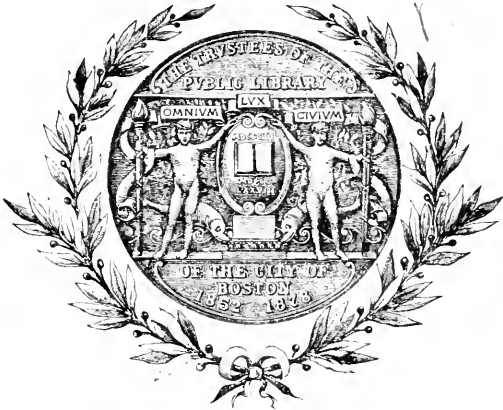




Howe's howl

No 9335.4A291



GIVEN BY

See back

SCOPE OF SOVIET ACTIVITY IN THE UNITED STATES

HEARINGS

BEFORE THE

**SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS**

OF THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

EIGHTY-FIFTH CONGRESS

FIRST SESSION

ON

**SCOPE OF SOVIET ACTIVITY IN THE
UNITED STATES**

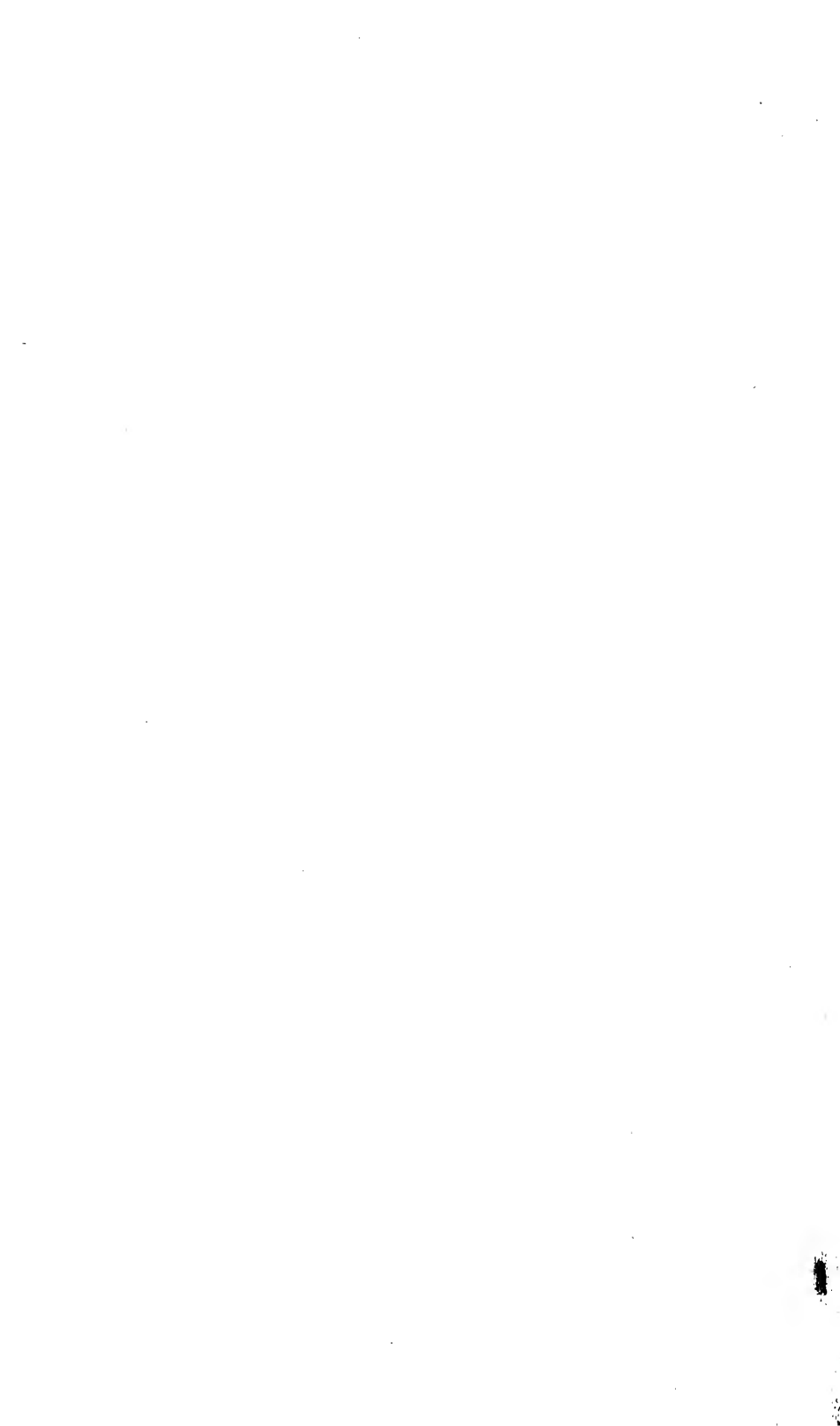
PART 90

**United Nations Reports and Documents Dealing
With the Hungarian Revolt**

Printed for the use of the Committee on the Judiciary



1158



SCOPE OF SOVIET ACTIVITY IN THE UNITED STATES

HEARINGS

BEFORE THE

SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS

OF THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

EIGHTY-FIFTH CONGRESS

FIRST SESSION

ON

SCOPE OF SOVIET ACTIVITY IN THE
UNITED STATES

PART 90

**United Nations Reports and Documents Dealing
With the Hungarian Revolt**

Printed for the use of the Committee on the Judiciary



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1959

7-1, 4A 291

COMMITTEE ON THE JUDICIARY

JAMES O. EASTLAND, Mississippi, *Chairman*

- | | |
|-----------------------------------|------------------------------------|
| ESTES KEFAUVER, Tennessee | ALEXANDER WILEY, Wisconsin |
| OLIN D. JOHNSTON, South Carolina | WILLIAM LANGER, North Dakota |
| THOMAS C. HENNINGS, Jr., Missouri | WILLIAM E. JENNER, Indiana |
| JOHN L. McCLELLAN, Arkansas | ARTHUR V. WATKINS, Utah |
| JOSEPH C. O'MAHOONEY, Wyoming | EVERETT MCKINLEY DIRKSEN, Illinois |
| MATTHEW M. NEELY, West Virginia | JOHN MARSHALL BUTLER, Maryland |
| SAM J. ERVIN, Jr., North Carolina | ROMAN L. HRUSKA, Nebraska |



SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION OF THE INTERNAL SECURITY ACT AND OTHER INTERNAL SECURITY LAWS

JAMES O. EASTLAND, Mississippi, *Chairman*

- | | |
|-----------------------------------|--------------------------------|
| OLIN D. JOHNSTON, South Carolina | WILLIAM E. JENNER, Indiana |
| JOHN L. McCLELLAN, Arkansas | ARTHUR V. WATKINS, Utah |
| SAM J. ERVIN, Jr., North Carolina | JOHN MARSHALL BUTLER, Maryland |
| MATTHEW M. NEELY, West Virginia | ROMAN L. HRUSKA, Nebraska |

ROBERT MORRIS, *Chief Counsel*
 J. G. SOURWINE, *Associate Counsel*
 BENJAMIN MANDEL, *Director of Research*

CONTENTS

	Page
Report of the Special Committee of the United Nations on the Problem of Hungary, June 12, 1957-----	5062
Hungary Under Soviet Rule: A summary of developments since the report of the U. N. Special Committee-----	5249
The Hungarian Situation and the Rule of Law: Report of International Commission of Jurists-----	5333
The Continuing Situation of the Hungarian Situation to the Rule of Law--	5479
Justice in Hungary Today: Additional Report of International Commission of Jurists-----	5513

REPORT OF THE SPECIAL COMMITTEE OF THE UNITED NATIONS ON THE PROBLEM OF HUNGARY

12 June 1957

Rapporteur: Mr. K. C. O. Shann (Australia)

Document A/3592

TABLE OF CONTENTS

	<i>Paragraph</i>
Chapter I. Organization and Functions of the Committee:	
A. Introduction.....	1
B. The Witnesses.....	6
C. Conduct of Hearings.....	24
D. Documentary Material.....	27
E. Attempts to observe in Hungary and to meet Mr. Imre Nagy.....	32
F. Arrangement of the report of the Committee.....	35
G. General Observations on the Work of the Committee.....	44
Annex A: Resolution 1132 (XI) of the General Assembly of the United Nations.	
Chapter II. A Brief History of the Hungarian Uprising:	
A. Developments before 22 October 1956.....	47
B. Meetings and Demonstrations.....	52
C. The First Shots.....	55
D. The Armed Uprising.....	59
E. Revolutionary and Workers' Councils.....	62
F. Political Developments.....	64
G. Mr. Nagy Clarifies.....	68
H. Declaration of Neutrality.....	74
I. Soviet Forces Intervene Again.....	75
J. Mr. Kádár Forms a Government.....	77
K. The Abduction of Mr. Nagy.....	80
L. Soviet Military Occupation.....	83
M. Recent Developments.....	88
N. Summary of Conclusions.....	89
Chapter III. The uprising as seen by the USSR and by the Government of Janos Kadar:	
A. Introduction.....	90
B. The Issues at Stake.....	95
C. Justification of Soviet Intervention.....	103
D. The Progress of Events.....	113
1. Legitimate grievances.....	113
2. Alleged preparations for counter-revolution.....	120
3. Reaction in the saddle.....	132
E. Conclusion.....	149
PART A. MILITARY INTERVENTION AND ITS POLITICAL BACKGROUND	
Chapter IV. Soviet Military Intervention (24 October-3 November 1956):	
A. Introduction.....	151
B. Movements of Soviet Forces and Areas of Fighting.....	153
C. Resistance of the Hungarian People to the Soviet Attack.....	160
D. The Withdrawal of Soviet Troops from Budapest.....	171
E. The Logistic Deployment of New Soviet Forces.....	178
F. Conclusions.....	185
Chapter V. Second Soviet Military Intervention:	
A. Introduction.....	186
B. Relations between the Insurgents and the Hungarian Army.....	188
C. The Fighting in Budapest.....	196
D. The Fighting in the Industrial Districts of Budapest.....	199
E. Fighting in the Provinces.....	204
F. Conclusions.....	215
Chapter VI. The Political Circumstances of the First Military Intervention:	
A. Introduction.....	216
B. The Popularity of Imre Nagy.....	218
C. Doubts Arise about Mr. Nagy's Position.....	221
D. Delegations' Limited Access to Prime Minister Nagy before 29 October.....	233
E. Mr. Nagy's Denials.....	241
F. Mr. Nagy's Detention in the Communist Party Headquarters.....	246
G. Was an Invitation Actually Extended?.....	259
H. Conclusions.....	266
Chapter VII. The Political Background of the Second Soviet Intervention:	
A. Introduction.....	267
B. The Political Position of Mr. Kádár prior to 4 November.....	271
C. Mr. Kádár's Relations with Mr. Nagy.....	285
D. The Overthrow of Mr. Nagy's Government.....	289
E. The Establishment of Mr. Kádár's Government.....	296
F. Conclusions.....	301

Chapter VIII. The Question of the Presence and the Utilization of the Soviet Armed Forces in Hungary in the Light of Hungary's International Commitments:	
A. Introduction.....	304
B. Post-war International Instruments Governing Hungary's International Status.....	306
C. Applicability of these International Instruments to the Soviet Military Interventions.....	318
D. The Demand for Withdrawal of Soviet Armed Forces.....	326
E. Question of the Withdrawal of Soviet Armed Forces after 4 November 1956.....	348
F. Final Observations.....	365
Annex A: Agreement between the Government of the Hungarian People's Republic and the Government of the USSR on the Legal Status of Soviet Forces temporarily stationed on the Territory of the Hungarian People's Republic, concluded in Budapest, 27 May 1957.	
PART B. EFFECTS OF THE USE OR THREAT OF USE OF FORCE ON THE POLITICAL INDEPENDENCE OF HUNGARY	
Chapter IX. Background and Aims of the Uprising:	
A. Introduction.....	370
B. The Background of the Uprising.....	375
C. The Declared Aims of the Uprising.....	392
1. The Nature of the Uprising.....	392
2. The Resolutions and Manifestos of 20-23 October 1956.....	401
3. Analysis of the Demands Stated at the Outset of the Uprising.....	405
(a) Political Demands.....	405
(b) Economic Demands.....	414
(c) Cultural Demands.....	421
D. Attitude of the Hungarian People to the State Security Police (AVH).....	423
Annexes:	
A. Appeal adopted by a meeting of Budapest Technological Students at the Andras Hess Students' Hostel (the Central Students' Hostel of the Building Industry Technological University of Budapest) held on 19 October 1956.	
B. Appeal issued by DISZ Members of the Medical Faculty of the University of Budapest, 22 October 1956.	
C. Resolution addressed to the Participants of the DISZ Mass Meeting on 22 October 1956.	
D. First Draft of the Demands of the Students of the Building Industry Technological University of Budapest, 22 October 1956.	
E. The Ten Points of the Petöfi Club, 22 October 1956.	
F. The Aims of the League of Working Youth (DISZ), the Youth Group of the Hungarian Workers' (Communist) Party, 23 October 1956.	
G. Appeal of the Revolutionary Committee of the Hungarian Intellectuals, 28 October 1956.	
Chapter X. Student Demonstrations and the Origins of Armed Conflict in Budapest:	
A. Introduction.....	435
B. The Student Meetings on 22 October.....	437
C. How the Demonstrations were Initiated and Organized.....	452
D. Demonstrations at the Petöfi and Bem Statues.....	456
E. Demonstration at the Parliament.....	461
F. Removal of Stalin's Statue.....	467
G. The First Shots.....	468
H. Further Developments.....	476
I. Parliament Building on 25 October.....	481
Chapter XI. Revolutionary and Workers' Councils:	
I. Introduction.....	485
II. Revolutionary Councils.....	493
A. Territorial Councils:	
1. The Provinces.....	493
2. The Transdanubian National Council.....	506
3. Budapest.....	510
B. Functional and Representative Councils:	
1. Students and Youth.....	513
2. Armed Forces.....	518
3. The Revolutionary Committee of Hungarian Intellectuals.....	523
C. Establishment of Revolutionary Committees within Government Departments.....	524
D. Efforts for the Co-ordination of Revolutionary Councils and Committees.....	533
E. Contacts of Revolutionary Councils within the Government.....	537
III. Workers' Councils in Factories.....	539
A. The Establishment and Function of Workers' Councils.....	542
B. Authorization and Encouragement of Workers' Councils by Trade Unions, the Party and the Government.....	549
C. Conclusions.....	560
Chapter XII. The Reassertion of Political Rights (26 October-3 November):	
A. Introduction.....	562
B. The Transitional Period: The National Government of 27 October (26-29 October).....	563
C. Abolition of the One-Party System and Establishment of the Inner Cabinet of 30 October.....	573
D. The Rebirth of Political Parties.....	576
E. The Streamlined Coalition Government of 3 November.....	588
Chapter XIII. Soviet Intervention Under the Present Regime:	
A. Introduction.....	595
B. Soviet Administration of Hungary.....	596
C. Soviet Repressive Measures.....	605
D. Relationship of Workers' Councils and Soviet Authorities.....	617
E. Attitude towards the Government of Hungary.....	622
F. The Abduction of Premier Imre Nagy.....	630
G. Conclusions.....	640

Chapter XIV. Political Rights After the Revolution:

	<i>Paragraph</i>
I. Workers' Councils:	
A. Relationship of the Workers' Councils and the Government.....	641
B. The Role of the Communist Party in the Workers' Councils.....	663
C. Workers' Councils and Trade Unions.....	671
II. Post-Revolutionary Status of Political Organizations:	
A. Negotiations with Political Parties.....	676
B. The Fate of other Organizations and the Press.....	691
1. Revolutionary Councils.....	691
2. The Press.....	698
3. Youth Organizations.....	702
III. Conclusions.....	708

PART C. SPECIFIC ACTS IN VIOLATION OF OTHER RIGHTS OF THE HUNGARIAN PEOPLE

Chapter XV. Deportations:

A. Introduction.....	713
B. Investigation by the Committee.....	720
C. Seizure of Deportees.....	723
D. Experience of Deportees in the USSR.....	731
E. Admission of Deportations by Soviet Authorities.....	737
Chapter XVI. Other Violations of Human Rights and Fundamental Freedoms:	
A. Preliminary Remarks.....	741
B. Hostilities.....	744
C. The Repression.....	752
D. The Spectre of the AVH.....	768
E. Human Rights.....	778
Chapter XVII. Conclusions.....	784

ANNEX

List of Material Relating to the Problem of Hungary.

Map of Budapest.

Map of Hungary.

CHAPTER I. ORGANIZATION AND FUNCTIONS OF THE COMMITTEE

A. INTRODUCTION

1. The Special Committee on the Problem of Hungary, composed of the representatives of Australia, Ceylon, Denmark, Tunisia, and Uruguay, was established by the General Assembly of the United Nations on 10 January 1957.¹ The following representatives were appointed by their Governments: Australia: Mr. K. C. O. Shann; Ceylon, Mr. R. S. S. Gunawardene; Denmark: Mr. Alsing Andersen; Tunisia: Mr. Mongi Slim; Uruguay: Professor Enrique Rodriguez Fabregat. The Secretary-General appointed Mr. W. M. Jordan as Principal Secretary of the Committee and Mr. P. Bang-Jensen as Deputy Secretary. The Committee held its first meeting at the United Nations Headquarters in New York on 17 January 1957, and elected Mr. Alsing Andersen as Chairman and Mr. K. C. O. Shann as Rapporteur.

2. The Committee was charged by the General Assembly with the duty of providing the Assembly and all Members of the United Nations with "the fullest and best available information regarding the situation created by the intervention of the Union of Soviet Socialist Republics, through its use of armed force and other means, in the internal affairs of Hungary, as well as regarding developments relating to the recommendations of the Assembly on this subject".

3. The Committee submitted an Interim Report to the General Assembly on 20 February 1957.² In this report, the Special Committee defined the scope of the inquiry which it had been called upon to conduct, and in a summary statement on the course of Soviet intervention in Hungary, indicated certain specific problems to which the Committee would direct its attention.

4. The Committee's task has been to ascertain the facts and, after careful scrutiny of the evidence and information received, to present an objective report, together with findings, on the situation in question. The Committee regrets that, owing to the attitude of the Hungarian Government, it has not been in a position to establish and maintain direct observation in Hungary, as enjoined by the General Assembly resolution.

5. After a preliminary examination of the available documentation, the Committee gave hearings to thirty-five witnesses at the Headquarters of the United Nations in New York. The Committee then proceeded to Europe where, from 11 March to 16 April 1957, it held hearings at the European Office of the United Nations in Geneva, and thereafter in Rome, Vienna, London, and again in Geneva. These hearings greatly augmented the range of information at the dis-

¹ Resolution 1132 (XI), attached as annex A to this chapter.

² A/3546.

posal of the Committee and contributed significantly to the Committee's understanding of the character of the events in Hungary. An extensive outline of the report, submitted by the Rapporteur, received the provisional approval of the Committee at its 58th meeting in Geneva on 8 April 1957. After further hearings, the Committee returned to New York to complete the preparation of the report. The report has been adopted unanimously by the Committee, which held its last meeting on the report on Friday, 7 June 1957.

B. THE WITNESSES

6. The Committee has heard 111 witnesses: thirty-five were heard in New York, twenty-one in Geneva, sixteen in Rome, thirty in Vienna and nine in London.

7. The first three witnesses were heard in public. They were: Miss Anna Kéthly, Minister of State in the Hungarian Government of Imre Nagy; Major-General Béla Király, Military Commander of the City of Budapest and Commander-in-Chief of the National Guard during the Hungarian uprising; and József Kővágó, Mayor of Budapest during the years 1945-1947 and again during the days from 31 October to 4 November 1956.³

8. These three witnesses and other prominent Hungarians requested the Committee to hear certain other witnesses. In accordance with the provisions of the General Assembly resolution and at the request of the Committee, suggestions as to persons to be heard were also made by the Governments of Belgium, Canada, Denmark, France, Italy, the United Kingdom and the United States. These Governments submitted data regarding Hungarians in their territory whose testimony might, in their opinion, be of special interest. During the hearings, witnesses also on occasion proposed the names of other witnesses who might confirm or supplement their statements. Some 200 Hungarians sent letters on their own initiative to the Committee requesting to be heard; a decision as to the hearing of these persons was reached after obtaining from them further information regarding themselves and the testimony which they could offer.

9. The witnesses were selected under the authority of the Chairman and the Rapporteur. The primary consideration in the selection of witnesses was their capacity to place before the Committee evidence based on direct and personal knowledge of the events in Hungary. Attention was also paid to the need to ensure that the witnesses should be drawn from all segments of the Hungarian people and from all parts of the country. Towards the end of its hearings, the Committee had to exercise increasing discrimination in the selection of witnesses in order to ensure that the testimony did not become unduly repetitive.

10. Among the witnesses the larger number were workers, skilled and unskilled, from light and heavy industry, but a number of white-collar workers, and workers who had been active in trade unions within Hungary were also heard. Many of these workers had participated in the revolt as ordinary "freedom fighters", but several had been leaders in various spheres during the uprising. Among these were members of the Revolutionary Councils in Budapest and the provinces and leading members of the Workers' Councils in Budapest and the provinces, including members of the Central Workers' Council of Csepel.

11. Testimony was also received from engineers and technicians, and from managers in state enterprises, including the uranium mines in Pécs.

12. Relatively few peasants were heard by the Committee, since comparatively little fighting had taken place in country areas. Many of the workers and students who testified before the Committee were, however, of peasant origin.

13. The witnesses included both Communist and non-Communist intellectuals. The Committee heard several members of the Petöfi Club, some outstanding Hungarian writers and journalists, an actress, an artist, an architect, professors of law, medicine, philosophy, history, science, technology, economy and agriculture, and several lawyers, including an assistant public prosecutor. The Committee also gave hearings to a number of high school students of both sexes and to young men and women from universities, including members of students' councils.

14. Besides several officers and soldiers of the Hungarian army and members of the Air Force, the Committee heard members of the National Guard and of the ordinary police as well as certain leaders of revolutionary forces, viz., the Commander and Deputy Commander of the National Guard at Csepel; the Com-

³ See chapter XI, para. 512.

mander of the Corvin Block; the Commander of the revolutionary forces of southern Budapest; and the leader of the "freedom fighters" and guerilla forces in southwestern Hungary. Valuable information was received from doctors and nurses who had taken care of the wounded and carried out Red Cross duties, and from railroad and communication workers regarding troop movements.

15. Testimony was also received from a considerable number of Government officials, including diplomats. Certain of these had held high rank or had been assistants to leading Hungarian politicians or Cabinet ministers of various parties. Some had been present in the Parliament Building with Prime Minister Nagy until 4 November and were able to provide valuable and detailed information about events within the Hungarian Government during this critical period.

16. Among the witnesses were Catholics, Protestants and Jews.

17. Several of the witnesses had formerly been members of Parliament or leaders of political parties. Many of the witnesses were Communists or had formerly been Communists. Others were members of the Social Democratic Party or of the Independent Smallholders' Party.

18. The witnesses also included a convinced pacifist who, under the stress of events in Hungary, forgot his principles and found himself participating in the fighting.

19. Many of the witnesses had spent years in prison before 1945 on account of anti-Horthy or anti-Nazi activities. Some of these had spent more years in prison under the Communists. Among the witnesses were some who had been accused in the Rajk trial; all of these had undergone extreme torture, had been forced to sign confessions, and had been kept in prison or forced labour camps for many years without proper legal proceedings. Some of them had, later, after the fall of Rákosi in 1953, been released and reinstated in the Communist Party. One witness had been a stenographer for the security police.

20. None of the witnesses had left Hungary before the October revolution; some had escaped only a few weeks before being heard by the Committee; one witness had revisited Hungary several times in order to bring out his family and various friends.

21. Most witnesses gave the explanation that they had fled because they feared arrest and deportation. Eight witnesses had themselves been deported to the USSR, but had escaped or been returned; other witnesses had been liberated from deportation trains. Many stated that their apartments had been searched and were watched, so that they did not dare to return. Several had been members of Workers' and Revolutionary Councils of which other members had been arrested.

22. The great majority of the witnesses were under thirty-five years of age; many were much younger, the youngest being sixteen years of age.

23. The Committee has been impressed by the bearing of the witnesses in the sometimes trying circumstances of the hearings, and by the cogency and coherence of their evidence. Despite the events which they had lived through, their testimony was usually tendered in a level-headed and sober manner. The members of the Committee were especially impressed by the bearing and earnestness of the younger witnesses.

C. CONDUCT OF HEARINGS

24. The first three prominent witnesses, Miss Anna Kéthly, Major-General Király and Mayor Kövágó, were heard before the Committee in open meetings. It was, however, found more practical to hold closed meetings, since most of the refugees feared retaliation against their family and friends in Hungary, and since questioning could be more insistent in closed meetings. Eighty-one out of the 111 witnesses were, at their request, heard anonymously; their names were made known to the Chairman and Rapporteur, and to other members of the Committee when they so desired.

25. At the beginning of his testimony, each witness would usually give his personal data and background, and would then make an introductory statement regarding those events of which he had special knowledge. The witnesses were instructed to give evidence based on their personal experience. After the introductory statement, which might last from a few minutes to a few hours, the witnesses were subjected to close cross-examination by the members of the Committee. Some witnesses submitted important documents and original drafts, and some prepared memoranda to support or elaborate their testimony. The verbatim records of the testimony comprise some 2,000 pages of evidence.

26. Throughout its work, the Committee has sought scrupulously to assess the value of the testimony and of the documentation placed before it. Care has been taken to subject witnesses to detailed interrogation in order to test the reliability of their evidence. The Committee has on many points been in a position to check the testimony of one witness with the testimony of others and with the documentation available to the Committee. As the hearings progressed, it became possible to put to witnesses questions of a more and more precise character.

D. DOCUMENTARY MATERIAL

27. As mentioned in the Interim Report, the Committee, through the Secretary-General, requested the Member States to make relevant information in their possession available to it. Governments having diplomatic representation in Budapest received a special request from the Committee to this effect.

28. The Committee is grateful for the helpful and voluminous material received from Member States in response to these requests. Besides other documentary material, the Governments of Belgium, France, the Netherlands, Italy, the United Kingdom and the United States submitted reports giving a detailed and extensive picture of events in Hungary based on information available to them. The Australian Government transmitted a valuable memorandum based on interviews with thirty-eight Hungarian refugees in Australia.

29. Several nongovernmental organizations have transmitted memoranda and documentary material. A detailed study was received from the International Commission of Jurists at The Hague. Sir Hartley Shawcross, Q. C., had the opportunity to present this material orally to the Committee, and submitted to questioning by the Members regarding the facts and the views expressed in the memorandum.

30. The initial studies of the Committee were in the main based on monitoring reports, in English and Hungarian, of official Hungarian broadcasts up to the present time and of the unofficial stations which were broadcasting during the Revolution. Use has been made of the available official Hungarian documentation, including issues of the Hungarian Gazette, the Hungarian White Book, and official statements by the Hungarian Government. The documentation utilized for the preparation of the Report comprises also Hungarian newspapers covering the time before, during and after the Revolution, including several revolutionary newspapers and leaflets published during the uprising. Annexed to the Report is a list of material of this nature available to the Committee.

31. The Committee has also had the opportunity to view certain films which were made during the uprising.

E. ATTEMPTS TO OBSERVE IN HUNGARY AND TO MEET IMRE NAGY

32. As stated in the Interim Report, the Committee requested at an early stage, through the Secretary-General, that the Hungarian Government extend assistance or facilities for the Committee's work, especially with regard to the entry of the Committee and its staff within the territory of Hungary. In his reply of 5 February 1957, the Permanent Representative of Hungary informed the Secretary-General that, in the opinion of his Government, the Committee "violates, in its function, the Charter of the United Nations", and that "consequently, the Hungarian Government is not in a position to permit the members of the Special Committee and its staff to enter into the territory of Hungary".

33. In accordance with the undertaking stated in the Interim Report, the Committee renewed its request to the Hungarian Government during its stay in Europe. The Hungarian Government replied in a Note of 25 March 1947 that it maintained its position.

34. On 14 March 1957, the Committee also requested the Secretary-General to inform the Government of Romania that the Committee desired to meet Imre Nagy in the interest of a full and effective performance of the functions entrusted to it by the General Assembly. The Permanent Representative of Romania replied on 30 March that his Government considered the establishment of the Committee as contrary to the spirit and provisions of the United Nations Charter, as well as to the interests of international cooperation.

F. ARRANGEMENT OF THE REPORT OF THE COMMITTEE

35. In deciding the arrangement of information within the report, the Committee has sought to ensure that the form of the report should reflect the nature of the task assigned to the Committee by the General Assembly.

36. The Committee noted in its Interim Report that its primary concern was "to ascertain the extent and the impact of foreign intervention, by the threat or use of armed force or other means on the internal affairs and political independence of Hungary and the rights of the Hungarian people". The internal affairs of Hungary and political and other developments of that country before 1956, were to be considered by the Committee as outside the framework of its investigation, save in so far as those developments had a direct bearing on the uprising of October 1956, the subsequent interventions of the USSR and the resultant aspects of the continuing situation within Hungary.

37. In view of these considerations, the Committee has considered that a chronological survey of events would not be an appropriate form for the report. It has seemed more appropriate that each chapter should deal with a defined aspect of the situation which the Committee has been called upon to investigate. Since this arrangement has involved a departure from chronological sequence in the presentation of information, the Committee has considered it proper in the following chapter to present a brief outline, in chronological order, of developments in Hungary from 22 October 1956, prefaced by a summary of the political development of Hungary in preceding years. In chapter II references will be found to the places in the report where points at issue are developed at greater length. At the same time, the Committee has sought to present this chapter as an account of the events in Hungary which can be read independently.

38. In chapter III the Committee has endeavoured to state objectively the contentions advanced by the Governments of Hungary and of the USSR in justification of recourse to the assistance of the armed forces of the USSR. The Committee has also endeavoured to indicate within this chapter the degree to which the general contentions of the Governments in question correspond with known facts.

39. The remainder of the report is divided into three parts. The first part covers aspects of the situation directly related to the intervention of the armed forces of the USSR. Two chapters are devoted to an account of the military movements of the Soviet armed forces within Hungary in the last days of October and the early days of November 1956. These are followed by two chapters which deal with the alleged invitations by the Government of Hungary to the Government of the USSR to intervene. This first part closes with an examination of the international instruments bearing on Soviet intervention and gives an account of the negotiations between the Government of Hungary and the Government of the USSR regarding the withdrawal of Soviet troops from Hungary.

40. Having in this first part dealt with the direct problems of Soviet intervention, the Committee has in part II endeavoured to assess the impact on the political independence of Hungary of the use of force by the Government of the USSR. For this purpose the Committee has found it essential to inquire with care into the immediate background of the uprising and into the aims of the different sections of the Hungarian people. In order to present a clear statement on their aims and aspirations, the examination of their social and political thought has been dealt with in chapter IX separately from the narrative of events. The course of events during the uprising is related in chapter X, commencing with the students' movements in the middle of October 1956.

41. Since a major aspect of the uprising was the establishment of Revolutionary Councils and of Workers' Councils in Budapest and in the provinces, the relevant information is brought together in chapter XI, which contains data regarding the course of the uprising in parts of Hungary other than Budapest. In chapter XII the Committee has sought to provide an accurate account of political developments in Hungary in the brief period between the successful termination of the uprising and its repression by a second intervention of Soviet armed force. Two further chapters of part II deal with the characteristics of the régime in Hungary since 4 November, the first providing information relating to the continuance of Soviet intervention in Hungary, and the second relating to the suppression of those political rights and freedoms which the Hungarian people had sought to establish.

42. Part III of the report deals with matters relating to the treatment of individuals within Hungary, under the heading: "Specific acts in violation of other rights of the Hungarian people". One chapter deals with evidence of the violation of human rights in general. A second chapter deals with the problem of the deportation of Hungarians to the USSR.

43. In a final chapter the Committee states its general conclusions and findings.

G. GENERAL OBSERVATIONS ON THE WORK OF THE COMMITTEE

44. The Committee regrets that the refusal of the Hungarian Government and of the Government of the USSR to co-operate has prevented it from obtaining the information which those Governments are in a position to place at its disposal. The Committee would undoubtedly have profited by the data which the two Governments could have placed before it. However, in view of the comprehensive and detailed documentation and testimony which have been made available, it is the opinion of the Committee that the data which might have been presented by the Government of the USSR and by the Hungarian Government would not have modified the Committee's main conclusions regarding what actually took place in Hungary, though it might possibly have changed or elaborated certain specific points in this report. Conscious of its obligation to take all views into account, the Committee has examined carefully all evidence, both in documentation and in testimony, which might be adduced in support of the views of the two Governments. Moreover, in the questioning of witnesses, the members of the Committee have throughout borne in mind the description and interpretation of events in Hungary maintained by the two Governments and have endeavoured to test their validity.

45. Though the Committee is aware that in the course of time further documentation and evidence will undoubtedly come to light regarding the situation with which the Committee has been concerned, the range of information at its disposal has been far greater than could have been anticipated at the outset of the inquiry. The Committee has sought throughout its work to apply to the evidence the tests of authenticity and coherence which provide the essential criteria of the objectivity of any such investigation.

46. While therefore bearing in mind the resolutions of the General Assembly, the Committee has approached its task of investigation without prejudice, deeming it essential to present a factual report based exclusively on the careful examination of reliable evidence. It has consistently sought to avoid any emotional evaluation of the facts. It has endeavoured to depict in restrained language the situation as revealed by the evidence received. The Committee has felt that it would best fulfil its task by rendering to the General Assembly a dispassionate survey of the situation which it has been the duty of the Committee to investigate.

ANNEX A TO CHAPTER

Resolution 1132 (XI) of the General Assembly of the United Nations

The General Assembly,

RECALLING its previous resolutions on the Hungarian problem,

REAFFIRMING the objectives contained therein and the continuing concern of the United Nations in this matter,

HAVING RECEIVED the report of the Secretary-General of 5 January 1957,⁴

DESIRING to ensure that the General Assembly and all Member States shall be in possession of the fullest and best available information regarding the situation created by the intervention of the Union of Soviet Socialist Republics, through its use of armed force and other means, in the internal affairs of Hungary, as well as regarding developments relating to the recommendations of the General Assembly on this subject,

1. ESTABLISHES, for the above-mentioned purposes, a Special Committee, composed of representatives of Australia, Ceylon, Denmark, Tunisia and Uruguay, to investigate, and to establish and maintain direct observation in Hungary and elsewhere, taking testimony, collecting evidence and receiving information, as appropriate, in order to report its findings to the General Assembly at its eleventh session, and thereafter from time to time to prepare additional reports for the information of Member States and of the General Assembly if it is in session;

2. CALLS UPON the Union of Soviet Socialist Republics and Hungary to co-operate in every way with the Committee and, in particular, to permit the Committee and its staff to enter the territory of Hungary and to travel freely therein;

3. REQUESTS all Member States to assist the Committee in any way appropriate in its task, making available to it relevant information, including testi-

⁴ Official Records of the General Assembly, Eleventh Session, annexes, Agenda item 67, document A/3485.

mony and evidence, which Members may possess, and assisting it in securing such information;

4. INVITES the Secretary-General to render the Committee all appropriate assistance and facilities;

5. CALLS UPON all Member States promptly to give effect to the present and previous resolutions of the General Assembly on the Hungarian problem;

6. REAFFIRMS its request that the Secretary-General continue to take any initiative that he deems helpful in relation to the Hungarian problem, in conformity with the principles of the Charter of the United Nations and the resolutions of the General Assembly.

636th plenary meeting,
10 January 1957.

CHAPTER II. A BRIEF HISTORY OF THE HUNGARIAN UPRISING

A. DEVELOPMENTS BEFORE 22 OCTOBER 1956

47. Immediately after the Second World War, the Hungarian people sought to give expression to their political views. A general election was fought in 1945 by six political parties, authorized by the Allied Control Commission. Five of these won seats in Parliament. The Smallholders emerged with 245 seats, the Social Democrats with sixty-nine, the Communists with seventy, the National Peasants with twenty-three and the Democratic Party with two. The four major parties formed a coalition, but Communist influence steadily asserted itself. By 1948, leaders of the non-Communist parties had been silenced, had fled abroad or had been arrested, and in 1949, Hungary officially became a People's Democracy. Real power was in the hands of Mátyás Rákosi, a Communist trained in Moscow. Under his régime, Hungary was modelled more and more closely on the Soviet pattern. Free speech and individual liberty ceased to exist. Arbitrary imprisonment became common and purges were undertaken, both within and outside the ranks of the Party. In June 1949, the Foreign Minister László Rajk, was arrested; he was charged with attempting to overthrow the democratic order and hanged. Many other people were the victims of similar action. This was made easier by the apparatus of the State security police or AVH, using methods of terror in the hands of the régime, which became identified with Rákosi's régime in the minds of the people.

48. The Twentieth Congress of the Communist Party of the USSR early in 1956 encouraged a movement within the Hungarian Workers' (Communist) Party which aimed at a measure of democratization and national independence and a relaxation of police rule. In March 1956, Rákosi announced that the Supreme Court had established that Rajk and others had been condemned on "fabricated charges". This official admission that crimes had been committed by the régime had profound repercussions in Hungary. It was followed in July by the dismissal of Rákosi and, early in October, by the ceremonial reburial, in the presence of a large crowd, of László Rajk and other victims of the 1949 trials. Rákosi was succeeded as First Secretary of the Central Committee of the Party by Ernő Gerő. From the date of Rákosi's fall, the Hungarian people looked for a softening of the régime. Associated in their minds with better days was the former Premier, Imre Nagy, whose period of office from 1953 to 1955 had been marked by a loosening of the controls imposed earlier by Rákosi. Nagy had also been attacked as a deviationist and, while he had escaped trial, had been expelled from the Party and divested of all his offices. His name continued to stand for more liberal policies in the minds of many Hungarian Communists, who wished for his return to public life.

49. The first protests against the dictatorial régime of the Party were voiced by certain Hungarian writers, as early as the autumn of 1955. Articles published by these writers concerned mainly the doctrine of Party allegiance in literature and interference with creative writers and artists by Party spokesmen and bureaucrats. Although a number of writers were arrested, the scope of these protests gradually widened to take in other grievances of the Hungarian people. In the summer of 1956, the foundation of the Petöfi Club provided a new forum for discussions, which were often critical of the régime. This Club was sponsored by DISZ, the official Communist Youth Organization and its debates were mainly attended by young Communist intellectuals.

50. On 19 October, the Minister of Education, Albert Konya, announced certain changes as a result of requests put forward by Hungarian students.

One of these was an undertaking to abolish the compulsory teaching of Russian in schools. This announcement was followed by student manifestations in Szeged and other towns, during which various demands of a more far-reaching character were discussed and adopted. Also on 19 October, news of Poland's move towards greater independence of the USSR was received in Hungary with enthusiasm. Friendship between the two peoples had been traditional for centuries.

51. Although Soviet troops are said to have been called in to deal with disorders that began during the night of 23-24 October, there is evidence that steps were being taken by the Soviet authorities from 20-22 October with a view to the use of armed force in Hungary. On 20-21 October, floating bridges were assembled at Záhony on the Hungarian-Soviet frontier. On 21-22 October, in neighboring areas of Romania, Soviet officers on leave and reserve officers speaking Hungarian were recalled. On 22 October, Soviet forces in Western Hungary were observed moving towards Budapest.

B. MEETINGS AND DEMONSTRATIONS

52. On the day before the holding of mass demonstrations, namely 22 October, a number of student meetings took place in Budapest. At the most important of these, held by students of the Building Industry Technological University, the students adopted a list of sixteen demands which expressed their views on national policy. These demands contained most of the points put forward during the uprising itself. They included the immediate withdrawal of all Soviet troops, the reconstitution of the Government under Imre Nagy, who had meanwhile been re-admitted to the Communist Party, free elections, freedom of expression, the re-establishment of political parties, and sweeping changes in the conditions both of workers and peasants. It was learnt during the meeting that the Hungarian Writers' Union proposed to express its solidarity with Poland on the following day by laying a wreath at the statue of General Bem, a hero of Hungary's War of Independence of 1848-49, who was of Polish origin. The students thereupon decided to organize a silent demonstration of sympathy on the same occasion.

53. Early next morning, the students' demands had become known throughout Budapest. Witnesses speak of an atmosphere of elation and hopefulness. Radio Budapest referred to the planned demonstration, but later announced a communiqué prohibiting it from the Minister of the Interior. The ban was, however, lifted during the early afternoon, when the demonstration was already under way. Thousands of young people took part in it, including students, factory workers, soldiers in uniform and others. A similar demonstration took place at the statue of Petöfi.

54. Standing beside the statue of General Bem, Péter Veres, President of the Writers' Union, read a manifesto to the crowd, who also listened to a proclamation of the students' sixteen demands. Most of the crowd afterwards crossed the Danube to join demonstrators outside the Parliament Building where, by 6 p. m., between 200,000 and 300,000 people were gathered. Repeated calls for Imre Nagy eventually brought the former Premier. Mr. Nagy addressed the crowd briefly from a balcony of the Parliament Building.

55. There had so far been nothing to suggest that the demonstration would end in any other way than by the crowds' returning home. An episode, however, at 8 p. m. greatly embittered the people. The First Secretary of the Central Committee of the Party, Ernő Gerő, had returned that morning from a visit to Marshal Tito, and the public was eagerly awaiting a speech which he was to broadcast at that time. The general hope was that he would take account of the popular demands voiced by the students and would make some conciliatory announcement in connection with them. The speech, however, made none of the hoped-for concessions and its whole tone angered the people. At the same time, another crowd had taken it into their own hands to carry out one of the students' demands, namely that for the removal of the great statue of Stalin. Their efforts caused it to overturn at 9.30 p. m., by which time resentment was being freely expressed over Mr. Gerő's speech.

56. On the evening of 22 October, some of the students had sought to have their demands broadcast by Budapest Radio, in order to bring them to the attention of the people as a whole. The censor had been unwilling to broadcast the demands for the withdrawal of Soviet troops and for free elections, and the students had refused to allow incomplete publication. The following day, some of the students went from the Bem statue to the Radio Building, with

the intention of making another attempt to have their demands broadcast. A large crowd gathered at the Radio Building, which was guarded by the AVH or State security police. The students sent a delegation into the Building to negotiate with the Director. The crowd waited in vain for the return of this delegation, and eventually a rumour spread that one delegate had been shot. Shortly after 9 p. m., tear gas bombs were thrown from the upper windows and, one or two minutes later, AVH men opened fire on the crowd, killing a number of people and wounding others. In so far as any one moment can be selected as the turning point which changed a peaceable demonstration into a violent uprising, it would be this moment when the AVH, already intensely unpopular and universally feared by their compatriots, attacked defenceless people. The anger of the crowd was intensified when white ambulances, with Red Cross license plates, drove up. Instead of first aid teams, AVH police emerged, wearing doctors' white coats. A part of the infuriated crowd attacked them and, in this way, the demonstrators acquired their first weapons. Hungarian forces were rushed to the scene to reinforce the AVH but, after hesitating a moment, they sided with the crowd.

57. Meanwhile, workers from Csepel, Ujpest and other working-class districts learnt of the situation by telephone. They seized trucks and drove into Budapest, obtaining arms on the way from friendly soldiers or police, or from military barracks and arms factories known to them. From about 11 p. m., the Radio Building was under attack with light arms and, at midnight, the radio announced that clashes had taken place at "various points" in the city. During the early hours of 24 October, the demonstrators seized the Radio Building, but were driven out of it again. At the offices of the Communist Party newspaper, *Szabad Nép*, other AVH guards opened fire on unarmed demonstrators. Later, insurgents who had obtained arms overcame the AVH and occupied the newspaper offices.

58. While fighting was in progress at the Radio Building, the first Soviet tanks made their appearance in Budapest at about 2 a. m. on 24 October, and were soon in action. However, no official announcement was made of the Soviet intervention until 9 a. m.

D. THE ARMED UPRISING

59. Before referring to the Russian troops, Budapest Radio had announced at 8:13 a. m. that Imre Nagy had been recommended to be the next Chairman of the Council of Ministers, at a night meeting of the Central Committee of the Hungarian Workers' (Communist) Party. Half an hour later came a statement that summary jurisdiction had been ordered, and this was read by the announcer as "signed by Imre Nagy, Chairman of the Council of Ministers." Only after this, at 9 a. m., was it reported that the Government had "applied for help to the Soviet formations stationed in Hungary". No indication was given as to the manner in which this alleged application was made. In spite of the skilful manner in which the radio presentation of developments gave the impression that Mr. Nagy was responsible for decisions, some, remembering his opposition to arbitrary measures and his fight for the relaxation of the régime, suspected a fraud. Moreover, Mr. Nagy had no official status the day before. If the appeal for help had, indeed, come from him, it was realized that the Soviet forces from Cegléd and Székesfehérvár could not have arrived in Budapest by 2 a. m. on the 24th.

60. The first shots at the Radio Building marked the beginning of a hard-fought five-day battle, in which the people of Budapest found themselves in combat with Soviet armour and with the AVH. The ordinary police sympathized with the insurgents, giving them weapons or fighting at their side. Certain units of the Hungarian Army fought as such on the side of the insurgents, but the Army as a whole disintegrated from the start of the uprising. Wherever they could succeed in doing so, Hungarian soldiers handed over weapons and ammunition to their fighting compatriots and, in very many cases, deserted, individually or in groups, to their ranks. However, in general, the senior officers were pro-Soviet and the insurgents mistrusted them. There was no single instance recorded of Hungarian troops fighting on the Soviet side against their fellow countrymen.

61. The freedom fighters, most of whom were workers, with a proportion of students, usually fought in small groups, although some of them occupied strongholds such as the Corvin Cinema. A frequent weapon used against Russian tanks was the "Molotov cocktail", a loosely-corked bottle filled with gasoline, which exploded when thrown against a tank. Such improvised meth-

ods proved highly effective against the power of Soviet armour, which found it difficult to manoeuvre, especially in narrow streets, and to compete with the mobility of the young Hungarian fighters, who included some not yet out of childhood. The Soviet mechanized forces were also hampered by insufficient infantry support and inadequate food supplies. There was evidence that some of the Russian soldiers disliked the task assigned to them. Those who had spent some time in Hungary had often established friendly relations with the people, many of whom could talk to them in Russian. There were a number of cases of fraternization with the Hungarians.

E. REVOLUTIONARY AND WORKERS' COUNCILS

62. Most of the available Soviet forces had been dispatched to Budapest and, meanwhile, there was comparatively little fighting in the provinces. Here, the first days of the uprising saw a transfer of power from the Communist bureaucracy to the new Revolutionary and Workers' Councils. In most cases, these Councils took over without opposition, although some incidents were reported during this process. These Councils represented a spontaneous reaction against the dictatorial methods of the régime. The Revolutionary Councils took over the various responsibilities of local government. There were also Revolutionary Councils or Committees in the Army, in Government departments and in professional groups and centres of activity such as the radio and the Hungarian Telegraph Agency. Members of the Councils were usually chosen at a meeting of those concerned. They were intended to prepare for the setting up of a genuinely democratic system of government. The Councils also put forward various political and economic demands, calling for the withdrawal of Soviet troops, free and secret elections, complete freedom of expression and the abolition of the one-party system. The most influential of these bodies was probably the Transdanubian National Council, which represented the people of Western Hungary. Using the Free Radio Station at Győr, this Council demanded that Hungary should renounce the Warsaw Treaty and proclaim her neutrality. Should its demands not be accepted, it proposed to set up an independent Government.

63. The Workers' Councils were set up in a variety of centres of work, such as factories, mines, industrial undertakings and so on. They also put forward political demands and wielded considerable influence. However, their principal purpose was to secure for the workers a real share in the management of enterprises and to arrange for the setting up of machinery to protect their interests. Unpopular measures such as that of establishing "norms" of production for each worker, were abolished. The emergence of Revolutionary and Workers' Councils throughout Hungary was one of the most characteristic features of the uprising. It represented the first practical step to restore order and to reorganize the Hungarian economy on a socialist basis, but without rigid Party control or the apparatus of terror.

F. POLITICAL DEVELOPMENTS

64. A serious episode occurred on 25 October, which greatly embittered the people and turned popular sympathy away from Mr. Nagy, whose part in the alleged invitation to the Soviet troops remained obscure. Soviet tanks guarding the Parliament Building, in which the Chairman of the Council of Ministers had his offices, opened fire on unarmed demonstrators, in support of the AVH. This massacre, in which many people lost their lives, shocked the nation. The Hungarian people did not know at this time that Mr. Nagy was detained at the Communist Party Headquarters when the Russian tanks were firing on the unarmed crowd.

65. On the same day, the insurgents derived some encouragement from the news that Ernő Gerő had been replaced as First Secretary of the Central Committee of the Party by János Kádár. The following day Mr. Gerő sought the security of Soviet tanks—and later Soviet territory. The former Premier, András Hegedűs, Vice Chairman of the Council of Ministers, also fled from the Communist Headquarters.

66. Mr. Nagy was now free to move to the Parliament Building. On 27 October, he formed a Government into which he invited both Communist and non-Communist Ministers. These included Zoltán Tildy, former Head of State, Béla Kovács, former Secretary-General of the Independent Smallholders, and Ferenc Erdei of the National Peasants. The non-Communists, however, were serving in a personal, non-party capacity and several "Stalinists" were retained.

67. With the departure of Messrs. Gerő and Hegedűs, the Central Committee of the Hungarian Workers' (Communist) Party announced that the Government would start negotiations with the USSR for the immediate withdrawal of Soviet forces. On 28 October, Mr. Nagy's Government ordered a cease-fire. Fighting stopped largely on the insurgents' terms. Apart from the successful adoption of guerilla tactics by the fighters, larger groups of the insurgents had withstood Soviet tanks in strongholds such as the Corvin Block. At the Kilián Barracks, Hungarian Army units had fought successfully against repeated attacks under their leader, Colonel Pál Maléter, who had gone over to the insurgents after being sent with instructions to fight against them.

G. MR. NAGY CLARIFIES HIS POSITION

68. On the same day when Mr. Nagy's Government ordered a cease-fire, the Prime Minister announced that he would abolish the AVH, after the restoration of order. Popular resentment against the AVH was so universal and so deep that Mr. Nagy was obliged to take this decisive step on the following day, 29 October. As a result, he was himself freed for the first time from the control of the AVH, acting on behalf of the Communist hierarchy. The fall of a régime for which, in all Hungary, only the AVH was prepared to fight, followed as an inevitable consequence. On 30 October, Mr. Nagy announced that the Cabinet had abolished the "one-party system". Speaking in the name of the Communist Party, Mr. Kádár, still First Secretary of its Central Committee, agreed with this step to avoid, as he said, "further bloodshed". Zoltán Tildy, former leader of the Smallholders Party, announced that free elections would be held throughout Hungary. Representatives of both the Smallholders and National Peasants entered the Inner Cabinet in which they had, between them, as many posts as the Communists. A post was set aside for a Social-Democratic nominee.

69. Once the AVH had been disbanded, Mr. Nagy felt free to explain his actions on and immediately after 24 October. A series of statements was made by himself, or on his behalf, in the press and on the radio. The most important of these declared that Mr. Nagy had not signed any decrees asking for Soviet military intervention or proclaiming summary jurisdiction. It was also stated that he had not subsequently approved of the invitation to the Soviet forces. These clarifications and the political steps taken by Mr. Nagy served to dispel popular doubts regarding his attitude towards the uprising, and his popularity rapidly returned.

70. Although a cease-fire had been ordered on 28 October, a few isolated skirmishes took place after that date, but the cease-fire became fully effective by the time the new Cabinet took office on 30 October. That same day saw the beginning of a withdrawal of Soviet armed forces from Budapest. The general expectation was that negotiations for their complete withdrawal from Hungarian territory would soon attain their objective. A number of revolutionary organs, the new political parties and newspapers beginning to appear on the streets all joined the Government in its efforts to stop the last manifestations of lawlessness which had occurred. A fact reported by many credible witnesses, however, was that no looting occurred, although numerous shop windows had been destroyed and goods of value, including even jewellery, lay untouched within reach of passers by. Hundreds of buildings in Budapest had become ruins as a result of the gunfire, and thousands more were severely damaged, although some areas of the city had suffered little.

71. The days that followed the cease-fire, up to 4 November, saw the people of Budapest take the first steps to clear away rubble and broken glass, to restore order and to bring life back to normal conditions. It was generally agreed that everyone would resume work on Monday, 5 November. The disbanding of the AVH and the renewed confidence in Mr. Nagy, together with the victory of those who had fought in the uprising, combined to create a general feeling of well-being and hopefulness, which impressed all observers. On 2 November the Government called on members of the AVH to report to the authorities, in order to appear before a screening committee and, by the next day, great numbers of the former security police were reporting to prosecutors' offices. Meanwhile, political prisoners whom they had detained and tortured were released by the people. The most celebrated political prisoner to regain his freedom was Cardinal Mindszenty, who returned to Budapest and broadcast to the nation. When the prisons were opened, some common criminals also appear to have been freed. On 1 November, the freedom fighters, while maintaining their identity,

agreed to be amalgamated into a National Guard whose members would be the only Hungarians, apart from the Army and police, authorized to bear arms.

72. On 3 November, the Government was again reconstituted. Several Communists were dismissed, some of them having been ousted from their offices by the staff of their respective Ministries. Three Ministries each were allotted to the Communists, the Social Democrats, the Independent Smallholders, and two to the Petöfi Party. The parties of the coalition were the same which in 1945 had received the blessing of the Allied Control Commission, on which the USSR was represented. Imre Nagy was now the head of a caretaker Government. The people regarded him as a good Hungarian who could be entrusted with the organization of the free general elections on which all Revolutionary and Workers' Councils had insisted, and as a suitable negotiator with the Soviet leaders on the withdrawal of Russian troops and on future relations with the USSR. One of the most trusted leaders of the Revolution, now Lieutenant General Pál Maléter, had become Minister of Defence. Reassuring statements were issued by various leaders regarding the policy to be followed. A Minister of State, Ferenc Farkas, himself a member of the National Peasant Party, announced that the four parties were unanimously agreed to retain from the socialist achievements everything which could be used in a free, democratic and socialist country, in accordance with the will of the people. It was made very clear that the condemnation of the old system which the uprising represented would not affect those reforms under which ownership of the land and industrial undertakings had been transferred. The peasant parties did not agree on all issues with the Social Democrats, but they also were solidly opposed to the restoration of large estates, as they were to the forced collectivization and obligatory deliveries of produce imposed by the Communist regime.

73. The Communist Party itself realized that a drastic overhaul of its methods would be necessary to regain the confidence of its disillusioned supporters. At about 9:50 p. m. on 1 November, Mr. Kádár read over Budapest Radio a message from the Preparatory Committee of what was to be a reformed party under the name of the Hungarian Socialist Workers' Party. He spoke of the uprising in which "the Communist writers, journalists, university students, the youth of the Petöfi Club, thousands of workers and peasants, the veteran fighters who had been imprisoned on false charges, fought in the front line against the Rákosi despotism and political hooliganism." The new party would defend the cause of socialism and democracy, "not by slavishly imitating foreign examples, but by taking a road suitable to the economic and historic characteristics of our country . . .". Mr. Kádár appealed to the "newly formed democratic parties" to "overcome the danger" of intervention from abroad by consolidating the Government. The people of Hungary had proved their intention unflinchingly to support the Government's efforts aimed at the complete withdrawal of the Soviet forces. "We do not want to be dependent any longer; we do not want our country to become a battlefield."

H. DECLARATION OF NEUTRALITY

74. On the morning of 1 November, Mr. Nagy took over direct responsibility for foreign affairs. He told the Soviet Ambassador that he had received authoritative information on the entry of new Soviet military units into Hungary. This, he informed the Ambassador, was a violation of the Warsaw Treaty and the Hungarian Government would denounce the Treaty if the reinforcements were not withdrawn. Later that day, the Soviet Ambassador stated that the Soviet troops had crossed the border only to relieve those troops who had been fighting and to protect the Russian civilian population in Hungary. He said that the Soviet Government was ready to negotiate a partial withdrawal of Soviet troops and suggested that two delegations be appointed, one to discuss political, and the other technical, questions associated with the withdrawal. At 2:00 p. m. Mr. Nagy telephoned the Ambassador and informed him that new Soviet troops had crossed the frontier within the last three hours. For this reason, effective immediately, Hungary was withdrawing from the Warsaw Treaty. At 4:00 p. m., the Council of Ministers, which included Mr. Kádár, approved this action without dissent and, at the same meeting, adopted a Declaration of Neutrality for Hungary. At 5:00 p. m., the Council of Ministers invited the Soviet Ambassador to a meeting and informed him of these decisions. The same news was conveyed by the Hungarian Government to various heads of diplomatic missions in Budapest, who were also told of a request by Mr. Nagy to the United Nations, asking for the aid of the four Great Powers in defence of Hungary's neutrality.

At 7:54 p. m., Mr. Nagy broadcast to the Hungarian people the Declaration of Neutrality. His statement ended with the words: "We appeal to our neighbors, countries near and far, to respect the unalterable decision of our people. It is indeed true that our people are as united in this decision as perhaps never before in their history. Working millions of Hungary! Protect and strengthen with revolutionary determination, sacrificial work and the consolidation of order, our country—the free, independent, democratic and neutral Hungary".

I. SOVIET FORCES INTERVENE AGAIN

75. While news came in of the massing of Soviet armoured forces, negotiations continued for the withdrawal of Soviet troops from Hungary. By the afternoon of 3 November, agreement appeared to be near and only certain technical details of the withdrawal remained to be settled. A Hungarian delegation consisting of the Minister of Defence, now General Maléter, the Minister of State Ferenc Erdei, the Chief of Staff General Kovács, and Colonel Szűcs was invited to settle these details at the Soviet Military Command at Tököl near Budapest, at 10 p. m. The Hungarian negotiators attended a banquet given in their honour by the Soviet military representatives at Tököl. It was nearly midnight when the party was interrupted by the arrival of General Serov, Chief of the Soviet Security Police, who entered the room accompanied by NKVD officers and ordered the arrest of the Hungarian delegation.

76. Communication having been interrupted between Mr. Nagy's Government and General Maléter, considerable anxiety was felt at the Parliament Building regarding developments. During the night, the gravity of the position was emphasized by numerous telephone calls received in the Parliament Building. These came from industrial districts surrounding Budapest and from various Revolutionary Councils in the provinces. They all reported that Soviet forces, in battle formation, were steadily advancing, and the Revolutionary organs asked urgently for permission to oppose them by force of arms. It has been estimated that some 2,500 Soviet tanks and 1,000 Soviet supporting vehicles were in Hungary by 3 November. All strategic centres, airfields, railroads and highways had been brought under Soviet control. Mr. Nagy, however, gave specific instructions not to open fire on the Russian troops, since he understood that a successful outcome of the negotiations for withdrawal of the Soviet troops was still expected. These instructions were not changed until news was received that Mr. Kádár had set up another Government, whereupon Mr. Nagy summoned a Cabinet meeting at which it was decided to resist the Soviet troops by force of arms. At 5:20 a. m. Mr. Nagy announced over Budapest Radio that Soviet troops had attacked the capital "with the obvious intention of overthrowing the legal Hungarian democratic Government". He declared that that Government was at its post and that the Hungarian troops were in combat. Battles were, in fact, being fought on the arterial roads at the approaches to Budapest. Notwithstanding the overwhelming power of the Soviet forces, barricades hastily erected by the Hungarian fighters presented a first obstacle to the Russian advance. The Hungarian Army, the National Guard, and groups of freedom fighters, mostly equipped only with light weapons fought side by side against the advancing tanks. Shortly after 8 a. m. Budapest Radio broadcast its last message before going off the air. This was an appeal to the writers and scientists of the world to help the people of Hungary. By that time, Soviet armoured units had broken through the defences of Budapest and were in control of the Danube bridges, the Parliament Building and the Central telephone exchange.

J. MR. KÁDÁR FORMS A GOVERNMENT

77. At 5:05 a. m., only a quarter of an hour before Mr. Nagy broadcast news of the second Soviet intervention, another radio station had announced the formation of a Government by Mr. Kádár. The announcement consisted of an open letter signed by Mr. Kádár and three other former members of the Nagy Government. They declared that they had left that Government on 1 November, because of its inability to fight the "counter-revolutionary danger". In order to defeat "fascism and reaction", they had established the Hungarian Revolutionary Worker-Peasant Government. At 6 a. m. Mr. Kádár's voice was heard over the same wavelength announcing the composition of his Government. He declared that reactionary elements were seeking to overthrow socialism in Hungary and to restore the capitalists and landowners to power. The new Government, he said, had requested the help of the Soviet troops to defeat these "reactionary forces".

78. Mr. Kádár gave no explanation of his change of attitude since his broadcast supporting Mr. Nagy on the night of 1 November. There is no evidence that he had taken any steps to dissociate himself from Mr. Nagy's policies or to resign from his Government. It is known that he visited the Soviet Embassy after his broadcast on the night of 1 November, but he was present at negotiations with representatives of Revolutionary Councils the following day. If the circumstances in which he constituted his Cabinet are obscure, so also are his movements and those of his fellow Ministers at the time. According to witnesses, Mr. Kádár was in Moscow early in November and he and his Ministers made no public appearance in Budapest until they took the oath of office on 7 November. The controlling authority in Hungary was the Soviet Military Command, which issued orders to the Hungarian people regarding the surrender of arms, circulation in the streets, the supply of food and other matters falling within the province of civil administration. There is no evidence to suggest that any Hungarian group opposed the actions of Mr. Nagy which, in most cases, merely reflected what the Revolutionary and Workers' Councils had insisted upon from the outbreak of the uprising. All the evidence shows that the Soviet troops fought alone against the Hungarians. With the exception of former members of the AVH and a small number of former Party officials, no Hungarians, whether organized or unorganized, fought on the Russian side. Many of the new Soviet troops brought into Hungary for the second intervention came from distant regions of Central Asia. Many believed that they were in Egypt, with the mission of fighting the Anglo-French "Imperialists". It would seem that the Soviet authorities had more confidence in troops who had had no opportunity to be affected by European associations and who might be counted upon to behave with indifference to the attitude of the Hungarian people.

79. After the Soviet forces had occupied Budapest, local resistance continued in various centres. Bitter fighting went on until Tuesday evening, 6 November, when most of the Hungarian fighters ran out of ammunition. Some centres within the city continued, however, to resist until the 8th and in the outlying industrial districts fighting went on until the 11th. Heavy destruction and considerable loss of life were caused by the Soviet armed forces, which often directed gunfire into buildings lining the streets. During this second armed intervention by Soviet forces, the fiercest fighting took place in working class suburbs of Budapest, such as Ujpest and Csepel Island. The workers at Csepel refused several Soviet calls to surrender and held out until the evening of 9 November, despite the use of artillery against them from various directions, supplemented by aerial bombardment. At the important industrial centre of Dunapentele, formerly Sztálinváros, the workers showed an equal determination to resist the Soviet troops. On 7 November, during an all day battle, they repelled a Soviet attack from three directions using a large armoured force, self-propelled guns and tactical airforce. Eye witnesses described how the factory workers, with the Hungarian officers and men of the local garrison, were entirely united, irrespective of party or religious affiliation. Only former members of the AVH, it was said, dissented from the policies of the Revolutionary Council.

K. THE ABDUCTION OF MR. NAGY

80. When Mr. Nagy's Government was overthrown by Soviet armed force, it was the Russian commanders, and not Mr. Kádár's Government, who assumed control. The fate of Mr. Nagy and his immediate entourage soon showed the inability of the Hungarian Government to maintain its sovereign independence against Soviet intervention. Mr. Nagy left the Parliament Building at about 6 a. m. on 4 November and sought asylum at the Yugoslav Embassy. Later in the day, other leading Hungarians, including the widow of László Rajk, with fifteen women and seventeen children, sought asylum in the same building. During negotiations between the Yugoslav Government and Mr. Kádár that took place in November, the Yugoslav Government proposed that Mr. Kádár should provide a written guarantee that Mr. Nagy and his party would be allowed to return freely to their homes or, if this were not possible, to go to Yugoslavia. A suggestion by Mr. Kádár that the Nagy party should seek refuge in Romania was rejected by Mr. Nagy. Other demands by Mr. Kádár's Government considered unacceptable by Mr. Nagy were that he should resign from his position in the Government, should offer a self-criticism of his activities and should declare himself in sympathy with Mr. Kádár's Government. Eventually, the Yugoslav Government wrote to Mr. Kádár that it would agree to the departure of Mr. Nagy and his friends only if Mr. Kádár, as President of the Hungarian Govern-

ment, guaranteed in writing that the party would be granted safe conduct to proceed freely to their respective homes. In his reply, Mr. Kádár confirmed in writing that the Hungarian Government did not desire to apply sanctions against Imre Nagy and the members of his group for their past activities.

81. The next day, 22 November at 6:30 p. m. a bus arrived at the Yugoslav Embassy to take the party to their homes. Soviet military personnel arrived and insisted on entering the bus, whereupon the Yugoslav Ambassador asked that two Embassy officials should accompany the bus, to make certain that Mr. Nagy and his party reached their homes as agreed. The bus was driven to the Headquarters of the Soviet Military Command, where a Russian Lieutenant-Colonel ordered the two Yugoslav officials to leave. The bus then drove away to an unknown destination escorted by Soviet armoured cars.

82. In a *note verbale*, the Yugoslav Government condemned the Hungarian action as "a flagrant breach of the agreement reached." The note declared that Mr. Nagy and his party had refused to go to Romania and it condemned the Hungarian action as completely contrary to the generally accepted practices of international law. Notwithstanding this reaction, Mr. Kádár's Government announced publicly that Mr. Nagy and some of the colleagues who had sought refuge in the Yugoslav Embassy had gone to Romania in accordance with a request they had submitted previously to be permitted to go to the territory of another socialist country.

L. SOVIET MILITARY OCCUPATION

83. The action of the Soviet Military Command in intervening in an arrangement between Mr. Kádár's Government and the Yugoslav Embassy illustrates the degree of his subordination to the Soviet forces. Having taken over Hungary by armed intervention, the Soviet authorities were compelled by reason of the administrative vacuum to administer a country whose popularly supported Government they had overthrown. The Soviet-installed Government of Mr. Kádár commanded no following in the country, with the exception of individual members of the former AVH, a few senior officers of the Hungarian Army and a small segment of former Communist Party officials, who had been dismissed during the uprising. Having broken the armed resistance of the Hungarian people in a massive attack, the Soviet authorities found themselves facing the passive resistance of the Hungarian population. This was particularly marked in the case of the workers who had borne the brunt of most of the fighting. In the industrial and mining districts, they steadily maintained their demands.

84. Finding themselves confronted by this nation-wide resistance, the Soviet Military Command began by resorting to mass arrests. Many of the people thus apprehended had not been directly involved in the fighting. In numerous cases, the captives were not transferred to the Hungarian authorities, but were crowded on trains or in trucks and deported, under Russian escort, to the USSR. In some instances, because of action by the Hungarian resistance and the railway workers, it was found necessary to run the trains entirely with Russian personnel. No accurate figures exist regarding the numbers of Hungarian citizens deported, but these certainly run into thousands. By January 1957, some of these had been returned to Hungary, but it would appear that a considerable number still remain in the USSR.

85. In an effort to win popular support, Mr. Kádár announced that the policy of his Government would include the implementation of various demands put forward during the uprising. These included raising the workers' standard of living, factory management by Workers' Councils and the abolition of compulsory deliveries of agricultural produce by the peasants. These promises, however, failed to satisfy the Hungarian people, who continued to press for the withdrawal of Soviet troops, free elections and the return of Mr. Nagy. Since 23 October, industrial production had been completely disrupted in Hungary and the position continued to deteriorate after 4 November since the workers refused to resume work until the Government gave evidence that it would meet their demands.

86. As in the time of Mr. Nagy's premiership, the Workers' Councils were still the principal channels through which such demands were conveyed to Mr. Kádár's Government. The outcome of the negotiations was wholly unsatisfactory to the Councils. On 14 November, the factory Councils established the greater Budapest Workers' Council in order to present a united front. Until its abolition on 9 December, this Council strove to reach an agreement with Mr. Kádár and his Government. It became clear from the Government's attitude

that it was in no position to satisfy the workers' demands. Meanwhile, in order to secure control of the country, new security forces were organized, including many former members of the AVH. Through arrests of members of Workers' Councils and through the infiltration of trusted Party members into key posts, the power of the Councils was steadily undermined. When the Greater Budapest Workers' Council declared a forty-eight-hour protest strike to take place on 11 and 12 December, the Government issued a decree to abolish all Workers' Councils above factory level. Decrees were also issued instituting the death penalty for a large category of offences, including participation in strikes.

87. Hungarian factories had remained practically idle for nearly two months. Electric power plants had produced only a minimum amount of electricity due to the slow-down strike of the Hungarian coal miners. However, the weapon of passive resistance by the Hungarian workers could not be employed indefinitely. Dire necessity had enforced a resumption of work by mid-December, when the Hungarian workers found themselves in factories and coal mines which contained a novel element—the presence of Russian soldiers.

M. RECENT DEVELOPMENTS

88. Other steps taken by Mr. Kádár's Government to establish control over the Hungarian people include the opening on 20 December of a State Information Office to control the press. The few newspapers which started out as "independent" were gradually prevailed upon to reproduce the official line. The Revolutionary Council of Intellectuals was dissolved on 9 December and the Writers' Union, which had branded the Soviet intervention in Hungary as a "historic mistake", was disbanded on 21 April. The Petöfi Club also ceased to function and Hungarians were without any forum where they could exchange ideas. All hope of a coalition Government vanished although, in negotiations between Mr. Kádár and the major democratic parties, the latter made it clear that they accepted public ownership of the means of production and were willing "to defend the socialist achievements." By the beginning of 1957, non-Communist organizations had, in effect, been excluded from any role in public life. It was officially stated that the Social Democratic Party will not be allowed to function, while leaders of the Smallholders Party have retired from public life and the Petöfi Party has virtually dissolved itself. The mandate of the present Hungarian Assembly was due to expire on 17 May 1957. However, this mandate has been extended for two years by amendment to the Constitution, thereby depriving the Hungarian people of the exercise of their fundamental political right to participate in the function of Government through elected representatives of their own choice.

