad County, but thus far no one has mentioned patriotic commitment....

[Lengyel] Speaking of refugees, last fall, at the time Nadia Comaneci escaped, panic struck the refugees. They believed that Securitate people were swarming around the gymnast's residence. How much of this is true, and how much is just talk?

[Toth] It was just talk, as you said. Although there was no armed guard in front of the Szeged Hotel Royal, we would have learned of the appearance of even a single Securitate man. Not one came, but since we are aware of the methods used by the "company," we had arranged protection for Comaneci by the second day. As is known, she did not want to have such protection.... And as regards information from refugees, some of it is well founded, while other bits are products of excessive caution, fear, or suspicion. It happened once that they believed one of their fellow refugees to be a Securitate officer. It turned out that he was a noncommissioned officer in the border guard.

Mohammed Crossed at Roszke

[Lengyel] Lieutenant colonel, within your jurisdiction there is a large number of Arabs. How great a threat does their presence constitute, considering in particular the improved relations between Hungary and Israel, and Hungary's new foreign policy in general?

[Toth] Some 300 Arab students study at the Szeged institutions of higher learning, and primarily at the Szeged Medical School. They have scholarships and pay for their own expenses. Although on occasion they disrupt public order, we have no reason for the time being to assume that they have any connection with terrorist

organizations. Although the list of countries and organizations which finance their studies would raise some eyebrows.... There can be no doubt about the decency of Arabs who stay here on scientific scholarships. The threat exists, nevertheless, and I can say this without revealing any state secrets. Let's take an example, which is strictly theoretical of course! Mohammed crosses the border at Roszke; his passport is either genuine or it is not. He spends his first night at Yusef's, the second night at Ahmed's, and then he disappears without a trace....

[Lengyel] Simply put: "full" control is unavoidable.

[Toth] There is no need for full control. I must stress that a significant majority of foreigners, including Romanians and Arabs, respect our laws, and have friendly feelings toward our country and our people. On the other hand, screening out persons who arrive here with no honorable intentions is vital to the interests of the Hungarian Republic. And unfortunately, the number of such persons is increasing.

Major Constitutional Amendments Erase Communist Leftovers

Updated Text of Constitution

25000772A Budapest MAGYAR KOZLONY
in Hungarian No 59, 25 Jun 90 pp 1269-1279

[Amendments to the Constitution enacted by the National Assembly on 19 June 1990 as Law No. 40 of 1990, changing most objectionable provisions the former Communist government insisted on including; amendments are printed in italics]

[Text] Until such time that a new Hungarian Constitution is adopted, the National Assembly establishes the following as the text of the Constitution in order to enhance peaceful political transition to a constitutional state, a transition that realizes a multiparty system, a parliamentary democracy, and a social market economy:

Chapter I GENERAL PROVISIONS

1. Hungary shall be a Republic.

2.(1) *The Hungarian Republic shall be an independent, democratic constitutional state.*

2.(2) All power shall belong to the people in the Hungarian Republic. They shall exercise popular sovereignty through their elected representatives as well as directly.

2.(3) Not a single organization of society, state organ or citizen shall direct its activities to acquire or exercise power by force and for the exclusive possession of power. Everyone shall be authorized and at the same time obligated to act through legal means against such endeavors.

3.(1) While observing the Constitution and laws deemed to be constitutional, parties may be formed freely, and may pursue their activities freely in the Hungarian Republic.

3.(2) Parties take part in formulating and expressing the will of the people.

3.(3) Parties shall not exercise public authority directly. Correspondingly, no party shall direct any kind of state organ. In order to separate parties from the public authority, high offices and public functions which cannot be held by members or officers of parties shall be defined by law.

4. Trade unions and other interest groups shall protect and represent the interests of employees, cooperative members and entrepreneurs.

5. The state of the Hungarian Republic shall protect the freedom and the power of the people, the independence and territorial integrity of the country, as well as the borders determined by international agreements.

6.(1) The Hungarian Republic shall reject the idea of war as a means to resolve disputes among nations, and shall abstain from applying force or from using the threat of force against the independence and territorial integrity of other states.

6.(2) The Hungarian Republic shall endeavor to cooperate with all nations and countries in the world.

6.(3) The Hungarian Republic shall hold a sense of responsibility for the fate of Hungarians residing beyond its borders, and shall enhance the cultivation of their relations with Hungary.

7.(1) The legal system of the Hungarian Republic shall accept the generally recognized rules of international law, and shall ensure harmony between legal obligations agreed to under international law, and domestic law.

7.(2) *The order of legislation shall be governed by law. The vote of two-thirds of the number of National Assembly representatives present shall be required for the adoption of such law.*

8.(1) The Hungarian Republic shall recognize the inviolable and inalienable fundamental rights of people, the observance and protection of these shall be the primary duty of the state.

8.(2) *Rules pertaining to fundamental rights and duties shall be established by law in the Hungarian Republic, but such law shall not restrict the substantive content of fundamental rights.*

8.(3) *(Repealed by Law No. 40 of 1990)*

8.(4) *Except for the fundamental rights defined in 54.-56., 57.(2)-(4), 60., 66.-69., and in 70/E, the exercise of fundamental rights may be suspended or restricted in times of extraordinary conditions, emergency conditions or when danger exists.*

9.(1) *The economy of Hungary shall be a market economy in which public property and private property are accorded equal rights and equal protection.*

9.(2) *The Hungarian Republic recognizes and supports the right to enterprise, and the freedom of economic competition.*

10.(1) The property of the Hungarian state constitutes national assets.

10.(2) *Property exclusively owned by the state, and the scope of economic activities exclusively pursued by the state shall be specified by law.*

11. *Enterprises and business organizations owned by the state shall manage their business as defined by law and in a responsible manner.*

12.(1) *The state shall support cooperatives established on the basis of voluntary association, and shall recognize the independence of cooperatives.*

12.(2) *The state shall respect the property of autonomous governing bodies.*

13.(1) *The Hungarian Republic shall ensure the right to own property.*

13.(2) Property may be expropriated only exceptionally and only in the public interest, in cases and in a manner defined by law, along with full, unconditional and immediate indemnification.

14. The Constitution guarantees the right to inheritance.

15. The Hungarian Republic shall protect the institutions of marriage and of the family.

16. The Hungarian Republic shall pay particular attention to the existential security, education and upbringing of youth, and shall protect the interests of youth.

17. The Hungarian Republic shall provide for the needy by way of extended social measures.

18. The Hungarian Republic shall recognize and enforce everyone's right to a healthy environment.

Chapter II THE NATIONAL ASSEMBLY

19.(1) The National Assembly shall be the highest governmental and popular representative organ of the Hungarian Republic.

19.(2) In exercising its rights stemming from popular sovereignty, the National Assembly shall provide for the constitutional order of society, shall determine the organization of, direction by and the conditions for governance.

19.(3) Under this authority the National Assembly shall

19.(3)(a) create the Constitution of the Hungarian Republic;

19.(3)(b) create laws;

19.(3)(c) define the country's social-economic plan;

19.(3)(d) determine the balance of the state household [and] approve the state budget and its implementation;

19.(3)(e) render a decision concerning the Cabinet program;

19.(3)(f) enter into international agreements of outstanding significance from the standpoint of the external relations of the Hungarian Republic;

19.(3)(g) render decisions concerning the declaration of war and in regard to issues relative to making peace;

19.(3)(h) declare extraordinary conditions and establish the National Defense Council in case of hostilities or if the imminent threat of an armed attack by an alien power exists (threat of war);

19.(3)(i) declare emergency conditions if armed actions aiming for the overthrow of the constitutional order or for the acquisition of exclusive power take place, or if grave, violent actions are committed with arms or by armed persons threatening the existential security and the security of the property of masses of citizens, [and] if natural disasters or industrial accidents occur (hereinafter summarily: emergency situation);

19.(3)(j) render decisions concerning the deployment of the armed forces abroad or within the country;

19.(3)(k) *elect the president of the Republic, the prime minister, members of the Constitutional Court, the National Assembly commissioners for citizen, national and ethnic minority rights, the chairman and vice chairmen of the State Accounting Office, the chairman of the Supreme Court and the supreme prosecutor;*

19.(3)(l) disband councils whose functioning is repugnant to the Constitution at the recommendation of the Cabinet;

19.(3)(m) grant general amnesty.

19.(4) The vote of two-thirds of the number of National Assembly representatives shall be required with respect to the decisions defined in Subsections (3)(g), (h), (i) and (j).

19.(5) *The National Assembly may issue calls for national referendums. The vote of two-thirds of the number of National Assembly representatives present shall be required for the adoption of a law governing popular referendums. [The text is unclear as to whether the law in question governs popular referendums in general—specifying the minimum number of signatures required, voting procedures, classes of cases in regard to which referendums may be called, and so forth—or if it pertains to a legislative initiative to call a referendum concerning a specific issue, in which, for example, questions are asked of voters, based on an already existing general law governing referendums, or both.]*

19/A.(1) In the event that the National Assembly is impeded in making these decisions, the president of the Republic shall have the authority to declare war, to proclaim extraordinary conditions, to establish the National Defense Council and to proclaim emergency conditions.

19/A.(2) The National Assembly shall be regarded as impeded in reaching these decisions if it is not in session, and an obstacle which cannot be mitigated due to the brevity of time, the condition of war or the events that necessitated proclamation of the extraordinary or emergency conditions prevent the convening of the National Assembly.

19/A.(3) The fact of impediment, and further, the justification for declaring war, for proclaiming extraordinary or emergency conditions shall be determined jointly by the president of the National Assembly, the chairman of the Constitutional Court and the *prime minister*.

19/A.(4) The National Assembly shall examine the justification for declaring war and for proclaiming extraordinary or emergency conditions at its first session after the impediments ceased to exist, and shall render a decision concerning the legality of the measures applied. The vote of two-thirds of the number of National Assembly representatives shall be required to render this decision.

19/B.(1) When extraordinary conditions were proclaimed the National Defense Council shall render a decision concerning the deployment of armed forces abroad or within the country, and in regard to the introduction of extraordinary measures, as those are defined by separate law.

19/B.(2) *The president of the Republic shall be the chairman of the National Defense Council. Its membership shall consist of the president of the National Assembly, the leaders of factions of representatives from parties represented in the National Assembly, the prime minister, the ministers, the commander and the chief of staff of the Hungarian Honved Forces.*

19/B.(3) The National Defense Council shall exercise the authorities

19/B.(3)(a) vested in the National Defense Council by the National Assembly;

19/B.(3)(b) of the president of the Republic;

19/B.(3)(c) of the *Cabinet*.

19/B.(4) The National Defense Council may promulgate decrees, in these it may suspend the enforcement of certain laws and may provide for deviations from provisions of laws, and further, it may institute other special measures, but it shall not suspend the enforcement of the Constitution.

19/B.(5) A National Defense Council decree shall lose force when the extraordinary condition ceases to exist,

except that the National Assembly may prolong the time during which such decree is in force.

19/B.(6) The operations of the Constitutional Court shall not be limited even in times of extraordinary conditions.

19/C.(1) The president of the Republic shall render a decision concerning deployment of the armed forces in the event that the National Assembly is impeded at the time the emergency conditions are proclaimed.

19/C.(2) When emergency conditions prevail extraordinary measures defined by separate law shall be decreed by the president of the Republic.

19/C.(3) Without delay, the president of the Republic shall inform the president of the National Assembly concerning the extraordinary measures introduced. In times of emergency conditions, the National Assembly—in case of impediment, the National Defense Committee of the National Assembly—shall hold a continuous session. The National Assembly, alternatively, the National Defense Committee of the National Assembly may suspend the enforcement of extraordinary measures introduced by the president of the Republic.

19/C.(4) Extraordinary measures decreed shall remain in force for 30 days, except for the fact that the force of such decrees may be extended by the National Assembly, or, if the National Assembly is impeded, by the National Defense Committee of the National Assembly.

19/C.(5) In other respect, the rules pertaining to extraordinary conditions shall be applied in regard to emergency conditions.

19/D. *A vote of two-thirds of the number of National Assembly representatives present shall be required for the adoption of the law providing detailed rules to be applied in times of extraordinary conditions and emergency conditions.*

20.(1) The National Assembly shall be elected for a four year term.

20.(2) National Assembly representatives shall pursue their activities in the public interest.

20.(3) National Assembly representatives shall not be arrested, and no criminal proceedings shall be initiated against National Assembly representatives without the concurrence of the National Assembly, unless caught in the act of committing a crime.

20.(4) National Assembly representatives shall receive honorariums which ensure their independence, and further, shall receive certain benefits as well as funds to cover their expenses. *The vote of two-thirds of the number of National Assembly representatives present shall be required for the adoption of the law which specifies the amount of the honorarium and of expense reimbursement.*

20.(5) A representative shall not become the president of the Republic, a member of the Constitutional Court, the National Assembly commissioner of citizen rights, the chairman, vice chairman or an accountant of the State Accounting Office, a judge, a prosecutor, a worker at a state administrative office—except for members of the *Cabinet* and political state secretaries—and further, a member of the professional staff of the armed forces, the police and of other law enforcement bodies. *Other cases of incompatibility may also be defined by law.*

20.(6) *The vote of two-thirds of the number of National Assembly representatives present shall be required for the adoption of the law governing the legal capacity of National Assembly representatives.*

20/A.(1) The mandate of a National Assembly representative shall cease to exist upon

20/A.(1)(a) conclusion of the operations of the National Assembly,

20/A.(1)(b) the death of the representative,

20/A.(1)(c) the determination of incompatibility,

20/A.(1)(d) resignation,

20/A.(1)(e) loss of the right to vote.

20/A.(2) In the event that the matter of incompatibility arises in regard to a representative while in office, ([as per] 20.(5)), upon motion by any representative the National Assembly shall render a decision in regard to issuing a finding of incompatibility.

20/A.(3) A representative may resign his mandate by submitting a statement to the National Assembly. A statement of acceptance by the National Assembly is not needed to render the resignation valid.

21.(1) *The National Assembly shall elect a president, vice presidents and reporters from among its ranks.*

21.(2) The National Assembly shall establish standing committees from among its ranks, and may establish ["dispatch"] [special] committees for the investigation of any issue.

21.(3) Upon the request of National Assembly committees all persons so requested shall submit data to, and shall testify before such committees.

22.(1) *The National Assembly shall hold two regular sessions each year: between 1 February and 15 June, and between 1 September and 15 December.*

22.(2) The president of the Republic shall convene the organizing meeting of the National Assembly scheduled for a date within one month after the elections; in other instances the president of the National Assembly shall convene National Assembly sessions, and within those the individual meetings.

22.(3) The National Assembly shall be convened into special session or for a special meeting upon written request by the president of the Republic, *the Cabinet*, or one-fifth of the number of representatives. Such request shall state the reason for convening the National Assembly, as well as the proposed date and agenda.

22.(4) The president of the Republic may adjourn any given National Assembly session once, for no longer than 30 days.

22.(5) At the written request of one-fifth of the number of representatives, the president of the National Assembly shall convene the National Assembly during adjournment for a date to occur not more than eight days after receipt of such request.

23. The meetings of the National Assembly shall be public. At the request of the president of the Republic, *the Cabinet*, or any representative of the National Assembly may decide by the vote of two-thirds of the number of representatives to hold a closed meeting.

24.(1) A quorum shall exist in the National Assembly if more than half the number of representatives is present.

24.(2) The National Assembly shall make its determinations based on the vote of more than half the number of representatives present.

24.(3) *The vote of two-thirds of the number of representatives shall be required [for the approval of proposals] to amend the Constitution, and to render certain decisions specified in the Constitution.*

24.(4) *The vote of two-thirds of the number of representatives present shall be required for the adoption of House Rules. Such rules shall define the operating rules and the rules of order of the National Assembly.*

25.(1) The president of the Republic, *the Cabinet*, or any National Assembly representative may submit a legislative proposal.

25.(2) The National Assembly shall have the authority to make laws.

25.(3) The president of the National Assembly shall sign [legislative proposals] adopted as laws by the National Assembly, and shall forward such laws to the president of the Republic.

26.(1) The president of the Republic shall provide for the proclamation of laws within 15 days of receipt, or within five days if the president of the National Assembly expressed a need for the urgent proclamation of the law. The president of the Republic shall sign the law submitted to him for proclamation. Laws shall be proclaimed in the official reporter.

26.(2) If the president of the Republic objects to a law or with any provision of a law, he may return such law with his comments to the National Assembly for further

consideration prior to affixing his signature and within the time limit specified in Section (1) above.

26.(3) The National Assembly shall once again debate the law, and shall again render a decision concerning the adoption of the law. Thereafter, the president of the Republic shall proclaim the law submitted to him [by the president of the National Assembly] within five days.

26.(4) If the president of the Republic deems any provision of a law repugnant to the Constitution, he shall forward such law within the time limit specified in Section (1) above to the Constitutional Court for comment.

26.(5) In the event that the Constitutional Court determines—in the course of extraordinary proceedings—that such law is unconstitutional, the president of the Republic shall return the law to the National Assembly, otherwise he shall sign and proclaim the law within five days.

27. Members of the National Assembly may ask questions from the commissioners of citizen rights, and of national and ethnic minority rights, from the chairman of the State Accounting Office and from the chairman of the Hungarian National Bank, and may file interpellations, and ask questions from the Cabinet, any member of the Cabinet and the supreme prosecutor in regard to all matters within their field of competence.

28.(1) The mandate of the National Assembly begins with the organizing session of the National Assembly.

28.(2) The National Assembly may dissolve itself even before the expiration of its mandate.

28.(3) *With the simultaneous call for elections, the president of the Republic may dissolve the National assembly, if*

28.(3)(a) within a twelve months period in the course of the same National Assembly the National Assembly revokes its confidence in the government at least four times, or if

28.(3)(b) the mandate of the Cabinet ceases to exist [and the National Assembly] fails to elect the person recommended for prime minister by the president of the Republic within 40 days from the date that the first recommendation was made as to a person.

28.(4) *(Repealed by Law No. 40 of 1990)*

28.(5) *The president of the Republic shall request the opinion of the prime minister, the president of the National Assembly and the leaders of representative factions of parties represented in the National Assembly before dissolving the National Assembly.*

28.(6) A new National Assembly shall be elected within three months from the date the term of the National Assembly expires, or the National Assembly dissolves itself or is dissolved. The National Assembly [whose

term has expired, or which dissolved itself or was dissolved] shall continue to function until the organizing meeting of the new National Assembly [is convened].

28/A.(1) The National Assembly shall not declare itself to be dissolved and shall not be dissolved when extraordinary conditions or emergency conditions prevail.

28/A.(2) The term of a National Assembly shall be extended until the cessation of the extraordinary conditions or emergency conditions if the term of a National Assembly expires when extraordinary conditions or emergency conditions prevail.

28/A.(3) A National Assembly which dissolved itself or was dissolved may be reconvened by the president of the Republic in case of war or the threat of war, or if emergency conditions prevail. The National Assembly shall render a decision concerning the extension of its term.

Chapter III THE PRESIDENT OF THE REPUBLIC

29.(1) The president of the Republic shall be the head of state of Hungary. The president of the Republic shall convey national unity, and shall guard over the democratic functioning of the state organization.

29.(2) The president of the Republic shall be the commander in chief of the armed forces.

29/A.(1) The president of the Republic shall be elected by the National Assembly for a five year term.

29/A.(2) Any citizen having the right to vote, and having reached the age of 35 on the day of the elections may be elected president of the Republic.

29/A.(3) The president of the Republic may be reelected to this office only once.

29/B.(1) The election of the president of the Republic shall be preceded by a nomination. Nominations shall be valid only if supported by the written recommendation of at least 50 members of the National Assembly. Nominations shall be submitted to the president of the National Assembly prior to ordering a vote. Any member of the National Assembly shall recommend only one candidate. Multiple nominations made by a member of the National Assembly shall be invalid.

29/B.(2) The president of the Republic shall be elected by the secret vote cast by the National Assembly. Several rounds of balloting may take place if necessary. The vote of two-thirds of the number of representatives shall be required in the first ballot to elect the president of the Republic.

29/B.(3) Based on new recommendations consistent with Section (1) above a new round of balloting shall be called if no candidate [for the office of the president of the Republic] acquired the required majority in the first round of balloting. The vote of two-thirds of the number of

representatives shall again be required in the second ballot to elect the president of the Republic.

29/B.(4) A third ballot shall be ordered if in the second ballot no nominee acquired the required majority. In the third ballot votes shall be cast only for the two candidates having received the highest number of votes in the second ballot. The person for whom a majority of the votes is cast in the third ballot, irrespective of the number of representatives voting, shall be the president of the Republic.

29/B.(5) Balloting shall be completed within three consecutive days, at most.

29/C.(1) The president of the Republic shall be elected at least 30 days prior to the expiration of the term of office of the previous president of the Republic, or if the term of the previous president of the Republic ceased prior to the expiration of his term, the president of the Republic shall be elected within 30 days after the term of the previous president of the Republic ceased.

29/C.(2) The president of the National Assembly shall schedule the election of the president of the Republic.

