

UNITED NATIONS

GENERAL ASSEMBLY



Distr.
GENERAL

A/5236
25 September 1962

ORIGINAL: ENGLISH

Seventeenth session
Agenda item 85

QUESTION OF HUNGARY

Letter dated 25 September 1962 from Sir Leslie Munro,
United Nations Special Representative on the question
of Hungary, addressed to the President of the General
Assembly

Dear Mr. President,

By resolution 1312 (XIII) the General Assembly appointed me "to represent the United Nations for the purpose of reporting to Member States or to the General Assembly on significant developments relating to the implementation of the Assembly resolutions on Hungary".

Accordingly I have the honour to submit herewith my fourth report for circulation to the Members of the General Assembly.

Accept, Sir, the assurances of my highest consideration.

(Signed) Leslie K. MUNRO

His Excellency Muhammad Zafrulla Khan,
President of the Seventeenth Session of
the General Assembly,
United Nations,
New York.

REPORT OF SIR LESLIE MUNRO, UNITED NATIONS SPECIAL
REPRESENTATIVE ON THE QUESTION OF HUNGARY

1. In my previous reports to the General Assembly submitted on 25 November 1959,^{1/} 1 December 1960^{2/} and 1 December 1961,^{3/} I have stressed the continuing significance of the question of Hungary for the United Nations. I have also indicated year by year the course of developments in Hungary which fall within the scope of the resolutions adopted by the General Assembly after the repression of the uprising in Hungary in 1956. Basically these resolutions were directed towards three objectives:

- (a) Withdrawal of Soviet forces from Hungary;
- (b) Free elections in Hungary under United Nations auspices;
- (c) Observance by the Hungarian authorities of fundamental human rights and freedoms.

None of the resolutions has been complied with. Instead, the Governments of the USSR and of Hungary have disputed the validity of the General Assembly resolutions, and have continued to deny that the repression of the Hungarian people through the instrumentality of the Soviet armed forces is any legitimate concern of the United Nations.

2. In the present report I do not propose to reiterate the broad considerations, to which I have drawn attention in my preceding reports. They retain, however, their validity, despite certain developments within Hungary which bring the situation within that country somewhat more in line perhaps with the Assembly resolutions on the observance of fundamental human rights and freedoms, though not in other respects. The present report concentrates on the significant developments of the past year, which may enable the Assembly to judge to what extent the situation in Hungary has developed in the direction called for by the United Nations resolutions.

1/ Official Records of the General Assembly, Fourteenth Session, Annexes, agenda item 74, document A/4304.

2/ Ibid., Fifteenth Session, Annexes, agenda item 82, document A/4606.

3/ Ibid., Sixteenth Session, Annexes, agenda item 89, document A/4996.

3. However, despite the developments to which I refer in this report, no change has taken place in the basic situation which has prevailed since 1956 - the denial to the Hungarian people of the elementary right of self-determination as a result of the past use and through the continuing pressure of a foreign army.

4. In my previous reports I have laid stress on the punitive measures introduced by the régime in Hungary against those who had taken part in the uprising.^{4/} With the passage of time, these measures of repression have in some degree achieved their immediate objective of consolidating the seizure of power. The thousands of political prisoners who remain in jail are no actual menace to the régime; and so the punitive acts which were a marked feature of the Hungarian scene in the four years following the uprising now become more exceptional. The mollified procedure of a "warning over a cup of coffee" - as it has been described - is an alleviation compared with arrest by the AVH at 5 a.m. - the well-known "milkman's call". The deviations from normal procedures in the administration of justice which were introduced in consequence of the uprising have in the main been rescinded. A new Criminal Code has been enacted^{5/} and a new criminal procedure has been promulgated.^{6/} It is a gratifying aspect of the new Criminal Code that, whereas the previous law made it possible for courts to apply the death sentence against juveniles who had committed crimes against the State, the new code provides that the death sentence may not be imposed upon a young person under the age of twenty at the time of the commission of the offence. A feature of Hungarian law which has hitherto shocked the civilized world has thus been rectified.