N. SUMMARY OF CONCLUSIONS

89. The mandate given to the Special Committee by the General Assembly was to carry out a full and objective investigation on all aspects of Soviet intervention in Hungary by armed force and by other means and on the effects of such intervention on the political development of Hungary. In carrying out this mandate, the Committee studied a rich documentation supplied by Governments and obtained from other sources, while it closely questioned more than a hundred witnesses, representing every stratum of Hungarian society, whose testimony fills 2,000 pages in the verbatim record. The General Assembly asked that investigations should be pursued in Hungary also, but the attitude of the Hungarian Government did not allow the Committee to carry out this part of its mandate. The Committee has summarized its conclusions as to the essential facts about the Hungarian uprising under thirteen points. The essence of these conclusions is as follows:

(i) What took place in Hungary was a spontaneous national uprising, caused by long-standing grievances. One of these was the inferior status of Hungary with regard to the USSR;

(ii) The uprising was led by students, workers, soldiers and intellectuals, many of them Communists or former Communists. Those who took part in it insisted that democratic socialism should be the basis of the Hungarian political structure, and that the land reform and other social achievements should be safeguarded. It is untrue that the uprising was fomented by reactionary circles in Hungary or that it drew its strength from "Imperialist" circles in the West:

(iii) The uprising was not planned in advance, but actually took participants by surprise. Its timing was connected with Poland's successful move for greater independence from the USSR and with the disappointment caused by the speech of Mr. Ernő Gerő on his return from Yugoslavia on 23 October, when it was hoped that he would adopt a sympathetic attitude towards the popular demands voiced on 22 October by the Hungarian students;

(iv) It would appear that the Soviet authorities had taken steps as early as 20 October to make armed intervention possible. Evidence exists of troop movements, or projected troop movements, from that date on, and Soviet troops from outside Hungary were used even in the first intervention. In Hungary, signs of opposition were evident before 23 October;

(v) The demonstrations on 23 October were at first entirely peaceable and no evidence has been discovered that any demonstrators intended to resort to force. The change was due to the action of the AVH in opening fire on the people outside the Radio Building and to the appearance of Russian soldiers in Budapest as enemies in combat;

(vi) Mr. Nagy has established that he did not issue any invitation to the Soviet authorities to intervene and the Committee has no evidence as to the circumstances in which an invitation was issued or as to whether such an invitation was issued at all. Similar considerations apply to the alleged invitation by Mr. Kádár's Government for the Soviet troops to intervene on the second occasion. There is abundant evidence that Soviet preparations for this intervention had been under way since the last days of October;

(vii) Mr. Nagy was not at first free to exercise the full powers of the Premiership. By the time the grip of the AVH had been loosened, the real power lay with the Revolutionary and Workers' Councils. Mr. Nagy, seeing that his countrymen were united in their desire for other forms of Government and for the departure of the Soviet troops, threw in his lot with the insurgents;

(viii) During the few days of freedom, the popular nature of the uprising was proved by the appearance of a free press and radio and by general rejoicing among the people;

(ix) A number of lynchings and beatings by the crowds concerned, in almost all cases, members of the AVH or those who were believed to have co-operated with them;

(x) Steps taken by the Workers' Councils during this period were aimed at giving the workers real control of nationalized undertaking and at abolishing unpopular institutions, such as the production norms. Meanwhile, negotiations were proceeding for the complete withdrawal of Soviet troops and life in Budapest was beginning to return to normal;

(xi) In contrast to demands put forward at this time for the re-establishment of political rights, basic human rights of the Hungarian people were violated by the Hungarian Governments before 23 October, especially up to the autumn of 1955, and such violations have been resumed since 4 November. The numerous accounts of inhuman treatment and tortures by the AVH must be accepted as true. In an attempt to break the revolution, numbers of Hungarians, including some women, were deported to the Soviet Union and some may not have been returned to their homes;

(xii) Since the second Soviet intervention on 4 November there has been no evidence of popular support for Mr. Kádár's Government. Mr. Kádár has proceeded step by step to destroy the power of the workers. Strong repressive measures have been introduced and general elections have been postponed for two years. He refuses in present circumstances to discuss withdrawal of the Soviet troops. Only a small fraction of the 190,000 Hungarians who fled the country have accepted the invitation to return;

(xiii) Consideration of the Hungarian question by the United Nations was legally proper and paragraph 7 of Article 2 of the Charter does not justify objections to such consideration. A massive armed intervention by one Power on the territory of another with the avowed intention of interfering in its internal affairs must, by the Soviet Union's own definition of aggression, be a matter of international concern.

CHAPTER III. THE UPRISING AS SEEN BY THE USSR AND BY THE GOVERNMENT OF JANOS KÁDÁR

A. INTRODUCTION

90. The Committee regrets that it was twice refused permission by Mr. Kádár's Government to enter Hungarian territory. This refusal meant, among other things, that it was denied the opportunity of obtaining first-hand information on the views of that Government. Throughout its investigations, the Committee has been guided by the desire to present an objective picture of what took place. It has, therefore, wished to include in its report a presentation of the opinions expressed by the Governments of the USSR and of Mr. János Kádár.

91. The outline which follows represents those opinions in so far as the Committee has had access to them. The main sources include the two volumes already published of the Hungarian White Book, *The Counter-Revolutionary Forces in the October Events in Hungary*, issued by the Information Bureau of the Council of Ministers of the Hungarian People's Republic; the memorandum on the question of Hungary addressed to Members of the United Nations on 4 February 1957 by Mr. Péter Mód, Permanent Representative of Hungary;⁶ statements by members of the USSR and Hungarian delegations to the Security Council and the General Assembly; and other official speeches or articles in officially sponsored publications.

92. The views expressed by Imre Nagy call for consideration in chapters VI, VIII and XII, where the Committee has assembled information regarding his actions and movements during the period of the uprising.

93. It should be made clear that inclusion in this report of a statement of the views advanced by the Governments of the USSR and of Mr. Kádár does not in any manner constitute endorsement of them by the Committee. In fact, a reading of the report will show that this interpretation of events in Hungary conflicts in many respects with what the Committee considers to be satisfactory evidence obtained from eye-witnesses and other reliable sources.

94. The main points which the Governments of the USSR and of Mr. Kádár have sought to establish are summarized below.

B. THE ISSUES AT STAKE

95. "So long as there are exploiters and exploited in the world, so long as there are capitalists holding power in their hands and the working class," said an editorial which *Pravda* devoted to the Hungarian situation on 18 December 1956, "so long will the conflict between the bourgeoisie and the proletariat remain the starting point for an analysis of historical events. Revisionism has repeatedly attempted to snatch from the hands of the working class this Marxist compass, which enables one to give a correct appraisal of the direction of events".

96. These words would seem to provide the key to the views expressed by the Governments of the USSR and of Mr. Kádár on the origin and nature of the Hungarian uprising. They would appear to proceed from a desire to fit events into a preconceived pattern, rather than to study them by an objective consideration of evidence. Their account of events starts from the assumption that all historical happenings must be viewed as aspects of the Communist conception of Marxism and of the class struggle, illustrating a permanent conflict between "good" Communist and "bad" bourgeois elements. While it is admitted by the Soviet Union and Mr. Kádár that errors and even "crimes" may occur in a Communist society, it is regarded as contrary to the destined course of history that such shortcomings could ever be so serious as to call in doubt the superiority of the Communist political structure. It follows that any radical criticism, such as a call for free elections, will be presented as the result, not of a genuine wish for improvement, but of "bourgeois" efforts to mislead the working masses and to reinstate capitalism. The committee found this interpretation of events in Hungary, studied in the light of the evidence, to be totally inadequate and superficial. It also found no evidence that either the Government of the USSR or that of Mr. Kádár has hitherto published anything in the nature of an objective statement of the facts behind the Hungarian uprising. Various indications, however, have suggested that the Soviet authorities were baffled by the spontaneous uprising of the Hungarian people and that they did, apparently, make an effort to

⁶ A/3521.

obtain information on it from various sources. Thus, the Committee has become aware that participants who were deported to the Soviet Union were closely questioned regarding the causes and nature of the uprising. The phenomenon of a working class movement directed against cherished Communist methods and ideals, and against emblems of the Soviet Union as symbols of those methods, would seem to have caused misgiving, and some of the Hungarians received the impression that their interrogators were not unsympathetic.

97. In the memorandum circulated by the Hungarian delegation to the United Nations on 4 February, it is stated that "the aim of the Hungarian counter-revolution was to reinstate the system of capitalists and estate owners, who have never given up hope since their defeat in 1945". The *Pravda* article on Hungary to which reference is made above, suggests that no one regarding himself as a Marxist could fail to understand that a radical change in Hungary's political system would inevitably mean the restoration of capitalism.

98. In the light of these considerations, spokesmen for the Governments of the USSR and of János Kádár have drawn attention to what they regard as two distinct elements in the Hungarian situation. Firstly, the Hungarian people had a number of legitimate grievances to which expression was given both before and after 23 October 1956. These concerned manifest errors and shortcomings on the part of the Government headed by Rákosi, who failed, as did his successors, to meet even the most justified demands. In the second place, the spokesmen of these Governments maintain that both reactionary elements in Hungary itself and imperialist circles abroad took advantage of such legitimate grievances and of the unrest generated by them to mislead the people and to strive by violence to overthrow the People's Democratic Republic.

99. In the introduction to the Hungarian White Book, *The Counter-Revolutionary Forces in the October Events in Hungary* (Volume I), Rákosi's policy is described as "criminal". It is said to have aroused "deep indignation and a broad popular movement". However, states the writer, "the dark forces of counter-revolution tried from the very beginning to take advantage of the movement . . . in order to overthrow the people's power" (italics in original). "For the first time since the defeat of facism in the Second World War". Mr. D. T. Shepilov, Minister of Foreign Affairs of the USSR, told the General Assembly on 22 November, "the world was witness to an open attempt by the underground fascist forces to defy the forces of democracy and to stage a comeback by means of an armed struggle".

100. The Introduction to Volume II of the White Book returns to this theme of an "attempted capitalist restoration" and draws what it calls "a number of irrefutable conclusions." They are stated as follows:

"1. The instigators and organizers of the armed uprising were foreign agents, Horthyite emigrés and leaders of the underground organizations in the country, who took an organized part in the mass demonstrations and increasingly assumed a leading role in them.

"2. Those representatives of the Horthy régime who had remained in Hungary began to restore the old order in the capital and in numerous towns, villages and districts in the countryside, while the emigrés abroad, with the aid of their agents at home, were already prepared for the complete seizure of power.

"3. The subversive broadcasts of Radio Free Europe—backed by dollars, directed from America, and functioning on the territory of West Germany—played an essential role in the ideological preparation and practical direction of the counter-revolution, in provoking the armed struggle, in the non-observance of the ceasefire, and in arousing the mass hysteria which led to the lynching of innocent men and women loyal to their people and their country. The directors of Radio Free Europe carry a particularly heavy responsibility for the bloodshed between Hungarians and for the subsequent defections to the West, as well as for the tragedies they caused among many thousands of Hungarian families.

"4. After October 29, the aim of the counter-revolutionary rebels became more and more evident: to overthrow the socialist popular régime and to spread the sphere of influence of western capitalism over Hungary—in other words, bourgeois restoration."

101. The White Book contends that success by the counter-revolutionary forces would have meant more than the wiping out of ten years of "socialist progress" in Hungary and the abandonment of her people to a cruel and reactionary régime. Such success, it maintains, would have intensified the danger of an

armed clash between Hungary and her neighbours, in which Hungary would have become the first battlefield in a new world war. "The only possibility of saving popular power and eliminating the threat of a new, devastating war in the Danube Valley," concludes the Introduction to Volume I of the Hungarian White Book, "was to suppress counter-revolution."

102. This the forces of the Hungarian Government and people were said to be unable to accomplish alone, so massive was the support claimed to have been given to the "counter-revolutionary" elements by "reactionary" and "imperialist" circles in the West.

C. JUSTIFICATION OF SOVIET INTERVENTION

103. The Soviet Government's decision to come to the aid of the "revolutionary forces" struggling against "reaction" in Hungary was, according to the published views of Soviet leaders, the only "correct" one in the circumstances prevailing at that time.

104. The Soviet Declaration of 30 October concerning the principles of development and future strengthening of friendship and co-operation between the Soviet Union and other "socialist" States included this comment on the Soviet intervention: "The Soviet Government, in common with the entire Soviet people, profoundly deplores the fact that the developments in Hungary have led to bloodshed. At the request of the Hungarian People's Government, the Soviet Government agreed to the entry into Budapest of Soviet Army units, in order to help the Hungarian People's Army and Hungarian authorities to restore order in the city." After conceding the necessity for withdrawal, the Declaration continued: "The defense of the socialist gains of People's Democratic Hungary is today the chief and sacred obligation of the workers, peasants and intelligentsia and of the entire Hungarian working people."

105. On 23 November 1956, *Pravda* in an editorial commented as follows on the Soviet intervention: "A socialist State", it declared, "could not remain an indifferent observer of the bloody reign of fascist reaction in People's Democratic Hungary. When everything settles down in Hungary, when life becomes normal again, the Hungarian working-class, peasantry and intelligentsia will undoubtedly understand our actions better and judge them aright. We regard our help to the Hungarian working-class in its struggle against the intrigues of counter-revolution as our international duty."

106. The position taken by the Government of the USSR is that it was the Hungarian Government which officially requested the help of Soviet military units stationed in Hungary in accordance with the Warsaw Pact. The assistance given by these troops was, they state, directed entirely to the restoration of order. Its effectiveness is said to have caused the "forces of reaction" to retreat and at this point, in accordance with the request of Imre Nagy, the Soviet Government ordered its troops to withdraw from Budapest. Thereupon, runs the Soviet contention, the counter-revolutionary forces in Hungary began a brutal settlement of accounts with Communists and members of the state security services, as well as "progressive" friends of the Soviet Union. Entrenched within the Parliament Building, the Government of Imre Nagy, according to this view of events, had contact with the people only "through the agency of the microphone". It was criticized for making no attempt to prevent "counter-revolutionary elements" from seizing weapons and forming "armed gangs", which, Soviet spokesmen declared, proceeded to terrorize the Hungarian people. In these circumstances, seeing the People's Democratic Republic in imminent danger of collapse, János Kádár and other members of the Nagy Government were said to have broken away from it, set up a new Revolutionary Worker-Peasant Government and appealed to the Soviet Union for the assistance without which it is admitted that they could not have established that Government's authority.

107. When he formed his Government, Mr. Kádár said that there remained only two ways out of the grave situation which had developed. One, it was claimed, was to stand by helplessly while the "White Terror slaughtered, first in Budapest, then in the provinces, the active masses of workers, peasants, intelligentsia and Communists, then all those who sympathized with the Communists and then all patriotic democrats." He declared that, after this, a counter-revolution would have created a government which would have destroyed the forces of the people and surrendered the independence of Hungary to the "imperialist colonizers". The second solution was to use "every possible force, including the assistance of Soviet units, to prevent the counter-

revolutionary war. . . The interests of the State and the people compelled us to choose this way as the only possible way out of the grave situation. And so we chose it."⁶

108. The objectives of the uprising are held to have been quite other than those publicly announced. The Introduction to Volume II of the Hungarian White Book says that the "propaganda in favour of bourgeois restoration" was "characterized by a hypocritical dissimulation of its actual aims. This hypocrisy represented a well-considered, underhanded means of misleading the socialist-minded masses." The White Book maintains that the demands and programmes that appeared in the press during the uprising "lagged far behind what it calls the *orally* proclaimed demands". As an example, it is said that no slogan was ever printed that all State and municipal functionaries in leading positions and all factory managers who were Communists or who co-operated with the Communists were to be relieved of their offices. "But", affirms the White Book, "in practice this is what actually began to take place in various administrations, institutions and enterprises." Moreover, the White Book states that, while the "counter-revolutionaries" were writing about friendship with the Soviet Union, they were tearing down red stars, outraging the monuments of Soviet heroes and burning Russian books.

109. It was always maintained that, despite such alleged provocations, the intervention of Soviet armed forces at the end of October and the beginning of November were undertaken in a spirit of self-sacrifice and good comradeship. On 5 November, the Commander of the Soviet troops in Hungary broadcast a communiqué calling his troops the "selfless friends" of the Hungarians. "Dark reaction prevails in Hungary", declared the communiqué. "Counter-revolutionary gangs are looting and murdering. The Government of Imre Nagy has collapsed. Hungary addressed herself to the Soviet troops to re-establish order in the country. . . We address ourselves to the soldiers and officers of the Hungarian army to fight for sacred victory."

110. János Kádár has paid frequent tribute to what he declares to have been the high motives prompting Soviet intervention. In an interview broadcast by Moscow Radio on 29 November, he said that the help given by the USSR showed not merely the latter's determination to fulfill her duties proceeding from the Treaty but a deep understanding in a complicated situation. On 6 January 1957, Mr. Kádár's Government stated that the Soviet Army in Hungary was protecting the Hungarian people against a possible military attack by foreign and imperialistic forces, and was thus ensuring that they might live in peace and devote their strength to the great cause of socialist construction and the prosperity of the country. Many later statements have reiterated this theme.

111. Such are the main grounds advanced by the Governments of the USSR and of Mr. Kádár to justify Soviet intervention. Broadly speaking, it is maintained that that intervention was necessary to protect the Hungarian people against reactionary landowners and foreign imperialists. In this report it will be seen how contrary is that view to the conclusions reached by the Committee. The evidence, both written and oral, which it examined left no doubt as to the universal character of the uprising. It was the Hungarian workers, both men and women, who bore the brunt of the fighting against Soviet tanks—a fact which did not fail in several instances to impress the Soviet troops involved. Witnesses spoke of the friendly attitude of many Russian soldiers towards participants in the earlier phases of the uprising. The Committee also heard numerous accounts of how Soviet troops, many of Tartar or Mongol origin, who were brought to Hungary during the second intervention, had been told, not that they were to fight Hungarian workers in a People's Democracy, but that they were being sent to Egypt to throw back the "Anglo-French imperialists". It is apparent that many of these Soviet troops were misinformed as to the real nature of their mission and that they mistook the Danube for the Suez Canal. They were probably utilized because those Soviet forces used in the first intervention could not be relied upon to proceed with indifference to the attitude of the Hungarian people.

112. In studying the Soviet thesis regarding the grounds for intervention, it is also appropriate to recall that some of the fiercest resistance to Russian troops occurred in typically working-class districts of Budapest, of Ujpest and of the Csepel Island. Workers in the steel factories of Dunapentele declared that they would defend against invading Soviet forces the plant and houses which they had built with their own hands. When these Soviet forces suc-

⁶ *Pravda*, 13 November 1956.

ceeded in crushing the armed uprising, it was again the Hungarian workers who continued to combat, by mass strikes and passive resistance, the very régime in support of which Soviet forces had intervened. In every case, the workers of Hungary announced their intention of keeping the mines and factories in their own hands. They made it abundantly clear, in the Workers' Councils and elsewhere, that no return to pre-1945 conditions would be tolerated. These workers had shown all over Hungary the strength of their will to resist. They had arms in their hands and, until the second Soviet intervention, they were virtually in control of the country. It is the Committee's view that no *putsch* by reactionary landowners or by dispossessed industrialists could have prevailed against the determination of these fully aroused workers and peasants to defend the reforms which they had gained and to pursue their genuine fulfillment.

D. THE PROGRESS OF EVENTS

113. Spokesmen for the Governments of the USSR and of Mr. Kádár have always maintained that the course of events in Hungary, being well-known, called for no further investigation. The version of these events put forward by the two Governments, beginning with their views on the legitimate grievances of the Hungarian people, may be summarized as follows.

(1) *Legitimate grievances*

114. "There is no doubt that the blame for the Hungarian events rests with the former State and Party leadership of Hungary headed by Rákosi and Gerö", wrote *Pravda* on 23 November.

115. Grave errors were said to have been made in the political, economic and cultural spheres and there was no attempt to remedy them, because Hungary's leaders had become isolated from the Hungarian working class, peasantry and intelligentsia. The methods used by Rákosi and his supporters had allegedly shaken the faith of the working masses in the Party and had undermined the foundations of its strength. On 1 November it was announced that the Hungarian Workers' Party had changed its name to Hungarian Socialist Workers' Party, in order to make it plain that a complete break was proposed with the past.

116. Legitimate grievances mentioned by spokesmen for the USSR and for János Kádár included "crudest violations of legality", in which many "honest Party and State workers" suffered unjustly, the Rajk case being only one of a number of well-known instances. It was said that little or no protest had been heard against these violations of the law, because the excessive growth of bureaucracy within the Party encouraged "boot-lickers and lackeys" of Rákosi, who repeated slogans like parrots in the interest of their careers; even the best officials were compelled to carry out many instructions running counter to the interests of the masses. This situation was declared to have arisen all the more easily because the Party had more than 900,000 members in a country with a total population of only 9 million. This meant, Soviet spokesmen explained, that "nationalist" and "alien" elements poured into its ranks and, when difficulties arose, the Party was found to lack essential training in a "Marxist-Leninist spirit" and could not rouse the forces of the people for a struggle against "reaction".⁶

117. Rákosi and Gerö were criticized by Soviet commentators for mechanically following the slogan of accelerated industrialization which was appropriate to conditions in the USSR, but in Hungary led to the construction of large new enterprises beyond the capacity of a small people. In so doing, they were said to have ignored "comradely advice" from the USSR to proceed from the specific conditions obtaining in Hungary and to raise the standard of living of the Hungarian people by devoting more resources to the development of agriculture and to the production of consumer goods. It was not only by slavishly following industrial methods appropriate to conditions in the USSR that the Party leaders did not, in the Soviet view, "take sufficient account of the national peculiarities of the country". Hungarians should have been promoted more often to leadership within the Party, while there were other acts wounding to national pride, such as the introduction of a military uniform resembling that of the USSR. "Is the same Army haircut" asked *Pravda*, "or the same system of school grades really indicative of the unity and international solidarity of the socialist countries?"⁶

⁶ *Pravda*, 23 November 1956.

118. While many grievances of the Hungarian people were well founded, it was said that certain recognizable limits had to be set to the demand for changes, unless this demand was to constitute a threat to the very structure of the People's Democratic system. It was this opportunity which was alleged to have been seized by reactionary and bourgeois elements to "confuse" the people and to press demands to a point where acceptance of them would have brought the People's Democracy down in ruins. By its own natural dynamics, declared a Soviet spokesman, the counter-revolution could never stop half-way.

119. The argument put forward by some Communists that the excesses of bureaucratic rule might become the principal danger against which Communists had to fight was seen by Soviet commentators as misleading and dangerous. It was said to obscure the fact that the class enemy, namely bourgeois and reactionary elements, would always constitute the standing menace to every Communist people. The idea that bureaucracy, however excessive, could be the greatest danger for Communists would lead easily to a justification of counter-revolutionary rebellions against the People's Democracy itself.⁷

(2) *Alleged preparations for counter-revolution*

120. That such "counter-revolutionary" ideas were current in Hungarian intellectual circles before 23 October is, Soviet observers claim, a well-established fact. The forces of reaction had long been at work, they say, waiting for an opportunity. A Russian man of letters declared that bourgeois ideology, "a wind from the West permeated with the foul odour of corruption", had long assailed Hungarian writers.⁸ Before the events of October, many Hungarian writers had openly opposed the Leninist principle of Party allegiance in literature. They were said to have spread false and "nihilistic" conceptions under the banner of "freedom of thought" or "freedom of creation". Open propaganda against the Government and the Party had been disguised as criticism of individual leaders. In the ranks of the critics were to be found writers who were described as having long ago "severed themselves from the people and sold their souls to the West."

121. A celebrated example of the writings alluded to is the article published in the *Irodalmi Ujság* in June 1956 by Gyula Háty, the playwright, a veteran of the 1919 Communist régime in Hungary. Háty's article contained a plea for freedom of the press. It was said that this article threw the intellectuals of Hungary into a ferment. The "corruption" complained of by the Russian man of letters was declared, however, to have progressed in direct proportion to the mounting efforts allegedly being made abroad to bring about the downfall of the People's Democracies.

122. The Hungarian White Book, Volumes I and II, and the Hungarian memorandum to the United Nations of 4 February⁹ all gave examples of what were declared to be counter-revolutionary organs promoted by the West. The memorandum specifically claims that the existence of organized counter-revolutionary activity had been proved by "facts that have come to light during the events and every day since then." It was maintained in the memorandum that the peacefully demonstrating crowds of 23 October could not have planned such simultaneous attacks as were made, according to the memorandum, "on the international department of the Budapest Józsefváros telephone exchange, the radio transmitter at Lakihegy, the Ferihegy airport, the ammunition plant and the military arsenal in Timot Street". The fact that these events took place almost concurrently and "in an organized manner" is brought forward to show that "the counter-revolution had a well-prepared purpose and a unified military command".

123. Spokesmen for the Soviet Government and for that of Mr. Kádár place the origin of that purpose and the centre of that military command in Western Europe and, ultimately, in the United States. Thus, the White Book, Volume II, quotes a certain United States magazine as having said, as far back as 9 April 1948, that there was a school of thought, both in Washington and abroad, which desired that "Operation X" should employ tactics behind the Iron Curtain similar to those applied during the war by the Office of Strategic Services. It was said that ruthless means, "including murder where necessary", should be used "to keep the Russian part of the world in unrest". In October 1951, states the White Book, the U. S. Congress adopted an amendment to the Mutual Secu-

⁷ *Pravda*, 18 December 1956.

⁸ *Al. Romanov, Literaturnaya Gazeta*, 1 December 1956.

⁹ A/3521.

rity Act, providing funds of up to \$100 million for financing the activity of "selected individuals who are residing in or escapees from" Eastern Europe. The White Book alleges that a detailed programme elaborated in the United States in the Spring of 1955, "envisaged the preparation of armed actions involving the traitors who had absconded from the People's Democracies". It declared that the President of the Radio Corporation of America was reported by American newspapers to have advocated the mass use of "well-organized and well-indoctrinated anti-communist groups".

124. Exponents of the Soviet thesis declared that a network of organizations was set up in Western Germany to train spies, saboteurs and diversionists. It was said that leaders were instructed in the formation of resistance groups and prepared for the task of carrying out administrative functions after the overthrow of the People's Democratic Régime. Volume II of the White Book declared that, apart from "countless numbers of fascists, emigrés, newspapermen, radio reporters, etc." other, more important, foreigners "of greater weight" also walked in and out across the Hungarian frontier—and that "for obvious purposes".

125. The memorandum of the Permanent Delegate of Hungary dated 4 February 1957 claimed that the supply of arms from abroad had been proved by examples captured by the armed forces. These were alleged to include pistols, sub-machine-guns, and rifles of Western type.

126. Both the White Book and the Hungarian memorandum of 4 February—indeed all sources from which the views of the Governments of the USSR and of Mr. Kádár have been obtained—stress the alleged role played by Radio Free Europe in stimulating and prolonging the insurrection. This station was said to have incited the revolt in the first place and also to have issued instructions to the fighters while it was in progress. It was alleged that Radio Free Europe was one of the principal means chosen by the West to organize a movement that developed into a counter-revolution.

127. Spokesmen for the Soviet and Kádár version of events declared that the Hungarian authorities were aware of the activities allegedly directed against them. On 14 July 1956, the State security police was said to have arrested a group of persons who had been engaged in espionage for months, under the control of a former Horthy officer. Shortly before the uprising, the Hungarian Supreme Court was declared to have considered the case of seventeen men accused of establishing a counter-revolutionary organization.

128. The above is a summary of views put forward by official spokesmen for the Governments of the USSR and of Mr. Kádár. Those Governments have maintained that the Hungarian uprising was planned well in advance, carefully thought out and directed during the fighting by leaders supplied or guided from abroad and by foreign broadcasting stations. The Committee gave thorough consideration to the possibility that the uprising may have been planned in advance, but it could find no evidence to justify any such hypothesis. The Committee is convinced that the demonstrators on 23 October had at first no thought of violence. When arms were obtained by the insurgents, they were almost always seized by workers from depots known to them or were voluntarily handed over by Hungarian troops, by the regular Hungarian police—not the AVH—and even, in some cases, by Russian troops themselves.

129. After its study of all the facts, the Committee has no doubt that the Hungarian uprising was not only nation-wide, but also spontaneous in character. The Committee was meticulous in its questioning on this point and sought to discover in various ways the possibility of advance preparation. But the way in which great numbers of people, who could not possibly have shared secret orders in advance, organized themselves to press their demands and to fight the Soviet troops seems to the Committee to bear the hallmark of improvisation. Their efforts collapsed because of the Soviet armed intervention and because no support was forthcoming for them from abroad. The thesis which alleges that the uprising owed its origin to such support from abroad did not survive the examination to which the Committee subjected it.

130. The Committee took pains to ascertain from witnesses what precise role, if any, Radio Free Europe had taken in the events of October and November. It was satisfied that this station had many listeners in Hungary, most of whom appear to have turned to it, as well as to the BBC and other Western broadcasts, as a relief from the stereotyped news service, with fulsome praise of the régime, to which they were accustomed. "I felt," said one student witness, "that its most positive contribution was its attempt to give a general picture

of the situation in the West and the help it gave to Hungarian youth through its youth programmes, together with detailed information about the political situation, which unfortunately we could not get from our own newspapers." The Committee was told that during the uprising, Radio Free Europe "was very encouraging" and obviously sympathetic. Listeners had the feeling that Radio Free Europe promised help, although witnesses said clearly that it gave no reason for expecting military help. Rather, the general tone of these broadcasts aroused an expectation of support, which some listeners hoped might take the form of a United Nations token force to help in stabilizing the situation.

131. In a tense atmosphere such as that prevailing in Hungary during these critical weeks, optimistic and encouraging broadcasts, which paid tribute to the aims of the uprising, were welcomed. The generally hopeful tone of such broadcasts may well have been over-emphasized in the process of passing from mouth to mouth what various speakers were alleged to have said.¹⁰ The attitude of the Hungarian people toward foreign broadcasting was perhaps best summed up by the student referred to above, who said: "It was our only hope, and we tried to console ourselves with it." It would appear that certain broadcasts by Radio Free Europe helped to create an impression that support might be forthcoming for the Hungarians. The Committee feels that in such circumstances the greatest restraint and circumspection are called for in international broadcasting.

(3) Reaction in the saddle

132. Spokesmen for the USSR and the Government of Mr. Kádár maintain that reactionary influences changed the uprising, within a matter of days, into a fascist counter-revolution. One professor at the Budapest Academy of Fine Arts sought to compare what took place with his memories of the beginnings of the White counter-revolution in 1919. "I can say", he wrote, "that on the morning of 23 October my pupils, though they had a few just demands, had not the slightest inkling of the eventual development of events and within a few hours became, as a matter of fact, blind instruments in the hands of the counter-revolutionary forces."¹¹

133. The Government of János Kádár has condemned that of Imre Nagy for failing to take action to deal with this growing movement. Mr. Nagy was accused of drifting helplessly in the face of events, making concession after concession to right wing forces. As he hesitated, it is said that the forces of reaction became more and more violent and the degree of assistance from the West was stepped up in proportion. On 2 November, the Soviet news agency *Tass*, quoting the Austrian Communist newspaper *Oesterreichische Volksstimme*, declared: "Squadrons of planes are continuously leaving Austrian airfields for Budapest. They are not only carrying medical supplies, as official reports try to show; with such a large number of aircraft, all continents could be provided with medical supplies. Observers are convinced that hundreds of Hungarian soldiers are being sent to Hungary from the West, including former officers of Horthy's army and hundreds of Hungarian officers and soldiers who served in the Hitlerite army. Among the aircraft, one could see some planes belonging to the West German frontier services, some British planes and others."

134. Many allegations were made that Red Cross facilities were used for the transportation of counter-revolutionary agents and arms. One report stated that, of one hundred Red Cross planes that landed in Hungary before November 1956, more than forty brought counter-revolutionaries.

135. Meanwhile, frenzy—so it is contended—seized upon the people in Budapest and in other cities where, under the alleged influence of fascist *provocateurs*, armed gangs are said to have roamed about, looting and terrorizing the people. A man hunt was organized for members of the State security services and also, said the exponents of this thesis, for honest Communist Party members and "progressive-minded" friends of the USSR, great numbers of whom are alleged to have been hanged in the streets or otherwise done to death. Exponents of this view of events have maintained that the Hungarian crowds,

¹⁰ At a press conference on 25 January 1957, the Chancellor of the Federal Republic of Germany made the following statement regarding Radio Free Europe: "This investigation has shown that the assertions which appeared in the press, that Radio Free Europe promised the Hungarians assistance by the West—armed assistance by the West—are not consistent with the facts. However, remarks were also made which were liable to cause misinterpretations. But a discussion, an exchange of views, took place which also resulted in personnel changes and I believe that the matter can be considered settled for the time being."

¹¹ *Shirikov Sovetskaya Kultura*, 11 December 1956.

in their sadistic fury, made no distinction between the AVH and the ordinary members of the Party or Communist officials. The Committee is convinced that the acts of violence which took place were directed, in all but a very few cases, against recognized members of the AVH and that many Communists were among the crowds which wreaked vengeance on them.

136. As soon as the "reactionary" leaders felt their power, it is said that popular demands for change became rapidly right wing in character and threatened the whole structure of the People's Democracy. The Hungarian White Book, Volume II, says that Archduke Joseph and Crown Prince Otto were among the personalities whose names "again rose to the surface". *Pravda* reported on 16 November that Admiral Horthy himself, then 88 years of age, had offered his services, and *Pravda's* correspondents in Budapest said that Prince Pál Eszterházy, formerly Hungary's largest landowner, re-established himself in that city, after his release from prison, and talked of joining the Government.

137. Much stress has been laid by spokesmen for the USSR and for Mr. Kádár on the reappearance of Cardinal Mindszenty, whose release from prison was said to have been engineered by Major Anton Pálunkás, referred to as a son of Count Pallavicini, "the butcher of the Hungarian workers" in the White Terror of 1919. The Hungarian White Book declared that the Cardinal "lost no time in getting down to business", and on 3 November broadcast a message in which, "notwithstanding all its restraint, he openly set forth the aims of the counter-revolution". The Cardinal was said to have described the victory of the counter-revolution as an accomplished fact. However, the presence of Soviet troops at the approaches to Budapest and the news that Soviet reinforcements had arrived caused the Cardinal, in the words of the White Book, to "tread warily". Among other remarks, he was declared to have said that "there should be responsibility before the law along all lines". The White Book deems this remark to be "nothing less than the proclamation of a general crusade against the supporters of proletarian rule".

138. Special attention has been given by spokesmen for the Soviet Union and for Mr. Kádár's Government to the phenomenon of the Workers' Councils, a feature of the Hungarian uprising which linked it with similar movements following the 1917 Revolution in Russia. "Horthyite" and other counter-revolutionary elements, it is alleged, installed themselves on these Councils and used them, according to the normal counter-revolutionary technique, to mislead the Hungarian workers and to oppose the "real organs of popular authority". In July 1917, Lenin had found himself obliged to withdraw the slogan "All power to the Soviets!", because the Mensheviks and Socialists, who had ensconced themselves in the Soviets at the height of the struggle, deserted to what were called the "enemies of the working-class". According to Lenin, the passing of political authority from the Bolsheviks to some indeterminate alliances of heterogeneous elements, only slightly to the right of the Bolsheviks, or even to the left of them, would always signify a victory for the counter-revolution. Essentially the same tactics were declared to have been used by "bourgeois reactionary elements" in the Hungarian Workers' Councils.

139. In its examination of witnesses, the Committee has given particular attention to the thesis that the Hungarian uprising speedily degenerated into a reactionary movement reminiscent of fascism.¹² It considers it appropriate, however, to summarize here certain of its comments on this aspect of the Soviet thesis.

140. The Committee has, indeed, noted that several times during the last week of October and the first days of November prominent personalities drew attention to the need to be on the alert for signs of counter-revolution. On 2 November, Byula Kelemen, the Secretary-General of the Social Democratic Party, wrote: "Let our peasant members unite their forces to frustrate all attempts to restore the large estates."¹³ While the Committee has noted this and similar warnings, it feels that there was never, at any time a serious danger of counter-revolution in Hungary. The very few dispossessed landowners still living in that country exercised no influence either with the leaders or with the rank and file of those who took part in the uprising. No suggestion was entertained to return the estates to the former landowners or to undo the nationalization of

¹²Two later Chapters of the present report also bear on the allegations of counter-revolutionary danger: Chapter IX, which sets out the objectives and character of the uprising and Chapter XII, which deals with changes in the political structure of Hungary during the week preceding the second Soviet intervention.

¹³*Népszava*, 2 November 1956.

Hungarian industry. Even aristocratic landowners such as Prince Pál Eszterházy repudiated any such intention, while Cardinal Mindszenty personally told one witness early in November that he had no intention of claiming the return of the great Church estates, but was proposing to ask for the reopening of Catholic schools. "Let no one dream", said Bela Kovács, leader of the Smallholders' Party, "of the old world returning: the world of the counts, the bankers and the capitalists is gone forever."¹⁴

141. In its extensive examination of developments between 23 October and 4 November, the Committee found no evidence whatsoever to suggest that any political personality associated with the pre-war régime exerted the slightest influence on events. At no time was there a demand for any such personality to be included in the new Government. Moreover, it is a point of interest that the question of a counter-revolution seems not to have been raised by the Soviet authorities during their negotiations with the Government of Mr. Nagy. The Government which he was forming in the early days of November was a coalition composed of the parties included in the Hungarian National Independence Front of 1945. The parties composing this Independence Front had been sanctioned by the Allied Control Commission, on which the Government of the USSR was represented.

142. An interesting episode was the telephone conversation reported to the Committee as having taken place between Mr. Tildy and Ferenc Nagy, Prime Minister of Hungary from February 1946 to June 1947, who rang up Mr. Tildy from abroad. Mr. Tildy replied that the new developments in Hungary were developments with which Ferenc Nagy would be unfamiliar. He indicated to Mr. Nagy that his political ideas and connexions belonged to a world of the past.

143. The suggestion that considerable numbers of agents, saboteurs, former fascists and so on, entered Hungary during the uprising is rejected by the Committee. In this connexion it noted that the Austrian Government addressed to the Government of Hungary on 3 November a statement protesting against this very allegation. "The Austrian Government", declared the statement, "has ordered the establishment of a closed zone along the Austro-Hungarian frontier . . . The Minister of Defence has inspected this zone in the company of the military attachés of the Four Great Powers, including the USSR. The military attachés were thus enabled to satisfy themselves of the measures which have been taken in the frontier zone with a view to protecting the Austrian frontier and Austrian neutrality."¹⁵

144. As to the suggestion that forty out of one hundred Red Cross aircraft landing in Budapest during the last days of October carried arms and agents, the Committee was authoritatively informed that the only Red Cross aircraft to arrive in Budapest during that time were five Yugoslav and one Swiss aircraft, each of which made three or four trips a day, and two Polish, two Czech, one Romanian and one Belgian aircraft, each of which made only one trip during the period in question. The Ferihegy airport was occupied by Soviet forces at about midday on 29 October and was not handed back to the Hungarian authorities until 28 December.

145. There still remains the question of popular demands breaking out of the orthodox Communist mould as the popular forces gathered strength. In the Committee's view, the fact that these demands culminated in the proclamation of neutrality and withdrawal from the Warsaw Pact had nothing whatsoever to do with fascist influence or the alleged power of reactionary agents. The reasons for these more radical demands should be sought in such factors as popular hatred of the AVH and resentment against occupation by foreign troops which was intensified by the Soviet armed intervention, and by the bitterness with which the AVH fought against the uprising in co-operation with Soviet troops.

146. Before closing its comments on the counter-revolutionary thesis, the Committee wishes to draw attention to the fact that this thesis should be read with the point in mind that Soviet authors use such words as "counter-revolutionary",

¹⁴ *Kis Ujság*, 1 November 1956.

¹⁵ In the same note the Austrian Government informed the Hungarian Government that Ferenc Nagy unexpectedly arrived in Vienna on 29 October and was requested by the Austrian authorities to leave Austrian territory immediately. The Soviet Government was also informed of this action.

"fascist", "reactionary" and "chauvinistic" in a special sense, i. e., that of a refusal to accept the political tenets of the Soviet Union. Thus, Mr. Gerő in his highly unpoular broadcast on the evening of 23 October, told the Hungarians that there could be no chauvinism, no loosening of the ties with the Soviet Union.

147. The nature of the counter-revolution which was alleged to have been taking place in Hungary was defined on 5 December in the first resolution passed by Mr. Kádár's re-named Socialist Workers' Party. This spoke of "a Horthyite-fascist-Hungarian capitalist-feudal counter-revolution".¹⁶ The Committee looked most carefully for evidence of such a heterogeneous movement, but found none. The only counter-revolution which did take place was that effected by the Soviet authorities when, by the use of overwhelming armed force, they replaced a socialist but democratic régime in formation in Hungary by a police State.

148. The Committee considers it of interest that certain writers of Communist sympathies, of whose writings they have been apprised, have rejected the thesis of the USSR and of Mr. Kádár's Government regarding Hungarian events. In their efforts to publish what they believed to be a truer version, they have encountered the obstacle of "Party allegiance in literature" to which reference has been made in quoting the comment of a Russian man of letters. One of these, Peter Fryer, claims to have been the first Communist journalist from abroad to visit Hungary after the uprising. He had been sent to Hungary by the London *Daily Worker*, which then suppressed or severely edited the dispatches which he sent from Hungary.¹⁷ "This was no counter-revolution, organized by fascists and reactionaries", Fryer wrote in an unpublished dispatch to London. "It was the upsurge of a whole people, in which rank and file Communists took part, against a police dictatorship dressed up as a Socialist society—a police dictatorship backed up by Soviet armed might." Next day, readers of the *Daily Worker* were told only about "gangs of reactionaries" who were "beating Communists to death in the streets" and the following day Hungary disappeared altogether from its front page. In consequence of what he saw in Hungary and of the refusal of his newspaper to print the facts as he reported them, Fryer resigned from the *Daily Worker* after eight years' service with it. His testimony would seem to be of particular value regarding the view of events in Hungary presented by the Governments of the USSR and of Mr. Kádár, because he still remained faithful to the ideals of Communism—"a movement", he calls it, "which has meant everything in the world to me". He has given as the reason for his being subsequently suspended from the Communist Party that the leaders of that Party are "afraid of the truth".

E. CONCLUSION

149. It will be seen that the version of events favoured by the Governments of the USSR and of Mr. Kádár is in conflict at many points, and points of fundamental importance, with what the Committee believes to be the truth. For convenience, the Soviet and Kádár version of the Hungarian uprising is repeated below in summary form.

150. Events in Hungary are said by spokesmen for the USSR and for the Kádár Government to have followed the classic pattern of the counter-revolution. First, shortcomings on the part of Hungary's leaders created among the people an atmosphere of justified discontent. Bourgeois and reactionary elements are alleged to have been waiting for an opportunity to recover their lost political and economic domination. It is said that they made skilful use of this discontent to confuse even the workers and to induce them to put forward exaggerated demands. The argument runs that these Hungarian reactionaries were powerfully assisted by foreign sabotage organizations, propaganda, trained agents and a plentiful supply of arms. The Hungarian people are said, by exponents of this view, to be fully conscious of the benefits of living in a People's Democracy, but to have lacked the power and effective leadership to resist so cunning a foe. Only the assistance of Soviet troops, it is claimed, enabled the true leaders of Hungary to throw back the armed forces of "reaction".

¹⁶ *Népszabadság*, 8 December 1956.

¹⁷ Peter Fryer: *Hungarian Tragedy*, London 1956.

PART A. MILITARY INTERVENTION AND ITS POLITICAL BACKGROUND

CHAPTER IV. SOVIET MILITARY INTERVENTION (24 OCTOBER-3 NOVEMBER 1956)

A. INTRODUCTION

151. In chapter I the Committee has explained why a detailed chronological account of the events in Hungary would be inappropriate for its report. The considerations indicated in chapter I may be briefly recalled insofar as they relate particularly to this chapter and to those which immediately follow. At the students' meetings on 22 October 1956 and during the demonstrations of 23 October, demands were expressed for the removal of the severe restrictions which had come to be characteristic features of the regime. Had events continued along these lines, many Members of the United Nations would undoubtedly have watched with sympathy the efforts of the Hungarian people to win for themselves a different form of government. However, such internal developments would not have constituted a matter of international concern calling for the attention of the United Nations. The feature of the developments in Hungary which compelled the attention of the Organization was the intervention of Soviet armed forces. This intervention transformed the uprising from a demand for a change in the form and character of the domestic Government into a call for national liberation from external oppression. It is, therefore, appropriate that the report dwell in the first instance on the details of Soviet armed intervention. The Soviet apologia has been directed exclusively toward the statement of reasons which would justify such intervention, and not to a denial of the act.

152. In this chapter it is not proposed to deal with the uprising itself or to discuss the reasons which have been advanced to justify Soviet intervention. This and the following chapters are concerned solely with stating the known facts about the extent of intervention by Soviet armed forces and the nature of the conflict between those forces and the people of Hungary. The present chapter will deal with the time and manner of the first armed intervention which ostensibly commenced on 24 October 1956, and the subsequent chapter with the time and manner of the second armed intervention from the early morning of 4 November to the suppression of armed Hungarian resistance.

B. MOVEMENTS OF SOVIET FORCES AND AREAS OF FIGHTING

153. The Committee has received information from many sources regarding the movements of Soviet armed forces, and on the basis of this information it is possible to present the following account of the military operations involved.

154. At the time of the uprising the Soviet troop locations nearest to Budapest were Cegléd and Székesfehérvár, both about 70 kilometres from Budapest, the former southeast and the latter southwest of the capital. The tanks coming from the southwest appeared in Budapest at about 2 a. m. on 24 October, at which time they were seen at Móricz Zsigmond Circle, in Buda, heading towards Pest. They had crossed the Szabadság (formerly Ferencz József) Bridge and were standing on the east, or Pest, side of the bridge between 3.30 a. m. and 5 a. m. Not all the tanks coming from the southwest crossed by the Szabadság Bridge. Between 4.30 a. m. and 5.30 a. m. other tanks passed over the Margit Bridge on their way between Buda and Pest. Some tanks remained near the bridges, controlling passage over the river. Others occupied the embankment road running north and south on the east side of the Danube. Still others concentrated about major buildings in Pest. At the latter points they were shortly joined by tanks arriving from Cegléd; these had passed through the outlying suburbs of Budapest—Pestszenterzsébet and Soroksár—at about 6 a. m. Thus the movement of Soviet forces gives the impression of a military movement planned in advance.

155. At the time of the entry of Soviet forces, the people of Budapest had been in conflict with the AVH for some hours. This conflict had begun at the Radio Building the previous evening, and during the night the people, having secured arms, had continued to attack the AVH wherever they could be found.

156. As day broke on the morning of 24 October, the people found themselves no longer confronted only by the discredited AVH, but by the armed forces of the Soviet Union parading in strength through the streets of Hungary's capital. At 6 a. m., one of the columns of Soviet vehicles coming from the west opened fire without warning at the point where the major thoroughfare of Üllői Street

reaches the People's Park (*Népliget*) ; no fighting was taking place there at the time. Soviet vehicles coming from the east are reported to have opened fire in the outskirts at 6 a. m. in the neighbourhood of the Slaughterhouse, and at 7 a. m. at the corner of Soroksári Street and Nagy Sándor Street. Thus began the conflict between the people of Budapest and the armed forces of the Soviet Union.

157. While the outbreak of fighting has focused attention on the actual entry of Soviet forces into Budapest, the Committee has good reason to believe that steps had been quietly taken during the two preceding days with a view to the use of Soviet forces for the repression of discontent in Hungary. It has been credibly reported that on 21-22 October, in the neighbouring areas in Rumania, Soviet officers on leave and reserve officers speaking Hungarian or German were recalled.

158. On 20-21 October, floating bridges were assembled at Záhony on the frontier between the USSR and Hungary; it was over these pontoon bridges that Soviet troops from the USSR crossed on the morning of 24 October. It has also been credibly reported to the Committee that Soviet forces were seen on the march between Szombathely and Székesfehérvár as early as 22 October, moving from the west towards Budapest. During the night of 23-24 October, Soviet forces began to pass through Szeged and continued to move through the town along the road to Budapest for some thirty-six hours.

159. There is evidence also that, even in the first intervention by the armed forces of the USSR, use was made not only of Soviet troops stationed in Hungary, but of Soviet troops from the USSR itself and from Rumania. It would appear that, of the Soviet forces used in the first intervention, only two divisions had been stationed in Hungary before the uprising, namely, the Second Mechanized Division and the Seventeenth Mechanized Division. Seemingly, however, Soviet authorities had foreseen the probability that the troops stationed on Hungarian territory would be insufficient to deal with the situation, and had taken steps to call in forces from outside Hungary. The Soviet troops from the USSR who crossed the pontoon bridges at Záhony moved onwards to Miskolc, while those who crossed the border in the vicinity of Beregsurány proceeded towards Nyíregyháza and Debrecen. The Hungarian political police at Nyírbátor reported at 1 a. m. on 24 October to the Ministry of Defence that Soviet troops had entered Hungary from Rumania. When on 28 October soldiers of the Thirty-second and Thirty-fourth Mechanized Divisions were treated in the Verebély Clinic in Budapest, they were, on interrogation, found to be in possession of Rumanian money. Part of the two divisions had been stationed at Timisoara. Thus the forces used to repress the uprising in October were not exclusively forces which had been stationed in Hungary under the Warsaw Treaty.

C. RESISTANCE OF THE HUNGARIAN PEOPLE TO THE SOVIET ATTACK

160. The Soviet forces had been given to understand that their task would be the liquidation of counter-revolutionary gangs. The situation in which they found themselves was that they were confronted by the unanimous opposition of an outraged people. Those elements on which they had presumably counted, with the exception of the secret police, failed to provide the expected support. The Communist Party, which had held the country in its grip during the preceding years, was rapidly disintegrating. The detested AVH, which had been the main instrument of oppression, found itself paralyzed by the resentment of the people. Its members had been forced to seek refuge in various strongholds, where they were subjected to persistent attack, for the ruthlessness which they had themselves exercised now recoiled on them. The Hungarian Army, which the Budapest Radio announced as fighting on the side of the Soviet forces, is not known to have lent them any assistance whatever, while in at least one instance it engaged in active battle with them and in many other cases gave aid and support to the Hungarian people in their resistance to the Soviet army.

161. In combatting the new enemy, people of all ages and occupations showed remarkable unity of purpose. However important the role of the students in the initial stage of the demonstrations, it was matched by equal determination on the part of the workers as the fighting grew in intensity. The fighting was nowhere more severe than in certain factory districts. The peasants lent aid and assistance by supplying the fighters in Budapest with food at little or no cost. Moreover, while there were many instances of middle-aged or elderly

people participating in the fighting, the youth of the capital played a leading part.

162. Two of the first instances of the use of "Molotov cocktails" were by a man of some fifty years of age who destroyed an armoured car at 7:30 a. m. on 24 October near the Kilián Barracks, and by children who are reported to have blown up an armoured car with its crew at 8:30 a. m. Efforts made by leaders to prevent the distribution of arms to young boys seem in many instances to have been in vain; they readily learned to make effective use of rifles which came into their possession.

163. In the highly industrialized area of Csepel Island at the southern end of Greater Budapest, the factory workers, reinforced by police and artillery units which had come over to their side, created an effective organization of their own. Though Soviet tanks arrived in Csepel at 7 a. m. on 24 October, they made no persistent attempt to crush the uprising there. One incident was reported in which eight Soviet armoured cars, reinforced by AVH personnel, opened fire near the former Manfréd Weiss factory;¹⁸ when, however, the factory workers pressed with their attack on the AVH, the Soviet armoured cars retreated to Budapest. The Csepel workers were thus free to go to the help of those who were fighting in Budapest. They travelled northwards in cars, on bicycles, or on foot, to the centre of the city.

164. In the middle of Pest, two of the major points of opposition to the Soviet invasion were the Kilián Barracks and the Corvin Cinema. At the Kilián Barracks—the former Mária Terézia military barracks—an old and strong brick structure on Üllői Street—a unit of the Hungarian Army under the leadership of Colonel Pál Maléter, took sides with the insurgents and continued to withstand successive attacks by Soviet forces. The defenders of the Kilián Barracks, including the civilian reinforcements, are said to have numbered some 2,000. When fighting ended there, sixty to seventy Soviet soldiers had lost their lives. About fifty yards away from the Kilián Barracks, just beyond Üllői Street, the Corvin Cinema, standing at the point of convergence of three roads, Üllői Street, József Boulevard and Kisfaludy Passage, was rapidly converted into a stronghold. Attack on the cinema, a strong, circular structure, was made difficult by the proximity on all sides of four-story buildings.

165. The Committee heard a graphic account of the conflict at the Corvin Block and of the use of the "Molotov cocktail" by the insurgents. An anti-tank gun, removed from a disabled Soviet tank, was placed against the steps in front of the cinema, and a mechanism was arranged to fire it from within the building. The tanks or armoured cars came from the side streets and, on turning into the boulevard, were within range of the anti-tank gun which was able to destroy their tracks before they could train their guns on the cinema. Observers posted on the top floors of buildings on the side streets signalled the approach of Soviet vehicles. At the signal, the preparation of "Molotov cocktails" began. A bottle—perhaps a bottle of tomato preserve previously emptied for the purpose—was nearly filled with gasoline. It was then loosely corked, with towelling around the cork. At a second signal, given when the tank drew nearer to the Corvin Cinema, the bottle would be tipped downwards so that the gasoline could seep into the towelling. At the third signal, the towelling would be lit and the bottle thrown. As the loose cork fell out, the bottle would explode. A gasoline store on the premises of the Corvin Cinema provided its defenders with an adequate supply of fuel. The Corvin Block was one of the resistance groups in Budapest which successfully withstood attack during the first period of fighting.

166. At times the Hungarians met with sympathy from Soviet troops. Soviet forces normally stationed in Hungary or in Rumania had been affected by their surroundings. Many a Hungarian had learnt some Russian—either at school, where it was a compulsory language, or in a prisoner-of-war camp. They were able to reproach the Soviet troops, when occasion offered, for their interference in Hungarian affairs. The Soviet soldiers were, indeed, in a situation of some embarrassment. The civilians whom they fought included women, children and elderly people. They could see that the people were unanimous in their fight against the AVH and foreign intervention; that the men whom the Soviet Army was fighting and the prisoners who were captured were not fascists but workers and students, who demonstrably regarded Soviet soldiers not as liberators, but as oppressors. It was also an unusual experience for the Soviet soldiers,

¹⁸ Subsequently called "Rákosi Works"; now known as "Csepel Works".

as for the Hungarians themselves, to hear people speaking openly on subjects hitherto banned in conversation. Some Russian officers and soldiers appear to have fought and died on the Hungarian side.

167. Confronted by opposition in Budapest which they were unable to master, the Soviet forces were in no position to control the provinces. The concentration of forces in Budapest seemingly left certain parts of the country, particularly the region between the Danube and the western frontiers—Transdanubia—practically free from Soviet forces. In such centres as Pécs, no Soviet troops arrived until the beginning of November. In some other centres where Soviet garrisons were present but isolated, relations with the local inhabitants were amicable enough. On 23 October, Free Radio Győr announced that the Soviet military commander had denied any intention of interfering "in your internal political affairs", adding that "the rising of the Hungarian people against oppressive leaders is justified". The Soviet commander thanked the population for supplying milk to the children of the Soviet garrison and requested the people to notify him of any violation of regulations by Soviet soldiers. In conclusion, he assured the people of Győr that the Soviet troops were not preparing to attack the city.

168. In Veszprém, the Revolutionary Council, hearing of rumours on 28 October that Soviet troops at the Hajmáskér barracks were preparing to attack the city in order to reinstate the former officials, sent a three-man delegation to the Soviet commander. The commander deplored that at Várpalota, in the county of Veszprém, three Soviet citizens had been killed, but he recognized the right of the Hungarian people to choose their own form of government and to remove leaders who did not perform their tasks properly. He gave the assurance that, if the Hungarians refrained from attack, the Soviet troops would make no attack on Veszprém. The same Soviet commander refused to give asylum to members of the AVH who had sought refuge with Russian troops. At Jászberény the Soviet commander took the initiative of calling on the Revolutionary Council. Accompanied by two Soviet officers, he promised the Council that he would not interfere in Hungarian internal affairs and that the troops would not leave the barracks on manoeuvres. Jászberény was later the scene of a serious incident, but not until 4 November, when Soviet policy had changed. In Debrecen the Soviet forces withdrew from the city to the countryside. Soviet tanks had arrived there on 24 October, but, after negotiations between the Revolutionary Council and the Soviet commander had begun in the afternoon of the 26th, the commander agreed to withdraw the Soviet troops from the city and to lift the curfew, and Soviet withdrawal from Debrecen began on the 27th.

169. In the provinces, the evidence suggests that the Soviet forces were concerned rather to avoid conflict with the Hungarian people.

170. In Budapest the fighting continued from the 24th to the 28th, as Soviet armour sought to eliminate the resisters' strongholds. The massacre in the square by the Parliament Building exasperated rather than terrified the people, and the severe Soviet attacks of 27 October were unsuccessful. Not until the cease-fire of 28 October did a lull ensue, and the fighting had, in effect, come to an end by 30 October.

D. THE WITHDRAWAL OF SOVIET TROOPS FROM BUDAPEST

171. One central demand of the insurgents in Budapest was that Soviet troops should withdraw from the capital. Deputations of the Revolutionary Councils from the provinces and from the fighting groups in Budapest pressed their demands on the Government. They stressed that they would not lay down their arms until the Government had made its position clear regarding the withdrawal of Soviet troops from the entire country. However, the insurgents conceded that the first step would be the evacuation of Budapest, to be followed within a given period of time by the withdrawal of Soviet forces from Hungarian territory. Such were the demands received from the Students' Revolutionary Council, the Miskolc Revolutionary Council, the Transdanubian National Council, and from numerous towns and villages in various parts of the country.

172. At 5.25 p.m. on 28 October, the Hungarian Prime Minister, Mr. Nagy, announced that the Soviet Government had agreed to begin the withdrawal of its troops from "the city's territory". The following morning Premier Nagy and the Minister of Defence, General Károly Janza, met the representatives of the more prominent insurgent groups at the Ministry of Defence. According to the evidence received, General Janza insisted during this meeting that the technical

complexity of a withdrawal of troops made it difficult to effect this within the time limits set by the insurgents. Since, however, the discussions also concerned the re-establishment of order in Budapest, the meeting ended on a hopeful note. The Government was to seek to insure with the Soviet authorities a time-table for actual withdrawal, while the insurgents would lend assistance in this task by maintaining order and showing due respect towards the withdrawing Soviet forces.

173. Negotiations between the Government and the Soviet authorities continued during the day. At the same time, General Király, as head of the Revolutionary Military Council, was establishing the foundations of the National Guard, with the intention of guiding and co-ordinating the various insurgent groups. During the evening General Janza announced the withdrawal of Soviet troops from the eighth district of Budapest, and called upon the insurgents to lay down their arms in conformity with the agreement. The next day he announced that the withdrawal of Soviet forces from Budapest would be completed by dawn of 31 October.

174. During the last days of October, Soviet armoured and other vehicles began to evacuate Budapest, with the exception of certain key positions, such as the Soviet Embassy and the main approaches to the Danube bridges. This withdrawal, however, took place simultaneously with the surrounding of the principal airports of Budapest—an action which provoked a resolution of the staff of the Hungarian National Air Command of 30 October threatening that, unless the withdrawal of Soviet troops from Budapest was effected within twelve hours, the Hungarian Air Force "would make an armed stand in support of the demands of the entire Hungarian working people". The Budapest airports of Ferihegy, Budaörs and Tököl were under the control of Soviet troops or substantially so, owing to the proximity to these airfields of Soviet artillery and armoured units. The same was true of Szentkirályszabadja airport (between Veszprém and Lake Balaton) and the Kecskemét and Szolnok airports. Budapest was ringed by three airfields in its immediate vicinity, while the three others, lying at a distance of 100 kilometres, occupied strategic positions. It appears, however, that six military airfields—Pápa, Székesfehérvár and Kaposvár in western Hungary, Kiskunlacháza and Kalocsa in central Hungary, and Kunmadaras in northeastern Hungary—were not subject at that time to Soviet military control. They had, according to reports, some 200 Hungarian planes, of various types, available for immediate action.

175. General Király, in accordance with Premier Nagy's instructions, forbade any military action on the part of the Hungarian Air Force. The position taken by the Premier was that, as discussions were under way regarding the withdrawal of the Soviet troops, any sign of belligerence on the part of the Hungarian forces, particularly if not the result of direct provocation, would destroy the chance of resolving this question through negotiations and might, in fact, precipitate Soviet retaliation. However, air reconnaissance was permitted, and reports were received on Soviet troop movements in Hungary for the period of 29 October to 2 November. In the vicinity of Budapest, to the north and south of the city on the Vác, Cegléd and Kecskemét highways, there were stationed on 30 October some 200 tanks, tenders and other Soviet armoured vehicles. Just to the west of Budapest were some thirty tanks, and at Székesfehérvár, twenty-five. In western Hungary, around Győr and Szombathely, some ten to fifteen tanks and other service vehicles were located near each town. In Kecskemét, Szolnok, Békéscsaba and Debrecen there remained a small number of tanks. It was calculated that, in all, there were less than 400 Soviet tanks in commission in Hungary at that time. On 30 October an airlift from Tököl, Ferihegy and other airports was put into operation, and it is estimated that some 200 transport planes were used to evacuate the families of Soviet military and civilian personnel and wounded troops. Notwithstanding the reports that the incoming planes were carrying military supplies, the belief was generally entertained on the last day of October that the Soviet withdrawal might soon become a reality.

176. This hope was short-lived. At 11:30 p. m. on 1 November, Radio Budapest reported that, according to an announcement issued by the Soviet Embassy, airfields of the Hungarian Air Force had been surrounded by armoured forces of the Soviet Army in order to secure the air transport of the families of Soviet troops and the wounded. The radio statement added that "The Hungarian Air Force, in full complement, was ready to defend itself against overwhelming strength. The Government, however, fully realizing its responsibilities, prohibited the opening of fire. So the troops of the Air Force are now facing the Soviet forces present, without firing and with discipline. They await the de-

parture of the Soviet troops." By this date, the possibility of action by the Hungarian Air Force was rapidly being curtailed. The staging areas of the Soviet troops were by now the Hungarian military airfields or those which the Soviet Air Force had previously occupied, such as Pápa and Veszprém. Considering that the number of civilians and wounded soldiers to be evacuated was relatively small, it seemed that the Soviet Embassy's announcement was intended to justify the seizure of the airfields and the immobilization of the Hungarian Air Force.

177. The available information indicates that, during the days following 29 October, the prevailing attitude in Budapest with regard to the withdrawal of Soviet troops was one of quiet, though tense, expectancy. The new free Press and the radio, while rejoicing in the positive results achieved during the negotiations for the withdrawal of Soviet forces from Budapest, asked the population to refrain from showing any signs of hostility towards the foreign troops. The Soviet forces did, in fact, withdraw from the city without obstruction. In the 20th District, Soroksár and Pestszenterzsébet, which came under the Unified Command of the National Guard, the only incidents reported on the 29th were of fighting with some Soviet units which had been cut off from food supplies and were looting food stores. The next day, the cease-fire came into full effect and thereafter the armed truce was respected by both sides, and no infringements occurred until the early hours of 4 November. The situation was similar in the suburban areas to the north and west of the capital. In the provincial centres, the Soviet troops withdrew from the towns or, if garrisoned there, to the barracks, giving the impression that their intervention in Hungary was coming to an end.

E. THE LOGISTIC DEPLOYMENT OF NEW SOVIET FORCES

178. In fact, during the last days of October and the beginning of November, the Soviet forces were effecting three types of troop movements in Hungary. The first was the withdrawal from the capital, and from public view in the provinces. The second was the dispatch of new forces from the East to certain strategic centres within Hungary, ostensibly, as announced by Soviet Ambassador Andropov, to assist in the organized withdrawal of the Soviet forces. The third was the massing on and within the Hungarian borders of heavy armoured units which were to be called upon four days later to crush the Hungarian uprising. The first two movements—outward from Budapest and inward from the eastern frontier, seem to have converged, at strategic locations along the main arterial road system, to form a crescent about 150 kms. east of Budapest. This consolidation stretched from Gyöngyös and Hatvan in the north on the Budapest-Miskolc highway, then through Cegléd and Szolnok on the Budapest-Debrecen highway, and Kecskemét on the Budapest-Szeged highway, to Dunaföldvár which lies on the western bank of the Danube. In Transdanubia before 31 October, this military consolidation was not as extensive as in the Danubian plain except at Székesfehérvár, to which some of the troops from Budapest had been withdrawn.

179. On the eastern frontier, after two days of relative immobility—27 and 28 October—new troop movement were observed. At Záhony, the frontier station on the Transcarpathian border, at least 100 tanks were located on Hungarian territory, while a considerable force of motorized infantry, with artillery vehicles and supporting tank units, was moving westwards towards Nyiregyháza. The next day, 133 light tanks and 80 of the latest model heavy tanks crossed the frontier at Záhony, more than compensating for the few tanks and infantry vehicles which were moving eastward from Nyiregyháza, with the local inhabitants cheering them on their way.

180. In some cases, as reported from the frontier village of Csaroda, the convoy going eastwards had not really left Hungary, but had moved in a circular fashion, returning westwards by another road. Reports of new troops entering the country from 29 October appear to have continued daily. The Záhony sector was the principal venue, but from 31 October, most of the roads leading into Hungary were being used for the conveyance of Soviet troops. From the frontier village of Nyirbátor close to Satu Mare in Romania, to the frontier post of Battonya, near Arad in Romania, the roads were blocked with incoming vehicles. At Debrecen, where a reconnaissance plane of the Hungarian Air Force was shot down on 31 October by a Soviet anti-aircraft battery, there were also considerable military activities. During the following three days, air reconnaissance became increasingly difficult owing to the rapid diminution in the number of airfields free from Soviet control.

181. It became clear that the new Soviet troops were advancing by stages towards strategic positions in the Danubian plain and even Transdanubia. Thus fresh units came to Szolnok and Kecskemét by 1 November, while another unit appears to have crossed the Danube and to have established itself by that date at Dombóvár, 20 kilometres north of the city of Pécs. The Soviet Army used also the main railroad line passing through Záhony for the transportation of troops. It is known that they seized the railway stations at Záhony, Kisvárdá and Nyiregyháza during 1 and 2 November, and some armed clashes occurred between the Hungarian railway workers and the Soviet troops. The eastern lines were commandeered by the Soviet Military Command, and from 2 November on the Hungarian railways could not operate between Szolnok and Nyiregyháza.

182. The Soviet Military Command was also using the more developed communications system of Czechoslovakia. This proved helpful to them, as the Záhony approaches to Hungary tended to constitute a bottleneck, notwithstanding the building of auxiliary pontoon bridges over the Tisza. With regard to the Romanian crossings, although these lines were put into use, as far south as Timisoara, they tended to extend unduly the Soviet communications system. Thus, a deployment of Soviet forces took place on the north through Slovakia and along the Danube, possibly as far east as Esztergom (north of Budapest) to Rajka (north of Magyaróvár). On 2 November Soviet troops from Czechoslovakia crossed the Danube bridge at Komárom.

183. By the evening of 2 November, Hungary had to all intents and purposes been reinvaded. Premier Nagy continued negotiations with the Soviet representatives, in the hope that this powerful Soviet force was there only as a show of strength. Estimates of Soviet forces in Hungary vary from 1,600 to 4,000 tanks and from 75,000 men to 200,000. The Committee has been informed that a more probable figure is 2,500 tanks and armoured cars with 1,000 supporting vehicles.

184. By the evening of 3 November, communication between Budapest and the provinces was limited to the telephone, as the highways and railways were, for all practical purposes, sealed off by the Soviet forces. The agreement between the Hungarian Government and the Soviet authorities regarding the withdrawal of Soviet troops from Hungary had been reached in the afternoon. Certain outstanding matters relating to the withdrawal remained to be decided. For this, General Maléter, as head of a Delegation, was empowered to represent the Government. At 10 p. m. he proceeded to the headquarters of the Soviet Military Command at Tököl on Csepel Island. Consequently, Premier Nagy had grounds for believing that Hungary, despite the presence of the large Soviet military force in the country, was destined to become free.

F. CONCLUSIONS

185. In the present chapter, the Committee has summarized the information available to it regarding the movement of Soviet forces within Hungary from the beginning of the first intervention to the eve of the second intervention. Simultaneously with the renewed concentration of military forces described in this chapter, negotiations were being conducted between the Government of Hungary and the Government of the USSR for the withdrawal of Soviet forces from Hungary. The course of these negotiations is dealt with in chapter VIII. The problem arises of reconciling the known facts regarding the political negotiations for complete withdrawal with the clear evidence of the continued re-introduction of forces and their concentration within the country. It may well be that, immediately before the second intervention, the political and military authorities of the USSR differed regarding the best way of meeting the unusual circumstances which had arisen, and that the military authorities at no point abandoned the belief that the only way to resolve the difficulties which had arisen in Hungary was by force.

CHAPTER V. SECOND SOVIET MILITARY INTERVENTION

A. INTRODUCTION

186. A period of less than a week intervened between the end of hostilities in October and the second attack by Soviet armed forces on the morning of Sunday 4 November. The Committee received authoritative evidence regarding the conditions in Budapest during this brief period. On the eve of the second attack, order was being rapidly restored in the damaged streets of the capital. People were already at work removing the rubble and glass. Despite innumerable

broken shop windows, no looting took place. Good progress was being made in the direction of political consolidation, and the resumption of work could be confidently expected on Monday, 5 November. Negotiations had been completed for the formation of a National Guard under General Király with a view to ensuring internal security. A sense of confidence had developed among the citizens of Budapest.

187. Evidence has been given in the preceding chapter that Soviet troop movements into Hungary on a considerable scale and other military preparations had been going on for some days. In view of the difficulties of large-scale military planning, it would seem most probable that the design of the second intervention had been worked out during the last days of October, if not sooner. The purposes of this chapter is to assemble evidence as to the actual fighting which took place from early in the morning of 4 November until armed resistance ceased. It is thought appropriate, however, at this point to consider one aspect of the fighting that had a considerable bearing on the way in which it developed, namely the attitude of the regular Hungarian Army towards the uprising and of the insurgents towards the Army.

B. RELATIONS BETWEEN THE INSURGENTS AND THE HUNGARIAN ARMY

188. It is a significant fact that, throughout the uprising, no single unit of the Hungarian Army fought as such on the side of the Soviet troops. Not only at the Kilián Barracks, but later also on the Citadel in Budapest and in the Mátra and Bükk mountains, Hungarian Army units fought on the side of the uprising. Apart from these organized Army units, numerous Hungarian soldiers deserted to the insurgents or handed over weapons and ammunition. It would not be an exaggeration to say that the Hungarian Army proved useless to the Soviet Command throughout Hungary as a means of quelling the insurrection. In fact, it started to disintegrate at the outset. Desertions took place in such numbers that the Minister of Defence, István Bata, was obliged to appeal over the radio in the following terms at 8.56 a. m. on 25 October—only some thirty-six hours after the beginning of the revolt: "I instruct those members of the Army who, for one reason or another, have been separated from their units to report to their commanding officers at their formations immediately, and not later than 12.00, 25 October." Later appeals by radio called upon the troops to report to the nearest military post, since by then many soldiers had left their provincial garrisons to come to Budapest or to help in the uprising elsewhere.

189. Since the junior ranks came from peasant or working class homes, where the grievances complained of were well known, their sympathies were quickly engaged on behalf of the insurgents, and there is evidence that similar grievances to those of the civilians had been voiced in the garrisons also. For example, there was bitterness over the introduction of a Russian-type uniform for Hungarian soldiers and over the subordinate position of the Hungarian Army. This inferior status was to be seen in the supervision by Soviet officers of the Hungarian General Staff, in the Soviet control over heavy tactical weapons, heavy communications materials and the Air Force, and in the infiltration of the Hungarian Army by State security organs under Soviet supervision. A sense of inferiority had thus been bred in the rank and file of the Army which, for some time past, had led to complaints.

190. The resistance of the Hungarian people was considerably strengthened by the attitude of the soldiers, at first by their refusal to fight against the insurgents and soon by their active help. This attitude, however, did not extend to most of the senior officers. Under Soviet inspiration, special cadres of Communist officers had been developed to handle all key operations and commanding officers were chosen for their party affiliation rather than their military training. Senior Hungarian officers with military experience had, in most cases, been retired or assigned to teaching posts in one of the military academies. On the other hand, a number of younger officers had undergone training in the Soviet Union and were presumed to be not only Communists, but also pro-Soviet. The remainder of the Officer Corps had at one time or another during the past ten years received a special Communist indoctrination, and many were believed to have pro-Soviet sympathies. However, in the Budapest military academies, contrary to expectations, the cadets reacted differently to developments. They were aware of the grievances of the workers and took part eagerly in such discussions as those at the Petöfi Club. According to Budapest radio reports, when the demonstrations were organized on 23 October, about 800 cadets from the Petöfi Military Academy in Buda were among the demonstrators at the Bem

statue. Great encouragement was given to the demonstrators by the presence in their midst of cadets marching in their uniforms.