29/D. The elected president of the Republic shall take office on the day the term of office of the previous president expires, or if the term of office of the previous president ceases prior to the conclusion of term, the elected president of the Republic shall take office on the eighth day after proclaiming the results of the election. The National Assembly shall administer the oath of office to the president of the Republic prior to his taking office.

29/E.(1) The authority of the president of the Republic shall be exercised by the president of the National Assembly until such time that a new president of the Republic takes office, if the president of the Republic is temporarily impeded [in performing his duties], or if the term of office of the president of the Republic ceases for any reason, provided that [in his capacity as acting president of the Republic] the president of the National Assembly shall not return laws for reconsideration to the National Assembly and for review to the Constitutional Court, and [further provided] that he shall not dissolve the National Assembly and shall grant clemency only in favor of persons convicted on the basis of an affirmed judgment.

29/E.(2) The president of the National Assembly shall not exercise his prerogatives as a representative while acting on behalf of the president of the Republic. [In his absence] a vice president designated by the National Assembly shall perform the duties of the president of the National Assembly.

30.(1) The office of the president of the Republic is incompatible with all other state, social and political offices or assignments. The president of the Republic shall not pursue other income producing occupations,

and shall not receive compensation for his other activities—except for activities protected by the right of authorship.

30.(2) The vote of two-thirds of the number of National Assembly representatives present shall be required for the adoption of a law providing for the honorarium, benefits and expense reimbursement to which the president of the Republic is entitled.

30/A.(1) The president of the Republic

30/A.(1)(a) shall represent the Hungarian state,

30/A.(1)(b) shall consummate international agreements on behalf of the Hungarian Republic. In the event that such agreements are under the purview of authority of the legislature the advance concurrence of the National Assembly in the agreement shall be required,

30/A.(1)(c) shall appoint and receive ambassadors,

30/A.(1)(d) shall call National Assembly and council elections,

30/A.(1)(e) may take part in, and may address the National Assembly and meetings of the committees of the National Assembly,

30/A.(1)(f) may recommend action to be taken by the National Assembly,

30/A.(1)(g) may initiate popular referendums,

30/A.(1)(h) shall appoint and relieve from duty state secretaries, pursuant to rules specified in separate law,

30/A.(1)(i) shall appoint and relieve from duty the chairman and vice chairmen of the Hungarian National Bank and university professors at the recommendation of a person or organs specified in separate law; shall assign and relieve from duty the rectors of universities; shall appoint and promote generals; shall confirm in his office the chairman of the Hungarian Academy of Science,

30/A.(1)(j) shall grant titles, medals of honors, decorations defined by law and shall authorize their use,

30/A.(1)(k) shall exercise the authority of granting individual clemency,

30/A.(1)(l) shall render decisions in regard to citizenship cases,

30/A.(1)(m) shall render decisions in all cases placed under his authority by separate law.

30/A.(2) Except for actions specified under subsections (1)(a), (d), (e), (f) and (g), all actions taken, and orders issued by the president of the Republic under Section (1) above shall be countersigned by the prime minister or by the ministers having jurisdiction.

31.(1) The mandate of the president shall cease:

31.(1)(a) when his mandate expires,

31.(1)(b) with the death of the president,

31.(1)(c) with a condition of incapacity to perform the duties of the president of the Republic lasting more than 90 days,

31.(1)(d) with a finding of incompatibility,

31.(1)(e) with resignation,

31.(1)(f) with deprivation of the office of the president.

31.(2) In the event that the matter of incompatibility arises in regard to the president of the Republic while in office, ([as per] 30.(1)), upon motion by any representative the National Assembly shall render a decision in regard to issuing a finding of incompatibility. The vote of two-thirds of the number of National Assembly representatives cast by secret ballot shall be required to make this determination.

31.(3) The president of the Republic may resign his mandate by issuing a statement to the National Assembly. The resignation shall become valid when the National Assembly issues a statement accepting the resignation. The National Assembly may request the president of the Republic within 15 days to reconsider his decision to resign. The National Assembly shall not deny recognition of the resignation if the president of the Republic maintains his determination to resign.

31.(4) The president of the Republic may be deprived of holding the office if in the course of performing his duties he intentionally violates the Constitution or some other law.

31/A.(1) The person of the president of the Republic shall be inviolable; his protection under criminal law shall be provided for by separate law.

31/A.(2) One-fifth of the number of representatives may initiate a proceeding to hold to account the president of the Republic for violating the Constitution or some other law in the course of performing the duties of his office.

31/A.(3) The vote of two-thirds of the number of representatives cast by secret ballot shall be required to authorize the initiation of a proceeding to hold to account the president of the Republic.

31/A.(4) The president of the Republic shall not exercise his authority beginning at the time when the National Assembly determines that a proceeding to hold to account the president of the Republic be initiated, until the conclusion of the proceeding.

31/A.(5) *The Constitutional Court shall have jurisdiction to judge the [objectionable] act [committed by the president of the Republic].*

31/A.(6) *The Constitutional Court may deprive the president from his office if as a result of the proceeding it determines that a law was violated.*

31/A.(7) *(Repealed by Law No. 40 of 1990)*

31/A.(8) *(Repealed by Law No. 40 of 1990)*

32.(1) The Constitutional Court shall also observe the fundamental provisions of criminal procedure if the proceeding to hold to account the president of the Republic involves an act to be persecuted under criminal law, is related to the official activities of the president of the Republic and was committed during his term of office. An impeachment commissioner elected by the National Assembly from among its members shall represent the prosecution.

32.(2) Criminal proceedings against the president of the Republic for other actions may be initiated only after cessation of his mandate.

32.(3) In the event that the Constitutional Court finds the president of the Republic guilty in the intentional commission of a crime, it may deprive the president from his office, and simultaneously may institute any punishment or action provided for in the Criminal Code of Laws, as applicable to the given criminal act.

Chapter IV THE CONSTITUTIONAL COURT

32/A.(1) The Constitutional Court shall review the constitutionality of legal provisions, and shall perform the tasks assigned to it by law.

32/A.(2) The Constitutional Court shall declare laws and other legal provisions null and void in the event it finds such laws and legal provisions to be repugnant to the Constitution.

32/A.(3) Anyone may initiate proceedings before the Constitutional Court in regard to cases specified by law.

32/A.(4) *The National Assembly shall elect the 15 members of the Constitutional Court. Recommendations for nominating members to the Constitutional Court shall be made by a nominating committee composed of one member from each faction of representatives from parties represented in the National Assembly. The vote of two-thirds of the number of National Assembly representatives shall be required for the election of the members of the Constitutional Court.*

32/A.(5) Members of the Constitutional Court shall not be members of parties, and shall not pursue political activities other than those stemming from the jurisdiction of the Constitutional Court.

32/A.(6) *The vote of two-thirds of the number of National Assembly representatives present shall be required for the adoption of the law concerning the organization and functioning of the Constitutional Court.*

Chapter V
THE NATIONAL ASSEMBLY COMMISSIONER
FOR CITIZEN RIGHTS, AND THE NATIONAL
ASSEMBLY COMMISSIONER FOR NATIONAL
AND ETHNIC MINORITY RIGHTS

32/B.(1) The National Assembly commissioner for citizen rights shall investigate or shall cause to investigate disparities related to constitutional rights he became aware of, and shall initiate general or individual action to remedy such disparities.

32/B.(2) The National Assembly commissioner for national and ethnic minority rights shall investigate or shall cause to investigate disparities related national and ethnic minority rights he became aware of, and shall initiate general or individual action to remedy such disparities.

32/B.(3) Anyone may initiate proceedings of the National Assembly commissioner in regard to cases specified by law.

32/B.(4) The National Assembly commissioners for citizens rights, and for national and ethnic minority rights shall be elected by the vote of two-thirds of the number of National Assembly representatives, upon recommendation made by the president of the Republic. The National Assembly may elect separate commissioners for the protection of individual constitutional rights. 32/B.(5) The authority of the National Assembly commissioner for national and ethnic minority rights shall be exercised by a body nominated by national and ethnic minority organizations, and shall be elected by the National Assembly. This body shall [be established in a manner] that each national and ethnic minority organization is represented by one member.

32/B.(6) The National Assembly commissioner shall report annually to the National Assembly concerning his activities.

32/B.(7) The vote of two-thirds of the number of National Assembly representatives present shall be required for the adoption of the law concerning National Assembly commissioners.

Chapter VI
THE STATE ACCOUNTING OFFICE AND THE
HUNGARIAN NATIONAL BANK

32/C.(1) The State Accounting Office shall be the financial and management audit arm of the National Assembly. Within its functional authority the State Accounting Office shall audit the management of the state household and in the framework of that the foundations of the state budget proposal, and the necessity and appropriateness of the use [of funds], shall counter-sign agreements pertaining to the assumptions of credits by the budget; shall make preliminary reviews of the legality of the utilization of state budgetary [funds]; shall audit the closing financial statement prepared in regard to the implementation of the state budget; shall audit the

handling of state property and the property value preservation and property appreciation activities of enterprises owned by the state; and shall perform other tasks delegated under its jurisdiction by law.

32/C.(2) The State Accounting Office shall perform its audits from the standpoints of legality, appropriateness and results produced. The State Accounting Office shall submit reports to the National Assembly concerning the audits it performed. Such reports shall be made public. The chairman of the State Accounting Office shall submit to the National Assembly the report concerning the audit of the closing financial statement together with the closing financial statement.

32/C.(3) The vote of two-thirds of the number of National Assembly representatives shall be required for the election of the chairman and vice chairmen of the State Accounting Office.

32/C.(4) The vote of two-thirds of the number of National Assembly representatives present shall be required for the adoption of the law concerning the basic principles of the organization and functioning of the State Accounting Office.

32/D.(1) The Hungarian National Bank shall issue the legal currency in a manner specified by separate law, shall protect the worth of the national currency, [and] shall regulate the flow of money.

32/D.(2) The president of the Republic shall appoint the chairman of the Hungarian National Bank for a six year term.

32/D.(3) The chairman of the Hungarian National Bank shall report to the National Assembly once a year concerning the activities of the bank.

Chapter VII
THE CABINET

33.(1) (Amendment, Law No. 29 of 1990) The Cabinet shall consist of

33.(1)(a) the prime minister and

33.(1)(b) the ministers.

33.(2) A minister designated by the prime minister shall act as his substitute.

33.(3) The prime minister shall be elected by a majority of the National Assembly at the recommendation of the president of the Republic. The National Assembly shall simultaneously render a decision concerning the election of the prime minister and the adoption of the program [advanced by] the cabinet.

33.(4) The president of the Republic shall appoint and relieve from duty the ministers, at the recommendation of the prime minister.

33.(5) The Cabinet shall be deemed established with the appointment of the ministers. The National Assembly

shall administer the oath of office of members of the *Cabinet* after the establishment of the *Cabinet*.

33/A. *The cabinet's mandate ceases:*

33/A.(a) *when a newly elected National Assembly is organized,*

33/A.(b) *with the resignation of the prime minister or the Cabinet,*

33/A.(c) *with the death of the prime minister, or*

33/A.(d) *if, pursuant to the provisions of 39/A.(1), the National Assembly withdraws its confidence from the prime minister and elects a new prime minister.*

34. (Amendment, Law No. 29 of 1990) The listing of the ministries of the Hungarian Republic shall be contained in separate law.

35.(1) The *Cabinet* shall

35.(1)(a) protect the constitutional order, [and] defend and ensure the rights of citizens;

35.(1)(b) ensure the execution of laws;

35.(1)(c) direct the workings of the ministries and of other organs immediately subordinate to the ministries, and shall streamline their activities;

35.(1)(d) oversee the legality of council activities;

35.(1)(e) ensure the development of social-economic plans and provide for their implementation;

35.(1)(f) define state functions in regard to scientific and cultural development, and shall provide for the necessary conditions for the realization of these;

35.(1)(g) define the system of social and health care provisions, and provide for the financing of these;

35.(1)(h) direct the functioning of the armed forces, the police and other law enforcement organs;

35.(1)(i) take necessary action to prevent disasters and their consequences which threaten the citizens' safety, life and property (hereinafter: danger situation), and in the interest of protecting public order and public security;

35.(1)(j) take part in the establishment of foreign policy; shall consummate agreements on behalf of the Government of the Hungarian Republic;

35.(1)(k) perform all functions assigned to the *Cabinet* by law.

35.(2) Under its own scope of authority the *Cabinet* shall promulgate decrees and issue determinations. These shall be signed by the *prime minister*. A decree or determination promulgated by the *Cabinet* shall not conflict with laws. The decrees of the *Cabinet* shall be proclaimed in the official reporter.

35.(3) The *Cabinet* may promulgate decrees and take actions which deviate from certain laws in danger situations, based on authorization received from the National Assembly. *The vote of two-thirds of the number of National Assembly representatives present shall be required for the adoption of the law providing rules applicable in danger situations.*

35.(4) The *Cabinet* shall void or change any determination issued or action taken by subordinate organs which conflict with laws, except for legal provisions.

36. The *Cabinet* shall cooperate with interested social organizations in the course of performing its functions.

37.(1) The *prime minister* shall chair the meetings of the *Cabinet* and provide for the execution of decrees and determinations promulgated by the *Cabinet*.

37.(2) The ministers shall guide the branches of state administration under their authority, and shall direct the organs under their authority in a manner consistent with legal provisions and the determinations of the *Cabinet*. Ministers without portfolio shall perform the functions assigned to them by the *Cabinet*. (Amendment, Law No. 29 of 1990)

37.(3) The *prime minister and members of the Cabinet* may promulgate decrees in the course of performing their functions. Such decrees, however, shall not conflict with laws or with decrees promulgated by the *Cabinet*. Decrees shall be proclaimed in the official reporter.

38. (Repealed by Law No. 31 of 1989)

39.(1) The *Cabinet* shall be held responsible by the National Assembly for its operations. It shall report to the National Assembly on a regular basis.

39.(2) Members of the *Cabinet* shall be held responsible by the *Cabinet* and by the National Assembly, they shall present reports concerning their activities to the *Cabinet* and to the National Assembly. *The legal status and the compensation of members of the Cabinet and of state secretaries, as well as the manner in which they are to be held accountable shall be governed by law.*

39.(3) Members of the *Cabinet* may participate in the meetings of the National Assembly, and may address the National Assembly.

39/A.(1) *At least one-fifth of the number of representatives may move for a vote of no confidence against the prime minister, while [simultaneously] designating the person nominated to hold the office of the prime minister. A motion for a vote of no confidence against the prime minister shall be regarded as a motion for a vote of no confidence against the Cabinet. If on the basis of such motion a majority of the representatives expresses no confidence, the person designated as the new prime minister shall be deemed to be elected.*

39/A.(2) Debate over, and vote on such motion shall take place three days after the motion of no confidence at the earliest, but no later than eight days after the motion was filed.

39/A.(3) The Cabinet may recommend that a vote of confidence be called pursuant to the time limitations prescribed under Section (2) above. Such recommendation shall be conveyed by the prime minister.

39/A.(4) *The Cabinet*, as conveyed by the *prime minister*, may also recommend that a vote over a proposal submitted by the *Cabinet* shall also constitute a vote of confidence [or no confidence].

39/A.(5) *The Cabinet shall resign if the National Assembly votes no confidence in the Cabinet pursuant to Sections (3)-(4).*

39/A.(5) *The Cabinet shall stay in office until the new Cabinet is established if the mandate of the Cabinet ceases, and shall exercise all the authorities to which the Cabinet is entitled; except that the Cabinet shall not consummate international agreements and shall promulgate decrees only as expressly authorized by law, in regard to matters that cannot be delayed.*

40.(1) The *Cabinet* may establish government commissions for the performance of certain functions.

40.(2) The Cabinet may take action in any matter under the authority of the state administration either directly or through one of its members.

40.(3) The *Cabinet* shall be authorized to draw any branch of state administration under its direct supervision, and to establish separate organs for this purpose.

Chapter VIII THE ARMED FORCES AND THE POLICE

40/A.(1) The fundamental duty of the armed forces (the Hungarian Honved Forces, the Border Guards) shall be to provide military protection for the homeland. *The vote of two-thirds of the number of representatives present shall be required for the adoption of the law providing for the functions of the armed forces and for the applicable detailed rules.*

40/A.(2) The fundamental task of the police shall be to protect public security and the domestic order. *The vote of two-thirds of the number of representatives present shall be required for the adoption of the law providing detailed rules applicable to the police and to the national security activity.*

40/B.(1) Except for military exercises based on international agreements in force, and for peace keeping activities performed at the request of the United Nations Organization, the armed forces shall transgress the state borders only based on advanced concurrence of the National Assembly.

40/B.(2) The armed forces may be deployed in cases involving armed actions which aim for the overthrow of the constitutional order or for the acquisition of exclusive power, or which involve grave, violent acts committed with arms or by armed persons which endanger the safety to life and property of citizens, when emergency conditions prevail consistent with provisions of the Constitution, and only if the deployment of the police is insufficient.

40/B.(3) Unless otherwise provided for in international agreements in force, The National Assembly, the president of the Republic, the National Defense Council, the *Cabinet*, and the minister having jurisdiction shall have exclusive authority to direct the armed forces within a framework specified by the Constitution and in separate law.

40/B.(4) *A law adopted by the vote of two-thirds of the number of National Assembly representatives present may restrict the party activities of active duty members of the armed forces and of the police.*

40/C.(1) Unless otherwise provided for in international agreements in force, foreign armed forces shall not pass through, shall not be deployed and shall not be stationed within the territory of the country, unless authorized by the National Assembly in advance.

40/C.(2) International agreements affecting national defense shall be confirmed in the form of law and shall be publicly proclaimed.

Chapter IX THE COUNCILS

41.(1) The area of the Hungarian Republic shall be divided into the capital city, counties, cities and towns.

41.(2) The capital city and the cities may be divided into districts.

42.(2) Councils shall operate in the capital city, in counties, in the districts of the capital city, in cities and in towns. Councils may be formed jointly by cities and towns, and by several towns.

42.(2) Council members shall be elected for four year terms. (Pursuant to 38.(4) of Law No. 31 of 1989, 42.(2) takes effect on the day the next general election of council members is called.)

42.(3) Councils shall perform their functions with the active participation of the populace, in their workings they shall rely directly on social organizations and shall cooperate with organs not part of the council.

42.(4) Council members shall present regular reports to the electorate concerning the workings of the council and their own activities.

43.(1) The council shall

43.(1)(a) represent the interests of the populace, within the area of their jurisdiction, councils shall be the autonomous governing organ,

43.(1)(b) provide for the realization of central state and local goals, for the independent performance of tasks delegated under its jurisdiction, and for the implementation of legal provisions,

43.(1)(c) determine its plans and budget in due regard to the country's social-economic plan and the state budget, shall direct and control the implementation of plans, utilization of the budget, and shall independently manage its financial resources,

43.(1)(d) provide for area and settlement development [and] organize the satisfaction of the needs of the population,

43.(1)(e) take part in protecting the constitutional order.

43.(2) The council may promulgate decrees or determinations within its area of jurisdiction, but such decrees and determinations shall not conflict with laws, *Cabinet* decrees or determinations, decrees promulgated by ministers, or with higher level council decrees. Council decrees shall be proclaimed locally, in the usual manner.

44.(1) The council shall elect an executive committee, form committees and establish specialized administrative organs, and may establish enterprises and institutions.

44.(2) The vote of two-thirds of the number of National Assembly representatives present shall be required for the adoption of the law concerning councils.

Chapter X THE JUDICIARY

45.(1) Justice shall be administered in the Hungarian Republic by the Supreme Court of the Hungarian Republic, by the Capital City Court and by county courts, as well as by local courts.

45.(2) Establishing separate courts for defined classes of cases may be ordered by law.

46. Courts shall perform their adjudicative work in the framework of councils composed of professional judges and lay judges. Exceptions may be provided from under this rule by law.

47. The Supreme Court of the Hungarian Republic shall provide conceptual guidance to the operations of, and adjudications made by the judges of all courts. The guidelines and the conceptual rulings of the Supreme Court shall have a mandatory effect with respect to [rulings of inferior] courts.

48.(1) The chairman of the Supreme Court shall be elected by the National Assembly upon recommendation by the president of the Republic, its vice chairmen shall be appointed by the president of the Republic based on recommendations made by the chairman of the Supreme

Court. The vote of two-thirds of the number of National Assembly representatives shall be required for the election of the chairman of the Supreme Court.

48.(2) Professional judges shall be appointed by the president of the Republic in a manner specified by law.

48.(3) Judges shall be removed from office only in a manner, and pursuant to a procedures specified by law.

49. (Repealed by 38.(1) of Law No. 31 of 1989)

50.(1) The courts of the Hungarian Republic shall protect and secure the constitutional order, the rights and legitimate interests of citizens, and shall punish those who commit crimes.

50.(2) The court shall ascertain the legality of public administrative determinations.

50.(3) Judges shall be independent and shall be subject only to law. Judges shall not be members of parties and shall not pursue political activities.