5. A welcome development of a somewhat different nature, though in the same direction, is the dawning recognition that lawyers should defend their clients effectively, even in connexion with accusations of a political character. It is conceded by the supporters of the régime that until recently the work of lawyers had tended to sink into mere formality, and that in many cases lawyers had come to play rather the role of the prosecution than of the defence.^{7/} It must, however,

4/ A/4304, paras. 22-36; A/4606, paras. 14-20; A/4996, paras. 7-8, 10.

5/ Law No. V, 1961 (Magyar Közlöny No. 97, 22 December 1961).

6/ Decree Law No. 8, 1962 (Magyar Közlöny, No. 33, 12 May 1962).

7/ Népszabadság, 11 May 1962, page 6.

be added that the new Criminal Code contains some provisions of considerable harshness. Paragraph 133 extends criminal responsibility from crimes committed against the State of Hungary to those endangering the security of a foreign country to:

"Crimes committed against another socialist country. Whoever commits the crimes enumerated in the present chapter against another socialist country, is punishable by the punishments prescribed in that country."

Another provision would punish persons found guilty of "inciting" against those international relations of the Hungarian People's Republic which promote "her alliance, friendship or peaceful co-operation" with other States. The penalty is six months to five years, in graver cases two to eight years. In the latter case preparation is an independent crime (paragraph 127).

6. In general, however, developments in the realm of law are in tune with the evident anxiety of the Hungarian régime to elicit a greater degree of support from the people of Hungary. It is indeed notable that the Hungarian authorities, who have for long advanced the thesis that the uprising in 1956 was due to Western instigation, have now sought to rehabilitate themselves in the eyes of their own people by expelling from the Communist Party the Hungarian Communist leaders responsible for the excesses against which the Hungarian people revolted in 1956: Mátyás Rákosi and Ernő Gerő. It is also true that several of the leaders of the present régime were also responsible for the excesses of the pre-1956 period. It is known that the Communist Party, which has dominated the political life of Hungary since its seizure of power, does not contain among its members more than 5 per cent of the total population. Mr. Kádár's speech before the Ikarus factory on 27 February 1962 exemplifies the stress now laid upon attaining some degree of reconciliation between a government imposed by the armed forces of an alien Power and the native Hungarian people. Mr. Kádár said:

"Let's just think how many people live with us in the people's regime with a different past and different views. They live decently and work honestly. Well, what then should we do? Shall we wage a war against them? But why? After all, they don't raise their hands against us and we fight only against those who want to overthrow the people's power. ... That is one of the categories of people. The other - the overwhelming majority of our people - is wholeheartedly with us because they know, they experience

it, that they get more from this regime than from the old one, yet they are not Marxists. This must never be forgotten. It is not the well-trained Marxists who constitute the majority ...

"... There are still class enemies, though, fortunately, fewer and fewer. That follows inevitably from the growth of the socialist forces. And if we are not vigilant, harm may be caused to us, but whatever the class enemy does cannot damage us so much as our own mistakes! We had to learn that at our own expense. That's why sound and sincere relations with the people, the masses, are so important. And what the people needs is humaneness and confidence. If these are absent, the class enemy can attract a part of the people and the fronts get confused ... We are much attacked from the West because we have a one-Party system. Well, that is true. But we have to work as if there were twenty parties and secret ballots every day! Because only then does the people support us. We have learnt that. That's why we must fight relentlessly against the old mistakes." 8/

The speech is an evident admission that the sympathies of the majority of the Hungarian people are not enlisted in the Communist cause and that the régime does not reflect the free will of the people. In order effectively to discharge the functions of government, the régime finds itself bound to establish closer links between itself and the great majority of the Hungarian people, including those who have until recently been referred to as class enemies. In a speech of 8 December 1961, Mr. Kádár said:

"Whoever is not against the Hungarian People's Republic is with it; whoever is not against the Hungarian Socialist Workers' Party is with it ... We must strengthen co-operation between Party members and those outside the Party ... We must strengthen /our/ influence on the masses ... This means, basically, that we must continue to deepen confidence in the masses because this constitutes the basis of our policy. Without this confidence in the masses we cannot exist." 9/

7. The modest alleviations within Hungary to which I drew attention in my report last year^{10/} have therefore continued, and the régime of terrorization which remained a feature of Hungarian political life for some three years following the uprising may be said to have been somewhat reduced. But there is considerable

8/ Ibid., 4 March 1962. (The underlining in this and the following text comes from the original Hungarian text.).