191. All these factors had created sympathy and confidence between the insurgents and the rank and file of the Hungarian Army. Most of the insurgents, however, remained distrustful of the Army Command and of the senior officers in general. During the days of freedom, the Revolutionary Military Council of the Army and the Command of the National Guard established a working relationship with the insurgents of Greater Budapest. In the provinces, the situation was still confused. Much depended on the attitude of the officer commanding the local garrison and on that of his staff. Often the senior officers had been against the uprising or had declared themselves neutral. In some cases, where the garrison had actually sided with the insurgents, it had been unable to act as an organized unit for lack of ammunition or through action by the AVH or by the Soviet MKVD.

192. The freedom fighters had welcomed deserting soldiers and officers into their ranks and made extensive use of weapons and equipment given them by the Army, but they preferred to keep the command of the insurgent groups in civilian hands. During the "days of freedom", it was proposed to reorganize the Army on non-political lines and to remove some of the officers known for their pro-Soviet views. This, however, would have taken time and, meanwhile, the Revolutionary Committees had little faith in the Ministry of Defence or in the Hungarian military command. They often insisted on personal confirmation of instructions by a leader they trusted, such as General Maléter or Király.

193. At the first meeting of the Revolutionary National Defence Committee on 31 October, Generals Maléter and Király and Colonel Náder of the Air Force, had been of the opinion that the reorganization of the Hungarian Army should be speeded up. They felt, however, that the attitude of the Army and of the insurgents towards the Russians should be above reproach during the negotiations for withdrawal of the Soviet troops. The possibility of a renewed Soviet attack was already borne in mind. While Generals Maléter and István Kovács were concerned exclusively with the technical negotiations for the withdrawal of Soviet troops, Colonel András Marton was called from the Zrínyi Military Academy to prepare a defence plan, for use in the event of a second Soviet attack. Colonel Marton, however, was released from the Zrínyi Academy only on 2 November. By that time, Soviet troop movements were going on in various parts of the country and communications were becoming extremely difficult. It was obvious that the Soviet command, if it wished to strike, had more than sufficient troops in Hungary to make any organized resistance impossible.

194. On 2 and 3 November various revolutionary groups in such positions as the Corvin Block and the Kilián Barracks and in the industrial suburbs of Budapest replenished their stocks of ammunition with the help of the National Guard. They appear to have received little, however, but rifle bullets. Some officers and non-commissioned officers attached to the various groups undertook a little hasty artillery training. Defensive positions were improved or alternative sites chosen which provided better vantage points for anti-tank guns. It would appear, however, that no over-all plan was drawn up to protect Budapest in the event of an attack. The resistance organizers worked on the local level and with improvised means.

195. Leaders of Revolutionary Councils seemed to derive special satisfaction from being in direct telephone communication with Mr. Nagy, Mr. Tildy or General Király. From 9 o'clock in the evening of 3 November, reports came in from the Councils by telephone and special messenger both to Mr. Nagy and to General Király, as they had no confidence in the hierarchy of officers transmitting their messages from the field to the highest echelons. This circumstance throws some light on the individualist nature of Hungarian military operations. Resistance followed no general plan, but was limited to local, although often fiercely fought, engagements. It is important to see these engagements against the background of a Hungarian Army which had virtually ceased to exist as such, with the resulting impossibility for most Army units to fight in formation, but with the corollary that the participation of soldiers in the resistance, individually or in groups, became a common feature of the fighting. It was in such circumstances that the citizens of Budapest found themselves again under Soviet fire.

C. THE FIGHTING IN BUDAPEST

196. From 9 p. m. on 3 November the capital had been completely surrounded. Information that hundreds of tanks were advancing slowly towards the capital was received from observation posts on the major highways. Reports came in

that, at some places such as Pestszenterzsébet, small units had entered the district, possibly trying to make the insurgents open fire. Since, according to the withdrawal agreement of 31 October, Russian troops were to evacuate Greater Budapest, local Commanders were ordered on instructions from Mr. Nagy not to open fire. The Ministry of Defence also gave the same instruction many times. Witnesses have testified that in no case was a shot fired by the insurgents. By 3 o'clock in the morning tanks were moving along Soroksár Avenue up to Boráros Square on the Pest side of the river, cutting off Csepel Island from the inner capital. Similar advances were made from the Váci Avenue on the north, down the east bank of the river, cutting off Újpest from the Buda side. No precise information exists from the other sectors, but it is known that Soviet troops opened fire at 4:25 a. m. at Budaörsi Way, to the south of the old city of Buda. Shortly afterwards cannon fire was heard from all quarters of the city and from outlying districts.

197. Fighting broke out at numerous points of resistance. Soviet tanks advanced along the main boulevards radiating from the Danube. The insurgents set up barricades at important intersections on the Outer Ring of Pest and fierce fighting took place at Üllői Street, Marx Square, Kálvin Square, at the Kilián Barracks, and at the Corvin Cinema. On the Buda side, there was fighting on the Gellért Hill, at the Citadel and on the Royal Palace Hill, at the Southern Railway Station, in Széna Square and in Móricz Zsigmond Circle. Resistance varied according to the available strength in men, weapons and ammunition. In some cases Russian troops were able, within a matter of hours, to fight through to such important points of the city as the Square by the Parliament Building, the banks of the Danube, the bridgeheads, the radio station, and the police headquarters. Whatever organized resistance may have been planned for the city as a whole had ceased by 8 o'clock in the morning, that is, shortly after the radio station had been taken over by Soviet troops. Thereafter the groups continued fighting until their ammunition was exhausted or until the defending positions had been destroyed by the heavy tank barrage. The Kilián Barracks were subjected to a three-hour assault and to aerial bombardment, but the building was not seized for three days. The Citadel military units, reinforced by freedom fighters, held out until 7 November. The Soviet losses were severe, and these defence positions were well organized. Fierce fighting also took place at Móricz Zsigmond Circle and in other parts of the city. From the evidence received, it would seem that for the first two days the Soviet attack was directed principally against those fortified positions which, by their continued resistance, prevented the Soviet Command from claiming that it was in full control of Budapest. The impression is gained that the Soviet troops avoided a systematic hunting down of secondary targets, such as snipers, in the belief that complete order would shortly be restored. When that proved not to be the case, Soviet tanks began to move again along the main boulevards, firing indiscriminately into houses to strike fear into the people and to force their surrender. This shelling caused severe damage to buildings on the boulevards and along the side streets, even where there had been no recent resistance by the freedom fighters. By 8 November much of Budapest bore severe traces of the fighting. Hundreds of buildings were completely destroyed and thousands more had been severely damaged. The destruction was especially marked in certain districts but, in a city as large as Budapest, many areas were fortunate enough to have escaped. By nightfall on the 7th the fighting had become intermittent and was mostly confined to the outlying industrial districts.

198. It must, however, be stated that on the evidence before the Committee it may safely be assumed that the whole population of Budapest took part in the resistance. No distinction, therefore, could have been made between civilian and military population. "Molotov cocktails" were thrown from apartment windows on upper floors by men, women and children on a wide scale. It would, therefore, be difficult for any invading army to pick the objects of attack.

D. THE FIGHTING IN THE INDUSTRIAL DISTRICTS OF BUDAPEST

199. In the industrial districts of Budapest, most of the fighters were workers and the fighting became a struggle between the Hungarian factory workers and the Army of the Soviet Union. This was the case more particularly in those districts on the Pest side of the Danube where most of the heavy industries of Hungary are concentrated. As in the city itself, leadership of the resistance forces emerged at the local level. Each district or group of districts, under

the command of its Revolutionary Councils, received army equipment and was reinforced by army personnel who volunteered to join the freedom fighters. The Revolutionary Council of Csepel received some eighty-five pieces of artillery from the barracks on the island when many officers and men joined them against the orders of their commanding officer.

200. The factory districts from Ujpest in the North, through Kőbánya and southward to Pestszenterzsébet, Soroksár and Csepel Island, put up the strongest resistance. This continued until 11 November. With the exception of a few clashes in the hills of Nógrád and Baranya counties which occurred after this date, it can be said that these districts were the scene of the most tenacious Hungarian armed resistance during the second intervention. A detailed account of the fighting in all districts cannot be given, but considerable material has been received on the over-all situation. The primary objective of the Soviet forces would appear to have been the capture and control of the city. They did not enter the outlying industrial districts except to the extent that they had to go through them when following the main highways. In the morning of 4 November, the centres of fighting were on the highway to Vác and on the other highways radiating southwards to Csepel Island. The Soviet troops, equipped with armoured cars, light and heavy tanks, and self-propelled artillery, were faced, as in the city, with fighting on street corners against anti-tank guns, odd pieces of artillery, machine guns and incendiary hand grenades. The freedom fighters were always outnumbered, but, according to the evidence, when the situation became desperate they would withdraw and reappear from another street to hit the tail end of an advancing armoured column. In some cases the Soviet troops had to leave their tanks to clear road obstructions, giving the freedom fighters an opportunity to attack them with side arms. It appears that the situation on 4 and 5 November was one of constant harassment of the Soviet columns. The Soviet armoured units opened fire on all buildings along avenues and streets and inflicted heavy casualties among non-combatants. Several tenements and workers' apartment buildings collapsed as a result of cannon fire, with twenty to fifty people trapped in the cellars.

201. In many districts the factories, such as the Kőbánya Beer Factory, the Ganz Works, the Electric Bulb Factory and the Csepel Steel Plant, were arsenals for the Hungarians. The fighting, however, varied in the different districts, according to the heavy weapons and ammunition available. Witnesses testified that action would continue until all artillery shells were exhausted. Then the freedom fighters, carrying their side arms, would either join up with another group, or go into hiding. The Soviet forces, on the other hand, had a superabundance of fire power, and it was not necessary for the Soviet Army to employ all the armoured units which it had at its disposal.

202. The fighting in the 20th district—Pestszenterzsébet and Soroksár—was organized under one command and lasted from the morning of the 4th until the evening of the 8th. Sporadic fighting then continued until the morning of the 11th. Radio Station "Róka", which was heard outside Hungary up to 8 November, was located in this district and did much to maintain the morale of the freedom fighters. Soroksár Avenue joins Csepel and the Tököl military airport with the capital. Soviet troops soon gained control of this Avenue, but they were subjected to harassment and their losses of men and materials were reported to be high. The Soviet troops undertook a number of punitive sorties in the side streets, killing many non-combatants and destroying many buildings. During these attacks, the Committee was told, the Soviet troops would shoot indiscriminately at anything, even if it were not a legitimate target. Examples described to the Committee included a bread line of women and children, standing outside a bakery, which was shot at on 4 November. On 7 November a Red Cross ambulance was destroyed by machine gun fire; the wounded and the nurses in it were killed.

203. The Revolutionary Council of Csepel constituted another centre of resistance. It is noteworthy that certain witnesses, former members of the Revolutionary Council of Csepel, testified before the Committee that they and other members of the Council had advocated on the eve of the second intervention that, in case of a Soviet attack, the Csepel workers should not resist. The Soviet forces, it was thought, were bound to win, and any resistance would be a futile sacrifice of life. The workers, however, made it clear that such a suggestion was unacceptable to them. In the outcome, the battle of Csepel was the hardest-fought of all, for the workers were united in their determination to fight and were well provided with weapons. Since Tököl airport would be isolated from Budapest unless the Csepel workers were subdued, the Soviet

Command was forced to break their resistance. Between 4 and 9 November, fighting went on incessantly in the area as a whole, although at various points only intermittently. The freedom fighters maintained an effective organized armed resistance in most of the area throughout these five days. On the 7th there was a concentrated artillery barrage against the whole area, supplemented by aerial bombardment. The next day an emissary from the Soviet Commander asked the freedom fighters to surrender. They refused, and the fighting continued. The following day, the 9th, another emissary stated that unless the insurgents surrendered no one would be spared. This was also rejected. The shelling was intensified by artillery units converging from the north and by the heavy guns now stationed on the Gellért Hill. At 2 p. m. the Soviet forces used anti-personnel rocket mortars causing great destruction to the factories, installation and surrounding buildings. At 6 p. m. the Revolutionary Council decided to end the fighting. Their ammunition was practically exhausted. With the cessation of hostilities in Budapest, it was possible for the Soviet forces to concentrate on Csepel. There was some shooting the next day—the 10th—but the armed resistance was, to all intents and purposes, over, as the Soviet tanks had by then occupied all the plants and warehouses which were formerly the bases of resistance.

E. FIGHTING IN THE PROVINCES

204. While the objectives of Soviet strategy were the suppression of the Hungarian national movement and the overthrow of the Nagy Government, which had been called upon to implement the demands of the insurgents, it was the apparent aim of the Soviet High Command to avoid clashes wherever possible. Thus, throughout the whole of southern Hungary, from Békéscsaba in the east to Körömend in the west—with the notable exception of Pécs—there was no actual fighting during the revolution. The absence of resistance was due to a variety of reasons:

(a) In the towns and villages where no Soviet or Hungarian troops were stationed, the Revolutionary Councils which came into being between 25 and 30 October could not secure any weapons. In most cases there was no immediate need for them, as the local members of the AVII had complied with the request that they turn over their offices and remain in their homes. At the time of the second intervention, these Revolutionary Councils had no weapons in store with which to effect armed resistance;

(b) In such towns as Szeged, where troops were usually garrisoned, special steps had been taken by Soviet Intelligence to neutralize the senior officers of the Hungarian Army. It was thus possible for the Soviet troops to ensure from the outset that no weapons reached the insurgents. This was also the case in Kecskemét, where the commander of the Hungarian garrison, who was a Soviet-trained officer, had taken the necessary measures to keep his unit as such inactive during the uprising.

205. A full account of events throughout the country would run to great length, nor would it add to the conclusion that, irrespective of the degree or duration of military resistance by the Hungarian people, the overwhelming majority of them were determined to see their demands put into effect. The description here given will therefore be limited to the events in a few provincial centres which are broadly representative of what happened in the provinces during the second intervention.

206. At Pécs, the chief city of Baranya county, and an important centre due to its proximity to the uranium mines, nothing of any military significance occurred between 23 October and 1 November. The AVII did open fire on the first demonstrators, but during a second demonstration on 1 November, it was forced to surrender and the Revolutionary Council took over all the functions previously discharged by Communist Party officials. A declaration of policy drawn up by the Council demanded as its first point the withdrawal of the Soviet troops. It also called for the exploitation of the uranium mines by the Hungarian State. On the evening of 1 November, the Soviet officials of the uranium mines were asked to leave with their families; they were sent by truck to Szekszárd, where some Soviet units were stationed. During the next two days, everything was quiet at Pécs and the Revolutionary Council went to work to reorganize the various public services. After 1 November, however, reports regarding the systematic build up of Soviet troops at Dombóvár, some 25 kms north of Pécs, created an atmosphere of anxiety. Before the Russians returned, the uranium mines were flooded.

207. By the evening of 3 November, it was obvious that the Soviet troops intended to take military action against the insurgents. The commander of the Hungarian forces in Pécs, who had originally agreed to fight in case of a Soviet attack, decided during the night to disarm his troops. The Revolutionary Council, in order to avoid the destruction of the city, resolved to resist in the hilly regions surrounding Pécs. On the morning of 4 November, the Soviet troops took over the city. In the meantime, some 5,000 volunteers—mostly miners and students carrying arms and ammunition—joined the insurgents in the Mecsek mountains. The Soviet troops made numerous sorties against the positions of the insurgents but, owing to the mobility of the latter and their lightning guerrilla tactics, the Soviet troops suffered many casualties and, for some three weeks, were unable to subdue the insurgents. On the 8th, the insurgents attacked a convoy and killed the Commander of the Soviet forces. Day by day, they harassed the Soviet troops by commando raids and, though the insurgents had lost many men, it was mainly lack of ammunition that forced them to give up the fight and escape across the border to Yugoslavia. The Committee was informed by two witnesses that many of the Hungarian wounded, who were to be sent down from the mountain hospital by Red Cross ambulances, never reached their destination alive. One witness stated that two wounded freedom fighters were taken out of a truck by Soviet troops, made to kneel in a public square with their hands tied behind their back and were then shot with a sub-machine gun. This isolated instance, however, could not be checked by the Committee.

208. The events during the uprising at the important industrial centre of Dunapentele are particularly noteworthy because of the representative character of its population. After the war, it rapidly developed from a small village into an industrial city under the name of Sztálinváros. Steel foundries, iron works and chemical industries caused its industrial population to grow to 28,000 by 1956. It was the most important experiment undertaken by the Party in its industrialization programme and was considered to be one of the main strongholds of Communism. On 24 October the workers decided to follow the example of Budapest. They organized a Revolutionary Council to represent them and established Workers' Councils in the various factories. The next day, during a demonstration, the AVH opened fire on the crowd, killing 8 people and wounding 28. During the next two days, there was more fighting with the AVH, who were now barricaded in the Army barracks. On the 29th, a helicopter landed on the barrack-ground and a Soviet official with his family, the senior officers of the AVH and two senior Hungarian officers were flown away. Shortly afterwards, a deputation from the barracks declared that the Army was on the side of the revolution.

209. The following days were spent in organizing the activities of the Revolutionary Council and in the military training of some 800 workers. Radio "Rákóczi", which was transmitting from Dunapentele after 4 November, was repeatedly heard asking for assistance in weapons and equipment. It called on Radio Free Europe to pass on these appeals for outside assistance against the Soviet intervention and also retransmitted the appeals of other "free" Hungarian stations. On the 5th, Radio "Rákóczi" appealed to the International Red Cross for medical supplies. On the 6th, a Russian armoured unit stopped on the outskirts of the town and asked for the surrender of the insurgents. The commanding officer, with an AVH interpreter, was escorted into the town and met the leaders of the Revolutionary Council. It was pointed out to him that the insurgents were not "fascists" or "capitalist agents" but principally workers, many of whom had been staunch supporters of the Communist Party. To convince him of this he was asked to hear two card-bearing members of the Party from the crowd which was assembled outside. These men explained that they had been taught to believe that the Soviet Union defended human rights and was the liberator of the peoples. They declared they wanted now to be free of Soviet intervention and had demanded the abolition of the AVH. When the Soviet officer stated that he had to carry out his orders, the two Communist freedom fighters tore up their Party cards and threw them at his feet. The Soviet Commander withdrew, stating that he would take no action against Dunapentele until he received new orders. Nevertheless, the next day—7 November—the Soviet forces attacked the town from three directions using a large armoured force, self-propelled guns and tactical air force. The battle lasted all day, but the freedom fighters held strongly organized positions and were able to withstand the onslaught. By the evening of 8 November, the ammunition had been exhausted and most of the fighters were ordered to go into hiding. Some 300 men with side arms managed to escape during the night.

They continued armed resistance in the countryside until 11 November when it was decided to disperse, as any further resistance appeared to be futile.

210. It was reported that during the fighting in Dunapentele the factories did not suffer as much as the living quarters of the population, where considerable damage was done by bombing. The freedom fighters lost 240 men during the fighting; 12 tanks and 8 armoured cars of the Soviet forces were destroyed. Witnesses stated before the Committee that the purpose of the workers' resistance in Dunapentele was to demonstrate that all Hungarians wanted to see their country freed from external domination. Witnesses were emphatic in pointing out that, irrespective of creed or party affiliation, the factory workers, with the officers and men of the garrison, were entirely united in their objectives and that throughout the period 25 October to 8 November no one, except the members of the AVII, dissented from the policies of the Revolutionary Council.

211. In the county of Veszprém, northwest of Lake Balaton, the Revolutionary Council, having consolidated its position by 26 October, concerned itself principally with political and administrative matters, as military questions appeared to be less pressing. There had been no fighting in the county with Soviet troops during the first intervention except at Várpalota, where the miners, in attacking the AVII, had also killed three Soviet political advisers. However, the Veszprém Revolutionary Council assisted in the formulation of a co-ordinated policy with the other Transdanubian provincial councils, for the purpose of creating a military command to protect Transdanubia in case of a second military intervention. Its first act was to purge from its membership four of the five officers who had been originally elected, on suspicion of maintaining contacts with the Soviet forces; it elected instead a soldier and the head of the County Police, thus setting up, according to the testimony received, a Council which was truly representative of all sections of the population of the province. The next three days were devoted to political negotiations for the resumption of work and for the organization of the National Guard. By Saturday, 3 November, however, the systematic build-up of the Soviet forces within the county had become so apparent that the National Guard, consisting of students, workers and soldiers, made hasty preparations in the city of Veszprém in anticipation of a Soviet attack. This attack came at 5 a. m. the next morning. For two and a half days the National Guard, besieged in the old city of Veszprém, fought against greatly superior Soviet forces which had launched the attack from three directions. By midday of 6 November, the ammunition of the insurgents was exhausted. About 40 Hungarians and possibly an equal number of Russians had lost their lives. The battle caused considerable destruction in the city, including damage to buildings of historical and artistic significance. Most of the insurgents were able to escape and attempted to hide their side arms. However, by the evening Soviet trucks were being loaded with students seized from their homes and taken to unknown destinations. According to the evidence, by 1 December none of these students had been returned. At the end of the battle, it was reported that some Soviet troops, in a spirit of revenge, entered the University buildings and destroyed the chemical equipment in the laboratory.

212. At Miskolc, the university and industrial city of northeast Hungary, military action during the second Soviet intervention differed in some respects from that in western Hungary. This no doubt can be attributed to the presence in the area of Soviet troops who were moving constantly in and out of the city, since Miskolc is on one of the arterial roads between Budapest and the northeastern frontiers. The presence of the Soviet troops tended to make it impossible for the insurgents to organize a resistance plan based on the city itself. This same problem confronted the insurgents of other cities in eastern Hungary, and as there was no time for organized resistance in the countryside, armed resistance in eastern Hungary did not endure as long as in Pécs, Dunapentele and Veszprém. The passage of troops through the city in the early morning of Sunday, 4 November, was not unusual, and the attack against the University buildings, one of the principal centres of the uprising in the city, was to some extent a surprise. The students fought for about one hour with whatever weapons had been given them. Several students were killed and the Soviet troops also suffered a number of casualties. The Committee was told that, when the fighting was over, many students were seized by the Soviet troops and taken to an unknown destination. On the other hand, troops of the National Guard, who were fighting through the day in Miskolc and the Hejösaba district, retreated towards the Bükk mountains. In the city itself fighting went on until the afternoon when the Revolutionary Council of Borsod County was obliged to capitulate.

213. From various sources of information, including radio reports emanating both from the "free" stations within Hungary and from those coming under the control of Soviet forces, it is possible to conclude that the Soviet troops during the night of 3 to 4 November advanced in a forced march from Dunaföldvár and possibly Baja towards Kaposvár and Nagykanizsa which were captured with little or no resistance. From Szombathely northwards there was fighting throughout the day of 4 November. Battles took place in the north at Győr, on the Győr-Sopron road and on the Győr-Hegyeshalom road against parachute troops and forces crossing the Czechoslovak frontier possibly through Rajka. At Komárom on the Danube, Hungarian military units with freedom fighters fought throughout the day against powerful Soviet units attacking from Hungarian territory and from Czechoslovakia across the Danube bridge. At Tatabánya, the miners fought with weapons which they had received from the Army. At Székesfehérvár, the Hungarian military garrison, after breaking through the Soviet encirclement, moved to positions in the Vértes mountains, while others proceeded southwest towards the Bakony mountains. There they established bases for guerrilla operations against Soviet troop movements along the highways connecting Budapest with western Hungary. The students of the Zrínyi Military Academy of Budapest and the Budapest armoured brigade fought valiantly in the Mátra mountains against an armoured division. The information regarding the crossing of the Danube by Soviet troops at other points east of Komárom is considered unreliable in view of the fact that for a period of more than ten days various Hungarian units were able to move from the northeast between the Bükk and Mátra mountains across the Danube to the southwestern chain of the Vértes mountains.

214. The fighting round the Danubian military centres of Szolnok, Kecskemét and Kalocsa is illustrative of the Soviet control exercised over the Hungarian Army. These three garrisons were, throughout the period of the revolution, under the command of pro-Soviet officers. As the strength of the Soviet troops was increasing from 1 November, the Hungarian garrisons were unable to assist the local National Guard as other garrisons had been able to do. At the outbreak of hostilities on 4 November, the barracks at Szolnok were surrounded and the Soviet tanks inflicted many casualties on the Hungarian troops who were taken by surprise. At Kecskemét and Kalocsa there was no fighting in the town, but a number of officers and men were able to break through the encirclement, and for many days fought with the freedom fighters in the Danubian plain, inflicting damage on the Soviet forces and supplies moving on the highways.

F. CONCLUSIONS

215. A survey of the movement of Soviet forces in Hungary during the period from 29 October to 4 November shows that, irrespective of the assurances given to Premier Nagy by Soviet political personalities, there existed a definite plan for the re-conquest and military subjugation of Hungary. This plan in fact was carried through fully. Contrary to the contentions of the Soviet Government that the Hungarian revolution was inspired by capitalist elements residing outside Hungary, the Committee cannot but conclude that the Hungarian resistance to the second Soviet intervention was a heroic demonstration of the will of the Hungarian people to fight for their national independence.¹⁹

¹⁹ The Committee is not in possession of what it would regard as reliable figures for the casualties that occurred during the Hungarian uprising. From an official Hungarian source (The Hungarian Central Statistical Office (*Statisztikai Szemle*), issue number 11-12, Volume XXXIV, of November-December 1956, p. 929), it is stated that the number of all registered deaths from October through December 1956 was 27,000, i. e. 10 per cent higher than in the same months of 1955. The number of people who died in the fighting, according to this source, can be estimated at some 1,800-2,000 in Budapest and 2,500-3,000 in the whole country. Among those who died in the fighting between 23 October and 30 November and whose deaths had been registered up to 1 January 1957, 84 per cent were men and 16 per cent women. More than one-fifth of these people were under twenty years of age, 28 per cent were between twenty and twenty-nine years old, 15 per cent between thirty and thirty-nine years old and 15 per cent between forty and forty-nine. In the provinces, the greatest number of deaths in the fighting occurred in the counties of Pest, Győr-Sopron, Fejér and Pécs-Kiskún.

The same official Hungarian source has stated that about 13,000 wounded (11,500 in Budapest) were treated in hospitals and clinics up to the end of November. In addition, doctors, ambulances and first-aid stations are said to have rendered first-aid to a large number of slightly wounded people. It is possible that the above figures do not present a complete picture. Some sources have placed the number of dead and wounded far above that suggested by the Hungarian Government. Speaking in the Indian Parliament on

CHAPTER VI. THE POLITICAL CIRCUMSTANCES OF THE FIRST MILITARY INTERVENTION

A. INTRODUCTION

216. In its Interim Report the Committee pointed out that further investigation was called for as to the exact circumstances and timing of the "decision" to invite the assistance of Soviet troops. As explained in that report, Imre Nagy's nomination as Chairman of the Council of Ministers on Wednesday morning, 24 October, was announced over the radio before the announcement of the call for Soviet assistance; and in a broadcast address in the evening of 25 October, Mr. Nagy referred to the intervention of Soviet troops as "necessitated by the vital interests of our socialist order". However, in a statement of 30 October and in subsequent statements Mr. Nagy denied responsibility for, or connivance of, the decision to invite the Soviet forces.

217. The Committee has looked carefully into the significance of these denials. Mr. Nagy was in fact not yet Prime Minister when, in the early hours of 24 October, the first Soviet tanks arrived in Budapest to quell the uprising. Quite apart from this, the Committee has received evidence that, for almost three days after he was appointed Prime Minister, Mr. Nagy was Prime Minister in name only: he was in fact not present at the Office of the Prime Minister in the Parliament but was detained in the Communist Party Headquarters.

B. THE POPULARITY OF IMRE NAGY

218. Mr. Imre Nagy, who is sixty-three years old and of peasant stock, became a member of the Communist Party in 1918, and had to leave Hungary during the Horthy régime. He lived in Moscow for about fifteen years until he returned to Budapest with the Soviet Army in 1944, and was appointed Minister of Agriculture in the first post-war Government: in this capacity he implemented the land reform. He became Minister of the Interior in November 1945 and later held other portfolios. In July 1953, after Stalin's death, he became Prime Minister, replacing Stalin's protégé Rákosi. During his time as Prime Minister he succeeded in improving the life of the workers and peasants by slowing down the expansion of heavy industry, by stopping forcible collectivization and the persecution of the "kulaks". But what perhaps made him even more popular was that he took a firm and effective stand against the illegalities of the police and the judiciary, and condemned unlawful administrative methods and excesses and crimes committed by the Government and the Communist Party officials. He succeeded in having a large number of the survivors released. Conditions for other political prisoners were improved and enforced displacements inside Hungary were brought to an end.

219. Mr. Hegedüs took over as Prime Minister in April 1955, and Mr. Nagy was immediately expelled from the Politburo and later from the Party. In the beginning, he lived more or less in retirement, but later he began to write and established contacts with intellectuals, peasants and workers. Inside the Communist Party he thus became a leader for the anti-Stalinist groups and the advocate of a policy of liberalization. He was admired beyond the limited circle of Communists. Several non-Communist witnesses stated to the Committee that, though he was a Communist, they still considered him to be "a good Hungarian", and an honest, able and courageous man, though, some said, a poor politician. Mr. Nagy appears to be endowed with certain warm human qualities which appealed to the masses.

220. On 4 October he sent a letter to the Central Committee²⁰ in which he demanded to be reinstated in the Party. Expelled—so he affirmed—in violation of the Party's statutes, he asked that ideological and political accusations against him should be discussed in public before a leading Party forum. In the course of this debate, he was ready to acknowledge his real errors, while calling for the rectification of unfounded accusations. Evoking his forty years' activity

13 December, Mr. Nehru said that, from such information as he had received, "it would appear that about 25,000 Hungarians and about 7,000 Russians died in the fighting". The Committee, however, received the impression that this figure may well be too high. On many occasions, efforts were made by the Committee to obtain precise knowledge of the casualties occasioned by the uprising. This did not prove to be possible, and it may well be some time before accurate figures are available. According to a doctor in the biggest hospital, 80% of the wounded were saved.

²⁰ *Szabad Nép*, 14 October 1956.

within the Party, Mr. Nagy declared his agreement with the Party's main political line: that the entire national economy should be based on socialism in the spirit of Marxism-Leninism, but in accordance with the special conditions existing in Hungary. He was equally in agreement with the Leninist principle of democratic centralism: as a member of the Party, it was his duty to bow before its decisions, even if he did not agree with them. Finally, he was in agreement in principle with the objectives of the Central Committee's resolution of July 1956 looking towards socialist democracy in the spirit of the 20th Congress of the Communist Party of the USSR, and although differing in opinion on certain points, he held the resolution to be binding on him. Mr. Nagy's position had already become a focal point in the discussions going on amongst the intellectuals and students during the months preceding the uprising. He was in fact re-admitted to the Party on 13 October and shortly afterwards to his Chair as Professor of Agricultural Economy; but this did not satisfy the public. It became one of the demands adopted by the students and the writers on 22-23 October, that Mr. Nagy should be included in the Government and again become a member of the Politburo.

C. DOUBTS ARISE ABOUT MR. NAGY'S POSITION

221. On Tuesday evening, 23 October, Mr. Nagy and his son-in-law, Mr. Ferenc János, a Protestant Minister, were brought to the Parliament by some friends in response to the persistent demand of the people crowded before the Parliament Building that they wanted to see Imre Nagy. Upon Mr. Nagy's arrival, Ferenc Erdei, asked him to try to calm the crowd. Mr. Nagy's short address was not too well received, perhaps partly because few seemed able to hear him. A little later that evening, shortly after 9 p. m., the shooting began at the Radio Building.²¹

222. Everything the Hungarian public learnt about Mr. Nagy during the next few days was gathered from the radio. It was the content and the arrangement of the radio reports and announcements which caused doubts with regard to Mr. Nagy's position.

223. Ernő Gerő, the First Secretary of the Central Committee of the Hungarian Workers' (Communist) Party, in his radio speech at 8 p. m. on 23 October, which infuriated the people of Budapest, had stated that the Politburo decided to convene the Central Committee during the next few days.²² However, at 10.22 p. m. the same evening, after the beginning of the shooting, it was announced that the Central Committee would meet immediately in order to discuss what action to take. This announcement was preceded by a statement that "Comrade Imre Nagy is now conferring with youth delegates and several deputies".

224. The radio made no mention of the fighting until early Wednesday morning at 4.30 a. m. on 24 October, when an announcement allegedly signed by the Council of Ministers was broadcast. It stated that "Fascist, reactionary elements have launched an armed attack on our public buildings and on our armed security formations . . . Until further measures are taken, all meetings, gatherings, and marches are banned . . .". The same announcement was read over the radio twice during the next few hours; however, the word "Fascist" was replaced by the word "counter-revolutionary".

225. At 8.13 on Wednesday morning an official statement was broadcast to the effect that the Central Committee had recommended that the Praesidium of the People's Republic elect Mr. Nagy as Chairman of the Council of Ministers while Mr. Hegedüs was to become First Deputy Chairman instead of Prime Minister.²³ It was also announced that Mr. Nagy had been elected member of the Politburo of the Central Committee of the Communist Party. It was not clear from the announcement whether the Praesidium had already elected Mr. Nagy Prime Minister, or if so, at what time he had taken over his functions.²⁴ However, half an hour later, at 8.45 a. m., an announcement was read over the Radio which was said to be signed by "Imre Nagy, Chairman of the Council of Ministers". It stated that:

²¹ See chapter X for a fuller account.

²² *Szabócs-Szatmári Néplap*, 24 October 1956.

²³ An article in *Egyetemi Ifjúság* on 29 October stated that Mr. Nagy only learned on 24 October at 6 a. m. from a telephone call he had from the office of the Hungarian Writers' Union, that he had become Prime Minister.

²⁴ Mr. István Dobi, Chairman of the Praesidium of the Hungarian People's Republic, stated before the National Assembly on 9 May 1957 that the Praesidium on 24 October "elected Imre Nagy Prime Minister".

"The Council of Ministers . . . has ordered that summary jurisdiction shall be applied throughout the country to acts calculated to overthrow the People's Republic and to acts of revolt; incitement, appeal and conspiracy to revolt; murder; manslaughter; arson; possession of explosives; crimes committed with explosives; indirect crimes; the use of force against the official authorities; the use of force against private individuals and the illegal possession of arms. Crimes in the categories coming under summary jurisdiction are punishable by death. This order comes into force immediately."

226. Fifteen minutes later, at 9.00 a. m., another announcement was read declaring that "the dastardly armed attack of counter-revolutionary gangs during the night has created an extremely serious situation . . . The Governmental organs were unprepared for these bloody dastardly attacks, and have therefore applied for help to the Soviet formations stationed in Hungary under the terms of the Warsaw Treaty".²⁵ The Government also appealed to the inhabitants to keep calm and to support everywhere the Hungarian and Soviet troops who were maintaining order. The statement concluded: "The liquidation of the counter-revolutionary gangs is the most sacred cause of every honest Hungarian worker". There was no indication given as to the source of this official announcement or as to whose signature, if any, it bore; but many listeners received apparently the impression that it was an announcement of the new Imre Nagy Government, since it was made shortly after the announcement regarding the establishment of this Government and the broadcast of the decree of summary jurisdiction which was said to be signed by Mr. Nagy.

227. Several witnesses have stated that they felt immediately that this was a fraud, since the Russian tanks had appeared in Budapest and had participated in the fighting hours before these announcements. For some it was particularly difficult to believe that Imre Nagy, who had been a champion of legality, should have signed the decree under which the mere possession of arms would come under summary jurisdiction and be punishable by death. However, it is certain that even many of those who had admired Mr. Nagy began to feel uncertain about his true feelings.

228. Their suspicion increased when at noon they heard Mr. Nagy address the nation over the radio as follows:

"People of Budapest, I inform you that all those who, in the interest of avoiding further bloodshed, lay down their arms and cease fighting by 2 p. m. today will be exempted from prosecution under summary jurisdiction. At the same time, I state that, using all the means at our disposal, we will realize as soon as possible the systematic democratization of our country in every field of Party, State, political and economic life on the basis of the June 1953 Programme. Heed our appeal, stop fighting and secure the restoration of calm and order in the interest of the future of our people and our country * * *."

229. Mr. Nagy in this address also spoke about "hostile elements" who had "joined the ranks of peacefully-demonstrating Hungarian youth" and "turned against the People's Democracy, against the power of the people." He asked listeners to "line up behind the Party, line up behind the Government." This speech strengthened the impression that Mr. Nagy actually had signed the decree of summary jurisdiction and was in full control.

230. More doubt was sown when Mr. Nagy made another radio speech next afternoon, 25 October, at 3.25 p. m. shortly after it had been announced that Mr. Kádár had replaced Mr. Gerő as First Secretary of the Central Committee of the Party. He said:

"In this address as Premier, I wish to announce that the Hungarian Government will initiate negotiations on the relations between the Hungarian People's Republic and the Soviet Union, and, among other things, concerning the withdrawal of the Soviet forces stationed in Hungary. These talks will be carried out on the basis of Soviet-Hungarian friendship, proletarian internationalism and equality and national independence between Communist Parties and Socialist countries. I am convinced that Hungarian-Soviet relations resting on this basis will provide a firm groundwork for the future friendship between our peoples, for our national development and our Socialist future. The recall of those Soviet forces whose intervention in the fighting has been necessitated by the vital interests of our Socialist order, will take place without delay after the restoration of peace and order."

²⁵The following is the original Hungarian text of this last sentence: "A kormányzati szervek nem számoltak a véres orvátmadásokkal s ezért segítségért fordultak a varsói szerződés értelmében a Magyarországon tartózkodó szovjet alakulatokhoz".

231. The phrase: "has been necessitated by the vital interests of our Socialist order" was obviously apt to create the impression that Mr. Nagy was at least in sympathy with the invitation to the Russian forces.

232. The many appeals, which during the first days of the uprising were issued by Prime Minister Nagy, or at least in his name, to the workers and the students to cease fighting, had little effect, partly on account of the doubts which had arisen with regard to Mr. Nagy's integrity and true position. It might well be that Mr. Nagy could have stopped the fighting at a much earlier stage, if it had not been for the compromising position in which Mr. Gerö had placed him in linking his name with the invitation to the Soviet forces and the decree of summary jurisdiction. Witnesses explained to the Committee how it took many visits of delegations of students, workers and other fighters to Mr. Nagy, and long discussions with him, to restore their confidence; it was not until the last days of October that most of them recognized him as the leader and heeded his appeals to re-establish order.

D. DELEGATIONS' LIMITED ACCESS TO PRIME MINISTER NAGY BEFORE 29 OCTOBER

233. A delegation from the Hungarian Writers' Union attempted to find Mr. Nagy in the Parliament during the critical night between 23 and 24 October, but was refused admission to see him. The radio stated at 10.03 on Tuesday evening that "Comrade Imre Nagy is now holding discussions with youth representatives and several deputies,"; but there is no indication that this was correct. In fact, it is known to the Committee, as will be described in detail later in this chapter, that Mr. Nagy at that time was kept incommunicado in the Communist Party Headquarters in Akadémia Street; and it appears that no delegation had the opportunity to see him until the early evening of Thursday, 25 October. A meeting then occurred in unusual circumstances. The account of this meeting and of subsequent meetings with Mr. Nagy will be given for the light which they throw on the problem of the extent to which Mr. Nagy was a free agent at this juncture.

234. The meeting on 25 October took place as follows: Some of the demonstrators had taken over a printing plant, the *Red Spark*, to print the sixteen points which were distributed all over the city. They had elected six representatives to take charge of the press, and it was decided that four of these should bring a printed copy of the sixteen points to Prime Minister Nagy. After contacting Communist Party Headquarters, they were taken by armed guards to the cellar of the Headquarters building, where they were interrogated. They indicated that they were representatives of the workers of Újpest and Angyalföld who wanted to speak to Imre Nagy. After a moment, Mr. Nagy appeared and sat down at a table facing the delegation; behind him, according to the evidence, were fourteen or fifteen persons armed with sub-machine guns.

235. After having read the sixteen points, Mr. Nagy said that they were all part of his programme, that the four delegates should feel reassured and go home and attempt to calm the crowd, because they were going to achieve all the points. The delegation was not satisfied. Mr. Nagy was asked whether the date of 30 December for the withdrawal of the Soviet troops was part of his programme. He replied that they should be grateful to the Soviet authorities, and that withdrawal was not a simple matter; it was naive to ask for a definite date. The delegation asked when the AVH would be demobilized and the criminals among them brought to trial before legal courts. Mr. Nagy answered that the Security Police Organization had to be reformed and reorganized; this was part of his programme, but they should not put forward such a demand; the delegation should have confidence in him, because he was as good a Hungarian as they were. At this and other points in his speech, according to the witnesses, Mr. Nagy implied doubt as to whether what he said was really what was in his mind.

236. The next day, Friday, 26 October, in the early evening, another delegation saw Mr. Nagy. The Chairman of the Revolutionary Council of South Budapest, who was a member of this delegation, has testified to the Special Committee about this later meeting which took place in the Parliament Building; Mr. Nagy—as will be described later—had just been able to move there from the Communist Party Headquarters after Mr. Gerö and Mr. Hegedüs had fled. The delegation consisted of eight members, including several workers, a university student, a grocer and a farmer. Besides Mr. Nagy his son-in-law, Mr. Jánosi, and Mr. Erdei were present, and also two other people who were not

introduced, and who, as the delegation later found out, were members of the AVH.

237. The Committee presented Mr. Nagy with a memorandum from South Budapest. It contained the demands which were being expressed by Revolutionary and Workers' Councils all over the country—withdrawal of Soviet troops; renunciation of the Warsaw Pact; abolition of the AVH; organization of political parties; free elections; and the establishment of a coalition Government under Mr. Nagy. Mr. Nagy read aloud several of the points, but received the delegation somewhat coldly. He promised nevertheless to carry out their demands as far as possible. As to free elections, these would have to be delayed until the question could be discussed by the Parliament. The delegation replied that, since this Parliament had been elected on the basis of a single list of candidates, it was in no position to decide whether there should be free elections. Mr. Nagy made no answer to this observation.

238. Two days later, on Sunday, 28 October, when the delegation again saw Mr. Nagy, the AVH guards in civilian clothes were still present; but he was reported to be more at ease and to have declared that he thought he would be able to effect a cease-fire on the basis that the Soviet forces should leave Budapest; the Government would start negotiations about complete withdrawal of Soviet troops; the competence of the Revolutionary Councils would be recognized by the Government; the Workers' Councils would be set up in factories and the political parties would be re-established; as to free elections, Parliament would have to discuss this further. Mr. Nagy emphasized that, in his opinion, the new course would have to be based on socialism founded on Marxism, and that there could be no question of a rightist deviation.

239. On 29 October, the Chairman of the South Budapest Revolutionary Council again went to see Mr. Nagy because he had received reports that, after the cease-fire had been announced, new Soviet troops were crossing the Hungarian border from Romania and Czechoslovakia. At the beginning of this meeting, Mr. Nagy pointed out that the delegation would notice that the two people in civilian clothes were no longer present; they had been observers from the AVH, who had guarded him until the AVH had been disbanded; this was the first opportunity that he had had to speak to a delegation without his speech being observed and controlled by the Communist Party through the AVH. He could give them no assurance, he said, that the Soviet troops would leave Budapest, because it did not depend on him. He also asked the delegation to be careful not to demand too much because thereby all would be lost: the USSR would then fear that Hungary would leave the Communist axis, and would simply refuse to withdraw.

240. During this period up to 28 October, Mr. Nagy was reported by Radio Budapest and Radio Miskolc to have received three other delegations, including a delegation of the workers of Borsod County. These reports, however, throw no light on the question of control exercised over Mr. Nagy.

E. MR. NAGY'S DENIALS

241. During the meeting just described on 29 October, Mr. Nagy was asked according to testimony, how he could find the calling in of the Soviet troops compatible with his conscience. Mr. Nagy then pointed out to the witness that it would in fact have been impossible for him to have called in the Soviet troops, since they had arrived in Budapest around or even before the time that he was appointed Prime Minister. Mr. Nagy also stated to the witness that the first addresses that he made over the radio after he became Prime Minister were made with a gun at his back. Other witnesses testified that they had heard Mr. Nagy make the same statement.

242. The first public explanation of the position of Mr. Nagy was given in an article in one of the students' revolutionary publications²⁶ on 29 October, which stated that Mr. Nagy had been separated from the people by the "Gerő clique" which had issued orders in his name and without his knowledge, and had prevented him from acting; now that he was a free agent, his action would justify the opinion that he was a good Hungarian and "the man of our revolution". The invitation to the Soviet military forces was attributed in the article to Mr. Nagy's predecessor as Prime Minister, Mr. Hegedüs. On 30 October the following announcement was broadcast:

²⁶ *Egyetemi Ifjuság*, 29 October 1956.

"Hungarians! To our common grief and our common shame, two official decrees have been the source of passionate upheaval and of much bloodshed. The first was the calling to Budapest of the Soviet troops; the other was the disgraceful imposition of summary jurisdiction . . . Before history, and fully conscious of our responsibility, we herewith declare that Imre Nagy, President of the Council of Ministers, had no knowledge of these two decisions. Imre Nagy's signature is neither on the resolution of the Council of Ministers asking for Soviet military aid, nor on the decree proclaiming summary jurisdiction. These two decrees are on the consciences of Andras Hegedüs and Ernö Gerö. They bear full responsibility for them before the nation and before history!"

243. The next day, Wednesday, 31 October, the radio repeatedly reported an address which Mr. Nagy had made the same afternoon to "a vast crowd" in Kossuth Square, in which he said:

"My dear friends: We are living in the first days of our sovereignty and independence. We eliminated tremendous obstacles from our way. We have expelled the Rákosi-Gerö clique from the country. They will answer for their crimes. They even tried to besmirch me by spreading the lie that it was I who called the Russian troops into the country. This is an infamous lie. The Imre Nagy who is the champion of Hungarian sovereignty, Hungarian freedom and Hungarian independence did not call in these troops. On the contrary, it was he who fought for their withdrawal."

244. In the evening the radio also reported that the Students' Revolutionary Council under the watchword "Our trust lies in Imre Nagy", had issued a leaflet which stated as follows:

"Confidence was shaken for two or three days but is now stronger than ever. It has come to light that for two days Imre Nagy was a prisoner of the AVH and made his first broadcast statement with an automatic pistol pointed at his back. His recent statement revealed that it was not he who ordered summary jurisdiction and the intervention of Soviet troops. Gangsters of the Rákosi-Gerö type made this allegation to bring about his downfall."

The leaflet demanded that Mr. Nagy should take steps to ensure the withdrawal of Soviet troops from Hungary and concluded: "As Imre Nagy satisfies the people's legitimate demands, so will our confidence in him grow."

245. The same evening Radio Vienna broadcast a taped interview in German with Mr. Nagy, transcribed the same afternoon in Budapest, in which, in answering a number of questions, he declared that it was not he who had invited the Soviet troops to move into Budapest, nor had he subsequently approved of their invitation.

F. MR. NAGY'S DETENTION IN THE COMMUNIST PARTY HEADQUARTERS

246. The Committee has received detailed eye-witness testimony about the events which took place in the Communist Party Headquarters in Akadémia Street from the morning of Wednesday, 24 October, when Prime Minister Nagy was brought there, to Friday afternoon, 26 October, when Mr. Gerö and Mr. Hegedüs left the building in Soviet tanks.

247. After Mr. Nagy had unsuccessfully addressed the crowds in front of the Parliament on Tuesday evening, 23 October, he was asked to see Prime Minister Hegedüs. Mr. Hegedüs was one of his worst enemies, but after some hesitation, Mr. Nagy went to Mr. Hegedüs' room. There he met Mr. Gerö, who attacked him bitterly, saying that what was happening was of Mr. Nagy's own making and that "now you can stew in your own juice". Mr. Nagy protested and pointed out that on several occasions he had told the Party and the Government not to play with fire. A violent argument ensued. Mr. Nagy was then asked to go with the Communist leaders to the Party Headquarters, but refused to do so, since he was not a member of the Politburo; he demanded in this connection to be rehabilitated in front of the people against the calumnies of the Party leaders. However, when he descended the stairs, he and his son-in-law, Mr. Jánosi, were taken in a car to Party Headquarters in the neighboring Akadémia Street.

248. It is not clear at what time on Wednesday morning Mr. Nagy was told that he had been made Chairman of the Council of Ministers. However, witnesses have reported that he stated to them that he protested against becoming Prime Minister.

249. During Wednesday, Thursday and most of Friday, 24, 25 and 26 October, Mr. Nagy was, according to the evidence received by the Special Committee, in

the Party Headquarters. During the first part of this period he was not allowed to see anyone from the outside, nor to receive or make any telephone calls. He was, during part of this time, kept locked in a room with his son-in-law.

250. Reports were received in the hours before noon on Wednesday, 24 October that armed demonstrators were moving towards Parliament and the Party Headquarters. Mr. Gerö became disturbed in spite of the fact that both buildings were protected by Soviet tanks. According to a witness, he dictated a speech and handed it out to Mr. Nagy, saying: "Go and read this into the tape recorder". Mr. Nagy read the text and is reported to have declared that he would never make such a speech, even if his refusal cost him his life. According to a witness, the opening words were, "You rebel fascist bandits," and the text continued with similar abusive words and included references to martial law.

251. Meanwhile, more and more reports were coming in showing the increasing seriousness of the situation. Mr. Gerö, in a somewhat different tone, then asked Mr. Nagy why he did not make some changes in the text himself. Mr. Nagy did so, and the draft went back and forth several times between him and Mr. Gerö and was amended. Mr. Nagy then made the modified speech into a tape recorder, and the tape was immediately taken to be broadcast.

252. Mr. Nagy's address, which was broadcast during the evening of 25 October, was made by the tape recorder under similar circumstances. Mr. Nagy is alleged to have again refused to read the draft prepared by the Party leaders and consented only after a number of changes had been made.

253. During Wednesday, Thursday and Friday, Mr. A. Suslov, Member of the Praesidium of the Central Committee of the Soviet Communist Party, and Mr. A. I. Mikoyan, Soviet Vice Premier, came several times for discussions with Mr. Gerö and other Party leaders. In spite of the fact that it had been announced Wednesday morning that Mr. Nagy had been appointed Prime Minister and elected member of the Politburo, he did not, according to witnesses, participate in these conferences and was only called in for a few minutes at the end of the meetings to be told the results.

254. On Thursday, 25 October, Mr. Suslov and Mr. Mikoyan held a meeting with Party leaders just about the time the crowd was assembling before the Parliament Building demanding to see Mr. Nagy. Great confusion and panic were caused at the Party Headquarters. The AVH gave assurances that they would defend the leaders and prepared a room in the cellar: thither the conference was transferred. It was on this occasion that it was decided that Mr. Kádár should replace Mr. Gerö as First Secretary of the Party. This change, however, according to a witness, had little effect inside the building. Mr. Kádár seemed to have no authority, and Mr. Gerö continued to make the decisions and to speak to Mr. Nagy and everyone else in the same tone as previously.

255. During Friday, 26 October, reports came in that an increasing number of people were joining the fighting and that more and more towns in the provinces had begun to rise, especially in the industrial centres. Mr. Gerö and Mr. Hegedüs became increasingly nervous. None of the Party leaders had left the Headquarters until then, but had slept in the offices. During the afternoon, first Mr. Hegedüs and then Mr. Gerö left the building. They took care to leave in such a way that they would not immediately be missed. It was later reported that they had been taken away in Soviet tanks. Press reports, which the Committee have been unable to verify, have stated that they were taken to Moscow. So far as the Committee is aware, neither Mr. Gerö nor Mr. Hegedüs have made any public statement since then.

256. When late in the afternoon of 26 October it became clear that Mr. Gerö and Mr. Hegedüs had left the Party Headquarters, Mr. Nagy moved to the Parliament Building with Mr. Erdei and his own son-in-law. However, Mr. Nagy, as described in the previous section, was for another two days surrounded by AVH officers until Sunday, 28 October. The Parliament Building also continued during this period to be surrounded by Soviet tanks.

257. According to an interview with the Chief of the Budapest Police, Sándor Kopácsi, which appeared on 2 November in the newspaper *Magyar Világ*, Mr. Nagy "was in the Parliament Building for two days in the captivity of the AVH". Mr. Kopácsi added that he sent a representative to the Parliament Building to insist to the AVH officers that "the free movement and free activity of the Prime Minister was a national interest", and that the armed units of the police would enforce this freedom if the AVH did not discontinue the curb on his freedom of action and movement. Thereupon the AVH "gave in".

258. The evidence establishes that Mr. Nagy was in no sense in a position to act in accordance with his own judgment from 24 October to 28 October. But it would doubtless be equally mistaken to conclude that Mr. Nagy was prevented from identifying himself with the uprising from the start solely by the pressures to which he was subjected. There is little reason to believe that, at the outset, Mr. Nagy was aware of the manner in which the situation would develop or that he foresaw that he was destined to become a leading figure. He was restored to the office of Prime Minister not as the result of any personal initiative on his part, but because his appointment suited the immediate purposes of Mr. Gerö, aware as he was that, in the tense circumstances of the morning of 24 October, the Communist régime needed to be adorned with the façade of a leader acceptable to popular opinion. From that moment, Mr. Nagy tended to become, seemingly against his expectation, the symbol for the Hungarian people of their unity. Nevertheless, in the days immediately after 24 October, he appeared to be hesitating between loyalty to his Marxist training, backed by an apparatus of force, on the one hand, and association with the cause of his countrymen, on the other. His predicament between 24 and 28 October is by no means wholly explained by *force majeure*. From his Marxist and Communist anchorage, he was carried along by events beyond his control, gradually aware of the intensity of the passions which the uprising had evoked and the reality of the grievances which it expressed, and gradually convinced that he must accept the responsibilities thrust upon him by circumstances.

G. WAS AN INVITATION ACTUALLY EXTENDED?

259. It is excluded, by reference to considerations of time, that the Imre Nagy Government could have invited the Soviet forces to intervene in Budapest on the morning of Wednesday, 24 October. Another question which has called for consideration is whether Mr. Hegedüs' Government, which preceded Mr. Nagy's, might have called for Soviet military assistance during Tuesday, 23 October, when the demonstrations in Budapest began.

260. In the light of the political circumstances in Hungary, the question may, however, be posed from another angle. It may well be necessary to inquire not which President of the Council had placed his signature on the invitation to Soviet troops—if such a document existed—but rather what, in the political system of the People's Republic of Hungary, was the organ or person authorized to take such a step. From the terms of the Hungarian Constitution, it would appear that the Council of Ministers, with the concurrence of the Praesidium, was competent to assume such a responsibility. But the text of the Constitution affords little guidance to the actual operation of the régime. The Hungarian Constitution is silent as regards the Central Committee and other organs of the Workers' (Communist) Party. Such a role as the right to recommend to the Praesidium the Chairman and members of the Council of Ministers does not appear in the Constitution, although at the time of its promulgation the system had already been in operation. No article deals with the secret power of the Central Committee of the Party which reduces the Chairman and the members of the Council of Ministers to what a witness described as "puppets" bound to accept the views of the Communist hierarchy and to put into application its decisions. It was not Mr. Hegedüs, but Mr. Gerö, the First Secretary of the Central Committee of the Party who, before the reunion of the Central Committee, alone was sufficiently powerful to take such a decision, whether or not he consulted his colleagues of the Politburo at the meetings of the Politburo on 23 October. The legal niceties might well have been forgotten in the circumstances and Mr. Gerö might have decided to proceed directly instead of through the Government of Mr. Hegedüs. Mr. Hegedüs, according to the testimony of witnesses, could not possibly refuse a request made by Mr. Gerö. According to existing procedure, the Council of Ministers was nominated by the Party, and no nomination by the Party has ever been known to be rejected. The Central Committee of the Party was able to dominate the Council of Ministers.

261. If such an invitation was extended, it must presumably have been extended at a time when there was no reason to believe that the demonstration planned for that afternoon would lead to shooting. The first Soviet tanks arrived in Budapest at 2 a. m. Wednesday morning; no sizeable tank units were stationed closer than Cegléd and Székesfehérvár, 70 km. from Budapest. There are also indications from the numbering of tanks and from other evidence, that many of the tanks had arrived from places much farther away from Budapest.

262. There is evidence that floating bridges were assembled on the river forming the border between the USSR and Hungary as early as 20-21 October and Soviet military forces crossed the border at 1 a. m. on 24 October. There is evidence that Soviet troops in Romania were alerted on 21-22 October. In this connexion it is relevant to recall that Prime Minister Hegedüs and First Secretary Gerö, together with several other Ministers and other high Communist Party officials, were absent from Hungary on a visit to Yugoslavia from 13 October until the late morning of Tuesday, 23 October. It will also be noted that in the unsigned official announcement which was broadcast on Wednesday morning, 24 October, shortly after the announcement of the nomination of Mr. Nagy as Prime Minister, it was only stated that the Government had called "upon the Soviet forces stationed in Hungary".

263. The Committee has sought in vain for evidence that an invitation was in fact extended. No such evidence, however, has appeared. Two witnesses have testified that Mr. Gerö on 25 October attempted to have Mr. Nagy sign an ante-dated document inviting the Soviet forces, and that Mr. Nagy wrote in the corner of the paper: "I do not accept this. I will not sign it."

264. Mr. D. T. Shepilov, then Foreign Minister of the USSR, stated on 19 November 1956 in the General Assembly that "the telegram received by the Council of Ministers of the USSR from the Prime Minister of the Hungarian People's Republic on 24 October 1956 stated:

"On behalf of the Council of Ministers of the Hungarian People's Republic, I request the Government of the Soviet Union to send Soviet troops to Budapest to put an end to the disturbances that have taken place in Budapest, to restore order quickly and create conditions favourable to peaceful and constructive work." ²⁷

265. Mr. Shepilov did not state who had signed the message. It is indeed difficult for the Committee to understand how Soviet tanks could arrive in Budapest at 2 a. m. on Wednesday morning, 24 October, in response to a request received by the Government of the USSR on the same day.

H. CONCLUSIONS

266. In this chapter the Committee has set out fully the evidence presented to it on the problem whether the intervention of Soviet forces on the morning of 24 October took place in response to a request by the Hungarian Government. In this matter the following conclusions would seem reasonable:

(1) Statements made by the Hungarian authorities and by the Government of the USSR regarding the character of the request to Soviet forces to intervene lack precision, are regarded discordant, and not easily reconcilable with known facts regarding the timing of troop movements.

(2) The Chairman of the Council of Ministers during whose period of office, according to public pronouncements, the acts of military intervention were effectively pursued, if not initiated, has subsequently denied having called in the Soviet forces.

(3) The evidence establishes that the Chairman of the Council of Ministers was not able to exercise his full powers during the days immediately following 24 October.

(4) It may be that the invitation to the Soviet forces was extended by Mr. Hegedüs, while still Chairman of the Council of Ministers, at the behest of the First Secretary of the Communist Party. No clear evidence that such was the source of the request has however been forthcoming.

(5) The act of calling in the forces of a foreign State for the repression of internal disturbances is an act of so serious a character as to justify the expectation that no uncertainty should be allowed to exist regarding the actual presentation of such a request by a duly constituted Government.

CHAPTER VII. THE POLITICAL BACKGROUND OF THE SECOND SOVIET INTERVENTION

A. INTRODUCTION

267. The purpose of this chapter is to consider the political situation in Hungary immediately before the second Soviet intervention of 4 November 1956 and the circumstances in which that intervention took place.

²⁷ A/PV. 582. See also chapter VIII.

268. Chapter V of the report has recounted the military aspects of the conflict which was precipitated by the renewed assault of Soviet forces on the city of Budapest and their movement against other Hungarian cities in the early hours of the morning of Sunday, 4 November 1956. The explanation broadcast to the Hungarian people by Mr. János Kádár at 6 a. m. (CET) that morning, to the effect that his newly formed Revolutionary Worker-Peasant Government had requested the Soviet Army Command to help "in smashing the sinister forces of reaction" was repeated the following day by the Army Command itself with the additional comment that Mr. Nagy's Government "had disintegrated and did not actually exist". Whether the character of the uprising or the political achievements of Mr. Nagy's Government were such as to afford any justification for renewed recourse to armed action, either by Hungarian or by Soviet authorities, are matters on which the evidence made available to the Committee will be more fully set out in chapters IX and XII. While these aspects are touched on in the present chapter, its essential purpose is to present the data assembled by the Committee which bear on the establishment of a Government headed by Mr. János Kádár.

269. The legitimacy of the second Soviet intervention on 4 November has been asserted by the Government of the USSR on the grounds of the invitation said to have been received from the new Hungarian Government, while Mr. Nagy's Government proclaimed that the real object of the attack was in fact to overthrow the properly constituted Hungarian Government. Two alternative readings of events are thus prominent in the descriptions of what took place on 4 November. One of these represents the Soviet action as a response to a request by a new Hungarian Government unable to maintain order at home without such assistance. The other reading sees a flagrant attack by Soviet troops on a people increasingly united behind its real Government in an effort to reshape its political life.

270. In considering the situation obtaining in Hungary at the moment when Soviet troops intervened for the second time, the role of Mr. Kádár is of crucial importance. It is alleged that Mr. Kádár left the Nagy Government as early as 1 November, with the intention of forming the Revolutionary Worker-Peasant Government. In its Interim Report,²⁸ the Committee drew attention to the significance of the problem of the circumstances surrounding the formation of this Government and indicated that it would constitute a central element in the investigation. The Committee is now in a position to report more fully on the facts. On this aspect of the Committee's investigation, however, the Governments of the USSR and of Mr. Kádár are alone in a position to afford full and conclusive evidence; and the Committee regrets that, even on this aspect, the Governments of the USSR and of Mr. Kádár have declined to respond in any way to the request of the General Assembly for their co-operation. In this chapter, the Committee is concerned with summarizing the evidence made available to it which throws light on the formation of Mr. Kádár's Cabinet and the invitation which is said to have been issued to the Soviet forces.

B. THE POLITICAL POSITION OF MR. KÁDÁR PRIOR TO 4 NOVEMBER

271. After the resignation of Mr. Rákosi as First Secretary of the Central Committee, Mr. János Kádár, who had been persecuted under the outgoing leader, found himself in a position of growing importance within the hierarchy of the Party. The meeting of the Central Committee of the Hungarian Workers' Party of 24 October re-elected Mr. Kádár as one of the thirteen members of the new Politburo and as one of the three Secretaries of the Central Committee. The Politburo, at its meeting on 25 October, appointed Mr. Kádár as the First Secretary of the Central Committee, in succession to Ernő Gerő.

272. Mr. Kádár had played an important role in the past. He had been an active member of the Communist Party since 1929. His ascent to power commenced after the compulsory merger of the Communist Party and part of the Social Democratic Party in June 1948. He became a member of the Central Committee and of the Politburo, and when László Rajk became Foreign Minister, Mr. Kádár succeeded him as Minister of the Interior. According to evidence, Mr. Kádár played an important role in the Rajk case. It was stated by witnesses that, some time before the trial, Mr. Kádár, in conversation with Rajk, asked him to make a false statement against himself, promising that he would be permitted to live under a different name. Nevertheless, as Minister of the

²⁸ Document A/3546.

Interior, Mr. Kádár was one of the four persons who signed the order for the execution of Rajk.

273. Mr. Kádár served as Minister of the Interior until the summer of 1950, and was re-elected to the Central Committee and the Politburo at the beginning of 1951. In April 1951, he was arrested on charges of espionage, high treason, and national deviationism. He remained in prison until August 1954, during which period he was subjected to severe tortures by order, and under the direct supervision, of Vladimír Farkas, Lieutenant-Colonel of the AVH. On his release, he was not permitted immediately to participate in political life, but he resumed political activities in the spring of 1956, when he took part in the conversations on behalf of the Hungarian Workers' Party with Imre Nagy and his associates, who earlier had been denounced by the Rákosi régime. In these conversations, Mr. Kádár insisted that Imre Nagy should engage in severe self-criticism before being readmitted to the Party. Rákosi succeeded in delaying the readmission of Mr. Kádár to the Central Committee. According to a witness, the conversation between Mr. Kádár and Rajk, to which reference was made above, had been recorded, and the recording was played back by Rákosi in May 1956 before the members of the Central Committee. On 18 July, however, after the fall of Rákosi, Mr. Kádár was readmitted to the Central Committee as well as to the Politburo, and became Secretary of the Central Committee. In this latter capacity, Mr. Kádár led a Hungarian delegation to the Seventh Congress of the Chinese Communist Party, which opened in Peking on 15 September 1956, and was a member of the Hungarian delegation to Yugoslavia under the leadership of Mr. Gerő on 14 October.

274. In some of the statements emanating immediately before the revolution from the League of Working Youth (DISZ)—the youth branch of the Hungarian Workers' Party—the demand was made that János Kádár be given greater influence. The apparent popularity of Mr. Kádár could be explained by the fact that he had been on record as favouring certain changes in the organization of the Party and was particularly emphatic in condemning the atrocities of the AVH. On the other hand, there could be no doubt of his continued devotion to the Communist Party and its discipline and of his attachment to the maintenance of close ties with the Soviet Union. Thus, his enhanced position in the political area on 25 October could be considered a tentative step by the Central Committee to meet the demands of the people of Hungary regarding the abolition of the AVH and the need for reforming the Hungarian Workers' Party.

275. On 24 October, at 8:45 p. m., Mr. Kádár, speaking over the radio, condemned the uprising as an "attack by counter-revolutionary reactionary" elements, and supported the Central Committee and the Government for having adopted "the only correct attitude". More than a month was to elapse before Mr. Kádár would speak again in such terms about the uprising; at that moment Mr. Gerő was, according to testimony given by a number of witnesses, still effectively in power. The following day, when he succeeded Mr. Gerő as the First Secretary of the Central Committee, Mr. Kádár allied himself more closely with the aspirations of the uprising. In a radio announcement that afternoon, he stated, with reference to the "settlement of pending questions" between Hungary and the USSR, that the Central Committee had proposed to the Government that, after the restoration of order, negotiations should be undertaken with the USSR "in a spirit of complete equality, friendly co-operation and internationalism". He added that, after the restoration of order, the Party leadership was ready to resolve all those "burning questions whose solution cannot be any more postponed".

276. As the military situation developed in favour of the insurgents on 26 October, the Central Committee, succumbing to the pressure of circumstances, presented proposals for the formation of a new Government, under the leadership of Imre Nagy, which would be based on the "broadest national foundations". It also approved the setting up of Workers' Councils in the factories "with the co-operation of the trade union organs". Changes in the "management of national economy, agrarian policy, and the policy of the People's Patriotic Front and the Party leadership" were to be put into effect for the sake of achieving a true socialist democracy. The declaration ended: "In consultation with the entire people, we shall prepare the great national programme of a democratic and socialist, independent and sovereign Hungary . . .".

277. By 28 October the Central Committee of the Party had lost its position of dominance. Its acceptance of, and adaptation to, the outlook of the Hungarian people as a whole, was carried further. The Government had been reorganized on the previous day, and the Central Committee proceeded to make further

basic adjustments to meet the pressing demands of the successful insurrection. In a radio statement, the Committee announced that, "in view of the exceptional situation", the Committee had transferred the mandate which it had received from the Third Congress of the Party to lead the Party, to a six-member Praesidium, with János Kádár as Chairman, and Antal Apró, Károly Kiss, Ferenc Münnich, Imre Nagy and Zoltán Szántó as members. The mandate of this Praesidium was to remain valid until the Fourth Congress, which was to be convened as soon as possible. The significance of this development was pointed out in a commentary on Budapest Radio later in the evening, which declared that: "events not today, but for some time, had proved that the Central Committee was incapable of conducting the affairs of the country in accordance with the wishes, efforts and interests of the Hungarian people. The actions of the Central Committee did not even correspond to the will and demands of the Communists, among them the Party officials. As a matter of fact, Party workers had been for some time dissatisfied with the Central Committee . . . they saw that everything happened later than it should have happened, when the masses were ready to resort to coercion . . . But until now the Communists had no right even to express their opinion about developments in their own Party. This has changed and a new climate exists today in which it is possible to live, to think, and to work freely, thus to realize Party democracy in the real Leninist sense. . . . What happened taught us a sad lesson but . . . the Stalinist methods belong now to the past and we must approve . . . the new six-member Party Praesidium composed of the best and most honest members of the Central Committee . . . At the Fourth Congress of the Hungarian Workers' Party, such a Central Committee should be elected which will decisively, openly and consistently serve the interests of our people, the Hungarian people . . ."

278. No less indicative of the changed attitude was an editorial in the *Szabad Nép*, the central organ of the Party, on the same day; it attacked statements made during the past few days that events in Hungary were nothing but a "counter-revolutionary fascist attempt at a *coup d'état*" and declared the uprising to be "a great national democratic movement which unites and welds together the whole people, suppressed by the despotism of the past years". The editorial continued:

"This movement expressed the workers' claim to become genuine masters in the factories; it also expressed the human claim of the peasantry to be freed from the constant uncertainty of existence and unwarranted vexations, and to be able to live their lives as individual or co-operative peasants according to their inclinations or desires. The struggle waged by Communist and non-Party intellectuals for the freedom of constructive work and the moral purity of our system has strengthened this movement. It was love of country which gave this people's movement its greatest strength, warmth and passion, which was willing to face even death. The demand for the equality and independence of the country is as all-embracing as the mother tongue which we speak."

279. The breakdown of the Communist structure became complete by 30 October, when Mr. Kádár, following Messrs. Nagy, Tildy and Erdei, stated over the radio that all members of the Praesidium of the Hungarian Workers' Party were in agreement with the Government's decision to abolish the one-party system. Addressing the people as "my fellow workers, working brethren and dear comrades", Mr. Kádár said that he personally was in wholehearted agreement with the previous three speakers, his "acquaintances and friends, my esteemed respected compatriots". His appeal was addressed to "those Communists who joined the ranks of the Party because they believed in the progressive ideal of mankind, socialism, and not because they were in pursuit of individual interests: together with whom we represent our pure and just ideals by pure and just means". Mr. Kádár added: "The ranks of the Party may waver, but I do not fear that pure, honest and well-meaning Communists will be disloyal to their ideals. Those who joined us for selfish personal reasons, for a career or other motives will be the ones to leave". Mr. Kádár recognized that the Party might have to start afresh but that, having freed itself of the burden of the crimes of some of its past leaders, it would now be in a more favourable position for the tasks which lay ahead, "to resume work and production, and to lay the foundations of peace and order. It is with prestige won in this manner that they will gain the respect of our fellow citizens".²⁹ In the evening Mr. Kádár announced that the reorganization of the Hungarian Workers' Party was proceeding.

²⁹ *Népszava*, 31 October 1956.

280. During this investigation, evidence has been placed before the Committee regarding Mr. Kádár's political outlook at this juncture. There is no doubt that Mr. Kádár continued to remain a convinced adherent of basic Marxist-Leninist principles regarding the method to achieve a new classless society of workers and peasants. He was faced with the fact, however, that the insurrection was manned, in its vast majority, by workers who, according to all reports, were fully supported by the peasants. It became apparent even to convinced Communists that the uprising was a spontaneous and unorganized movement of a people united in protest against a situation which the Hungarian Workers' Party had been unable to remedy. It seemed therefore that in order to salvage the Communist Party in Hungary, major adjustments in policy were urgent and essential. The Party itself needed to change its name, and the Preparatory Committee decided to name it the "Hungarian Socialist Workers' Party".³⁰

281. At around 9.50 p. m. on 1 November, one day after the evacuation of Soviet troops from Budapest, Mr. Kádár read over Budapest Radio the message of the Preparatory Committee addressed to the "Hungarian workers, peasants and intellectuals". He admitted that the Party had degenerated into despotism and had brought the whole nation to slavery through the "blind and criminal policy" of the Hungarian representatives of Stalinism who had frittered away the "moral and ideological heritage" accumulated in the past by honest struggle and the sacrifice of blood. In the glorious uprising, "the Communist writers, journalists, university students, the youth of the Petöfi Club, thousands of workers and peasants, the veteran fighters who had been imprisoned on false charges, fought in the front line against the Rákosi despotism and political hooliganism". However, affairs had now reached the crossroads between stabilizing the achievements of the past and facing open counter-revolution. "We do not fight so that the mines and factories should be snatched from the hands of the working class, and the land from the hands of the peasantry . . . foreign armed intervention may bring to our country the tragic fate of Korea. . . . In these momentous hours the Communists who fought against the despotism of Rákosi have decided, in accordance with the wish of many true patriots and socialists, to form a new party which 'on the basis of national independence' . . . [would] build fraternal relations with every progressive socialist movement and party in the world". The new Party would defend such achievements as land reform and nationalization and the cause of socialism and democracy, "not by slavishly imitating foreign examples, but by taking a road suitable to the economic and historic characteristics of our country, the line of the teachings of Marxism-Leninism, scientific socialism, changes free of Stalinism and any kind of dogmatism, and taking into account the revolutionary and progressive traditions of Hungarian history". The Preparatory Committee, consisting of Ferenc Donát, János Kádár, Sándor Wopácsi, Géza Losonezy, György Lukács, Imre Nagy and Zoltán Szántó, would start to reorganize the Party and would convene as soon as possible a National Congress for the foundation of the Party. The Party, he said, would publish a central organ, the *Népszabadság*. Mr. Kádár then appealed "to the newly-formed democratic parties and first of all to the other Party of the workers, the Social Democratic Party", with the request to "overcome the danger of the menacing counter-revolution and intervention from abroad by consolidating the Government". The people of Hungary had proved their intention unflinchingly to support the Government's efforts aimed at the complete withdrawal of the Soviet forces. "We do not want to be dependent any longer; we do not want our country to become a battlefield".