50.(4) The vote of two-thirds of the number of National Assembly representatives present shall be required for the adoption of a law concerning the courts.

Chapter XI THE OFFICE OF THE PROSECUTOR

51.(1) The supreme prosecutor and the office of the prosecutor of the Hungarian Republic shall provide for the protection of the rights of citizens, and shall consistently persecute all action which violates or endangers the constitutional order, and the country's security and independence.

51.(2) The office of the prosecutor shall conduct investigations in cases specified by law, shall oversee the legality of investigations, shall represent the prosecution in court proceedings and shall oversee the legality of penal enforcement.

51.(3) The office of the prosecutor shall take part in ensuring that all organizations of society, all state organs and all citizens obey the laws. In the event that laws are violated, in regard to cases, and in a manner specified by law [the office of the prosecutor] shall take action to protect the prevalence of law.

52.(1) The supreme prosecutor of the Hungarian Republic shall be elected by the National Assembly upon recommendation by the president of the Republic. The deputies of the supreme prosecutor shall be appointed by the president of the Republic based on recommendations made by the supreme prosecutor.

52.(2) The supreme prosecutor shall account to the National Assembly and he shall regularly report to the National Assembly concerning his functioning.

53.(1) Prosecutors shall be appointed by the supreme prosecutor of the Hungarian Republic.

53.(2) Prosecutors shall not be members of parties and shall not pursue political activities.

53.(3) The organization of prosecutors shall be headed and directed by the supreme prosecutor.

53.(4) *Rules pertaining to the office of the prosecutor shall be specified by law.*

Chapter XII FUNDAMENTAL RIGHTS AND DUTIES

54.(1) All persons shall have an inherent right to life and to human dignity in the Hungarian Republic. No person shall arbitrarily deprive anyone of these rights.

54.(2) No person shall be made the subject of torture, and of cruel, inhumane, humiliating treatment or punishment. It is particularly prohibited to conduct medical or scientific experiments on persons without their consent.

55.(1) All persons shall possess the right to be free and to personal security in the Hungarian Republic, and no person shall be deprived of his freedom except for reasons specified by law and based on proceedings specified by law.

55.(2) *A person suspected of having committed a crime and detained shall either be freed within the shortest possible time, or shall be presented to a judge. The judge shall hear the person presented to him and shall issue a ruling supported by a written argument without delay concerning the release or the arrest of such person.*

55.(3) Any victim of illegal arrest or detention shall be entitled to indemnification.

56. All persons in the Hungarian Republic shall be [regarded as] legally competent.

57.(1) All persons shall be equal before the courts in the Hungarian Republic, and all persons shall have the right to have any charge, or in a proceeding, his rights and duties adjudged by a legally constituted independent and impartial court in a fair and public trial.

57.(2) No person shall be regarded as guilty in the Hungarian Republic before the criminal liability of a person has been established in an affirmed judgment of a court.

57.(3) Persons subject to criminal proceedings shall be entitled to the right to defense in all phases of proceedings. The defender shall not be held to account for opinions expressed in the course of defense.

57.(4) No person shall be declared guilty and punished for actions not regarded as criminal acts by Hungarian law at the time of commission.

57.(5) All persons in the Hungarian Republic shall be entitled to legal recourse pursuant to law, against decisions rendered by courts, state administrative [organs] or other authorities which violate a person's rights or just interest.

58.(1) Except with respect to cases specified by law, all persons legitimately staying within the territory of Hungary shall be entitled to move freely and to choose freely the place of stay, including residence or the right to leave the country.

58.(2) Foreign [nationals] within the territory of Hungary may be expelled only on the basis of a determination made consistent with law.

58.(3) *The vote of two-thirds of the number of National Assembly representatives present shall be required for the adoption of the law concerning the freedom to travel and to settle.*

59.(1) All persons in the Hungarian Republic shall be entitled to the right to have a good reputation, to the inviolability of the private home, and to the protection of private secrets and personal data.

59.(2) *The vote of two-thirds of the number of National Assembly representatives present shall be required for the adoption of the law concerning privacy [protection of personal data].*

60.(1) All persons in the Hungarian Republic shall have the right to the freedom of thought, conscience and religion.

60.(2) This right shall incorporate the free choice or free acceptance of religion or other conviction of conscience, as well as the freedom of all persons to express or not to express, practice or teach, individually or jointly with others, publicly or privately, by way of rituals or in other ways their religion and other conviction.

60.(3) The church shall function separately from the state in the Hungarian Republic.

60.(4) *The vote of two-thirds of the number of National Assembly representatives present shall be required for the adoption of the law concerning the freedom of conscience and religion.*

61.(1) All persons in the Hungarian Republic shall have the right to freely express their views, and further, to familiarize themselves and to disseminate materials of public interest.

61.(2) The Hungarian Republic shall recognize and protect the freedom of the press.

61.(3) *The vote of two-thirds of the National Assembly representatives present shall be required for the adoption of the law concerning the public character of materials of public interest and of the law concerning the freedom of the press.*

61.(4) *The vote of two-thirds of the National Assembly representatives present shall be required for the adoption of the law concerning the oversight of the public service radio, television and news agency and the appointment of the leaders of these [organizations], and further, concerning the licensing of commercial radio and television, and concerning the prevention of monopolies in [the field of] information.*

62.(1) The Hungarian Republic shall recognize the right to peaceful assembly and ensure the free exercise of that right.

62.(2) *The vote of two-thirds of the National Assembly representatives present shall be required for the adoption of the law concerning the right to assemble.*

63.(1) Based on the right to assemble, all persons in the Hungarian Republic shall have a right to establish or join organizations established for purposes not prohibited by law.

63.(2) Armed organizations serving political purposes shall not be established on the basis of the right to assemble.

63.(3) *The vote of two-thirds of the National Assembly representatives present shall be required for the adoption of the law concerning the right to assemble, and concerning the management and functioning of parties.*

64. All persons in the Hungarian Republic shall have the right to submit written petitions or complaints to state organs having jurisdiction. This right may be exercised individually or jointly with others.

65.(1) Pursuant to conditions established by law, the Hungarian Republic shall provide asylum to foreign citizens and to stateless persons persecuted for reasons of race, religion, nationality or language, or for political reasons in their homelands or their place of stay.

65.(2) A person enjoying asylum shall not be extradited to another state.

65.(3) *The vote of two-thirds of the National Assembly representatives present shall be required for the adoption of the law concerning the right to asylum.*

66.(1) The Hungarian Republic shall provide for the equality of men and women in regard to all political, economic, social and cultural rights.

66.(2) Pursuant to separate provisions, the Hungarian Republic shall provide support and protection to mothers before and after the birth of a child.

66.(3) Separate rules shall provide for the protection of women and youth in the course of performing work.

67.(1) Every child in the Hungarian Republic shall have the right to receive the kind of protection and care from the family, the state and society needed for appropriate physical, intellectual and moral development.

67.(2) Parents shall be entitled to the right to choose the upbringing to be given to their child.

67.(3) Separate provisions shall treat state functions related to the situation and the protection of families and youth.

68.(1) *National and ethnic minorities residing in the Hungarian Republic shall share the people's power: they are constituting factors of the state.*

68.(2) *The Hungarian Republic shall protect national and ethnic minorities. It shall provide for their collective participation in public life, and for the nurturing of their own culture, the use of their native tongue, native language education, and the use of their names in their own languages.*

68.(3) *The laws of the Hungarian Republic shall provide for the representation of national and ethnic minorities within the territory of the country.*

68.(4) *The vote of two-thirds of the National Assembly representatives present shall be required for the adoption of the law concerning the rights of national and ethnic minorities.*

69.(1) No person in the Hungarian Republic shall be deprived arbitrarily from the Hungarian citizenship, and no Hungarian citizen shall be expelled from the territory of the Hungarian Republic.

69.(2) A Hungarian citizen may return to Hungary from abroad at any time.

69.(3) All persons of Hungarian citizenship shall be entitled to enjoy the protection of the Hungarian Republic while staying abroad.

69.(4) *The vote of two-thirds of the National Assembly representatives present shall be required for the adoption of the law concerning citizenship.*

70.(1) Every adult Hungarian citizen shall have the right to be elected in the course of National Assembly and council elections provided that his permanent residence is in Hungary, and shall have the right to vote provided that he stays within the territory of the country on election day.

70.(2) Persons shall not have the right to vote if under guardianship restricting or rendering his ability to act, if prohibited to take part in public affairs pursuant to an affirmed judgment, and further, if serving a prison sentence pursuant to an affirmed judgment, or if subject to court ordered medical treatment pursuant to an affirmed judgment in a criminal proceeding.

70.(3) Based on separate law, persons holding citizenship other than Hungarian citizenship, but having settled in Hungary for the long term shall be entitled to the exercise of the right to vote in the election of the members of local councils.

70.(4) All persons of Hungarian citizenship shall have the right to take part in the conduct of public affairs, and further, to hold public office commensurate with their suitability, education and professional knowledge.

70/A.(1) The Hungarian Republic shall observe the human and citizen rights of all persons staying within its territory, without any discrimination, notably, without distinguishing on the basis of race, color, gender, language, religion, political or other view, national or social origin, property, birth or other condition.

70/A.(2) Any adverse discrimination in regard to matters enumerated in Section (1) shall be severely punished by law.

70/A.(3) The Hungarian Republic shall support the realization of equality under law with actions aiming for the elimination of inequalities in opportunity.

70/B.(1) All persons in the Hungarian Republic shall have the right to work, and to choose work and occupations.

70/B.(2) All persons shall be entitled to receive equal wages for equal work, without discrimination.

70/B.(3) All workers shall have a right to expect to receive an income commensurate with the quantity and quality of the work performed.

70/B.(4) All persons shall have the right to recreation, to free time and to regular, paid vacations.

70/C.(1) All persons shall have the right to establish organizations with others, or to join organizations for the protection of their economic and social interests.

70/C.(2) The right to strike may be exercised within the framework of applicable laws.

70/C.(3) *The vote of two-thirds of the National Assembly representatives present shall be required for the adoption of the law concerning the right to strike.*

70/D.(1) Persons residing within the territory of Hungary shall have the right to enjoy the highest level of physical and spiritual health.

70/D.(2) *The Hungarian Republic shall enforce this right by way of occupational safety, the organizing of health care institutions and medical care, by ensuring [opportunities for] regular physical exercise, and by protecting the built up and the natural environment.*

70/E.(1) Citizens of the Hungarian Republic shall have a right to social security; and to provisions needed for living in case of old age, illness, disability, death of spouse, death of parents, and of unemployment not due to the citizen's fault.

70/E.(2) The Hungarian Republic shall enforce the right to be provided for through social security and through the system of social institutions.

70/F.(1) The Hungarian Republic shall ensure the right to cultural enjoyment to its citizens.

70/F.(2) The Hungarian Republic shall enforce this right by expanding and rendering general public cultural events, by providing free and obligatory elementary schools, intermediate and high level education accessible by anyone based on a person's abilities, and further, by providing financial support to persons receiving an education.

70/G.(1) The Hungarian Republic shall respect and support the freedom of scientific and artistic life, academic freedom and the freedom to teach.

70/G.(2) Persons who cultivate the sciences shall have the exclusive right to decide in regard to issues of scientific truths, and to determine the scientific worth of research.

70/H.(1) It shall be the duty of all citizens of the Hungarian Republic to defend the homeland.

70/H.(2) Based on the general duty of national defense citizens shall perform armed or unarmed military duty, or civilian duty in the framework of conditions established by law.

70/H.(3) *The vote of two-thirds of the National Assembly representatives present shall be required for the adoption of the law concerning national defense obligations.*

70/I. All citizens of the Hungarian Republic shall contribute to the public burden consistent with their income and financial situation.

70/J. Parents and guardians in the Hungarian Republic shall provide for the education of their minor children.

70/K. Claims based on the violation of fundamental rights, and further, objections to state decisions concerning performance on obligations may be enforced in court.

Chapter XIII BASIC PRINCIPLES OF ELECTIONS

71.(1) The electorate shall elect National Assembly representatives as well as town, city, and capital city district council members (local council members) based on a general and equal right to vote, by direct and secret ballot.

71.(2) Members of the capital city council shall be elected by the capital city district councils, members of county councils shall be elected by city and town councils by secret ballot.

71.(3) *The vote of two-thirds of the National Assembly representatives present shall be required for the adoption of the law concerning the election of National Assembly representatives and of council members.*

72. 73. (Repealed by 38.(1) of Law No. 31 of 1989)

**Chapter XIV
THE CAPITAL CITY AND THE NATIONAL
SYMBOLS OF THE HUNGARIAN REPUBLIC**

74. Budapest shall be the capital of the Hungarian Republic.

75. Ferenc Kolcsey's poem entitled "Himnusz" with Ferenc Erkel's music shall be the national anthem of the Hungarian Republic.

76.(1) *The flag of the Hungarian Republic shall consist of three strips of equal width, colored red, white and green.*

76.(2) *The vote of two-thirds of the number of National Assembly representatives shall be required for the adoption of the law concerning the coat of arms and the flag of the Hungarian Republic, and the use of these.*

**Chapter XV
CLOSING PROVISIONS**

77.(1) The Constitution shall be the basic law of the Hungarian Republic.

77.(2) The Constitution, and constitutional legal provisions shall be mandatory with respect to all organizations of society, all state organs and citizens as well.

77.(3) (Repealed by 38.(1) of Law No. 31 of 1989)

78.(1) The Constitution of the Republic of Hungary shall take force on the day it is proclaimed; the *Cabinet* shall provide for its implementation.

78.(2) The *Cabinet* shall submit to the National Assembly the legislative proposals needed to implement the Constitution.

Legislative Intent to Amendments

25000772A Budapest MAGYAR KOZLONY
in Hungarian No 59, 25 Jun 90 pp 1265-1269

[Legislative intent to accompany the legislative proposal to amend the Constitution enacted by the National Assembly on 19 June 1990 as Law No. 40 of 1990]

[Excerpts]

GENERAL INTENT

This legislative proposal to amend the Constitution (hereinafter: Proposal) does not claim that the Constitution established on the basis of the present amendments will provide a Constitution to the Republic of Hungary which proves to be a stable basic law also in the long term. The Proposal establishes as its goal to provide appropriate constitutional security for the development of a solid parliamentary system based on democratic foundations until such time that a new Constitution is created.

Fundamentally, the Proposal may be divided into two major fields it regulates.

1. The Constitution currently in effect—up until the amendments adopted on 9 May 1990—recognized two kinds of voting ratios in parliament. On the one hand, it prescribed a two-thirds qualified majority for the adoption of laws dealing with a specific group of subjects (laws having the force of the constitution). This required the affirmative vote of two-thirds of the total number of representatives. On the other hand, it defined a group of subjects which required the vote of a simple majority. (In the presence of more than half the total number of representatives, the adoption of a proposal required the affirmative vote of more than half of the representatives present.)

Voting in regard to individual issues is generally far more complicated in parliamentary democracies. The reason for this is that the rules for voting ["how voting takes place"], the number of votes required to reach a decision in general corresponds with the significance and weight of the issues to be decided.

Based on all of the above the Proposal introduces four bases for voting. Accordingly, certain decisions of the National Assembly are to be reached by [A] [the affirmative vote of a] simple majority, [B] by an absolute majority (50 percent of the total number of representatives plus one person), [C] the affirmative vote of two-thirds of the representatives present, or [D] the supportive vote of two-thirds of the total number of National Assembly representatives.

Accordingly, based on the above, the category of laws having the force of the constitution, as per the present constitution, which frequently caused difficulties with respect to interpretation, will be discontinued as a result of this Proposal. Instead of general definitions, the Proposal specifies in regard to each specific issue the ratio of votes required for decision, the kind of supportive majority vote needed to take a position in regard to a given subject. A simple majority will be required wherever the Proposal does not contain an expressed statement to the contrary. Although this solution increases the volume of the Constitution, it has the advantage of rendering the method of voting an unequivocal matter.

The Proposal provides that the affirmative vote of two-thirds of the total number of representatives shall be required to amend the Constitution, to adopt a law concerning national symbols, and for reaching the most important personnel decisions—to the election of the president of the Republic, the members of the Constitutional Court, and the election of the commissioners for citizen, and national and ethnic minority rights, the chairman and vice chairmen of the State Accounting Office, and of the chairman of the supreme court. In regard to laws not related to governance, but for the enactment of which increased attention must be paid to opposition views, such as the adoption of House Rules and of the law concerning the legal status of representatives, the Proposal requires the affirmative vote of two-thirds of the number of representatives present. In

addition, the Proposal requires the same voting ratio in regard to certain human civil rights, and also in regard to other issues. [passage omitted]

(As a result of the 9 May constitutional amendments) the Constitution requires the approval of an absolute majority already at this time in regard to the election of the prime minister. In tandem with this provision the Proposal establishes the same requirement for the adoption of a no confidence motion.

In regard to matters of governance, and with respect to other issues not specified in the Proposal, the National Assembly shall render its decision on the basis of the vote of a simple majority.

2. The other major field the Proposal deals with contains the conditions of public law and guarantees which are indispensable in a parliamentary democracy, in order to ensure the stable functioning of the cabinet. In and of themselves these rules do not constitute an organic unit, because by virtue of their character they are details which may be applied in conjunction with other provisions on a given subject to be found in the Constitution. [passage omitted]

SECTION-BY-SECTION ANALYSIS

[passage omitted]

The character of the republican form of government is described in the Proposal by mentioning fewer features and emphasizing the essential features of the Republican form of government. In this regard the Proposal endeavors to declare the fundamental values supported by society, such as independence, democracy and constitutional statehood. [passage omitted]

In general, the Proposal does not regard laws pertaining to fundamental human and citizen rights and duties as laws whose adoption requires a two-thirds majority. In instances where a two-thirds majority is required for the adoption of laws having such content, the requirement is established in regard to the fundamental right.

The Proposal requires the provision of prescriptive rules by law only in regard to the essential content of fundamental rights and duties. Thereby the Proposal discontinues the situation stemming from the present provisions by which all rules pertaining to a given fundamental right or duty must be settled by law.

Stressing the equality of public and private property in order to provide equal protection for the two forms of property, the Proposal defines the economy of Hungary as a market economy.

Compared to the present provisions, by paying increased attention to the interests of private enterprises, the Proposal does not emphatically declare the principle of competition neutrality.

According to the Proposal, definition of the exclusive property and exclusive economic activity of the state

does not require the affirmative vote of two-thirds of the number of representatives (as that is required by provisions now in force). This subject may be dealt only by way of laws adopted according to general rules.

The expression "state enterprise" is changed to: "enterprise owned by the state" to better reflect the peculiar features of enterprises.

As a result of a decline in the movement character of cooperative farming activities based on voluntary association the Proposal underscores the support of cooperatives, along with the recognition of the independence of these organizations.

Based on similar considerations the Proposal fails to mention in the Constitution [the concept of] producer self governance [as published].

Declaration of the right to own property constitutes a provision which has been missing for long.

In contrast to the Constitution now in force, the Proposal assigns the election of the president of the Republic as an authority to be exercised by the National Assembly.

According to the Proposal, in the future the chairman of the Hungarian National Bank will not be elected by the National Assembly, but will be appointed by the president of the Republic. [passage omitted]

... the opportunity to raise questions to the president of the Republic [in parliament] is discontinued.

The Proposal extends the authority of the president of the Republic to dissolve Parliament to the minimum extent that is absolutely necessary for the resolution of a political stalemate which results in rendering the country impossible to govern. [passage omitted]

The Proposal introduces the constitutional law institution of the so-called constructive no confidence motion. Specifically this means that a no confidence motion must include the designation of a person recommended for the post of prime minister.

One of the advantages of a constructive no confidence motion is that it ensures the continuity of governance, and further, it increases the authority of Parliament vis-a-vis the president of the Republic.

Based on the Proposal, the no confidence motion has at the same time a collective character, because a no confidence motion cannot be introduced in regard to a minister, it always affects the entire Cabinet. [passage omitted]

[Regarding habeas corpus:] The Proposal supplements the present Constitution with a guarantee pertaining to personal freedom. This rule has been defined in every constitutional state. This rule is expressed more forcefully in European Constitutions, but criminal procedural

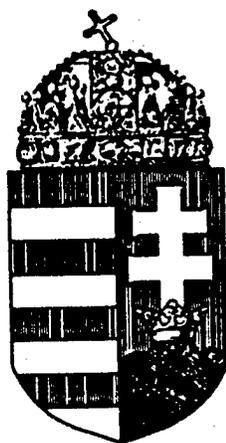
law which takes into consideration the present workload of courts and prosecutors' offices had to be formulated. [passage omitted]

Sacred Crown, Insignia Restored

25000772A Budapest *MAGYAR KOZLONY*
in Hungarian No 66, 11 Jul 90 pp 1381-1382

[Amendment to the Constitution enacted by the National Assembly on 3 July 1990 as Law No. 44 of 1990, restoring the old minor coat of arms of the former Kingdom of Hungary]

[Excerpt] [passage omitted]



76.“(2) A shield with a pointed base, [vertically] divided [into two equal] fields shall be the coat of arms of the Hungarian Republic. The first [left] field shall be cut into seven fields in red and silver colors. In the second [right], red field, at the center of an outstanding hill of three hills, there stands an apostolic cross in a golden crown base. The Sacred Crown of Hungary rests on the shield.

