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November 15, 2012

STATEMENT BY THE HUNGARIAN HUMAN RIGHTS FOUNDATION

FOR THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE

NOVEMBER 16, 2012 BRIEFING ON ASSESSING UKRAINE'S PARLIAMENTARY ELECTIONS

Ukraine's Hungarian Minority and the 2012 National Elections

The New York-based Hungarian Human Rights Foundation is deeply concerned about the April 28, 2012 redistricting in Ukraine that eliminated the Hungarian-majority election district in Sub-Carpathia. The move placed the 160,000-strong minority community at a disadvantage in obtaining representation at the highest level, in the Rada. Furthermore, it is deeply troubling that the Ukrainian authorities ignored numerous domestic and international appeals—including those from the Hungarian Cultural Association of Sub-Carpathia (KMKSZ), the Democratic Association of Hungarians in Ukraine (UMDSZ) and a personal intervention by Hungarian Prime Minister Viktor Orbán—to preserve Election District No. 72 with a Hungarian majority so that the community would be insured representation in the Ukrainian Parliament again.¹

Already in May 2012, the International Foundation for Electoral Systems warned about this distinct ethno-linguistic community's reduced ability to obtain national-level representation after the election district (which is home to the overwhelming majority of ethnic Hungarian voters) was divided into four parts leaving neither with a clear Hungarian majority electorate.² In fact, a post-election OSCE report stated that “several OSCE/ODIHR EOM interlocutors expressed concerns that the delimitation of single-mandate districts in some areas of compact minority settlement was done without clear criteria or consultations with the minorities concerned”[...].³

¹From 1994-2006 the Hungarian community had an ethnic Hungarian representative in the Rada despite changing electoral systems. For the past six years, with the 2006 change to a proportional electoral system, the community has not had representation at the national level. This system effectively prevented all national minorities—save the largest Russian one—from electing officials to parliament by only allowing national-based parties to field candidates and by setting a 3 percent threshold to win (essentially requiring one million votes per candidate and a 60-70 percent turnout). Source: “**The 2012 Ukrainian Parliamentary Elections and the Hungarians of Sub-Carpathia**” (*A 2012-es ukránjai parlamenti választások és a kárpátaljai magyarság*), report by Karolina Darcsi, LehoczkyTivadar Institute, Ukraine.

² IFES report **2012 Parliamentary Elections Boundary Delimitation Summary and Analysis, May 2012**, page 26. Election District 72 was divided into No. 68 with 16.1 percent ethnic Hungarian voters; No. 69 with 17.8 percent, No. 73 with 33.6 percent, and No. 71, respectively.

³The post October 28 election OSCE report **International Election Observation Statement of Preliminary Findings and Conclusion** states “Another issue of concern among some minority groups was the effect of the changed electoral system on the chances of candidates belonging to most national minorities to get elected. In particular, several OSCE/ODIHR EOM interlocutors expressed concerns that the delimitation of single-mandate districts in some areas of

Reserving specific districts for national minorities is an accepted practice found worldwide. Had the single-mandate Hungarian election district been delimited keeping their needs in mind, the reversal to a mixed electoral system in 2012 could have leveled the playing field for the Hungarian community. Rather than taking this reasonable step to protect and promote the 1,100-year-old historic community, the powers-that-be chose to subvert its rights to partisan politics and political strategizing, artificially pitting Hungarian against Hungarian and leading to unnecessary division within the minority.⁴ Unfortunately, the past 20 years shows an unmistakable pattern of significantly and gradually limiting this vulnerable community's political representation: the percentage of the Hungarian electorate in the Hungarian election district has gone from comprising an outright majority of 70 percent in the 1990s, to 50 percent through 2006, to now constituting a minority with only 33.6 percent even in the most "populous," redrawn Hungarian district (No. 73).

Ukrainian authorities need to amend the election law in a manner taking into consideration the needs and rights of the country's smaller and vulnerable national minority groups to obtain political representation at the highest level.

A troubling outcome of the election is the dramatic increase in votes (10 percent) that the ultranationalist, anti-Semitic and anti-minority Svoboda (Freedom) party achieved thereby giving it 38 seats in parliament. The Hungarian Human rights Foundation will continue to closely monitor and report on any hate-based incidents committed by the party and its adherents.

The New York-based Hungarian Human Rights Foundation (HHRF) is an independent, non-profit organization that, since 1976, has monitored the human rights of 2.5 million ethnic Hungarians who live as minorities in Croatia, Romania, Serbia, Slovakia, Slovenia, and Ukraine.
www.hhrf.org

compact minority settlement was done without clear criteria or consultations with the minorities concerned, and that positive mechanisms to encourage national minority representation were not considered." (Page 11).

⁴ While ethnic Hungarian István Gajdos did win a parliamentary seat, he did so on the Party of Regions' party list, ironically, the same political party responsible for the redistricting. Without a single-mandate district in which they comprised an outright majority, the Hungarian community *de facto* had no choice but to vote for a Ukrainian national-based party list to have any statistical chance in sending an ethnic Hungarian to the Rada. This, in turn, resulted in the anomalous situation of Mr. Gajdos' own party, the Democratic Association of Hungarians in Ukraine of which he is president, campaigning (and presumably voting) for Party of Regions' candidates in single-mandate elections as well and thus diminishing the chances of other ethnic Hungarian candidates. The detrimental impact of such artificially-created divisiveness is proportionally greater on a smaller community.