282. This statement would seem to have reflected the feelings of the great majority of the people. The evidence is, however, conclusive that Mr. Kádár's apprehensions regarding the danger of the uprising leading to a reactionary movement for the reinstatement of the political and economic system existing in Hungary prior to 1945 were entirely without foundation; they represented no more than the reiteration of a mental attitude inherited from the past and in no way reflecting a considered judgement of the present. The grounds for asserting the illusory character of Mr. Kádár's belief in the danger of counter-revolution have been outlined in a previous chapter. At this stage Mr. Kádár's apprehension of counter-revolution was but a minor note of dissent in his broad acceptance and justification of the achievements of the uprising—an attitude which he apparently shared with the other members of the Preparatory Committee of the Hungarian Socialist Workers' Party who presumably represented on 1 November the ablest and most devoted Communists in Hungary.

³⁰ *Magyar Szocialista Munkáspárt.*

283. Evidence of Mr. Kádár's attitude at this time is also provided by an interview with Mr. Kádár published by *Igazság*, organ of the Revolutionary Hungarian Army and Youth on 1 November 1956. Mr. Kádár said that, within the Central Committee, the militant elements had struggled against the criminal policy of Rákosi and his companions, who had dishonored the name of the Party. The members of the Party should regard as their fundamental task the maintenance and development of the main achievements of the people, in unity with all the workers, and particularly the socialist democratic workers. The Praesidium of the Party, he said, condemned not only the political distortions of the former leadership, but also its bureaucratic methods in the Party and the State. The quotation continues: "We consider that this insurrection, which became a mighty movement of the people, was caused chiefly by the indignation and embitterment of the masses with a harmful policy and ill-fated methods". Notable also are the views which continued to be expressed by the newly-founded newspaper of Mr. Kádár's newly-founded Party. In its second issue, on 3 November, *Népszabadság* stated that the new Party would no longer be able to accept organization from above, but would have to build from below. Party membership would no longer carry with it "a splendid post or any lofty position. . . . We now stand before the country fewer in number, but purified. . . . Nevertheless, let us not look now for what divides us from, but what unites us with, the newly-formed parties and their programmes". Another article in the same issue stated that "it was under the pressure of opposition from within the Party that the leadership was forced to celebrate the reinterment of the unjustly executed martyrs. . . . Now after the defeats of the Rákosi-Gerő clique, the opportunity to drive away the criminals has been created. Let us not allow new illegalities to be committed; let us see to it that after an objective trial by local tribunals the criminals receive due punishment." *Népszabadság* of 3 November also expressed approval of the declaration of Imre Nagy regarding the neutrality of Hungary and the withdrawal of Soviet troops.

284. Such were the considered and publicly expressed views of Mr. Kádár and his reorganized party almost to the eve of the second intervention by Soviet armed forces; nor is there known any contrary note sounded by him till his tateful message broadcast in the early hours of 4 November.

C. MR. KÁDÁR'S RELATIONS WITH MR. NAGY

285. There is indeed evidence that Mr. Kádár was working in close collaboration with Mr. Nagy during the days from 25 October to at least 1 November. He delivered a broadcast with him on 25 October, recognized his leadership in a statement of 26 October, appeared again with him before the microphone on 30 October, and, on the same day, became a member of Mr. Nagy's Government. On the following days he took part in the discussions which Mr. Nagy had with the representatives of Workers' Councils and various Revolutionary Committees which came to see him in the Parliament Building. Though his participation was not so prominent as in the case of Mr. Béla Kovács or Mr. Zoltán Tildy, his attitude appeared to indicate, according to all reports, agreement with the statements made by the Prime Minister and his colleagues. It appears that, on 1 November, following Mr. Nagy's abrogation of the Warsaw Treaty, a meeting was held between Premier Nagy and the Soviet Ambassador, Mr. Andropov, in the presence of Mr. Kádár. A discussion is said to have taken place between Mr. Nagy and the Ambassador, in the course of which the former indicated that his Government stood firm regarding its declaration of foreign policy. In the discussion Mr. Kádár is reported to have given support to Mr. Nagy, stating to the Ambassador that he realized that his future was now obscure, but that as a Hungarian, he would be prepared personally to fight, if necessity required it. He has been quoted as saying: "I will come down into the streets and use my bare hands to fight against your tanks". Witnesses have testified that at the time he was visibly under great emotional strain and demonstrably sincere in his statement. The Soviet Ambassador departed shortly after, and those present shared the conviction that the Government had stood its ground and had shown collective solidarity vis-à-vis the representative of the USSR.

286. According to *Igazság* of 1 November, Mr. Kádár conducted negotiations, in the presence of Imre Nagy and Ferenc Münnich, with Mr. Mikoyan and Mr. Suslov on the withdrawal of the Soviet troops. These negotiations took place at the Headquarters of the Hungarian Workers' Party. Mr. Mikoyan and Mr. Suslov returned to Moscow immediately afterwards.

287. After the broadcast announcement at about 9:50 p. m. on 1 November, in connexion with the establishment of the Hungarian Socialist Workers' Party, Mr. Kádár went to his home. Witnesses stated that, some time before 10 p. m., Mr. Münnich asked that a car be made available to him from the car pool attached to the Parliament Building. He picked up Mr. Kádár and together they proceeded to the Soviet Embassy. It was reported that outside the Embassy, they entered another car, which was parked behind that in which they had arrived. Thereafter, Mr. Kádár, though appearing at times in the Parliament Building on 2 November and, seemingly, during the early hours of 3 November, took a less active part in the entourage of Mr. Nagy than hitherto. In the main, the evidence indicated that Mr. Nagy and his colleagues did not entertain suspicions of disloyalty on the part of Mr. Kádár at that time. Witnesses have declared that Mr. Nagy, upon hearing in the early hours of the morning of 4 November that Mr. Kádár had established a government, showed astonishment and even disbelief.

288. In considering the political change which formed the background of the second Soviet intervention, account must be taken of the difficulty of reconciling Mr. Kádár's attitude up to the evening of 1 November and his subsequent conduct which amounted to the repudiation of the principles to which he had subscribed as a member of Mr. Nagy's Government. The problem is of importance in assessing Mr. Kádár's claim to have established a government on or around 4 November. Mr. Münnich's statement of 4 November that he, János Kádár, Antal Apró and István Kossa had severed all their relations on 1 November with the Government of Mr. Nagy in order to initiate the formation of the Hungarian Revolutionary Worker-Peasant Government, is at variance with the facts which became known to the Special Committee. It is true that the Nagy Government of 27 October, as reconstituted on 30 October by the establishment of an Inner ('Narrower') Cabinet, was the beginning of the elimination of many Communist members such as Mr. Münnich, Mr. Horváth, Mr. Apró and Mr. Kossa—all four of them former adherents to the Rákosi-Gerő group. Their eventual elimination was due to the fact that they were unacceptable to the Revolutionary Committees which pressed for the reconstitution of the Government. As a first step, the Inner Cabinet of 30 October placed power in the hands of Premier Nagy and his five immediate collaborators; one of these newly appointed members was Mr. Kádár. Moreover, the Government as further reconstituted on 3 November included Mr. Kádár. So far as the Committee is aware, at no time did he formally resign from the new Nagy Government.

D. THE OVERTHROW OF MR. NAGY'S GOVERNMENT

289. Between 3 and 4 o'clock on the morning of 4 November, a representative in Budapest of a provincial Revolutionary Council is reported to have gone to the Parliament Building to inform Mr. Nagy that Soviet troops had entered the chief city of his province and that the Council was urging that they be granted permission to fight. This representative is understood to have been the first to inform Mr. Nagy that Mr. Kádár has established at Szolnok a new pro-Soviet Government. Premier Nagy himself called up the Revolutionary Committee of the Army and was told that the information appeared to be correct. A meeting of the Cabinet was hastily called; Mr. Riley, Mr. B. Szabó and Mr. Bibó were, it would appear, the only members immediately available at the Parliament Building; Mr. Losonczy arrived a little later. Mr. Nagy briefly gave them the news, and it was decided forthwith that the Government should take immediate action by announcing its stand and by alerting the Hungarian forces. The announcement of the formation of a rival Government was made at 5.05 a. m. in an open letter "to the Hungarian working nation" read over the radio, dated Budapest, 4 November, in which Mr. Ferenc Münnich said that Messrs. Antal Apró, János Kádár, István Kossa and he himself had broken away from the Nagy Government on 1 November and had taken the initiative of forming the Hungarian Revolutionary Worker-Peasant Government. They had taken this action, he said, because "within the Government of Imre Nagy . . ." they "could do nothing against the counter-revolutionary danger"; that "respected champions of the working class movement" and "many respected sons of the working class and peasantry have been exterminated"; that "we could no longer watch idly" while "the entire nation came under the yoke of counter-revolution for a long time to come"; they had "decided to fight . . . Fascism and reaction and its murderous gangs". The statement concluded, "We appeal to every loyal son of our People's Democracy, every follower of

Socialism—first of all the Communists . . . to support . . . the Hungarian Revolutionary Worker-Peasant Government and its struggle for the liberation of the People”.

290. Mr. Nagy would appear to have been first made aware of the change in the Soviet attitude by the interruption of the negotiations which were being carried on regarding the withdrawal of Soviet forces. These negotiations had been commenced during the afternoon of 3 November at the Parliament Building in the presence of Mr. Nagy.³¹ The Hungarian delegation was composed of Mr. Ferenc Erdoi, Minister of State; General Pál Maléter, Minister of Defence; and General István Kovács, Chief of the General Staff, and Colonel Miklos Szucs. The Soviet representatives were Generals Malinin, Cherbanin and Stepanov. The afternoon discussions, which had proceeded in an atmosphere of mutual friendliness and trust, had resulted in an agreement to meet again at Soviet Headquarters at Tököl, on Csepel Island, at 10 p. m. to continue discussion on technical questions regarding the withdrawal of the Soviet forces. Discussion proceeded till about midnight on minor points, such as the ceremony of withdrawal and the replacement of Soviet memorials. Regular reports were sent to Mr. Nagy regarding the progress of these talks. Towards midnight, telephone contact with the Hungarian delegation at Tököl, was broken off. Reconnaissance parties sent towards Tököl by General Király also failed to return. The Committee has been informed that the discussions between the Soviet military delegation and the Hungarian military delegation at Tököl were in fact interrupted by the entry of a personage “who bore no insignia of rank”—General Serov, Chief of the Soviet security police. Accompanied by Soviet officers, he announced that he was arresting the Hungarian delegation. The head of the Soviet delegation, General Malinin, astonished by the interruption, made a gesture of indignation. General Serov thereupon whispered to him; as a result, General Malinin shrugged his shoulders and ordered the Soviet delegation to leave the room. The Hungarian delegation was then arrested. In vain, therefore, did Mr. Nagy, at 5.56, broadcast an appeal to Generals Maléter and István Kovács and other members of the mission to return to their posts at once to take charge of their offices.

291. At 5.20 a. m., Premier Nagy made the following statement from Free Radio Kossuth, Budapest: “This is Imre Nagy speaking, the President of the Council of Ministers of the Hungarian People’s Republic. Today at daybreak Soviet troops attacked our capital with the obvious intention of overthrowing the legal Hungarian democratic government. Our troops are in combat. The Government is at its post. I notify the people of our country and the entire world of this fact.” By that time cannon could be heard at various points in the outskirts of the city. The announcement was repeated in several languages and was followed by the Hungarian Anthem. Mr. Nagy’s next act was, according to a witness, to dictate the following statement:

“This fight is the fight for freedom by the Hungarian people against the Russian intervention, and it is possible that I shall only be able to stay at my post for one or two hours. The whole world will see how the Russian armed forces, contrary to all treaties and conventions, are crushing the resistance of the Hungarian people. They will also see how they are kidnapping the Prime Minister of a country which is a Member of the United Nations, taking him from the capital, and therefore it cannot be doubted at all that this is the most brutal form of intervention. I should like in these last moments to ask the leaders of the revolution, if they can, to leave the country. I ask that all that I have said in my broadcast, and what we have agreed on with the revolutionary leaders during meetings in Parliament, should be put in a memorandum, and the leaders should turn to all the peoples of the world for help and explain that today it is Hungary and tomorrow, or the day after tomorrow, it will be the turn of other countries because the imperialism of Moscow does not know borders, and is only trying to play for time.”

292. Two hours later Free Radio Kossuth was still broadcasting on behalf of the Nagy Government. At 7:14 a. m. it made the following announcement in Hungarian and Russian. “The Hungarian Government requests officers and soldiers of the Soviet Army not to shoot. Avoid bloodshed! The Russians are our friends and will remain our friends also in the future.”

293. News was then broadcast of the convening of the emergency meeting of the Security Council. It was followed at 7:57 a. m. by the following appeal of the Hungarian Writers’ Union: “This is the Hungarian Writers’ Union! We

³¹ *Magyar Fügetlencsg*, 3 November 1956.

appeal for help to writers, scholars, writers' associations, academies, scientific organizations and the leaders of intellectual life all over the world. Our time is limited! You all know the facts, there is no need to explain them. Help Hungary! Help the Hungarian people! Help the Hungarian writers, scholars, workers, peasants and intellectuals Help! Help! Help!" This appeal was repeated in English, German and Russian.

294. At 8:07 Free Radio Kossuth went off the air, although a silent carrier wave could still be detected until 9:45 a. m.

295. With the launching of the Soviet attack, the members of Imre Nagy's Cabinet dispersed. Mr. Nagy is understood himself to have left the Parliament Building with the intention of proceeding to the Soviet Embassy to protest; but he is known to have arrived at the Yugoslav Embassy with a request for asylum. He was later followed by Mr. Losonezy. Of the members of his Government, only Zoltán Tildy, Istvan B. Szabó and István Bibó remained at the Parliament Building when the Soviet troops surrounded it. Mr. Tildy is understood to have made an agreement with the Soviet forces that to avoid bloodshed, they should be allowed to occupy the building, while civilians should be permitted to leave freely. After this agreement, Mr. Tildy left the building. Mr. Bibó remained as the sole representative of the Government. His last act—so the Committee has been informed—was to issue the following declaration:

"Hungary has no intention of pursuing an anti-Soviet policy; in fact she wants to live fully in that community of East-European free nation which wish to organize their lives in a society where liberty, justice and freedom from exploitation exist. I also repudiate before the whole world the slanderous statements that the glorious Hungarian revolution was stained by Fascist or anti-Semitic excesses . . . The Hungarian people turned only against the conquering foreign army and against native hangman-units. The popular justice which we experienced for a few days on the streets as well as the unarmed appearance of the old conservative forces could have been stopped by the new Government in a very short time, and the assertion that for this purpose a huge foreign army had to be called or rather recalled into the country, is cynical and irresponsible. On the contrary, the presence of a foreign army in the country was the main source of unrest and disturbance. I call on the Hungarian people not to recognize the occupation forces or the puppet government which may be set up by them as a legal authority, and I call upon you to use against them every means of passive resistance—with the exception of the interruption of the public services and water supply of Budapest."

E. THE ESTABLISHMENT OF MR. KÁDÁR'S GOVERNMENT

296. At the time when Free Radio Kossuth was broadcasting the appeals of Premier Nagy, Mr. Kádár, speaking on the same wave length used previously by Mr. Ferenc Münnich, announced the formation of the Hungarian Revolutionary Worker-Peasant Government. This announcement was made at 6.00 a. m. He said that he, with Ferenc Münnich, Deputy Premier, who would also hold the portfolio of Minister of the Armed Forces and Public Security Force, György Marosán as Minister of State, István Kossa as Minister of Finance, Imre Horváth as Foreign Minister, Antal Apró as Minister of Industry, Imre Dögei as Minister of Agriculture, and Sándor Rónai as Minister of Commerce, would constitute the nucleus of the new Government. As soon as national order had been restored, there would be added from outside the Party other ministers who were ready to "defend the achievements of socialism". Mr. Kádár accused the Rákosi-Gerő clique of numerous mistakes committed over the past twelve years. On the other hand, "reactionaries had sought to destroy the achievements of socialism by aiming to return the factories and enterprises to the capitalists and the land to the big landowners. Fascist elements had exploited the mistakes which had been committed in the past and had misled the many honest workers and the youth who had risen against the People's Government out of honest and patriotic intentions". He called upon one and all to put an end to the excesses of the counter-revolutionary elements, for he had formed his Government to protect the people and lead them out of the existing grave situation. He then proclaimed the programme of the Hungarian Revolutionary Worker-Peasant Government. The programme consisted of fifteen points. It concluded:

"The Hungarian Revolutionary Worker-Peasant Government, acting in the interest of our people, our working class, and our country, requested the Soviet

Army Command to help our nation in smashing the sinister forces of reaction and restoring order and calm in the country.

"Following the restoration of calm and order, the Hungarian Government will begin negotiations with the Soviet Government and with the other participants to the Warsaw Treaty on the withdrawal of the Soviet troops from Hungary."

Mr. Kádár ended his announcement by asking the people to disarm the "counter-revolutionary gangs" and to assist the new Government in fulfilling its programme. It may be noted that this political declaration of fifteen points differed only on two major points from what had been advocated by Premier Nagy—the non-inclusion of the question of neutrality and the holding of free elections.

297. The announcements of the formation of Mr. Kádár's Government were broadcast on 1,187 kilocycles—the wave-length usually occupied by the Balatonszabadi transmitter and normally used for the Hungarian Radio's foreign services. They are said to have been made from the town of Szolnok, some 100 kilometres southeast of Budapest, on the Tisza. The Committee has no evidence of the presence of Mr. Kádár at Szolnok on the morning of 4 November, and assertions by witnesses that the broadcast was made from a tape recording may well be correct. From evidence given to the Committee, it would indeed appear that, if Mr. Kádár had not already proceeded to Moscow, he was in Moscow on the 4th, in Prague on the 5th or possibly the 6th, and in Budapest in the afternoon of the 6th, or not later than the morning of the 7th. The Committee is not in a position to check Mr. Kádár's movements.

298. One notable feature of the new Kádár Government was indeed its absence from the scene of action at the time of the second Soviet intervention. Not only did it not fill any position of leadership in repressing the insurrection in these crucial moments, but the Committee knows of no Hungarian who acted in such a capacity. For three days, even the formal presence of any representative of the Revolutionary Worker-Peasant Government was hardly noticeable to lead the fight which allegedly the Hungarian people and their army were waging against the Government of Imre Nagy and the insurgents of 23 October. From the information available to the Committee, it would follow that during these days of 4-6 November, if any Hungarians fought against the insurgents, they were only the few members of the dissolved AVH attached and acting as guides to the Soviet troops in the various battles or skirmishes which were taking place in Budapest and throughout the country. Mr. Kádár's Government does not appear to have taken any action or otherwise communicated with the people of Hungary until noon of Tuesday, 6 November, when a statement was issued in the name of Mr. Kádár to the effect that he hoped that the country would soon return to normal life, and which made a general appeal for food, construction materials and medicines. Only of the activity of the Soviet Army Command, of their edicts to the Hungarian people and of their seizure of administrative control is record to be found from these days of the establishment of the Revolutionary Worker-Peasant Government.

299. Several witnesses have testified before the Committee that the Kádár Government was unconstitutional, for it had come into being without regard to the formal requirements of the Hungarian Constitution. They have contended that the provisions of article 23-2 had not been observed. According to this article, the Council of Ministers or its single Members are elected or relieved of office by Parliament, on the recommendation of the Presidential Council of the People's Republic. Premier Nagy, they contended, was not relieved of office by the Presidential Council, which in this case would have exercised the functions of Parliament, as this body was not in session (article 20-4). Furthermore, Premier Nagy had not resigned from office. Therefore, they concluded, the rightful government of the State remained that of Premier Nagy. The witnesses felt that this argument was reinforced by the fact that Mr. Kádár and the other members of his Government did not take the oath of office till the morning of 7 November—three days after the assumption of power.³² They stated that since, in Hungarian constitutional practice (as confirmed by the communication of the Kádár Government to the Secretary-General of 4 February 1956)³³ the oath is an essential prerequisite to the assumption of office, any action taken by such a Government prior to the fulfillment of this formality

³² *Szabad Nép*, 8 November 1956.

³³ A/3521.

must be null and void, and consequently the military action of the Soviet troops did not take place in response to a call from the legally empowered Hungarian Government.³⁴

300. The Committee examined this contention and considered that, though these views had grounds for support, particularly if it could be shown that the Chairman of the Praesidium had not relieved Premier Nagy from office prior to the announcement of the formation of the Kádár Government, it did not believe that it was of material significance for the purpose of this report to pronounce on these considerations. It suffices to call attention to the clear evidence of the circumstances in which the Government of Mr. Kádár came into being solely as the result of the military intervention.

F. CONCLUSIONS

301. Certain conclusions regarding the second Soviet intervention emerge from the evidence which the Committee has examined. In the first place, the Committee is satisfied that no well-placed observer could conclude that the Nagy Government was losing control of the situation during the first days of November. On the contrary, the formation of the Workers' Councils and the Revolutionary Councils all over the country was fast providing a substitute for the discredited machinery of Communist control. In the second place, it was the conviction of the Committee that no well-placed observer could conclude that Mr. Nagy's Government was in any serious danger from counter-revolutionary forces. The workers and students of Hungary had successfully destroyed Russian tanks from the days immediately following the demonstrations of 23 October. A week later they were in a very much stronger position than they had been to challenge any attack. Several days of intensive fighting had caused the emergence of popular leaders in many groups and had tested the hastily assembled formations of fighting workers.

302. In the Committee's view, the evidence leads to one conclusion: The Soviet withdrawal during the last days of October was no more than a temporary measure, dictated by the desire of the Soviet Army to be in a position to launch a more powerful intervention with the least possible delay. Preparations for such an intervention had been going on continuously since the last days of October.

303. It was suggested to the Committee that the Soviet Union feared the consequences to Communism which would have followed the consolidation of Mr. Nagy's reforms and were therefore anxious to attack his régime before the world could see the spectacle of a whole people united to maintain their socialist achievements without the terrors of Communist dictatorship. The Soviet authorities, it was also suggested, knew very well that an unveiled attack on the Hungarian people would call forth universal condemnation. They therefore discovered a Hungarian spokesman who would lend some colour of legality to their movements. This spokesman was Mr. Kádár. The Committee is in no position either to substantiate or to refute this thesis regarding the motivation of Soviet action. It is, however, significant that Mr. Kádár seemingly associated himself with Mr. Nagy until a late stage and the Committee has no evidence that he gave any hint of his alleged intention to break away from Mr. Nagy's Government. When Mr. Kádár announced the formation of his own Cabinet on the morning of 4 November, it is doubtful whether he had any backing among Hungarians other than that of the handful of politicians mentioned in his radio broadcast and the unquestioned loyalty of the security police. It would seem that the question of constitutional propriety hardly arises in connexion with the manner in which Mr. Kádár's Government was formed, since he himself having taken the step he did, would alone be competent to supply the facts justifying his claim that it was a Government at all. The Committee would again recall at this point that its two requests to visit Hungary, when such important questions would no doubt have been discussed, met with a point-blank refusal.

³⁴ Between 20 October and 12 November, no issue of *Magyar Közlöny*—the official gazette of the Hungarian People's Republic—appeared. The issue of 12 November contained two decrees of the Praesidium of the People's Republic. The first was unnumbered; it relieved Imre Nagy and the ministers of his Government of their offices. The second, Decree No. 28 of 1956, elected János Kádár Chairman of the Hungarian Revolutionary Workers' Peasants' Government and also elected seven members of the Government. Neither of the decrees was dated.

CHAPTER VIII. THE QUESTION OF THE PRESENCE AND THE UTILIZATION OF THE SOVIET ARMED FORCES IN HUNGARY IN THE LIGHT OF HUNGARY'S INTERNATIONAL COMMITMENTS

A. INTRODUCTION

304. It appears important to the Committee, at this point of its Report, to recall the basic international instruments governing the present international status of Hungary and in particular those provisions which have been made public and which bear on the conditions of the presence and the use of Soviet armed forces on Hungarian territory. The intervention of these forces—as has been admitted by all sides—and that of sizable Soviet reinforcements from the Soviet Union and Rumania, was necessary to quell the Hungarian uprising. The justifications given by the Soviet Government and that of Mr. Kádár, to the extent they find their basis in these international instruments, will also be recalled and, while no detailed legal analysis will be undertaken, the General Assembly action at its second emergency special session and at its eleventh regular session with regard to the Hungarian problem will be briefly assessed in the light of the Committee's findings as to the true character of the October-November events.

305. The rest of the chapter will bear on the persistent demands for the complete withdrawal of all Soviet armed forces from Hungary which came powerfully to public notice during the uprising. The attempts by Mr. Nagy and his Cabinets to achieve this withdrawal by negotiation with the Soviet Union will be described on the basis of all the facts at the Committee's disposal as well as the aspirations of the Hungarian Revolution as to Hungary's future international status. The positions taken with respect to these matters by the Kádár Government and the Soviet Government since the overthrow of the Government of Mr. Nagy and the military suppression of the uprising will then be restated on the basis of their official declarations and will be followed by a few final observations.

B. POST-WAR INTERNATIONAL INSTRUMENTS GOVERNING HUNGARY'S INTERNATIONAL STATUS

306. The Treaty of Peace with Hungary of 10 February 1947, which came into force on 15 September 1947, declared the legal cessation of the state of war between Hungary and "the Allied and Associated Powers." All Allied forces were to be withdrawn subject, however, "to the right of the Soviet Union to keep on Hungarian territory such armed forces as it may need for the maintenance of the lines of communication of the Soviet Army with the Soviet zone of occupation in Austria" (Article 22).

307. Close restrictions were placed in Part III of the Treaty on the armed forces and armaments which Hungary was authorized to maintain to meet "tasks of an internal character and local defence of frontiers." The total strength of the Hungarian ground forces was to be of not more than 65,000 personnel, and the air force was to consist of not more than 90 aircraft, including reserves with a total personnel strength of 5,000 (Article 12). These "Military and Air Clauses" were to remain in force "until modified in whole or in part by agreement between the Allied and Associated Powers and Hungary, or after Hungary becomes a member of the United Nations by agreement between the Security Council and Hungary" (Article 20).

308. A reference to Hungary's eventual membership in the United Nations was made in the Preamble to the Treaty. The initial application for membership stating Hungary's readiness to accept the obligations contained in the Charter was made by the Hungarian Government on 22 April 1947. Hungary was admitted to membership in the United Nations on 14 December 1955.

309. By a "Treaty of Friendship, Co-operation and Mutual Assistance" of 18 February 1948, which came into force on 22 April 1948, the Soviet and Hungarian Governments affirmed their policy of strengthening their co-operation and their adherence to the purposes and principles of the United Nations, as well as to those of mutual respect for independence and national sovereignty and non-interference in their internal affairs. Each agreed not to enter into alliances or take part in coalitions or in any acts or measures directed against the other. In addition, they agreed immediately to extend to each other military and other assistance, with all the means at their disposal, should they be "involved in hostilities with Germany or with any State associated with Germany in acts of aggression in Europe, which States might seek to renew their policy of aggression,

or with any other State which might be associated with Germany directly or in any other way in a policy of aggression" (Article 2).

310. The fact was confirmed in authoritative evidence submitted to the Committee that as from 1948 the size of the Hungarian Army was increased beyond that authorized by the Peace Treaty and that, as from that time, the Hungarian Army was furnished with equipment and weapons prohibited by the Treaty.

311. In 1956 the Hungarian Army had nine infantry divisions, two armoured "mechanized" divisions, four artillery brigades, one chemical battalion, one horse cavalry brigade, one signal regiment, one communications brigade and three heavy armoured regiments. The total strength of these forces amounted to 250,000 men. The continued formation of new units suggested that the strength of the standing army was to be further increased. The air force consisted of one fighter division composed of three regiments, each consisting of 120 planes, six single echelons amounting to one regiment with 120 planes, one air regiment with 50 planes and one fighter-bomber regiment with 37 planes. The strength of the air fighter division exceeded 500 planes. In addition to these forces, the Danube Fleet had two river brigades and the security police comprised several armed infantry regiments and armoured units.

312. In accordance with the Austrian State Treaty of 15 May 1955, which came into force on 27 July 1955 and which brought to an end the occupation of Austria, the last Soviet units left Vienna on 19 September 1955. On 14 May 1955, one day before the signing of the Austrian State Treaty, the Governments of the Soviet Union and of Hungary, together with those of Albania, Bulgaria, Czechoslovakia, the German Democratic Republic, Poland and Romania, concluded the Warsaw Treaty of "Friendship, Co-operation and Mutual Assistance". This Treaty, which came into force on 6 June 1955 for a minimum period of twenty years, and which in the wording of its preamble was said to have been motivated by the creation of the "Western European Union" and the entry of a re-militarized Western Germany into the "North Atlantic Bloc", reiterates the fidelity of the parties to the purposes and principles of the United Nations Charter and their desire to strengthen and promote their friendship, co-operation and mutual assistance. Article 1 contains the undertaking of the parties, in accordance with the Charter of the United Nations, to refrain in their international relations from the threat or use of force. Both the Preamble and Articles 8 affirm the mutual respect of the parties for their independence and sovereignty, and of non-interference in their internal affairs. Article 3 provides for immediate consultations whenever, in the opinion of any of the parties, there has arisen the threat of an armed attack on one or several of them, "with a view to providing for their joint defence and maintaining peace and security". Article 4 states that in the event of an armed attack in Europe on one or several parties by any State or group of States each party "shall, in the exercise of the right to individual or collective self-defence, in accordance with Article 51 of the United Nations Charter, afford the State or States so attacked immediate assistance individually and in agreement with the other States parties to the Treaty, by all the means it considers necessary, including the use of armed force". Consultations are provided for as to "the joint measures necessary to restore and maintain international peace and security", and notification to the Security Council is prescribed of the measures taken, which are to be stopped as soon as "the Security Council takes the necessary action to restore and maintain international peace and security". In Article 7 the parties declare that their obligations under existing international treaties are not at variance with the provisions of the Treaty.

313. By Article 5 of the Warsaw Treaty, the parties agree on the establishment of a Joint Command for their armed forces, "which shall be allocated by agreement between these Parties, and which shall act in accordance with jointly established principles". The Article further states that the Parties "shall likewise take such other concerted action as may be necessary to reinforce their defensive strength, in order to defend the peaceful labour of their peoples, guarantee the inviolability of their frontiers and territories and afford protection against possible aggression".

314. Simultaneously with the conclusion of the Treaty, the contracting parties announced their decision to appoint Marshal I. S. Koniev of the Soviet Union as Commander-in-Chief of the Joint Armed Forces and provided that "the Ministers of Defense and other military leaders of the signatory States are to serve as Deputy Commander-in-Chief of the Joint Armed Forces, and shall command the armed forces assigned by their respective states to the Joint Armed Forces". The "decision" also stated that the "disposition of the Joint

Armed Forces in the territories of signatory states will be effected, by agreement among the states, in accordance with the requirements of their mutual defence”.

315. Such were the legal provisions, made public and of which the Committee had knowledge, on which was based the presence of USSR armed forces on Hungarian territory.³⁵ The Committee was informed that before the October events the Second and Seventeenth Soviet mechanized divisions were stationed in Hungary, with a strength of about 20,000 men and 600 tanks.

316. In the course of the meetings of the Warsaw Conference immediately preceding the signature of the Treaty, Mr. N. A. Bulganin, in a statement delivered on 11 May 1955,³⁶ indicated that the conclusion of the Treaty was occasioned by “the heightened threat to the security of our countries caused by the aggressive measures of the Western Powers”, and that the “co-ordinated measures” envisaged for the parties were “necessary to strengthen their defensive power, in order to guarantee the inviolability of their frontiers and territories and to provide defence against possible aggression”. He stated: “Bloc created by imperialist States are based on the principles of domination and subordination. Such is the nature of blocs which serve the interests of their sponsors—the big imperialist Powers. These Powers drag small countries into the aggressive military alignments they form in order to secure manpower and additional vantage grounds and military bases. . . . The draft Treaty submitted for our consideration is based on entirely different principles. The domination of one state or nation over another is a principle alien to our countries, our peoples and our social system. Our draft Treaty proceeds from the principle of respect for the national sovereignty, and non-interference in the internal affairs of others, which forms the basis of the foreign policy of all the states represented here. . . . The draft Treaty submitted to this Conference fully accords with the objects and principles of the United Nations Charter”.

317. These ideas were fully echoed by Mr. András Hegedüs, then Chairman of the Council of Ministers of Hungary,³⁰ who, speaking at the Conference, referred particularly to “the guarantee given in the Treaty that in the event of aggression, the contracting parties will immediately assist the parties attacked with all the means at their disposal”. He stated that “We shall be able to defend, and shall defend, the treasure we so long lacked and therefore prize the more highly—the liberty of our people and the independence of our country”.

C. APPLICABILITY OF THESE INTERNATIONAL INSTRUMENTS TO THE SOVIET MILITARY INTERVENTIONS

318. The announcement broadcast from Budapest at 9 a.m., on 24 October, stated that “The dastardly armed attack of counter-revolutionary gangs during the night” has created an extremely serious situation. The governmental organs were unprepared for these attacks and “they have therefore applied for help to the Soviet formations stationed in Hungary under the terms of the Warsaw Treaty. In compliance with the Government’s request, the Soviet formations are taking part in the restoration of order . . .”. At the 582nd plenary meeting of the General Assembly on 19 November 1956, the then Minister of Foreign Affairs of the USSR, Mr. Shepilov, read the text of a telegram apparently received by the Council of Ministers of the USSR on 24 October from the Prime Minister of the Hungarian People’s Republic—whose name he did not mention—by which the Council of Ministers of the Hungarian People’s Republic requested the Government of the Soviet Union to send troops to Budapest “to put an end to the disturbances that have taken place in Budapest, restore order quickly and create conditions favourable to peaceful and constructive work”. Mr. Shepilov then stated that the “Soviet Union could not, of course, refuse to respond to the request of a friendly State for help”.

319. As to the second intervention of Soviet troops, Mr. János Kádár declared on 4 November that “the Hungarian Revolutionary Workers-Peasant Government requested . . . the Soviet Army Command to help our nation in smashing the sinister forces of reaction and to restore order and calm”. At the 582nd plenary meeting of the General Assembly, Mr. Shepilov referred to this applica-

³⁵ Reference should now be made to the Agreement of 27 May 1957 between Hungary and the USSR, the text of which is annexed to this chapter.

³⁶ *New Times*, No. 21, May 21, 1955—“Documents”.

tion to the Soviet Union "for assistance in beating off the attack by the forces of fascism and in restoring order and normal life in the country", and added "let me admit openly that this was not an easy problem for the Soviet Government to deal with. We fully realized the difficulties which inevitably arise when the armies of one country are being used in another. The Soviet Union, however, could not remain indifferent to the fate of friendly Hungary".

320. The official explanations formulated by the USSR and Kádár Governments for the Soviet military interventions in Hungary have been summarized in their broader context and in greater detail in chapter III of this report. The basic points of their argument, as officially stated in the United Nations and elsewhere, were that on 23 October (Mr. Kádár and his spokesmen seldom refer to the exact nature of the first request for Soviet intervention), and again on 4 November, "anti-democratic elements" brought about serious disturbances of public order and created "the danger of a non-democratic fascist-type system opposed to social progress coming into being". Exercising the sovereign right of a State "to take through its government any measures it considers necessary and proper in the interest of guaranteeing the State order and the peaceful life of the population", the Hungarian Government has "called for the assistance of Soviet troops stationed in Hungary under the Warsaw Defence Treaty so as to avoid further bloodshed and disorder and to defend the democratic order and people's power. With this step the Government warded off anarchy in Hungary and the creating of a situation which would have seriously imperilled peace and security".³⁷ As to the Nagy Government, it had collapsed and its communications to the United Nations had no legal force. As these occurrences had no effect on international peace and security, and related to events with Hungary, or only to the application of an international treaty "under the exclusive purview of the Hungarian and Soviet Governments and of the other Member States of the Warsaw Treaty",³⁷ the United Nations could not intervene or even consider the matter by virtue of paragraph 7 of Article 2 of the Charter.

321. While the latter was the only provision of the United Nations Charter mentioned, two provisions of other international instruments were referred to in the statement of the Soviet and the Kádár Governments' position. Firstly, that of Article 4 of the Hungarian Peace Treaty which created an obligation for Hungary not to permit in the future "the existence and activities of organizations of a fascist-type on Hungarian territory, whether political, military or para-military"; secondly, that of Article 5 of the Warsaw Treaty providing for "concerted action" by the contracting parties "necessary to re-inforce their defensive strength, in order to defend the peaceful labour of their people, guarantee the inviolability of their frontiers and territories and afford protection against possible aggression".

322. In the course of the lengthy debates which the Security Council and the General Assembly devoted to the Hungarian question, these and other arguments were abundantly discussed by representatives of Member States. The provisions of Article 2 of the Hungarian Peace Treaty guaranteeing human rights and fundamental freedoms, including political rights, to the Hungarian people; the principles and the character of the Warsaw Treaty as a defensive arrangement against an external aggression; the unacceptability of the position that armed forces stationed in a foreign country by virtue of a defensive alliance against outside aggression might be used to quell popular movements aiming at a change of government or of régime; the protests against the Soviet intervention and demands to the Soviet Union and to the United Nations for the withdrawal of Soviet forces put forward by the properly constituted Government of Imre Nagy; the doubtful constitutional nature of the Kádár Government at the time of its call for Soviet military assistance—all these arguments were invoked against the thesis of the Soviet Government and the Kádár Government, together with the Charter provisions on sovereign equality of Member States, the principles of equal rights and self-determination of peoples and those of paragraph 4 of Article 2 of the Charter prohibiting the threat or use of force against the political independence of any State. All these considerations led to the solemn declaration by the General Assembly in resolution 1131 (XI) of 12 December 1956 that "by using its armed force against the Hungarian people, the Government of the Union of Soviet Socialist Republics is violating

³⁷ Memorandum of 4 February 1956 transmitted by the Permanent Representative of Hungary to the Secretary-General for distribution to Members of the United Nations (A/3521).

the political independence of Hungary"; and to the condemnation by the same resolution of the "violation of the Charter of the United Nations by the Government of the Union of Soviet Socialist Republics in depriving Hungary of its liberty and independence and the Hungarian people of the exercise of their fundamental rights."

323. The Committee does not consider it necessary to review these arguments anew. It wishes merely to refer to its findings and conclusions contained in other chapters of this report which directly bear on the assumption on which are built the Soviet and the Hungarian Governments' legal and political explanations namely, that the uprising was not of a fascist or anti-democratic character as these terms are generally understood; that armed Soviet assistance was sought in all probability before a peaceful demonstration had taken on a violent character and that whether the intervention took place in a regular or irregular manner under the terms of Hungarian constitutional processes is a matter which the Committee was not able to ascertain; that Imre Nagy's Government, whose legitimacy during the events was uncontested, had taken practical steps for re-establishing public order and conditions for a normal pursuit of peaceful activities of the people, and was reconstituting a democratic and parliamentary régime which would have given to all Hungarians the exercise of political and human rights; that the Nagy Government was endeavoring to bring about the withdrawal and not the intervention of the Soviet armed forces, the presence of which it did not find necessary to maintain itself in power; and that Mr. Kádár's Government, on the other hand, not only was established because of the assistance of the Soviet armed forces, but could not under the terms of the Hungarian Constitution claim any but the most doubtful element of legality at the time of its appeal to the Soviet Command for intervention. The Committee's conclusions support, therefore, the assumptions on which were based the resolutions of the General Assembly on the question of Hungary and, in particular, resolution 1131 (XI).

324. As was pointed out to the Committee in a communication from an international group of jurists, the Soviet action in Hungary, "seen in its true light", would probably be open to condemnation under the Soviet Government's own definitions of aggression. The Committee confines itself, in this respect, to recalling that, in a long series of proposals aimed at establishing guiding principles with a view to determining which State would be guilty of aggression, the latest of which were submitted to the United Nations 1956 Special Committee on the Question of Defining Aggression,³⁸ the Government of the USSR sought to obtain a declaration by the General Assembly that, in an international conflict, that State should be declared the attacker which first committed the act of "Invasion by its armed forces, even without a declaration of war, of the territory of another State". A State would be declared to have committed an act of aggression if it "promotes an internal upheaval in another State or a change of policy in favour of the aggressor". This proposal provides, in particular, that the direct attack or indirect aggression may not be justified by "(a) The internal situation of any State, as for example: . . . (b) Alleged shortcomings of its administration; . . . (d) Any revolutionary or counter-revolutionary movement, civil war, disorders or strikes; (e) Establishment or maintenance in any State of any political, economic or social system".

325. Leaving aside arguments of a juridical nature, it appeared quite clear to the Committee that the Soviet military intervention had its essential reason in the desire to save a political régime, and retain a military ally within its area of economic dominance. As reported by the Budapest Radio, on 15 November 1956, Mr. Kádár explained to a delegation of the Greater Budapest Workers' Council that "we were compelled to ask for the intervention of Soviet troops. . . It has been made clear by the events of the past weeks that we were threatened with the immediate danger of the overthrow of the peoples' power. . . We realized that this whole movement could not be described as a counter-revolution, but we would have been blind if we had ignored that, apart from the deep indignation felt over grave mistakes and the just demands of the workers, there were also counter-revolutionary demands. . . It was in such a situation that some of us reached the conclusion that, first of all and by all means, even with the help of Soviet troops, the counter-revolution must be broken by the people's power consolidated with the help of armed workers. . ." ³⁹ At the sixth session

³⁸ A/3574, Report of the Special Committee on the Question of Defining Aggression, Annex II, document A/AC.77/L.4.

³⁹ *Népszabadság*, 16 November 1956.

of the USSR Supreme Soviet held in February 1957. Mr. Shepilov stated that "By assisting the Hungarian people, the USSR did its international duty to the working people of Hungary and other socialist countries, in keeping with the interest of world peace", and in the "Joint Declaration of the Government of the Soviet Union and the Government of the Hungarian People's Republic", issued upon the conclusion of the negotiations held between the two Governments in Moscow from 20 March to 28 March 1957, it was again stated that "The participation of Soviet Army units in crushing the fascist rebels was a supreme act of proletarian solidarity".⁴⁰ György Marosán, former First Deputy Chairman of the Council of Ministers in the Hegedűs Government and at present Minister of State in the Kádár Government, speaking in Republic Square in Budapest on 29 March 1957 and recalling that during the night of 23-24 October 1956 he personally had demanded that Soviet troops be called in, seems to have correctly summarized the situation from the point of view of the present rulers of Hungary by saying: "We know but one legality: the legality of the Revolution".⁴¹

D. THE DEMAND FOR WITHDRAWAL OF SOVIET ARMED FORCES

326. It will be recalled that four main communications were received by the United Nations from Hungary during the period between 23 October and 7 November 1956:

(a) On 28 October, a "Declaration of the Government of the Hungarian People's Republic",⁴² distributed to the Security Council at the request of Dr. Péter Kós, then Permanent Representative of Hungary, protested against the consideration by the Council of the Hungarian Question and stated that "the events which took place on 22 October 1956 and thereafter, and the measures taken in the course of these events are exclusively within the domestic jurisdiction of the Hungarian People's Republic and consequently do not fall within the jurisdiction of the United Nations".

(b) On 1 November 1956, a cablegram from Imre Nagy, as President of the Council of Ministers and "designated Minister for Foreign Affairs",⁴³ after referring to the demand for the instant and immediate withdrawal of Soviet forces of which the "further" entry into Hungary was reported, stated the decision of the Hungarian Government immediately to repudiate the Warsaw Treaty and simultaneously to declare Hungary's neutrality. It requested that the "Question of Hungary's neutrality and the defence of this neutrality by the four Great Powers" be placed on the agenda of the "forthcoming session of the General Assembly". The Hungarian Government, said the cablegram, "turns to the United Nations and requests the help of the four Great Powers in defending the country's neutrality".

(c) On 2 November, a letter from Imre Nagy circulated to the members of the Security Council,⁴⁴ referred to "further and exact information" pointing *inter alia* to the fact that "large Soviet military units crossed the border of the country, marching toward Budapest", and to communications between the Hungarian Government and the Embassy of the USSR and all the other diplomatic missions in Budapest, "about these steps directed against our People's Republic". It reported that "the Hungarian Government forwarded concrete proposals on the withdrawal of Soviet troops stationed in Hungary as well as the place of negotiations concerning the execution of the termination of the Warsaw Pact" and had designated members of two Hungarian Government delegations. The Hungarian Government requested the Secretary-General "to call upon the Great Powers to recognize the neutrality of Hungary" and asked "the Security Council to instruct the Soviet and Hungarian Governments to start the negotiations immediately".

(d) On 7 November, a cablegram dated 4 November from János Kádár and Imre Horvath was distributed to the Security Council and to the General Assembly meeting at its second emergency special session.⁴⁵ The cablegram declared that "Imre Nagy's requests to the United Nations to have the Hungarian Question discussed in the United Nations have no legal force and cannot be

⁴⁰ *Ibid.*, 29 March 1957.

⁴¹ Hungarian Telegraph Agency, broadcast over Radio Budapest in French, 29 March 1957. 11 p. m.

⁴² S/3691.

⁴³ A/3251.

⁴⁴ S/3726.

⁴⁵ A/3311 ; S/3739.

considered as requests emanating from Hungary as a State. The Revolutionary Worker-Peasant Government objects categorically to any discussion of the said question either by the Security Council or by the General Assembly because that question is within the exclusive jurisdiction of the Hungarian People's Republic". On this date the Kádár Government had been sworn in.

The Committee has endeavoured to gather within the means at its disposal all available information on the events in Hungary which led to the sending of these communications.

327. From the study undertaken by the Committee and the testimony it has received, no doubt remains as to the intensity of the desire of the Hungarian people for the complete withdrawal of Soviet armed forces from Hungary. All Hungarian leaders, whether on ideological grounds or for reasons derived from the geographical situation of their country, have stressed since the end of the Second World War the necessity of friendly and confident relations with the Soviet Union. The withdrawal of the Soviet divisions and the ending of the long military occupation appeared, however, to the intellectuals, as well as to the people in general, as the reflection of their particularly strong desire for the achievement of the ideals of national independence and equality between States. For obvious reasons, this aspiration, although frequently expressed in private, was seldom referred to in print or on the radio. Once stated, however, it became one of the principal rallying points of the uprising and one of the main items of the revolutionary platform.

328. Other chapters of this report⁴⁶ relate how voices were raised in October 1956 asking publicly for the departure of Soviet units from Hungary.⁴⁷ The circumstances are also told under which, at the momentous plenary meeting of the Building Industry Technological University students on 22 October "at the dawn of a new era of Hungarian history", the demand "for the immediate withdrawal of all Soviet troops in accordance with the provisions of the Peace Treaty" became the first of the points of what has now become a historic resolution. Another demand of the meeting related to "a re-examination and re-adjustment of the Hungarian-Soviet and Hungarian-Yugoslav political, economic and intellectual relations on the basis of complete political equality and of non-interference in each other's economic and internal affairs". Point 8 referred to the publication of foreign trade agreements and of information concerning Soviet concessions, with particular reference to uranium ore. The proclamation of the Hungarian Writers' Union of 23 October, adopting a more prudent language, presented as its first point "an independent national policy based on the principles of socialism". "Our relations with all countries, and with the USSR and the People's Democracies in the first place", it stated, "should be regulated on the basis of the principle of equality. We want a review of international treaties and economic agreements in the spirit of the equality of rights." The second point of the proclamation read in part: "We want true and sincere friendship with our allies—the USSR and the People's Democracies. This can be realized on the basis of Leninist principles only". "Withdrawal of Soviet troops from Hungary" printed on thousand of leaflets and repeatedly shouted by the crowds, became, however, one of the most popular and most insistent slogans of the demonstration of 23 October.

329. The military intervention of the Soviet armed forces on 24 October and the following days made this demand more acute and brought with it the concrete realization that the continued presence of a Soviet army on Hungarian territory would make impossible the achievement of the aims of the uprising and, in particular, the holding of free elections and the re-establishment of fundamental freedoms. Insistent pleas for the immediate withdrawal of Soviet forces from Budapest and their eventual departure from Hungary came to the seat of the Government from every quarter and became a condition of support for Mr. Nagy and his Government by the Revolutionary and Workers' Councils, by associations of writers, artists and youth, by political leaders and by the free press and radio. It was a condition put by the freedom fighters for ceasing the fighting and laying down their arms. Practically in every document of the Workers' Councils, the sentence appeared "Work will not be resumed until the Russians leave the country". As stated in the testimony of one of the principal revolutionary leaders of Greater Budapest, the withdrawal of all Soviet troops

⁴⁶ See chapters IX and X.

⁴⁷ The first reported public demand for the withdrawal of Soviet troops from Hungary was made by a writer on 16 October, at a meeting held in Győr (*Győr-Sopronmegyei Hirlap*, 19 October 1956).

from Hungary came to be "the pre-requisite to all our other demands" including political and human rights. The stand taken by the Social-Democratic Party that it would participate in the Hungarian Government only if the demands concerning the withdrawal of Soviet forces were fulfilled, was stated by Anna Kéthly as late as 3 November 1956.

330. Mr. Nagy did not delay giving expression to these popular feelings and to the demands made on him in the course of the incessant meetings he was holding with revolutionary leaders and representatives of all segments of public opinion. Already on 25 October he had announced on the radio that negotiations would be initiated with the Soviet Union on the withdrawal of the Soviet forces stationed in Hungary. On 28 October at 5:25 p. m. after announcing an agreement with the Soviet Government for the withdrawal of Soviet troops from Budapest,⁴⁸ he stated that "the Hungarian Government will initiate negotiations on relations between the Hungarian People's Republic and the Soviet Union, among which will be the withdrawal of the Soviet armed forces stationed in Hungary, in the spirit of Hungarian-Soviet friendship, on the basis of national independence and equality among the socialist countries. On 30 October, in announcing the formation of his new Cabinet, Mr. Nagy repeated "that the Government will, without delay, begin negotiations with the USSR Government about the withdrawal of Soviet troops from Hungary". The same day, a note concerning the withdrawal of Soviet troops, drafted by the Prime Minister with the assistance of Zoltan Tildy, Géza Losonczy and Zoltan Vas, was sent to the Soviet Government.

331. On 30 October, the Soviet Government issued an important Declaration on the "Principles for Further Developing and Strengthening Friendship and Co-operation between the Soviet Union and other socialist countries",⁴⁹ referring to no small number of difficulties, unsolved problems and outright mistakes, which extended also to relations between the socialist countries. These violations and mistakes tended to detract from the principle of equality in relations between the socialist countries". The Declaration recalled that "the Twentieth Congress of the Communist Party of the Soviet Union resolutely condemned these violations and mistakes and declared that it would be the task of the Soviet Union in its relations with other socialist countries consistently to apply the Leninist principles of equality of nations," in its relations with other socialist countries and had proclaimed in this connexion the necessity of taking fully into account the "historical past and specific features of each country". The Soviet Government stated in the Declaration its readiness to enter into discussions with the Governments of other "socialist countries" with a view to eliminating any possibility of violation of the principles of national sovereignty, mutual benefit and equality in economic relations". It regarded as "urgent" to discuss with the other socialist countries the question of the desirability of the further stay of Soviet advisers in those countries. It declared its readiness "to examine with the other socialist countries signatory to the Warsaw Treaty the question of the Soviet troops stationed in the territory of the above-mentioned countries", and recalled "the general principle that the troops of any Warsaw Power may be stationed in the territory of another Warsaw Power by agreement of all the Treaty members and solely with the consent of the country in whose territory the troops have been stationed at its request, or are proposed to be stationed".

332. Referring in particular to the events in Hungary, the Declaration of 30 October stated: "In view of the fact that the continued presence of Soviet military units in Hungary may serve as a pretext for still further aggravation of the situation, the Soviet Government has ordered its military command to withdraw the Soviet units from Budapest as soon as the Hungarian Government considers it necessary. At the same time, the Soviet Government is prepared to begin negotiations with the Government of the Hungarian People's Republic and other parties to the Warsaw Treaty on the question of Soviet forces in Hungary".

333. Hopes were high in Budapest governmental circles, as well as among private citizens, after this announcement from the Soviet Government had become known. In the evening of 30 October, the orderly withdrawal of Soviet

⁴⁸ The relevant paragraph in Mr. Nagy's speech read: "The Hungarian Government has agreed with the Soviet Government that the Soviet troops will immediately begin their withdrawal from Budapest and, simultaneously with the establishment of the new security forces, will leave the city's territory."

⁴⁹ *New Times*, No. 45, November 1956.

troops from Budapest had begun and the announcement had been made that it would be completed by 31 October. On 31 October, addressing a crowd of several thousand people gathered in front of the Parliament Building, Mr. Nagy expressed the triumphantly confident feelings of the Hungarians.⁵⁰ "Our national Government", he said, "will fight for our people's independence and freedom. We shall not tolerate any intervention in Hungarian internal affairs. We stand on the basis of equality, national sovereignty and national equality. We shall build our policy firmly on the will of the Hungarian people * * * we are living in the first days of our sovereignty and independence * * *." "Today", he said, "we have started negotiations on the withdrawal of the Soviet troops and on the abrogation of the obligations imposed on us by the Warsaw Treaty. I only ask you to be a little patient. I think that the results are such that you can place this confidence in me * * *." Receiving, soon after this speech, several foreign journalists, Mr. Nagy said that there was a possibility of Hungary withdrawing from the Warsaw alliance alone, that is to say, without the general dissolution of the Warsaw Treaty, and it was that attitude that Hungary would represent energetically during the Hungarian-Soviet negotiations. In answer to the question whether Hungary would become the nucleus of an East European neutral area, the Prime Minister replied "this problem will come up sooner or later". The same evening, in a taped interview broadcast by Radio Vienna, Mr. Nagy said that while Hungary was in the Warsaw Treaty "at present", negotiations had begun on the matter of leaving it.

334. A witness stated that Zoltan Tildy appeared to have found encouragement in a conversation he had had, on the same day, with Mr. Mikoyan. Having raised the question of Soviet troops which had arrived in Hungary since 23 October, Mr. Tildy had obtained the assurance from Mr. Mikoyan that these troops, which were not in Hungary by virtue of the Warsaw Treaty, would be withdrawn. There was also a newspaper report that, on the same day, János Kádár "conducted negotiations" with Mr. Mikoyan and Mr. Suslov on the withdrawal of the Soviet troops.

335. This atmosphere of optimism was, however, short-lived. The news given of the withdrawal of the Soviet troops was contradictory as between Radio Budapest and broadcasting stations which were closer to the frontiers. While certain parts of the Soviet Army seems to be moving away from the capital, other formations were pouring into the country. As time went on, news of the return of Soviet forces in increasing strength was confirmed at the seat of the Government by numerous military and private sources.

336. On the morning of 1 November, Mr. Nagy took over direction of the Foreign Ministry. He summoned the Soviet Ambassador, Mr. Andropov, and told him that the Hungarian Government had received authoritative information on the entry of new Soviet military units into Hungary; this entry had not been requested or agreed to by the Hungarian Government; it was a violation of the Warsaw Treaty, and, if the new reinforcements were not withdrawn to their former positions, the Hungarian Government would denounce the Treaty. The Soviet Ambassador acknowledged the protest and promised to ask his Government for an immediate reply. A telegram was also sent that morning by Mr. Nagy to the President of the Praesidium of the Supreme Soviet of the USSR confirming the Hungarian Government's wish "to undertake immediate negotiations concerning the withdrawal of Soviet troops from the entire territory of Hungary". It referred to the Declaration of 30 October by the USSR Government and requested the Soviet Government to designate a delegation and name the place and date for the negotiations.⁵⁰

337. Around noon the same day, according to testimony received by the Committee, the Soviet Ambassador informed Mr. Nagy on the telephone that the Soviet Government maintained fully its Declaration of 30 October and was ready to negotiate a partial withdrawal of Soviet troops. He suggested that two delegations be appointed: one to discuss political questions, and the other technical questions connected with the withdrawal. Mr. Andropov also stated that the Soviet troops had been coming in across the border only for the purpose of relieving those troops who had been fighting and in order to protect the Russian civilian population in Hungary. Mr. Nagy answered that he did not find the explanation of the Soviet Government to be satisfactory. Since Soviet troops continued to come into Hungary despite the Soviet Declaration of 30 October,

⁵⁰ *Magyar Nemzet*, 1 November 1956.

the Hungarian Government would now turn to the United Nations. At 2 p. m. Prime Minister Nagy again telephoned Ambassador Andropov and informed him that military experts had determined as a fact that new Soviet troops had crossed the border within the last three hours. The Soviet Government, continued Mr. Nagy, was trying to re-occupy Hungary, belying its own Declaration; for this reason, effective immediately, Hungary was withdrawing from the Warsaw Treaty. At 4 p. m., the Council of Ministers met and adopted the Declaration of Neutrality of Hungary and approved the withdrawal from the Warsaw Treaty. According to a witness, János Kádár was present at this meeting and there was no dissent in the Cabinet. At 5 p. m. the Soviet Ambassador was asked to come to the Parliament Building where, in the presence of the Council of Ministers, he received the Declaration of Neutrality of Hungary. In the course of these conversations, Mr. Andropov assured Mr. Nagy that the Soviet troops would leave, and apparently requested that the Hungarian Government should withdraw its complaint to the United Nations. Mr. Nagy agreed in principle to take this action, if the Soviet troops were actually withdrawn.

338. In the evening of the same day, various heads of diplomatic missions in Budapest were urgently called to the Ministry for Foreign Affairs and were given a *note verbale* informing them of Mr. Nagy's protest to the Soviet Ambassador, of the Declaration of Neutrality and of the request to the United Nations through which the aid of the four Great Powers was being requested in defence of Hungary's neutrality.⁵¹ In the evening, at 7.50 p. m., in a message broadcast to the Hungarian people, Mr. Nagy read the Declaration of Neutrality, which had been considered by the Praesidium of the Communist Party in the morning, without meeting any opposition, and approved in the afternoon by the Council of Ministers. The text was as follows:

"People of Hungary! The Hungarian National Government, imbued with profound responsibility towards the Hungarian people and history, and giving expression to the undivided will of the Hungarian millions, declares the neutrality of the Hungarian People's Republic. The Hungarian people, on the basis of independence and equality and in accordance with the spirit of the United Nations Charter, wish to live in true friendship with their neighbours, the Soviet Union and all of the peoples of the world. The Hungarian people desire the consolidation and further development of the achievements of their national revolution without joining any power blocs. The century-old dream of the Hungarian people is being fulfilled. The revolutionary struggle fought by the Hungarian people and heroes has at last carried the cause of freedom and independence to victory. This heroic struggle has made possible the enforcement, in our people's international relations, of their fundamental national interest: neutrality. We appeal to our neighbours, countries near and far, to respect the unalterable decision of our people. It is indeed true that our people are as united in this decision as perhaps never before in their history. Working millions of Hungary! Protect and strengthen—with revolutionary determination, sacrificial work and the consolidation of order—our country, the free, independent, democratic and neutral Hungary."⁵²

339. The announcement of neutrality apparently did not come as a complete surprise to those Hungarians who had been in contact with Mr. Nagy prior to the October events. It has been reported to the Committee that during his retirement from active political life in 1955, Mr. Nagy had in his writings referred to the possibility of Hungary adopting a neutral status on the Austrian pattern and that he had informed the Hungarian Workers' Party and the Soviet leaders of his views in this respect. As from 27 October he seems to have discussed this problem with his assistants and some of his visitors. As soon as the rumour of these intentions spread in Budapest and in the country, strong support manifested itself on 29, 30 and 31 October from various Workers' Councils and other revolutionary organs as well as from political, military and religious leaders. After the announcement the new policy was warmly supported by the press. *Magasság* of 2 November said: "Neutrality, independence! This is a holy feast for our nation. It is the source of boundless prosperity and cultural improvement . . . Long live our dear, neutral and independent country!"

340. As of 1 November, however, the purpose of the Declaration of Neutrality appears to have been twofold. Not only did it correspond clearly to the general

⁵¹ *Népszabadság*, 2 November 1956.

⁵² *Ibid.*

wishes of Hungarians to gain an international status similar to that of Austria or Switzerland, but it also represented in all probability an attempt by Mr. Nagy and his advisers to give assurances to the Soviet Union that Hungary would not enter into any military or political alliance directed against the USSR or serve as a base for the armed forces of any other foreign nation. It was hoped that with the support which might be forthcoming from other major Powers for Hungarian neutrality, the march of the Soviet troops on Budapest might be stopped.

341. In three *notes verbales* addressed to the Soviet Embassy on 2 November, the Hungarian Government protested against the military movements of the Soviet troops in Hungary and the taking over by the Soviet Army of railway lines, railway stations, etc.⁵³ It suggested that, as had been earlier proposed by the Soviet Union, negotiations should be begun forthwith on the denunciation of the Warsaw Treaty and the neutrality of Hungary, preferably in Warsaw, the Hungarian delegation to comprise Géza Losonczy, Minister of State, József Kóvágó, General András Marton, Ferenc Farkas and Vilmoz Zentai. It also proposed that the committee dealing with the military aspects of the question of withdrawal should meet on the same day in the building of the Hungarian Parliament, the Hungarian delegation to consist of the Minister of State Ferenc Erdei, Major General Pál Maléter, Major General István Kovács and Colonel Miklós Szűcs.

342. On 3 November, in a Budapest completely encircled by the Soviet Army, while the provinces were full of Soviet troops, a new Nagy Government was formed including representatives of the four major political parties. Minister of State Ferenc Farkas, in a broadcast on 3 November, said that the members of the Government agreed on the following points among others: (1) "to retain the most sincere and warmest economic and cultural relations with every socialist country, even after we have obtained neutrality;" (2) "to establish economic and cultural relations with other peace-loving countries of the world, also;" (3) to "continue our efforts and the negotiations" with the USSR in regard to Hungarian neutrality and independence and the withdrawal of Soviet troops; (4) "We consider it absolutely necessary" to appeal to the USSR, to the Chinese People's Republic, to Yugoslavia and Poland "to support us in the peaceful establishment of our cause."

343. Mr. Andropov had informed Mr. Nagy in the morning of 3 November that the Government of the USSR was accepting the proposals for negotiations. It was not yet in a position to designate the members of the political delegation, but was ready to start immediately negotiations on the military aspects of the withdrawal of the Soviet troops. These latter negotiations began around noon, the Hungarian delegation consisting, in addition to Mr. Nagy, of the four nominees mentioned above and the Soviet delegation comprising General Malinin, Lieutenant-General Stepanov and Major-General Cherbanin. At the end of the meeting, the Hungarian negotiators, in particular the Minister of National Defence, General Maléter, and the Chief of the General Staff, General Kovács, seemed pleased. The atmosphere of the negotiations had been good and the Soviet Generals accommodating. A number of technical points had been agreed to, on the assumption of a complete withdrawal of the Soviet forces from Hungary. The only real point of difference was the date of the completion of the withdrawal, the Hungarian negotiators asking that the full evacuation should be effective by December and their Soviet opposite numbers insisting, for technical reasons, on 15 January. A special committee was to be formed to direct the withdrawal of men and material. The Hungarian negotiators accepted the Soviet demand that Soviet troops should leave the country with full ceremonial, the last units leaving to the accompaniment of military music. The Soviet war memorials, destroyed during the Revolution, were to be replaced and maintained (nothing, however, seems to have been said about the Stalin statue in Budapest). The meeting was to be continued at 10 p. m. at the Soviet Army Headquarters at Tököl, where the Soviet negotiators would be in direct telephone communication with Moscow.

344. A temporary atmosphere of trust and confidence developed, therefore, during the afternoon at the Parliament Building. An announcement was made on the radio that the Soviet delegation had promised that several trains carrying Soviet troops would not cross the Hungarian frontier. The feel of optimism was not only based on the report of the negotiators that the Soviet Army might withdraw, if it could save face by having the withdrawal accom-

⁵³ See *Népkarat*, 3 November, 1956.

panied by military honours and gestures of Hungarian gratitude. Some members of the Hungarian governmental circles felt that, whatever the preferences of the Soviet Army might be, the Soviet political leaders may have come to realize that a partial occupation of Hungary would not really be effective in the future, especially at a time of crisis, and that a total occupation would be costly and would involve a considerable loss of prestige in the outside world. In order to obtain a definite promise of withdrawal, the Hungarian leaders were ready to make concessions as to the actual date of the completion of the movement of Soviet troops and to comply with a demand formulated, according to a witness, by the Soviet negotiators, that Hungarians should repay to the Soviet Union the cost of all weapons given to the Hungarian Army since the end of the Second World War.

345. Other chapters of this Report relate the events in the evening: the beginning of the negotiations at the Soviet Headquarters, the intervention of Soviet officers, and the arrest of the Hungarian representatives and their subsequent transfer to the Soviet Union. Mr. Nagy's and his fellow Ministers' last appeals during the night will also be recalled, as well as the announcement on the Budapest Radio of the convening of the meeting of the United Nations Security Council.

346. What did the Hungarian insurrection expect from the United Nations? Far from taking the position that the situation in Hungary was of no concern to the United Nations, as soon as doubts arose as to the willingness of the Soviet Union to withdraw its troops from Hungary, the Nagy Government, with the full support of the revolutionary organizations, sought to obtain the assistance of the United Nations in the achievement of the international aims of the insurrection and, through the Organization, the support of the major Powers. On 28 or 29 October, it revoked Péter Kós, the Permanent Representative of Hungary and charged János Szabo with the responsibility of transmitting its communications to the United Nations organs. The Hungarian delegation composed of Imre Horváth, Endre Sik and Imre Vajda, which was already in Vienna on its way to New York, had been instructed to return to Budapest. It was reported to the Committee that the sending of a new delegation composed of leaders of the parties represented in the Government was under active consideration. It was also reported that Mr. Nagy himself gave thought to the possibility of personally coming to the United Nations and making an appeal for the support of the Organization, and the name of Miss Anna Kéthly was also mentioned in this connexion. The Government felt, however, that their presence in Budapest was essential.

347. The Government as well as the people hoped for active support by the Organization in their demand for Soviet withdrawal, as well as for the projected neutrality status. It was thought that a visit by a delegation from the United Nations or by the Secretary-General might stave off the Soviet armed advance and its final overthrow of the Government. There was some hope among the public for United Nations moves similar to those which were then being undertaken with respect to the Middle East situation, a call for a cease-fire and possibly the sending of a United Nations Force. These expectations were not, however, very precise. Undoubtedly, there was disappointment that the United Nations was not acting with greater speed and determination. Except for isolated cases, none of the witnesses interrogated by the Committee wished, however, for a military intervention from the outside which might have started a general war. Most of them thought that such a military intervention would not be necessary, as political action would be sufficient.⁵⁴

E. QUESTION OF THE WITHDRAWAL OF SOVIET ARMED FORCES AFTER 4 NOVEMBER 1956

348. The demand of the people of Hungary for the departure of Soviet troops did not abate after the overthrow of the Nagy Government, the military reoccupation of Budapest and the cessation of hostilities. Not only did posters and leaflets continue to appear in the names of various Hungarian organizations including, among other demands, those for the withdrawal of Soviet forces, an independent neutral Hungary and discussion of these matters, by the Government with the

⁵⁴ On 2 November the news spread in Budapest of the arrival of "a United Nations delegation coming from Prague". Géza Losonczy confirmed this at his press conference held on 3 November stating that he "was informed this morning" about the arrival of the delegation but he had not yet met it. (*Népszabadság*, 3 November 1956; Radio Budapest, 3 November, 10:30 p. m.)

Soviet Union and the United Nations, but Hungarian leaders did not hesitate to express these demands publicly.

349. At a meeting between representatives of a Workers' Council and the Soviet city commander on 8 November, General Grebenik asked—so the Committee was informed by a witness—why the workers were not returning to work. The President of the Workers' Council made four demands, among which were those for the withdrawal of Soviet forces from Budapest and the rest of Hungary, a proclamation of neutrality on the model of Austria and the denunciation of the Warsaw Treaty. The Soviet commander replied by an adaptation of a Russian saying: "Soviet troops will leave the territory of Hungary only when crayfish whistle and fishes sing."

350. At a meeting on 13 November at Ujpest, at a location encircled by Soviet tanks, delegates of workers' councils drafted a seven-point programme, the first of which was "the immediate withdrawal of Russian troops from the territory of Hungary", the fourth, the holding of free elections at a definite date under the supervision of the United Nations; the fifth, immediate withdrawal from the Warsaw Treaty; the sixth, an effort to secure recognition of Hungary's neutrality throughout the world; the seventh, the re-examination and publication of all commercial agreements. On the same day, Mr. Sándor Gáspár, Chairman of the National Federation of Free Trade Unions, declared that the trade unions stood by the people's demand for the withdrawal of the Soviet troops from Budapest and the whole of the country.

351. On the same day also, two printed manifestos were widely distributed in the city of Budapest; one proclamation issued by the Writers' Union, the Academy of Science, the Hungarian Telegraph Agency and other institutions demanded, among other things, the withdrawal of Soviet troops and a neutral status for Hungary. The second, a resolution presented by the Workers' Council of the Budapest industrial areas, offered to resume work only if certain demands were met. These included demands for the immediate withdrawal of Soviet troops from Budapest and negotiations for their orderly withdrawal from Hungary. On 15 November, the delegates of the Greater Budapest Workers' Council, reporting on their interview with Mr. Kádár, stated that the Government had given "an earnest promise" in connexion with the fulfilment, within the foreseeable future, of their revolutionary demands formulated on 23 October, including "the gradual withdrawal" of Soviet troops from the country's territory. In case of non-fulfilment by the Government of its pledge, the strike weapon would again be applied, stated the announcement of the Council. It was explained that the delegates of the Council realized that the Government could not satisfy their demand for the immediate withdrawal of Soviet troops in "the prevailing international situation".

352. A document issued by the Revolutionary Council of Hungarian Intellectuals in Budapest on 17 November stated the object of the revolutionaries in foreign affairs as the repudiation of the Warsaw Treaty, the ending of participation by Hungary in the "Council of Mutual Economic Aid", the removal of all foreign military bases and the neutrality of Hungary. The document advocated placing all uranium ore mined in Hungary at the disposal of "the International Organization set up to utilize atomic energy for peaceful purposes" and inviting troops from other States to replace those of the Soviet Union, and to take over for a limited time, if necessary, frontier defence and other military functions. At a meeting of the Central Workers' Council of Csepel with the Soviet Commander on 23 November, one of the demands was once again "that negotiations should start immediately for the withdrawal of Soviet troops".