“76.(3)” [text of the existing provision designated as 76.(2), ante]

Military Power, Unarmed Use: Deterrent to Nationalism Abroad

90CH0376A Budapest *KAPU* in Hungarian
Jun 90 pp 65-66

[Article by Andras Babos: “The Army and Aid to Minority Hungarians”]

[Text] We still recall vividly the tragic pictures from Marosvasarhely [Tirgu Mures].... These events suggest that [we must recognize] new and legitimate dimensions for the Hungarian National Defense Forces.

National Defense Force if Hungarian People Endangered Beyond Our Borders

Starting from the basic position of one of the two extreme alternatives, we are being urged to provide immediate, direct aid—with Armed Forces, weapons, and so forth—in case of the ultimate threat, a threat in part already realized. The other extreme is embodied by the party state dictatorship: lack of compassion dressed up in international garb. Neither of the two trends prevails in a pure form. Both have had their historical opportunity, and both have been discredited as unsuccessful attempts to manage the crisis of Hungarian minorities. The Ceausescu dictatorship owed its 25-year survival in part to the anti-Hungarian sentiments it encouraged and legitimized through constant references to an “external threat”. The officer corps and the Securitate network [a large part of which continues to work unimpeded], used tensions among various nationalities as a crisis management strategy.

In Romania, a social revolution, a drive to achieve equality and democratization, has yet to take place. And a revolution for the minority nationalities would only be possible after such a social revolution has taken place. Put mildly: it is an illusion to regard the December events as a revolution. The sudden surge of events swept away the dictator, and the most compromised persons in his circle. But it is precisely because of the suddenness, the unorganized character, and the “external origins” [read: Laszlo Tokes and his followers] of these events that there was no coherent effort—an all-National base upon which to continue [the uprising]. Romania is still pregnant with a revolution—or it will abort into a dictatorship. The sole force able to create a consensus for a continuation [of dictatorship] among the Romanian people is nationalism (“thanks” to the dictatorship), and within that the strongest force is anti-Hungarian sentiments.

In this strained sociopsychological situation any indirect or direct military intervention holds the threat of war. In spite of a stated limited scope of action, and guarantees accompanying the assistance to Hungarians, such military intervention would immediately serve as a pretext for antidemocratic, chauvinist forces to apply “strong arm” policies, to resort to acts of war. The Hungarian National Defense Forces serve the interests of the Hungarian nation as a whole. What could it do in the event that the Romanian government is unable, or unwilling, to defend the fundamental interests, the human rights, of Hungarians?

Options Available to National Defense Forces

The relationship between the two armies has been somewhat better in recent times than the relationship between the two governments. It was possible to take advantage of this relationship [e.g. in organizing the protection of Laszlo Tokes], and this relationship must be taken advantage of in the interest of improving the situation.

By virtue of its mere existence, its potential deployment, and its current level of combat preparedness, the Hungarian National Defense Forces may represent a certain deterrent which makes even the most chauvinist political groups, which chase "Great Roman" rainbows, ponder. In the minds of these groups the "natural" state boundaries are at the Tisza river....

The international prestige of the National Defense Forces presents an opportunity to influence international public opinion, and to disseminate special security policy analyses. By stating the facts, these analyses could draw attention to the potential danger the Hungarian Republic finds itself in, and could also draw attention to the fact that the situation of Hungarians in Romania may become the crux for European security.

The Hungarian Forces could support the socially disadvantaged Hungarians abroad by providing humanitarian aid [as they did last December]. Government resources for such potential action are available.

In the event of an escalation of pogroms, the Hungarian Forces, in cooperation with the Foreign Ministry, could request, as a last resort, the deployment of international police forces to protect the persecuted Hungarians.

Such action is expressly not of a military nature; yet it requires military preparedness and expertise. In addition to implementing a defense doctrine, a well prepared national armed force, which maintains a high level of combat readiness, will lend strength to Hungarian government initiatives.

Effect of Nationalism on Hungarian Security

During the past decades it appeared as if Soviet hegemony, weighing heavily on East Europe, used an "internationalist coat of paint," and flattened and squeezed dry nationalist sentiments in the region. After the dissolution of the empire, social and national movements with conflicting interests are each seeking to define their own identity. And the search for identity, the need to be different, results in peculiar opposing stands. Together, the absence of a collective European security system, and the disintegration of CEMA and of the Warsaw Pact, encourage nationalistic trends. The possible emergence at our borders of a partially, or fully, independent Slovakia, Ukraine, and Serbia would result in a new situation securitywise. It is necessary to prepare, at least in theory, for such an eventuality.

Military force, with an emphasis on defense, is a stabilizing factor in East and Central Europe, divided by nationalistic movements, even if the possibilities of deploying forces are extremely limited. For now, there is nothing to take the place of this stabilizing element. A well organized and developed armed force provides an important civilian tool for emergency aid and crisis management. Until a collective European security system is established, with a smaller number of personnel, but with better equipment and supplies, the Hungarian National Defense Forces must, and is able to,

provide a deterrent upon which foreign policy may rely in representing the interests of the nation and of Hungarians living outside of its borders. Even before a collective security system is established, the main national security policy is to support the enforcement of our national interests, with guarantees provided by international law. In regard to diplomatic, political, legal and humanitarian measures which effectively serve the interests of all Hungarians, and which require [the support of] an unarmed, but military infrastructure, the national defense force plays an invaluable role.

Supreme Prosecutor on Reorganization, Death Penalty, Carlos Affair

25000763B Budapest *MAGYARORSZAG* in Hungarian
13 Jul 90 p 18

[Interview with Supreme Prosecutor Dr. Kalman Gyorgyi by Csaba Bundula; place and date not given: "Burdens—To Protect Society"—first paragraph is *MAGYARORSZAG* introduction]

[Text] Hungary's new supreme prosecutor has taken the oath of office. Never before has Dr. Kalman Gyorgyi worked as a prosecutor. For 26 years he lectured at the Department of Criminal Law in the School of Law and Political Science, Lorand Eotvos University of Sciences. His work has been primarily on sanctions—punishments, actions, sentencing, studies concerning criminal acts and issues pertaining to holding persons to account.

[Bundula] To what extent does the fact that you are a theoretician, and have no practical experience as a prosecutor, constitute an advantage or a disadvantage?

[Gyorgyi] One may assume that those who offered me this assignment wanted by all means someone who had not been a prosecutor. I believe this to be true because they certainly could have found a number of prosecutors with outstanding theoretical training and with several decades of practical experience perfectly suited for this office.

Free From Politics

[Bundula] Then why did they seek you out?

[Gyorgyi] It is not incumbent upon me to answer this question, I feel.

[Bundula] A possible explanation could be that the image of the prosecutor's office, and of prosecutors, is rather unfavorable in the public's mind. The centralized structure of the organization, the adherence to the ideology of the prevailing powers, and the repressiveness of state organizations may have created fear and adverse feelings in people.

[Gyorgyi] I feel that the picture you just painted is somewhat distorted. First of all, the prosecutor's office is not a Hungarian "invention," moreover, it is not even a

socialist invention. This centralized, hierarchically structured organization first came about in early 19th century France. It was subordinated to the government, and its primary function was to present the prosecution in criminal cases. The fact that during the past 40 years prosecutors' offices performed work as directed by party organs of the appropriate level is indeed a peculiar socialist feature. Incidentally, the legal authority to do so did indeed exist. The Constitution declared that the Marxist-Leninist party of the workers' class was the leading force of society. This provision was in force until last year's amendments took effect. Accordingly, the prosecutor's office was part of a state organization which the Hungarian Socialist Workers Party was able to supervise and direct. And there is yet another grave and painful matter which burdens the present prosecutor's office. This organization has earned some "indelible merits" through the illegalities that followed 1945, 1953 and 1956, by conducting the conceptual trials. The successors to the "gentlemen" named Alapi and Szalay, the star prosecutors of those years, do not regard these persons as examples to be followed, to put it mildly. On the other hand, it is the primary task of the prosecutor's organization to protect society and to take firm action against criminal acts and those who commit such acts, provided that such activities are pursued within the framework of the law, in a manner accurately circumscribed by law. And let me just mention a very important matter. Based on the amended Constitution the office of the prosecutor is an office free of politics: It does not seek the blessing of the government, it does not fulfill the government's expectations. It represents the guarantee instead of the impartial application of laws.

Before the Change

[Bundula] But this is not quite the way the public views it. Do you have any thoughts on how prosecutors could be made somewhat more "popular"?

[Gyorgyi] An inordinately large number of otherwise excellent Hungarian and foreign books and movies dealt with well-known as well as with lesser known criminal cases. But the authors and script writers—who knows for what reason?—almost always used the same pattern as the basis for their work. While they depicted lawyers as smart, assertive, intelligent persons selflessly standing on the side of honest people, prosecutors were generally vested with adverse attributes: they were the ones who wanted to put innocent people behind bars, they represented the state, the repressive organ, they were scatterbrains with limited intellects, incompetent in everything. Accordingly, it is no wonder that people whose only experience came from these movies, have unfavorable impressions.

My task grows out of these facts. With the help of publicity, the press, people must be made familiar with the real functions of the prosecutor's office, with the work they perform in the interest of protecting society. An outstanding opportunity presents itself in the coming months: At present there is a lively debate among both

legal theoreticians and practicing jurists regarding the transformation of the organization and the activities of the prosecutor's office.

[Bundula] Three distinct concepts evolved in this regard. Could you give us the essence of these?

[Gyorgyi] Several volumes of preliminary studies were prepared under the Academy's direction. The possible solutions were formulated on the basis of these. One of these alternatives holds that the present prosecutorial organization fundamentally complies with expectations and that only minor changes are needed. (Based on present rules the prosecutor's office is independent of all state organs—and thus also of the government—and it is accountable only to the National Assembly and its laws.) The other concept provides for significant changes in the functional scope of the prosecutorial organization, without changing its public law status, however. Based on this concept, the general legal oversight authority of prosecutors extending to all state and social organizations, and to their involvement in civil cases, would cease. This would be based on the idea of transferring part of these functions to newly established institutions, such as the Constitutional Court, the State Accounting Office or the Court of Registry. Thus, the prosecutor's office would retain jurisdiction only over matters related to criminal proceedings—representing the prosecution, overseeing the legality of investigations and of penal enforcement. The third alternative springs from the idea that the prosecutor's office performs only functions related to penal enforcement, and that there would be no need for a separate office of the prosecutor. Based on this concept the offices of prosecutors would operate within the Ministry of Justice, as governmental organs. With that, Ministry of Justice functions which cannot be reconciled with the idea of an independent judiciary would cease, while the government would have an opportunity to more directly influence policies regarding the application of laws. In my view, it would be appropriate to subordinate the prosecutor's office to the government as long as its only area of responsibility from now on is criminal proceedings. This is the pattern followed by most West European states.

The Carlos Affair

[Bundula] Like judges, prosecutors also work an awful lot under adverse conditions for low pay. This is one reason the career of prosecutor is not overly attractive to young lawyers. What means do you have available to change this situation somewhat?

[Gyorgyi] People may think that the Supreme Prosecutor receives a high income. Looking at newspapers I often find want ads which offer four or five times as much income, and prosecutors at the lower levels experience an even worse situation of course. And yet, this does not mean that we attract only the less talented, the less suitable persons from the universities. Persons with outstanding professional training and

outstanding academic achievements also work as prosecutors. This is so because aside from money, an avocation for this career, a liking for this kind of work, and the joy of work are at least as important. Quite naturally, I will try to help with the most urgent concerns. To the west of us they realized much earlier that employees must receive a decent pay if they want the state organization and all of its institutions to function well and efficiently. I am very confident that the parliament and the government are aware of all this, and that they will act accordingly.

[Bundula] You are one of the founders of the League Opposed to the Death Penalty. At the same time, our present criminal laws, the enforcement of which is incumbent upon the prosecutor's office, recognize this kind of punishment. How are you able to reconcile these two facts?

[Gyorgyi] I left the League prior to my selection, but my views did not change in this regard. Last October the parliament abolished the death penalty for criminal acts against the state. At present, a death sentence may be pronounced "only" in regard to three, so-called ordinary crimes: certain qualified murder cases, the illegal overpowering of aircraft, and acts of terror. (And even in these instances the death sentence is not mandatory, it may be imposed as an alternative to prison sentences ranging from 10 to 15 years, or to life in prison.) No death sentence has been pronounced in Hungary for many long months; in the recent past the last person sentenced to death received clemency from the provisional President of the republic. And the Constitutional Court will deal with this issue in the fall. These developments give rise to confidence; in my judgment we will soon join the developed democratic countries which abolished this senseless and ineffective method of punishment.

[Bundula] The public manifests a lively interest these days in the so-called Carlos Affair. The Supreme Prosecutor is conducting an investigation. How far did the office get, what are your findings thus far?

[Gyorgyi] I have not much to say on this; the experts are in the process of examining the documents. We are faced with three tasks. First, we must establish the facts. Thereafter we must qualify these facts from a legal standpoint. Then we must take a position as to whether criminal proceedings should be initiated. And we must consider whether a circumstance has arisen which might pose an impediment to initiating criminal proceedings. The statute of limitations may come into question. We will provide appropriate information as soon as the investigation reaches a stage in which substantive facts are available.

Independent Monthly's Editor on Postal Service Inefficiency

90CH00279B Budapest VILAG in Hungarian
14 Jun 90 pp 39-40

[Interview with Csaba Konczol, editor of HIANY, by D. K.; place and date not given: "Postal Waltz"—first paragraph is VILAG introduction]

[Text] HIANY is one of the periodicals that, despite their value-centric programs, are unable to cope with the present conditions of distribution and operation. Those damned market forces, one might say. But that is not the issue here. For one thing, there is no market: there is merely the anarchy of unrestrained capitalism. For another, there are products whose price in any self-respecting country is not determined solely in the marketplace. Thus Csaba Konczol, the editor of HIANY, is not speaking exclusively about his own periodical.

[D.K.] Whose periodical is the "social-liberal" HIANY?

[Konczol] In terms of organizational subordination, it is not the periodical of anyone or anything. And that essentially distinguishes us from such other organs as KIS UJSAG, SZENTKORONA, SZOCIAL-DEMOKRATA NEPSZAVA, SZABADSAG, MAGYAR FORUM and MAGYAR NARANCS, for instance; or from periodicals like BESZELO or HITEL that openly acknowledge their party affiliation in their content, as well as in the composition of their editorial staff and of their contributors and correspondents, but profess to be independent or at least obscure their dependence. From this point of view we are so independent—with all the advantages that independence offers in principle, together with its practical drawbacks—that we simply have neglected to emphasize that fact separately on our masthead.

On the other hand, we know more or less for whom we are editing and writing our periodical and commissioning the articles in it. Already our present circulation, around 10,000, suggests that we are a periodical for intellectuals, and that supplying up-to-date information for our readers is not our main purpose (the two to four weeks between assigning an issue to press and its publication would already rule that out). Instead, we want to analyze, interpret and comment on information readily available from other sources, and to place sporadic phenomena in their broader context. Furthermore, we are striving to publish, more or less regularly, noteworthy original documents, and provocative approaches regarded as sacrilegious because of decades-long conditioning, that other papers have missed or have found more convenient not to publish.

[D.K.] If you are so stable in your editorial content, why don't you increase your pressrun?

[Konczol] We simply do not have patrons and sponsors willing and able to invest in us. We did have a publisher, INKO, a subsidiary (or, more recently, a limited-liability company?) of Comporgan. But the parent company went

bankrupt, which by definition means that also the subsidiary was bankrupt and has even ceased. We did not get and are not getting any state subsidy. True, we did make one attempt to obtain a state subsidy: we applied for the award offered by the Osvat Foundation, which the Ministry of Culture and Education established. In support of our application, we attached a copy of each of our issues published so far. We received a strange, brief rejection slip, without any meaningful indication of why our application was rejected. Yet we would have been satisfied with even a modest fraction of the award. The MTA-Soros Foundation, established with American capital, has been the only one to provide proof of its good intentions, its confidence in us, and its willingness to help, mainly in the form of a cash grant and an offer of office equipment more modern than the one typewriter (a 20-year-old Optima) we are now sharing. Financially, in other words, we are actually "hanging in the air" and wondering how to pay our authors on time the well-deserved honorariums we promised them, our translators the fees for their translations, our occasional typist what we already owe her, our planning editor's fuel allowance for his trips to our printer in Szombathely and back, etc.

Regarding a larger pressrun, however, an even greater obstacle than the ones mentioned above, and a problem that concerns not just our periodical alone, is the Postal Service: it is clinging tooth and nail to its distribution monopoly for a hefty percentage, although it has become completely unsuitable to operate that monopoly. Like all other periodicals, we have no access to the Postal Service's books and no way of telling whether it is actually distributing our copies, shipping them to the newsstands and newsdealers, or is just storing them somewhere for a time and then writing them off as unsold or unsalable returns. Considering that our periodical is targeted at just one stratum, we also have no say in where the Postal Service ships our copies: where in Budapest and to which regions in the provinces. Members of our editorial office have made random checks on several occasions, with disheartening results. I have been unable to find a single copy of *HIANY* in downtown Budapest, which is teeming with university and college students, instructors, scientists and philosophers—not because the periodical has been sold out, but because the newsdealers did not get any copies. To be sure, a newsstand near the Ferencvaros soccer stadium had an abundance of copies: "I could paper the entire arcade with them," the newsdealer at the stand laughingly told us. Not a single copy in months arrived in Varpalota, with its population of 40,000. And you looked in vain for a copy in Szekesfehervar, Pecs or Debrecen, each with a population of 100,000. It is cold comfort to us that of the 3,000 copies of *HOLMI*—perhaps the best of the new Hungarian literary and artistic magazines—it ordered for distribution in the capital, the Postal Service wrote off 2,000 copies as returns. Thus, on the one hand, the Postal Service is pretending to be distributing the newspapers and magazines. And on the other hand, by claiming that demand is declining, month after month the Postal

Service has been cutting back on the number of copies it orders for distribution. Other newspapers and periodicals get the same treatment.

[D.K.] What happens to the unsold copies that do not pass through the filter of postal distribution?

[Konczol] That is a thorny question, at least for us. So far not a single copy has been returned to us from the provinces, although we would be more than willing to agree to redistributing the returns at a discount or even free of charge. After all, our periodical is not a daily whose reports become stale overnight. In spite of this, the Postal Service handles newspapers and periodicals more or less equally: presumably after allowing some time to elapse, it writes off the returns and sends them to the mill for pulping. But that is merely my malicious assumption. The Postal Service simply does not tell us anything: it does not allow our editorial office any say in this matter and refuses to divulge even the bare facts to members of our editorial staff. And since we are by no means the only ones treated in this manner, we do not think that the Postal Service is picking specifically on us. For example, I heard from the editors of *HOLMI* just the other day that 2,000 of the 3,000 copies the Postal Service ordered for distribution in Budapest have remained unsold, and that the editors do not have even the faintest idea of what is happening to this large number of returns, a third of their total pressrun. An article that appeared with photographs in the 11 April issue of *MAGYAR HIRLAP* proves that this is not just intense worrying on the part of the editorial offices. The article reported that in many instances finished products from the printing plants never enter the distribution network, but are trucked directly by the ton to the pulping mill. Incidentally, I have also heard the malicious view that the Postal Service, or rather certain managers, insistent on a distribution monopoly, find it more lucrative to shorten the road from printing plant to pulping mill this way, by avoiding the detour of distribution: the Postal Service gets at least 30 percent of a periodical's retail price to cover its standard distribution cost. Also, a no small proportion of the extra profit from selling for some other purpose the pulped unsalable (?) returns, downgraded into scrap suitable for recycling, flows into the managers' pockets. Over and above all this, my malicious source informed me, huge amounts can be accounted as savings: the transportation and fuel costs decrease; the vehicles last longer because they are used less, and fewer of them are needed; getting rid of the "returns" as soon as possible eases the problems of storage; the bothers of distribution can be reduced by simplifying it in every respect; or at least the work force can be maintained at a relatively low level, etc. In short, practically everyone fares better, with the exception of that insignificant minority of "eggheads"—in *Tapolca*, *Balmazujvaros*, or even along the *Nagykorut* [Ring] in Budapest—who would like to read with their own eyes the periodicals about whose existence, incidentally, they are being continually informed over the radio and on TV. The newsstands are gratifying in principle. But in

practice, in what has truly become a buyer's market for publications, the expansion of supply in the direction of intellectual shallowness, shrill vulgarism and cheap sensationalism, have displaced or practically obscured specifically those products which, just a few years ago, even unsophisticated newsdealers regarded as some of the most effective customer lures.

[D.K.] In your opinion, what is causing this change of mentality?