9/ Ibid., 10 December 1961.

10/ A/4996, para. 11.

evidence of continuous repression of certain groups, notably of some of the priests of the Roman Catholic Church.

8. Given this movement towards some degree of liberalization within the framework of the Communist régime, it is to be regretted that the Hungarian Government has not seen fit to proceed further in the direction of a general amnesty. I noted in my report of last year that the amnesties hitherto granted had been very limited in their range and, where operative, did not grant full pardon to those imprisoned for political offences.^{11/} No measure of general amnesty has been forthcoming within the past year. In so far as past amnesties, or any future amnesty, exclude from the terms of the amnesty those reputed guilty of homicide, attempted homicide or common law offences, such as robbery, it may be taken that the purpose is to continue the penalization of political offenders under the guise of common law. The estimate of the number of persons still in jail in Hungary for political offences may vary; some estimates suggest that the number may be as large as 8,000-15,000. In the absence of co-operation on the part of the Hungarian régime, there are no means of ascertaining with precision the number of persons still retained in prison in consequence of the 1956 uprising. Ever since 1957, the issuance of a general amnesty has been urged on the Hungarian régime as a preliminary means of ameliorating its relations with the United Nations. Such amelioration would be the more assured were the Hungarian régime prepared to accord to the United Nations or to some other organization the means of objectively verifying the application of an amnesty. In the absence of measures of this nature, the position remains that the Hungarian régime still fails to display towards the United Nations those indications of willingness to co-operate which are expected of a loyal Member of the Organization.

9. Despite the movement in the direction of relaxation to which I have drawn attention, individual instances of political persecution continue to occur, though not in the systematic fashion prevalent in the years immediately following the uprising. Necessarily the cases in question do not relate to eminent persons, for they have been incarcerated in past years; they relate in several instances to humbler persons condemned in the course of petty political persecution. I do not

^{11/} Ibid., para. 13.

propose to list all the instances brought to my attention: certain examples which have been reported in the Hungarian Press suffice to indicate their general character:

(1) "The sentences passed earlier in the case of Dr. Gyula Zsigmond and his associates are now finally binding. The Budapest Municipal Court tried in public between 6 - 9 June the criminal case of 12/ Dr. Gyula Zsigmond and his associates and passed sentences on them. The charge by the Office of the Municipal Prosecutor against the above individuals was association with a view to conspiracy against the State.

"The Court, after hearing the representatives of the State and that of the defence, the defendants and the witnesses, and, as well as on the basis of material proofs, established the guilt of Dr. Gyula Zsigmond and his associates. The Court, having taken into account aggravating and extenuating circumstances, pronounced the following prison sentences:

"Dr. Gyula ZSIGMOND	-	3 years
Dr. György BODOR	-	3 years 6 months
Dr. Sándor PÜSKI	-	4 years 6 months
Ferenc GOMBOS	-	1 year, suspended for a period of 3 years probation
Endre NAGY	-	6 months

"Dr. Gyula Zsigmond and Dr. Sándor Püski submitted an appeal for a lighter sentence which has now been rejected by the Supreme Court which has confirmed the sentences passed in the first instance. 13/

(2) The District Court of Törökszentmiklos sentenced former members of a local collective farm: Jozsef FEHER Jr. to three and a half years, Lajos TURCSANYI to two and a half years, Jozsef FEHER to two years imprisonment and Jozsef PAPP to ten months, by a suspended sentence. They were found guilty for 'inciting against the system of collective farming'. 14/

(3) The County Court of Kaposvár condemned Dezső SZEKERES, a Catholic priest to five years' jail and confiscation of his property; the charge being, among others, 'continuous incitement against the democratic order of State'. The report on the trial stated that the accused 'in the course of conversations held at his flat has also initiated political debates (during which) ... he

12/ These sentences were not made public earlier.