353. The memorandum issued by the Petöfi Party (formerly the National Peasant Party) on 26 November also contained a demand for talks with the Soviet Government and the Soviet military commanders with a view to Soviet troop withdrawal, first to their bases and, secondly, completely from Hungary. On 30 November, the League of Hungarian University and College Student Associations (MEFESZ) issued a statement which included the following: "University youth adheres to its programme issued on 23 October"; "We consider that order and calm and the resumption of production and of transport are necessary in order that the demands of our national democratic revolution—demands which were abused by the counter-revolution—should be realized, such as the withdrawal of Soviet troops". On 5 December, some 2,000 persons gathered outside the Legations of some of the Western Powers, singing the Hungarian national anthem and chanting among their demands "Russians, go home", "We want United Nations' help".

354. On 8 December, a memorandum containing an important foreign policy statement was issued in the name of the Independent Smallholders' Party, the Petöfi Party, the Workers' Council of Budapest, the Revolutionary Council of Hungarian Intellectuals, the Hungarian Writers' Union and the League of Hungarian University and College Student Associations. Noting that "one of the main factors which has brought about the present serious situation, has been the misleading information and analysis of the character and objectives of the Hungarian revolution which has reached the leading statesmen of the Soviet Union from those who stand for the evil régime destroyed on 23 October 1956, or who want to restore it and its methods", the memorandum stated that "the Soviet Government's decision not to enter into negotiations about the withdrawal of Soviet troops stationed in Hungary and the adjustment of Hungarian-Soviet relations until order has finally been restored is due to such misinterpretation of the facts". "The very pressure of Soviet troops", the memorandum continued, "prevents the realization of the condition demanded by the Soviet Government for the withdrawal of their forces". As the only escape from this impasse, the memorandum suggested that the Soviet Government and a provisional Hungarian Government, which would be set up on democratic principles, reach an agreement on a re-examination, in conjunction with the other member States, of the obligations laid down in the Warsaw Treaty, the method and date of the withdrawal of Soviet armed forces from Hungary, the repatriation of Hungarian citizens arrested by Soviet authorities, and the adjustment of Hungarian-Soviet economic relations in the spirit of the Polish-Soviet economic agreement. If the Soviet Government considered it necessary to have further guarantees, prohibition of the stationing of foreign armed units and foreign military bases, on Hungarian territory, as well as the use of fissile material exclusively for non-military purposes under the sole control of the International Organization, would be prescribed by constitutional law, the Memorandum added.

355. As to Mr. Kádár, it will be recalled that in his broadcast of 4 November announcing the formation of the Hungarian Revolutionary Worker-Peasant Government, he gave, as part of his Government's programme, point fifteen, which read as follows: "After the restoration of calm and order, the Hungarian Government will begin negotiations with the Soviet Government, and with the other participants to the Warsaw Treaty, on the withdrawal of Soviet troops from Hungary". The policy of making the maintenance of order the condition for starting negotiations on withdrawal was repeated by the press and radio. An editorial in the *Népszabadság* of 14 November, stated: "As regards the departure of Soviet troops, this is desired by all, with the exception of a few embittered Rákosi-ites. There is no Hungarian patriot who can be pleased with the fact that Soviet tanks are rumbling through the Hungarian capital. The Soviet Government has announced that the Soviet troops will not leave our capital and the country until order is restored. This decision we cannot change; the strike would only destroy us. Instead of hastening, it merely delays still longer the withdrawal of Soviet troops and, in the final analysis, it postpones the democratic political development that must take place in our country."

356. Mr. Kádár's position as to the prospective negotiations with the Soviet Union on the withdrawal of its troops from Hungary was re-stated by him in a radio address on 8 November: "The Government agrees with the demand that Soviet troops should leave Hungary as soon as peace and order are restored and it will begin negotiations for this purpose". On 11 November, he stated that after the counter-revolution had been smashed and the People's Republic strengthened with the help of the Soviet forces, negotiations would be opened "concerning the question of the withdrawal of Soviet forces from the country". This was re-stated by Mr. Kádár on 28 November.

357. In his cablegram to the Secretary-General of the United Nations of 12 November, Mr. Kádár, while asserting that the Hungarian Government and the Soviet Government were "exclusively competent to carry on negotiations concerning the withdrawal of the Soviet troops from Hungary", stated "After the complete restoration of order, the Hungarian Government will immediately begin negotiations with the Government of the Soviet Union for the withdrawal of these troops from Hungary".⁵⁶ On 19 November 1956, Mr. Shepilov said in the General Assembly that "The question of the Soviet troops in Hungary will be settled in accordance with that declaration [of the USSR Government of 30 October 1956]. By agreement with the Hungarian Government, the Soviet troops will be promptly withdrawn from Budapest, once normal conditions are

⁵⁶ A/3341.

restored in the Hungarian capital. At the same time, the Soviet Government will begin negotiations with the Government of the Hungarian People's Republic, as a party to the Warsaw Treaty, on the question of maintaining Soviet troops on Hungarian territory".

358. Mr. Imre Horvath, Minister of Foreign Affairs, stated in the General Assembly, on 3 December 1956: "The Soviet forces were present in Hungary with the approval of the Hungarian Government; even at the request of that Government. The moment the Hungarian Government so desires, the Soviet forces will leave, just as they have already once evacuated Budapest". On 10 December, in the General Assembly, Mr. Kuznetsov still referred to the 30 October Declaration indicating the willingness of the Soviet Government to enter into negotiations with the Government of Hungary and the Governments of other countries, parties to the Warsaw Treaty, regarding the stationing of Soviet armed forces in Hungary. However, he brought this problem into relationship with the presence of foreign armed forces on the Territories of other States.

359. A change from the previous position of the Kádár Government became apparent from the middle of December onwards. The Militia force organized by Mr. Munnich had by then increased its strength and was taking over security duties from the Soviet forces. The Soviet forces began to withdraw to barracks formerly occupied by the Hungarian Army and became progressively less visible in the streets of Budapest.

360. A Declaration of policy entitled "On Major Tasks" issued by the Kádár Government on 5 January 1957⁶⁶ referred to the Government's reliance on the "international solidarity of the workers and on a lasting alliance with the Soviet Union and every country in the socialist camp". As to "the Soviet Army in the present exacerbated situation", it "is defending the Hungarian people on Hungarian territory against a possible military attack from external imperialist forces, and it ensures by this that our people may live in peace and devote their powers to the great cause of building socialism and making the country prosperous". After noting that the disturbing factors in the Hungarian-Russian relationship had recently been liquidated by full agreement, the Declaration of 5 January continued:

"The Hungarian and Soviet Governments are desirous of settling, in accordance with the two countries' friendly and brotherly relations of alliance, through friendly negotiations, all present and future questions, in Hungarian-Soviet relations, including questions connected with the Soviet forces in Hungary. The basis of the settlement is proletarian internationalism, respect for equality, sovereignty and national independence, non-interference with each other's internal affairs and mutual benefit, as declared by the Soviet Union in her statement of 30 October on her relations with the Peoples' Democracies". There is no other reference in this Declaration to the Question of the Soviet forces in Hungary.

361. The new attitude towards the presence of the Soviet Army in Hungary was reflected by Mr. Kádár in a speech in Salgótarján on 8 February 1957. " * * * They say that there are foreign troops on Hungarian territory, meaning the Soviet troops. Comrades, these soldiers are soldiers belonging to the troops of a friendly socialist country, sons and daughters of the October Revolution, our brothers and helpers. For us they are not foreign troops. What foreign troops mean would have been experienced by the duped students, if 23 October had gone on for another two or three weeks and if really foreign troops—those of imperialist countries and governments—had come here. They would have found what it means to have foreign troops on the territory of a country".

362. In its communication to the United Nations of 4 February 1957, the Kádár Government stated, however, that "as far as the presence and the withdrawal of Soviet troops from Hungarian territory are concerned, this question comes under the exclusive purview of the Hungarian and Soviet Governments and of the other member States of the Warsaw Treaty. The Hungarian Government, once again, stated on 6 January that it intended to settle questions in connexion with Soviet troops stationed in Hungary by negotiations between the Hungarian and Soviet Governments. The principles on which the settlement would be based were laid down in the well-known statement made by the Soviet Union on 30 October".

⁶⁶ *Népszabadság*, 6 January 1957.

363. The "Declaration of the Governments of the Soviet Union and the Hungarian People's Republic" of 28 March 1957 contains only the expression of the resolution of the two Governments "to support and reinforce the Warsaw Treaty which is called upon to provide a reliable safeguard against all the intrigues of the aggressive circles of the imperialist States". Referring to the presence of Soviet troops on Hungarian territory, the Declaration says: "The presence of units of the Soviet Army on the territory of Hungary is a decisive factor protecting the country from aggressive intrigues of the imperialists as was shown by the October and November events in Hungary". Both Governments declare that "the temporary presence of Soviet troops under the terms of the Warsaw Treaty is dictated by the present international situation". It is further added that "the two sides will shortly hold talks on the presence of Soviet military units in Hungary to determine their strength, composition and location, and will conclude an agreement on the legal status of the Soviet troops temporarily stationed on the territory of the Hungarian People's Republic". There was no mention in the Declaration of withdrawal in the immediate future. In implementation of the Declaration, an agreement was concluded on 27 May 1957 between the Government of the USSR and the Government of the Hungarian People's Republic "on the legal status of Soviet forces stationed temporarily on the territory of the Hungarian People's Republic".⁵⁷

364. The change of the initial position seems by now complete: as reported in the press, Mr. Kádár said on 11 May 1957 in his speech to the Hungarian Parliament: "We are supporters of the Warsaw Treaty and consequently we are also supporters of the presence of Soviet troops in Hungary, as long as we are faced with the aggressive ambitions of the imperialists and the gathering of the imperialists' forces".⁵⁸

F. FINAL OBSERVATIONS

365. The foregoing paragraphs recall in a comprehensive manner the main provisions of published international instruments bearing on Hungary's commitments with respect to the stationing and possible utilization of Soviet forces on Hungarian territory. They describe step by step the efforts made by the Nagy Government, in response to the demands of the Hungarian nation, to obtain the cessation of the Soviet intervention and the ultimate permanent withdrawal of Soviet armed forces from Hungary.

366. It is incontrovertible that the Nagy Government, whose legality under the Hungarian Constitution, until it was deposed, cannot be contested, protested against the entry and the use of Soviet forces on Hungarian territory, and not only asked that these forces should not intervene in Hungarian affairs, but negotiated and pressed for their ultimate withdrawal. The actions of the Nagy Government give proof of the firm desire of the Hungarians, as long as they could publicly express their aspirations, to achieve a genuinely independent international status for their country.

367. It is no less incontrovertible that the Nagy Government was overthrown by force. Its successor assumed power as a result of military aid by a foreign State. The Nagy Government neither resigned nor transferred its powers to the Kádár Government. Noteworthy is the acceptance by the Kádár Government, after initial declarations to the contrary, of the continued presence of Soviet forces in Hungary.

368. There is no doubt as to the aspirations of the immense majority of the Hungarian people. The presence of the Soviet Army on Hungarian territory is for Hungarians the visible attestation of Hungarian subordination to an outside power and of the impossibility for their country to pursue its own ideals. The aspiration for the withdrawal of the Soviet armed forces is based on the deep patriotic feelings of the Hungarians, having their source in their historic past. Their will for regaining full international independence is powerful and has only been strengthened by the role played by the Soviet military command in the post war years by the establishment of a political régime patterned after that of the Soviet Union and more recently by the Soviet military intervention to guarantee that régime's continuance.

369. The Committee has not found that these feelings and aspirations were antagonistic to the Soviet Union as a State or to the Soviet people as individuals

⁵⁷ *Népakarat*, 29 May 1957. For the text of the Agreement, see Annex A to this Chapter.

⁵⁸ *Népakarat*, 12 May 1957.

or that they excluded sympathy of a great many Hungarians for a number of features of the Soviet economic and social system. Although the idea of neutrality has been put forward, the precise implications of such an international status were not defined; it appeared to the Committee to be only one of the expressions of the desire of the Hungarians for vindicating the sovereign independence of a country virtually subject to military occupation. Hungarian leaders who appeared before the Committee or whose statements have been examined have asserted the necessity for their country to maintain with the Soviet Union correct, and even friendly, political, military and economic relations and have indicated their readiness to give, in that connexion, all the necessary guarantees.

ANNEX A TO CHAPTER VIII

*Agreement between the Government of the Hungarian People's Republic, and the Government of the USSR on the legal status of Soviet forces temporarily stationed on the territory of the Hungarian People's Republic concluded in Budapest, 27 May 1957*⁵⁹

The Government of the Hungarian People's Republic and the Government of the USSR fully resolve to exert all their efforts to preserve and strengthen peace and security in Europe and the world at large, taking into account that in the present international situation—at a time when there exists the aggressive North Atlantic alliance, when West Germany is being remilitarized and the revanchist forces are being increasingly activated in the country, at a time when the United States and other participants in the North Atlantic alliance are maintaining their numerous forces and military bases in close proximity to socialist States—a threat to the security of these States is developing; taking note of the fact that in these conditions the temporary stationing of Soviet forces on the territory of the Hungarian People's Republic is expedient for the purpose of safeguarding joint defence against the possibility of aggression and that it accords with international agreements, and desirous of settling questions connected with the temporary presence of Soviet forces on the territory of the Hungarian People's Republic, the Government of the Hungarian People's Republic and the Government of the USSR have decided, in accordance with their declaration dated 28 March 1957, to conclude this agreement and have for this purpose appointed their plenipotentiaries:

The Government of the Hungarian People's Republic: Imre Horvath, Minister of Foreign Affairs of the Hungarian People's Republic, Geza Revesz, Minister of Defence of the Hungarian People's Republic; the Government of the USSR: A. A. Gromyko, Minister of Foreign Affairs of the USSR, G. K. Zhukov, Minister of Defence of the USSR, who, after exchanging their credentials, which were found to be in proper order and form, agreed on the following.

ARTICLE I

The temporary presence of Soviet forces on the territory of the Hungarian People's Republic in no way affects the sovereignty of the Hungarian State; the Soviet forces do not interfere in the internal affairs of the Hungarian People's Republic.

ARTICLE II

1. The numerical strength of Soviet forces temporarily on the territory of the Hungarian People's Republic, and the places of their stationing, are determined on the basis of special agreements between the Government of the Hungarian People's Republic and the Government of the USSR.

2. Movements of Soviet forces on the territory of the Hungarian People's Republic outside the places of their stationing require in each case the agreement of the Government of the Hungarian People's Republic or of Hungarian organs authorized by the Hungarian Government to act for it.

3. The training and manoeuvres of the Soviet troops on the territory of the Hungarian People's Republic outside their stationing areas are carried out either on the basis of the plans agreed on with the proper Hungarian Government bodies, or with the approval in each case of the Government of the Hungarian People's Republic or the proper Hungarian authorities.

⁵⁹ Translation from original Hungarian text which appeared in *Népakarat*, 29 May 1957, No. 123.

ARTICLE III

The Soviet forces stationed on the territory of the Hungarian People's Republic, their dependents and members of the dependents' families are in duty bound to respect and observe the provisions of the Hungarian laws.

ARTICLE IV

1. The Soviet troops stationed on the territory of the Hungarian People's Republic wear their uniforms and have and carry arms in accordance with the rules established in the Soviet Army.

2. The transport vehicles of the Soviet military units must have a clear registration number which is fixed by the command of the Soviet troops and is reported to the competent Hungarian organs.

3. The competent Hungarian organs recognize the validity without a test or charge, of the driver's license issued by the competent Soviet bodies to personnel of the Soviet forces stationed on the territory of the Hungarian People's Republic.

ARTICLE V

Questions of jurisdiction connected with the stationing of the Soviet troops on the territory of the Hungarian People's Republic are settled in the following way:

1. In criminal cases and in cases including offences committed by personnel of the Soviet forces or members of their families on the territory of the Hungarian People's Republic, the Hungarian laws, as a general rule, apply, and Hungarian courts and prosecutor's offices and other Hungarian bodies competent to prosecute crimes and offences are effective. Crimes committed by Soviet servicemen are investigated by courts martial and are tried by organs of the military judiciary of the Hungarian People's Republic.

2. The rules of item 1 of the above Article are not applied:

A. In cases where members of the Soviet forces or members of their families commit crimes or offences only against the Soviet Union, personnel of the Soviet forces, or members of their families;

B. In cases where the personnel of the Soviet forces commit crimes or offences while on duty.

In the cases mentioned in A and B, Soviet laws apply and Soviet courts, prosecutor's offices and other Soviet organs competent to prosecute crimes and offences are effective.

3. Competent Soviet and Hungarian organs may ask each other to transfer or to accept jurisdiction in separate cases stipulated in this article. Such requests will have favourable examination.

ARTICLE VI

When a crime has been committed against the Soviet troops present on the territory of the Hungarian People's Republic or against servicemen who are members of the Soviet forces, persons who commit such crimes are to be prosecuted by the courts of the Hungarian People's Republic in the same way as for the crimes against Hungarian armed forces or Hungarian servicemen.

ARTICLE VII

1. Competent Soviet and Hungarian organs will give each other every assistance, including legal aid, in the prosecution of crimes and offences listed in Articles V and VI of this agreement.

2. Special agreement of the contracting parties will define the principles and the order of rendering the aid mentioned in clause 1. of this article, as well as the aid involved in dealing with civilian cases arising in connexion with the presence of the Soviet troops on the territory of the Hungarian People's Republic.

ARTICLE VIII

At the request of competent Hungarian organs of authority, a person who is a member of the Soviet forces and is guilty of having violated Hungarian law will be recalled from the territory of the Hungarian People's Republic.

ARTICLE IX

1. The Government of the USSR agrees to compensate the Government of the Hungarian People's Republic for material damage which may be inflicted upon the Hungarian State by the actions or the neglect of Soviet military units or of individual servicemen; as well as for damage which may be caused by Soviet troops, units, or servicemen in the course of their duties, to Hungarian premises and citizens or to citizens of other States present on the territory of the Hungarian People's Republic: in both cases the sums involved will be those established by a joint commission formed in accordance with Article XVII of the present agreement, on the basis of submitted claims and taking into consideration the decisions of Hungarian legislation. Disputes which may arise as a result of the obligations of the Soviet military units are also to be examined by the joint commission on the same basis.

2. The Government of the USSR also agrees to compensate the Government of the Hungarian People's Republic for the damage which may be caused to Hungarian premises and citizens, or citizens of other States present on the territory of the Hungarian People's Republic, as a result of the action or neglect of persons who are members of the Soviet forces, committed not during the execution of their service duties; and also as a result of actions or neglect of the members of families of the servicemen of Soviet troops—in both cases the amounts will be established by a competent Hungarian court on the basis of complaints against the persons who caused the damage.

ARTICLE X

1. The Government of the Hungarian People's Republic agrees to compensate the Government of the USSR for damage which may be caused to the property of the Soviet military units present on the territory of the Hungarian People's Republic, and to persons who are members of the Soviet forces, by the action or the neglect of Hungarian State offices to the amounts established by the joint commission formed in accordance with Article XVII of this agreement, on the basis of the claims submitted and taking into consideration the decisions of Hungarian legislation.

Disputes which may arise out of obligations of Hungarian State offices to Soviet military units are also to be examined by the joint commission on the same basis.

2. The Government of the Hungarian People's Republic also agrees to compensate the Government of the USSR for damage which may be caused to Soviet military units present on the territory of the Hungarian People's Republic, to persons who are members of the Soviet forces, and to members of their families, as a result of the actions or neglect of Hungarian citizens—the amounts to be established by the Hungarian court on the basis of the complaints made against the persons who caused the damage.

ARTICLE XI

1. Compensation for the damage stipulated in Articles IX and X will be paid by the Soviet side and by the Hungarian side respectively within 3 months of the date on which the decision is taken by the joint commission or the date of the coming into force of the decision of the court. The payment of the sums due to the persons or offices suffering damage in the cases stipulated in Article IX of the present agreement will be carried out by competent Hungarian organs, and in the cases stipulated in Article X of the present agreement by competent Soviet organs.

2. Claims for compensation for the damage mentioned in Article IX and X which have arisen since the peace treaty with Hungary came into force, and which had not been satisfied before the coming into force of the present agreement, are to be examined by the joint commission.

ARTICLE XII

The construction in places where the Soviet forces are stationed of buildings, airfields, roads, bridges, permanent radio communication installations, including the fixing of their frequencies and power, require the approval of the competent Hungarian authorities. Similar approval is also required for the setting up of establishments outside the places where the Soviet forces are stationed, for the convenience of personnel of the Soviet forces.

ARTICLE XIII

Questions relating to the procedure and conditions for the use of Soviet forces of barrack and administrative premises, storehouses, airfields, training grounds, means of transport and communication, electric power, communal and training services, connected with the temporary stay of Soviet forces on the territory of the Hungarian People's Republic, are settled by special agreements of competent bodies of the signatory sides: the agreements in force on the aforementioned questions will, if necessary, be re-examined for the purpose of defining them in greater detail.

ARTICLE XIV

In case the property and facilities listed in Article XIII used by the Soviet forces are relinquished, such property and facilities will be returned to the Hungarian organs. Questions connected with the transfer to Hungarian authorities of property relinquished by Soviet forces on the territory of the Hungarian People's Republic, including buildings erected by the Soviet forces, will be settled by special agreements.

ARTICLE XV

For the purpose of settling current questions connected with the stationing of Soviet forces in Hungary, the Government of the Hungarian People's Republic and the Government of the USSR appoint their plenipotentiaries to deal with matters pertaining to the stationing of the Soviet forces in Hungary.

ARTICLE XVI

Within the meaning of the present agreement:

"A member of the personnel of the Soviet forces" is:

A. A serviceman of the Soviet Army;

B. A civilian who is a Soviet citizen and works in units of the Soviet forces in the Hungarian People's Republic.

"Place of stationing" is territory made available to Soviet forces, comprising places where military units are quartered with training grounds, shooting grounds and ranges, and other property used by these units.

ARTICLE XVII

For the purpose of solving questions connected with the interpretation or application of this agreement and supplementary agreements provided for by it, a Soviet-Hungarian mixed commission, to which each of the signatories appoints three of its representatives, is being set up. The mixed commission will act in accordance with rules which it will adopt.

Budapest will be the headquarters of the mixed commission. Should the mixed commission be unable to solve a question submitted to it, the question will be solved through diplomatic channels in the shortest possible time.

ARTICLE XVIII

This agreement is subject to ratification and will come into force on the day the instruments of ratification are exchanged, the exchange to take place in Moscow.

ARTICLE XIX

This agreement remains in force for the duration of the stationing of Soviet forces on the territory of the Hungarian People's Republic, and can be modified with the approval of the signatories.

This agreement has been drawn up in Budapest on 27 May 1957 in the Hungarian and Russian languages; both texts have equal validity. In testimony whereof, the aforementioned authorized representatives have signed this agreement and have thereto affixed their seals.

On behalf of the Government of the Hungarian People's Republic: I. Horvath, G. Revesz.

On behalf of the Government of the USSR: A. Gromyko, G. Zhukov.

CHAPTER IX. BACKGROUND AND AIMS OF THE UPRISING

A. INTRODUCTION

370. "The Committee's primary concern", it was stated in the Interim Report, "is to ascertain the extent and the impact of foreign intervention, by the threat or use of armed force or other means, on the internal affairs and political independence of Hungary and the right of the Hungarian people". The Committee has accordingly been concerned in the first instance with the use of Soviet armed forces to suppress the Hungarian uprising. Various aspects of this intervention have been examined in part A of the report. In part B, the Committee turns to another aspect of the task laid upon it by the General Assembly resolution, namely the study of the effect of Soviet intervention on the internal political development of Hungary.

371. According to the statements of spokesmen for the USSR and for the Government of Mr. Kádár, as described in chapter III, that intervention was required to crush a movement of formidable strength. The Committee has rejected the allegation that this strength was drawn from sources outside Hungary. An explanation is, therefore, needed to make it clear how, in a small country, so irresistible an uprising could occur as to require the armed forces of a great Power for its suppression. In this chapter attention is paid to the causes of the uprising and the aims which it was intended to achieve. The following chapter is concerned with the actual course of events during the first part of the uprising. In chapters XI and XII, the Committee has sought to throw light on certain administrative and political changes which took place during the brief period when the Hungarian people seemed about to be liberated from the pressure of Soviet armed forces. These chapters are to be considered in relation to chapters XIII and XIV, which deal with developments after 4 November. Together, they should help to clarify those effects of foreign intervention on the autonomous political development of Hungary, upon which the Committee was instructed to report.

372. In any study of the causes of the uprising, attention is necessarily focussed on the penetration of Hungary by strong Soviet influence over a period of years. This influence was felt in the life of every Hungarian citizen. It dictated the foreign language he was to study at school, it obliged Hungary to accept unfavourable trade agreements with the USSR which adversely affected his standard of living, and it maintained, on the Soviet model, the apparatus of a secret police under the shadow of which he lived. It was precisely against such conditions that the Hungarian people fought. Resentment at alien influences was present in criticisms of the régime voiced before October 1956. The first protest by Hungarian writers concerned the Soviet doctrine of Party allegiance in literature. Similarly, one of the first demands of the students was for the abolition of Russian as a compulsory language in schools. An understanding of the Hungarian uprising calls for recognition of these political, economic and cultural influences or pressures against which the demonstrators of 23 October protested.

373. This chapter is divided into three sections. The first section draws attention to certain features of Hungarian life under Communist rule which evoked discontent and to the form which that discontent assumed before October 1956. The second section depicts the general character of the uprising and analyses its objectives in the light of the resolutions and manifestos issued on the eve of the uprising. The chapter ends with a description of the institution—the AVH—which more than any other factor was responsible for the transition from political demonstration to actual fighting.

374. It will be seen that the reforms demanded by various groups differed in points of detail. The spontaneous nature of the uprising, its scattered character and its lack of leadership worked against a predetermined pattern. Nevertheless, a broad identity of purpose underlay the demands of different participants. It is not suggested that all of the grievances mentioned were present as factors influencing the behaviour of every participant in the demonstrations or in the fighting. Broadly speaking, however, those who took part in the Hungarian uprising did so with a clear idea of what they were opposing at the risk of their lives. All of them refused to tolerate the continued intervention of a foreign Power in Hungarian affairs.

B. THE BACKGROUND OF THE UPRISING

375. No spokesman for the Hungarian Government has ever affirmed that all was well in Hungary before 23 October. On the contrary, official sources have repeatedly stated that a serious situation had been allowed to develop and that the Hungarian people had many reasons for resentment. Attention has been drawn to the Hungarian White Book, *The Counter-Revolutionary Forces in the October Events in Hungary*, which did not hesitate to describe Rákosi's policy as "criminal" and which declared that it had aroused "deep indignation and a broad popular movement".

376. If a régime can be described as "criminal", there cannot be much cause for surprise that a people which has been obliged to live under it for years should eventually bring its resentment into the open. Some of the leaders who subsequently condemned the aims of the uprising were among those who voiced the bitterest criticism of Hungarian conditions. Thus, speaking on 1 December 1956, István Dobi, Chairman of the Praesidium, made the following comment: "If in this country people have reason to complain against the inhuman character of the régime which was swept away on 23 October—and everyone knows that there was cause enough for bitterness—then the villages had many times more reason to complain than the towns. It would be difficult to say which was bigger—the stupidity or the wickedness of the Rákosi régime's rural policy."⁶⁰ On 8 November, Sándor Rónai, Minister of Trade in Mr. Kádár's Government, was speaking of "the unscrupulous, sinful policy of Rákosi and his clique". Mr. Kádár himself was the author of a number of strongly worded criticisms of the régime. "I can affirm, speaking from personal experience," he said in a broadcast on 11 November, "that there is not a single man or leader in Hungary today holding State or Party office, who would wish to restore the old mistaken policy or methods of leadership. But, even if anyone should still wish to restore the old methods, it is certain that there is no one capable of doing this; for the masses do not want the return of the old mistakes, and would relentlessly sweep from power any leader who might undertake such a task."

377. Even by opponents of the uprising or by those who subsequently became opponents of it, the situation before 23 October is therefore described as tense and potentially dangerous. Some of the complaints voiced against the régime were associated with the Stalin cult. The Twentieth Congress of the Communist Party of the USSR held in Moscow early in 1956 had set in motion a trend away from this cult and towards a measure of liberalization of the Communist system. The impact of these new slogans was at once felt in Hungary, as in Poland and elsewhere in Eastern Europe. Efforts were made within the Central Committee of the Hungarian Workers' (Communist) Party to carry some of the new doctrine into effect. The process, however, was considerably slowed down through the influence of Mátyás Rákosi, First Secretary of the Central Committee and closely identified both with Soviet methods and with the Stalinist cult. A resolution adopted by the Central Committee in March 1956⁶¹ denounced Stalin and hailed democratization, but re-emphasized the need for collectivization of agriculture—an unpopular measure with the peasants—and for the priority of heavy industry over the production of consumer goods—an unpopular measure with workers and Hungarians generally. It also reiterated earlier condemnations of Imre Nagy, who had kept the sympathy of large numbers of people and whose return to power was one of the first demands put forward at the October meetings.

378. While the Government showed no disposition to modify its attitude on Mr. Nagy, Rákosi took a step on 27 March 1956 which was bound to have great repercussions throughout the country. He announced that investigations had led the Supreme Court to establish that the entire Rajk trial, as well as others connected with it, had been based upon "fabricated charges" made by Lieutenant-General Gábor Péter and his associates in the AVH, who were said to have abused their power.⁶² This pronouncement by the Supreme Court was followed by a re-examination process in the course of which some 300 "baselessly convicted" people were released from prison, most of them having been members of the Party and some having occupied leading positions in it. The statement about Rajk revealed how one of the most publicized actions of the Rákosi Régime had

⁶⁰ *Népszabadság*, 2 December 1956.

⁶¹ *Szabad Nép*, 15 March 1956.

⁶² *Szabad Nép*, 29 March 1956.

been a travesty of justice and of law. From the mouth of its most powerful leader, the régime stood convicted of shedding innocent blood. Three weeks later, Rákosi made his first public admission of "mistakes" committed under his régime.⁶³ The first step was a cleansing of culture by writers themselves.

379. These developments encouraged certain writers and other intellectuals to press criticisms of the régime which they had been courageous enough to voice since the autumn of 1955. At that time, Communist writers like Gyula Háry and Tibor Déry had begun to speak out against the Soviet doctrine of Party allegiance in literature and against continual interference by Party bureaucrats in literature and in art. Many members resigned from the Executive Committee of the Writers' Union in protest against the "anti-democratic methods which paralysed the cultural life of the country"—to quote Tibor Déry's memorandum, which is said to have been the first manifestation of organized opposition in Hungary. Reiteration by the Central Committee of its "unquestionable right" to dictate to authors served only to widen the breach.⁶⁴

380. Hungarian writers have always wielded great influence with the people and these literary protests were followed sympathetically by the reading public. It was not long before the writers found themselves, by the very fact of protesting, drawn closer to the Hungarian people as a whole. Moving from literary and artistic grievances, they began to express the dissatisfaction and longings of the average citizen.

381. It was in this situation that the Polish workers in Poznan rose in revolt at the end of June 1956. Repercussions were immediate in Hungary. Despite Party appeals, the workers hurriedly organized manifestations to show their solidarity with the Poles, a solidarity which can be traced through hundreds of years during which both peoples have struggled to preserve their identity. Witnesses told the Special Committee that, in their opinion, developments in Poland in 1956 had exercised a greater influence upon the Hungarian people than any other external event since the death of Stalin.

382. The main organs for writers' criticisms of the régime were the Hungarian Writers Union and its review, the *Irodalmi Újság* (Literary Gazette). In April 1956 the General Assembly of the Writers' Union, meeting to elect its new executives, rejected the official list of candidates supplied by the Party and, by large majorities, chose others. Thus the official Party candidate for the post of Secretary-General was defeated by 100 votes to 3, and in his stead a poet who formerly belonged to the National Peasant Party was elected. Other writers unfavourable to the régime, including Pál Ignóty and Lajos Kassák, were elected members of the Presidential Council of the Union.

383. While the Writers' Union was becoming a forum to which anybody could bring his grievances, it was not the only one of its kind. During the late spring of 1956, young intellectuals, writers, journalists and composers belonging to the league of Working Youth (DISZ), the Communist youth federation, established the Petöfi Club. This was destined to play a great part in focusing the criticisms of Hungary's young intellectuals. Discussions took place at the Club on a wide variety of political, economic and social topics, and even cadets from the Military Academies eagerly took part in them. The main purpose of the Petöfi Club was said to be to enlighten the Hungarian people on national affairs after the Twentieth Congress of the Communist Party of the USSR. Although older Communists and intellectuals belonged to the Petöfi Club, it was mainly a meeting place for the younger generation. On 24 June, the Party newspaper, *Szabad Nép*, called the Petöfi Club a valuable forum and said that it would be good for Hungary's leaders to take part in its debates.

384. Two meetings of the Club are indicative of its interest in political questions and of the growing emotional tension in Hungary. On 18 June, the Club discussed the rehabilitation of László Rajk, and welcomed Rajk's widow "with stormy applause".⁶⁵ A week later, on 27 June 1956, between 5,000 and 6,000 people standing in the streets listened by loudspeaker to a meeting at which the Club raised the question of Imre Nagy for the first time in public. This meeting went on throughout the night and turned into an almost riotous demonstration against Rákosi and his régime, criticisms being endorsed even by men hitherto regarded as reliable Party members.⁶⁶

⁶³ *Szabad Nép*, 19 May 1956.

⁶⁴ *Pravda*, 11 December 1955.

⁶⁵ *Magyar Nemzet*, 20 June 1956.

⁶⁶ Subsequently the Central Committee condemned the Petöfi Club for "anti-Party views". *Szabad Nép*, 1 July 1956.

385. It was not only in the towns that dissatisfaction was being expressed. In the periodical *Béke és Szabadság* (Peace and Freedom), the Stalin prizewinner Tamás Aczél, described the profound spirit of distrust of the régime which he encountered among the peasants.⁶⁷ One witness told the Committee how the *Irodalmi Ujság* containing critical articles was sold out even in country districts. Peasants came by cart to one bookseller, gave him 100 forints a copy, the normal price being one forint, and took the review away to their village to be handed from one family to another.

386. Two other developments during the months preceding October created a great emotional reaction in Hungary. These were the dismissal of Rákosi on 18 July, after a meeting of the Central Committee attended by A. I. Mikoyan, Deputy Premier of the USSR,⁶⁸ and the ceremonial reburial on 6 October of László Rajk and other victims of the 1949 trials.

387. The departure of Rákosi was hailed as likely to portend a complete break with the old régime and with its unpopular policies—a hope strengthened four days later by the news that General Mihály Farkas, former Minister of Defence, a highly unpopular figure, has been expelled from the Party. These hopes were not, however, realized by the actions of Ernő Gerő, Rákosi's successor as First Secretary of the Central Committee. Although he appointed an anti-Rákosist, János Kádár, to the Politburo, Gerő also brought back József Révai, ideological chief during the Rákosi era, and Imre Horváth, another friend of Rákosi, whom he made Foreign Minister.

388. The reinterment of László Rajk on 6 October took place when the Hungarian public had had time to observe the Gerő régime at work and to see how few of the hoped-for changes had come about. Many thousands of people gathered for the ceremony, and there were widespread demonstrations of sympathy for Rajk and the other victims. Less than a week later, it was announced that General Farkas had been arrested, together with his son Vladimir, Lieutenant-Colonel of the AVH, for having "violated socialist principles".⁶⁹ A call for a public trial of Farkas was prominent among the students' demands on the eve of the demonstrations.

389. This demand that Farkas should be called to account is typical of the lack of confidence felt by students and others in the willingness of the Gerő administration to take the steps for a real break with the past which were felt to have become urgent. A glance backward over the year 1956 in Hungary leaves the impression of an element of hopefulness, tending to disappointment as the rehabilitation of Rajk and the dismissal of Rákosi both failed to bring about far-reaching changes. Even the announcements on 14 October that Mr. Nagy had been readmitted to the Party, and on 18 October that he would be reinstated in his University Chair, failed to allay suspicions, since he was not invited to join the Government. The reburial of Rajk had brought an emotional element into the situation and had already collected crowds around the symbolic figure of his widow. The practice of mass demonstration had thus been effectively started in Budapest.

390. Less than a fortnight later came the first news of Poland's move towards greater independence. This, more than any other single event, was the catalyst for which Hungarians had been, half consciously, waiting. The developments on 22 October in Poland evoked great enthusiasm among Hungarian students and kindled further hopes of liberalization. The official radio broadcast messages of congratulations to Poland, and the Press did little to moderate the general excitement. It was stressed that the trend towards democratization unmistakably enjoyed the full support of the broad masses of the Polish people, and in particular that of the workers.⁷⁰ Coming together to show their support for Poland as much as for any other reason, the students found themselves demanding specific changes for which the nation had hoped since July, when Rákosi had lost power.

391. It remains to link these elements in the thinking of the students and the demonstrators with two other facts which must be borne in mind, if the situation on 23 October is to be understood. One of those facts is the continued presence

⁶⁷ 9 and 16 May 1956.

⁶⁸ *Szabad Nép*, 19 and 21 July 1956.

⁶⁹ *Szabad Nép*, 12 October 1956.

⁷⁰ *Hétfői Hírlap* (Monday News), 22 October 1956.

in Hungary of Soviet troops, who were not personally unpopular with the Hungarian people, but were nevertheless identified with a foreign Power which had supported the régime against which they were protesting. The second fact is that the protests and resolutions were largely the work of Communist intellectuals and Communist students. It would, however, be misjudging the situation to overlook other sections of the Hungarian people, in particular members of banned political parties such as the Social Democrats, the Independent Smallholders and the National Peasant Party. It is abundantly clear that one of the aims of the Hungarian uprising was to stabilize friendly relations with the USSR. No less certain is the fact that at the last free elections in 1945, only 17 percent of the seats in Parliament had been won by the Party which desired to carry its admiration for Soviet methods to the point of transplanting them to Hungarian soil.

C. THE DECLARED AIMS OF THE UPRISING

1. *The nature of the uprising*

392. "We wanted freedom and not a good comfortable life", an eighteen year-old girl student told the Committee. "Even though we might lack bread and other necessities of life, we wanted freedom. We, the young people, were particularly hampered because we were brought up amidst lies. We continually had to lie. We could not have a healthy idea, because everything was choked in us. We wanted freedom of thought. . . ."

393. It seemed to the Committee that this young student's words expressed as concisely as any the ideal which made possible a great uprising. The motives which brought together so many sections of the population were essentially simple. It seemed no accident that such clear expression should be given to them by a student not as part of a set speech, but simply and spontaneously, in answer to an unexpected question.

394. In the same spirit, the crowds who assembled in Budapest on 23 October came together with little preparation. There can be no doubt that events in Poland, of which news reached Budapest on or just after 19 October, played a major part in determining the date of the Hungarian uprising. This was not merely because of a similarity of purpose at that moment between the students and workers of Poland and of Hungary. Sympathetic links had united the two peoples for centuries. In a poem known to every Hungarian schoolchild, Petöfi had written: "In our hearts, two peoples, the Polish and the Hungarians, are mingled. If both set themselves the same objective, what destiny can prevail against them?" It was inevitable that a move for independence by the Polish people should recall Petöfi's lines and should stir the feelings of a deeply emotional people. To proclaim solidarity with Poland was one of the aims of the student meetings and the feeling of solidarity with Poland's demands helped to crystallize those of Hungarians.

395. From all directions, the demonstrators converged. "They were joined", said one witness, "by young workers, passers-by, soldiers, old people, secondary school students and motorists. The crowd grew to tens of thousands. The streets rang with slogans . . . The national colours fluttered in the air".

396. "It was unique in history", declared another witness, a Professor of Philosophy, "that the Hungarian revolution had no leaders. It was not organized; it was not centrally directed. The will for freedom was the moving force in every action. At the beginning of the revolution, the leading role was played by Communists almost exclusively. There was, however, no difference made among those fighting in the revolution as to their Party affiliations or social origin. Everybody helped the fighters. When standing in line for food, they were given free entry. 'They are our sons', was the slogan."

397. The grievances which lay behind this national movement were at first expressed by intellectuals and students, with reference to their own particular spheres of literary freedom and academic studies. Soon, however, these protests against Communist Party interference in literary creation and against the compulsory teaching of Russian were broadened to take account of complaints which went far beyond the interests of writers and students. Among the first written demands put forward by student organizations were demands for political changes in Hungary, for real Hungarian independence, and for attention to the grievances of workers. The students thus became, with the writers, a mouth-piece for the Hungarian people as a whole. Their objective was not to criticize the principles of Communism as such. Rather, as Marxists, they were anxious to show that the system of government obtaining in Hungary was a perversion of what they held to be true Marxism. The first protests of such writers against

the prevailing repression of thought brought them closer to the Hungarian people as a whole, since they found them to be suffering in an inarticulate way from the same lack of freedom.

398. The influence of the students immediately before the uprising helped to give it an emphasis on youth which was to remain characteristic of it. When the phase of protest meetings and street demonstrations changed into that of actual fighting, it was still the younger generation, this time the young workers, who played the most prominent part. Most of the witnesses questioned by the Committee were under 35 years of age and many of them were considerably younger. It was this same age group, which had been indoctrinated along Party lines, whose enthusiasm made and sustained the Hungarian uprising. The fact that the aims of that uprising were so simply, yet adequately, stated to the Committee by the girl student quoted above was typical of the general impression received from so much varied testimony.

399. Strong as was the impulse that drew these different elements in the uprising together, there was at first no thought of violence. It was the action of the AVH in opening fire on defenceless crowds which stirred the anger of the people. Seizing what arms they could obtain, the crowd retaliated in kind. In a matter of hours, the uprising had stripped away the apparatus of terror by which the Communist Party, through the AVH, had maintained its control. In the first flush of success, the insurgents realized that the Communist Party had had no popular support outside the AVH.

400. The change from a peaceable demonstration to revolutionary action was provoked by two things, a resort to violence by the AVH and the intervention of Soviet force. The action of the Soviet authorities in using armed forces to quell the uprising and the solidarity of the AVH with them, strengthened the unity of the Hungarian people against both. How far that unity was already a fact before fighting broke out, can be seen by studying the earliest resolutions and manifestos.

2. *The resolutions and manifestos of 20-23 October 1956*

401. Nowhere can the aims of the Hungarian uprising be so clearly seen as in the various resolutions and manifestos which appeared on the eve of that uprising and as long as it lasted. The most important of these were issued by student and intellectual groups before the outbreak of hostilities. These are the original source documents of the uprising and the latter cannot be understood without a study of them. It has therefore been considered essential that the report should contain specimens of these documents.

402. All but one of these programmes for action was issued before fighting broke out. This is a point of some significance in the endeavour to establish what were the motives which brought the original demonstrators together. The one exception, which is dated 28 October, is included here because it was issued by an important Revolutionary Council of intellectuals, representing a number of influential groups, with the object of summarizing significant demands from various sources.

403. Two of the programmes are given in the succeeding pages. These are the celebrated sixteen points adopted on 22 October by a plenary meeting of the students of the Building Industry Technological University of Budapest. A description of the meeting and of the means employed by the students to publicize these points will be found in chapter X. The other programme given in the body of this chapter is the Proclamation of the Hungarian Writers' Union. It was this proclamation which was read aloud before the statue of General Bem on 23 October, by Péter Veres, President of the Writers' Union, as described in chapter X.

404. The texts of other representative resolutions and manifestos are given in an annex to this chapter. A brief analysis of the chief political, economic and cultural demands follows the two resolutions given below.

"COPY THIS AND SPREAD IT AMONG THE HUNGARIAN WORKERS

"The Sixteen Political, Economic and Ideological Points of the Resolution adopted at the Plenary Meeting of the Building Industry Technological University.

"Students of Budapest: "

"The following resolution was born on 22 October 1956, at the dawn of a new period in Hungarian history, in the Hall of the Building Industry Technological

⁷¹ One form of the Manifesto.

University as a result of the spontaneous movement of several thousand of the Hungarian youth who love their Fatherland:

"1. We demand the immediate withdrawal of all Soviet troops in accordance with the provisions of the Peace Treaty.

"2. We demand the election of new leaders in the Hungarian Workers' Party on the low, medium and high levels by secret ballot from the ranks upwards. These leaders should convene the Party Congress within the shortest possible time and should elect a new central body of leaders.

"3. The Government should be reconstituted under the leadership of Comrade Imre Nagy: all criminal leaders of the Stalinist-Rákosi era should be relieved of their posts at once.

"4. We demand a public trial in the criminal case of Mihály Farkas and his accomplices. Mátyás Rákosi, who is primarily responsible for all the crimes of the recent past and for the ruin of this country, should be brought home and brought before a People's Court of Judgement.

"5. We demand general elections in this country, with universal suffrage, secret ballot and the participation of several Parties for the purpose of electing a new National Assembly. We demand that the workers should have the right to strike.

"6. We demand a re-examination and re-adjustment of Hungarian-Soviet and Hungarian-Yugoslav political, economic and intellectual relations on the basis of complete political and economic equality and of non-intervention in each other's internal affairs.

"7. We demand the re-organization of the entire economic life of Hungary, with the assistance of specialists. Our whole economic system based on planned economy should be re-examined with an eye to Hungarian conditions and to the vital interests of the Hungarian people.

"8. Our foreign trade agreements and the real figures in respect of reparations that can never be paid should be made public. We demand frank and sincere information concerning the country's uranium deposits, their exploitation and the Russian concession. We demand that Hungary should have the right to sell the uranium ore freely at world market prices in exchange for hard currency.

"9. We demand the complete revision of norms in industry and an urgent and radical adjustment of wages to meet the demands of workers and intellectuals. We demand that minimum living wages for workers should be fixed.

"10. We demand that the delivery system should be placed on a new basis and that produce should be used rationally. We demand equal treatment of peasants farming individually.

"11. We demand the re-examination of all political and economic trials by independent courts and the release and rehabilitation of innocent persons. We demand the immediate repatriation of prisoners-of-war and of civilians deported to the Soviet Union, including prisoners who have been condemned beyond the frontiers of Hungary.

"12. We demand complete freedom of opinion and expression, freedom of the Press and a free Radio, as well as a new daily newspaper of large circulation for the MEFESZ⁷² organization. We demand that the existing 'screening material' should be made public and destroyed.

"13. We demand that the Stalin statue—the symbol of Stalinist tyranny and political oppression—should be removed as quickly as possible and that a memorial worthy of the freedom fighters and martyrs of 1848-49 should be erected on its site.

"14. In place of the existing coat of arms, which is foreign to the Hungarian people, we wish the re-introduction of the old Hungarian Kossuth arms. We demand for the Hungarian Army new uniforms worthy of our national traditions. We demand that 15 March should be a national holiday and a non-working day and that 6 October should be a day of national mourning and a school holiday.

"15. The youth of the Technological University of Budapest unanimously express their complete solidarity with the Polish and Warsaw workers and youth in connexion with the Polish national independence movement.

"16. The students of the Building Industry Technological University will organize local units of MEFESZ as quickly as possible, and have resolved to

⁷² MEFESZ—League of Hungarian University and College Student Associations.

convene a Youth Parliament in Budapest for the 27th of this month (Saturday) at which the entire youth of this country will be represented by their delegations. The students of the Technological University and of the various other Universities will gather in the Gorkij Fasor before the Writers' Union Headquarters tomorrow, the 23rd of this month, at 2:30 p. m., whence they will proceed to the Pálffy Tér (Bem Tér) to the Bem statue, on which they will lay wreaths in sign of their sympathy with the Polish freedom movement. The workers of the factories are invited to join in this procession."

B

"PROCLAMATION OF THE HUNGARIAN WRITERS' UNION

"(23 October 1956)

"We have arrived at a historic turning point. We shall not be able to acquit ourselves well in this revolutionary situation, unless the entire Hungarian working people rallies in a disciplined camp. The leaders of the Party and the State have so far failed to present a workable programme. The people responsible for this are those who, instead of expanding socialist democracy, are obstinately organizing themselves with the aim of restoring Stalin's and Rákosi's régime of terror in Hungary. We Hungarian writers have formulated the demands of the Hungarian nation in the following seven points:

"1. We want an independent national policy based on the principles of socialism. Our relations with all countries, and with the USSR and the People's Democracies in the first place, should be regulated on the basis of the principle of equality. We want a review of international treaties and economic agreements in the spirit of equality of rights.

"2. Minority policies which disturb friendship between the peoples must be abandoned. We want true and sincere friendship with our allies—the USSR and the People's Democracies. This can be realized on the basis of Leninist principles only.

"3. The country's economic position must be clearly stated. We shall not be able to recover after this crisis, unless all workers, peasants and intellectuals can play their proper part in the political, social and economic administration of the country.

"4. Factories must be run by workers and specialists. The present humiliating system of wages, norms, social security conditions, etc., must be reformed. The trade unions must truly represent the interests of the Hungarian workers.

"5. Our peasant policy must be put on a new basis. Peasants must be given the right to decide their own future freely. Political and economic conditions to make possible free membership in co-operatives must at last be created. The present system of deliveries to the State and of taxation must be gradually replaced by a system ensuring free socialist production and exchange of goods.

"6. If these reforms are to be achieved, there must be changes of structure and of personnel in the leadership of the Party and the State. The Rákosi clique, which is seeking restoration, must be removed from our political life. Imre Nagy, a pure and brave Communist who enjoys the confidence of the Hungarian people, and all those who have systematically fought for socialist democracy in recent years, must be given the posts they deserve. At the same time, a resolute stand must be made against all counter-revolutionary attempts and aspirations.

"7. The evolution of the situation demands that the PPF⁷³ should assume the political representation of the working strata of Hungarian society. Our electoral system must correspond to the demands of socialist democracy. The people must elect freely and by secret ballot their representatives in Parliament, in the Councils and in all autonomous organs of administration.

"We believe that in our Proclamation the conscience of the nation has spoken."

3. *Analysis of the Demands Stated at the Outset of the Uprising*

(a) *Political Demands*

405. The political demands were the most fundamental of those put forward in the students' resolutions and similar manifestos.

⁷³ People's Patriotic Front.

406. Most political programmes called for friendly relations with the USSR, but always on a new basis of equality. Hungary was first to become free to adopt an independent policy of her own.⁷⁴ Then, as part of that policy, she would herself enter into a new, friendly relationship with the USSR. Some manifestos call for independent relations with the Peoples' Democracies and Yugoslavia.

407. During the earliest meetings, the call for the complete withdrawal of Soviet troops from Hungary was not expressed, but once uttered, it became one of the most insistently proclaimed objectives of the uprising. When the uprising met with Soviet armed resistance, the departure of Russian troops was felt to be a precondition to the achievement of freedom. Equality of rights with the USSR was also claimed in the military field.

408. Closely connected with the demand for a genuinely independent Hungarian policy was that for the restoration of certain Hungarian symbols and celebrations which had been deliberately suppressed during the Communist régime. Chief among these demands was that to restore the national holiday on 15 March, the day when the leaders of Hungary's War of Independence in 1848 issued their twelve points. After the crushing of that earlier uprising by Russian troops in 1849, thirteen generals who fought on the Hungarian side were executed by the Austrians. The anniversary of this event, 6 October, had formerly been celebrated as a national day of mourning and a school holiday. It was requested that this date also be again honoured in the national calendar.

409. Visible symbols such as the Soviet-inspired hammer and sheaf and the red star were to be removed and replaced by the so-called Kossuth coat of arms, as used during the uprising of 1848-49; this was the ancient emblem of Hungary, without the Crown of St. Stephen. It is significant that the Hungarians of 1956 used this Kossuth emblem and did not demand that form of the Hungarian arms, surmounted by the Crown, which was officially employed down to 1944, including the period of the Horthy régime.

410. All over Hungary, crowds took it into their own hands to carry these demands of the students into effect by themselves removing the Soviet-inspired symbols from public buildings and flags, as did individual soldiers and police from their uniforms. A similar demand for the removal of Stalin's statue in Budapest was put into effect by a jubilant crowd on 23 October. The widespread wearing of rosettes made of the three traditional Hungarian colours, red, white and green, was in the beginning a spontaneous expression of Hungarian national feeling. When the fighting began, however, the wearing of these colours became a means of identifying participants in the uprising who, if they fought in Hungarian Army uniform, could easily have been mistaken for Russian soldiers, whose uniform was very similar.

411. National pride also expressed itself in the demand for a new Hungarian Army uniform. This was to be no longer an imitation of the Soviet uniform but would take account of the traditions and history of the Hungarian Army.

412. Most of the demands put forward by students and other bodies also concerned reforms urgently called for in Hungary's internal life. Essentially, these internal political demands aimed at the establishment of a democratic régime, without the secret police. To achieve this, various changes in the personnel of the Government were called for. It was insisted that all former collaborators of the Rákosi be dismissed and that those responsible for past crimes, in particular Mihály Farkas, should be tried in public. The return of Imre Nagy to the Government, or to some leading position in the State, was a central

⁷⁴ An examination of the methods used to maintain the full discipline and uniformity in foreign policies between the Hungarian Governments and that of the USSR as to their positions with respect to world problems is an investigation which the Committee could not undertake. Nevertheless, in assessing the significance of the relations of the two Governments in the circumstances investigated by the Committee, the Committee has necessarily taken note of the consistent testimony it has received showing that as from 1949, after the so-called "Rajk trial", most of the officials of the Hungarian Ministry of Foreign Affairs have been recruited from among the members of the security police; that holders of the higher diplomatic posts were often ranking members of the AVH; that many of these officials had retained Soviet citizenship which they had acquired before or during the Second World War; that there were at the Ministry of Foreign Affairs as well as at the Ministry of Defense and the other governmental departments, a number of Soviet "advisers" and "technicians", without the approval of whom it was said that no significant decision could be taken; that the Hungarian Communist Party had a determining influence on all important actions and decisions on questions of policy, and exercised, in fact, a complete control over the Ministry of Foreign Affairs; finally, that on all important occasions Hungarian Ministers were called to Moscow and that during the October-November events, there were frequent trips to Budapest by various members of the Soviet leadership, in particular, Mr. Mikoyan and Mr. Suslov.

demand in most of the manifestos. Various demands concerned the revision of the electoral system, felt to be necessary as a preparation for the expected free elections. The secret ballot was specified as one condition for holding such elections. Another was the introduction of freedom of the press and radio and of expression in general. Demands were also put forward for the development of "Socialist Democracy" and for a competent new national leadership.

413. Several of the demands under the political heading arose out of the widespread detestation of the secret police and the practices of informing, intimidation, arrest without trial and illegal sentences. Some resolutions called for the release of political prisoners and the re-examination of trials. There was also a call for the destruction of police "screening" records, which enabled the authorities to control each individual citizen's life and to subject him to various forms of terror. The abolition of the death penalty for political crimes was sometimes demanded.

(b) *Economic demands*

414. Economic demands put forward in the earliest resolutions and manifestos can be briefly stated: publication of the facts about foreign trade and Hungary's economic difficulties, publication of the facts about uranium, reforms in connexion with factory management and trade unions, the "norm" system and other working conditions, and a revision of agrarian policy, especially in regard to agricultural co-operatives and compulsory deliveries. The economic grievances voiced in these manifestos are related to the dependent status of Hungary as regards the USSR and the pressure exerted by the latter upon Hungary's economic life. This connexion was explicit in demands concerning trade relations between the two countries. It was implicit in those relating to Hungary's standard of living and to the conditions imposed on her workers, since these were felt to be a result of Soviet influence. A demand for revision of the country's economic programme was often put forward. It was widely felt that the Hungarian people had been kept in ignorance of important information regarding the way in which Hungary's economic life was carried on. Specific demands for publication of the facts about Hungary's economic difficulties were paralleled by a call for the facts about Hungary's foreign trade. A number of witnesses told the Committee of the discrimination which, they said, was practised by the USSR in economic dealings with Hungary. Since 1948, Hungary had become part of the economic hinterland of the USSR and successive changes in her economic policy had reflected changes within the Soviet Union. Following the outbreak of hostilities in Korea in 1950, the Hungarian Government had to reorient its efforts towards the rapid development of heavy industries, even though Hungary lacked most of the raw materials necessary to keep up with the pace of industrialization. In agriculture, this policy led to intensified collectivization, and in industry to increases in norms and decreases in the production of consumer goods, with a consequent deterioration in the standard of living of both peasants and workers.

415. After a milder phase between 1953 and 1955, the development of heavy industry once more had to play a leading part in the Hungarian economy. Witnesses testified that, during the whole of this period, production quotas and prices and conditions governing foreign trade were established in accordance with Soviet directives and the terms of commercial treaties were kept secret. The Committee was told that, whereas Hungary exported higher grade industrial products and food to the USSR, the latter exported to Hungary mostly raw materials for the Hungarian metallurgical industry which, in turn, produced for the USSR.

416. Several manifestos called in particular for information about Hungary's uranium ore deposits and their utilization. Hungary's uranium deposits are said to be rich, but the Hungarian public knew little of them, except that they were believed to be exploited for the benefit of the USSR, and not of Hungary.

417. A demand was also put forward for leading posts in economic life to be filled on grounds of competence and professional or technical skill.

418. Those demands specifically concerned with the condition of workers related to the system of norms, by which each worker was obliged to attain a certain level of output, a level which was continually rising. The workers objected to these norms partly because they felt that more and more was being demanded of them and that they were receiving relatively less in return. A widespread objection was to the trade unions of the régime which, although nominally existing to protect the workers' rights and interests, actually served as an instrument by which the Party maintained its control over them. Criticism of these trade unions was voiced by various witnesses and the manifestos

bear evidence of the widespread desire for a change in this respect. The desire was also manifest to give the workers a genuine voice in management. The rapid creation of Workers' Councils, as soon as the uprising began, is evidence of the extent of resentment against the former trade unions.

419. The students and intellectuals also undertook to put forward certain demands on behalf of Hungary's peasants. These were, in the vast majority of cases, deeply opposed to the forced collectivization of agriculture which had been Government policy and to the system by which peasants were obliged to make deliveries of a substantial part of their produce to the State. Peasants who resisted attempts to force them into the collective farms were subject to various forms of discrimination. It would appear that no demand was ever put forward for the return of estates to the former landowners. From evidence available, the peasants seemed to favour a system of smallholdings farmed privately, but the Committee was informed that many had no objection in principle to co-operatives, provided entry into them was entirely voluntary and provided they were run for the benefit of participants.

420. There is less documentary evidence on the attitude of Hungary's peasants towards the uprising than on that of other classes of the population. However, it is to be noted that those living near Budapest provided the insurgents with food during the fighting, often at great personal risk. Those peasants who lived in more distant areas co-operated in large numbers with the Revolutionary Councils described in chapter XI. One authoritative source, describing the welcome given by Hungary's peasants to the uprising, said that the only fixed point in the chaos which existed during the first months of 1957 was the gratitude of Hungary's peasants towards Imre Nagy for his action in abolishing the forced collectives and relaxing compulsory deliveries of farm produce.

(c) Cultural demands

421. Demands put forward under this heading were those in which writers called for creative freedom and others in which students emphasized their dissatisfaction with the curricula of their studies and with other conditions of student life. The writers' demands for artistic freedom had been put forward on various platforms and in a number of articles and memoranda to which reference has been made in the first section of this chapter; they do not figure in the resolutions and manifestos now under discussion. It would, however, be a mistake to underestimate the effect of these demands on a people as devoted to reading and literature as the Hungarian.⁷⁵ Support for the writers' grievances was to be seen in the eagerness with which the reading public supported efforts to bring them examples of less constrained writing than their own authors could offer them. Reprints of works published between the World Wars enjoyed a remarkable vogue. Thus, a two-volume selection from the works of an uninhibited humorist, Frigyes Karinthy, who died in 1938, was sold out in two hours, while people struggled in the bookshops for a publication containing translations of foreign writers, mostly from the Western world, offering many times the publication price.

422. Among students, specific demands were for educational travel to the West as to the East, for university autonomy, which had been abolished by the Communist government, for freedom to choose the foreign languages studied, for cheaper text-books and for changes in the examination system. On 19 October it was announced that Russian would cease to be a compulsory language and therefore this point no longer appears among the demands. The medical students called specifically for a free exchange of information and of scientific views. This demand for free communication with and travel to the outside world is significant of prohibitions which were felt to be out of keeping with the democracy called for in these same manifestos.

D. ATTITUDE OF THE HUNGARIAN PEOPLE TO THE STATE SECURITY POLICE (AVH)

423. A study of the demands which have been briefly examined above leaves no doubt as to the extent and number of the grievances felt by the Hungarian people. All sections of the population were dissatisfied. It may be well to recall the remark by Mr. Kádár on 1 November, reported in the newspaper *Igazság*, when he called the uprising "a mighty movement of the people", and said that it had been called forth "chiefly by the indignation and embitterment of

⁷⁵ The trade union paper, *Népszava*, announcing Gerő's dismissal on 25 October, quoted a line of Petőfi in large print on its front page as a comment. The page contains little but banner headlines and this prominent literary reference.

the masses." It has been shown that the workers resented the norm and wage systems and the activities of the trade unions. Writers and artists protested against the lack of creative freedom. The students asked for far-reaching changes in their curricula and facilities for study. The peasants strongly objected to forced collectivization of agriculture and obligatory deliveries of farm produce.

424. Over and above these sectional grievances were others shared by the Hungarian people as a whole. They objected to Hungary's unequal status as regards the USSR, to the abolition of Hungarian national days and emblems and to trade agreements, the terms of which were kept secret, but which were believed to be humiliating or unfair to Hungary. Fundamentally, all classes wanted to see Hungary become free to adopt a policy and to live a life of her own, for which purpose freedom of expression and genuinely free elections were considered essential. There were two obstacles to the achievement of such desires—the presence of Soviet troops by arrangement with the Government which failed to meet the Hungarian people's grievances and the ubiquitous activities of the State security police, or AVH. These two facts explain the frequency with which the demands were put forward that Soviet armed forces should withdraw from Hungary and that the AVH should be disbanded. It was the resistance offered by both which transformed the demonstrations into an armed uprising, as described in chapter X. To the Hungarians, the Soviet troops were merely foreign soldiers whom they desired to see leave for home. Their greatest indignation was reserved for the AVH, which, through its network of informers, had become virtually the real instrument by which the Party maintained itself in power. Everything points to the key role played by the State security police in arousing the anger of the Hungarian people and to the significant influence which this body exercised on events.

425. All the evidence available to the Committee, both written and oral, left no doubt regarding the universal detestation and fear inspired by the AVH for years before the uprising. To participants in the uprising, the AVH had become a symbol of the rule by terror which they were struggling to end.

426. The creation of the security police goes back to December 1944 when, in Debrecen, the then provisional Government of Hungary sent 22 persons to a training course for the setting up of a political police. It was a guiding principle that only Communist Party members should be appointed to key positions in the AVH. According to witnesses, one of the most serious consequences of Soviet interference in Hungarian internal affairs occurred after the election in 1945, which left the Communist Party with only 17 per cent of the seats in Parliament. The portfolio of the Ministry of the Interior, under which the AVH was placed at that time, was taken out of the hands of the Independent Smallholders' Party.

427. After 1949, both the security police and the military frontier guards were placed under the AVH and made directly responsible to the Council of Ministers, while the regular Hungarian police remained under the Ministry of the Interior. The AVH had jurisdiction over such matters as espionage, conspiracy and treason. From 1949 onwards, with an interruption during Mr. Nagy's premiership (1953-55), the AVH was said to have adopted in full the methods of the NKVD and to have been the real machinery of Party control.

428. In the second half of 1956, apparently under the impact of the Twentieth Congress of the Communist Party of the Soviet Union and after the rehabilitation of László Rajk, the Hungarian Government decided to subject the State's security organ to more extensive supervision. It was intended to "assert Socialist legality without fail and to ensure the free exercise of citizens' legal rights". "Socialist legality" had been defined by one of Hungary's chief legal experts, Professor Imre Szabó, as "the absolute and complete adherence to Socialist legal maxims, to the laws, ordinances and decisions expressing the will of the workers and of the working class".⁷⁶ One 26 June 1956, the Minister of Justice, Erik Molnár, complained that his Ministry and the regular Hungarian courts had had no jurisdiction at all during the past few years in cases of political offences which were of importance to the Party and that "this illegal and harmful practice had to stop".⁷⁷

429. On 31 July, speaking before the Hungarian National Assembly, Chief Public Prosecutor György Non criticized the special position enjoyed by the AVH.

⁷⁶ *Társadalmi Szemle*, September 1955.

⁷⁷ *Szabad Nép*, 26 June 1956.

He asserted that many leaders of that organization had abused their power and had extorted untrue confessions of guilt by the use of "moral and physical pressure." The Chief Public Prosecutor accused them of violating Socialist legality "in the most callous manner" and drew attention once more to the fact that the AVH was subject to no form of supervision. However, he claimed that infringements of legality were now punished and that the AVH and the judiciary called for the support of all genuine patriots.⁷⁸

430. Witnesses reported that the AVH consisted mainly of Hungarians, but that about a dozen advisers from the NKVD served at its Headquarters. One witness stated that an NKVD officer was permanently stationed in each department of the AVH and that an NKVD Lieutenant-Colonel and Major were always present in the investigation department. It was said that many Hungarian members of the AVH were Soviet citizens and most of the Hungarians serving with it had been trained in the Soviet Union.

431. A number of witnesses testified that the AVH functioned under direct Soviet control, and gave as an example the Rajk trial, the preparation of which was, according to the testimony, in the hands of General Bielkin of the Moscow Headquarters of the NKVD who, from his headquarters at Baden near Vienna, was then serving as police chief for all the countries under Soviet control. He was said to have come to Hungary early in 1950 and to have established his headquarters in the AVH building at 60 Stalin (Andrássy) Street. Several witnesses told the Committee that they had been visited by detectives between 1953 and 1955 and ordered to say nothing about the role performed by the NKVD during the Rajk case.

432. AVH personnel were said to have been carefully screened, not only by the AVH itself, but also by the NKVD. AVH members were paid salaries considerably higher than those of ordinary Hungarian workers. In addition, they had pension rights and many privileges unknown to the proletariat, such as free accommodation, clothing, cut prices for food, special private schools for their children and all kinds of bonuses, including one for an arrest. On special assignment, they received from a secret fund approximately five or six times the amount of their salary in the form of a bonus, which, for bookkeeping purposes, was put down under the heading of the construction of new buildings or expenditure on new furnishings.

433. All witnesses affirmed that the AVH maintained a very elaborate network of spies, informers and *agents provocateurs*. It was said that members of the AVH or their informers were present in all offices and all factories, so that no one knew, even when talking to friends, where his words would be repeated half an hour later. During the uprising, documents found in the building of the Ministry of the Interior in Budapest were said to have supplied evidence of the extent of this AVH spy network. The material found included six steel cabinets of tape recordings, mostly of telephone conversations carried on with people outside Hungary. Diaries were also found in which details of conversations were recorded. The material proved that the spy network included a very important part of the Hungarian population from high government officials to simple factory workers. Some of these had been anti-Communists before the War, others were former members of the Hungarian National Socialist Party and others again had something to hide in their private lives. By Law II of 1952 anyone discriminating against a person who acted as informer for the AVH was punishable by up to six months in prison.

434. Much testimony was given to the Committee on the subject of inhuman treatment and torture used by the AVH to secure confessions or denunciations. This evidence agrees with similar testimony gathered elsewhere and the Committee has every reason to accept it as true. It has not, however, thought fit in this chapter to enter into a detailed description of the barbarities of which many witnesses spoke. For its purpose, the Committee deems it more important to draw attention in general terms to two factors in the situation. The first of these is the infringement of human rights by Hungary which the existence of the AVH involves. The second is the undoubted fact that the population of Hungary lived for years under the shadow of the AVH terror and that no single factor had more influence in uniting the Hungarian people against the form of Government which depended on it for survival.

⁷⁸ *Szabad Nép*, 1 August 1956.

ANNEX A TO CHAPTER IX

Appeal adopted by a meeting of Budapest Technological Students at the Andras Hess Students' Hostel (the Central Students' Hostel of the Building Industry Technological University of Budapest) held on 19 October 1956

We know very well that recently serious changes took place in the political and economic life of our country. Statements that delight one's heart have been made concerning the revelation of faults, but very little has been done for remedying wrongs.

The education of youth is on the wrong track too. We, the students of the Technological University, disapprove of the role the DISZ played in the education of Hungarian youth. In our university, the Technological University, the DISZ committee became an automatic machine of superior organs. It should have been the duty of the DISZ to represent the views of youth, but it failed to comply with this obligation. Our most important problems have not been adjusted for years.

The students of the Technological University are sick and tired of the helplessness of the leading committee of the DISZ which has been unable to fight consistently for the interests of university students.

The new students' committee of the central students' hostel of the Technological University, together with the students, consider the position of students intolerable. As a result of the demands set by our students, the students' meeting convened for 19 October at 9 p. m. demanded the execution of the following most urgent measures:

1. We demand moral and material appreciation for engineers. Engineers should be assigned to jobs for engineers, their pay should be about 1,500-1,600 forints and they should also obtain premiums.

2. Leading posts and positions should depend on school training and professional knowledge.

3. We demand the abolition of compulsory attendance at lectures, the optional teaching of languages and non-professional subjects and the teaching of one obligatory language which can be chosen freely.

4. University students must be offered possibilities to undertake journeys abroad in groups with State subsidies and also undertake private journeys independent of the IBUSZ.

5. It should be made possible for young engineers to find employment abroad which is not subjected to either political or family conditions.

6. Overcrowding in students' hostels must cease.

7. We demand the raising of the "forint-norms" of canteens to 15 forints a day.

8. Undertakings providing food for students should come under the supervision of competent universities.

9. Restore the autonomy of the universities.

10. We demand the reorganization of the university youth movement and the democratic election of a new leading committee of students.

11. We demand the restoration of travelling allowances of 50 per cent once a month.

12. Reduce the prices of technological literature for students and grant textbook allowances to each student.

13. We demand the fixing of a realistic number of engineers to be trained every year.

14. Students should obtain higher scholarships for the period due to work out their final theses, the "diploma plans".

15. We demand a public trial in the case of FARKAS—and his associates.

The meeting passed a resolution that, unless the points 3, 4, 7, 11, 14 and 15 are carried into effect within a fortnight, students will arrange a demonstration to manifest their dissatisfaction.

We request the students of all universities to support us in fighting for and achieving our demands. Simultaneously we are ready to support the demands of other universities.

Signed: The Meeting of the Central Students' Hostel of the Technological University and their Students' Committee.

ANNEX B TO CHAPTER IX

Appeal issued by DISZ Members of the Medical Faculty of the University of Budapest, 22 October 1956

Students of our university wish to support the realization of the demands of the students of other universities as well as the justified demands of all Hungarian youth.

They think that the realization of their justified demands depends on two fundamental conditions:

1. The unity and "mass basis" of youth must be safeguarded as only a united youth federation can fight consistently and energetically for the interests of all youth of our country.

2. We consider it necessary to hold new elections in all leading organs of the DISZ from the lowest ones right up to the CC¹⁹ as well as the convocation of the following congress of the DISZ.

The conference of DISZ delegates of the Medical Faculty of the University of Budapest, fixed the following objectives:

1. We demand that the progressive national traditions should be put into practice by deeds, that 15 March and 6 October be declared as National Holidays and that the Kossuth coat of arms should be restored.

2. We demand free, international information, exchange of opinions and sciences.

3. We demand the full assertion of parliamentary democratism, as well as the elaboration and realization of a new, democratic election system.

4. Women students should be exempted from military training and military service and the theoretical and practical military training of men reviewed.

5. We demand individual rules for examinations, instead of examination orders by groups.

6. Hungarian textbooks and notes should be available in time, adequate quantities, and under favorable conditions of payment by instalments.

7. We demand the reviewing of the scholarship system and demand that students who are orphans, half-orphans or the breadwinners in a family should obtain at least 500 forints scholarship a month.

(Points 8, 9 and 10 refer to housing problems.)

We express complete solidarity with the democratic evolution in Poland. We wish to play a lion's share in the sound and democratic development of our country by standing firmly on the ground of Marxism-Leninism.