[Konczol] Let me begin with what is not causing it. First of all, not the currently fashionable excuse that there are just too many new periodicals. True, there are hundreds of newly established periodicals. But that is a fleeting phenomenon. A reaction to the decades when not even the writer Gyula Illyes, who had been honored as a semigod already in his lifetime, nor the younger, but nationally renowned, creative figures like Sandor Csoori, Miklos Meszoly, Ferenc Kiss, Bela Horgas, etc., were able to found new periodicals that would have better suited their esthetical and ideological leanings. They were unsuccessful, despite long years of trying to get permission and of being made to cool their heels in waiting rooms. Not even the Writers' Union actually had a periodical of its own at that time: KORTARS was supposed to be the official organ of the Writers' Union, but the latter really had no say in editing that periodical. As the strict central control of those years was gradually relaxed, and after the periodical's collapse with a thunderous crash, there were by and large two types of persons who decided to organize an independent periodical or publishing house. Those who, in the most noble sense of the word, have been, and still are, enamored of, or obsessed with, "putting out a paper", are the minority. For them it is a vocation, a career, a mission in life, a passion from which no obstacle can deter them. They live, read and think as editors and cultural organizers even if they really have nothing and nowhere to edit, and cannot afford to do so. For them the spectacular disintegration of the previous decades produced a change (and a by no means negligible one) merely in the external circumstances, at the technological level, one might say. They were "born to be editors," be their periodical called KRITIKA or BESZELO, KATOLIKUS SZEMLE or MAGYAR ZSIDO, HITEL or TISZATAJ. They have always been and will remain editors, regardless of whether they are decorated or fined for being editors, as the political winds blow.

And, in my opinion, the cause of the change in mentality you mentioned is not even the fact that, in the hope of "good business" and of "getting rich quickly," very many publishers and so-called editors have flooded public places and arcades with products that cater to all forms of bad taste. Numerically, these publishers and so-called editors happen to form the majority at present. But since they are not motivated by editorial ambitions greater than their hopes of quick and high profit (the day after tomorrow you might find today's publisher of pornographic magazines selling garlic wholesale at the Bosnyak Square Produce Market), I strongly suspect that

their number will sharply decrease fairly soon. Catastrophic recessions are usually caused by oversupply in the market during periods of prosperity. And the signs of such oversupply are becoming increasingly evident at present.

POLAND

Polish EEC Mission Chief on Mission's Role, EEC Aid Programs

90EP0741A Wroclaw GAZETA ROBOTNICZA
in Polish 17 Jul 90 p 2

[Interview with Jan Kulakowski, head of the Polish Mission to the EEC; interviewer, place, and date not given: "To the EEC by Way of an Association"]

[Text] [GAZETA ROBOTNICZA] What does the Polish EEC Mission occupy itself with currently?

[Kulakowski] It appears to me that we should start with a basic assumption: this is a mission which should be like a window or channel through which Poland should return to Europe. I know that the term "Poland's return to Europe" is not agreeable to Minister Skubiszewski—and rightly so—who claims that Poland was always a part of Europe. Therefore, perhaps it is better to say that Poland was always a part of Europe, but its practical participation in it was as if suspended by the Yalta agreements and that which followed, and that now, it is as if we are "reactivating" this participation of Poland in Europe and putting it into practice.

[GAZETA ROBOTNICZA] What is this based on?

[Kulakowski] This is where the role of the mission comes in immediately. What this is based on is that even before the present government came into power, an agreement on trade and economic cooperation had been negotiated between Poland and the EEC. It was signed already by the then, present government in September of last year. Thus, an agreement was placed in effect that had already been valid during that time.

Currently, we have gone further than the agreement through the creation of the "Group of 24" and the "Phare" program regarding cooperation with Poland and Hungary as well as aid for both countries. As we know, this program has been expanded currently to include other countries: Bulgaria, Czechoslovakia, Yugoslavia, and the GDR. This program provides for a whole series of very concrete elements of cooperation.

Finally, the third part of this, similar to a triptych, is Poland's aspiration to institutional uniting with the EEC by means of an association, which we, President Mazowiecki and Minister Skubiszewski, have filed for at the beginning of the year. Our aspirations, as if the essence of that which we would like to see in the association, have been stated precisely in the memorandum which the government had introduced in June and, at the present time, we are preparing to enter into negotiations

with regard to the association whose purpose would be Poland's full membership in the EEC. It seems to me that the mission's activity is contained within the framework of this triptych: the initial agreement, the entire "Phare" program, and the association.

Center Accord Leader on Walesa's Dynamism as Presidential Quality

90EP0745A Warsaw KONFRONTACJE in Polish No 7, 12 Jul-11 Aug 90 pp 6-7

[Interview with Jaroslaw Kaczynski, senator and leader of Center Accord, by Jerzy Papuga; place and date not given: "The Subject—The Political System"]

[Text] [Papuga] Well, now we have a disintegration of the center of power that is "Solidarity." What will happen next?

[Kaczynski] First, an explanation. "Solidarity" is not the center of power. The government is a "Solidarity" government, but it is also a coalition. There is no functional connection between "Solidarity" and the government. There is no transfer of decision making from one place to another. I want to emphasize very strongly that "Solidarity" has no controlling role with respect to the government. As the premier wishes, the government is an independent political entity. Moreover, this was the plan of this government.

Second, a division in the Citizens Committee actually began in the time of Lech Walesa, which means a division of that large "Solidarity" camp. We do not yet know how this will be reflected in the citizens committees at lower levels. What will happen? Perhaps there will be a division that will affect the whole country.... But this cannot pertain to the trade union. It must retain complete unity. Is this good or bad? I believe that this is a natural process. "Solidarity" was a camp so broad that at a certain point, maintaining unity became impossible. Another contention concerning the character of the present policy was imposed over an ideological contention in which one side did not want to be named or described. At the same time, this contention is rooted in the ideological contention, although this is not as simple a matter as this. Finally a personal contention was added concerning who will be president. Everyone knew, of course, that someone must succeed Jaruzelski. Whether quickly or slowly, this change would occur. So who would it be: Walesa or Mazowiecki? In spite of some claims, this is a question of the dynamics of change. Are you for Walesa and therefore for a policy of decisive changes and elimination of the latinization of Poland, for avoiding destabilization as a result of economic revolt, or for the policies of Mazowiecki realized in small steps? And very little time remains... A democracy succeeding a dictatorship has about a year of people's tolerance and willingness to sacrifice. If it does not take advantage of that year, things can get very bad. The first indications of this can already be seen in Poland.

[Papuga] So will there have to be a "new beginning?"

[Kaczynski] An acceleration may be this "new beginning!"

[Papuga] Probably there is a no more ridiculed political term than this acceleration.

[Kaczynski] It is not an empty word. In addition to its essential worth, as well as moral worth, the restoration of justice, it also has a sociotechnical dimension. There is no hiding this. People must be given a clear picture of the political situation, a clear perspective, and a restoration of a sense of justice.

[Papuga] If you gentlemen want to restore certain values to our political life, I am curious how you evaluate the 300 days of the rule of Mazowiecki's group?

[Kaczynski] I would make this evaluation on two planes. On the one hand, the government is in a very difficult initial situation consisting of people caught unawares by events; it has taken a great stride forward. It has developed an economic program of a market economy and has initiated its implementation. It has also made many valuable advances, particularly with respect to foreign affairs. But this government, in its composition and in its policies, is hampered by the structures of the "round table." The call of Mazowiecki's government must be understood as a correction to the "round table," and not its overturn as is often heard. This hampering was understandable: Communism was all around, the Polish United Workers Party still existed in Poland. After this party was dissolved, we should have hurried. Radical advancement would have remedied the situation both in the psychosocial and in the institutional sense, for example, in the administrative apparatus. Here the government did not have enough courage. It is a good government for a certain political situation. I am convinced that others will have to create broader political potentials for this government. Neither Mazowiecki nor the people in this group, with the possible exception of Kuron, are people of the revolution. And in Poland revolution is taking place, obviously not in the streets. As I know Mazowiecki, as I know his life history, I believe that he cannot fulfill the role of making this revolution dynamic.

[Papuga] Would you want to say that he is not suitable material for premier?

[Kaczynski] Not at all. I want to say that Tadeusz Mazowiecki could be premier in political conditions created by others. Lech Walesa as a president could create such conditions.

[Papuga] Fine, the election will take place in the fall. Walesa wins. He designates Tadeusz Mazowiecki as premier. Who of the group that he has gathered would have to drop out for the government to express the philosophy of political acceleration?

[Kaczynski] First an explanation. [Elections] this fall was attributed to us. There is nothing in our program which calls for fall as the time for changing presidents. We

would like this to occur earlier, but perhaps it will occur in the fall.... So no one will drop out! If I say that Mazowiecki may continue to be premier, then I cannot force anything on him. I don't know whether the plan that Walesa be president and Mazowiecki be premier will be realized. This would require self-limitation on the part of these two politicians. Walesa would have to agree to having a strong premier. He would have to accept the fact that Mazowiecki would be his partner with whom he would have to reach agreement in certain matters and not force them. On the other hand, Mazowiecki would have to give up his presidential ambitions. As far as the range of power is concerned, it will be greater than it is today, very great. Actually, taking into account the removal of the limitations due to the "round table," Mazowiecki has contributed qualities to our political life that are very valuable to the process of governing a country. He also has great social authority. We are treating this politician very seriously. Therefore, he will select a government that he will recognize as proper. If he likes all of the present members of the government, there will be no problem.

[Papuga] But then we would preserve the dichotomy in the president's camp, in which Center Accord activists are found who have a direct influence over Walesa, and the government camp, certainly including Professor Geremek and A. Michnik as leaders. Do you regard this kind of model of political life as proper?

[Kaczynski] Where Geremek and Michnik belong, I don't know. Perhaps to the government camp, but that is not certain. They say so, and I have no reason to doubt it. I believe that such a declaration has a tactical dimension. Would this kind of situation be healthy? For a transitional period, it probably would. But this would not mean a joint pronouncement in the parliamentary elections. It is possible to determine independently who has what kind of influence over the electorate and then jointly support the government. This has happened more than once. For example, the idea of the great coalition in the FRG. I am not suggesting this during the creation of an election coalition, because that might develop into a very decided confrontation, but in the sense of inculcating basic changes in the course of implementing concrete programs. And quite likely its time will come.

[Papuga] How much authority should the new president have?

[Kaczynski] The least he can get along with in order to play the role of a stabilizer. This is not trust in an individual or trust in the force of authority, but a conviction that Poland needs some kind of stabilizer for the system. At least for the next 10 to 20 years. We want universal presidential elections. Walesa must stand for election. The candidacy of Mazowiecki would be acceptable, but I have a right to make a judgment and express it that in these times Mazowiecki would not be a suitable president. Poland needs a different type of political personality. Were this confrontation to occur and end in Walesa's victory, Mazowiecki's chances to be premier

would not be automatically eliminated. Obviously, to the extent that this presidential election campaign were conducted with a certain restraint. Nevertheless, considering recent experiences, it is doubtful that that side would play by the rules of the game.

[Papuga] What rules of the game are you speaking of?

[Kaczynski] If someone like Worozylski comes forward with complaints regarding political morality and tries to account for the past, then here, the opposite seems to be obvious. For he is the last man who could use settling of accounts as ammunition in a battle. But these are all very remote matters.

[Papuga] Yes, and less and less amusing. Do you share the opinion that authority has alienated itself?

[Kaczynski] You know, this authority.... I don't know this authority, I have minimal contact with the people who participate in it. Alienation is the problem of a certain closing of the ruling group as if by its internal self-sufficiency, a conviction about some kind of mission, and in conjunction with this isolation, loss of contact with reality. The circumstances in which this government is acting do not promote openness. Rather, they promote alienation. If the present state of politics is the result of the conviction of those in government that this is the only possibility, that warning signals are really unimportant (is it unimportant that they do not indicate a present danger, is it unimportant that these are dangers that will have to be confronted as in Mlawa), then this clearly indicates an alienation of authority. But perhaps, the premises of this type of reasoning are different. I know too little....

[Papuga] Perhaps you have heard the complaint that in the struggle for power, Center Accord has become alienated, isolated.... The same thing has been said about Walesa.

[Kaczynski] I don't think so. We are turning our attention to the actual state of the public, to bad attitudes and the consequent threats. I think that we are reading the signals coming from the public better than the wise institutions studying public opinion. And furthermore, we are better at visualizing the threat arising from settling down in a Polish reality of the Latin model rather than in capitalism or democracy or a dictatorship. Democracy is an attribute of one type of organizing the public. The public must have certain traits in order to be democratic. Democracy is not a relationship between authority and an individual citizen. That relationship is always mediated by a multitude of other bodies. If we do not change their configuration, then there will be neither democracy nor a market economy in Poland.

[Papuga] Would you like to discuss the chances of specific candidates for the Belvedere?

[Kaczynski] Should I talk about pure chances here?

[Papuga] Yes, but if you could be persuaded to set up a hierarchy....

[Kaczynski] I believe that Lech Walesa has the best chance, at present, in a vote of the National Assembly and, despite the results of sociological studies, in a popular vote. Why? His authority is something deeper than the sociological studies show. This authority is based on 10 years of leadership. Walesa has a political instinct that is difficult to describe, and this allows him to read the attitude of the people very well. Especially those groups in society that are the lowest, but also the most numerous. He simply knows how to mobilize them. To the extent that Walesa will have the opportunity to use mass media in the election campaign, he will lead these people to the ballot boxes and assure victory for his side. Mazowiecki is undoubtedly another candidate in this hierarchy. He has great authority among the public and, being premier, is in a privileged position. This is his strength. His weakness is this, that, if he puts forward the kind of program he has hitherto, I believe that it is not the program of the majority. It is a program of a certain sociotechnology based on fears, on the desire to avoid dangers, which I believe are spurious. So those two.... Then a long gap.... [as published] And the next candidate is Bronislaw Geremek, a man who is undoubtedly capable, although I have doubts about his purely political talents. Only his actual public base is quite exclusive. It is more than anything the intelligentsia. In elections every voice is equal. Certain questions connected with his ideological history may harm his chances. Beyond that there are several serious politicians who will not announce their candidacy. Unless the situation is pat, I would name Stelmachowski here. He has the virtue of knowing how to be on good terms with everyone. With Walesa, with the Church.... I can't construct any further hierarchy.

[Papuga] How would you describe the camp of your political opponents?

[Kaczynski] I won't take revenge because those who talk to me treat me like public enemy No. 1. Mainly, these are members of the political-cultural elite that finally emerged during recent years. It is convinced that it is a unique, natural representative of the public, which perhaps was true during the war, but is unfounded now. This group does not want to admit that this society decides by ballot who will be its representative. It is a group whose ideological fate is tied to the history of the Polish left. Recently it has been extended to include prominent Catholic intellectuals. It is made up of politicians in the strict sense and of people who allow it to use their names. This group would like to secure its position in the system of a democratic legal structure and it is looking for a method to do this.

[Papuga] You are saying that they are headed toward a monopoly.

[Kaczynski] Actually I believe they are headed toward a real monopoly. I don't suspect them of wanting to jail anyone. Although I heard from one person from the fringe of this elite that political opponents might actually be jailed. Why are they headed toward a monopoly?

First, they have a subjective, deep conviction that they should rule Poland. That they are an elite in every sense of the word. That they combine all the highest moral qualifications with the highest professional qualifications. Second, because a certain part of this group has a strong fear of a public cast into spontaneous democracy. They believe that this process must be controlled, obviously by political and not police methods. They believe that without such control, xenophobia or nationalism would burst forth here. Third, a sense of exclusivism, avant-gardism, and a certain social isolation. This is connected with the life histories of some leaders of this group. Using a colloquial expression, this might be expressed as: "We are in the right, but the public does not understand us and does not support us." Moreover, this is a perception that is greatly exaggerated. They actually have greater support among the public than they themselves think. They could take part in a normal political competition with good effect. But they are not eager to be a strong opposition, they want to be in power. And for this reason, they are seeking a political mechanism that would allow them to maintain a status dependent not on election and competition, but on selection and, immediately, to the highest elite without working at the middle rungs.

[Papuga] Would you like to tell us if this is the source of the contention about the electoral law?

[Kaczynski] Obviously. Professor Geremek, who is not very educated in these matters, is proposing an Anglo-Saxon electoral law under which the individual who gets the majority of the votes takes all. He might even get 20 or 30 percent of the votes. Then, if we accept such a law, one could get a small number of votes, sufficient if it were more than others got, to completely take over the political field. If, in addition, the phenomenon of balkanization of the political system arises, then all the remaining political forces would be secondary. Then 360 seats in the parliament would be taken, 100 would be given to sham parties: local authorities or even to small parties. And then there would be no opposition. This system is in reality without alternatives. And this without using a stick! And without further ado, they would rule....

[Papuga] The relations of the Center Accord and the Church...

[Kaczynski] Our relations with the Church are good. We have talked with the bishops Dabrowski, Goclowski, and Andrzejewski, Cardinal Gulbinowicz, as well as the primate. These are ecclesiastics with great public authority. But it is obvious that the Church is not directly engaged in politics. And we are not counting on anything that would be contrary to this general principle.

[Papuga] Undoubtedly, the resignation during Walesa's tenure in the Citizens Committee of Prelate Henryk Jankowski, a man with great influence on the leadership, was a blow to your side.

[Kaczynski] A great deal has changed in the present times. Father Jankowski's great influence over Walesa, if it ever existed, is a thing of the past.

[Papuga] How do you evaluate the political game that is being played around Center Accord?

[Kaczynski] It is as apparent as if it were on the palm of your hand that the Communist propaganda patterns of the "Trybuna Ludu" type continue to be used. Even if they are in the pattern of a feeding trough to which Center Accord activists want to get. I will answer in this way.... Tadeusz Mazowiecki protested strongly in the columns of "Tygodnik Solidarnosc" against the rumor of the possibility of creating a "Solidarity" government. But after three weeks, he became the premier of the government. Should his motives be explained by the desire for personal advantage?

[Papuga] Thank you.

Coalition for Polish Affairs Supports Walesa Presidency

90EP0741B Warsaw GAZETA WYBORCZA in Polish
21 Jun 90 p 2

[Article by (ZAL): "Coalition for Polish Affairs"]

[Text] We have learned that in the next few days the proclamation and makeup of the Coalition for Polish Affairs will be announced. This is an agreement between parties, organizations, and individuals being prepared by Wojciech Ziembinski, chairman of the "Loyalty to the Republic" Party.

The basis for the coalition is the proclamation of 10 political groups from 18 May signed by, among others, Wojciech Ziembinski, Kornel Morawiecki (Fighting Solidarity) and Romuald Szeremietew (Polish Independent Party). They [political groups] feel that the "foundation of the legal continuity of a sovereign Polish State is the April Constitution of 23 April 1935 and its laws." This signifies the recognition of the president and government in exile.

The groups are also demanding the resignation of Wojciech Jaruzelski, a new electoral law to be adopted in a nationwide referendum, as well as free elections which will allow for "the conveying of constitutional prerogatives of sovereignty of the Republic and its symbols to genuine representatives of the people by legitimate authorities in exile."

The representatives of the Coalition were received by Lech Walesa on 13 June. It is possible to learn from the communique on the meeting that the representatives of the Coalition recognized that Walesa's assumption to the office of president "should occur as soon as possible and prior to the elections to the Sejm and Senate." On the other hand, the chairman "urged the meeting participants to increase activity geared toward enriching the Polish political scene."

"The Coalition for Polish Affairs is open to the Jaroslaw Kaczynski Center Accord and the Lodz Agreement," Wojciech Ziembinski, the coalition's founder, told us.

Miodowicz on OPZZ's Rule, New Interest in Agriculture

90EP0754A Warsaw RZECZPOSPOLITA
in Polish 7 Jun 90 p 3

[Interview with Alfred Miodowicz, chairman, All-Polish Trade Unions Agreement, by Jan Forowicz; place and date not given: "Miodowicz on the Trade Union Movement; Old Resentments"]

[Text] "The situation in which the Polish labor movement currently finds itself has certain advantages but even more drawbacks and shortcomings," said Alfred Miodowicz, chairman of the OPZZ [All-Polish Trade Unions Agreement], in an interview with RZECZPOSPOLITA. "Today, union leadership must examine its programs and reject everything that is not in keeping with the union formula and propose differently expressed and more clearly defined goals to the people and the government. Only in this way can we help union members and workers in general."

[Forowicz] Many of your previous statements have been viewed as populist declarations, creating for people the illusion that it would be possible to overcome the economic crisis without sacrifices on their part.

[Miodowicz] I view the labor union accusation as infantile. Every union must listen closely to the people's desires and expectations, then clamor loudly, protecting workers from every form of exploitation.

[Forowicz] The essence of so-called class labor unions, to whose traditions the OPZZ is bound, did not exclusively bring about protection of worker interests. Remember that much was also said about their educational and organizational functions. They were supposed to teach thinking in categories of the needs of enterprises, even the entire state. Has anything change in this regard?