13/ Népszabadság, 11 July 1962.

14/ Szolnok Megyei Néplap, 6 June 1961, p. 3.

condemned the Communist Youth Alliance, the peace movement of priests, ... incited against the collectives and appealed for abstention from political life and encouraged the worship of the West and the desire for war.' 15/

(4) On 23 October 1961, István LITAUSZKY, a worker's son, ex-university student of literature, who had been 'compromised' during the uprising, and now a young worker, was arrested together with two of his friends listening to Radio Free Europe in a 'cultural home' of which he was in charge. Previously, according to a report published about his trial at the end of which he was sentenced to a prison term of thirty months, Litauszky formed a 'literary group' made up of students, technicians and other young people, in which political subjects were also discussed. In the course of these private conversations the accused reportedly ventured to say that 'real democracy, such as exists in Yugoslavia, should also be established in Hungary' instead of the still existing 'dictatorship by a handful of people' and that 'Hungary was a colony of the Soviet Union'. 16/

(5) János KISS, a 27-year old worker tried to 'smuggle' a letter to Canada by means of tourists. His letter was confiscated by the police while the tourists' luggage was being searched at the frontier. In this letter he wrote: 'We are forced to live like animals and our low wages are not sufficient even to cover the cost of food'. He was sentenced to twenty-six months' imprisonment for inciting hatred against the people's democratic State order.' 17/

(6) Aladar KAMPUS, a 21-year old industrial worker, was sentenced to five months' imprisonment by the Győr district tribunal for having 'stirred up hatred against the people's democratic State order.' 18/

(7) The Court of Nagykanizsa has sentenced a woman worker, Mrs. György SIPOS, to eighteen months' imprisonment and 1,000 forints fine, for expressing her dislike for the president of a collective farm. 19/

(8) In January 1962, Sandor UVEGES, a welder from a large plant at Győr, received a four-year prison sentence based largely on considerations of a political character. The report published in the Party paper about the trial stated that the accused 'often voiced the view that he would prefer another world war to having to live any longer under the present régime'. The Court concluded that the accused was 'a confirmed enemy and must be treated as such'. 20/

15/ Somogyi Néplap, 31 August 1961, p. 6.

16/ Veszprém Megyei Napló, 31 January 1962.

17/ Zalai Hírlap, 2 December 1961, p. 5.

18/ Kisalföld, 5 January 1962.

19/ Zalai Hírlap, 7 December 1961, p. 5.

20/ Népszabadság, 21 January 1962.

(9) A 17-year old youth (whose initials are B.I.) and three friends, all from Budapest, tried to cross the frontier illegally in autumn 1961. They were arrested and sentenced: B.I. to six months and ten days, Gyula KATO and Lajos PERCSI to ten months."^{21/}

10. Though the Hungarian régime has endeavoured to win support from Hungarian intellectuals and writers, who as a group have always played an exceptionally prominent part in the political life of Hungary, there is good reason to believe that some of the most prominent are still held in jail. In my report of last year I referred to the names of some sentenced to life imprisonment or to terms of imprisonment ranging from six to fifteen years.^{22/} Among these are Mr. István BIBO, a distinguished professor of sociology and former Minister of State in the Government of Imre NAGY, who is serving a life sentence. In addition to those previously mentioned, the following writers or intellectuals are also among those who continue to be held in jail, according to information which has been subsequently made available to me:

Sender FEKETE, historian and journalist.

Peter FÓLDES, journalist, a collaborator of Imre Nagy.

Gyorgy KRASSÓ, a student.

Mihály LENOVAY, journalist.