The Conference of DISZ Delegates of the Medical Faculty of the University of Budapest.

ANNEX C TO CHAPTER IX

LEAGUE OF WORKING YOUTH (DISZ)

Executive Committee for the Building Industry Technological University

Resolution addressed to the Participants of the DISZ Mass Meeting on 22 October 1956

Following the resolution of the Central Committee in July, a new process of democratization began. In our opinion, the decisions then taken have not been implemented quickly enough; in many places, we notice delays and therefore the University youth proclaim the following just, timely and resolute demands.

We welcome and support the resolutions of the University youth. We demand resolute and quick action to solve national and University problems. The youth of the Building Industry Technological University, having regard to the present political and economic situation of the country, demand the most urgent implementation of the following points:

I

1. We want to see competent leaders in the political and national leadership who have the confidence of the people. For instance, Comrades János Kádár, Imre Nagy, Zoltán Vas, Gáza Losonczy, György Lukács. Also Arpád Kiss.

¹⁹ Central Committee of DISZ.

2. Open trial in the case of Mihály Farkas and other criminals. Who were the people who knew about the innocence of Rajk?
3. Hungarian-Soviet friendship, on the basis of complete equality.
4. The facts about the use of Hungary's uranium ore.
5. In planning the new uniforms of the Hungarian National Army, our national traditions should be taken into consideration. The old uniforms should be used up during training.
6. We demand that 15 March should be a red letter national holiday (with general cessation of work) and that 6 October should become a school holiday.
7. We demand that Comrade Imre Nagy should be reinstated in his previous official post.
8. We demand that István Friss, the representative of the University youth, should give an account of his work to date and that, in particular he should explain his attitude regarding his article in *Szabad Nép*.

II

9. The filling of leading posts in our economic life should depend on education and professional skill.
10. The system of wages and norms in the building industry should be established by experts.
11. We ask that Parliament should investigate our foreign trade situation. Why is there a deficit and who is responsible for it? For instance, what is the responsibility of Ferenc Biró in this matter?
12. We favour the reorganization of the delivery system on a completely new basis. The peasants should be offered inducements to produce more.

III

13. We demand moral and financial recognition for the technical profession. Young engineers should be attached to technical projects. Their initial salary during the first three months should not be less than 1,300 forints, plus premiums.
14. Independently from IEUSZ,⁶⁰ educational trips abroad should be organized. There should be no discrimination between trips to the West and East. Anyone misusing such freedom of travel and refusing to return is not needed at home.
15. University autonomy should be restored. We should be trusted.
16. The students' identity card should entitle the holder to a 50 per cent discount on all cultural and sports programmes. Sacrifices must be made to provide education for the people.
17. Students' cafeterias should be placed under the authority of the Universities. The purchasing power of the forint should perhaps be raised.
18. Students should receive five times a year a 50 per cent discount on the railways, as was the case before 1951.
19. The price of University textbooks should be reduced.
20. The accommodation of University students in students' hostels is not satisfactory. We ask for gradual improvements in this matter, as the present situation does not contribute to a rise in standards. The preparation of drawings demands more space. We expect action in this matter.

IV

21. We ask for the introduction of a free examination system.
22. The results of military exams should be taken into account only for promotions in rank.
23. Students should be able to decide in the first semester of the first year which foreign language they wish to study.
24. We do not agree with the withdrawal of the University students of Szeged from DISZ, since such action would lead to a scattering of our forces. Their misgivings are not justified, because recent experience has shown that the Budapest and Central Committees of DISZ have truly represented our interests. This was provided by the fighting stand taken by Szabad Ifjúság, the daily paper of the Central Committee of DISZ. In the present situation there is a need for the unity of youth within DISZ.
25. We demand the reorganization of the University students' movement within the framework of DISZ. A Youth Parliament should be established. We ask that a DISZ Congress be convened.

⁶⁰ Hungarian State Travel Bureau.

Should we not receive a definite answer to our demands defined in points 2, 7, 8, 14, 16, 18 and 19, we shall resort to the method of demonstration.

We consider our demands as just and realistic. We call upon the youth of our University to fight for their fulfilment. At the same time, we definitely condemn all kinds of demagogy.

Our aim is not to make trouble, but to win recognition for the rights of University youth and to ensure that the process of democratization which has already started will continue.

The Preparatory Committee for the Mass Meeting.

Budapest, 22 October 1956.

ANNEX D TO CHAPTER IX

First Draft of the Demands of the Students of the Building Industry Technological University of Budapest, 22 October 1956

(Translation from Hungarian)

Introduction

MEFESZ (League of Hungarian University and College Students Associations) established. This organization is competent to solve the problems of the students.

1. New Central Committee for the Party.
2. Government under the leadership of Imre Nagy.
3. Hungarian-Soviet and Hungarian-Yugoslav friendship.
4. New elections.
5. New economic policy. Uranium, foreign trade, etc.
6. Readjustment of the norms of workers and workers' autonomy in the factories.
7. The situation of agricultural workers and of peasants farming individually.
8. Revision of political and economic trials and granting of an amnesty.
9. 15 March, 6 October. The old coat-of-arms.
10. Freedom of the press and an official newspaper for MEFESZ. Destruction of "screening" material.

Declaration

Full solidarity with Warsaw and with the Polish independence movement.

ANNEX E TO CHAPTER IX

The Ten Points of the Petöfi Club

(22 October 1956)

1. We suggest the convocation of a meeting of the Central Committee⁸¹ at the earliest possible date, in view of the situation which has arisen in our country. Comrade Imre Nagy should take part in the preparation of the meeting.

2. We consider it necessary that the Party and Government should publish the facts about the economic situation of the country, review the guiding principles of our second Five Year Plan and work out a concrete, constructive programme corresponding to conditions in our country.

3. The Central Committee and the Government should use all available means to promote the development of socialist democracy in Hungary, by developing the real role of the People's Front,⁸² by satisfying the justified political demands of the workers and by establishing factory autonomy and workers' democracy.

4. In order to create prestige for Party and State leadership, we suggest that Comrade Imre Nagy and other comrades fighting for socialist democracy and for Leninist principles occupy a worthy place in the leadership of the Party and Government.

5. We propose the expulsion of Mátyás Rákosi from the Central Committee of the Party and his removal from the National Assembly and the Praesidium. In order to establish tranquility in the country, the Central Committee must

⁸¹ Central Committee of the Hungarian Workers' (Communist) Party.

⁸² People's Patriotic Front, the Communist-controlled mass organization with participation of non-Communists.

take a stand against current attempts at a Stalinist or Rákosist restoration.

6. We suggest a public trial, corresponding with socialist legality, in the case of Mihály Farkas.

7. We propose a review of recent resolutions which have proved wrong and of a sectarian nature, primarily of the resolution of March 1955, the resolution relating to literature of December 1955 and the resolution of 30 June 1956 relating to the Petöfi Club. These resolutions should be invalidated and the Central Committee should draw the necessary personal conclusions from them.

8. Let us expose to public opinion what have been called the highly delicate questions of the economic balance of our foreign trade agreements and plans for the use of the country's uranium deposits.

9. In order further to strengthen Soviet-Hungarian friendship, let us develop even more intimate connexions with the Party, State and people of the USSR, on the basis of the Leninist principle of complete equality.

10. We request the Central Committee of the DISZ at its meeting of 23 October, to pronounce itself on these points and to pass a resolution on the democratization of Hungarian youth movements.

ANNEX F TO CHAPTER IX

The Aims of the League of the Working Youth (DISZ), the Youth Group of the Hungarian Workers' (Communist) Party

23 October 1956

General Motto

Long live Hungarian freedom! Long live the Fatherland!

Sub-Mottos

1. Polish-Hungarian friendship, welfare and freedom!
2. Soviet-Hungarian friendship—on the basis of equality!
3. Our youth demands that the Party should show us the way!
4. Enough of Rakosi! We are fed up with Rakosi; we need new Party leadership!
5. This cause is our cause, we want new party leadership!
6. The workers and students both want the same, all of those who act with us, who are Hungarians!
7. Down with force! Long live the law!
8. We should not do everything late; let us get Imre Nagy into the leadership!
9. The dictatorship of the proletariat remains always the right path of our people!
10. Long live the fighting Leninist party—it should safeguard the holy truth of our people!

ANNEX G TO CHAPTER IX

Appeal of the Revolutionary Committee of the Hungarian Intellectuals

(28 October 1956)

Hungarians!

There may be differences of opinion among us but we agree on the main demands and we suggest to the Government that it should adopt the following as its programme:

1. The Government should regulate our relations with the Soviet Union, without delay and on the basis of equality. The Soviet forces should begin their withdrawal from the whole territory of the country.

2. The Government should abrogate all foreign trade agreements which are disadvantageous to the country. It should make public all foreign trade agreements concluded in the past, including those relating to uranium ore and bauxite.

3. We demand general elections with secret ballot. The people should be able freely to nominate their candidates.

4. Factories and mines should really become the property of the workers. We shall not return the factories and the land to the capitalists and to the landowners. Our factories should be managed by freely elected workers' councils. The Government should guarantee the functioning of small-scale private industry and private trade.

5. The Government should abolish the exploiting "norm" scheme. The Government should raise low wages and pensions to the limit of economic possibilities.

6. The trade unions should become genuine workers' organizations representing the workers' interests, with their leaders freely elected. The working peasants should form their own organizations to safeguard their interests.

7. The Government should ensure the freedom and security of agricultural production by supporting individual farmers and voluntary farm co-operatives. The hated delivery system, by which the peasants have been robbed, should be abolished.

8. Justice should be done and material compensation paid to those peasants who were harmed by regrouping of plots of land and by other unlawful measures.

9. We demand complete freedom of speech, of the press and of the right of assembly.

10. The Government should declare 23 October, the day when our national liberation fight began, a national holiday.

*On behalf of the Revolutionary Committee
of the Hungarian Intellectuals.*

The Students' Revolutionary Council: István Pozsar, József Molnar, János Varga.

The Hungarian Writers' Union: Sándor Erdei, Secretary-General.

The National Federation of Hungarian Journalists: Sándor Haraszti, Miklós Vasarhelyi, Iván Boldizsar, Sándor Fekete.

The Federation of Hungarian Artists: László Bencze, József Somogyi.

The Hungarian Musicians' Federation: Endre Szervánszky, Pál Járdányi.

On behalf of the University Professors: Tamás Nagy, Máté Major, Iván Kádár, György Markos.

The People's Colleges: László Kardos, Ottó Tokes.

The Petöfi Club: Gábor Tánecz, Balázs Nagy.

MEFESZ: György Liebik.

CHAPTER X. STUDENT DEMONSTRATIONS AND THE ORIGINS OF ARMED CONFLICT IN BUDAPEST

A. INTRODUCTION

435. The preceding chapter contained a summary of demands put forward by Hungarian intellectuals and students on the eve of the demonstrations which marked the beginning of the uprising. These demands were examined in the light of prevailing conditions in Hungary, with the object of understanding the state of mind and motives of the demonstrators. The present chapter is a narrative of events in Budapest from 22-25 October. Its purpose is to trace the evolution that occurred during those days from students' meetings through demonstrations by students, workers, soldiers and others, to the outbreak of fighting with the AVH. Within hours, the participation of Soviet tanks turned the hostilities into action on an international scale, the military course of which has been studied in chapter IV.

436. Chapters IX and X are thus intended to be read in conjunction with one another. It has been thought preferable to separate the motives of the demonstrators from the actual narrative of the events which were the expression of those motives in action. The rapidity with which events happened was such that it is necessary for the sake of clarity to separate the account of the actual events from the examination of the demands and attitudes of the insurgents. It is not suggested that the present chapter contains anything like a complete history of these momentous days in the life of the Hungarian people. The Committee heard vivid accounts from many eye-witnesses, but it has made no attempt to use these for dramatic effect. It has preferred to report on the evidence received in an unemotional tone, since its objective has been to discover what actually happened.

B. THE STUDENT MEETINGS ON 22 OCTOBER

437. The earliest demands put forward by student groups had achieved certain results by 19 October, when the Minister of Education announced plans for the discontinuance of compulsory Russian study and other changes that had been called for. This announcement was followed by student manifestations all over

Hungary, particularly in Szeged, where on 20 October some 200 students decided to set up their own independent youth organization under the name of League of Hungarian University and College Student Associations (MEFESZ).

438. News of the Szeged decision reached Budapest on Monday morning, 22 October, and various University groups at the Faculty of Political Economy, the Faculty of Philosophy and the Faculty of Medicine decided to hold meetings during the day. At these meetings events in Poland exercised considerable influence, and solidarity with the Polish workers and youth was widely expressed.

439. Probably the most decisive of all these student meetings was that held at the Building Industry Technological University. A mass meeting, convened there on 22 October at 3.00 p. m. by the Executive Committee of DISZ, the Communist youth organization, was intended, so the Committee was told, to "take the wind out of the sails of MEFESZ". The meeting was to discuss a number of strictly student demands which were enumerated in the printed invitation: rebates on public transport fares, cheaper text books, better food, improvement of housing conditions for students, and similar demands. In the Great Hall of the University, the Professors, the Party Secretary and Party officials were present with the students. Between 4,000 and 5,000 people attended the meeting, which last for about eleven hours, until the early morning of 23 October. A considerable number of workers joined the meeting during the evening.

440. With little opposition, it was decided to set up a branch of MEFESZ to proclaim the views of the students on the "grave political questions of the day" and to tackle student problems so far unsolved. In the beginning, however, the discussion was restricted to practical demands, for instance, that there should be less teaching of Marxist and Leninist subjects and that English, French and German should be taught instead of only Russian.

441. Later during the meeting, voices from all over the Hall called for a discussion of broader problems. One student voiced the opinion that Mr. Gomulka in Poland wanted an evolution and not a revolution to take place, but that the Soviet Union had sought to prevent this by surrounding Warsaw with armed units. The speech was greeted with immense enthusiasm by the crowd, who all shouted that they wanted democracy to be established in Hungary. It was then suggested that the students should formulate and adopt a programme for the establishment of democracy in Hungary in the spirit of the 1848 revolution, and should submit this programme to the Government. Demands were put forward that Imre Nagy should take over the Government, and that the new Government should guarantee human rights to the people of Hungary, as required by the United Nations Charter and the Universal Declaration of Human Rights.

442. The students discussed their demands in informal conversation on the floor during the meeting. One of them said: "Perhaps we could demand now that Soviet troops be withdrawn from Hungary, but who should be the first to make such a statement?" It was agreed that it should be a Communist Party official. One of the Communist youth leaders then went to the microphone and declared that, while Soviet troops were stationed in Hungary, the wished-for political evolution could not take place, as the country was ruled by an imperialist tyranny. Other speakers added that the presence of Soviet troops made impossible free elections, freedom of speech and religion and the enjoyment of human rights. These and other demands were written down as a draft resolution.

443. Thus, by early evening on 22 October, the aims of the Hungarian uprising had been more or less formulated by University students. The students who improvised this document on a piece of paper torn out of a student's notebook, came largely from working-class or peasant homes; many of them were members of the Communist Party, and the demands were formulated and adopted at a meeting convened by the Communist Youth Organization itself.

444. About 8.30 p. m., a student delegation went to the radio station, where the censor was willing to pass for the 9.00 p. m. news bulletin five of the ten points but refused permission to broadcast demands for the withdrawal of Soviet troops, free elections, a new economic policy, freedom of the press and new elections within the Communist Party. Budapest Radio had already given a first account of the meeting, which made no direct reference to most of the political demands and said that the majority of the young people rejected certain "provocative and demagogic voices."

445. The student delegation, unwilling that the ten points should be censored for the microphone, returned to the University. The editors of *Szabad Ifjuság* (Free Youth), the organ of DISZ, who had been present at the meeting, affirmed their support of the ten points; but, fearing for their personal safety, they were unwilling to print the demand for the withdrawal of Soviet troops. For some hours, efforts were made to devise other means by which these points could be brought to the attention of the Hungarian people. Such means were rapidly devised.

446. The *Jövő Mérnöke* (The Engineer of the Future), a periodical published by the students of the Building Industry Technological University, published the ten points. To achieve this, five students went to the printing shop and replaced the front page, which had already been set up, by another which contained the ten points. About 2,000 copies of this paper were printed.

447. The students also asked the Rector of the University to authorize them to use the official duplicating machine for reproduction of the ten points. The Rector did not dare to give instructions to this effect; but, nevertheless, the students ran off several thousand copies of the resolution on the machine.

448. The final text of the resolution had been read out to the meeting over the microphone, and students and assistant professors worked throughout the night copying it on all the typewriters available at the University.

449. In the resolution itself, it was stated that the radio and the Hungarian press had refused to publish the full text, but that efforts to publicize it would continue.

450. During the evening, the original ten points became fourteen and later sixteen. The withdrawal of the Soviet troops had become a separate point, and others were inserted which dealt with such matters as the removal of the statute of Stalin and of the Soviet-inspired emblem from the Hungarian national flag.

451. The students also inserted in the resolution their decision to meet again on 24 October, at which time it was proposed to start a nation-wide debate on the questions outlined in the resolution. They asked that the Hungarian Radio should give a live broadcast of this meeting, so that "the working people will hear, without distortion, the true voice of the Hungarian youth". In addition, the meeting decided to convene a Youth Parliament in Budapest on 27 October, at which the entire youth of Hungary would be represented.

C. HOW THE DEMONSTRATIONS WERE INITIATED AND ORGANIZED

452. During the meeting at the Technological University, a representative of the Writers' Union, Zoltán Zelk, announced that the Writers' Union planned to hold a small memorial ceremony next day at the statue of General József Bem, the national hero of Polish origin who fought with the Hungarians against the Austrians and the Russians in 1848-9. Their intention was simply to lay a wreath in honor of Poland's struggle for independence. He added that the Union planned no kind of demonstration. It was therefore decided by the students of the Technological University that they would themselves organize a demonstration, and would invite students of other universities and factory workers to join. In their resolution the students of the Technological University called on all students to participate. Warned by their professors to be cautious, they stated clearly: "We want a silent demonstration because it is only by silent, peaceful, and orderly demonstrations that we can gain our ends".

453. During the evening, the news of the meeting at the Technological University had spread over the city. More and more people had kept coming in, not merely students from other universities and academies, but also workers from Csepel and the Belojanis Factory and miners from Dorog. The plan to hold a demonstration, therefore, became widely known during the night and the next morning. Early on Tuesday, 23 October, the students' sixteen points appeared all over the city. "Work in Budapest stopped", a participant told the Committee.

"Everyone went out onto the streets weeping. People read the points and then rushed home or to their factories. Every stenographer and every typist did nothing but copy these things in all the offices. The Communist Party forbade this in vain. Everyone was talking about it; in conversation, over the telephone, the news spread in a few hours and within a short time all Budapest became an ant-hill. People pinned the Hungarian national cockade to their clothes, and a really fantastic miracle occurred, for I regard it as a miracle that the whole people became unified. About 100,000 AVH spies, informers and stool-pigeons

had been planted in the national life of the nation and forced to supply information. On the morning of this day, for the first time, someone had dared to say that the Russian troops should leave Hungary. We had reached the point where we dared to say this publicly. This was what gave us unity, and the point at which the chains were broken which had bound us until then; the point at which the net in which the AVH spy system had been holding us was broken. Everyone became convinced. No one asked in the street, 'Who are you?', everyone used the familiar form of address even in talking to strangers, everyone was on familiar terms, everyone could be trusted, everyone had a feeling of complete unity, because the entire system based on lies collapsed in a moment on the morning of 23 October."

454. At 10 a. m. on Tuesday, 23 October, Radio Budapest reported that the students had decided to hold "a silent demonstration before the Embassy of the Polish People's Republic, to express the deep sympathy and solidarity of youth in connexion with the events in Poland". According to the testimony, the Politburo was convened around 12 noon to consider the question of the demonstration. However, at 12:53 the Radio suddenly announced that the Minister of the Interior, László Piros, had issued a communiqué to prohibit the "public street assemblies and marches". Several deputations, including one from the Writers' Union, went to see him to point out the risk of serious consequences, since the students would no doubt proceed with their plans in spite of the ban. Mr. Piros stated that, in that case, he would fire on the demonstrators.

455. The students were already beginning to assemble, when a delegation of five students went to Mr. Piros and declared that the demonstration would go on, whether it was permitted or not. After half an hour's discussion he yielded, and Radio Budapest announced at 2:23 p. m. that the ban had been lifted. Half an hour later the Radio even announced that the Central Committee of DISZ, the Communist youth organization, had decided to approve the demonstration and to participate in it.

D. DEMONSTRATIONS AT THE PETŐFI AND BEM STATUES

456. The demonstration was, in fact, already well under way. One group of students assembled around the Petőfi Statue in Pest, on the eastern bank of the River Danube, and marched, joined by other groups of students and by more and more workers who came in from the outskirts of the city, to the statue of General Bem in Buda, on the western bank of the river.⁸³

457. According to all reports the crowd was unarmed, and orderly and disciplined. Before long, it consisted of some 10,000 people, a number which steadily increased during the afternoon, as students, workers, and many others joined in. It consisted mostly of young people, boys and girls, in high spirits. Many soldiers in uniform were in the crowd including, as Radio Budapest stated at midnight, 800 cadets from the Petőfi Military Academy. These were mostly sons of high Government and Communist Party officials and AVH officers; they had led a privileged life in the Military Academy and had been indoctrinated for years.

458. The demonstrators were carrying Hungarian flags, from which the Communist crest was cut out in the course of the afternoon, some Polish flags, and placards with slogans: "Long live the Youth of Poland" and "For Freedom under the Sign of the Friendship of Bem and Kossuth." The National Anthem was sung. In the evening, Radio Budapest—half an hour before the shooting began at the Radio Building—described the afternoon demonstration as follows:

"National flags, young people with rosettes of the national colours singing the Kossuth song, the Marseillaise and the Internationale—this is how we can describe in colours and in the titles of songs how Budapest today is bathed in the October sunshine and celebrates a new Ides of March.

". . . Scholars, students of technological faculties, students of philosophy, law, economics, together with students from other university branches, took part in the march led by their professors and leaders of the University Party organizations."

⁸³ Budapest consists of two cities, Buda, on the western side of the Danube, containing the old sections, and Pest, on the eastern side comprising the business section and the government offices. The Bem statue is in Buda, while practically all the other places mentioned in this chapter are in Pest, including the Parliament, the Radio Building, the Communist Party Headquarters, the Hotel Astoria, the Kilián Barracks, the Corvin Cinema and, a little further from the city centre, the AVH Headquarters and the Stalin statue, which was not on Stalin Square in the centre of the city.

459. At the Petöfi statue, a well-known actor, Imre Sinkovits, recited Petöfi's poem "Up, Hungarians!", which contains the following lines:

Up, Hungarians! It's your country calling.
 Now's the moment, now or never!
 Shall we be slaves? Shall we be free?
 That's the question—what's your answer?
 In God's great name we swear, we swear,
 No more shall we be slaves—no more!

460. At General Bem's statue the President of the Writers' Union, Péter Veres, made a speech and read out the seven points of the Writers' Union. The crowd listened somewhat coolly to this declaration, while the students' sixteen points were received with great enthusiasm.

E. DEMONSTRATION AT THE PARLIAMENT

461. From General Bem's statue many of the students, as planned, marched in orderly columns back to their Universities. Most of the crowd, however, proceeded across the Danube to the Parliament Building about one and a half kilometres from the Bem statue. They were joined there by people streaming into the center from all over the city. The crowd at the Parliament Building and in the adjoining streets about 6 p. m. was estimated to be at least 200,000, perhaps 300,000 strong. The number of people present varied, however, because the proceedings were dull; few could hear what was going on and not much seemed to happen. The crowd demanded that the light on a large red star on the top of the Parliament Building be switched off. There were cheers when this was done. Later, the lights on the whole square were twice turned off, apparently to make the people go home. Most of them stayed, however. Some rolled up newspapers, set fire to them and held them aloft as torches.

462. Again and again, the crowd shouted that they wanted Imre Nagy to be in the Government and that they wanted to see him. The previous evening, at the meeting of the Technological University, it had been decided that a group of students should go to his apartment and ask him to address the people. The delegation had returned, unsuccessful, and had reported to the meeting that AVH armed with machine-guns and automatic pistols had met them outside Mr. Nagy's apartment and had refused to let them go near.

463. For several hours, the crowd in front of the Parliament persisted in calling for Imre Nagy. Finally, some writer friends of his went to his apartment and persuaded him to come to the Parliament, in spite of the fact that he had no official position. He did so and was received by Ferenc Erdei who asked him to go out on the balcony of the Parliament to appease the crowd. Mr. Erdei first said a few words from the balcony, but the people refused to listen. Mr. Nagy's unprepared address was also very short. There were no microphones. Few, in fact, seem to have been able to hear him. Some say he addressed the demonstrators as "Comrades" and that this irritated the crowd; others say that he began his few sentences by saying: "My friends, there are no more comrades". It appears that he just asked the crowd to go quietly home. Whether the people could hear him or not, his words had no marked effect—possibly because the crowd had been waiting for so many hours, possibly because they had become exhilarated by a feeling of freedom and had expected some dramatic statement.

464. These same factors might also in part explain the strong reaction to First Party Secretary Gerö's radio speech at 8 o'clock in the evening. Mr. Gerö and Prime Minister Hegedüs had returned the same morning from a ten-day visit to the Yugoslav Government. The time for the speech had been announced since noon by Radio Budapest. The crowd hoped there would be some new concessions or relaxations in line with developments in Poland. It was expected that Mr. Gerö would at least make some reply to the demands of the students, the writers and the demonstrating crowds. It was apparent the truculent tenor of Mr. Gerö's address, rather than specific phrases, that infuriated people all over Budapest. A witness has described how he rushed out into the streets and felt that something had to be done. The slogans: "Down with Gerö", and even "Death to Gerö" were heard everywhere. Some of the demonstrators heard the speech from radios placed in open windows, but the majority only heard about it. People told each other that Gerö had referred to them as "fascist rabble". The Committee has looked in vain for any such expression in Mr. Gerö's speech; he did, however, indirectly refer to the crowd as nationalist and chauvinist, and an appeal was made for the utmost vigilance against such hostile elements.

465. Mr. Gerö endorsed the resolution of the Central Committee of July 1956 which, he said, had invited the Communist Party to act with unity for Socialist democracy. Socialist democracy, contrary to bourgeois democracy, he explained, entailed increased participation of the workers in the running of the factories, State farms and various economic bodies and institutions. As to the producers' co-operatives, the members of these must be fully in control. Numerous measures had already been taken, but the July resolution could not be fully implemented in a few months; moreover, mistakes had occurred in the process. The Party leadership preferred to proceed more slowly. The next meeting of the Central Committee would be held "within the next few days". The achievements of "our People's Democracy" would be jealously guarded against the enemies of the people. The main purpose of these enemies was to shake the people's faith in their Party—the Hungarian Workers' Party—and loosen the ties with the USSR, on which they were heaping slanders and lies.

466. In proclaiming that there was no conflict between "proletarian internationalism" and Hungarian patriotism, Mr. Gerö voiced the following appraisal of the events of the day: "While we loftily proclaim that we are patriots, we also categorically make it plain that we are not nationalists. We are waging a consistent fight against chauvinism, anti-Semitism and all other reactionary, anti-social and inhuman trends and views. We therefore condemn those who strive to spread the poison of chauvinism among our youth, and who have taken advantage of the democratic freedom ensured by our State to the working people to carry out nationalist demonstrations."

F. REMOVAL OF STALIN'S STATUE

467. Already early in the evening of 23 October, crowds had assembled around the huge Stalin statue. Some came from the demonstration at the Bem statue, some from the Parliament Building. A demand from the removal of the statue was one of the student's sixteen points, and some enthusiastic young people climbed the huge monument and set to work on it. The AVH police stationed in the neighbourhood did not interfere. The participants worked with added gusto after Gerö's speech at 8 o'clock, and the slogan "Russians go home" was blended with "Down with Gerö" and "Down with Rákosi". At 9:30 the statue fell from its pedestal.

G. THE FIRST SHOTS

468. On the evening of 22 October the students from the Technological University had sent a deputation to the Radio Building to have their ten points broadcast in the evening news-bulletin and to arrange for the broadcasting of their planned demonstration at the General Bem statue on 24 October. Both requests had been refused. On Tuesday afternoon, 23 October, after the demonstration, a group of students decided once more to demand the broadcasting of their points, and a large crowd proceeded to the Radio Building. The narrow streets around the building became very crowded and the demonstration spilled over into the adjacent streets. The crowd consisted mostly of young people, both men and women, students and workers. No one bore arms. The slogans were the same as earlier in the day and the crowd was still good-natured. However, Gerö's speech had an electrifying effect. A delegation had been sent into the Radio Building to negotiate with the Director, Valéria Benke.⁸⁴ The demand of the delegation to have all sixteen points broadcast—not just some of them—was refused. The delegation remained in the building, possibly to negotiate further. However, a rumour spread that they were being held captive.

469. The radio building was guarded by the AVH police, and the crowds saw reinforcements, carrying rifles with fixed bayonets, arrive at about 7.30 p. m. and again at about 8.30. Some of the demonstrators set off fireworks from a truck standing in one of the streets. Water was sprayed on to the crowd from a house. The excitement increased. A rumour spread that one of the delegates had been shot inside the building. It has not been possible for the Committee to ascertain whether this rumour was correct or not. Then, it is alleged, several demonstrators attempted to force their way into the building. Some witnesses have denied this, but only a few could see everything that happened in the narrow, crowded street. Shortly after 9 p. m. tear gas bombs were thrown from the upper floors. One or two minutes later, AVH men rushed from the entrance

⁸⁴ An account of the "Siege of Radio Budapest" was published in *Népszabadság*, 22-28 January 1957.

and began shooting in all directions. At least three people were killed—some say eight—and many wounded. For about twenty minutes the shooting continued from the windows of the building, resulting in more casualties among the demonstrators. The crowd retreated. The bloody clothes of the first dead were carried through the city and people rallied behind them in procession. The news spread speedily through Budapest. Many of the demonstrators in front of the Parliament began to move towards the Radio Building, and the crowd around the Stalin statue hurried there, too, after the statue fell at 9.30 p. m.

470. Another incident further infuriated the demonstrators. White ambulances with Red Cross licence plates drove through the crowd to the Radio Building—it was assumed to aid the wounded; but the demonstrators discovered, according to eyewitnesses, that they contained AVH police wearing doctors' white coats over their uniforms and that they were transporting arms. One witness described how he and his unarmed friends attacked the armed AVH men, seized the ambulance and thus came into possession of the first weapons to be in the demonstrators' hands.

471. About 10.00 p. m. a force of soldiers of the Regular Army was sent as reinforcements. They were stopped by the crowd. An old worker leaped upon a truck and recited a well-known poem: "Shoot not, my son, for I shall also be in the crowd". Hesitating a moment, the soldiers looked at their officer, then jumped off the trucks and joined the fighters.

472. Shortly afterwards, three tanks of the Hungarian Army arrived in front of the Radio Station. From the top of their tanks, two Hungarian officers declared that they were not going to shoot at the people. Fire was thereupon opened from the Radio Building, and the officers and several of the demonstrators were killed.

473. Workers in Csepel and Ujpest and other working class districts learned by telephone that fighting had broken out. They immediately seized what trucks they could find and drove into the centre of Budapest. Many of the workers received arms from soldiers or police they met on their way, while others went to the military barracks where the stores were thrown open, for instance at Angyalföld and Zugló. About midnight a truck-load of arms from a factory in Soroksár Street arrived at the Radio Building. One witness, a truck driver, knew that a so-called United Lamp Factory actually manufactured arms. He went there with twenty-five other workers and with several trucks. They broke open the store rooms, and came into possession of more than 1,000 rifles with ammunition. Another witness received three truckloads of arms from the Károly barracks in Budaörs, where he went with some friends.

474. Several AVH troop carriers were overturned and burned in the streets around the Radio Building which, from about 11.00 p. m., was under severe attack with light arms. At midnight, the radio announced that "clashes took place at various places in the city between demonstrators and police forces". Some time in the early morning hours, the demonstrators seized the building, or at least part of it, but were driven out again. For the next few days, there was intermittent fighting around the building until it was finally seized by the revolutionaries; the AVH personnel were arrested and taken to barracks for trial.

475. Late on Tuesday evening, 23 October, part of the crowd went to the offices of the Party paper, *Szabad Nép*, and demanded publication of the sixteen points. The AVH fired on the crowd and some were killed, but later in the night, after they had obtained arms, the demonstrators succeeded in occupying the whole building.

H. FURTHER DEVELOPMENTS

476. During the night, several book shops selling Russian books were broken into. Russian books were thrown out into the streets in piles and burnt. No looting took place, however, either this night or in the days that followed. Several witnesses, emphasizing the pure motives of the uprising, described how many windows had been shattered in shops and department stores, but the goods, even jewellery, were left untouched by the people.

477. During Wednesday, 24 October, the revolutionaries began to occupy district police stations, usually without opposition, and district Communist Party Headquarters. In the latter they found arms. Thus, more arms came into the hands of the people.

478. The witnesses maintained that, without the intervention of the Soviet troops, there would have been order in the city in a day or two, since only the AVH were firing on the crowds, and many members of the army and the police

supported the uprising. There seems, in fact, not to be a single report of any member of the Hungarian military forces or of the ordinary police opening fire on the people.

479. The first Soviet tank patrol was seen in the city at 2:00 a. m. on Wednesday, 24 October. On the same day, fierce fighting developed between the Soviet troops and the revolutionaries, supported by part of the regular Hungarian Army, particularly at the Kilián Barracks and at the Corvin Block.

480. The population became increasingly embittered against the Russians, particularly because several incidents were reported of Russian tanks opening fire without provocation on unarmed crowds. Two such incidents were reported to the Committee by a former Member of Parliament belonging to the Independent Smallholders Party who testified that he had witnessed them personally. On Wednesday, 24 October, at 9:00 a. m. two Soviet tanks driving to Marx Square opened fire without provocation on passers-by and killed two persons. At 11:00 a. m. a Soviet tank in front of the Western Railway Station shot an unarmed soldier, about 20 years old, who was talking to a civilian. A young boy tried to approach the fallen soldier to help him and was shot and wounded by a Russian soldier. Nevertheless, on the first couple of days, there were also many cases of fraternization between the people and the Soviet soldiers, many of whom had been stationed in the country for some time.

I. PARLIAMENT BUILDING ON 25 OCTOBER

481. At about 8.30 on Thursday morning, 25 October, a group of about 800 people had assembled near the Hotel Astoria. Waving Hungarian flags, they set out to go to the Parliament Building. When the crowd was about 300 metres away, three Soviet tanks, drawn-up beside the Western Railroad Station, opened fire. The crowd withdrew to the side streets, and some of them went back to the Hotel Astoria, where six or eight Soviet tanks and troop-carriers were standing. The crew of the tanks were in friendly conversation with people in the streets, who had asked them why the Soviet forces were firing on peaceful demonstrators. After about an hour's discussion, the crew of a Soviet tank said they felt that the demands of the demonstrators were justified and that they should all go to the Parliament Building together and demand that Gerő and the other Stalinists be expelled from the Government. The tanks were then decorated with Hungarian colors and some of the demonstrators climbed up on them with the crew. One witness who testified before the Committee sat in the first tank to show the way. Flags protruded from the turrets of the tanks. The crowd was unarmed.

482. There were many people at the Parliament Building waiting for Prime Minister Nagy to appear, probably 20-25,000, perhaps more, half of them women and children, some even with babies in arms. Between 11 a. m. and 12, when the demonstrators arrived at the square with the Soviet tanks, AVH police, and possibly Soviet soldiers, stationed on the roof-tops of the surrounding buildings, opened fire on the crowd with machine-guns. Other Soviet tanks approached from the side streets, and, according to witnesses, fire was exchanged between them and the Soviet tanks which had arrived at the square with the demonstrators. Several witnesses described how it was impossible to come to the aid of the wounded for about an hour. Everybody who tried to do so was shot at. One witness saw a woman doctor and two nurses, who attempted to rescue the wounded, shot down before his eyes. Many of the casualties were women and children. Estimates of the number killed vary from 300 to 800. A member of the staff of the British Legation counted twelve truckloads of corpses being removed from the square later in the afternoon.

483. The crowd had assembled before the Parliament Building in the hope of seeing Prime Minister Nagy, whom they believed to be in his office there. They did not know that the Prime Minister at that time was detained at Communist Party Headquarters in a neighboring street. A witness, present at Party Headquarters at that time, has described the panic which seized the Communist leaders and the AVH officers in the building, since they apparently feared that the crowd had come to attack the Party Headquarters. It so happened that Mr. Suslov and Mr. Mikoyan had just arrived there for a conference with the Party leaders, a conference which was to result in Mr. Gerő's replacement by Mr. Kádár as First Secretary of the Central Committee of the Party.

484. Meanwhile, during these same days, events in Budapest had produced repercussions all over Hungary. Revolutionary Councils and Workers' Councils

in factories were being enthusiastically set up throughout the country and were discussing their programmes for action. It will be the purpose of the following chapter to consider these developments.

CHAPTER XI. REVOLUTIONARY AND WORKERS' COUNCILS

I. INTRODUCTION

485. No aspect of the Hungarian uprising expressed its democratic tendencies or its reaction to previous conditions more clearly than the creation of Revolutionary Councils in villages, towns and on the county level, and of Workers' Councils in factories. Within a few days, these bodies came into existence all over Hungary and assumed important responsibilities. Their chief purpose was to ensure for the Hungarian people real, and not merely nominal, control of local government and of factories, mines, and other industrial enterprises. There was even a suggestion that a National Revolutionary Committee might replace the National Assembly, while another proposal was that a Supreme National Council could exercise the prerogative of Head of the State. While nothing of the kind took place, the fact that such proposals could be put forward at all suggests the degree to which they were felt to reflect the desires of the people.

486. The first part of this chapter will deal with the Revolutionary Councils and the second part with the Workers' Councils in factories.

487. Before the end of October, the entire Communist-controlled Party apparatus had collapsed in Hungary, leaving a vacuum in public administration. By Article 30 of the Constitution of the Hungarian People's Republic of 18 August 1949, various Councils had been established as local organs of the State administration; including County Councils, District Councils, Town Councils, Borough Councils and Town Precinct Councils. Owing to the one party system, these Councils came under the direct control of the Party and local autonomy was destroyed. As soon as the Communist Party apparatus collapsed, the Hungarian people demanded that democratic elections be held in autonomous communities and that the Communist Party functionaries, police administrators and their associates be replaced by men trusted by the people. In accordance with these demands, Revolutionary Councils were created and took over the functions of the local administration in urban as well as rural areas.

488. In addition, and mostly after 27 October, Revolutionary Councils or Committees were created within Government offices, many of which took over the actual running of the Department: in the Army; by students and other youth groups; as well as by groups of intellectuals.

489. Just as these Revolutionary Councils appeared to be an expression of popular dissatisfaction with the local councils of the régime, so the Workers' Councils were an attempt to establish control by the workers themselves in factories, mines and similar enterprises. Under Article 6 of the Constitution of 1949, the State and public bodies were to act as "trustees for the whole people" for mines, large industrial enterprises and State-sponsored agricultural undertakings. In practice, this meant rigid Party control and, during the Rákosi régime, as was seen in chapter IX, the Hungarian economy was largely subjected to the interests of the Soviet Union. The Workers' Councils in factories seem to have been an expression of popular disapproval of this state of affairs, as well as the reaction of the workers to the Government-controlled trade unions.

490. Revolutionary and Workers' Councils sprang up all over Hungary without any central direction or co-ordinating plan, but, as the days passed, efforts were made to achieve some degree of co-ordination. These efforts were still in a tentative stage when the second Soviet intervention occurred on 4 November.

491. On 28 October the Hungarian Workers' (Communist) Party commended the establishment of these Councils in an article in *Szabad Nép*, its official organ: "News comes all the time from all parts of the country about the setting up of municipal and county Councils, Workers' Councils, National Councils or Revolutionary Socialist Committees—many different names. All are alike, however, in being spontaneous, popular organs which came into existence through the upsurge of a new democracy in this country. We do not know who the members of the Councils are; we do know, however, that they are representatives of the workers and that they are being elected in a democratic way. There is none among them who would abuse the confidence of the people, who would

misuse his power or think only of his personal position. Among them are those Communists who are respected and loved by the people. The good judgment and intelligence of the working masses are seen in the first measures taken by these popular organs."

492. Official recognition was given to the Revolutionary Councils by Mr. Nagy "in the name of the National Government" on 30 October. He referred to them as "autonomous, democratic local organs formed during the Revolution," and asked for "full support" from them. The setting up of factory Workers' Councils in all plants was recommended by the Central Committee of the Hungarian Workers' (Communist) Party in a statement issued on 26 October, and on the same day the Praesidium of the National Trade Council published a similar appeal to all workers.

II. REVOLUTIONARY COUNCILS

A. TERRITORIAL COUNCILS

1. *The Provinces*

493. As from 24 October, Revolutionary Councils were set up in many parts of Hungary in villages, towns, at district level and in the counties. Whole areas were brought under their control after successful bloodless revolutions, or after shorter or longer fights with the AVH. They at once assumed administrative responsibilities and began to address demands to the Government, some of which had considerable influence on the course of events.

494. Various names were used by these Councils, such as Revolutionary Council, National Revolutionary Council, Revolutionary Committee, Workers' and Soldiers' Council, Revolutionary Workers' Council, National Revolutionary Committee, National Council, National Committee, Socialist Revolutionary Committee. Many of the Revolutionary Councils were called Municipal Workers' Council or Workers' Council which sometimes made it difficult to distinguish them from the Workers' Councils in factories. In part A of this chapter, the term "Revolutionary Council" will be used.

495. Among the first provincial Revolutionary Councils set up immediately after 24 October were those of Dunapentele and Miskolc. The Councils of Debrecen, Győr, and Jászberény were set up on 25 October; those of Mosonmagyaróvár, Tatabánya and Veszprém on the 26th; Eger, Nyiregyháza, Szeged, Székesfehérvár, Szolnok and Zalaegerszeg on the 27th; Szombathely on the 28th and Kaposvár on 30 October.

496. The circumstances in which the Councils were elected varied from one place to another. In many places they came into being after peaceful demonstrations, combined with the liberation of political prisoners; elsewhere the population's demands, among which the election of a Revolutionary Council was prominent, were resisted by the AVH and resulted in a massacre of the population before it was possible to proceed with the setting up of a Council. The following are some examples.⁸⁵

497. In *Debrecen* in the course of a peaceful manifestation on 23 October, the AVH killed 2 persons. After this, power was taken over by a "Revolutionary Socialist Committee" which, after two days' negotiation, disarmed the AVH. In *Győr* the Council was set up on 25 October after demonstrations which took place before the Headquarters of the Communist Party with the participation of a crowd of more than 10,000. Demonstrators were originally led by Communists, and were joined by factory workers; the crowd tore down the Soviet emblems from public buildings and cut out the Soviet insignia from the flags. When the prison was attacked and political prisoners liberated, the AVH intervened and killed four people. The demonstrations continued during the night, and the day after, a notice was published in the papers concerning the mode of election of the Revolutionary Councils, which eventually took over power and disarmed the AVH. In *Jászberény*, after the news of uprising in Budapest arrived, workers and intellectuals went on strike, removed the Soviet insignia from official buildings and hoisted national flags. The Revolutionary Council was established on 25 October by 150 inhabitants of the town. By 29 October the Council had the support of the peasants of the region. In *Miskolc* revolutionary demonstrations took place on 24 and 25 October and a "Workers' and Soldiers' Council" was set up. Demonstrations went on on the 26th before Police Headquarters and when demands were made for the release of demonstrators arrested earlier, the AVH fired into the crowd. After this, the crowd, composed of miners and workers, attacked Police

⁸⁵ Regarding developments at Pécs and Dunapentele, see chapter V, paras. 206-210.

Headquarters, blowing open the door with explosives and killing many members of the AVH. By nightfall, the Council had taken over full control of the town. At *Mosonmagyaróvár*, on 26 October, students and workers joined by townspeople demonstrated before the AVH Headquarters, asking that the Soviet star be removed from the building. AVH officers opened fire with four machine-guns, others threw hand grenades at the defenseless people; 101 people were killed and 150 wounded, many of them women and small children. After these events, with the assistance of the local police, the population disarmed the AVH formations and set up a National Committee.

498. In *Sopron* the local population, with the help of the workers of Győr and Mosonmagyaróvár, disarmed the AVH and formed the Provisional National Council. In *Szeged* on 26 October, a military administration took the place of the City Council. On 27 October a demonstration took place in the course of which many people were wounded by AVH, and during the day a "Workers' Council" for the city was set up. In *Szolnok* there was fighting on 26 October to break down the Hungarian Communist organization and also against the Soviet troops stationed there, followed by the setting up of a Revolutionary Council. In *Veszprém* representatives of Workers' Councils in factories met on 26 October at the University and elected a Revolutionary Council for the city and the county. In *Zalaegerszeg* on 26 October a crowd of several thousands demonstrated before the county building and requested the resignation of the president of the County Council. The president resigned, and in agreement with him a "Workers' Council" was set up. In the course of the demonstrations, however, shooting started and two persons were killed and many were wounded.

499. The procedure followed in establishing the Councils also varied from place to place. The methods used included election by secret ballot at a general meeting, or at a meeting of factory workers' delegates, and election by representatives of peasants, factory workers and professional organizations. Sometimes, members of the Council were appointed by acclamation, sometimes by open election from those present at the meeting. In some cases, *de facto* non-Communist leadership appears to have been established without previous election.

500. The Councils included representatives of all segments of the population. In Debrecen, the Council had one hundred members of whom 60 per cent were workers, 20 per cent University students and 20 per cent representatives of the armed forces. The Council of Győr and Eger consisted of workers, peasants, soldiers and intellectuals, while half of the twenty-eight members of the Council of Jászberény were peasants. Revolutionary Councils were fully supported from the beginning by the armed forces (e. g. Debrecen, Eger Győr, Szeged, Szolnok, Veszprém), and by the local police (e. g. Debrecen, Győr, Mosonmagyaróvár, Szolnok, Tatahánya, Veszprém).

501. Some of the Revolutionary Councils were set up with the consent of the local Committee of the Hungarian Workers' (Communist) Party (e. g. Debrecen); many of them had from the beginning to the end Communist members (e. g. Debrecen); others dropped their Communist members after 1 November (e. g. Pécs). Most of them enjoyed almost at once the editorial support of the local organ of the Hungarian Workers' (Communist) Party. Regarding the attitude taken by the Councils towards the Party, the following comments of *Hétfői Hírlap* of 29 October are significant: "The demands [of the Revolutionary Councils] are, in the whole, identical and essentially *socialist and democratic* in their character, and do not intend to destroy the people's power. This is proved by the fact that wherever Party organizations endorsed the aims of the democratic revolution, no action was taken against them."

502. Some of the Revolutionary Councils had radio stations of their own, which broadcast news and announcements during the whole period of the uprising. The main radio centre of the Provinces was in Győr where Free Radio Győr and Free Radio Petöfi functioned on medium and short waves. Another important centre was the radio of the Workers' Council of the County Borsod in Miskolc which broadcast on medium wave. Other free stations were Radio Damjanich (Szolnok), Free Radio Debrecen, Free Radio Dunapentele, Free Radio Eger, Free Radio Rakoczi (Kaposvár), Free Radio Széchenyi (Szeged), Free Radio Szombathely, Radio Vörösmarty (Székesfehérvár) and the Radio of the Workers' Council of the County of Szabolcs-Szatmár. Most of the latter stations broadcast on short wave.

503. Of considerable political significance were the demands put forward by the Councils to the Government on behalf of the people of their area. These demands varied greatly, in accordance with the geographic location of the Coun-

cils. Those from the western parts of the country submitted more extreme demands than the Councils in the east. Demands differed further with the political trends which were represented within the Councils.

504. Some Councils gave qualified approval to the Government of Mr. Nagy, while making conditions for full recognition. The great majority of Revolutionary Councils were unanimous in calling for immediate cease-fire, the withdrawal of Soviet troops from Hungary and the organization of free elections. Other demands amongst those put forward by the Revolutionary Councils of twelve Hungarian cities and counties⁸⁶ which were examined, were for complete independence and freedom for Hungary, for a protest to the United Nations against the presence of Soviet troops in Hungary, for the United Nations to deal with the Hungarian situation, for equality with the USSR, withdrawal from the Warsaw Treaty, recall of Mr. Péter Kós, the representative of Hungary to the United Nations, a proclamation of neutrality. Further demands included changes within the structure of the Government, the abolition of the AVH and the creation of new police, the establishment of the National Guard, liberation of political prisoners, in particular, of Cardinal Mindszenty, freedom of speech, press, religion and association, the setting up of Workers' Council in factories; new agrarian policies and, in particular, abolition of compulsory delivery of produce by the peasants.⁸⁷ It was often emphasized that a return of the landed estates to their former owners would not be tolerated. "The people have already decided as far as the question of land, factories and mineral wealth is concerned," one Council delegate told the Government on 3 November. "The people will never alter that decision."

505. The Revolutionary Councils controlled the administration of the cities in which they were set up, dealing with all the major problems of local government and taking special measures to restore and maintain order by setting up of local units of a National Guard. Some collected medical supplies and food for the fighters and wounded in Budapest. Thus the Revolutionary Council of Jászberény, in co-operation with the local peasants, from 30 October on provided the fighters in Budapest free of charge with nearly 10,000 kilogrammes of food on a daily basis.

2. *The Transdanubian National Council*

506. Of all the Revolutionary Councils, that which appears to have wielded the greatest political influence was the Transdanubian National Council. This Council was set up at a conference in Győr on 30 October, attended by about 400 delegates, four from each county and two from each city in the Transdanubian region, as well as by delegates of the Revolutionary Councils of Borsod and Bács-Kiskun Counties and the Csepel Workers' Council. The conference was opened by the President of the National Revolutionary Council of Győr-Sopron County, Atila Szigethy. Demonstrations held in Győr during the previous days had demanded the formation of a "counter-Government" to that of Mr. Nagy and had called for military help from the Western Powers and for war with the Soviet Union. However, news reached the conference from Budapest about the "Inner-Cabinet" which Mr. Nagy had just set up and which included Béla Kovács, the Independent Smallholder leader from Pécs in the Transdanubian area, and about the opening of negotiations from the withdrawal of Soviet troops. Under the impact of this news, the conference decisively rejected the proposal for a "counter-Government" and declared that it would immediately open negotiations with Mr. Nagy regarding the following points: (1) The Government must give reliable guarantees for the fulfilment of promises regarding the demands of the people, above all regarding the withdrawal of Soviet forces; (2) The Government must hold general elections by secret ballot with the participation of several parties after the departure of the Soviet troops, but not later than January 1957; (3) The Government must set up local organs for the maintenance of order with the approval of the competent Revolutionary Councils; (4) Until a new National Assembly could be convened, all appointments of colonels and other senior officers must be approved by a "Central Council," which is still to be set up; (5) Changes within the Government are necessary and the freedom fighters must be represented adequately in the new Government; (6) The Government must issue a neutrality declaration and

⁸⁶ Debrecen, Győr, Miskolc, Nógrád County, Somogy County, Sopron, Szeged, Székesfehérvár, Szolnok, Szombathely, Tatahánya, and Veszprém.

⁸⁷ The Government of Mr. Nagy announced on 30 October the abolition of the system of compulsory delivery of agricultural produce. A decree of 12 November maintained this measure (Magyar Közlöny, No. 93, 12 November 1956).

communicate it to the United Nations; (7) the Government must guarantee freedom of speech, freedom of the Press, freedom of assembly, and freedom of religion. The conference delegates said that the Transdanubian Council would withdraw recognition from the Government if the above demands were not satisfied and would start negotiations with Revolutionary Councils in Budapest to set up a new Government. The declaration added that the Council took note of the pledge given by Army units in four cities of western Hungary, including Győr, that they would defend the people against all foreign attacks, even if they received orders to the contrary. The Conference declared that it was essential to establish a unified military command for the whole territory of Hungary. The Transdanubian National Council stated at the outset of the Conference that negotiations with the Government would be undertaken in 24 hours and that, in the meantime, the strike would continue. During the night it was announced that the Ninth Army Division in its entirety had associated itself with the Council. This was followed by an appeal broadcast by the Council to all troops in the Transdanubian area calling upon them to follow the example of the Ninth Division.⁸⁸

507. Under the chairmanship of Mr. Szigethy, a delegation from the Transdanubian National Council went to Budapest and met Mr. Nagy on 31 October at the Parliament Building. For several days, Free Radio Győr had been insistently broadcasting the Council demands, including that for Hungarian neutrality. According to a broadcast, emanating from Free Radio Petofi, on 31 October at 10.30 p. m. Mr. Nagy took note of the creation of the Transdanubian National Council and requested its assistance. Representatives of the Council stated that the condition of their support to the Government was the acceptance of the demands of the Council.

508. The Prime Minister in his reply asked representatives of the Council to give him their confidence; he told them that he was taking steps to fulfil several of the Council's demands. On the following day at 7.45 p. m. Mr. Nagy made his broadcast proclaiming the neutrality of Hungary and announcing his appeal to the United Nations.

509. Mr. Szigethy and his colleagues, on their return to Győr, reported to the second meeting of the Transdanubian National Council, which adjourned in the early hours of 1 November. The Council decided in favour of the continuation of the strike, pledging the resumption of work after the withdrawal of Soviet troops "had been guaranteed diplomatically." According to testimony received by the Special Committee, at the above meeting of the Council, a delegate of József Dudás, the Chairman of the National Revolutionary Council of Budapest, proposed once again the establishment of a "counter-Government" within the framework of the Council. This proposal was rejected by the Council with an overwhelming majority.

3. Budapest

510. Revolutionary Councils or National Committees were set up all over Budapest. As early as the night of 23 October, individual fighting groups elected from among their members the first temporary Councils to co-ordinate their forces and to present their demands to the Government. These Councils received added responsibility after 28 October when they took over public administration in their respective districts. The leaders of these Councils came together at an early stage with those of the Workers' Councils in the same area, and proceeded to set up unified Revolutionary Councils, consisting of representatives of the freedom fighters, Workers' Council and political parties. Several of the Revolutionary Councils of Greater Budapest were elected by democratic voting, but in many districts there had been no time to organize mass meetings for a democratic election before the Soviet forces intervened again on 4 November.

511. Information is available on the Revolutionary Councils of South Budapest, Csepel and Districts II, V, VII, VIII, XII, XIV and XX. These Councils and Committees had an average membership of 20 to 25. Among the members were workers, soldiers, police, students and other intellectuals, small artisans and small shopkeepers. They met every two or three days and, like the provincial Councils, undertook various responsibilities of public administration, as well as emergency tasks rendered necessary by the fighting. Several Budapest Councils, after adopting the sixteen demands of the students as a political platform, made other statements of their own concerning their recognition or

⁸⁸ *Szabad Dunántúl*, 1 November 1956.

conditional recognition of the Nagy Government. The Councils expressed their views in a newspaper, *Esti Hírlap* (Evening News) which appeared until 3 November. The following is a summary of the major tasks outlined for themselves by these Councils: (a) restoration of order and peace; (b) organization of National Guard; (c) re-organization and democratization of public administration; (d) immediate tasks of daily public administration; (e) organization of supplies and hospitals mainly from the hotel industry; (f) treatment of, and supply to the sick; (g) just and equitable distribution of food and other gifts from the Provinces and from abroad, in co-operation with the International Committee of the Red Cross and the Hungarian Red Cross; (h) equitable distribution of available apartments; (i) repair of apartments and the communications system; (j) the clearance of rubble. By 3 November streetcars and buses had started, and on 5 November schools and normal work were to resume.

In addition, the Councils spent a great deal of time with political questions. Some of the Councils suggested that the Government should be reorganized on a broader national, democratic and coalition basis. General support was expressed for an independent, socialist and democratic Hungary and for the three people who, in their opinion, stood for these ideals: Imre Nagy, János Kádár and Béla Kovács.

512. A National Committee and a Revolutionary Council, composed of representatives of the different parties, took over on 30 October the "ideological and political administration of the municipal authority" of Budapest, and pledged the restoration of full autonomy to the capital. The Committee, at its meeting of 2 November, elected József Kövágó, Mayor, and Péter Bechtler, Vice-Mayor of the city—the first a member of the Independent Smallholder's Party, the other of the Social Democratic Party.⁸⁹

B. FUNCTIONAL AND REPRESENTATIVE COUNCILS

1. Students and Youth

513. The *Students' Revolutionary Council* (*Egyetemi Forradalmi Diákbizottság*) [of Greater Budapest] was created early in the uprising. It seems that its members had participated in the various University manifestations in Budapest. Later, this Council was active in bringing together the various groups of student fighters scattered about Budapest and, in many cases, isolated from each other. The Council also attempted to co-ordinate and direct them, but witnesses stated to the Special Committee that these attempts of the Council were not completely successful. The Council was in constant liaison with the Commander of the units of the Hungarian Army which joined the insurgents; it had a radio station of its own, and after 29 October a publication *Egyetemi Ifjúság* (University Youth). Representatives of the Council had several meetings with Imre Nagy and Zoltán Tildy after 28 October, in the course of which the Prime Minister asked for their help in "the building of Hungary's future".

514. Later, the Council helped the Government in organizing the National Guard, a part of which was to consist of students. Various leaflets are indicative of the Council's attitude. One leaflet expressed confidence in Imre Nagy, a confidence which was said to have been shaken for two or three days but to have now become "stronger than ever". In explanation of this change in attitude, the leaflet described how Mr. Nagy had been detained by the AVII. In other leaflets the Council appealed to "Hungarians" urging them to resume work, but to be "ready for the fight" to safeguard the achievements of the revolution. In a further leaflet the Council stated that "only Hungarian soldiers should be on Hungarian soil" and that no United Nations troops should be sent to Hungary. The United Nations should, however, give economic assistance to the country.

515. The *Free Hungarian Revolutionary Youth Alliance* (*Szabad Forradalmi Magyar Ifjúság Országos Tanácsa*) was founded on 27 October to include all revolutionary youth and student organizations. The Students' Revolutionary Council and various other new youth groups in Budapest became members of this Alliance. Its publication was *Szabad Ifjúság* (Free Youth), the former organ of the Central Committee of DISZ, the communist youth organization.⁹⁰

516. The Alliance and some of its branches issued leaflets restating the sixteen demands of the students, demanding the recall of Mr. Kós from the United Nations

⁸⁹ *Magyar Nemzet*, 3 November 1956. Though formally elected on 2 November, Mr. Kövágó discharged the duties of Mayor from 30 October.

⁹⁰ The DISZ ceased its activities around 29 October.

and calling for a strike until Soviet troops left Hungarian territory. One of the leaflets of the Alliance stated that "the revolution is in danger," and informed National Committees and Revolutionary Councils all over the country "that new Soviet troops have entered Hungary from the East" and that "the shadow of tyranny is again over us". It asked that the Revolutionary Military Council of the Hungarian People's Army should at once concentrate, for the defence of the capital, the Hungarian Army units stationed in the east.

517. On 28 October a preparatory committee was set up for the *Revolutionary Council of Young Workers and Working Youth (Ifjúmunkások és Fiatal Dolgozók Harcos Szervezete)*. This was intended to co-operate with student and peasant youth groups, and was to help in the strengthening of the National Guard. It had a newspaper, *Magyar Ifjúság* (Hungarian Youth) from 1 November on.

2. Armed Forces

518. The Revolutionary National Defence Committee (*Forradalmi Honvédelmi Bizottmány*) was set up in the early hours of 31 October, at a meeting held at the Ministry of Defence, by two hundred and fifty representatives of (a) The Revolutionary Insurgent Forces (*Felkelt Forradalmi Erők*); (b) The Revolutionary Military Council of the Hungarian People's Army (*Magyar Néphadsereg Forradalmi Tanácsa*); (c) The Revolutionary Council of the National Police Command (*Országos Rendőrkapitányság Forradalmi Tanácsa*); and (d) The Revolutionary Committee or the Frontier Guards (*Határőrségi Forradalmi Bizottmány*). The first three groups had been set up on 30 October and represented young freedom fighters, including the Hungarian Revolutionary Youth Alliance, soldiers, non-commissioned officers, officers, cadets and staff officers of the armed forces; and the central authority of the Hungarian National Police. The Frontier Guards had been placed since 1949 under the authority of the AVH. They were, nevertheless, considered in a different light by the population of Hungary, and its officers and soldiers pledged loyalty on 29 October to the Government of Mr. Nagy, stating that they sincerely agreed with the revolutionary changes.

519. The meeting of 31 October was convened by the Revolutionary Military Council of the Hungarian People's Army, which, in the invitation also summoned "the leaders of the Revolutionary Army Committee of the units of the Third Motorized Army Group, which have replaced the Soviet troops withdrawing from Budapest", to report to it. Thus the terms of the invitation to the above meeting implied that the power of disposition of the armed forces at that date rested with the Revolutionary Military Council, in which leaders of all army branches were represented, and not with the Minister of Defence—at that time Károly Janza. Local revolutionary army committees and military councils had been set up about 28 October all over the country, in different units, including the Air Force Commands and the military academies.

520. The meeting of 31 October set up the Revolutionary National Defence Committee of twenty-one officers headed by General Béla Király, formerly chief of the training centres of the Ministry of Defence; Colonel Pál Maléter, Commander of the Kilián Barracks; Major-General Gyula Váradi of the Tank Corps; Colonel András Marton of the Zrínyi Academy and Lt.-Colonel István Marián, leader of the freedom fighters of the Technological University. It also adopted a resolution of eight points which demanded the withdrawal of Soviet troops from the entire territory of Hungary, the repudiation of the Warsaw Treaty after the convocation of a conference of the signatory Governments, and the occupation of the uranium mines by the Hungarian Army. The Revolutionary National Defence Committee approved the dissolution of the AVH, and at the same time demanded that former members of the AVH should not be allowed, in the future, to join any armed formation or the National Guard. The Committee stated that Hungarian armed formations would oppose, with arms, any external or internal enemy which set foot on Hungarian soil and attacked its independence, and that, if Soviet troops did not leave Hungary by 31 December 1956, the Hungarian armed forces would fight with arms "for the cause of the country's freedom and for the defence of the achievements of the victorious revolution".

521. A few hours before the constitutive meeting of the Revolutionary National Defence Committee on 31 October, Mr. Nagy, acting on behalf of the Council of Ministers, "acknowledged and confirmed" the formation of the Preparatory Committee of the Revolutionary National Defence Committee which was, apparently, at that time, already in existence. Mr. Nagy added that "the Revolutionary National Defence Committee, once formally established, will form the new armed forces, made up of the units of the army, the police, the revolu-

tionary insurgent forces, and the workers and youth brigades. With their assistance, the Revolutionary National Defence Committee will restore the internal peace of our country and create the conditions for the implementation of the Government programmes proclaimed on 28 and 30 October. The Revolutionary National Defence Committee will operate until the new Government has been formed, after general elections by secret ballot, and has taken office."

522. Thus from 31 October, the Revolutionary National Defence Committee became the supreme directing power of the Hungarian Army, of other semi-military formations and of the freedom fighters. Between 1 and 3 November the Defence Committee took several decisions of considerable importance and issued statements of policy with or without the Government's formal blessing. During the day of 31 October, the Committee proceeded to establish the Revolutionary Committee of the Public Security Forces (*Forradalmi Karhatalmi Bizottság*), composed of the army, the police and the factory guards, which was charged with the co-ordination of activities of all security forces; and also to develop further the National Guard (*Nemzetőrség*), which was to be composed of members of armed formations of those fighters who were *not* members of the army, police or factory guards. General Béla Király was appointed Commander-in-Chief of the National Guard, which was to enjoy equal status with the regular army and police. General Király made a statement in which he said that the National Guard should do their utmost to separate themselves from "sporadic disturbers" and that, for this purpose, they would be issued immediately with a special National Guard identity card; they would also receive, as from that day, flags for their units similar to those used in 1848, to which they would swear allegiance.

3. *The Revolutionary Committee of Hungarian Intellectuals (Magyar Értelmiségi Forradalmi Bizottság)*

523. This Committee was set up on 28 October at a meeting held at Lorand Eötvös University in Budapest. It was originally composed of revolutionary organizations of students, writers, journalists, artists and musicians, as well as representatives of the professors of universities, of People's Colleges, the Petöfi Club and of MEFESZ, but it was joined later on by the National Committee of the Hungarian Academy of Sciences, as well as by associations of historians and medical workers.⁶¹ Transforming itself after 4 November into the *Revolutionary Council of Hungarian Intellectuals (Magyar Értelmiségi Forradalmi Tanács)*, it was to play a part in events after that date. Several other Revolutionary Committees were set up by or for specific professional groups.

C. ESTABLISHMENT OF REVOLUTIONARY COMMITTEES WITHIN GOVERNMENT DEPARTMENTS

524. From 30 October, Revolutionary Committees were established in most of the Government Departments—the Ministries of Construction, Education, Food, Foreign Affairs, Internal Trade, Justice, Metallurgy and Machine Industry and State Economy. Similar Committees were established in the National Bank, the Supreme Court, the Chief Public Prosecutor's Office, the General Directorate of the Railways and the Hungarian Radio. Revolutionary Committees were also set up in the Hungarian Embassy in Belgrade and in the Legation in Vienna. In some cases, the Minister was included on the Committee, as was Rezső Nyers, Minister of Food; while in others the Revolutionary Committees removed the Minister from his post, sometimes with high officials serving under him. According to information available to the Committee in the following Ministries and offices the Revolutionary Committees took over the functions of the deposed Minister—the Ministries of Construction, Internal Trade, Justice, Metallurgy and Machine Industry; the National Bank, the Chief Prosecutor's Office and the Radio. Thus, in many departments of Mr. Nagy's Government, of 27 October, the Revolutionary Committees were in complete control after 30 October. In some cases there is evidence that the Prime Minister endorsed the changes.

525. Revolutionary Committees in several Ministries issued statements and demands on important aspects of Government policy. The most important of these were the two statements issued by the Revolutionary Committee of the Foreign Ministry, under the chairmanship of Péter Mód, the present Permanent Representative of Hungary to the United Nations, on 30 October and 1 November.

⁶¹ The text of an appeal issued by this Committee on 28 October is given as annex G to chapter IX.

The first declaration, after stating that the Committee identified itself with the "Hungarian liberation", condemned "the unwarranted interference of Soviet troops and the blood-bath of the State Security authorities"; and demanded that "those responsible for all this, the Rákosi-Gerő-Hegedűs clique, should be brought to account and that the Soviet troops should be withdrawn immediately from the country's territory". The statement furthermore condemned the declaration of Péter Kós, the Hungarian representative at the United Nations at that time, at the meeting of the Security Council on 28 October, and demanded his immediate recall. The statement also declared that heads and members of the Foreign Ministries abroad "who were alien to the people and who represented and still represent the policy of the Rákosi-Gerő clique", should be recalled and replaced.⁹²

526. In the statement of 1 November, the Revolutionary Committee of the Foreign Ministry informed the "entire Hungarian people" of, and requested its support for, the proposal which it made on the morning of 30 October in which it "elaborated the measures necessary for realizing the neutrality of Hungary for all time by the Great Powers and neighboring States . . .". At the same time, the Committee expressed the opinion that the Government should turn to the Great Powers and request material aid; and that the bauxite and uranium of Hungary should be utilized for "creating national prosperity". The Committee finally stated that "it had taken measures" to ensure that the delegation already appointed to the General Assembly of the United Nations, including Imre Horvath and Endre Sik, should not leave for New York.

527. The Revolutionary Committee of the Ministry of Education on 1 November declared that the teaching of Russian in primary schools must cease and that religious teaching must be given in accordance with the wishes of parents. On 2 November, the Committee said that "wherever possible, regular lessons should be resumed on 5 November".

528. The Revolutionary Committee of the Ministry of Justice on 2 November said that a draft decree providing for the release of political prisoners, except those convicted for illegal executions, was ready for consideration by the Council of Ministers.

529. The Revolutionary Councils in the Supreme Court and in other Courts on 31 October and 2 November called for the abolition of secret trials.

530. The Revolutionary Committee of the Chief Public Prosecutor's Office reported on 3 November that it had begun to review cases of political crimes, and a hundred young people were set free who had been charged with seeking to flee the country, "being no longer able to endure the poverty and terror".

531. The Revolutionary Committee of the Central Planning Board on 30 October demanded the denunciation of all economic, political and military treaties.

532. The Revolutionary Committee of Radio Kossuth (Radio Budapest) said on 30 October: "We are opening a new chapter in the history of the Hungarian radio at this hour. For long years past, the radio was an instrument of lies; it merely carried out orders; it lied during the night and in the daytime; it lied on all wavelengths. Not even in the hour of our country's rebirth did it cease its campaign of lies. But the struggle which succeeded in securing the nation's freedom and independence in the streets has spread to the radio, as well. Those who were the mouthpieces of lies are, from this moment on, no longer on the staff of the Hungarian radio which, henceforth, will be entitled to use the names of Kossuth and Petöfi. We who are before the microphone now are new men. In future you will hear new voices on the old wavelengths. As the old saying has it, we shall tell 'the truth, the whole truth, and nothing but the truth'." A similar statement was issued on the same day by the Hungarian Telegraph Agency (MTI), on behalf of its staff, "members of the Independent Smallholders, Communist, Social-Democrat and Peasant Parties".

D. EFFORTS FOR THE CO-ORDINATION OF REVOLUTIONARY COUNCILS AND COMMITTEES

533. By the end of October, individual Councils felt the need to establish a central organization to co-ordinate the work of the numerous Revolutionary Councils and Committees. The second Soviet intervention prevented the establishment of such an organization, but certain attempts were made along those lines. Witnesses stated that thought was being given to the formation of a centralized national Revolutionary Council, on the lines of the Transdanubian National Council to which reference has been made above. A similar Council

⁹² Radio Budapest, 8:30 p. m., on 30 October 1956.

would have been established for the region between the Rivers Danube and Tisza. Such a central organization of Revolutionary Councils would have been built from the bottom, and not from the top. It would have co-operated with the Government to prepare for the holding of free elections. A specific proposal for such a central organization was made by a delegation from the Workers' Council of County Borsod-Abauj-Zemplén, which called on Mr. Nagy and Mr. Tildy on 2 November. The proposed central organization would have been composed of democratically elected representatives of the Workers' Councils in Budapest and the provinces.

534. The Peoples' Patriotic Front (PPF) set up on 28 October a Central National Committee (*Országos Nemzeti Bizottság*), with the task of uniting and co-ordinating the activities of locally elected revolutionary bodies. It was said that this Committee would keep the people informed by press and radio on the activities of such bodies and on the scope of their authority.

535. On 2 November, the Central National Committee joined the Revolutionary Committee of the Public Security Forces and the Revolutionary Committee of the Chief Public Prosecutor's Office in an appeal to the National Guard and citizens, calling on them to "safeguard the purity of our revolution". The Committee appealed on 3 November to Committees and Councils in counties, districts, cities and villages and urged them to use their influence with the workers to resume work as soon as possible in all enterprises and factories. The Committee added in its appeal that the Government had "fulfilled the demands of the insurgents".

536. The Hungarian National Revolutionary Committee (*Magyar Nemzeti Forradalmi Bizottmány*) was set up about 28 October by József Dudás, a former member of the National Peasant Party. This was not the projected National Revolutionary Council mentioned on the previous page. The Committee had a newspaper of its own from 30 October, the *Magyar Függetlenség* (Hungarian Independence). The first member of this newspaper published a twenty-five point resolution adopted on 28 October which the Committee had at that time submitted to the Government. The Committee declared that it would not recognize the Government of Mr. Nagy until the latter included in his Cabinet the "elected representatives" of the Hungarian National Revolutionary Committee and others. It called for repudiation of the Warsaw Treaty, for Hungarian neutrality and for the immediate withdrawal of Soviet troops. Mr. Dudás also issued a statement on 30 October inviting the national revolutionary organs to send delegates on 1 November to a National Congress of Revolutionary Delegates. He asked that these delegates should be Hungarians with a clean conscience, who had never taken part in the policies of the old régime or that of the régime Rákosi and Gerö, but had always been "on the side of freedom and progress". The next day, *Magyar Függetlenség* announced that this Congress had had to be postponed indefinitely, because Budapest was surrounded by Soviet forces which prevented delegates from the provinces from entering the city. On 2 November, the newspaper stated that all the twenty-five points which had been submitted to the Government on 28 October had been implemented, some of them "against the will of the Government, and as a result of the defeat of the Soviet forces by the sacrifices of our sons and daughters who have fallen".