[Miodowicz] Yes, a great deal. Each of these functions has taken on a decidedly defensive tone, which springs naturally from the systemic changes slowly taking place. Of course, in fighting for the interests of workers, it is still necessary to respect the good of an enterprise, if only because liquidation of a firm clearly threatens the interests of its employees.

[Forowicz] So let us discuss the goals of your faction of the labor movement and how the Polish union formula will look in the 1990's.

[Miodowicz] I believe the unions should aim decisively for stabilization of the government. But this cannot mean creating for the government a political atmosphere that is too comfortable, as we are witnessing now.

But union leadership avoidance of coauthorship of crisis situations should be appreciated by the government. Solidarity leaders must finally take note that the OPZZ has always protested faulty economic concepts. At one time we rebelled against the plans of former deputy premier Sadowski, which set off hyperinflation. We will also oppose other ideas that threaten workers and their families.

[Forowicz] Specifically?

[Miodowicz] OPZZ members are demanding a definition of the main direction of economic development. They feel that in the next few years it will be necessary to concentrate on production by and for agriculture. Because, in this field, Poland would have a chance on foreign markets and, at the same time, would obtain a guarantee of avoiding ominous domestic tensions. We are also demanding a transition from Cabinet economic and financial solutions to the much more difficult practice of subsidizing and supporting other forms of production, as they say, supply production. We reject all attempts to persuade the public that our worker is unproductive, and that his product is not worth much. The success of the government and all Poles will depend on quickly finding the true reason for wrong and removing it. In Poland we have hundred of thousands of first rate experts and significant production potential. Certainly this is not the reason for wrong. So our task depends on disturbing the passive fiscal policy that has dominated the first half of 1990. But also on supporting those steps which, in the next few years, could compensate for the effects of the errors of Balcerowicz's program and the not always successful recommendations of the IMF. For that an admission that Balcerowicz's program still has some faults is needed.

We will vigorously oppose the increased unemployment which humiliates occupationally active people and constitutes a threat to the public order. We will raise a protest against all attempts at privatization of national assets, if this were to be an action that is not thought through or that generates injustice. It is also necessary to fight 19th Century concepts of sham social safeguards of the worst situated groups. It is necessary to demand a vision of cultural development, regulating the income ratio in manufacturing and nonmanufacturing spheres and many other things. The clear demands of union members should mobilize the government and its branches to present better and better ideas, not to persist about a position once taken.

[Forowicz] What role would the union units in the enterprises have in all this?

[Miodowicz] They should separate themselves in their activity from politics and ultimately forget about old animosities. Perhaps they should even place their cells outside the enterprises. As long as they did not get involved in politics, the spirit of straightforward cooperation between our unions and Solidarity prevailed.

Recent events in Slupsk, I think, will accelerate polarization of opinions on that issue. It remains to be seen what is apolitical and what still threatens politicizing. Certainly, from this verification the union formula of protecting the interests of workers and union inspiration for socioeconomic progress will profit.

[Forowicz] Thank you for the interview.

Jurczyk Outlines Program, Positions of Solidarity '80

*90EP0754B Warsaw TRYBUNA
in Polish 28 Jun 90 p 3*

[Statements of Marian Jurczyk as reported by Henryk Prawda: "Jurczyk on Solidarity '80"]

[Text] The National Negotiating Committee for NSZZ [Independent Self-Governing Trade Unions] "Solidarity '80" is working on its program of action "for today and tomorrow." Marian Jurczyk, head of Solidarity '80, presented an outline of that program to TRYBUNA. Here are his main points:

- NSZZ Solidarity '80 is still the same labor union that was established by us in that historic August of 1980. Emphasizing our identity is important today also, because we still want to observe internal democracy in our union, which must be expressed in observance of statutory standards and in rejection of "Neo-Solidarity" mechanisms, foreign to us, for nominating activists and imposing the substance of votes on organs of union authority. As a true labor union, we have not proposed our candidates for self-management or parliamentary elections, and we are not entering into personnel and staff systems.
- We declare ourselves decisively against labor unions' undertaking actions of a political nature, since this will always threaten the loss of their authority and identity. The fundamental function of a union is to protect the interests of working people.
- We declare complete independence from the government, from local administration, from sociopolitical organizations. But this does not mean that NSZZ Solidarity '80 will not undertake action on behalf of ideological and moral support in relation to those organizations and political parties whose programs and goals, as well as their methods for accomplishing them, are in accord with the broadly conceived interests of working and the primary interest of the Polish state.
- We emphatically demand access to the mass media such as radio and television. Not long ago, during the "round table" discussion, "Neo-Solidarity" demanded socialization of the mass media. Today, Premier Mazowiecki, himself, says unceremoniously that radio and television are the government's.
- We will strip away tendencies toward continuing, in Poland, new governments of one party and its antisocial nature.

- We declare the motto of John Paul II: "The economy for man, not man for the economy." The current government is implementing precisely the opposite direction.
- NSZZ Solidarity '80 will continually call for definition of a realistic social minimum and, against this background, demand establishment of derivatives in the form of a minimum wage, family benefits, and pension and disability payments.
- We will not reconcile ourselves to the aim of granting the Agency for Property Conversions powers like a state superagency, arbitrarily deciding about transferring national assets into foreign hands. We will categorically demand that the concept of public stock ownership be abandoned and the idea of employee stock ownership be accepted for implementation.
- We will actively fight group terminations of employment.
- There can be no discussion about preplanned unemployment, especially on the intolerable scale projected by the government.
- We demand the creation of a completely new social insurance institution, conceived as an institution totally separated from the state budget, operating on the tested principles of the Second Republic.
- We are against a uniform system of taxation of the economy, culture, and education, and against the rash notion of liquidating the Workers Vacation Fund.
- We decisively oppose the political manipulation associated with the postponement of the registration of NSZZ Solidarity '80, and we reserve the right to undertake various forms in this matter.

New Movement Calls for Autonomous Silesia

90EP0741D Gdansk *DZIENNIK BALTYCKI* in Polish
14-15 Jul 90 pp 1-2

[Article by Tomasz Jasny: "Autonomy? Silesia—An Uneasy Place"]

[Text] After last year's commotion surrounding the German national minority, the Movement in Support of an Autonomous Silesia is beginning to threaten in turn. It has set a far-reaching goal for itself: from the reinstatement of the prewar status of relative independence with its own Sejm and treasury as a start, all the way to the right to full autonomy.

To avoid the accusation of exaggerating the issue, I am reprinting from the ideological proclamation of the Movement in Support of a Fully Autonomous Silesia: "Recognizing that in the current structural forms of the government system, it is not possible to bring about the according to Slask and its inhabitants of a suitable place—proceeding from the power of the economic potential—in the social makeup of the country, the necessity arises of obtaining the right to determine independently the fate of Slask." And further on: "The task of the movement is to assemble all Silesians, regardless of the place of residence, on the base of a program of

autonomy and create a social movement that will bring about the attainment of the set goal."

A large group of people from Rybnik, who have extensive contacts all over Upper Silesia is stimulating this movement. They have set up headquarters in an apartment house marked for demolition, and this could be considered funny in that it is a kind of peculiar symbol, something which I also tried to convey during a meeting of the provisional administration until I was warned to wait until the movement becomes consolidated and begins to implement its goals.

The chairman of the provisional administration is Pawel Andrzej Musiol, a lawyer. This group also includes engineers, miners, technicians, economists, teachers as well as an artist and a musician. It also includes former PZPR [Polish United Workers Party] members and "Solidarity" activists as well as activists from the citizens committee. The movement has a nonparty character. Contact has been established with the Association of Upper Silesians in Opole confirming in writing the convergence of goals of both organizations; the battle-ax with the Upper Silesian Association in Katowice, which is combatting autonomous trends, has been dug up and cooperation has also been established with the Association of Upper Silesian Students, newly created at the Silesian University in Katowice, which promised intellectual support. Preparations are continuing for the movement's first congress.

They definitely reject any and all talk of separatism or courting Germany. They do not want to cause any antagonism. In any case, it is governments that create antagonism, not people. "Make sure you write this down," I was told.

"Only autonomy can create conditions for a just existence on this soil [Silesia]. Local self-government? This is only a facade. What sort of powers do voivodship regional councils have? Opinion-making and mediational. This is ridiculous. The kind of self-government that is being introduced can only bring things to even greater ruin. The shirt has already been torn off the back of Silesia but we will not give up our pants, and this cannot be resolved in any other way than by firm action."

The movement in support of autonomy does not want to take anything away from anyone but only wants Silesia to stop giving. After all, the situation in which Silesia contributes 28 percent of its revenues to the central budget in Warsaw but receives barely two percent cannot continue. They want to change these proportions, knowing well that they will be at variance with Warsaw, but that is when they will become integrated here on their own soil. Strikes are not necessary to carry this through. It is enough to block bank accounts and prevent the removal of goods from the area.

All of this can be considered cheap demagoguery and made light of with an indiscriminate epithet. However, this will not eliminate the problem which exists and is intensifying now because only now have the possibilities been formed for its unconstrained articulation. The

wrongs and lack of understanding which this region has suffered during the last 50 years, the ecological and economic as well as social and cultural ravages to which it had been subjected, give rise to extreme reactions and radical attitudes which may not be shared but difficult not to understand. The social movement in support of an autonomous Silesia is a veritable alarm bell.

Catholic Intellectuals Condemn Use of Religion as Political Weapon

*90EP0741C Warsaw GAZETA WYBORCZA in Polish
22 Jun 90 p 2*

[Statement signed by 90 members of the Catholic Intellectuals Club in Warsaw; date and signatories not given]

[Text] During the long reign in our country of the totalitarian system, all political activity not controlled by this system was considered a crime and the voicing of independent views entailed persecution. In this abnormal situation, in the presence of the obvious violation of justice and human rights, the support for all those fighting for truth, democracy, and freedom was the Catholic Church. It offered protection and refuge to those persecuted for their convictions and was the only place where it was possible to voice independent opinions; through its teachings, it uplifted spirits and protected against despair.

Society's situation changed at the moment of the fall of the totalitarian system. Today, no one is deprived any longer of the possibility to voice his or her opinions, to create parties or organizations, or conduct propaganda of all kinds. Everyone may choose the political options that suit him or her according to his or her own judgment and conscience.

In this new situation, the Church should be relieved of the burden of matters which in a normal, democratic society do not require its direct participation. In remaining the highest moral authority (and not only for the faithful) in all aspect of life (not excluding politics), it fulfills, above all, its religious mission in society.

That is why attempts of using the authority of the Church in propaganda and in political struggle fill us with great concern. Declarations of loyalty to the Church and readiness to implement its social teachings are also being made by politicians whose programs contain overt or hidden trends difficult to reconcile with the teachings of the Church such as nationalism, anti-Semitism, intolerance, retaliatory tendencies, etc.

We are not denying anyone the right to have, and voice, his or her own opinions no matter how completely foreign and unacceptable they are to us. However, what we do object to are activities that place the faithful in conflict with their conscience and weaken the authority of the Church. We oppose attempts at using the Church as a field of propaganda and political games.

The statement was signed by 90 members of the Catholic Intellectuals Club in Warsaw.

POLAND

**Decree Disbands Military Political Academy,
Establishes New Schools**

90EP0799A Warsaw *DZIENNIK USTAW* in Polish
No 37 Item No 208, 7 Jun 90 pp 497-498

[Executive order of the Council of Ministers No. 208 dated 21 May 1990 on the establishment of the Academy of National Defense and the Higher Officers School of Military Engineering as well as the disbandment of the Military Political Academy]

[Text] Pursuant to Article 3 of the Decree of 31 March 1965 on Higher Military Schools (Dz.U., No. 27, Item 156, 1987), the following is hereby ordered:

Paragraph 1

1. As of 1 October 1990:

1) Are established:

- a) The Academy of National Defense, and
 - b) The Higher Officers School of Military Engineering named after General Jakub Jasinski.
- 2) The Military Political Academy named after Feliks Dzerzhinskiy is disbanded.

2. The establishment of the school:

1) Mentioned in Paragraph 1, Point 1), a), takes place by renaming the Academy of the General Staff of the Polish Army named after General of Arms Karol Swierczewski.

2) Mentioned in Paragraph 1, Point 1, b), takes place by merging the General Jakub Jasinski Higher Officers School of Military Engineering with the Higher Officers School of Chemical Warfare named after Stanislaw Ziaja.

Paragraph 2

1. The purposes of the Academy of National Defense are to:

- 1) Train highly qualified command, staff, specialists, and scientific and instructional personnel for the needs of the Armed Forces.
- 2) Train state and economic administrators to perform specialized defense tasks.
- 3) Conduct research in the fields of military, humanistic, and economic sciences.

2. The purposes of the Gen. Jakub Jasinski Higher Officers School of Military Engineering are to engage in:

1) Instruction in engineering-command fields and to train military experts for positions in the Armed Forces requiring a higher professional background.

2) Research and development of the education and command of subunits.

Paragraph 3. Pursuant to Paragraph 1 of the Executive Order of the Council of Ministers of 23 March 1967 on the Establishment of Higher Officers Schools (Dz.U., No. 15, Item 65, 1967; and No. 8, Item 93, 1971), Points 5) and 7) [as published] are deleted.

Paragraph 4. This Executive Order takes effect on the day of its publication.

Chairman of the Council of Ministers: T. Mazowiecki

YUGOSLAVIA

**Jansa Accused of Lying About Slovene YPA
Contribution**

90BA0276A Belgrade *INTERVJU* in Serbo-Croatian
6 Jul 90 p 31

[Article by M.L.: "Janez Jansa's Tricks"]

[Text] In a recent interview for our newspaper, the new Slovenian minister of defense, Janez Jansa, declared that Slovenia is setting aside seven percent of its national income to meet the needs of the YPA [Yugoslav People's Army]. Since this datum aroused suspicion on the part of the public, we called upon Dr. Vuk Obradovic, official representative of the Federal Secretariat for National Defense, to tell us how much SR [Socialist Republic] Slovenia is giving to finance our Armed Forces. In a recent press conference Dr. Vuk Obradovic responded as follows, referring to data of the Bureau of Statistics of SR Slovenia:

"According to official figures, in 1987 Slovenia furnished 41.8 million to meet the needs of the YPA, and in 1988 another 119.1 million dinars. Since the national income in Slovenia in those years was 855.3 million and 2.5 billion dinars, respectively, the percentages set aside for the needs of the Armed Forces were 4.8 in 1987 and only 4.6 percent of the national income in 1988. We do not have figures for 1989. It is evident from all this that Janez Jansa is making use of falsehood."

The thesis which Janez Jansa has presented supports the incessant assertions of Slovenian journalists to the effect that our Armed Forces are extremely expensive, and that appropriations for the YPA are just as great as those in the highly developed countries. In order to prove this thesis to some extent, information was recently released to the effect that the YPA supposedly took part in building the Slovenian underground city at Kocevaska Reka. Then Dr. Vuk Obradovic resolutely stated that the Armed Forces in the district of Kocevaska Reka have no facilities whatsoever and that all shelters recently discovered are in the jurisdiction of SR Slovenia.

The Slovenes, however, are wisely passing over in silence the fact that in recent months they have not been meeting their financial obligations to the federal budget,

including the YPA. And at the same time they are ceaselessly saying that our Armed Forces are one of the most expensive in the world. That also does not square with the truth, since Yugoslavia is setting aside for military purposes less than a majority of European and also non-European states. Over the period from 1976 to 1980, for example, 6.17 percent of the national income was envisaged to finance the YPA, and then in the period up to 1985 the figure was 5.8 percent, and in the current medium-term period it is 5.2 percent. These resources have never been furnished as planned, so that in the first five-year planning period barely 5.59 percent were furnished, and in 1988 only 4.4 percent of the national income of the SFRY were furnished.

The Shutting Down of Garrisons

Our country's military expenditures this year will amount to \$2.4 billion. And that is quite a bit less than even the expenditures in countries which have twice as large a population as Yugoslavia: for example, Belgium, Holland, Norway, Czechoslovakia.... Even neutral Sweden and Switzerland furnish more money for the Armed Forces than we do. And according to appropriations per member of the Armed Forces the SFRY is the last in Europe.

We should also bear in mind the fact that the SFRY is a nonaligned country with a completely independent defense. Many of the states mentioned rely considerably for their defense on the military potential of the military blocs to which they belong. And some like Greece also receive military assistance from NATO. And regardless

of the stories about the disarmament of Europe and the world, military expenditures are growing unceasingly. In the face of that, Yugoslavia will by the end of the year reduce the size of its wartime army by 23 percent and its peacetime army by 19 percent relative to the numerical status at the beginning of 1986. Territorial defense will shrink by all of 26 percent.

Even our military administration, including the Federal Secretariat for National Defense, has many fewer employees than most defense ministries in the world. In Britain, for example, this ministry has a staff of 36,000, and the American has 100,000. What is more, by the end of 1995 the YPA intends to shut down 21 garrisons and abandon 1,700 military facilities, since the rule of optimum and economical expenditure has always applied in the Armed Forces.

That is why the measures of the Federal Executive Council are being strictly carried out today both with respect to investment and also in the distribution of personal incomes. A Slovenian policeman earns 10,000 dinars a month on the border, while a lieutenant colonel in the border guards works for 7,000 dinars. And although our border guards preserve the national boundary in Slovenia more securely for less money than the border police, the Secretariat for Internal Affairs of SR Slovenia is still advocating that the Armed Forces be driven away from the border and professional border guards be organized. It is obvious that the YPA is bothersome to some of the Slovenian leadership, so the integrity of our Armed Forces is being attacked even with falsehoods.

GERMAN DEMOCRATIC REPUBLIC

Economic Potential, Procedures Viewed

90GE0242A East Berlin NEUE ZEIT in German
27 Jul 90 p 3

[Interview with Dr. Martin Dube, state secretary in the Ministry of Economics, by Dr. Norbert Schwaldt; place and date not given: "A Secure Future With Opportunities and Weaknesses"]

[Text] [Schwaldt] Is the situation of the GDR's economy as hopeless as it is so often depicted?

[Dube] Actually our country's economic situation closely resembles that which obtained shortly after the new regime came to power. Today, no one is in a position to depict the opportunities or the weaknesses of the GDR's economy correctly. If one concentrates one's energies upon painting the problems of the GDR on the wall, the result is a one-sided picture. In any situation involving a breakup, there are also many chances, many opportunities. It will also be possible to observe things that are dying off, things that have become outmoded. That is true of large-scale industry, which is an environmental polluter, and which, from the standpoint of the technical standard, is outmoded; but it will also be possible to find areas that are making progress. The economic situation has to be examined in a complex way.

If one just looks at the number of corporate establishments that have taken place, a positive dynamic can be clearly seen in the economic process.

[Schwaldt] At the present time, improvisation and indecision are hampering the economy. Which escape routes do you see?

[Dube] The political changes in the GDR have meant that important elements of civil liberties have been incorporated into the social system of the GDR. The results of these political developments are free spheres of activity that everyone has wanted.

Every factory director in the past has wanted the opportunity to decide on the economic activities of his firm without interference from above. Now, each factory director must take advantage of these opportunities. That is a challenge Management is being called upon to meet.

[Schwaldt] In your opinion, which opportunities to overcome the old economic and ecological shortcomings of the East German economy should be taken?

[Dube] These are not tasks that individual enterprises can be called upon to deal with by themselves. That kind of thing has to involve a concerted effort on the part of the entrepreneurs, the state, and the workers. Ways have to be sought out together. We do not even know the full extent of the damage yet. At present, we are just busy trying to gather the requisite information. A solution will require significant amounts of money. We are interested

in setting up signs that can serve as signals. Thus, we are in contact with potential restorers. These people are ready to become involved in the area of the environment. The second area of emphasis in restoration is in the social area. If Western firms come to the GDR, they must pay attention to the entire area of social issues.

[Schwaldt] Won't that frighten Western investors away?

[Dube] There is still room for negotiation here. That is one of the few economic quantities that can be flexibly managed. If current expenditures for social services are put into perspective against the potential opportunities presented by the GDR and CEMA markets, the sums at issue are trifling. If willingness to provide for the requisite social benefits is not forthcoming, the subsequent expenditures will be much higher.

[Schwaldt] Are you hampered in meeting your goals by being instructed and warned from a safe distance?

[Dube] Hampered is perhaps too strong a word. It should not be overlooked that on-site involvement could be more intensive than it actually is. The readiness to think one's way into a GDR mentality is not exaggeratedly large. One frequently notices that different systems of coordinates collide with each other, that in many cases, the two sides are talking past each other. The structural adaptation processes we must face in order to bring the eleventh strongest industrial power up to the level of the second or third strongest is a unique process in all the world. There is no one who can provide instruction to anyone else. Sensitivity is called for here, listening to the other fellow, recognizing his problems, identifying oneself with them, and seeking reasonable solutions.

[Schwaldt] How could Western willingness to invest be promoted?

[Dube] Information is the first prerequisite for that. If you are going beyond the national capital market—I can already see a unified Germany—you must provide interested parties on the international level with solid factual information. Everyone who wants to invest here wants to know what will happen to his money. No one has money to give away.