11. The core of the problem, however, remains the issue of the withdrawal of Soviet forces from Hungary. As I observed in my last report,^{23/} the Hungarian régime still rests on the support of Soviet forces which were installed in November 1956. Only the withdrawal of Soviet forces from Hungary by agreement with the Hungarian Government could afford a convincing evidence of the willingness and ability of the Hungarian Government to rely on the support of the Hungarian people and of concern on the part of the Hungarian Government to accord that measure of respect to such resolutions of the General Assembly which has been readily granted by other Members of the United Nations. As I noted in my report last year, the General Assembly has repeatedly called for the withdrawal of Soviet

^{21/} Zalai Hirlap, 13 April 1962.

^{22/} A/4996, para. 8.

^{23/} Ibid., paras. 4, 5 and 6.

forces from Hungary as the essential preliminary of the restoration of Hungarian freedom.^{24/} The present Hungarian régime committed itself after its first installation in power to bring about the withdrawal of Soviet forces in accordance with the assurances given by János Kádár in his statements of 4, 8, 11 and 12 November 1956, and at later dates. A general amnesty, combined with the implementation of the Soviet declaration of 30 October 1956 looking towards the withdrawal of Soviet troops from Hungary,^{25/} would seem to be the essential pre-conditions of an amelioration of Hungary's relations with the Organization.

12. In my report to the sixteenth session of the General Assembly I referred to petitions which have been received by me during 1961 drawing attention to the resolutions of the General Assembly on the Question of Hungary and requesting that efforts be continued to secure their observance.^{26/} These petitions have, during the last year, continued to be addressed to me and, by now, include several million individual signatures as well as many collective signatures emanating from important mass organizations. These petitions have come from numerous countries throughout the world. Among the persons who addressed petitions to me are two Heads of State (one from Africa, and the other from the Western Hemisphere), several members of Cabinets, Speakers and members of Parliaments, and mayors of great cities of the world, as well as many high dignitaries of the churches, many trade union leaders and distinguished writers, artists and journalists, and numerous professors, historians, scientists, business men and lawyers. In addition, the petitions were presented on behalf of great mass organizations, such as trade unions, with a membership representing over 150 million.

13. These petitions continue to concentrate on four main points:

1. That the principle of self-determination valid to all countries should also be applied in the case of Hungary;
2. That all political prisoners in Hungary should be released;

^{24/} Resolution 1004 (ES-11), of 4 November 1956, para. 2;
resolution 1005 (ES-11), of 9 November 1956, para. 1;
resolution 1131 (XI) of 12 December 1956, para. 4.

^{25/} Official Records of the General Assembly, Eleventh Session, Supplement No. 18 (A/3592), paras. 331 and 332.

^{26/} A/4996, para. 14.

3. That foreign troops be withdrawn from that country; and
4. That free elections should be held in Hungary under United Nations supervision.

It is needless to say that I feel greatly encouraged by this magnificent demonstration of solidarity of millions of people all over the world towards the people of Hungary.

14. These petitions are therefore a testimony of the world-wide concern with the proceedings of the United Nations on the Question of Hungary. No fewer than fourteen resolutions have dealt with this problem since November 1956, and the prestige of the Organization is jeopardized by its inability to progress towards the solution of this problem in accordance with the principles of the Charter. The responsibility for this situation lies wholly with the Government which committed against the Hungarian people in 1956 acts of force in flagrant violation of Article 2, paragraph 4, of the Charter. It has been my duty as United Nations Representative under General Assembly resolution 1312 (XIII), confirmed by resolutions 1454 (XIV) and 1741 (XVI), to report to the Assembly or to Members of the United Nations on the significant developments relating to the implementation of the resolutions in question. I have done so; and in so doing I have sought scrupulously to remain within the scope laid down by the Assembly resolutions themselves. My purpose has been to ameliorate the situation, and my first efforts were concentrated on this objective; but, as I informed the Assembly in my first report, my approaches were rebuffed by the States concerned, basing their position on their denial of the legality of United Nations proceedings. I have therefore submitted each year a report on significant developments, while bearing in mind the gravity of the enduring and underlying problem. The Question of Hungary is one of continuing importance and involves a question of principle, the safeguarding of which is vital to the security of small States. The resolutions of the General Assembly are a firm expression of its objectives, and it is essential that the facts of the situation be kept before the world.