E. CONTACTS OF REVOLUTIONARY COUNCILS WITH THE GOVERNMENT

537. From 26 October on, Mr. Nagy and several of his associates, in particular Zoltán Tildy and Ferenc Erdei, received many delegations of Revolutionary Councils and National Committees from Budapest and the provinces. Practically all of these presented demands to the Government, as has been described in the specific instance of the Transdanubian National Council. On 30 October, Mr. Nagy had talks with representatives of the Hungarian National Revolutionary Committee, the Revolutionary Military Council of the Hungarian Army, the Revolutionary Insurgent Forces, the Revolutionary Committee of Hungarian Intellectuals and the Students' Revolutionary Council, and was presented with proposals by József Dudás, in this case acting for all these groups. According to *Magyar Függetlenség* of 31 October, these proposals were to be transmitted to the Government by Mr. Nagy. After 1 November at least three further meetings were reportedly held between representatives of the Government and several of the above-mentioned revolutionary bodies to discuss the "political and economic situation of the national revolution". They were joined by the provisional

executive of the National Council of Free Trade Unions, the Writers' Union, and the representatives of the Workers' Councils of Budapest's large industries.

538. On various occasions, delegates met Zoltán Vas, Károly Janza, Ferenc Erdei, as well as János Kádár. At the third meeting held on 2 November in the Headquarters of the Builders' Trade Union, representatives of the Revolutionary Councils emphasized that Hungary wanted to live in peace with all countries, but insisted on the withdrawal of Soviet troops because, as they stated, "the country would not lay down arms while there was one Russian on Hungarian territory". They added "that Hungarian neutrality was worth no more than the paper it was written on so long as armed Russian troops stayed on Hungarian soil."

III. WORKERS' COUNCILS IN FACTORIES

539. Since 1947, trade unions in Hungary had become instruments of the Government and eventually agents of the Hungarian Workers' (Communist) Party. From then on, they were exclusively used to establish production standards, working conditions and wage scales in such a way as to serve the interests of the State. Their leaders were appointed by the Government, under the direction of the Party, and the chairman of the shop committee in each plant picked the committee members from workers trusted politically by the Party. Only one candidate was put up for election, and he was elected by show of hands. In these circumstances, as witnesses stated, workers ceased to consider the trade unions as their true representatives, but looked toward the establishment of genuine workers' organizations which would not remain indifferent to their complaints and their demands. This criticism of the unions had become widespread before the uprising, and *Nepszava*, the central organ of the National Council of Trade Unions, *Szakszervezetek Országos Tanácsa*, (SZOT), declared on 9 September 1956 in an editorial: "Trade union activities in Hungary became distorted and for years have been run on the wrong lines. The time has come now for the trade union movement to become, once again, a workers' movement".

540. Hungarian workers were aware that in neighboring Yugoslavia, the economic and social status of workers was superior to their own, and that Yugoslav workers had some say in the running of factories through the agency of Workers' Councils. Hungarian workers, according to witnesses, were especially attracted by the Yugoslav system whereby the factory manager was elected by the Workers' Council and not imposed on them, as was the case in Hungary. For some time before the revolution, questions relating to worker-management relations in general, and the Yugoslav Workers' Councils in particular, had been widely discussed in the trade unions and in the Petöfi Club. Articles were published—including one by the Deputy Secretary-General of the National Council of Trade Unions, Jenő Fock—suggesting changes in the status of trade unions and factory bodies. A well-known economist, János Kornai, a convinced Communist, made a critical study of the "scientific Marxist-Leninist planned economy" and, among the new methods which he proposed to help in solving the problems of State-managed industry, he stressed the role of Workers' Councils. During the summer and fall of 1956, leading economists and trade union leaders—among them Professor István Friss, Zoltán Vas and Sándor Gáspár, the latter Secretary-General of the National Council of Trade Unions—went to Yugoslavia to study the functioning of Workers' Councils, and reported on them at public lectures and in the press.

541. Some of the demands put forward by student organizations and other intellectual bodies on the eve of the uprising related to the situation of workers and included proposals for the setting up of Workers' Councils. The Petöfi Club of the Communist League of Working Youth (DISZ), in a resolution adopted on 22 October, suggested that the Central Committee of the Party and the Government should promote "the development of a socialist democracy in Hungary . . . by satisfying the justified political demands of the working class, and by establishing factory autonomy and workers democracy".⁹³ A statement issued by the Hungarian Writers' Union on 23 October, included the following point: "Factories must be run by workers and specialists. The present humiliating system of wages, working norms and social security conditions must be reformed. The trade unions must truly represent the interests of the Hungarian working class".⁹⁴

⁹³ *Szabad Ifjúság*, 23 October 1956.

⁹⁴ Budapest Radio, 23 October 1956, twelve midnight.

A. THE ESTABLISHMENT AND FUNCTION OF WORKERS' COUNCILS

542. The first Workers' Council in Hungary, which was set up in the United Lamp Factory in Budapest (Egyesült Izzó), was constituted on 24 October,⁹⁵ some two days before the authorization of the setting up of such Councils by the Central Committee of the Communist Party. The first Workers' Councils in the provinces were set up in Debrecen and Dunapentele around 25 October. By 26 October, Workers' Councils had been set up in many factories both in Budapest and in the provinces. Workers' Councils were elected in enterprises of the most varied types—in industrial plants, mines, State-owned farms and hospitals.

543. Workers' Councils in factories of a given area set up co-ordinating committees among themselves. Such a committee, called the Central Workers' Council of Csepel, was set up about 30 October by the nineteen Workers' Councils in that area. The Workers' Councils in the Greater Budapest area set up their co-ordinating body after the second Soviet attack; this Greater Budapest Workers' Council was to play a major political role during the month of November and part of December 1956.

544. Witnesses explained how the Workers' Councils, in which they had participated, were elected by the factory workers in free, democratic elections. In some cases for lack of time, no real elections were organized but, by forming a temporary Workers' Council, *de facto* leadership of the workers in the factory was assured. Few Communists were among those elected to the Workers' Councils. In the opinion of witnesses connected with various Councils, the industrial workers no longer put their trust in Communist leaders. Many of the heads of formerly Communist-controlled trade unions voluntarily relinquished their positions in favour of the new leaders of the Workers' Councils.

545. The tasks of Workers' Councils varied during the different phases of the revolution. However, the Councils were, above all, active political organs of the workers. In practice, between 24 and 31 October, they were "strike committees" and insurrectionary centres for combatant workers. After 31 October, and until the second Soviet intervention, the Councils considered that their chief responsibility was to prepare for a resumption of work. From that time on, the Workers' Councils participated fully in the political aspects of the revolution. They were also active in the organization of food supplies for the people of Budapest, especially for hospitals, and took part in the repair of damaged hospitals and factories and in restoring means of transport and communication. A first step taken by the Councils was usually the dismissal of the existing managerial staff of the factory or establishment. In many cases Workers' Councils dismissed the directors and personnel officers who were all members of the Communist Party, but retained the business and technical managers, unless they were members of the Party. Another step taken by the Workers' Councils was to withdraw money from the bank account or to use other available funds of the undertaking concerned to pay the workers' salaries. Workers' Councils also sought to secure food for workers and their families. In some cases, factory guards were set up to protect the plant. Many Workers' Councils destroyed the "white cards" on all workers which were held by the personnel officer. In many cases, they removed photographs of Russian and Communist leaders and Soviet insignia. In some cases plans were drawn up to organize the work of the undertaking so as to increase production and reduce costs.

546. The Workers' Councils were also responsible for transmitting to Mr. Nagy's Government the political and economic demands of the workers. This function was of considerable significance at the beginning of the uprising, but lost some of its importance later, when major demands were put forward by the Revolutionary Councils. However, it regained importance in the first days of November with the increased concentration of Russian troops on Hungarian soil, and after 4 November it became of paramount importance.

547. The Workers' Councils and the Revolutionary Councils were closely related phenomena of the Revolution. In many cities the Revolutionary Councils were elected by the delegates of Workers' Councils, and most of the Revolutionary Councils included many workers in the membership. Witnesses described how, after the election of a Revolutionary Council or a National Committee in such a way, a mutual link was created between a Revolutionary Council and the

⁹⁵ *Népakarat*, 1 November 1956. The radio announcement on the setting up of this Council was made at 3:45 p. m., on 26 October in the following terms: "The workers of the United Lamp Factory have recognized the grave situation of our country and have decided to set up a Workers' Council."

Workers' Councils which were to be set up in the area covered by it. In one case, reported by the newspaper of the Hungarian National Revolutionary Committee, the establishment of certain Workers' Councils was not recognized, and a new election was ordered "in accordance with the spirit of true democracy".⁹⁶

548. The demands put forward by the Workers' Councils in most cases resembled those of the Revolutionary Councils described in part II of this chapter. In many cases, they were coupled with the threat of a strike, should the demands not be met. Thus on 26 October, the Workers' Council of Miskolc demanded that the Soviet Army should leave Hungary at once, that a new Hungarian Government should be constituted and that a complete amnesty should be extended to all those who had participated in the uprising.⁹⁷ The Temporary Workers' Council of the Hungarian Optical Workers demanded on 29 October the withdrawal of Soviet troops from Hungary and the recall of Péter Kós from the United Nations. They added that the factory would resume work only if the delegation which had been sent to the Government received a satisfactory answer.⁹⁸ The representatives of Workers' Councils from a number of factories of Greater Budapest, which met at the Belojanis Factory on 31 October, demanded free and secret elections with the participation of several parties, the trial of those responsible for the AVH massacres, immediate dismissal of some Ministers and immediate withdrawal of Hungary from the Warsaw Treaty.

B. AUTHORIZATION AND ENCOURAGEMENT OF WORKERS' COUNCILS BY TRADE UNIONS, THE PARTY AND THE GOVERNMENT

549. The Workers' Councils were a spontaneous creation of the factory and other workers concerned to improve their conditions of work. The role of the Councils was recognized without delay by the Trade Unions, the Communist Party and the Government.

550. Prime Minister Nagy received on 25 October a delegation of a group of workers from Borsod County, who submitted to him twenty-one demands, several of which related to the situation of workers.⁹⁹ On 26 October, at 12.58 p. m., Budapest Radio announced that the Prime Minister had accepted these demands and would embody them in the programme of the new Government.

551. On the morning of 26 October, the Praesidium of the National Council of Trade Unions announced a new political and economic programme.⁹⁹ The first point in the economic part of the programme read as follows: "Constitution of Workers' Councils in every factory with the participation of factory intellectuals there. Installation of a worker-directorate parallel with the radical transformation of the centralized planning system and of economic direction by the State; workers and factory-intellectuals to take over the direction of factories. Immediate formation of workers councils, which should contact their trade union centres without delay to decide on tasks". The announcement continued that the Hungarian trade unions had to become active again as before 1948, and they would have to change their name to "Hungarian Free Trade Unions". Later on the Praesidium made the following appeal: "Workers! The desire of the working class has been realized. Undertakings will be managed by Workers' Councils. This will complete the process by which the factories are taken over as the property of the people. Workers and technicians! You can now regard the enterprises as being entirely your own. From now on, you will manage these yourselves. The excessive central management of the factories, which has prevailed hitherto, will now cease, together with the faults arising from it. A heavy responsibility is laid upon the Workers' Councils; therefore you must elect the members of such Councils with great circumspection and from the most experienced and best workers. The new Government will increase the pay of those earning low wages. The sooner you start production in the factories and the better our Councils work, the more speedily can wages be raised, and the higher will they rise. Therefore, support the new Hungarian Government in its efforts for socialist construction and a free and democratic Hungary".

522. Later on in the evening of 26 October, the Central Committee of the Communist Party declared that it approved the election of Workers' Councils "with the co-operation of the trade union organs".¹ It added that wages and

⁹⁶ *Magyar Függetlenség*, 31 October 1956.

⁹⁷ Miskolc Radio, 1.10 a. m., 26 October 1956.

⁹⁸ Budapest Radio, 8.02 p. m., 29 October 1956.

⁹⁹ *Népszava*, 26 October 1956.

¹ *Szabad Nép*, Special edition, 27 October 1956.

salaries had to be increased to satisfy "the lawful material demands of the working class". In explanation of this decision of the Central Committee, it was stated later that the Party had "perfect faith in our working class", in which it saw the leading force of socialism and on which it relied in all circumstances. Hope was expressed that, by the organization of the Workers' Councils, the working class would lend its support to the new Politburo of the Communist Party and to the new Government.

553. On 27 October, the Praesidium of the National Council of Trade Unions proposed that Workers' Councils should set up "everywhere", in factories, enterprises and mines, and issued directives for their "election, functions and tasks":² "Members of the Workers' Councils should be elected by all workers of the factory, workshop or mine in question. A meeting called to carry out the election should decide the method of election. Recommendations for Workers' Council membership should be presented, as a general rule, by the shop committees or by a worker who commands respect. Depending on the size of the undertaking, the Workers' Councils should generally consist of from 21 to 71 members, including proportional representation of every group of workers. In factories employing less than 100 workers, all workers may be included in the Workers' Council. The Workers' Council shall take decisions on all questions connected with production, administration and management of the plant. Therefore: (1) for the direction of the production and management of the factory, it should elect from among its own members a Council of Direction with 5-15 members which, in accordance with the direct instructions of the Workers' Council, will take decisions on matters connected with the management of the factory, such as the engagement and dismissal of workers, economic and technical leaders; (2) it will draw up the factory's production plan and define tasks connected with technical development; (3) the Workers' Council will decide on the drawings up of the wage system best suited to the conditions peculiar to the factory and on the introduction of that system, as well as on the development of social and cultural amenities in the factory; (4) the Workers' Council will decide on investments and the utilization of profits; (5) the Workers' Council will determine the order of business of the mine, factory, etc.; (6) the Workers' Council will be responsible to all the workers and to the State for correct management. The principal and immediate task of the Workers' Council is to resume production and to establish and ensure order and discipline. The workers, through their representatives, should protect their livelihood, the factory."

554. Additional directives were issued by urban and rural Revolutionary Councils in different parts of the country. For example, the Praesidium of the Revolutionary Council of Borsod County stated that the task of the Workers' Councils was "to exercise control over the manager, the chief engineer, factory foremen and the workers of the plant", and requested them to attend urgently to the maintenance of order at their respective places of work.³

555. On 30 October, the National Council of Trade Unions became the National Council of Free Trade Unions, and replaced its old leadership by a "temporary revolutionary committee" composed of "old trade union leaders who had been dismissed and imprisoned in the past, and new revolutionary trade union leaders". One of the first actions of this committee was to declare that the Hungarian Trade Unions would leave the World Federation of Trade Unions (WFTU) and that, "for the sake of strengthening international workers' solidarity", they would be willing to establish relations with any international trade union organization."⁴ In addition, the committee issued an appeal on 31 October in which it hailed the Workers' Councils and "requested workers to return to their jobs and to create under the leadership of the Workers' Councils, the conditions necessary to resume production."⁵

556. The institution of the Workers' Councils was enthusiastically supported by the Hungarian press and radio and by professional and other organizations. Thus the People's Patriotic Front (PPF) declared, on 28 October, that this is "our revolution, because it abolishes the inhuman production norms and entrusts the factories to Workers' Councils."⁶ The Revolutionary Committee of Hungarian Intellectuals stressed in its programme, on 28 October, that "fact ries and

² *Népszava*, 30 October 1956.

³ *Északmagyarország*, 27 October 1956.

⁴ *Népakarat*, 1 November 1956.

⁵ *Népszava*, 1 November 1956.

⁶ Budapest Radio, 10.48 p. m., 28 October 1956.

mines should really become the property of the workers" and that they should "not be returned to the capitalists, but managed by freely elected Workers' Councils".⁷

557. The institution of the Workers' Councils, after having received the blessing of trade unions and the Communist Party, found its way into the programme of Mr. Nagy's new Government. The Prime Minister stated on 28 October that the Government welcomed the "initiative of factory workers as regards the extension of factory democracy and approved the formation of Workers' Councils". He also said that the Government would take measures to settle, to the satisfaction of the working class, "long-standing and justified demands and to remedy old complaints".⁸

558. On 1 November, the Workers' Councils of the large Budapest factories and delegates of various revolutionary organizations and of the National Council of Free Trade Unions had two meetings with representatives of the Government, to discuss the "grave situation" created by the continuance of the nation-wide strike. At these meetings, speaking on behalf of Mr. Nagy's Government, Ferenc Erdei appealed, through the representatives of the Workers' Councils and the trade unions, to the workers of Hungary, pleading with them to resume work.⁹ The next day seventeen large factories of Greater Budapest, among them the Csepel iron and metal works, Mavag, Ganz electric and wagon factories and the Lang machine factory, as well as the transport workers and "all the workers" of Districts XIII, XIV and XV of Budapest, appealed to all workers of Hungary to "take up work immediately". They stated that, in their opinion, the Government had fulfilled the main demands of the Hungarian people: the repudiation of the Warsaw Treaty, and the declaration of neutrality. Furthermore, "there are guarantees that in the near future elections with secret ballot will be held". The appeal stated that "continuous strikers would paralyse the economic life of the country" and that "resumed production will provide the strength our political life needs at this moment".¹⁰

559. Witnesses stated to the Committee that further negotiations between representatives of the Government and the major Workers' Councils of Greater Budapest had taken place on 2 and 3 November, and subsequently an agreement had been reached for the resumption of work in all Hungarian industries and factories on Monday, 5 November.

C. CONCLUSIONS

560. The Committee concludes from its study of the Revolutionary Councils that they were the result of a spontaneous, nation-wide movement to assert the right of the Hungarian people to assume the direction of their affairs and lives. This movement took shape, as did the uprising itself, at the local level and there was in the beginning little or no contact between the various groups. Nevertheless, as in the case of the students and intellectuals, a broad identity of aim underlies both the demands and the methods. It is clear that the formation of these Councils met a need widely felt by the Hungarian people.

561. The same is true of the Workers' Councils. All witnesses confirmed that dissatisfaction with the trade unions of the régime was one of the most important grievances of the Hungarian workers. In addition, they demanded a genuine voice in the control of the undertaking in which they worked, and this they set out to obtain by electing Councils along democratic lines. These Councils at once assumed important responsibilities in the factories, mines and other undertakings and they exerted a considerable influence upon the Government, with which delegations from a number of them maintained direct contact. The overwhelming support given by Hungarians to these Workers' Councils confirms the impression that they were among the most important achievements of the Hungarian people during their few days of freedom.

⁷ *Égyetemi Ifjúság*, 29 October 1956.

⁸ *Népszava*, 29 October 1956.

⁹ *Magyar Nemzet*, 2 November 1956; *Kis Újság*, 2 November 1956.

¹⁰ *Népszava*, 2 November 1956.

CHAPTER XII. THE REASSERTION OF POLITICAL RIGHTS

(26 October-3 November)

A. INTRODUCTION

562. In Chapter VI, the circumstances have been described in which Mr. Nagy became Prime Minister, and an account was given of his situation during the days immediately following 24 October. For almost three days, Mr. Nagy was detained in the Communist Party Headquarters. Chapter VI has dealt with the movement of Mr. Nagy to the Parliament Building on 26 October. This chapter is concerned with developments in Hungarian domestic politics from 26 October, especially with regard to Mr. Nagy's reconstructions of his Government.

B. THE TRANSITIONAL PERIOD: THE NATIONAL GOVERNMENT OF 27 OCTOBER
(26-29 OCTOBER)

563. On 26 October the Council of Ministers announced the "beginning" of the mopping-up of the remnants of the armed revolutionary groups, in the same phrases as had repeatedly been used since the 24th.¹¹ Under a new amnesty, which was to expire by 10 p. m., "Members of the armed forces, soldiers, armed workers, comrades" were called upon to "treat those who lay down their arms humanely" and to "let them go home after they have surrendered".¹² Hardly a word was said about Soviet forces; the fiction was maintained of a fight between Hungarian forces on the one side, and, in the words of the Party newspaper *Szabad Nép*, "counter-revolutionary forces and other bad elements".¹³ The Government order instructed non-existent Hungarian forces to "deal annihilating blows at all who continue the armed fight against the people's power" after the time limit had expired.

564. Such phrases were indicative of the continued use of the propaganda slogans of the past years. Although the insurgents had been reported for two days as surrendering en masse, they still refused to lay down their arms. A new approach was imperative. In the 26 October issue of *Szabad Nép*, severe condemnation was expressed of "a clique of wicked leaders estranged from the people, who cannot be identified with the Party"; it was acknowledged that the people "led by their despair over the country's situation, have taken part in the armed rising".

565. On Thursday, 25 October, Mr. Kádár had replaced Ernő Gerő as First Secretary of the Central Committee. The next afternoon, Mr. Gerő and Mr. Hegedűs had fled from Party Headquarters, and Mr. Nagy had been able to move to the Parliament Building, where he immediately sought contact by telephone and otherwise with a number of people regarding the formation of a new Government. On Saturday morning, 27 October, at 11:18 a.m., the new Council of Ministers was announced over the radio. It was stated that the Government "after taking the oath . . . had entered into office immediately". The announcement explained that the Government was "elected by the Praesidium of the Hungarian People's Republic, which acted on the recommendations of the Central Committee of the Party and the Praesidium of the National Council of the People's Patriotic Front". The PPF¹⁴ to which reference was made in the announcement on the same level as the Communist Party, was created in August 1954 on the initiative of Imre Nagy, when he was Prime Minister for the first time, with the purpose of obtaining the active support of intellectuals, bourgeois and other non-proletarian elements for the building of Hungarian socialism.

566. By the careful selection of Communist members and the inclusion of non-Communists, the composition of the new Council of Ministers went far towards meeting the insurgents' viewpoint. Mr. Nagy had left out several Communists who had ordered Hungarians to fire at Hungarians, or who were "Stalinists". The Minister of the Interior, László Piros, who, together with the First Secre-

¹¹ Radio Budapest, 26 October, 4.30 a. m., text reproduced in *Szabad Nép*, 26 October 1956.

¹² Radio Budapest, 26 October, 5.34 p. m., and 8.08 p. m.

¹³ *Szabad Nép*, 26 October 1956.

¹⁴ The PPF had not been an active force in Hungary since the beginning of 1955; its re-activation was announced by the resolution of the Central Committee of the Party of 21 July 1956.

tary of the Communist Party, had had some authority over the AVH, and the Defence Minister, István Bata, were removed from office. Mr. Nagy's predecessor, András Hegedűs, who had been a Vice-Chairman of the Council of Ministers since 24 October, and József Darvas, Minister for Propaganda, had also been omitted.

567. Excluding the Rákosi wing from power, Imre Nagy brought their opponents in the Communist Party into the Government. György Lukács, the most eminent of Hungarian Marxist philosophers and scholars, became the new Minister of People's Culture. Radio Budapest commented on this appointment on 27 October that "the dogmatism which prevailed in Hungary in recent years had tried to push him into the background of the country's scientific life". It added that Antal Gyenes, the new Minister for Produce Collection, a former Secretary-General of the People's Association of People's Colleges (NEKOSZ), had similarly been thrust aside, and although he had an economist's diploma, he had had to take a position as an unskilled worker, until he had been engaged by Mr. Nagy as his assistant at the University of Agronomy. The key posts of the Interior and Defence were assigned to Ferenc Münnich, a lawyer in his seventies, who, though a former adherent of the Rákosi-Gerő group, was well regarded by the surviving followers of Rajk, and to Károly Janza, who had a pro-Nagy record. Similarly, Árpád Kiss, the new head of the National Planning Office, had backed Mr. Nagy's campaign in favour of the promotion of light industry. Later in the day, Zoltán Vas, well known to the Writers' Union, was placed in charge of Budapest food supplies. He had distinguished himself in this sort of work after the liberation of Budapest in 1945.

568. But the most striking feature of the new Government was that, in the spirit of the revived People's Patriotic Front, it contained three members who formerly held leading posts in the two large Peasant Parties: Zoltán Tildy, Béla Kovács and, Ferenc Erdei. Tildy, who was made a Minister of State, had been one of the founders of the Independent Smallholders' Party in 1930. He had been active in the wartime resistance movement, headed the Government in November 1945 and had been President of the Hungarian Republic from 1946 to 1948. "The Rákosi clique, however, forced him to resign," the commentary recalled, "and kept him under house arrest for a long period." Béla Kovács, the former Secretary-General of the Independent Smallholders' Party, who became the new Minister of Agriculture, had been attacked by the "Rákosi clique," accused of conspiracy and had been under house arrest for some time. Two other former members of the Independent Smallholders' Party became members of the Government, József Bognár, Deputy Chairman of the Council and Miklós Ribianszki, Minister of State Farms. A former co-founder of the National Peasant Party, Ferenc Erdei, became Deputy Chairman of the Council.

569. The pressure still exercised by the old forces limited Nagy's ability to form a Government altogether acceptable to the fighters. Antal Apró became another Deputy Chairman of the Council, in charge of Construction; several other unpopular Communists or Stalinists had been carried over into the new administration. The appointments of István Kossa, Lajos Bebrits, János Csörgő and Sándor Czottner, as Ministers of Finance, Post and Communications, Metallurgy and Machine Industry and Mining and Electricity, respectively, specially irritated the insurgents, as did the retention of Erik Molnár as Minister of Justice in the face of a campaign against him in the *Irodalmi Ujság*. Moreover, the presence of members of two peasant parties in the Government inevitably raised the question of the reason for not including a Social Democrat—since the Social Democrats had been one of the non-Communist "big three" at the the Chairman of the Praesidium, István Dobi, had indeed approached such 1945 elections. Witnesses told the Special Committee that Mr. Nagy, as well as the Chairman of the Praesidium, István Dobi, had indeed approached such Social Democrats as Anna Kéthly, Gyula Kelemen and Ágoston Valentini, but without success. The Government had not as yet recognized even the peasant parties; the members of the latter joined the Government only in a personal capacity—even though the public announcement referred to their association with the peasant parties. The circumstances of Mr. Kovács' participation in the Government were explained by him in a speech on 31 October. He said that he was "astonished" to see on the new Government list the names of Communist leaders. He drafted a letter of resignation, expressing disagreement with the composition of the Government, but his friends persuaded him not to send the letter.¹⁵

¹⁵ *Kis Ujság*, 1 November 1956.

570. The carefully balanced Government team of 27 October did not please the insurgents, who cared little about political niceties and compromise. Generally speaking, they accepted Imre Nagy without enthusiasm; nobody else more qualified was acceptable to the Soviet authorities, with whom a Hungarian Prime Minister had to deal.

571. Mr. Nagy sought to placate the insurgents in other ways, by adopting a line sympathetic to their views in a broadcast speech on 28 October, at 5.25 p. m., when he stated: "The Government condemned those views according to which the present vast, popular movement is a counter-revolution." While "evil-doers seized the chance of committing common crimes" and "reactionary counter-revolutionary elements joined in the movement," it was also a fact that a great national and democratic movement, all-embracing and unifying, unfolded itself with elemental force."

572. One more step was necessary before the one-party system could be discarded, namely the disbanding of the political police. In his speech on 28 October, Mr. Nagy had dealt with the question of the AVH in somewhat cautious terms: "After the restoration of order, we shall organize a new unified State Police and abolish the State Security Authority". In actual fact, the decision was taken almost at once. At 5 p. m., on 29 October, it was announced in a news bulletin that the Minister of the Interior had started on 28 October the organization of "the new, democratic police," and in that connexion he had abolished "all police organs invested with special rights, as well as the State Security Authority (AVH)", for which there was no further need "in our democratic system".

C. ABOLITION OF THE ONE-PARTY SYSTEM AND ESTABLISHMENT OF THE INNER CABINET OF 30 OCTOBER

573. It had been customary in the People's Republics for the First Secretary and the Head of Government to make joint broadcasts to the nation. A broadcast of 30 October at 2.28 p. m., was different. Four Hungarian leaders spoke in turn, each in his own mood or in that of his party or group. Developing further his democratic programme, Imre Nagy, addressing himself to the "working people of Hungary, workers, peasants, intellectuals", announced a decision which, he said, was "vital in the nation's life. In the interests of the further democratization of the country's life, the Government, acting in full agreement with the Praesidium of the Hungarian Workers' Party, has abolished the one-party system. . . . In accordance with this, it is setting up an Inner Cabinet within the National Government". It was clear that Mr. Nagy had gone beyond his earlier position. From his address of three hundred words, two words were conspicuously absent, "Communist" and "Socialist". Instead the new slogan was: "Long live free, democratic and independent Hungary!". The relatively sober, brief address of Imre Nagy was followed by a ringing declaration in patriotic terms from Zoltán Tildy: "Hungarian brethren! The will of the nation and the national revolution have conquered. The representatives of this nation will have been the young people with their heroic struggle, the writers, hundreds of thousands of workers, the peasants, the farmers—in short, the whole country. All violence and all resistance against this will was in vain. I stand before the microphone deeply moved. I haven't written down my speech; it may therefore be disjointed. But I greet, I embrace, Hungary's dear youth, my heart overflowing with warmth". It was left to Tildy to draw the consequence of the abolition of the one-party system in the declaration that "we must prepare for free elections".

574. Ferenc Erdei, speaking for the other peasant party, the National Peasants, hailed "the struggle of the rising nation"; but the problem of recouping the gains of the revolution with the post-war achievements was stressed in his speech: "The creative force of the revolution will . . . still have to be carried to final triumph. The victory of the revolution must now be defended with unmistakable determination, above all against those who would like to reverse it. It also has to be defended against those who would like to drown it in anarchy or to turn it against the vital interests of and rights attained by our people". Lastly, János Kádár voiced the pledge of the Communist Party to take its place alongside, rather than above the other parties: "I declare that every member of the Praesidium of the Hungarian Workers' Party agrees with today's decisions by the Council of Ministers".

575. The "Inner Cabinet" announced by Mr. Nagy was set up within the Council of Ministers and was made up of the Chairman of the Council, Mr. Nagy (Com-

munist), and three members of the Government, Zoltán Tildy and Béla Kovács (Independent Smallholders), and Ferenc Erdei (National Peasants). In addition, János Kádár and Géza Losonczy (Communists) not previously in the Council of Ministers of 27 October, were made members of the Inner Cabinet. To conform with constitutional requirements, Mr. Nagy stated in his speech of 30 October that he would submit a proposal to the Presidium of the People's Republic to elect them Ministers of State. He added that the Inner Cabinet would also include a person to be nominated by the Social Democratic Party. As against a proportion of non-Communists to Communists of five to twenty in the Council of Ministers as a whole, the Inner Cabinet ratio was three to three, not taking into account the prospect of Social Democratic participation. Moreover, the non-Communist members were no longer to serve in a personal capacity but, in Mr. Nagy's words, the Government of the country was now placed "on the basis of democratic co-operation between the coalition parties reborn in 1945".

D. THE REBIRTH OF POLITICAL PARTIES

576. After the spring of 1949, political parties in Hungary with the exception of the Hungarian Workers' (Communist) Party, which in June 1948 had absorbed part of the Social Democratic Party, ceased in effect to exist, though no legislative text was published in the Hungarian official Gazette, forbidding or dissolving them.

577. The introduction of a multiparty system which of course implied the revival of parties, was among the most popular demands of the insurgents and it had reappeared constantly among the demands voiced by different groups ever since the resolution of the students of the Building Industry and Technological University on 22 October. Thus it was quite natural that almost within an hour of the announcement by Prime Minister Imre Nagy of the abolition of the one-party system,¹⁶ political parties were being re-established in Budapest and in the provinces. Messrs. Tildy and Erdei, who spoke after Mr. Nagy, appealed to the leaders and members of their respective parties, the Independent Smallholders and the National Peasants, to revive party organizations all over the country. These two parties, and the Social Democratic Party were formally reconstituted on the afternoon of 30 October, and their national headquarters were re-established in Budapest. Two of them, the Independent Smallholders and the Social Democrats, had even reoccupied the former premises of their party headquarters. Party newspapers appeared from 1 November and appeals had been issued through the radio and the press and through leaflets for the setting up of local party groups. By 3 November these three major parties had groups reconstituted in most of the twenty-two districts of Budapest, as well as in cities in the various provinces of Hungary. In addition other smaller parties were set up.

578. Among the three major parties that were revived on 30 October, the Independent Smallholders Party¹⁷ had been the most powerful in the past. Founded in 1930 by the late Gaston Gaál, Zoltán Tildy and Ferenc Nagy, its original programme included universal suffrage, land reform, improvement of the economic and cultural status of the peasant population, progressive taxation, simplified public administration and increased social benefits. This party had polled at the general elections of 4 November 1945, 2,688,161 out of 4,717,256 votes (57.5 per cent), obtaining 245 of the 409 seats to be filled by election. Thus at that time the Smallholders' Party had represented a clear majority of the Hungarian people. On 30 October 1956 a provisional executive committee, which included József Kövágó and István B. Szabó, was charged with the management of party affairs, and Béla Kovács was elected Secretary-General. Apart from local party groups which had been set up in a number of areas, several specialized party organizations were established during the four or five days of the party's new existence: a party organization for the technical intelligentsia, another for educators "who do not stand on the platform of Marxism and materialism" and who wish to "re-establish the religious, moral, national and European basis of Hungarian education."¹⁸ Groups were also set up of party members who had in the past occupied posts in the Ministry of Foreign Affairs, as well as party organizations for railway men, doctors and artists.¹⁹ The Party had a daily paper between 1 and 3 November, the revived *Kis Ujság*. By 3 November

¹⁶ Radio Budapest, 2.28 p. m., on 30 October.

¹⁷ *Független Kisgazda Párt*.

¹⁸ *Kis Ujság*, 1 November 1956.

¹⁹ *Kis Ujság*, 2 November 1956.

the party had not drawn up a new programme, but its political outlook is known through statements of witnesses, declarations of the party's leaders, and resolutions of party meetings between 31 October and 3 November. Witnesses explained to the Special Committee that Smallholders basically opposed the forcing of workers into particular jobs or the drafting of farmers into *Kolkhozes*. They stood for free choice for the peasants to own their property or to join a collective organization. They were, however, not really in doubt as to what the peasants would decide, and believed that Hungarian peasants would never work well within the *Kolkhoz* system. Béla Kovács, speaking on 30 October before a meeting of party members at Pécs, said that the Independent Smallholders' Party was the only Hungarian party which "since 1945 had really wanted to build a Hungary on the basis of independence and liberty."²⁰ As for the future he added that members of the party had to change their way of thinking, not to think any more on the lines of the past, but whatever new programme they would draw up, it "must be based on the creation of a new, free, independent Hungary". On foreign affairs Mr. Kovács stated: "When Hungarian freedom fighters fought against the Russian tanks, they fought for the country's independence. This does not mean that we regard the Russian people as our enemies, but one cannot follow a unilateral policy . . . It is necessary to establish relations, based on equal rights, with all nations and one cannot tie the country's fate to one or another military bloc. The Hungarian people want a neutral Hungary". In an appeal issued on 2 November by the provisional executive committee, the Independent Smallholders' Party called on all Hungarians to resume work; "Let us restore order and start work. The revolution now needs ploughs, hammers and production. The revolution expressed our national demands: freedom, independence and equality among nations. Every Magyar may fight for the realization of these aims in our party."²¹

579. The Hungarian Social Democratic Party²² founded in 1880, with a Marxist programme, secured sixty-nine parliamentary seats at the 1945 elections, and ceased to exist as an independent party three years later. In the years after, many of its leaders and members had been imprisoned or interned in labour camps and tortured.

580. On 30 October 1956, Anna Kéthly, who spent many years in jail during the Rákosi era, became the President of the reorganized Party; Gyula Kelemen became its Secretary-General and Dr. András Révész Deputy Secretary-General.²³ The executive committee of the party stated that it would not take back former Social Democratic leaders (such as Arpad Szakasits, the first Chairman of the Praesidium of the People's Republic, elected in August 1949), who had supported the "fusion" in 1948 between the Communist and Social Democrats. Mr. Kelemen, who was charged with the rebuilding of the party, appealed on 1 November to the Hungarian Social Democrats in the following terms: "Hungarians, brother workers . . . Hundreds of thousands of organized workers, who . . . had suffered the bitterness of oppression, are today rebuilding the Hungarian Social Democratic Party. Not even the most cruel capitalism exploited them as have the masters [of our country] during the last eight years. They lied when they said they were governing in the name of the workers!" He asked them to support the Revolutionary Councils and National Committees in their tasks and stressed the need to develop youth organizations and peasant groups within the party.²⁴ The same day, another appeal was made to "young workers and students", asking them to join the Social Democratic Party to promote "the independence and full democratization of the country". The convening of a mass meeting of Social Democratic youth was also announced.²⁴

581. On 30 October, an invitation was extended by Imre Nagy to the Social Democratic Party to join the Inner Cabinet set up on that day. It was reported on 1 November that the party was "negotiating" concerning this matter.²⁵ It was known, however, that Socialist leaders did not favour entering the Government at that time on account of the continued presence of Soviet troops on Hungarian territory;²⁶ they contended that "in the Government every key position

²⁰ *Kis Ujság*, 1 November 1956.

²¹ *Magyar Nemzet*, 2 November 1956.

²² *Magyar Szocial-Demokrata Part.*

²³ *Népszava*, 1 November 1956.

²⁴ *Népszava*, 2 November 1956.

²⁵ *Népszava*, 1 November 1956.

²⁶ *Népszava*, 3 November 1956 (statement by Anna Kéthly in Vienna).

is in the hands of the Communists"—a situation which, in their opinion, corresponded "neither with justice nor the actual political situation".²⁷

582. On 3 November, three Social Democrats were added to the Government, including Anna Kéthly. The latter had been in Vienna since 1 November, attending an executive committee meeting of the Socialist International, and was prevented from returning to Hungary on 2 November by Soviet guards on the Austrian frontier.²⁸

583. On 1 November, *Népszava*, the central organ of the Social Democratic Party for seventy-six years, and the mouthpiece of the Communist-controlled trade unions between 1948 and 1956, reappeared as a Social Democratic paper; from the three issues of *Népszava* during this period little information can be derived regarding the programme of the party in the new circumstances. The first issue carried an editorial by Anna Kéthly in which she wrote that the Social Democratic Party in the last eight years had been "a giant paralyzed by dwarfs", until it had won its freedom "from a régime which called itself a popular democracy," but which, in form and in essence, was neither popular nor democratic. In later issues both Anna Kéthly and Gyula Kelemen stressed that Hungary should become a socialist, democratic and neutral country.²⁹

584. The National Peasant Party³⁰ had been founded in July 1939 by Imre Kovács, Ferenc Erdei and Péter Veres to represent the interests of the agricultural labourers; it had twenty-three members in the 1945 Parliament. After 1948 many of its former members, among them its last President, Péter Veres, collaborated with the Communists; some of them from 1955 on became active in the Writers' Union and the Petöfi Club. The party was formally re-established on 30 October, and the first local organizations were set up the following day. On 2 November, *Uj Magyarország* (New Hungary), the official party organ, appeared. The Party spread rapidly in Budapest and in north-eastern and eastern Hungary. At its first public meeting, held on 31 October, it decided to change its name to Petöfi party; and elected a provisional executive committee of eleven members, including István Bibó, a professor of law, and Attila Szigetly, the Chairman of the National Revolutionary Council of Győr-Sopron county. Ferenc Farkas was elected Secretary-General. Instead of a Chairman, a supervisory committee of eleven members was set up, composed of well-known members of the Writers' Union, such as László Németh and Gyula Illyés.³¹ While Ferenc Erdei, Minister of State, had taken the initiative for the revival of the Party on 30 October, he was unpopular—owing to his collaboration with the Hungarian Workers' Party—with the rank and file of the National Peasant Party, and was not included in the provisional leadership.³²

585. The attitude of the Petöfi Party was made clear in an article in the party paper by Mr. Farkas. He stated that the party wished "to serve the cause of the peasantry" and of "Hungarians in general". Mr. Farkas announced that: "as long as Soviet troops were in Hungary", his party could not take part in the Government. He contended that, although the insurrection had scored a military success, it had not so far been politically successful. In order to support Mr. Nagy's decision to terminate the Warsaw Treaty, he proposed that a referendum be held within three days on the following points: immediate abrogation of the Treaty, neutrality and non-adhesion to any particular group of interest. With regard to internal politics, he proposed that a Supreme National Council be formed of representatives of the armed insurgents, the democratic parties and the Writers' Union, to be headed by the composer Zoltán Kodály—one of the ten personalities who, in 1945, had been selected to supplement the elected member-

²⁷ *Igazság*, 1 November 1956 (statement by László Faragó).

²⁸ *Kis Újság*, 3 November 1956.

²⁹ *Népszava*, 1, 2, and 3 November 1956.

³⁰ *Nemzeti Paraszt Párt*.

³¹ *Uj Magyarország*, 2 November 1956.

³² The following statement was issued by Mr. Erdei on 31 October: "Several fellow-members of the former Peasant Party have criticized the fact that it was I who made the appeal for reorganization of the National Peasant Party. I feel it my duty to state that my simple reason was that I took part in initiating and making this decision, and I alone was in a position to make the relevant announcement. Of course, this does not mean that I intend in any way to influence the reorganization of the National Peasant Party" (*Szabad Szó*, 31 October 1956).

ship of Parliament. This Council would be the supreme governmental power in the revolutionary period and would also exercise the functions of head of State.³³

586. Both the Independent Smallholders' Party and the Petöfi Party supported the re-establishment of the Hungarian Peasants' Alliance (*Magyar Paraszt-zölcség*)³⁴ which was to represent and protect the cultural and economic interests of the peasants.

587. An indication of the speedy revival of political freedom was the establishment of more and more organizations³⁵ after 31 October as well as the establishment of several minor political parties between 31 October and 3 November. Among these was the Christian Democratic Party³⁶ which had been dissolved in June 1947; it appealed to "Christian Hungarian brethren" and asked them to help in the building of a "new, happier, free and independent Hungary under the sign of Christian morality". Other parties re-established included the Democratic People's Party which stated its support for the Government "as far as the maintenance of order and protection of life and property are concerned"; and the Hungarian Independence Party. In addition, the Hungarian Revolutionary Youth Party was established and the existence of the Hungarian Conservative Party, which functioned "for ten years in illegality" was announced.³⁷

³³ *Uj Magyarország*, 2 November 1956. On 3 November the organizing Secretary of the Petöfi Party for the County of Borsod, Sándor Varga, outlined the following programme over Radio Borsod County Miskolc:

"The Petöfi Peasant Party believes in private property and advocates free production and marketing. In the field of religion we advocate the fullest freedom of conscience, freedom of religion and institutional protection of the activities of churches true to the spirit of Christ. The Petöfi Peasant Party announced that it will not retreat from its demand to give to peasant children and peasant youth more education. We declare that we accept fully the 1945 Land Reform Law, that we will not return land now in the possession of our peasantry, that we will fight relentlessly against any attempt which would try to challenge the rightfulness of that great national achievement, against anyone who would dare attack land reform measures. But we deem it necessary to re-examine all illegalities in this field committed from 1948 until our national revolution. While fully respecting the maintain existing agricultural co-operatives until peasant co-operatives are set up on a sound basis . . ."

³⁴ *Magyar Nemzet*, 1 November 1956; *Uj Magyarország*, 2 November 1956; *Kis Újság*, 1 November 1956.

³⁵ E. g., The Christian Youth League, the existence of which was reported by Budapest Radio on 31 October, with the aim of rallying Hungarian Christian youth into a single camp "which would represent the ideals of youth on the basis of Christian principles and within the forces guiding the country's political life."

³⁶ *Magyar Világ*, 3 November 1956.

³⁷ The following note briefly summarizes changes in the Press:

In the days prior to the revolution of October 1956, the Hungarian Press mainly consisted of official Party papers. Besides the *Szabad Nép* (Free People), the Party had an afternoon paper *Esti Budapest* (Evening Budapest), and the monthly *Társadalmi Szemle* (Social Review), the scientific organ of the Party. The Communist-controlled National Council of Trade Unions had also a daily paper *Népszava* (People's Voice), and the League of Working Youth (DISZ), the Communist youth organization, the *Szabad Ifjúság* (Free Youth). The People's Patriotic Front, which was given new importance by the resolution of the Central Committee of the Hungarian Workers' (Communist) Party of July 1956, controlled the *Magyar Nemzet* (Hungarian Nation), a newspaper of liberal tradition. The official gazette *Magyar Közlöny* was considered between 1950 and 1954 as a "confidential" publication with a very limited circulation. The *Irodalmi Újság* (Literary Gazette), the weekly paper of the Hungarian Writers' Union, was the only Press organ in Hungary which, since 1955, defied the Party orders on uniformity.

The uprising had a great impact on the Hungarian Press and Radio. The tone of the papers suddenly changed, and after 30 October more than twenty daily papers started to appear. *Szabad Nép* came out for the last time on 1 November, and was then replaced by *Népszabadság* (People's Freedom) as "the newspaper of the Hungarian Socialist Workers' Party". *Népszava*, the daily of the National Council of Trade Unions, from 1 November became the central organ of the Social Democratic Party again. The re-organized National Council of Free Trade Unions brought out *Népakarát* (People's will) the first issue of which appeared on 1 November. The Smallholders Party after six years, resurrected on 1 November *Kis Újság* (Little Paper), and the Petöfi Party (formerly National Peasants) launched on 2 November the *Uj Magyarország* (New Hungary). The *Magyar Nemzet* continued to appear, but from 31 October it ceased to call itself the organ of the People's Patriotic Front.

The revolutionary organizations also had their own papers: The Hungarian National Revolutionary Committee controlled *Magyar Függetlenség* (Hungarian Independence); the "Revolutionary Hungarian Army and Youth" produced on 28 October, *Igazság* (Truth); the Students' Revolutionary Council on 29 October *Egyetem-i Ifjúság* (University Youth); the Revolutionary Council of Young Workers and Working Youth launched, on 1 November, *Magyar Ifjúság* (Hungarian Youth). The youth had two other publications: the *Szabad Ifjúság*, formerly the Press organ of the Central Committee of DISZ, which became on 30 October the newspaper of the "Revolutionary Hungarian Youth", and *Magyar Jövő* (Hungarian Future), "the newspaper of the university youth", of which one issue appeared on 3 November. The Army and National Guard issued on 30 October the *Magyar Honvéd* (Hungarian Soldier), replacing *Nephadserög* (People's Army), the central organ of the Ministry of National Defence. On 3 November, two Catholic weeklies appeared: *A Szív* (The Heart), the weekly of the Society of Jesus' Heart, and the *Uj Ember* (New Man). Also a Protestant weekly appeared dated 4-10 November, *Reformáció*, under the sponsorship of the Hungarian Calvinist Church and with Bishop Laszlo Ravasz as editor-in-chief.

E. THE STREAMLINED COALITION GOVERNMENT OF 3 NOVEMBER

588. The creation of the Inner Cabinet on 30 October had the effect of concentrating the executive responsibilities of the Government within a small group of personalities acceptable to the fighters, but the status of the other Ministers was not clear. Nominally, they remained in office. In fact, several of them had been in conflict with the staff in their Ministries who had formed Revolutionary Committees which, in some cases, refused to recognize them or admit them to their offices.³⁸ The question of the Social Democratic participation in the Cabinet, as envisaged on 30 October, was yet to be solved.

589. On 3 November, the Praesidium of the People's Republic announced that three Deputy Chairmen, Antal Apró József Bognár and Ferenc Erdei, and twenty Ministers, including those of the Interior (Ferenc Münnich), Defence (Károly Janza), Foreign Affairs (Imre Horváth), and Justice (Erik Molnár), had been "relieved . . . of their posts at their own request" but, "for the purpose of complementing and consolidating the National Government" a small number of appointments were made, including General Pál Maléter as Defence Minister. Imre Nagy remained Chairman of the Council of Ministers and took over the portfolio of Foreign Minister.³⁹ No other portfolios were assigned to individual members of the Government, which now consisted mainly of Ministers of State. Four of them had been Ministers of State in the Cabinet constituted on 30 October, namely, two Communists, János Kádár and Géza Losonczy, and two Independent Smallholders, Béla Kovács and Zoltán Tildy. Six new Ministers of State were appointed, one Independent Smallholder, Istvan B. Szabó; three Social-Democrats, Anna Kéthly, Gyula Kelemen and József Fischer; and two members of the Petöfi Party, Ferenc Farkas and István Bibó. Thus the Cabinet of 3 November consisted of four Communists, three independent Smallholders, three Social-Democrats, and two Petöfi Party members. The Praesidium had decided to leave all but two Ministerial portfolios—those held by Mr. Nagy and General Maléter—vacant and to appoint Deputy Ministers—not members of the Government—to be in charge of the Ministries concerned. The explanation was given that it would be "the duty of these Deputy Ministers to exercise leadership over the functioning of the Ministries and their governmental and economic activities, and to do so on the basis of decisions and measures taken by the National Government." Members of the National Government, as Ministers of State, would be designated later by the National Government to undertake responsibility for the Ministries through the Deputy Ministers.

590. A witness, who had been a leader of the Smallholders' Party, emphasized the significance of the entry of his Party into the four-Party coalition. Considering the clear majority which the Smallholders had at the last free elections in 1945, their decision to participate in the Government of 3 November on an equal footing with the Communists and Social Democrats demonstrated, in the opinion of the witness, that his party had no intention of eliminating genuine socialist achievements such as land reform.

591. Similar views had been expressed by Béla Kovács, of the Independent Smallholders' Party who stated on 31 October, before the constitutive meeting of his Party in Pécs: "No one should dream of going back to the world of aristocrats, bankers and capitalists. That world is definitely gone! A true member of the Independent Smallholders' Party cannot think on the lines of 1939 or 1945."⁴⁰ These views largely coincided with opinions voiced by leading members of the two other major parties. On 1 November, the President of the Social Democratic Party, Anna Kéthly, said: "The factories, mines and the land should remain in the hands of the people."⁴¹ Writing on the same day in the newspaper of the Petöfi Party, László Németh suggested that all four parties should issue a declaration in which they would confirm their faith in some great principles of socialism, such as retention of factories in the hands of the State; no return of land properties larger than 25-40 hectares to their former owners; the participation of the workers in the management of factories, and the support of smaller co-operatives. In conclusion, Németh called for what he said would

³⁸ Mr. Nagy was reported as having assumed "the direction of the Ministry of Foreign Affairs" on 1 November.

³⁹ Mr. Nagy was reported as having assumed "the direction of the Ministry of Foreign Affairs" on 1 November.

⁴⁰ *Kis Újság*, 1 November 1956.

⁴¹ *Népszava*.

be "a political system of historic importance; a multi-party system based on a common fundamental principle combining the force of ideology based social systems with the elasticity of the parliamentary system."⁴²

592. One of the last political statements broadcast over the Hungarian Radio before the second attack by Soviet troops also dealt with the areas of agreement among the four political parties in the coalition.⁴³ It was delivered by Ferenc Farkas, Minister of State and Secretary-General of the Petöfi Party. Mr. Farkas said that all parties in the coalition showed that "they identified themselves with the activities of the National Government to achieve neutrality". The new Government was not separated by the differences which characterized the coalition of 1945, but had a "completely unified stand" on the following points:

"(1) It will retain from the socialist achievements and results everything which can be, and must be, used in a free, democratic and socialist country, in accordance with the wish of the people.

"(2) We want to retain the most sincere and friendly economic and cultural relations with every socialist country, even when we have achieved neutrality. We also want to establish economic and cultural relations with the other peace-loving countries of the world.

"(3) We, the parties participating in the National Government, feel that party interests must be subordinated unconditionally to those of the nation.

"(4) We must continue our efforts and the negotiations which we have started with the Soviet Union as regards the recognition of our neutrality and independence and the withdrawal of Soviet troops.

"(5) We consider it absolutely essential that an appeal be made to the great friendly socialist empires, the Chinese People's Republic, friendly Yugoslavia and neighboring friendly Poland to the effect that they support us in the peaceful settlement of our just cause.

"(6) The National Government is completely as one in its stand for the resumption of work and production as absolutely essential to the realization of our demands for independence through peaceful means.

"(7) The Government is also unanimous that it will proceed most severely against any kind of anarchist or counter-revolutionary activities and, should such demonstrations take place, would punish those concerned."

593. By the changes of 3 November, the Government of Hungary commanded the support of all sections of the nation. The four parties now sharing power had received 4,632,972 of the 4,717,256 votes cast and had won 407 out of 409 seats in the free elections of 1945.⁴⁴

594. Since the overthrow of Mr. Nagy's Government was closely linked with the political circumstances of the second Soviet intervention, the final phase of his Government has been dealt with in Chapter VII, which deals also with the establishment of a government by Mr. Kádár.

CHAPTER XIII. SOVIET INTERVENTION UNDER PRESENT REGIME

A. INTRODUCTION

595. The second intervention of the Soviet military forces had been described in chapter V. The circumstances in which the Kádár Government was established have been given in chapter VII. In the present chapter, the development of events in Hungary is examined with a view to studying (1) the measure of Soviet action to undo the results of the Revolution, (2) the extent of dependence of Mr. Kádár and his Government on Soviet support and (3) the specific measures that were taken by the Soviet Government, following the cessation of the fighting, to impose the Kádár Government and maintain it in power.

B. SOVIET ADMINISTRATION OF HUNGARY

596. In the "Szolnok" broadcasts of 4 November announcing the establishment of the Hungarian Worker-Peasant Government, it was explained that this drastic step was taken by Mr. Kádár and his colleagues for the purpose of saving the Hungarian workers and peasants from the dangers of fascism and reaction. The statement read by Mr. Münnich declared: "We have decided to fight with all our

⁴² *Uj Magyarországnak*, 2 November 1956.

⁴³ Budapest Radio, 9.15 p. m. on 3 November 1956.

⁴⁴ The two remaining seats had been secured by the Democratic Party.

strength against the threatening danger of fascism . . .". Similarly, one hour later Mr. Kádár was heard to say: "We must put an end to the excesses of the counter-revolutionary elements. The hour for action has sounded. We are going to defend the interest of the workers and peasants and the achievements of the People's Democracy".

597. It has not been established whether Mr. Kádár or other members of his Government actually prepared the other announcements which were heard over the Soviet-controlled radio stations of Hungary between 4 and 7 November. In these announcements, the Hungarian Revolutionary Worker-Peasant Government appealed to the Hungarian people, "to the workers, peasants and soldiers", and called upon them to fight against "the forces of reaction". However, there is no evidence that during the fighting from 4 to 11 November there were any soldiers or groups of Hungarians, whether organized or unorganized, who fought against each other. The evidence supports unequivocally the conclusion that all fighting occurred exclusively between Hungarian nationals and the Soviet forces. Any Hungarian assistance that the latter may have received came solely from persons who had been identified with the AVH and persons closely associated with the past Rákosi leadership.

598. A striking feature in the period between 4 November and 11 November, when the Soviet forces finally prevailed, was the use of radio stations by the Soviet military commanders to transmit orders to the population. After the broadcasts of 4 November, the voices of Mr. Kádár or his colleagues were not heard again until the morning of 8 November when Mr. Marosán, Minister of State, made an appeal for a return to order. What was heard instead were the appeals for outside help addressed from those stations still under the control of the Hungarian fighters, and, from the other stations, the orders of the commanders of the Soviet troops to the Hungarian people. Thus at 10 a. m. on 4 November, Radio Szombathely transmitted an order of the Soviet Military Commander of Vas County which stated that, "as the local administrative organs have been unable to maintain order and to secure public safety . . ., the Commanding Officer of the city and country has ordered patrols of Soviet troops to guard public buildings and enterprises". The order further stated that all civilians should deliver all weapons to the Soviet Military Command, otherwise they would be severely punished; it established precise hours of curfew and regulated matters relating to the supply of food.

599. Similar radio announcements from Szolnok, Pécs, and Miskolc and Nyiregyháza were heard throughout the days of 4 and 5 November, transmitting the orders of Soviet Commanders for the surrender of arms, the establishment of curfew hours and other administrative matters, or appealing to the population to assist in the re-establishment of order and the resumption of work.

600. Despite the appeal broadcast in the name of the Kádár Government by the Soviet controlled Budapest radio, in the evening of 4 November, calling upon "the faithful fighters of the cause of socialism" to come out of hiding, the fighting which took place in Hungary had nothing of the character of a civil war with one part of the population in armed opposition to another. The military operations were essentially those of a well-equipped foreign army crushing by overwhelming force a national movement and eliminating the Government through which that movement was finding effective expression. The mere facade of a Government installed by the Soviet authorities was no substitute for an effective administration. Consequently, the Soviet Army was placed in the position of undertaking various administrative functions, which were clearly of a civil nature, in addition to attaining its military objectives by the use of arms.

601. It is difficult to determine the precise extent of Soviet military administration after 4 November; but that it involved far-reaching control of internal Hungarian affairs by foreign military authorities is apparent from available texts of military orders. The following examples may be cited:

**"ORDER NO. 1 OF THE MILITARY COMMANDER OF SOVIET MILITARY UNITS IN
BUDAPEST**

"Budapest, 6 November 1956

"At the request of the Hungarian Revolutionary Government of Workers and Peasants, the Soviet troops have marched into Budapest temporarily in order to help the Hungarian people to protect its socialist achievements, to suppress the counter-revolution and to eliminate the menace of fascism.

"With a view to re-establishing order and normal life in Budapest, I issue the following instructions:

"(1) Those persons who are in possession of arms should immediately, i. e., not later than 1700 hours on November 9, 1956, hand them to Soviet military units or to the Soviet Military Command. Those persons who hand over their arms will not be called to account.

"Persons who, by the dateline fixed above, have not handed over their arms or who hide arms, will be severely punished.

"(2) From November 7, 1956, the public is allowed on the streets of the city of Budapest only between 0700 hours and 1900 hours.

"Everyone must unconditionally obey the patrols of the Soviet Military Command and carry out their instructions and orders without question.

"(3) We call upon the workers and employees of the factories, of the shops, of the transport and municipal services and of other enterprises and offices to resume work.

"Persons who in any way hinder workers and employees in the resumption of work will be called to account.

"(4) Local authorities must ensure food and fuel supplies for the people. The Soviet Military Command will give all help in this matter to the local administrative organs.

"All food shops must be opened to ensure the people a continuous food supply. Shops must be open from 0800 hours to 1800 hours. Railroad and motor vehicles delivering food and fuel can—with special permission—operate both day and night.

"I call upon all Budapest workers to help local administrative organs and Soviet troops to re-establish and maintain normal life and public order in the city.

"The Military Commander of the Soviet military units in Budapest.

"K. GREBENNIK

"Major-General of the Guards"

"ORDER OF THE SOVIET MILITARY COMMANDER"⁴⁵

"Today the Soviet Military Commander of the Pécs has taken up his duties.

"I issue the following instructions:

"(1) The counter-revolutionary National Committees must be dissolved.

"(2) The population must hand over their arms to the Military Commandatura (AVH building) by 1900 hours, November 5, 1956. Those who keep arms at home illegally will be called to account in accordance with the emergency regulations.

"(3) In all factories and offices, work must be resumed on the 5th at the official hour.

"(4) Demonstrations and meetings are forbidden.

"Cultural institutions and places of amusement will remain closed until further notice. All citizens will observe the laws and regulations of the Hungarian People's Republic.

"(5) In the town, the public will be allowed on the streets from 7 a. m. to 7 p. m. Shops may remain open between the same hours.

"(6) Should there be shooting at Soviet soldiers or at citizens in general, the fire will be returned by Soviet armed forces with arms of all types.

"MAJOR KORNUŠIN

"Soviet Military Commander of Pécs"

602. Such were the orders issued by Soviet military authorities at the time of their armed attack on the Hungarian people. But even after the fighting had ceased there was no response from the people, or even a segment of the people, showing that they would be prepared to assist the Soviet-sponsored Government in the reconstruction work that lay ahead. Newspapers and radio broadcasts, for the next two weeks, repeatedly announced that order had been restored throughout the country. Such reports, however, had to be discontinued, for it was clear to all that this was untrue and that large numbers of the people were actively devising ways and means to oppose the Government. Thus the Soviet Military Command found itself confronted by the problem of having to continue the administration of the country without the necessary administra-

⁴⁵ From the special edition of the *Dunántúli Napló* published in Pécs on 5 November 1956.

tive machinery. The Revolutionary Councils had ousted those administrators of the old régime who had not sided with the Revolution, but it had not yet been possible to replace them effectively. Furthermore, members of the Revolutionary Councils were participating in the armed resistance and at the end of the fighting were obliged to go into hiding. In many cases, even essential services in Greater Budapest were unable to function effectively, because many of the key personnel were not available. Another factor, and doubtless the most important one, was that, with the end of the fighting, the workers decided on an organized campaign of passive resistance. This phase of the resistance, which was to continue until January 1957 inflicted an additional burden upon the Soviet Union, which was obliged to subsidize the Hungarian economy both in goods and services.

603. In some provincial centres, where the fighting had been limited, the Revolutionary Councils were permitted to continue their functions, with certain changes in personnel, under the over-all supervision of the Soviet Command. In other centres, however, all Revolutionary Committees were abolished by military order. In many centres, the persons who had been ejected from office by the Revolution reappeared at the Town Hall and, in the presence of Soviet officers or NKVD or former AVH personnel, resumed the positions they had held prior to 23 October. According to the evidence, these persons were often unable to render any effective service to the Soviet military authorities, as the local government or public utility staff had either abandoned their posts or limited their work, so that only the consuming public would benefit by their services, and not the country as a whole.

604. The Committee was told that, although all public services were disorganized or had ceased to function, the population, particularly in Budapest, did not suffer directly as a result of this situation. Peasants from the surrounding countryside continued, as at the outbreak of the Revolution, to come daily to the capital with produce which they sold at little or no profit or even gave away to those in need. Similarly, the coal miners, truck drivers, and power station operators produced the minimum amount of goods and services for the needs of hospitals and private homes, but far less than the requirements of industry or public services. The tenacity of the workers had brought the economy to a complete standstill. On 28 November, Antal Apró, Minister of Industry, speaking at a meeting held in the Parliament Building with representatives of the Workers' Councils, emphasized the gravity of the situation due to the abstention from work by factory workers and miners. The factories were idle owing to the lack of raw materials and fuel. The Communist countries, he said, had sent great quantities of raw materials needed by Hungarian industry; these were now massed on the frontier and could not reach the factories.

C. SOVIET REPRESSIVE MEASURES

605. The only way by which order could be restored, short of acceding to the demands of the Hungarian people, was first for the Soviet Military Command to initiate a policy of repression and fear that would be pursued with equal tenacity by the Government of Mr. Kádár and, secondly, to remove centres of political opposition through the reactivation of the Hungarian Communist Party. The first policy was put into effect as soon as the fighting was over. The second followed towards the end of November, and is dealt with later in this chapter.

606. General Grebenik, the Soviet Military Commander in Hungary, in his appeal to the Hungarian people on 5 November, emphasized that the Soviet forces were in Hungary, not because they needed more land or more national resources, but because the Worker-Peasant Government of Mr. Kádár had requested the Soviet Military Command "to give a helping hand in the liquidation of the counter-revolutionary forces." He called upon the Hungarian officers and soldiers to fight on the side of the Soviet troops "for freedom and democracy against the unbridled forces of reaction". But this appeal, and many others, remained unheeded by the Hungarian fighters. In the face of this opposition, the Soviet Military Command adopted stringent measures—individual arrests of persons suspected of leadership in the resistance, mass arrests and deportations. Occasionally, the Soviet troops resorted to summary executions, to instill fear into the people. Simultaneously, the Soviet Command took over the control of the nerve centres of the country, such as broadcasting stations, telephone exchanges, road transport, and the principal railway lines, so as to maintain control within the country and to suppress any opposition movements.

607. These controls were effectively maintained by the Soviet Military Command for a number of months. It is known that, after the battles outside the Central Telephone Exchange of Budapest, the Exchange was immediately taken over by Soviet troops, who apparently remained to monitor all official calls. The Committee was informed that an official of a Foreign Ministry of a Western European Government, while calling up in December its diplomatic representative in Budapest, was interrupted by a person speaking Russian, who broke off the connexion. Similarly, it was reported that all cars, including those with diplomatic licence plates, were obliged to receive a Soviet permit to circulate. The Committee was told that diplomatic personnel leaving the country with exit visas issued by the Hungarian Foreign Ministry were turned back at the frontier by the Soviet guards, if they had not also received an exit clearance from the Soviet Military authorities.

608. The Soviet Command laid special emphasis on control of the railroads. During their advance at the time of the second intervention, the Soviet troops commandeered the principal lines leading to Budapest. This was first noted on the Záhony-Nyiregyháza-Szolnok line, which was seized on 2 November after a skirmish with the Hungarian railway workers at Nyiregyháza. At the outset, the Soviet Command tried to get the railwaymen to operate the trains, but this was effected only under duress, by seizing the men in their homes and taking them to the marshalling yards. Eventually, on the main lines the railroads actually had to be operated by Soviet personnel and the trains were protected against saboteurs and guerrillas by Soviet armed guards. The secondary lines were apparently in a chaotic state.

609. While fighting was still going on, the Soviet troops used varying tactics to consolidate their military gains. In some cases, if their objectives had been achieved easily, the Soviet troops, after disarming the fighters, would allow them to go home. This was the case in the smaller provincial centres during the days of 4 and 5 November. On the other hand, in Budapest, or wherever the Hungarian fighters persisted in their resistance, the Soviet troops showed severity. In some districts of Budapest, when the fighting began to die down, Soviet troops, with the assistance of AVH men, effected mass arrests of persons suspected of having taken part in the fighting. Witnesses testified that, at Győr, at the end of the fighting, they seized sixty men, of whom eight were summarily executed. There is evidence that on numerous occasions truckloads of men and women were driven to jail under Soviet armed guard, and were kept in prison under the supervision of Soviet personnel. Some witnesses were emphatic in their statements that these arrests often had no direct connexion with the fighting. One witness stated that fifty prisoners had escaped from such a roundup, and Soviet troops immediately collected an equal number of persons from the houses surrounding the area.

610. The use of repression by the Soviet Military Command as a method of establishing some pattern of order in Hungary is illustrated by the following cases which were reported to the Committee:

611. Witnesses have testified that persons arrested by the Soviet Military Command were not turned over to the Hungarian authorities, as officially reported in the press. The Chief Public Prosecutor, Géza Szénási, stated that he had no competence to order the Soviet troops to release anyone they had seized. Another witness stated before the Committee that when he, with some of his colleagues, had approached the Soviet Military Command of Budapest, asking for the return of a group of persons who had been deported to the Soviet Union, they were told by a senior Soviet officer that this could be done, if the group would undertake to persuade the workers to return to work.

612. The Soviet Military Command was particularly interested in bringing under its control the Hungarian Officer Corps, as it had been demonstrated that pro-Soviet indoctrination had not prevented many of the officers from siding with the nationalist uprising. There is evidence that the Soviet Command, on the outbreak of hostilities, ordered certain Hungarian troops to their barracks in garrison towns, demanding their surrender. In a number of cases there was no opposition, as the barracks were denuded of troops except for a few pro-Soviet officers. There were instances where Hungarian officers had already been seized by Soviet troops on 3 or even 2 November. In Budapest, Soviet armoured units, during the day of 4 November, surrounded the Military Staff College and seized the few men they could find there. It has been reliably reported that even in the case of a Hungarian unit which had remained passive, Soviet troops issued an ultimatum to vacate the barracks within thirty minutes. They then

proceeded to occupy the premises and take over all the military stores. In Budapest, former members of the AVH attached to the Soviet troops assisted in identifying Hungarian officers who were considered to be in sympathy with the uprising. According to witnesses, these officers were immediately dispatched to the Soviet military base at Tököl and were put under arrest. Witnesses, who had themselves been deported to the Soviet Union, told the Committee that a proportion of the deportees were Hungarian officers.

613. Ferenc Münnich, Minister of Armed Forces and Public Security Affairs, in orders and appeals addressed to the armed forces between 8 and 10 November, asked the men to report to their units. These orders, however, were soon to be countermanded by the issue of other orders by which a considerable part of the standing army was demobilized. Apparently the pro-Soviet Generals of the Hungarian Staff came to realize that the Army had disintegrated, and that it was impossible to reassemble it by issuing orders and appeals. In addition, according to witnesses in a position to know the facts, the Soviet Military Command at this stage objected strongly to the reestablishment of any organization that would have the status of a Hungarian Army, as recent experience had shown that Hungarian troops were liable to turn weapons against their Soviet allies. Instead, they demanded that State Security Forces be so organized as to provide a more effective political control against the present opposition and any subversive movements that might develop in the future.

614. Dr. Münnich, in his instruction for the implementation of the "Officers' Declaration" issued on 12 November, ordered all officers of the Hungarian Army who agreed with the Declaration and desired to pursue their military career to sign the document. Those who refused to sign or "disagree with the Declaration, or want to be disarmed for any other reason" would cease within twenty-four hours to be part of the active Hungarian Army. The instruction further established committees of five to seven officers to decide doubtful cases of officers who had signed the Declaration but who, having "participated with arms on the side of the enemy", could not remain in the Army. Witnesses estimated that, as a result of this Instruction, perhaps 80 percent of the Hungarian officers have been separated from the forces. Of the remaining 20 percent who signed the Declaration, it is said that a considerable number did so for family reasons.

615. One of the first pronouncements of Mr. Kádár, following the cessation of hostilities on 11 November, was that past mistakes would not be repeated. As a proof of his intentions, he declared that the liquidation of the AVH would be completed. The day before, however, a new security organization had been established, known as the "R"⁴⁶ group which was to serve as an adjunct of the regular police, ostensibly to protect the people from being "molested by criminals." "Security Forces Regiments" were also established, whose task would be to patrol the cities, collect arms and prevent any disturbance of order. The press also announced the formation of various other security groups; thus in all there were the "Security Force Regiment", the "R" groups, "mixed action" groups, "factory guards", the "Frontier Guard," the "Home Guard" and the "Militia." These forces, with the exception of the factory guards became, and still continue to be, following certain mergers, the foundation upon which the Kádár Government must rest. Witnesses have explained how these forces, under whatever title they may have been known, were fostered by the Soviet Military Command, and worked closely with Soviet troops in the repression of armed or passive resistance. There is evidence that these security groups were staffed, at least to a considerable extent, by former members of the AVH. In some cases, the groups also included members of the NKVD, who were seen on duty wearing Soviet, and in other cases Hungarian, uniforms. The function of these groups was to discover any centers of resistance, to make home arrests of individual suspects and to act as guides and interpreters for the Soviet troops wherever it was necessary to exercise armed force.

616. The Soviet Military Command, having achieved its primary objective which was the overthrow by force of Premier Nagy's Government, had, indeed, to rely on the personnel of the disbanded AVH as the only group in Hungary whose loyalty and interests lay on the side of the Soviet Union. Mr. Kádár, who came to power as a result of the Soviet military intervention, was presumably selected as Premier partly because his own imprisonment might encourage the people to believe that there would be no return of Rákosi's methods and of his terror weapon, the AVH. It is possible that the Soviet authorities

⁴⁶ "R" from the Hungarian word *riadó*=alarm.

believed that the Hungarian people, following the military defeat, would submit to the new order under Mr. Kádár, and that through him a new equilibrium might be reached that would satisfy certain minimum political and strategic requirements of the Soviet Union. Developments, however, after 4 November showed that the Hungarian people were not prepared to co-operate with any Government which would not, or could not, satisfy their two basic demands—the withdrawal of the Soviet troops and free elections. Resistance continued in the form of persistent strikes, deputations with demands that were *ab initio* unacceptable, passive demonstrations, manifestoes and the intermittent appearance of guerrillas. In consequence, the mopping up operations of the Soviet troops at the end of the fighting became an organized system of armed repression.