If we are not in a position to provide this information to a sufficient degree, we must provide security. That security is available in our land itself. There are certain legal provisions that still require further legal interpretation. If factual information and security are assured, the investors will come. A goal-time conflict exists. We do not have much time to wait for the investors. If they do not come, the agony of economic activity in the GDR becomes more prolonged.

[Schwaldt] Has the Ministry of Economics had any kind of decisive role in the GDR in the last few months?

[Dube] That role keeps getting smaller, but that's a good thing for switching over from a planned economy to market economy. There are responsible roles of other

types. The function we must perform, in terms of political order, creates enough leeway. There is still ample need for action. We have regional monopolies and monopolies that extend to certain branches of industry, whose track records must be analyzed with precision. Alternatives must be created. In the case of structural adaptations, too, our leeway for action is large; but this leeway is small, and is consciously kept small when it is a question of dictating the activities of the individual enterprises. The help that the firms are expecting will not be forthcoming directly from the Ministry of Economics.

[Schwaldt] In the face of the massive influx of Western goods, how could an equal opportunity for producers from the GDR be created?

[Dube] That is then given when the GDR is no longer just an appendage, a consumer area of the Federal Republic and the EC, but an accepted producer site. The attractiveness of the GDR as a production site can be enhanced if its advantages are made more apparent.

[Schwaldt] Which advantages are those?

[Dube] The GDR's position in the middle of Europe. This will be of particular significance in the next few decades. That means that the infrastructure and communications links between East and West, to the extent that they are improved, will pay off. The GDR has had forty years of experience with Eastern Europe. It knows the market situation there. A high percentage of the population in the GDR knows the languages of this region. We know about the customers, we know about the industrial facilities we built there, the technical standards, and the possibilities for improving them. The population of the GDR has a high standard of education, and craftsmanship skills that are not insignificant. It is also a matter of taking advantage of the comparative cost advantages that the GDR has in this connection.

[Schwaldt] When it comes to upper levels of management in GDR firms, isn't it really a question of old wine in new bottles?

[Dube] We are watching certain developments along those lines with concern. There is alienation about the fact that those charged by the trusteeship introduce themselves and proclaim that they want to undertake the transition to capitalistic companies, just to obtain a seat and a vote on the boards of directors. There is also a trend that involves leaving an executive position in favor of a seat on the board of directors. In such a case, care must be taken that political interests do not collide with those of the firm. We recommend acting with reserve.

[Schwaldt] From your official position, how do you see the perspectives of the GDR economy?

[Dube] The view of all the experts indicates that a considerable economic revitalization will occur, that we will achieve "Asian" growth rates. That will not be automatic according to any natural laws. This revitalization will have to be borne for the most part by the

citizens of this country. We cannot simply wait and say that as of 1991 things will start to improve. The signals have to be switched in order for this to occur, and the initiatives have to be introduced. Courage also has to be applied. The result is a unique opportunity for this country. If advantage is not taken of these opportunities, additional social and ecological difficulties are preprogrammed. A wait-and-see attitude is not well-advised. As a result of the close connection with the West German economic area, enough securities are available.

HUNGARY

Energy Costs, Pricing Analyzed

90CH0295A Budapest FIGYELO in Hungarian
7 Jun 90 pp 1, 6

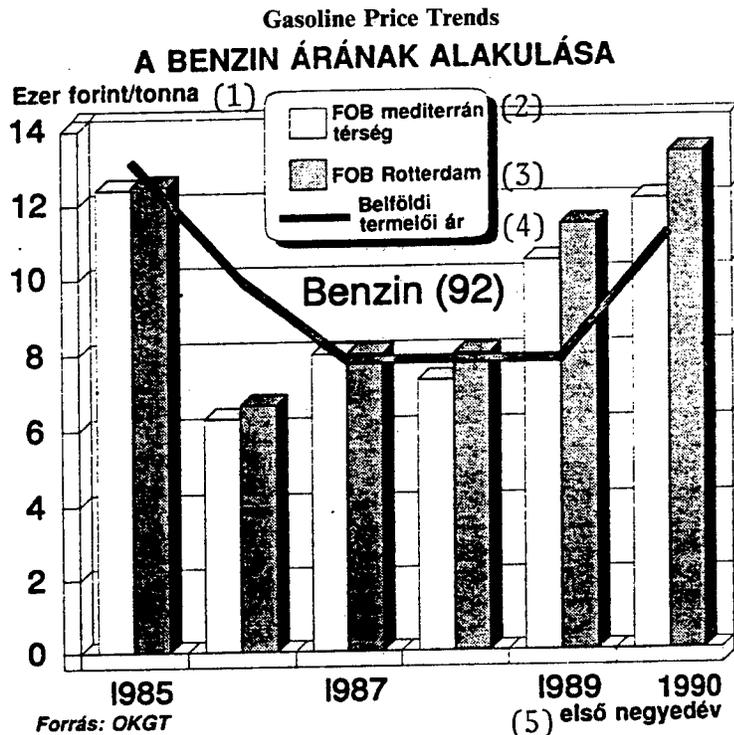
[Article by Arpad Hajnoczy: "Energy Prices; Timed Electric Shock"]

[Text] One of the politically most sensitive issues which the Nemeth government had to struggle with was that of the domestic energy price increases that had been planned to go into effect on 1 May, but have since been postponed. The new government's situation is not any easier. A 20 to 30 percent jump in energy prices, after all, would create undue uproar among the populace. Some appear convinced that going ahead with such a plan before the local elections would amount to political suicide. Without an energy price hike, however, the already intolerably high budget deficit may, according to expert estimates, increase by another eight billion forints. In other words, no matter which finger the Antall government chooses to bite, they all hurt.

The Nemeth government, incidentally, had also made a pledge to the World Bank to make quarterly adjustments in the domestic producers price of hydrocarbons to reflect world market rates, which may mean additional price increases. Just how great? The struggle over this question is currently being waged between the specialized ministries headed by the price office and the National Crude Oil and Natural Gas Industry Trust (OKGT), which together with its fellow trust (the Hungarian Electric Works) expect to incur huge revenue losses this year, amounting to several billions of forints.

And, finally, the energy price hike, which can have an extremely inflationary ripple effect on the economy, will also have a considerable impact on the international competitiveness of our domestic industries.

Last year, the OKGT signed a 110 million dollar loan agreement with the World Bank, and one of the guarantees offered by the Nemeth government at that time was a pledge that in setting the price of hydrocarbons, the government would always use the prevailing market price levels as its standard. What this means is that our domestic producers prices must be adjusted to the world market price levels on a quarterly basis.



Key:

1. Thousand forints per ton
2. FOB Mediterranean region
3. FOB Rotterdam

4. Domestic producers price
5. First quarter

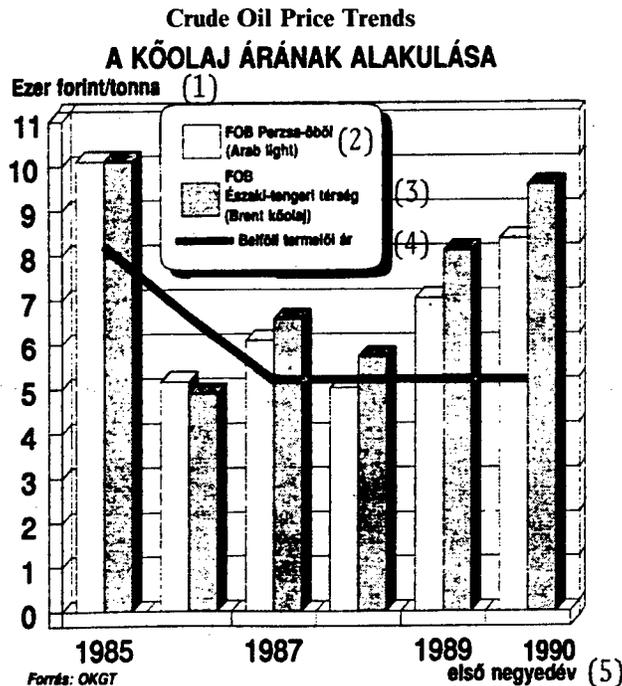
The producers price increase we have had in effect since 8 January of this year, was computed in accordance with last year's main market average prices for the mediterranean region as quoted on 16 December of last year. Accordingly, the producers price of energetic coal was raised by 25 percent, domestic coal went up by 10 percent, diesel fuel by 27.9 percent, pipeline gas by 25 percent and electric energy by 19 percent. This also necessitated some changes in consumer prices, which the previous parliament had decreed in conjunction with this year's budget plan on 1 May, i.e., starting from the end of the heating season. The price office has prepared a proposal that would boost the price of solid fuels, home heating oil, propane-butane and pipeline gas, electric energy and district heating services by an average of 20 to 30 percent.

The postponement of the price hike will further increase the budget deficit, because solid fuels (coal, coking coal, patent fuel and firewood) receive 12.5 billion forints, and district heating 8.5 billion forints in state subsidies. According to the experts, the price increase would have reduced the amount of budgetary subsidies by at least eight billion forints.

It is not just for the budget, however, that the energy situation has been causing problems. Although in the

recent Hungarian-Soviet intergovernmental agreement the Soviet side has agreed to honor its commitment to complete delivery of the crude and refined oil products specified in the long-term agreements between the two countries, in the actual contractual negotiations we were only able to secure 43.2 percent of the total annual volume for the first six months. This does not help to alleviate the already substantial backlog of deliveries; moreover, there are no guarantees that the Soviet Union will not fall further behind with its oil and gasoline deliveries.

According to the information we have received from the OKGT, industrial benzine is already in short supply in our country. During the summer months we may be faced with similar shortages of gasoline, unless the country moves to offset those shortages by importing 30,000-50,000 tons of gasoline for hard currency. Since to date there has been no decision regarding the extent to which the domestic price of hydrocarbons is to reflect world market prices, and since the domestic producers price of gasoline has remained significantly below the costs of our actual hard currency imports, additional purchases will require corresponding cuts elsewhere or an increase in prices.



Key:

1. Thousand forints per ton
2. FOB Persian Gulf (Arab light)
3. FOB North Sea region (Brent crude oil)

4. Domestic producers price
5. First quarter

We have, therefore, reached the point where we must live up to the Nemeth government's commitment to the World Bank: make a decision to bring the price of our hydrocarbon-based energy sources in line with world market rates. There are several reasons why adjusting the price of oil to the world market rates does not appear to be a simple task. From the point of view of setting crude oil prices, so far the National Price Office has considered the Persian Gulf region as the main market. Yet today it is the North Sea region's Brent-type crude oil price to which rates are being adjusted. And the Brent-type crude oil price is determined on the Rotterdam stock exchange. As the graph shows, Rotterdam oil prices have been one to two dollars higher on the average than the prices of the Persian Gulf region.

As for petroleum products, the National Price Office views the Mediterranean region as the main market. In contrast, the OKGT believes that we need to adjust our rates to those quoted on the Rotterdam stock exchange on the basis of North Sea oil prices. The Price Office has used the rates set at the above-mentioned main markets to establish the current world market prices to which our producers prices need to be adjusted. The results have been surprising: according to their calculations the producers price of oil, heating oil and natural gas should be reduced by 10, 14 and 15 percent, respectively; only the price of gasoline needs to be increased by 15 percent (see

Table 1). This latter, incidentally, would also mean a four forint increase per liter in the consumer price of gasoline.

Naturally, the OKGT has challenged the validity of this method of calculation. Not only because of the main markets selected, but also because it feels that the cost of imports (transportation fees and other foreign trade costs) should be built into our domestic producers prices as soon as possible. Altogether these could amount to as much as a 30 percent producers price increase. The reason I have used conditional mood is that the annual 6.5 million ton Soviet oil import, which presumably will continue in the future, is arriving through a pipeline network, hence it is impossible even to estimate how the marginal parity price will be affected. Both the OKGT and the price office are uncertain about a solution to this problem.

For now the ratio of convertible imports must be limited to a marginal quantity. Hence it would not be expedient to essentially deprive the economy of the cost benefits of pipeline delivery by raising the base price. Another argument against switching is that the average 30 percent producers price increase would create an inflationary pressure which experts feel would be prohibitive to risk, given the current state of the economy. It is most likely,

therefore, that our domestic producers prices of hydrocarbon-based energy sources will continue to be determined on the basis of foreign market prices without including delivery costs.

In this case, however, the surplus charges incurred on actual hard currency imports should really be taken care of somehow. A case in point is a purchase in February by the OKGT of 210,000 tons of Iraqi crude oil, which has added 860 million forints in surplus charges to the debit column of the trust's accounts. The OKGT has good reason to protest having to solely absorb these charges. For in addition to aggravating the losses of its oil refining operations, this may also mean that the trust will not be able to pay for further imports.

Table 1. Changes in the Price of Hydrocarbon-Based Energy Sources

Products	Current Producers' Price	Main Market Price	Price Ratio
			Percentage
Forints per Ton			
Crude oil	7,170	6,400	89.3
Gasoline (92 octane)	11,150	12,890	115.6
Diesel oil	9,730	9,730	100.0
Kerosene	11,290	10,690	94.7
Heating oil (1 percent)	6,410	5,510	86.0
Heating oil (3.5 percent)	5,064	4,360	86.1
Natural gas (forint/giga-joule)	146	124	84.9

Source: Computed on the basis of factual data collected by the price office between 19 March and 18 May, and estimated for the month from figures gathered since May. The conversion of main market prices was done using the average exchange rate of the dollar (64.66 forints) as quoted on 23 May.

While in theory it is possible, in practice it is highly unlikely that the OKGT will be able to deduct this sum from the delivery charges paid on imported Soviet oil. For this would add nearly one billion forints to the budget deficit.

One possible solution would be to pass on the actual procurement costs to the user by including them in the consumer price. Thus the surplus cost of the Iraqi oil purchases would cause a 2.5 to three percent increase in the producers prices of crude oil and petroleum products.

As a result of the increase in the producers price of heating fuels the producers price of electric energy jumped by 19 percent at the beginning of the year. Still, the MVMT [Hungarian Electric Works Trust] does not feel that this is enough. A competent source at the trust has told us that because of higher than planned fuel prices, a 21 percent increase would have been needed. As a result of this two-percentage-point difference the trust's income position has deteriorated by 1.5 billion

forints. The postponement of the planned increases in popular energy prices, which could have improved this deficit, has led to an 800 million forint shortfall in revenues, much of which could be made up later if, as we have been unofficially told, the higher household energy prices are indeed put into effect on 1 July.

The reason the MVMT is particularly hard hit by the 1.5 billion forint shortfall in its planned 16.5 billion forint tax exempt earnings is that, at the request of the World Bank, starting this year there will be no more state funded targeted investment programs. The 3.5 billion forints earmarked for such purposes have been taxed and incorporated into the MVMT's balance surplus. In practical terms what this means is that the trust has been forced to cut back future developments.

The rise in energy prices also affects the international competitiveness of Hungarian industry. On the average, domestic producers are able to buy electric energy for 20 percent less than their Western competitors. Because of the energy intensive structure of our domestic industry, however, a unit of energy can only yield less valuable products. In any case, the raising of energy prices to the level of the world market may further impede the competitiveness of our industry. There is a real danger that the price increase will have an extremely adverse impact on the favorable foreign trade balance we managed to attain in the first quarter.

It is not impossible that because of our unpaid public and collective bills, several businesses will soon be facing some hard times. The postponed price increases in district heating services may also entail some major changes. At the beginning of the year, the Ministry of Finance announced that within a few years it would phase out state subsidies to district heating and hot water supplying firms, among other businesses. It will withdraw eight billion forints in several steps. The affected businesses are planning to offset the loss by phasing in corresponding consumer price increases. A two-room, 135-cubic-meter apartment—what could be considered average—is heated for 183 days of the year, and uses roughly nine cubic meters of hot water a month.

The Capital City District Heating Works is supplying heat and hot water to 5,000 communal institutions and industrial users, and of the 700,000 district heated Hungarian apartments, to 236,000 units. For each apartment, the enterprise uses the energy equivalent of one ton of oil for heat, and 0.4 tons of oil for hot water per year. According to them it costs 97 forints to heat one cubic meter, yet the consumer price is only 43.20 forints. Communal institutions and industrial consumers pay "full" price. At the same time, subsidies to the public have been amounting to three billion forints per year. If these subsidies were discontinued this profitable enterprise would end up with a 2.5 billion forint deficit. It would be different, of course, if the consumers made up for the lost subsidies.

The construction of the capital city district heating network has been completed for now, but there is a continuing need for upgrading. Amortization installments amount to 640 million forints per year, but this is much less than what is needed for renovation. The renovation of the 2,700 heating centers costs 140 to 150 million forints per year.

The enterprise is involved in 10 different ventures. One is the processing of agricultural waste. The heating value of patent straw fuel is the same as that of Hungarian brown coal. The company will open its first patent fuel-producing plant in July in Jaszdozsa, which will be only the first step in its search for ways of processing waste and expanding district heating. In Budapest, incidentally, several single-family homes built next to the pipelines have already been connected to the district heating system.

POLAND

Revitalization of Elblag as 4th Port Discussed

History Behind Port Idleness

90EP0801A Warsaw *RZECZPOSPOLITA*
in Polish 7-8 Jul 90 p 2

[Article by Zbigniew Wyczesany: "What Is Behind the Steel Net?"]

[Text] What is behind the "Iron Gate," Mlynarski once sang when he became one of the first residents of that Gomulka housing settlement. No one sings about what is behind the steel net on Vistula Lagoon.

For 45 years, no public person has ever said even one word about what is really behind the steel net erected, contrary to international law, in the waters of the Vistula Lagoon. Since 1945, i.e., from the time that the boundary was established between Poland and the USSR which cut through the Vistula Sandbar and the Vistula Lagoon north of Braniewo (geographical length and width: 54° 27'33"; 19° 38'34"), all domestic and foreign ship traffic ceased on this waterway, which had been used for hundreds of years.

The maritime community—scientists and practitioners—in various groups, pointed out the illegality of closing of this waterway, which cut off Elblag and other ports and landing places from access to the open Baltic. The utterances of Prof. Zdzislaw Andruszkiewicz from the Maritime Institute are especially known. But they had no effect. This was a taboo subject. Nor was much said in the press, television, and radio about the position taken by the Maritime Journalists Club in October 1989 on the need to resolve this abnormal legal situation which cuts off Polish ports on the Vistula Lagoon from the Baltic Sea.

The Vistula Lagoon is a vast reservoir adjoining the Gulf of Gdansk on the northeast, separated by the Vistula

Sandbar, which is about 30 nautical miles long. The waters of the Vistula Lagoon join with the Gulf of Gdansk through a very narrow passage near the Baltiysk Port (one of the nonfreezing USSR ports—its old name was Pilawa). The average depth at that point is from 2.5 to 4.7 meters.

There never was and still is no legal document which would forbid the free passage of Polish and foreign ships from ports and landing places in the Polish part of the Vistula Lagoon to the Baltic Sea and in the reverse direction through USSR waters. Nowhere in the world, under normal international relations, do water boundaries of countries constitute an obstacle for the passage through them of oceangoing vessels. Just as sensational, on the world scale, was the closing of this waterway, making it impossible for ships to freely pass through the Pilawa Straits.

The 16 August 1945 agreement concluded by the Polish Republic and the USSR on the Polish-Soviet state boundary, signed by Osobka-Morawski and Molotov, (and the protocol attached to this agreement), stated that during peacetime, passage through the Pilawa Straits (Baltiysk Straits) will be open for ships headed for the port of Elblag and return. The recent voyage of the sports yacht "Misia II," with Sejm deputy Krasowski on deck, was nothing extraordinary in light of international maritime law. Despite the steel barrier, it sailed without difficulty close to the USSR naval base in Baltiysk. But the problem is broader and requires a clear, publicly expressed position, because the documents mentioned were not known to the public in Poland. From the information obtained by a *RZECZPOSPOLITA* journalist, it appears that diplomatic steps have already been taken aimed at actually opening up the water lanes through Vistula Lagoon for Polish merchant ships. It may be that in the near future this ages-old waterway will become accessible not only for Polish ships, but for ships sailing under other flags on the Baltic. Elblag, whose inhabitants do not believe that it was once a seaport, would gain the most from this.

Joint Czechoslovak Port Proposed

90EP0801B Warsaw *GAZETA I NOWOCZESNOSC*
in Polish No 27, 12 Jul 90 p 5

[Article by Stefan Bratkowski: "Czechs and Slovaks on the Sea"]

[Text] The official representatives of both our countries are meeting in more or less the same composition as they met secretly on the mountain borders, in the border villages. Official relations are more than correct, although many things remain to be settled. However, the connections between the two states are more than illusory.

For our part, we would like to propose some practical ways of bringing the Czechs and the Slovaks closer to the Poles (because who should come closer together than these nations)? One of these ways is our coastline.

Czechoslovakia must have an outlet to the sea. Ships are already sailing the seas under the Czechoslovakian flag. But Czechoslovakia has the right to conduct maritime trade on a larger scale. To build its own ships, to earn money through haulage on the seas, to build yachts, etc. To sail on yachts. To its own Teliga who, sentenced to death by his illness, sailed alone around the world to challenge the imagination of the Poles.

Only we can assure the Czechs and Slovaks this outlet to the sea.

Only a year ago, it seemed that the Germans would take on this role, because part of the Czech transit goes through Hamburg anyway. But Hamburg is clogged, and the Germans have to invest for more than a couple of years in rebuilding the German Democratic Republic. Meanwhile, in view of the changes occurring in the East, the importance of the Baltic ports is growing simply immeasurably.

The fourth great Polish port, not in the 21st century but within the next five to seven years, may be Elblag, developed jointly by Czechoslovakia and Poland as a Polish-Czech-Slovak port, and even more Czechoslovakian than Polish.

Is this possible? In the period between the two World Wars, Poland, in four years, built Gdynia, the largest port on the Baltic. Elblag can be brought to full efficiency in a much shorter period of time.

Investing in a port is not the same as investing in a coal mine. A port begins to function immediately, and the returns are very rapid. Ports are big business. And the presence of Czechs and Slovaks on the sea will drastically change the picture of transport in Central Europe. The water lanes will recover their role, we will jointly invest in making the Oder and Vistula rivers suitable for commerce, in a Vistula-Oder canal; the Oder and Vistula will become Polish-Czech-Slovak rivers, whereas today the Oder has this character only where it adjoins the borders, where Moravian steelmills discharge mazut and chemicals, not caring about the water in a river owned further down by someone else. There may be a return to the idea of an Oder-Danube canal, which the Hungarians may eventually come forth with for the Polish sea.

The sea always stimulates the imagination. The sea is a great inspiration. Even in business, in matters so prosaic as making money.

The Poles must turn to their own sea. If they also help in giving their kinsmen an outlet to the sea, they will inspire not only their own imagination, but that of their kin.

YUGOSLAVIA

'Disinformation' on Number of Bankruptcies Alleged

90BA0277A Belgrade EKONOMSKA POLITIKA
in Serbo-Croatian 30 Jul 90 pp 21-22

[Article by Milos Zlatic: "Bankruptcies: The Omnipotence of the State"]

[Text] The term "bankruptcy" is becoming part of the Yugoslav business and public vocabulary and life much faster than actual events in the economy. Since the end of last year, people have been talking and writing about a virtual wave of bankruptcies, first of all in Slovenia, in Maribor. News items about bankruptcy have been quickly moving from the inside pages to the front pages of newspapers, and there have also been speculative articles given prestigious space in the "black chronicles" about professional management teams which have taken their (socialized) enterprises into bankruptcy so that thereafter they could establish their own private enterprises, taking over the production program, know-how, business connections, sales, and of course, the earnings. A sensation even is in general a good reason for the media to show an interest, and an institution that is unknown, a new arrival from the other world, from the other side of the Iron Curtain, is in and of itself a sufficiently sensation event. The possibility that a large number of people will be unemployed, which is one of the principal practical consequences of bankruptcy, is spreading fear, which is also an excellent reason for interest, and not only on the part of the media, in both possible sides: in those who are declaring bankruptcy and therefore can be certain that they will be objects of the odium of those who have been left unemployed, and in those threatened to be left without employment.

It is a question, or at least it was a question until a week or two, or at the most a month ago—as far as the state of the facts is concerned—of disinformation, of confusion, to put it mildly. The figures of the Social Accounting Service on the liquidity-illiquidity of firms, that is, on the number of firms which have been continuously insolvent longer than the period beyond which the law requires the economic court to file a motion for institution of bankruptcy proceedings, were interpreted as facts concerning the number of bankruptcies. Thus, since the end of March when there were 213 firms and institutions with a total labor force of 136,254 (188 of these firms with a labor force of 135,936 were in the economy), who were legally "ready" to file a declaration, the number of "bankruptcies" grew by end of June to 582 firms and institutions with a labor force of 321,117 (516 of these firms, with an aggregate labor force of 316,433 were in the economy). Even in last week's BORBA (24 July) an unsigned article—the source was probably one of the specialized staff services of the Federal Executive Council—stated in a subheading that "the conditions for doing business have become more severe, so that 532 enterprises with a total labor force of 316,925 have gone

into bankruptcy." The figure actually pertains to the number of firms and institutions which at the end of March, according to the records of the Social Accounting Service, were automatically supposed to be the subject of motions filed with the economic courts. Similarly, the Zagreb newspaper VECERNJI LIST (a bit earlier, on 11 July), at the beginning of an article entitled "On the Threshold of Purgatory," carried the information that Jozo Petovic, president of the Croatian Economic Chamber, "had reported to the Republic's prime minister Stipe Mesic that at the end of May the Social Accounting Service had instituted bankruptcy proceedings in enterprises with a total labor force of 80,000."

But the road from filing a motion of bankruptcy to the institution of bankruptcy proceedings, which from the standpoint of the status of the firm, management structures, and employees are quite different things, may be a rather long one, and a number of possibilities are open along it.

Until recently, the most frequent case, and it can be said that this still happens frequently, was for the firms which were the subject of the bankruptcy motion to submit a certificate by the first deadline that the suspension of payments from their revolving account had been lifted, and this automatically halted the entire proceedings. As a practical matter, the postponement of the opening of bankruptcy proceedings may be and is influenced by the bankruptcy panel of the economic courts when they set the deadline, which is their authority (an exception is the situation when the motion for instituting bankruptcy proceedings is filed by a creditor; then the court must open bankruptcy proceedings within three months), which means that both the capabilities of the courts and also the desires of court personnel can have an influence. The motions filed with the economic courts have been pouring down ever more rapidly since mid-May, and preliminary proceedings are being conducted in a large number of cases; this means that the conditions for opening bankruptcy are being ascertained. Those are situations when the suspension of payments from the revolving account has not been lifted, and the bankruptcy judge and court-appointed expert are establishing the actual financial condition of the debtor. There is no change in the status of employees during preliminary proceedings, all the bankruptcy panel can do is to restrict the rights of authorized persons, that is, the director of the debtor firm, and it may also temporarily order suspension of payments from the debtor's account or stipulate its prior consent to decisions of professional management bodies. Often, especially in Slovenia, somewhat less frequently in Croatia, the institution of compulsory settlement between a debtor and his creditors is in use; this may be initiated either by the debtor or the creditor, but the debtor's consent is required, and, of course, this is done before the motion for bankruptcy is filed.

It is mandatory to examine the possibility of using this institution during preliminary bankruptcy proceedings, and if it proves to be feasible, the bankruptcy panel gives

the debtor a deadline by which to offer mandatory settlement. In both cases, there are no legal consequences either for the professional management structures of the debtor enterprise or for the employees. But in the situation when bankruptcy proceedings have been opened, the status of the professional management, the bodies of workers' management, and the employees changes utterly; the rights of the professional management, of representatives, and of workers' management are terminated, and all of these powers pass over to the receiver, and employment relations of all employees are also terminated except those designated by the bankruptcy panel to wind up ongoing transactions or to conduct bankruptcy proceedings. However, if mandatory settlement should occur during bankruptcy proceedings, those who have been laid off are not entitled to reinstatement, while this does not apply to the professional management.

What is almost absolutely impossible to establish is the actual number of bankruptcies instituted in Yugoslavia this year. By contrast with records on the liquidity-illiquidity of firms, which are kept and published by the Social Accounting Service, it would be possible to establish the number of bankruptcies instituted only by contacting all 50 or so economic courts in the country. Records on the total are nonexistent not only at the federal level, but also in every federal unit. Our attempts to obtain that information at the Republic level were congratulated as a good idea which they would in principle try to put in practice in the latter half of this year. The true state of affairs might also be obtained by examining SLUZHBI LIST SFRJ, since it is an obligation of the court to notify creditors in an advertisement that bankruptcy proceedings have been instituted. However, both because the courts are falling behind and also because of the frequent dispute over who should pay for publishing the advertisement, these records are not "speedy" enough either. Regardless of all the deficiencies of statistics, it is well known that the number of bankruptcies instituted this year is not even close to the number presented to the public.

All we have said does not diminish the possibility of noting the main point of the whole story about bankruptcies. It is a general characteristic of the entire country that the motions for bankruptcy are filed almost exclusively by the Social Accounting Service, that is, that our creditors are rather "lazy" about their claims, their money. (Creditors from abroad, however, are beginning to show an interest; in recent weeks, several of them have requested information about their debtors in Yugoslavia.) Thus, it is being proven once again that the real owner, this time in the person of the creditor—the so-called socialized enterprises in Yugoslavia—is the state: in the opstina as well as in the Republic.... In the person of the Social Accounting Service, it files the motion; through the banks and other enterprises it helps many debtors arrive at sudden liquidity and thus anticipate bankruptcy (now it has begun to organize multilateral compensation and the canceling out of debts),

through the economic courts and bankruptcy panels it has been postponing the institution of bankruptcy proceedings ("Elan" is a typical example). It is clear that when the creditor exerts pressure and imposes a dictate, and these are customary in market economies and economies of private owners, great power is located within the state structure. In a case of bankruptcy, the competent court panels have all the power, in conjunction with and under the control of the other features of the state, over enterprises in bankruptcy and the employees within them. The interest (and concern) of the creditor-state in its debtors is doubly motivated: On the one hand, sources of funds for all budgets dry up when firms are closed down, and at the same time the costs of social services are additionally increased, while on the other there is a greater problem of unemployment (according to estimates for Zagreb, the surplus of employees in firms which are just about to go into bankruptcy or are in bankruptcy ranges between 30 and 60 percent). It is understandable, then, that both the old authorities, threatened by upcoming elections, and also the newly elected authorities, who can hardly pass on all the anger of those left without income to the old government—the new opposition—are cautious and thoughtful when they face the problem (or possibility) of bankruptcies. What is more, that new opposition may then have greater opportunities in some new possible elections.

In the current Yugoslav situation, bankruptcy may be used to restructure the economy, to eliminate the surplus of employed labor, to do away with bad production programs and technologies (to be sure, without a real judgment by the market), but also to remove professional management and workers' management in the economy that are unsuitable (to the policy). The true functions of bankruptcy—protection of creditors and "purging" the economy of illiquid and incompetent firms—can be fully manifested only in a law-governed market economy of owners. The legislator (better put, the proponent of new standards concerning bankruptcy, the present federal government) has anticipated such a situation. The key to real bankruptcy, as to other things, lies in the transformation of ownership.

[Box, p. 22]

What Is the Real Number of Bankruptcies?

In Slovenia (Ljubljana and Maribor), there have been some 30 motions filed this year, mostly by the Social

Accounting Service, and only one bankruptcy has been instituted (Maribor), and that in a firm with fewer than 400 employees. "Litoštroj" of Ljubljana, which has a work force of about 6,000, is quite close to bankruptcy, but at present preliminary proceedings are being conducted, and there are good prospects that mandatory settlement will occur. Those on which motions have been filed include several private firms, and there are preliminary proceedings being conducted concerning several other sizable socialized enterprises. In Bosnia-Herzegovina, there have been about 80 motions filed this year (70,000 employees in all), and bankruptcy has been instituted, it is estimated in the Republic Secretariat for the Economy, concerning some 10 enterprises. In the Sarajevo region, there have been 20 motions, and not a single bankruptcy has been initiated as yet. It is interesting that, in that republic, four or five enterprises have merely opened the possibility of bankruptcy, and several motions have been filed by creditors. In Serbia (Belgrade), some 70 motions have been filed up to now, almost without exception by the Social Accounting Service, but bankruptcy proceedings have been opened in two cases: one small socialized firm and one private firm of the nine on which motions have been filed [as published]. At the moment, several cases of sizable socialized firms are in preliminary proceedings, and it is not precluded that some bankruptcies will be instituted. In Macedonia, most of the motions that have been filed, as a rule once again by the Social Accounting Service, have still not been processed, but four or five bankruptcy proceedings have been instituted this year. The number of bankruptcies is by far the greatest in Croatia. The situation has changed rather suddenly over just a little more than the last month. In the Zagreb region alone (together with Sisak), which embraces about 45 percent of the Croatian economy, out of the approximately 40 motions that have been filed and examined, again by the Social Accounting Service as a rule, bankruptcy has been instituted in about 50 percent of the cases, including three private firms. It is estimated that the total number of motions filed this year for all of Croatia exceeds 200.

In the three regular issues of SLUZBENI LIST SFRJ published in July, there were advertisements for the opening of a total of 23 bankruptcies (June and July are the months in which the number of bankruptcies has been growing rapidly): three in the first issue, two in the second, and all of 17 in the third, which is the most recent one. The largest number is in Croatia, followed by Slovenia, Vojvodina, Macedonia, and Serbia proper.

HUNGARY

Plight of Aged, Pensioners Described

90CH0219A Budapest FIGYELO in Hungarian
24 May 90 pp 1, 5

[Article by Zsuzsa Szemann: "They Are Old and Hungry"]

[Text] The statistic that more than 90 percent of the elderly ate three meals a day was proudly released five years ago. Last year the greater part of this social stratum no longer lived so well. In fact, more and more of the elderly are going hungry.

The flowering of the job market for pensioners came in the period from 1980 to 1986. The proportion of active wage earners in the economy dropped by two percent between 1976 and 1983, and the value of pensions decreased at an ever faster pace. From 1980 to 1985 the average loss of value was 17 percent, but went as high as 28 percent for bigger pensions.

Over an average of several years, pensioners made up roughly four percent of society's basic work force. Four to seven percent of employees in industry, construction, transportation, public health, domestic and foreign trade were pensioners. To avoid social debasement, an average 400,000 pensioners earned a living in this way.

Since 1987, however, changes have occurred in this job market, once thought to be changeless. Between 1986 and 1988, big enterprises reduced the number of pensioners they employed by 10 to 30 percent. Most of those dismissed were the old, sick pensioners who needed to supplement their income the most and "social" employees who form, on the average, approximately one fifth of the pensioner work force.

From the outset, newly formed enterprises operate in compliance with market efficiency. It thus follows that these enterprises regard pensioners as full-fledged workers and do not employ them out of pity or "social impulse."

But how did becoming "jobless" affect the pensioners? After all, their wages amounted to 40-45 and, in some cases, 50 percent of their total incomes. Despite a per capita outlay lower than that of active workers, the pensioner households over the years spent more—percentage-wise and in absolute value—on food (41 percent), apartment upkeep (15 percent), and health care (four percent) than the households of active workers. In other words, they devoted the greater part of their income to keeping themselves alive. The material worries of pensioners are therefore linked not only to the drop in real value but also to whether they become jobless. The well-being of some groups of pensioners is jeopardized if the traditional labor market disappears entirely, as is expected with privatization, or if social policy cannot handle this problem.

After the misery of the 1950's when, according to estimates, more than half the population lived below the minimum subsistence level and went hungry, widespread hunger vanished by the mid-1970's because of the massive consumption of bread and various flour products. On the basis of statistics derived from the 1984 minicensus, it was very proudly reported that over 90 percent of the elderly ate three meals a day. The dietary habits recorded in 1987 hardly differ from this idealistic national picture: 85 percent ate at least three times a day. The situation two years later is catastrophic by comparison. The number of people eating three meals a day did not reach half the previous norm, and the number of people eating once or twice a day doubled. In other words, half the people sampled at this time no longer lived well, and in fact, to a certain degree went hungry.

Thus the line is drawn in 1987: Up until then people in the upper age groups still ate reasonably well. This is confirmed by the fact that in 1989 one out of 10 pensioners ate no meat at all, and slightly less than half of them only once in a while. And just 70 percent of them consumed fruit and vegetables. The seriousness of this problem is indicated by the fact that in 1989 there were more and more pensioners whose income approached an average of 4,614 forints (incidentally, the officially accepted minimum subsistence level is 4,300 forints—the editor) and who, despite this, did not eat as well as they needed to. More than half of those questioned complained about increased heating costs. In 1987 this affected mostly those with small pensions, but two years later even those with average incomes were hit.

The rising price of medicine was a very pressing concern for 21 percent of the elderly. If we regard food, heat, light, rent, and medicine as basic parameters of the elderly's biological existence, then it is no longer surprising that more than two thirds of those studied struggle to merely survive. And as became evident from the foregoing, more and more pensioners of average income are slipping into this circle.

The pensioners, of course, try to protect themselves. For one thing, they economize: the proportion of those who save nearly doubled from 26 percent. Drastic and more moderate forms of practicing economy also appeared. Among the former, pensioners go to bed earlier and heat only one room, or sit in their room wearing a winter coat. Thanks to this "economizing" forced upon the elderly, the proportion of per capita personal income used to pay bills dropped by four percent despite the increase (from 1,700 to 1,869 forints) in absolute value of average outlay (rent, heat, electricity) during the winter months.

The other possibility was family assistance. The number of those who expect, or would expect, primary financial assistance from their families has more than doubled. Yet the financial resources of working family members are severely limited. Nor can you get much by selling the things you own. How many wedding rings, long cloaks,

and winter coats can the neediest sell? Nevertheless, very few (two to three percent) turn to the welfare agencies for emergency aid.

During the two years, the number of those who wanted to fundamentally improve their circumstances more than tripled. Thus a change occurred in the way pensioners protect themselves. The request for work moved from the fifth to the second spot in the order of strategies.

But the fundamental changes in protective strategies occurred at the very moment when the job market for pensioners almost completely collapsed. The circle was thereby closed. If only the government (or society) would offer them a way out by providing more effective social aid and opening more doors to jobs, especially in the service sector.

Elderly Persons' Strategy for Protecting Themselves Against Impoverishment

	Percent (1987)		Percent (1989)
Do not protect themselves	28	Economize	36
Economize	26	Seek work	19
Sell something	17	Family assistance (loan)	21
Family assistance (loan)	10	Sell something	17
Seek work	6	Do not protect themselves	5
Ask for aid	3	Ask for aid	2
Other	10	Other	0
Total	100	Total	100

House of Hungarian Culture Opened in Moscow

90CH0219B Budapest NEPSZABADSAG in Hungarian
15 May 90 p 2

[Article by Moscow correspondent Peter Dunai]

[Text] After so many years of anticipation, the Hungarian Culture House opened in Moscow—in a temporary spot, to be sure. The house must play the role of bridge between Russian and Hungarian culture, it was emphasized in a speech by Sandor Csoori, the distinguished representative of Hungarian culture who, together with Deputy Minister of Culture Ferenc Ratkai, arrived from Budapest for the gala ceremony attended by Soviet Minister of Culture Nikolai Gubenko.

Csoori's words mirrored the fact that Hungarian-Soviet cultural relations, freed from the straightjacket of propaganda, are beginning to take shape and are no longer based on utility and self-interest but on intellectual acknowledgement of the sacredness of life. He alluded to the troublesome past, to World War I and World War II, to 1956, 1968, and subsequent somber dates, among which lingers the seminal event of 1849 when Czar

Nicholas I crushed Hungary's war of independence. "We would rather recognize each other's soldiers, each other's dead, than each other's culture," he said to the Soviet audience in his opening speech, which was received with great approval as unusually honest, plainspoken, and straightforward.

He described the common past as a world in which the truth was not truth and history was not history, but a revelation of bloody awareness. He condemned the era of the Stalinist party-state in which propaganda terror, not intellect, determined human lives. He spoke of the complex present day reforms, of the war fought with communism in both countries where the soul, not the body, died in combat, and everyone cut himself into shreds. This is the basis of our solidarity—he called it an important element of the relationship that is developing under new circumstances. At the same time he pointed out that Moscow's Hungarian House will not belong to the state or politicians but to the mind, which seeks in others not an enemy but a kindred spirit. The center will also fulfill the function of intellectual bridge between the two countries after many years—a decade—of delay. "Only a nation that develops its culture goes down in history," he summarized.

In his rejoinder, Gubenko sketched an elegant chain of thought, seeking the common elements, "with the Hungarian House as the central instrument for achieving joint intellectual goals." It is worthwhile to emphasize this because a interesting situation has developed. A long interview with Gubenko appeared in Monday's PRAVDA—apparently without his knowledge or intent—in which he vigorously objected to the fact that, at the Viennese conference of East European culture ministers, his Hungarian colleague used the term "totalitarianism" much too often and that they, the Soviets, were condemned for every possible crime. To Gubenko's credit it must be added that after hearing Csoori mercilessly tear the past and present to pieces in tough, truthful words, he made no effort, as PRAVDA put it in the interview, to strike back. He merely said: "I hope that the good achieved thus far by our countries will not be hastily erased." The Hungarian Culture House is a house of neighborly cooperation but in the future may be a house of European civilization, he argued and concluded his remarks by saying: "We strive to get to know each other so that we do not commit the errors of the past."

Thereupon Sandor Gyorke, Hungary's ambassador to Moscow, delivered to Jozsef Keri, director of the Hungarian Culture House, the symbolic key with which to open wide the house's gates for people sensitive to cultural relations between the two countries in this difficult period. At the opening ceremony, which was followed by a brief cultural program, quite a few well-known personalities from cultural life, the Soviet Foreign Affairs Ministry, and the CPSU Central Committee also appeared.

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