D. RELATIONSHIP OF WORKERS' COUNCILS AND SOVIET AUTHORITIES

617. The most significant evidence of the reality of Soviet control is to be found in the dealings of Soviet Military Commanders with the Workers' Councils. An essential element of the Soviet Military Commander's Order No. 1 issued on 6 November was his call to the workers to resume work. In the weeks following the revolution, negotiations between the Workers' Council and the Soviet Command centred mostly around this question. In some instances, however, specific incidents occurring in the city were taken up by the Workers' Councils with the Soviet Commander, who was asked to intervene. The Greater Budapest Workers' Council was in continuous communication with the Soviet Commander of Budapest.

618. On several occasions, leaders of the Workers' Councils were summoned to Soviet headquarters and called to account for the failure of the workers to resume work. A meeting between the Soviet Military Commander and leaders of the Workers' Councils of the 11th District of Budapest took place on 8 November, and a number of witnesses testified that this conversation took place in a strained atmosphere. The workers' delegates declared that they had certain demands to make before work would be resumed; these demands, which reflected the sixteen-point programme of 23 October, were read out. The answers of the Soviet Commander were, according to a witness, given an obdurate tone: in so far as workers had not resumed work in the factories, the members of Workers' Councils and other fascist revolutionaries would be taught a lesson; workers who did not report for work would be locked out of factories and removed to a place "where they would have ample time to think about starting work again"; Mr. Nagy and Mr. Maléter would not be taken back into the Government, because they were imperialist agents. They would go elsewhere, but not into the Government; there would be no secret elections, and Hungarians would never again have an opportunity to put the revolutionaries back into power; things would be done differently, as in the Soviet Union. The Soviet Commander then stated that he expected the Workers' Councils to use their influence to encourage the resumption of work within two or three days; otherwise members of Workers' and Revolutionary Councils would be put to work themselves.

619. On another occasion, according to testimony, the Soviet Commander summoned the representatives of the Central Workers' Council of Csepel to his headquarters and told them that workers who refused to resume work would be "removed". The workers' delegation answer, however, that work would not be resumed "in the shadow of arms or in the presence of foreign troops", and demanded that Soviet troops be withdrawn from the factory. After a certain amount of discussion, the Soviet Commander agreed that the armoured troops should leave the factory, but that if work was not resumed within twenty-four hours after their leaving, the factory would be reoccupied. After the withdrawal of Soviet troops, about 20 per cent of the workers resumed work.

620. Witnesses have testified about a considerable number of interventions by Soviet armed forces in the proceedings of the Workers' Councils. The meeting place at Ujpest, where delegates of the Workers' Councils were to meet on 13 November to set up the Greater Budapest Workers' Council was surrounded by twenty Soviet tanks, and it was only after lengthy conversations with the Soviet Commander that the meeting was authorized to take place elsewhere. On 15 November, at another meeting of workers delegates held at the headquarters of the Tramcar Workers' Union at Akácfa Street, Soviet troops surrounded the building, entering during the proceedings from both sides of the room. The meeting continued, and after three hours the Soviet officer in charge announced that it had been a misunderstanding, and the troops left. On 16 November, at a meeting of

workers' representatives of twenty-eight of the largest factories in Budapest at the Iron Workers' headquarters, six Soviet soldiers, armed with submachine guns, surrounded the place; the meeting then broke up. It was reported by witnesses that one or two Soviet officers were continuously present at meetings of the Central Workers' Council of Csepel. The first time they appeared, the Council protested, but was told that the Soviets were there only as observers, as they wished to learn how these councils functioned, not having similar councils in the Soviet Union. Later, the officers said that their intention had been to protect the workers against "ill-intentioned fascist imperialist agents". The presence of the Soviet officers was then debated, and the workers answered that, as a matter of principle, they did not wish outsiders to be present at their meetings; nevertheless, if the officers wanted to attend, the Council would be happy to tell them of the problems which faced the workers. On occasion, the Soviet observers were asked questions in the course of such meetings. Thus, when the Council was discussing the withdrawal of Russian troops, they turned to the Soviet colonel present and asked him about it. The colonel answered that his information was that the moment work was resumed, troops would be withdrawn from the territory of Hungary.

621. Numerous clashes between factory workers, Soviet forces and the militia were reported to the Committee. Russian troops participated in the attempted arrest of the workers' leaders in the Danubia factory and in the actual arrest of the Chairman of the Workers' Council of the Ganz and Mavag factories. At the mining centre of Salgótarján, in the course of a miners' demonstration, Soviet troops and militia opened fire. Those among the demonstrators who were armed returned the fire, and there was a large number of casualties. For a time after the dissolution of the Greater Budapest Workers' Council on 9 December, Soviet pressure on the Workers' Councils seems to have continued. At Csepel and in other places, the Soviet authorities did not refrain from open threats and demanded to know the names and addresses of members of the Council.

F. ATTITUDE TOWARDS THE GOVERNMENT OF HUNGARY

622. When Soviet troops reached the Parliament Building on the morning of 4 November, the Soviet Commander-in-Chief and his Staff established their headquarters in the very offices that had been vacated earlier that same morning by Premier Nagy. Various witnesses who visited Mr. Kádár at different times after 11 November have reported that the Parliament Building, both outside and inside, looked like a Soviet military stronghold. Soviet tanks protected the entrances to the buildings; at the entrances themselves, Soviet Army and NKVD personnel checked the credentials of all who sought admittance, while inside, in the halls and corridors, many Soviet officers were to be seen. Witnesses explained that, during the meetings they held with Mr. Kádár, there were usually one or two people present, who apparently acted as observers, while remaining silent throughout the proceedings. Witnesses also told the Committee that around 17 November, when the Greater Budapest Workers' Council was pressing Mr. Kádár for the withdrawal of Soviet troops as a condition for the resumption of work, General Grebennik enlightened them on the situation as follows: "You have to understand that it is not the Kádár Government which is in control here, but the Soviet Military Command, and it has the power to force the Hungarian workers to return to work". When a delegation from the Kőbánya district of Budapest visited Mr. Kádár to ask him to intervene with the Soviet Military Commander to stop the deportation of workers, Mr. Kádár is reported to have said to them in private: "Don't you see there are machine-guns at my back?".

623. Evidence given to the Committee has illustrated the dependence of Mr. Kádár's Government on Soviet support and the limitations on the exercise by it of independent power. Upon Mr. Kádár's return on 6 or 7 November after his visit to Moscow, he held a meeting with Zoltán Tildy and certain other non-Communist political personalities to discuss the possibility of their joining his Government. The Committee received testimony to the effect that they accepted but that, when the question was submitted to the Soviet Military Commander, the latter immediately replied with a categorical refusal.

624. One of the many difficulties confronting Mr. Kádár at the time of his appointment was that the various elected bodies, such as Revolutionary Councils, Workers' Councils, trade unions, student unions and professional societies that visited him in Parliament made a point of stating that they did not consider him and his Government as being legally in power. There were numerous reports

in the Hungarian press and on the Budapest radio between 16 and 23 November indicating that the representatives of these groups were pressing for the return to power of Premier Nagy. On one occasion, Mr. Kádár was forced to state that, as soon as Premier Nagy left the Yugoslav Embassy, negotiations would be undertaken to change the structure of the Government.

625. The degree to which the Government of Hungary reflects autonomous political evolution within the country is also seen in the somewhat abortive efforts towards the reactivation of the Hungarian Communist Party. When Mr. Kádár came to power, his Government represented a political Party that had disintegrated the previous week. The Central Committee of the Party—the Hungarian Workers' (Communist) Party—dissolved itself on 28 October. Following Mr. Kádár's declaration on 30 October that the Party had failed, the more prominent Hungarian Communists whose faith was still unshaken decided to make a fresh start. For this purpose, they established the Preparatory Committee of the Hungarian Socialist Workers' Party. The seven members of this Committee, which was intended to link past practice with the future reformed Communist movement, have all, with the exception of Mr. Kádár, been considered enemies of the State following the second Soviet intervention.

626. Many witnesses declared that Mr. Kádár had difficulty in finding people who would join his Government. They testified that many leading Communists had trusted Premier Nagy and had accepted his stand on the major political issues, while others again, during the uprising, had undergone a change of heart and refused to be associated with the Communist movement any longer. Mr. Kádár thus found himself with only a few associates and with a party machinery that could not operate.

627. Mr. Kádár's Government had to try and reassemble the rank and file of the Party and to deploy it in key positions. In the provinces and, to some extent, in the capital, this was done by using former members of the AVH who came out of hiding or were liberated from prison by the advancing Soviet troops. The various local administrators, Government officials and trade union leaders who had not sided with the uprising and had consequently been ejected from office by the Revolutionary Councils, were reinstated in their former positions. Witnesses testified, however, that this was no solution, as so many of the former officials had broken away from the Party during the uprising that many essential posts had to remain vacant. In the industrial town of Dunapentele, for example, with the exception of the AVH and one or two Army officers, everyone had sided with the uprising. A similar situation existed in a number of other towns. The Government was therefore often unable immediately to remove from office even its declared enemies. Evidence has been received that Borsod County (Miskolc area) was administered independently up to January 1957 with few, if any, ties with the central Government.

628. Repressive measures by the Soviet Military Command helped to solve this problem. By 17 November when under-production by factory workers and miners amounted to a sit-down strike, the Soviet Military Command, with the AVH, arrested many of the leaders in the factories and mines. As vacancies were created in the Workers' Councils, they were filled by persons designated by the Government.

629. Witnesses maintained that, among the 200,000 who are now claimed by the Government to be members of the Party, a considerable proportion joined solely for pecuniary reasons and could not be relied upon by the Government in an emergency. It was stated before the Committee that, in certain cases, a factory group or group of factories was told that it had to increase its quota of Party members. For the purpose of avoiding the imposition of persons from outside, the workers decided that they would fill the quota by drawing lots from among the staff in the factory.

F. THE ABDUCTION OF PREMIER IMRE NAGY

630. A most conclusive sign of the inability of the Hungarian Government to maintain its sovereign independence against Soviet intervention was the abduction of Mr. Nagy. When Premier Nagy left the Parliament Building on the morning of 4 November, he told other members of his Cabinet that he was going to the Soviet Embassy to protest personally against the Soviet military attack. However, instead he sought asylum at the Yugoslav Embassy in the company of his son-in-law, Dr. Ferenc János, and was followed by the other Communist member of his Government, Géza Losonczy. Within a few hours Messrs. Ferenc Donát, Gábor Táncos, Sándor Haraszi, György Fazekas, János Szilágyi, Szilárd

Ujhelyi, Miklós Vásárhelyi and Mrs. Julia Rajk, together with fifteen other women and seventeen children, came to the Yugoslav Embassy seeking asylum.

631. According to a report issued by the Yugoslav News Agency Tanjug, dated 25 November, certain negotiations had taken place on 2 November between Zoltán Szántó, one of the Members of the Provisional Committee of the new Socialist Workers' Party of Hungary, and a member of the Yugoslav Embassy, with regard to the possibility for him and some other Hungarian Communists to seek refuge in the Yugoslav Embassy, should this prove to be necessary. The next day the Yugoslav Ambassador stated that in principle he would grant asylum, if this were requested.

632. Negotiations were under way between 11 and 22 November in which the Yugoslav Government and Mr. Kádár sought to settle the problem connected with the granting of asylum to Premier Nagy and his group. The Yugoslav Government proposed that (a) the Government of Mr. Kádár should provide a written guarantee that Premier Nagy and his group would be allowed to return freely to their homes or, if this were not possible, that (b) the persons in question would be permitted to proceed freely to Yugoslavia, where they would be granted asylum.

633. In the course of the conversations that were held in Budapest between Mr. Dobrivoje Vidić, Under-Secretary for Foreign Affairs of the Federal People's Republic of Yugoslavia, and Mr. Kádár, the latter, while accepting the above proposals of the Yugoslav Government had also suggested as an alternative solution that Premier Nagy and his group should seek refuge in Romania. This proposal was communicated by Mr. Vidić to Premier Nagy and his group, who ruled it out as unacceptable. The question was again submitted to Mr. Kádár on the basis of the original alternative proposals. Mr. Kádár seems to have agreed to this orally on 16 November. However, the next day he set new conditions. These were that Premier Nagy and Mr. Losonezy should resign from their positions in the Government, that they should declare themselves in sympathy with the efforts of the Hungarian Worker-Peasant Government, that they should offer a self-criticism of their earlier activities, and that they should guarantee not to undertake any steps against the activity of the Hungarian Government. Mr. Kádár also requested that Premier Nagy and Mr. Losonezy should seek asylum in one of the socialist countries, until conditions in Hungary became normal. These proposals were refused both by Premier Nagy and by the Yugoslav Government, which declared that it could not agree to release the group in question on the basis of special terms which were exclusively of domestic concern to Hungary. Witnesses who had been in contact with Premier Nagy while he was in the Yugoslav Embassy have testified that they learned from him that he had rejected an offer to go to Romania.

634. In the letter of the Yugoslav Government dated 18 November addressed to Mr. Kádár, it was specifically stated that the Yugoslav Embassy would agree to the departure of the group from the premises only upon the receipt of the written guarantee of Mr. Kádár, in his capacity as President of the Government of the Hungarian People's Republic, that Premier Nagy and his party would be granted safe conduct to proceed freely to their respective homes. Mr. Kádár, in his reply to the Government of the Federal People's Republic of Yugoslavia dated 21 November, stated:

"In the interest of terminating the matter, the Hungarian Government, agreeing to the proposals contained on page 3, section 8 of the letter of 18 November 1956 addressed to me by the Yugoslav Government, hereby confirms in writing its verbal declaration that it does not desire to apply sanctions against Imre Nagy and the members of his group for their past activities. We take note that the asylum extended to the group will hereby come to an end and that they themselves will leave the Yugoslav Embassy and proceed freely to their homes."

635. The next day, 22 November, at 6.30 p. m., a bus arrived at the Yugoslav Embassy. This bus had been placed at the disposal of the refugees by Mr. Münnich, Minister of the Armed Forces and of Public Security Affairs. As the group was boarding the bus, Soviet military personnel arrived and insisted on entering it. Thereupon, the Yugoslav Ambassador asked two Embassy officials also to accompany the group, to make certain that Premier Nagy and the party reached their homes as agreed. The bus was driven to the city Headquarters of the Soviet Military Command, where the two Yugoslav officials were ordered by a Soviet Lieutenant-Colonel to leave. Under an escort of Soviet armoured cars, the bus then drove away to an unknown destination.

636. The above incident caused the Yugoslav Government to issue a *note verbale* condemning the action of the Hungarian Government in severe terms. It described the action of the Hungarian Government as "a flagrant breach of the agreement reached. The very fact that it was committed immediately after the agreement was concluded sheds a peculiar light on the breach." The note categorically denied the version that Premier Nagy and his party voluntarily left for Romania, for they had made it quite clear while they were at the Yugoslav Embassy that they would refuse to go to Romania. The note then stated that this violation of the agreement would have a negative effect on Yugoslav-Hungarian relations and declared it to be completely contrary to the generally accepted practices of international law.

637. On 24 November Mr. Vidić received in Belgrade Mr. Graznov, Counsellor of the Soviet Embassy, to whom he transmitted a note setting forth the contents of the note addressed to the Hungarian Government. The note in addition stated: "In informing the Government of the USSR about the foregoing, the Government of the Federal People's Republic of Yugoslavia is obliged to express its surprise to the Government of the USSR over the fact that Soviet authorities in the Hungarian People's Republic prevented implementation of the above-mentioned agreement which was to have provided a friendly settlement of a disputed issue between the Government of the Federal People's Republic of Yugoslavia and the Hungarian People's Republic."

638. The *Népakarat*, organ of the Hungarian trade unions, in its issue of 23 November, mentioned that the "Cabinet" sat until 1.30 a. m., after which Mr. Kádár assumed full responsibility for Mr. Nagy's journey to Romania. In a Government communiqué issued in the evening of 23 November, it was announced that Premier Nagy and some of his colleagues who had sought refuge in the Yugoslav Embassy had left the premises of the Embassy on 22 November and had gone to Romania, in accordance with a request they had submitted previously to be permitted to go to the territory of another socialist country.

639. From the evidence at its disposal and the testimony of witnesses, the Committee is convinced that Premier Nagy and his party did not proceed of their own free will to Romania, as declared in the Hungarian communiqué, but that they were forced to do so as a result of Soviet action. It has evidence that, when they were forced to board a plane, they did not even know where they were being taken. From other testimony, it appears that the group is still held in Romania and that some of them are living under prison conditions.

G. CONCLUSIONS

640. The data in this chapter should be considered in conjunction with the information in chapter VII regarding the establishment of Mr. Kádár's Government, and that in chapter V regarding Soviet military operations at the time. During the early days of the Kádár Government, the administration of the country was, in fact, in the hands of the Soviet Military Command. Soviet military force was the effective backing of the Government installed in power, and the political changes described in the next chapter can be explained only against the background of such intervention.

CHAPTER XIV. POLITICAL RIGHTS AFTER THE REVOLUTION

I. WORKERS' COUNCILS

A. RELATIONSHIP OF THE WORKERS' COUNCILS AND THE GOVERNMENT

641. After the second Soviet attack on 4 November, the only political organs that remained were the Revolutionary Councils and the Workers' Councils. The Workers' Councils were the most important by virtue of the number of people they represented, the advanced state of their organization and their economic bases in the factories. The Workers' Councils emerged from the Revolution as the only organizations commanding the support of the overwhelming majority of the people and in a position to require the Government to negotiate with them, because they constituted a force able to bring about the resumption of work. In the weeks following Soviet suppression of the Revolution, the Councils sought to fortify their position as masters of the factories by taking over managerial functions in relation to the organization of production as well as the direction of work itself.

642. In announcing on 4 November the formation of his Government, Mr. Kádár outlined its programme in fifteen points :

1. The securing of our national independence and our country's sovereignty.
2. The protection of our people's democratic and socialist system against all attacks. The protection of our socialist achievements and the guaranteeing of our progress through the building of socialism.
3. The ending of fratricidal fighting and the restoration of internal order and peace. The Government will not tolerate the persecution of workers, on any pretext, for having taken part in recent events.
4. The establishment of close fraternal relations with every socialist country on the basis of complete equality and mutual non-interference. The same principle governs those of our economic relations which are mutually advantageous as well as our mutual assistance relationships.
5. Peaceful co-operation with every country, irrespective of its social organization and form of state.
6. Rapid and substantial raising of living standard of workers, particularly of the working class. There must be more houses for the workers. Factories and enterprises must be enabled to build apartments for their workers and employees.
7. Modification of the Five-Year Plan, changing of the methods of economic management, taking into consideration the economic characteristics of the country, so as to raise the population's living standard as quickly as possible.
8. Elimination of bureaucracy and broad development of democracy in the interest of the workers.
9. On the basis of the broadest democracy, worker-management must be put into effect in factories, enterprises and undertakings.
10. The development of agricultural production, the abolition of compulsory deliveries (of agricultural produce) and the assisting of individual farmers. The Government will firmly revoke all acts which have infringed the law in the field of co-operatives and the regrouping of plots of land [commassation].
11. Ensuring the democratic election of existing⁴⁷ administrative bodies and revolutionary councils.
12. Support for retail trade and artisans.
13. The systematic development of Hungarian national culture in the spirit of our progressive traditions.
14. The Hungarian Revolutionary Worker-Peasant Government, in the interest of our people, working class and country, requested the Command of the Soviet Army to help our nation in smashing the sinister forces of reaction and restoring order and calm in the country.
15. After the restoration of order and calm, the Hungarian Government will begin negotiations with the Soviet Government and with the other participants to the Warsaw Treaty about the withdrawal of Soviet troops from Hungary.

643. This declaration contained several points which were meant to reassure the workers. However, the programme failed to win their confidence or to induce the Workers' Councils to recognize the authority of the new Government. The demands which the Councils made in the negotiations which they undertook with the Kádár Government were based on the students' sixteen-point revolutionary programme of 2 October. The following is a summary of their demands :

- (i) The immediate withdrawal of Soviet troops from the territory of Hungary ;
- (ii) Free elections at a definite date under the supervision of the United Nations, with the participation of all democratic parties, and an immediate announcement by the Government that United Nations observers would be allowed into Hungary ;
- (iii) Pending the holding of such elections, formation of a new coalition Government in which members of the Kádár Government would not participate ; the return of Mr. Nagy into this new Government and his appointment as Minister of State ;
- (iv) Immediate withdrawal from the Warsaw Treaty ;
- (v) An effort to secure recognition of Hungary's neutrality ;
- (vi) Liberation of those imprisoned for participating in the fighting and assurances that they would not be prosecuted ;
- (vii) Recognition of the right to strike ;
- (viii) Re-examination and publication of all commercial agreements.

⁴⁷ Hungarian : *eddig*.

In addition, demands were made pertaining to the status of the Workers' Councils, and to the organization of armed guards in factories and the banning of Party organizing within the factories.

644. In the weeks that followed the second Soviet intervention, Workers' Councils from different factories sent delegations to the Parliament Building to discuss their demands with representatives of the Government. Despite variations, all these demands were based on the position outlined above. There was also tacit agreement among the Workers' Councils that the strike would continue until such time as the Government signified its intention to satisfy, or at least try to satisfy, the essential demands. According to a witness, one of the first negotiations was between Mr. Münnich as Minister of the Interior and representatives of the Workers' Council of the eleventh District of Budapest in the Parliament Building. It was reported that a man in Soviet military uniform was in the room during the negotiations, but did not intervene in the discussions. Agreement was reached on one point only, namely the question of establishing a workers' armed guard. But the next day, Mr. Münnich is said to have retracted even this permission by telephone. The Eleventh District Workers' Council therefore continued the strike. A succession of delegations from Workers' Councils appeared at the Parliament Building. They included delegations from the Tata and Oroszlányváros mines, the Central Transdanubian industrial area, the Klement Gottwald factory, the Ganz Wagon and Engineering Works, the Hungarian State Iron, Steel and Engineering Works (MAVAG), Workers' Councils from factories in Baja, and others.

645. During the first part of November, individual Workers' Councils discussed the possibility of co-ordinating their activities by establishing an organ on a broader geographical basis, which would be a more effective means of negotiation with the Government. At meetings which took place on 13 and 14 November in Ujpest and in which 500 delegates of Workers' Councils participated, the Greater Budapest Workers' Council was established, and Sándor Rácz was elected Chairman. From that time onwards, negotiations with the Government were carried out mostly through the Executive Committee of the Greater Budapest Workers' Council, even though representatives of particular Workers' Councils did, in some instances, continue to negotiate directly with the Government as, for example, the Central Workers' Council of Csepel, the biggest industrial combine in Hungary. Much the most important question which the Greater Budapest Workers' Council had to consider was the resumption of work. Delegates from individual Workers' Councils reported that workers insisted on continuing the strike because they considered that this was their last weapon until such time as the Government gave them guarantees to meet their demands. At the meeting on 14 November, a delegation from the Greater Budapest Workers' Council was formed and requested to go to the Parliament Building and present the demands of the workers to Mr. Kádár.

646. Important meetings occurred on 15 and 17 November between representatives of the Greater Budapest Workers' Council and Mr. Kádár. Several witnesses have testified before the Committee on what happened at these meetings. At the first meeting, the Council representatives made it clear that the Workers' Councils adhered strictly to socialism and the social ownership of the means of production. They then put forward their demands. Concerning Mr. Nagy, Mr. Kádár said that, as he was then on the premises of the Embassy of a foreign State where he had asked for political asylum, there was no opportunity to confer with him. Should Mr. Nagy decide to return to Hungarian soil, it would be possible to consult and possibly to reach an agreement with him. In answer to the demand for the establishment of a multi-party system and free elections, Mr. Kádár stated: "We surrender the Party's monopoly; we want a multi-party system and clean and honest elections. We know that this will not be easy, because the workers' power can be destroyed not only by bullets but also by ballots. We must reckon with the fact that we might be thoroughly beaten at the elections, but we undertake the election fight because the Communist Party will have the strength to gain once more the confidence of the working masses." He declared that if the Communists were crowded out of Parliament, the overthrow of socialism would necessarily follow. Of the Soviet troops, he stated that "We were compelled to ask for the intervention of Soviet troops * * *, we were threatened with the immediate danger of the overthrow of the people's power. * * * First, the counter-revolution must be broken by the people's power consolidated with the help of armed workers * * * and, after that, Soviet troops

will be withdrawn from Budapest and we shall negotiate with a view to their withdrawal from Hungary." The composition of the present Government, Mr. Kádár stated, was not to be regarded as final; it would be broadened. Referring to the question of neutrality, he said: "it is a highly understandable demand * * * but in vain do we demand neutrality, when the counter-revolutionary imperialists spit on our neutrality". Touching the Workers' Council demands bearing on Soviet-Hungarian economic relations, Mr. Kádár assured that delegation that, in future, all trade agreements would be made public. He said that Hungarian uranium ore was being sold to the Soviet Union at world market prices, "but we do not possess the extremely expensive equipment needed for uranium processing". Mr. Kádár's reply to the demand of the delegation that there should be no re-establishment of Party cells in the factories was that he considered Party organization in the factories essential. However, he renewed the promise that no one would be harmed for having taken part in the great popular movement of the last few weeks. In the course of the meeting, Mr. Kádár is said to have told the delegation that the Greater Budapest Workers' Council, for which they spoke, should prove that it truly represented the workers of Hungary by seeing to it that work was resumed.

647. The conciliatory attitude of the Government towards a number of the workers' demands and the realization that a successful appeal to resume work would be a show of strength led the Greater Budapest Workers' Council to exercise a moderating influence on the Workers' Councils, which agreed to resume work, but reserved the right to strike should the Government fail to carry out its promises. The Workers' Councils therefore agreed that the Greater Budapest Workers' Council should issue an appeal on 16 November asking for a return to work at the latest at 8 a. m. on 19 November. The proclamation stated that work was to be resumed in view of the Government's recognition of the competence of the Workers' Councils in the field of economic management of the factories and its earnest promise to fulfil within the foreseeable future the revolutionary demands formulated on 23 October 1956, including the gradual withdrawal of Soviet troops from Hungary.

648. The second meeting between delegates of the Greater Budapest Workers' Council and Mr. Kádár took place between midnight and 4 a. m. on 17 November. Mr. Kádár was informed that, as a token of goodwill to the Government, the Greater Budapest Workers' Council had asked the Workers' Councils to resume work. The delegates then asked for the establishment of a supreme national organ of Workers' Councils to be regulated by decree law of the Presidential Council. Mr. Kádár replied that he did not consider the creation of such a controlling organ necessary, as there was a workers' Government in Hungary. He was, however, ready to recognize the Workers' Councils of individual factories and even to agree to the establishment of workers' guards in such factories. He then repeated his plea to delegates to exert their influence for the resumption of work; if they would do so, he would use his influence to effect the withdrawal of Russian troops from Budapest and, together with representatives of Workers' Councils, would start negotiations with the parties to the Warsaw Treaty about the possibility of declaring the neutrality of Hungary. The delegation is then said to have asked Mr. Kádár for a written statement, which they could show to the Workers' Councils, in which the Revolution would be declared lawful and in which it would be stated that Mr. Kádár would do all he could to secure the withdrawal of Russian troops and the release of freedom fighters who had been made prisoners. Mr. Kádár answered that his word should be enough.

649. The relationship between the Kádár régime and the workers took a turn for the worse when a meeting called on 21 November by the Greater Budapest Workers' Council to discuss the decree law on the establishment and competence of Workers' Councils promulgated the same day, was forbidden and disbanded. The workers objected to certain aspects of this law,⁴⁸ especially to the clause which gave Ministries the right to appoint directors; this was felt to be an invasion of their sphere of authority. Moreover, the decree failed to provide for the setting up of Workers' Councils in the transport and telecommunications industries and implied the abolition of existing Workers' Councils in those industries. In protest against the banning of the meeting, the Greater Budapest Workers' Council called a 48-hour strike. The situation was aggra-

⁴⁸ *Magyar Közlöny*, No. 94, 20 November 1956; No. 95, 24 November 1956; *Népszabadság*, 22 November 1956.

vated by a Government decree at about the same time for the appointment of Government commissioners to certain enterprises.⁴⁹ This measure was justified on the ground of the "extraordinary difficulties in certain enterprises in connexion with the resumption of work and the ensuring of its smooth continuance". The commissioner was to decide disputes between Workers' Councils and Ministers. New discussions therefore took place between the Greater Budapest Workers' Council and Mr. Kádár on 22 and 23 November, in the course of which Mr. Kádár promised that he would propose to the Council of Ministers that the paragraph of the decree law concerning the appointment of directors would be changed. The Government is understood to have stated that it recognized the Greater Budapest Workers' Council as a consultative body, whose recommendations would be given careful examination and consideration. On 23 November, as a result of this talk, the Greater Budapest Workers' Council issued an appeal for a return to work, but also declared the results of the conversations unsatisfactory, renewed its original demands and held it necessary to continue negotiations without delay.

650. Further negotiations took place on 25 November, when the issues at stake were reviewed by the representatives of the Greater Budapest Workers' Council and leading members of the Government in the Parliament Building. In their demands, the representatives of the workers continued to cling to the programme of 23 October, and they reproached the régime for its unyielding attitude and for other unfulfilled demands, such as the inclusion of workers in the public security forces and the organization of factory guards. They refuted Minister Apró's allegation that many Workers' Councils were not led by workers, by stating that technicians and engineers directly engaged in production were workers; one of the representatives declared "we shall not permit a wedge to be driven between the progressive intelligentsia and the workers". Concerning the right to strike, they stated that if, in principle, this was within the competence of the trade unions, nevertheless the trade unions could not speak for the workers, until such time as the workers had built the unions up from below. Until then, the Workers' Councils considered themselves to be the competent organ to decide on matters pertaining to strikes.

651. The attitude of the Government on specific issues was expressed by several Ministers, after which Mr. Kádár made a general statement which showed a reversal of his previous declarations. For the first time, Mr. Kádár stated flatly that the Nagy Government had been a camouflage for counter-revolutionaries; only when the People's Democratic State had been strengthened, order restored and life normalized, and when the last vestiges of the counter-revolution had disappeared, would the Government start negotiations with the Soviet Government on the question of withdrawal of Soviet troops. Then and then only would the Government be enlarged to include non-members of the Party. Mr. Kádár justified the abduction of Mr. Nagy on the ground that had he been allowed to return home, counter-revolutionary elements might have murdered him and placed the blame on the Government in order to create unrest in the country. The first task of the Government was to crush what remained of the counter-revolution; Mr. Kádár considered that inciting to strike was a counter-revolutionary act. The following day, even stronger words were used; referring to those responsible for the strikes, he added that "a tiger cannot be tamed by baits, it can be tamed and forced to peace only by beating it to death . . . Every worker, instead of drawing up and scribbling demands, must immediately and unconditionally begin to work to the best of his ability".

652. Meanwhile, tension increased; the Revolutionary Councils were abolished⁵⁰ and there were clashes between factory workers on one side and Russian forces and the militia on the other, and on 6 December, the chairmen of the Workers' Councils of the Ganz and MAVAG factories were arrested. In a proclamation of the same day, the Greater Budapest Workers' Council warned the Government that the policy of arresting workers' leaders would lead to a general strike, fresh bloodshed and a new national tragedy. "The Government does not build its power on the Workers' Councils, in spite of the promises by Comrade Kádár. Leaders and members of Workers' Councils are being arrested, . . . dragged from their homes during the night without investigation or hearing. . . . peaceful meetings of Workers' Councils are interrupted or prevented by armed forces." A reply to the proclamation was demanded by 8 p. m. on

⁴⁹ *Magyar Közlöny*, No. 95, 24 November 1956.

⁵⁰ *Magyar Közlöny*, No. 99, 8 December 1956.

7 December. As no answer to their proclamation was received, on 9 December the Greater Budapest Workers' Council called a 48-hour strike to take place on 11 and 12 December "in protest against the repression of workers and their chosen representatives". The Government thereupon declared illegal both the Greater Budapest Workers' Council and all Workers' Councils above the factory level and issued a decree abolishing them. At the same time, a series of decrees was issued: one required all factory guards to inform the competent police authorities of any arms they might have in their possession or be subject to summary jurisdiction.⁵¹ It made the specific crimes of murder, homicide, robbery, looting, arson and concealing weapons punishable before courts of summary justice empowered to pass death sentences.⁵² On 11 December, the Chairman of the Greater Budapest Workers' Council, Sándor Rácz, and its executive secretary, Sándor Báli, were arrested. In the following days, further arrests of workers' leaders were made, and further decrees were issued banning meetings without police permission⁵³ and authorizing detention by the police for a period of six months of those endangering public order, in particular those hindering the resumption of work.⁵⁴

653. On the whole, the Greater Budapest Workers' Council appears to have been more willing to conciliate Mr. Kádár than the rank and file of the workers. In November, as a token of good faith, the Council called for a return to work, at a time when many workers wanted to remain, and did remain, on strike because their demands were not met. In December, the Council seemed rather disposed to compromise, and it appears that it was Mr. Kádár's intransigence or, rather, as the Council put it, his powerlessness, that finally drove the Greater Budapest Workers' Council to call a strike.⁵⁵ With the dissolution of this Council, the Workers' Councils lost much of their power as a political institution, and it became clear that their functions were to be restricted to certain limited internal problems of individual enterprises.

654. Some negotiations were still taking place towards the end of December between representatives of Workers' Councils and the Government. Delegations from mining centers came to see Mr. Kádár and expressed their willingness to resume production gradually, should the Government accede to their demands on the 27th. Mr. Kádár also received representatives of the Central Workers' Council of Csepel, who had wanted to see him for some time. On this occasion, according to testimony, there was considerable tension between Mr. Kádár and the workers. The delegates protested against the fact that former AVH members were being recruited into the militia, as well as into the workers' factory guard. Mr. Kádár is said to have answered: "What do you think? Do you really think that we will reinforce the militia with fascists? These people are all victims of the counter-revolution and are supporting the Government. It is clear that it is on them that we rely." To the workers' request that they be allowed to have a newspaper in the factory, Mr. Kádár is said to have answered: "Everyone wants to have permission to start new papers. I can tell you what the headline of your front page will be: 'The Heroic October Revolution of the Hungarian People.' We have already had great experience in that line, and it is for this reason that we banned all the other newspapers, because they contained such provocative articles." The delegation left the Parliament Building outraged.

655. In an interview over Radio Budapest on 28 December, the Chairman of the Workers' Council of Csepel further described the causes of dissatisfaction.

⁵¹ *Magyar Közlöny*, No. 100, 11 December 1956.

⁵² *Ibid.*

⁵³ *Ibid.*, No. 101, 12 December 1956 and 27 March 1957.

⁵⁴ *Ibid.*, No. 102, 13 December 1956.

⁵⁵ On the handling of the Workers' Councils by the Hungarian Government, speaking at a joint session of both Houses of the Yugoslav Assembly on 7 December, Mr. Edvard Kardelj had the following comment to make:

"... The most surprising thing in the recent events in Hungary is that the Communists were afraid of the Workers' Councils. Lenin had the courage to voice the slogan 'All power to the Soviets', although the Bolsheviks were not in the majority in the Soviets. However, as a Marxist, Lenin rightly expected that the working masses, once they became responsible for power, must act in their own interests, that is in a Socialist way. And he was not deceived. In Hungary nobody had the courage, not even the Workers' Councils which were too much under the influence of petit-bourgeois, abstract-liberalistic slogans, to make such a demand. But however they might have been, these Workers' Councils were the only real socialist force which probably would very soon have become free from the foreign anti-socialist influence, if they had had to take the major responsibility in factories and self-managing communities, as well as in the central authority. . . ." *YUGOSLAV REVIEW*, Vol. 6, No. 10, December 1956, p. 15.

In spite of the official assignment of certain functions to Workers' Councils, the former system of management was renewed. "The Ministries are exerting their tutelage over us, just as they did before; moreover, they would not let us even remove from the factory certain leading officials whom we wish to replace by experts. On what socialist principles do you imagine the country's future is to be built?"

656. On 5 January 1957, a declaration on "Major Tasks" was made by Mr. Kádár, which throws some light on the attitude of the Government towards the political issues for which the Workers' Councils had fought so hard. The declaration reviewed the situation in Hungary from 4 November and, after stating that "the treachery of Imre Nagy had opened the road to counter-revolution", declared that the task of the Hungarian Worker-Peasant Government was to crush it. This had been effected with the assistance of the Soviet Army, which came in "at the request of the Government on the basis of contractual obligations". No mention was made of negotiations for their withdrawal. It was declared that the purpose of the Government was the furtherance of "the proletarian dictatorship"; political activity, therefore, was to be confined to Communists and to persons who, although not belonging to the Party, accepted its policy and direction. The leading forces in Hungary were the Hungarian Socialist Workers' (Communist) Party and the People's Patriotic Front which "unites all democratic forces and is guided by the Party." The Government's aim was to ensure freedom and democracy for workers, peasants and the intelligentsia loyal to the people. However, elements opposing the Government's aims would not share in these freedoms; "their lot will always be the severest punishment the law can decree". The establishment of Workers' Councils was held up as one of the achievements of the régime. Their scope, however, was redefined and, contrary to the often reiterated wishes of the Workers' Councils, it was stated that the directors of enterprises were to be appointed by the State and to be personally responsible for the economic management of the factories. The director was bound "to prevent and refuse to implement any Workers' Council resolution which clashes with a law or a decree, should such a resolution be passed". Workers' Councils should lend a helping hand in the socialist State leadership and industry. Together with Government authorities and trade unions, they were "to elaborate the wage and bonus system . . . and see that workers adhere strictly to Government resolutions".

657. The uncompromising tone of the statement, the failure of the Government to abide by its promises, the belief that the Government did not seek co-operation with them but rather wanted to whittle away their powers, the increased police and Party activities, prompted a number of Workers' Councils to resign. In "Red" Csepel, where two former directors had been reinstated over the protests of the workers, there was a mood of discouragement, and the workers, whose attitude had been branded over and over again as "counter-revolutionary", greeted each other ironically as "Baron" and "Count." On 8 January, the Central Workers' Council of Csepel, which had been elected in mid-November and was composed of fifty-eight members, forty of whom were labourers, resigned and issued the following proclamation:

"It was the hallowed events of the 23 October Revolution of the Hungarian people that brought us into being so that we could build an independent, free and democratic Hungary, and establish the basis for a way of life free from fear.

"The events that have taken place in the meantime, however, prove that we are unable, in present circumstances, to fulfill our mandate. We have no other role but to carry out orders of the Government. We cannot, however, carry out orders that are against our convictions and we cannot sit by passively when members of Workers' Councils are being arrested and harassed without any reason and when the entire work of the Workers' Council is, in fact, branded as 'counter-revolutionary'. We have finally come to the conclusion that we cannot realize the wishes of the workers and, regardless of our personal fate, we are unanimously resigning our Workers' Council mandate.

"Our decision does not mean that we are trying to evade responsibility, but it is our opinion that since we are not in a position, in the present situation, to fulfill the wishes of the workers, we should not mislead our comrades by our existence. For this reason, we are returning our mandate to the workers."

658. With the removal of the Workers' Council buffer between the régime and the workers, labour troubles flared up even more violently. In Csepel, for instance, a demonstration was organized on 11 January to protest against the confirmation of the Government commissioner and the director in their positions.

The militia tried to stop demonstrators from entering the administration building. The militia was reinforced, Soviet troops surrounded the factory and, after three hours' fight the crowd was forced to scatter. The disorders at Csepel were such that, on 12 January, the Government issued an order forbidding newsmen to visit the island.

659. It was announced over the radio on 13 January that, in view of the strikes and disorders, the existing powers of summary jurisdiction had proved "inadequate" and that "expedited procedure had now been introduced." The decree enlarged the power of courts of summary justice and made the death penalty applicable to the crime of "causing wilful damage to factories of public interest" or of "intentionally disturbing the functioning of such factories by inciting others or calling upon others to strike". Persons accused of such crimes could be charged orally, no bill of indictment being necessary.⁶⁶

660. In the meantime, a new set of rules is said to have been issued to cover the activities of Workers' Councils. They stated that activities of the Workers' Councils had to be directed so that the enterprises might achieve as great economic results as possible; workers of enterprises working economically were to receive a share, amounting to half a week's wages. However, if an enterprise was working uneconomically, the workers concerned were not to get their full wages. In these cases, the State guarantees only 75 per cent of their full wage. In case of bankruptcy of an enterprise, all decisions as to its future belonged to the Ministries. Complaints were again voiced concerning the Government's refusal of permission to organize Workers' Councils in railway and postal communication enterprises and in internal trade. Mr. Kádár declared in a statement to the Trade Union Council at the end of January that he considered the demand for establishment of Workers' Councils in the Hungarian State Railway as prompted more by military considerations than by a desire to obtain representation of the interests of the workers.

661. During February, the membership of the remaining Workers' Councils seems to have changed sufficiently for the Government to issue decrees on the use of workers in the militia and the authorizing of armed factory guards. There was more and more talk about returning to the piece-rate system and output norms: the Minister of Finance, Mr. Kossa, described pay by the hour as "wage demagogy".

662. At the meeting of the National Assembly on 10 and 11 May, Mr. Kádár summarized the situation in Hungary. He made no reference to the role of the Workers' Councils, but he did make certain remarks recognizing the dissatisfaction of the workers. In this connexion, he called for a closer relationship between the masses and the leadership. He went on to make the following statement:

"In my opinion, the task of the leaders is not to put into effect the wishes and will of the masses. . . . In my opinion, the leaders' task is to realize the interest of the masses. . . . In the recent past, we have encountered the phenomenon that certain categories of workers acted against their own interests and, in this case, the duty of the leader is to represent the interests of the masses and not to implement mechanically their incorrect ideas. If the wish of the masses does not coincide with progress, then one must lead the masses in another direction."

B. THE ROLE OF THE COMMUNIST PARTY IN THE WORKERS' COUNCILS

663. The dissolution of Party cells was one of the first acts of the Workers' Councils during the Revolution, and the workers were anxious to receive assurances from the Government that no Party organization whatsoever would again be authorized in factories. However, official declarations on this subject from 4 November onward were uniformly opposed to this demand. "To call for the abolition of Party organs within the factories", Mr. Kádár declared at his first meeting with representatives of the Greater Budapest Workers' Council, "is clearly a counter-revolutionary objective. * * * There is no Communist Party in the world without its factory organization. * * * The Communist Party cannot give up its organization within the factories, even if some misguided workers are now clamouring for it."

⁶⁶ *Magyar Közlöny*, No. 5, of 15 January 1957. By a decree supplementary to the law, factories employing regularly 100 people or more are defined as being "factories of public interest".

664. During November, a campaign was launched to reactivate the Party movement. At a meeting of the activists of the Communist Party which took place on 27 November, Károly Kiss, member of the provisional executive committee of the Hungarian Socialist Workers' (Communist) Party announced that the formation of Party cells in the factories was part of the plan, as was "the winning over of the working classes, the elimination of confusion of ideas, the combating of still strong nationalism and the strengthening of the armed forces". He stressed the importance of the press and radio as a means "to win over the passive layers, and first and foremost the workers". In the first resolution passed by the Socialist Workers' (Communist) Party on 8 December, it was stated that Workers' Councils were "to be taken over by the Communists and cleansed of unsuitable demagogues".

665. In the meantime, Communist infiltration into the factories had begun and Party organizations, often with the help of the militia, were able to secure office space in the factories. When the Csepel Workers' Council delegates raised the question at their meeting with Mr. Kádár on 27 December, he answered "You will see, the time will come when the workers themselves will demand that the Hungarian Socialist Workers' Party should function within the factory". Official sources admitted, however, that workers were opposed to the setting up of Party organizations within factories. For example, at the end of December, the Hungarian Telegraph Agency reported that Communist activists had met at the Lenin Metallurgical Works "to inform workers that the Socialist Workers' Party will begin its activities in the factory". Many workers opposed the formation of a Party organization in the factory, but the Communists and workers who supported the Party pronounced themselves in favour of it. According to the same source, the total Party membership in Hungary towards the end of December amounted to 103,000 out of a population of less than 10 million. Membership was particularly low in the working-class areas of Budapest. There were only 500 Party members in the Csepel Iron Works; total membership in Budapest was 21,000.

666. A tone of greater urgency was evident in the official statements in the first months of 1957. In his speech on "Major Tasks" of 5 January, Mr. Kádár stated that the Government "regards the party of the Hungarian working class, namely the Hungarian Socialist Workers' Party and the People's Patriotic Front, as the leading forces in the country". In another speech at the end of the month, Mr. Kádár expressed the opinion that the functioning of the Workers' Councils could be really useful and fruitful only if they were guided by the Communist Party, the party of the working class. More and more Workers' Councils found themselves, therefore, in a position where they had to negotiate on all major issues with the delegates of the factory Party cell; witnesses reported such negotiations in Csepel, and in Dunapentele, where a joint statement by the Party Branch Chairman and the Workers' Council Chairman asserted that "the Workers' Council needs the Party's help and will co-operate in plans of a social character calculated to permit the building of socialism".

667. Although Party cells were established by force, workers could not be compelled to co-operate with them and, at the beginning of the year, Communists remained isolated. On 24 January, the Hungarian Press reported that "there was no proper contact" between Party officials and the workers, whereas "there should be friendly and fraternal relations between the worker and his brother, the Party organizer". Even offers to protect worker Party members against dismissal did little to attract members. In a speech in the first part of February, Mr. Kiss acknowledged the existence of difficulties in organizing Party cells in factories. He said that "in coal mines, the strength of the Party organizations is growing, parallel with the output achievements. As for the large factories, the consolidation of Party organizations in these enterprises is hampered by the continued internal confusion in many places. * * * Though it is not the case today, Party organizations in the large factories will again be our strongest organizations."

668. One witness testified that although in some factories where the Workers' Council had not carried out Government or Party instructions, the Government had intervened directly and dissolved the whole Council: in most cases, "the Workers' Councils have not been stopped, but their form, their activities and their personnel have been changed and they are carrying out work which is completely foreign to the purposes for which they were established; whereas in former times, workers discussed whom they wanted to elect openly and from every angle, nowadays the only question that is raised about candidates to the

Workers' Councils is whether or not they are in conformity with the system." As the Communist Party grew stronger, in each factory it dominated the elections to the Workers' Councils. "A Party member asked to be recognized and proceeded to make derogatory statements about the nominees of the other workers: 'one was a counter-revolutionary, a second was a murderer, a third had left the country, a fourth had committed some other misdeed, therefore they are not worthy of representing the workers. However, we, the Party, recommend this able man here, that worthy man there, and so on, who are all reliable Party men and will represent the workers satisfactorily'. Then he would add 'Of course, you are in full agreement, Comrades, with their election? Say 'yes' or 'no'!' When reporting this mode of election to the Committee, the witness added "I should like to ask the Committee whether they think that, under the form of government that exists in the country presently, there would be a worker who would say 'I do not like this'. He has to earn his living because of his family, he wants to sleep peacefully at night without being woken up by the police, he has to work next day, so he cannot but agree."

669. By the end of April, the campaign to entrench the Party cells within the factories was well under way. On 20 April, an article in *Népszabadság*, entitled "Communist Leadership for the Workers' Councils", referred to heated discussions in factories about Workers' Councils. "Let us speak frankly, is there a need for the very existence of Workers' Councils?" The article stated that it was not surprising that the need for the existence of these Councils should be questioned as the Workers' Councils were born during the counter-revolution and bore the marks of their origin for a long time in their objectives and activities. "It is now our task to instil a socialist substance into them. Of late, process of purification has been speeded up in the Workers' Councils. Workers themselves are beginning to demand the removal of class, alien and other demagogic elements. Speaking on their behalf . . . the events of recent months show convincingly that the Workers' Councils cannot function without Communist leadership. In a dictatorship of the proletariat, the working class cannot have an organization independent of the Party. It has been proved that, whenever they tried to represent the workers' interests by opposing the Party or by emphasising their independence from it, they actually harmed the people. Let us remember in this connexion the counter-revolutionary strikes, which did severe damage. The Communist activists in the Workers' Council will be the ones who will have to carry out the policy of the Government."

670. "The Party must organize, unite and lead the people", said Mr. Kádár in his speech to the National Assembly on 11 May. Nevertheless, an article in *Népszabadság* of 4 May complains that, even at that date, Communists were working under a handicap in certain factories and were not promoted because of discrimination against Party members. The complaint was also made that many Communists removed from their posts by the counter-revolution had not yet been reinstated. Justice demanded that the Communist leaders and the leaders who, even though not Communist, were faithful to the People's Republic, should be reinstated, and those who sympathized with or did not fight against the counter-revolutionaries should not be allowed to remain in their positions.

C. WORKERS' COUNCILS AND TRADE UNIONS

671. After 4 November, the former Praesidium of the National Council of Trade Unions resumed its functions; Sándor Gáspár remained the Secretary-General, but the organization maintained the name National Council of Free Trade Unions, acquired during the Revolution. Some independence of spirit persisted; in a speech from which extracts appeared in the British Communist *Daily Worker* of 15 November 1956, Mr. Gáspár stated that it was "unthinkable that any one political party should in the future take over alone the government of the country", and added that representatives of other parties and men belonging to no political party should be given responsible posts. Adopting certain principles laid down by the provisional organizing Committee, he declared: "We are for the freedom of the trade unions and their independence from the Government and political parties." Nevertheless, he advised the workers to trust the Kádár Government and called upon them to stop the general strike. Similar declarations in favour of non-interference by the State were made by the individual trade unions, such as the Teacher's Trade Union, the Hungarian Telegraph Agency Trade Union, the local industry of music workers and of trade and finance workers.

672. On 24 November, the trade union daily, *Népakarat*, published an article entitled "The Workers' Councils, the Workers' Democracies and the Right to Strike", in which it criticized the decree of the Workers' Councils promulgated

by the Kádár régime on the 21st, and sided with the Workers' Councils on the question of the appointment and removal of factory directors. The article even reproached the Government that it had not published the Workers' Councils' proposal, which differed on several points from the decree and which, in some respects, was substantially broader. The disagreement of the trade unions with the Government's social programme was further pointed out in the same article, which stated the principle that should guide trade unions regarding the right to strike. "Ever since the idea of strikes has been in existence—whenever and in whatever country in the world—it has been connected with the trade unions. That applies even to instances where the strike has been used as a political factor. We want the workers, through the Workers' Councils, to be masters of the enterprises in actual practice. We want them to be better, more careful and more competent managers than the capitalists were in their time. The world, however, has never seen a master who has ensured the right to strike—whether a capitalist master or any other kind. However, it is important that the master, the owner of the enterprise, even if it be the workers themselves, be controlled by an organ whose primary task is to protect the workers' interests. This is the mission of the trade union."

673. In view of the foregoing, the Trade Union Council showed an astonishing pliancy in the joint statement issued with the World Federation of Trade Unions delegation which visited Budapest between 23 and 26 November. This declared that, following a study of various aspects of the Hungarian trade union movement and the recent events in Hungary, both delegations had arrived at the conclusion that "certain reactionary and fascist elements, taking advantage of the discontent of the workers and of youth . . . sought to achieve their counter-revolutionary aims". By the end of the month, a proposal was made in the trade union organ, *Népakarat*, that "trade unions should be the sole representatives of the workers' interests in their dealings with the Government".

674. By the time the Workers' Councils' representatives of Csepel resigned in January, the Trade Union Council was critical of Workers' Councils, which it charged with having "heeded the provocative voice of alien elements who have infiltrated into these Workers' Councils". They condemned the Csepel Council resignation as a provocative step. At the end of January, at a three-day meeting, the Trade Union Council officially revoked the withdrawal from the World Federation of Trade Unions and other measures taken during the Revolution. The communiqués issued made it clear that the status of the trade union organization was to be superior to that of the factory Workers' Councils. A resolution on current problems and tasks adopted by the Provisional Central Committee of the Hungarian Socialist Workers' Party on 26 February 1957 made the official attitude towards trade unions clear. "We have rejected the reactionary demands that the trade unions should be 'independent' from both the Party and the Workers' and Peasants' Government and for the right to strike in defiance of the workers' State."

675. In the past few months, new trade union statutes have been drafted. At the meeting of the Hungarian National Assembly on 11 May, Sándor Gáspár, the Secretary-General of the National Council of Free Trade Unions, came out strongly against the counter-revolution of October, and added that the previous half-year had shown that the trade unions were able to maintain their unity and withstand the attacks of the counter-revolution. He supported the re-introduction of the workers' competitions, the norm system and piece-rates. He also stated that the Praesidium of the Trade Unions would submit proposals for the improvement of workers' competitions and would propose the re-introduction of the title of Stakhanovite worker. These efforts to conciliate the Government won from Mr. Kádár in his answering speech, only a reproach against the trade unions for their lack of adequate contact with the workers.⁵⁷

⁵⁷ Since the end of the Revolution, the International Labour Organisation has repeatedly called upon the Hungarian Government to ensure the freedom and independence of Trade Unions and to allow an on-the-spot investigation. Moreover, the Governing Body, on the recommendation of its Committee on Freedom of Association, decided:

"(a) to reaffirm the importance which it has always attached to a prompt and fair trial by an independent and impartial judiciary in all cases, including cases in which trade unionists are charged with political or criminal offenses which the Government considers have no relation to their trade union functions;

"(b) to reaffirm the importance which it attaches to full protection in such cases against the retroactive application of any penal law;

"(c) to declare that these principles are fully applicable to the arrest of members of workers' councils by the Hungarian authorities;"

For further details and the reply from the Hungarian Government, see documents A/3390, A/3571 and A/3578.

II. POST-REVOLUTIONARY STATUS OF POLITICAL ORGANIZATIONS

A. NEGOTIATIONS WITH POLITICAL PARTIES

676. Parallel with the negotiations between the Workers' Councils and the Kádár régime were the political dealings between Mr. Kádár and the leaders of the three principal non-Communist parties. Evidence on these negotiations is much less abundant and less direct. The Committee is, therefore, unable to set forth exactly the course of their dealings. Its information is principally derived from the public statements of the parties to the negotiations. There were some noteworthy differences between Workers' Council dealings with the Government and the transactions of the régime with the political parties. The Workers' Councils had, in the stoppage of work, an instrument of pressure which gave the Kádár régime much concern. Although the Workers' Councils put forward a comprehensive political programme, their pressure on the Government was effective principally to obtain temporary recognition of their own position in the factories. The political parties had no such lever to employ in seeking to move the Government to accept them. The régime therefore seems to have found it easier to put off the representatives of parties with vague declarations. Finally, it should be noted that, while there was a fairly complete coincidence of political views between the Workers' Councils and the party leaders, they appear to have had little organizational connexion. The Government could therefore negotiate with each separately. The following paragraphs contain a review of the principal facts concerning negotiations with party leaders, and of the eventual disappointment of the hopes which they had entertained for compromise with the régime.

677. For a brief interval, after the military phase of the suppression of the Revolution was substantially completed, there appear to have been political dealings between Mr. Kádár and the leaders of the three principal non-Communist parties. These concerned the possibility of what was called by some "a broadening of the Government" and by others a "coalition Government". Evidence concerning the details of these negotiations is incomplete and does not enable the Committee to set forth exactly the course of events or the reasons for the disappointment of hopes which were entertained for compromise.

678. Witnesses have reported that, immediately upon his return to the Parliament Building as head of the Hungarian Worker-Peasant Government on or about 6 November, Mr. Kádár started negotiations with representatives of the Independent Smallholders' Party, the Social Democratic Party and with other personalities, with a view to forming a coalition Government. These negotiations were unsuccessful.

679. During the discussions between Mr. Kádár and the representatives of the Greater Budapest Workers' Council on 15 November, Mr. Kádár said that while a multi-party régime and free and honest elections might be desirable, one should bear in mind that "not only by bullets, but also by the ballots" can workers' powers be destroyed. He also said that one must guard against a situation where the Communists would be crowded out of Parliament, as this would necessarily "lead to the overthrow of socialism and the people's power". However, Mr. Kádár conceded that the composition of the Government was not final and should be broadened, and declared himself willing to start negotiations with Mr. Nagy, should the latter consent to leave the Yugoslav Embassy. This stand encouraged hopes for an eventual inclusion of non-Communists in the Government.

680. It has also been reported by witnesses that Mr. Kádár again discussed the possible formation of a coalition Government in the second part of November, and expressed the conviction that his original view had been correct and pointed to the only possibility of solution. These ideas and hopes were again disappointed by the opposition of Soviet officials, both civil and military, among them—according to one witness—the Soviet Commander-in-Chief, Marshal Koniev, who came to Budapest at this time. Following the visit of the Soviet officials, the attitude of Mr. Kádár towards the formation of a coalition Government changed. His statement on 26 November still contained allusions to the possible broadening of the Government, if not to include representatives of other parties, at least to include non-Communists who "recognized the socialist order and were prepared to work for the defence of the socialist achievements and the building of socialism". A broadcast statement on 1 December by Mr. Dobi, Chairman of the Praesidium, still moved within this order of ideas in its declaration that "We will build socialism in our specific Hungarian way according . . . to our national

traditions", and that the Government would be enlarged by giving place to the leaders of the former democratic parties who agreed with the principles of socialism.

681. In a memorandum of 8 December, the non-Communist parties and other organizations outlined a ten-point programme and conditions for their participation in a Government. This memorandum showed how far the non-Communist parties were willing to go "to defend the socialist achievements" on which Mr. Kádár insisted as a condition of participation in his Government. The memorandum declared their objective to be "to protect the freedom and independence of the country, ensure the results obtained by socialism to date, consolidate and institutionalize the democratic achievements of the Revolution (among them, the Workers' Councils and their autonomy, the right to strike, freedom of the farmers' way of life, abolition of crop deliveries) and, finally, to put an end to the one-party system". The memorandum recognized that the Communist Party must play an important role. It asserted that "the Hungarian Communist Party, based on a democratic socialism, was necessary for the political life of the country, as the Revolution had proved that the great masses of Hungarian Communists agreed to the principles mentioned above".

682. Among the basic principles stated in the memorandum were the following:

(a) The social and economic order was to rest on public ownership of the means of production; mines, factories, banks and other enterprises owned or controlled by the State on 23 October 1956 should remain so.

(b) Land was to be distributed on the basis of the land reform of 1945, private ownership of land being limited to what a family could cultivate without help. Peasants and small industries were to be permitted to join co-operatives on a voluntary basis; a limited freedom of private enterprise was to be recognized; the trade unions were to be free and independent; State employees were to be guaranteed the right to participate in the management of State enterprises through the Workers' Councils; and the death penalty was to be abolished. Political parties seeking the overthrow of the existing political, social and economic order should not be allowed to function.

(c) As an immediate step, formation of a Provisional National Governing Council of seven representing the democratic political parties to exercise the principal functions of Government was recommended. The memorandum called for enactment of a new electoral law under which national elections to Parliament should take place in the autumn of 1957.

683. The principles enunciated in the memorandum concerning the bearing of Soviet-Hungarian relations on co-operation between the parties were the following: It was necessary to win the confidence and support of the Government of the Soviet Union, for which Hungary felt true friendship. Many of the existing difficulties arose from misinformation concerning the character and purposes of the Hungarian Revolution given by former Hungarian leaders to the leaders of the Soviet Union. The latter thus did not realize that the Revolutionary forces were unanimously on the side of socialism and stood ready to protect the achievements of socialism against reactionary attack. This misunderstanding was the reason for the decision not to initiate negotiations for the withdrawal of Soviet troops until after the complete restoration of internal order. However, it was precisely the presence of Soviet troops that prevented the consolidation of order and the resumption of production. It was proposed in the memorandum that the Soviet Government authorize its publication, together with a statement of the Soviet Union's willingness to negotiate with the proposed provisional Hungarian Government on a number of problems including the Warsaw Treaty, the modalities and time-table for the withdrawal of Soviet troops, the return to Hungarian jurisdiction of Hungarian citizens held by the Soviet authorities and, finally, establishment of Hungarian-Soviet economic relations on the lines of those between Poland and the USSR. On this basis, the democratic parties and organizations and the Government could achieve a return to order without external help. Hungary was ready to give far-reaching legal guarantees against use of her territory as a base by countries or forces antagonistic to the Soviet Union, and against the stationing of foreign armed units of any kind in Hungary. The manufacture of fissionable materials for military purposes would also be forbidden.

684. On the same day, 8 December, the Hungarian Socialist Workers (Communist) Party adopted a resolution making it clear that it had no intention of

sharing power with any other party and reaffirming the merger of the Communist and Social Democratic parties in 1948 as a basis of present policy.

685. During December, it still appeared, to outside observers, that a coalition Government might be possible. Western news services repeatedly reported the imminent inclusion of non-Communists in the Government and negotiations between Mr. Kádár and representatives of Imre Nagy. Members of the Independent Smallholders' Party were reported to be active, and there were rumours of change in the leadership of the Government, which were not denied. Hope was expressed that the programme of major tasks to be published by the Government early in January would include at least some of the principles in the memorandum of the democratic parties, and that their representatives would be included in the governmental committees to draw up programmes for individual sectors of the country's life.

686. The Government statement of 5 January on major tasks facing the country, did not rule out the possibility of a governmental change. He stated that the Government proposed to start negotiations to admit to a share in the direction of affairs various prominent persons with or without party connexions, who were willing to support the Government's policy of "furthering proletarian dictatorship". These political conditions in effect limited the field to Communists and persons who, though not members of the Communist Party, accepted its policy and direction. The statement caused disappointment to those who had hoped that a coalition Government was imminent.

687. Since the beginning of this year, the non-Communist political organizations have in effect been excluded from any role in public life. Speaking of the Social Democratic Party, Minister Marosán, a former Social Democrat, said in a speech in Komló on 5 January that the working-class "has and will have only one Party. To ask for the re-organization of the Social Democratic Party today is a hostile act, because it would divide the working-class". On 15 January, he repeated this idea, saying that "the Party will never allow disruption of the unity of the working-class by allowing political competition". This statement by Mr. Marosán came within twenty-four hours of the news that Béla Kovács, leader of the Independent Smallholders' Party, had decided to retire from politics because of ill health. The third party with which Mr. Kádár negotiated, the Petöfi Party, had virtually dissolved itself.

688. In spite of this, in a speech made at Ujpest on 9 February, Mr. Kádár stated that negotiations would be initiated with the Independent Smallholders' and the Petöfi Party at an unspecified future date, in order to broaden the present Government. The Social Democratic Party, however, would be "liquidated", Mr. Kádár repeated, because it was illegal and because there was no need for such a party in Hungary.

689. The National Assembly at the beginning of May approved an amendment to the Constitution prolonging the mandate of the National Assembly, which was to expire on 17 May, by two years. In support of this postponement of elections for two years, it was asserted that elections would hamper the rallying of forces for the task of reconstruction. "At this time we must not do anything which would take our attention away from the much more important task of reconstruction and ensuring our future development." It was denied that the leaders of the Government feared that the Communist Party might lose an election. The best interests of the people, it was asserted, would not be served by elections. Time to draft the necessary electoral law had also not been available because of the events of the Revolution, it was said.

690. Several facts emerge from the foregoing account. No coalition Government has been established nor have non-Communist personalities of standing been included in the Kádár Government. Mr. Kádár's policy in the matter of collaboration with those outside the Hungarian Socialist Workers' (Communist) Party appears to have been decisively influenced, if it was not directed, by Soviet military and civil authorities. The chief condition put by him for their participation in his Government, namely, the defence of post-war socialist achievements, was expressly accepted by the non-Communist parties. It appears that the fact which more than any other disqualified the non-Communists as collaborators in the Kádár Government was their insistence on the restoration of Hungarian national independence and on the withdrawal of Soviet troops as the necessary objective conditions for a restoration of order within the country. That those urging such a programme should now be dubbed counter-revolu-

tionaries⁵⁸ is a measure of Soviet determination of the policies of the Kádár Government. It appears not unreasonable to hazard the suggestion that the repeated Communist hints of coalition and collaboration reflected no intention to broaden the foundation of Government. The necessities of Mr. Kádár's own situation in November, the lack of support when he sought to seize the reins of Government, a lack with which he reproached his colleagues in the National Assembly on 11 May of this year, required him to propitiate those whom the people supported, until he should have sufficient organizational strength of his own to demand a transfer of allegiance to his own régime.

B. THE FATE OF OTHER ORGANIZATIONS AND THE PRESS

(1) *Revolutionary Councils*

691. In the days following 4 November, the Kádár Government had dealings with the territorial Revolutionary Councils. Witnesses have reported that, on several occasions, members of Mr. Kádár's staff telephoned the territorial Councils to ask them to lay down their arms, rid themselves of counter-revolutionaries and co-operate with the Government. Witnesses have also described how the Revolutionary Councils of given localities were treated; when the Soviet troops took over the locality, the Soviet Military Commander, accompanied by members of the AVH, would call on the Revolutionary Council and ask them to continue their work. The following day, former Hungarian Communist leaders would arrive and give orders, disregarding the fact that the Chairman and members of the Revolutionary Council were present. Arrests of members of the Council, mostly at night, followed. The Revolutionary Committees and Councils were dissolved by a decree of 8 December.⁵⁹

692. Long before the dissolution decree, the territorial Revolutionary Councils had lost much of their importance and the burden of negotiating with the Government on behalf of the Hungarian people fell on other Councils.⁶⁰ In the days following the Revolution, workers and peasants alike once more found spokesmen in the Writers' Union to whom they took their grievances, and whose members were in close touch with the Workers' Councils, attended their meetings and advised them on the position to be adopted in negotiations with the Government. The sympathy of the Writers' Union with cause of the workers was well expressed in an open letter addressed to the Greater Budapest Workers' Council in which they wrote: "We, the Hungarian writers, can think only in Hungarian, we can write only in Hungarian, and our fate is, therefore, tied to the Hungarian people. Without Hungarian workers, without Hungarian peasants, there can be no Hungarian literature." Accordingly, the Presidential Council of the Writers' Union extended its role to cover questions touching the Hungarian people as a whole, rather than problems peculiar to the practice of their own profession.

693. On 12 November, the organizations composing the Revolutionary Committee of Hungarian Intellectuals, which had ceased to function on 4 November, issued a joint appeal "to the Hungarian intellectuals and the people of the country". They declared that until such time as the Hungarian people were given the opportunity of expressing their will by peaceful means, the writers, artists, scientists and intellectuals would make no demands for themselves. Acting as spokesmen for the people as a whole, they outlined a six-point programme for Hungary based on the achievements of the Revolution. The points pertained to the independence of Hungary, including withdrawal of Soviet troops, fulfilment by Hungary of all her obligations as a Member of the United Nations, re-organization of the social and economic order of Hungary on a basis of democratic socialism, and guarantees that the former régime would not be re-established and that lawful justice would prevail. It was expressly stated that the organizations would co-operate not only with the political parties but, in the first place, with the workers, peasants and youth, and with their organizations.

⁵⁸ An illustration of the present official opposition to any idea of multi-party government is offered by the speech of István Dobi, Chairman of the Presidential Council, in the Hungarian National Assembly on 9 May 1957. Mr. Dobi's speech seems to have been aimed at self-exculpation for his role during the uprising.

⁵⁹ *Magyar Közlöny*, No. 99, 8 December 1956.

⁶⁰ The most important of these were the Workers' Councils discussed earlier in this chapter.

694. On the initiative of the Writers' Union, the Revolutionary Committee of the Intellectuals was formally re-established as Revolutionary Council of Hungarian Intellectuals on 21 November under the chairmanship of the composed Zolittán Kodály. The appeal issued by the Hungarian Writers' Union in this connexion read as follows: "The most sacred right of literature and arts which has been achieved in the Revolution is freedom and the right to tell the truth. We shall protect this right and, led by a sense of responsibility towards our people, we will avail ourselves of it and will take part in the future in press work, including the radio, only if its guiding principle is truthfulness and the service of the people. We shall submit this resolution to those organizations of the intelligentsia which signed the joint declaration of 12 November and we will call on them to join us."

695. Representatives of the Revolutionary Council of Hungarian Intellectuals held discussions with the Government about the general situation in Hungary the following day and, on 24 November, issued a new manifesto signed by 110 leading personalities in the cultural life of Hungary, who associated themselves with the "heroes who are pursuing the battle for the freedom of Hungary. We accept all the consequences that our acts or our words may bring upon us: prison, deportation and, if necessary, death." They protested against deportations, re-affirming that they did not seek a restoration of the old social order and would not tolerate a counter-revolution. In conclusion they stated: "Conscious of the truth of our ideals, we appeal to the writers, artists and scientists of the Soviet Union and of the entire world."

696. After the dissolution of this organization, the Writers' Union still carried on. On 12 December, a protest was made against the arrest of several writers and journalists, among them Gyula Obersovszky, who during the uprising had edited the newspaper *Igazság*. In a closed session on 28 December, the Writers' Union, by a vote of 150 to 8, condemned the Soviet intervention in Hungary as "a historic mistake". On that occasion, it was noted that a number of writers were still in prison. The Minister of the Interior answered this appeal in the Christmas issue of *Népszabadság* with the declaration that: "There exist no privileges for counter-revolutionaries whose profession happens to be writing." The silence of the Hungarian writers was considered by the Government to be an act of provocation. In a speech made in Pécs, Minister of State Marosán declared that the Government would break every form of resistance by writers and journalists without the slightest hesitation; the Government had waited long and patiently in the hope that some writers might modify their opinions; the Government's patience was interpreted by some as weakness and the administration would now resort to harsher measures. "All counter-revolutionary, bourgeois, nationalistic and anarchistic tendencies in Hungarian publications would be ruthlessly repressed." The writers should at long last free themselves from the "spiritual terror" of their counter-revolutionary colleagues who were now under arrest.

697. On 17 January, Minister Münnich announced the temporary suspension of the Writers' Union. On 20 January, the inaugural meeting of the Tánesi Circle took place at the former meeting place of the Petöfi Club and was addressed by Mr. Münnich. More writers were arrested and threatened with martial law penalties. In a speech, the Minister of Agriculture declared: "The majority of Hungarian writers have chosen the path of treason." Finally, on 21 April, the Hungarian radio broadcast an announcement by the Minister of the Interior disbanding the Hungarian Writers' Union on the ground that "it has been found that an active group of the Union has used the Writers' Union as a tool for attacking the social order of the Hungarian People's Republic. The Minister of the Interior has therefore disbanded the Writers' Union. Tibor Déry, a resident of Budapest, has been taken into custody by the police on a well-founded suspicion of having committed a crime against the State.

(2) *The Press*

698. Most Hungarian newspaper men who worked for papers of the régime before the Revolution had taken an active part in its psychological preparation and had worked for the Revolutionary press. Consequently, the Kádár Government had radically to reorganize the press. In the first months of the Kádár régime, only a few newspapers were permitted to be published, and therefore most newspapermen were out of work. Those who still had jobs were reluctant to sign their names, and their articles appeared anonymously. A number of newspapermen were arrested for articles written during the Revolution or for participating in discussions of afterwards on ways of ensuring an honest and

free press. The new official organ of the Communist Party, *Népszabadság*, which replaced *Szabad Nép*, seemed somewhat more promising and more colourful than the latter at the start, but it was not well received and its issues were said to have been systematically burned at certain points in Budapest. *Népakarat* continued to appear as the official organ of the National Council of Free Trade Unions.

699. Even the limited freedom granted the newspapers and newsmen in the first weeks after the Revolution did not last. Step by step, Government pressure on the press increased. On 20 December, the Government announced the creation of a state Information Office to control the press and information services.⁶¹ Newspapermen were assured that they would still be free to discuss so-called delicate questions, such as the role of Soviet troops in Hungary, free elections, etc., because the Government wanted to have the opinion of the press and wanted colourful papers. Discussions were even held about the possibility of establishing a Workers' Council newspaper; it was only when all arrangements for this had been settled that the State Office of Information announced that it could not be published. It was suggested that delays in issuing authorizations to start new newspapers or resume the publication of old ones were used as instruments for bringing newspapermen, in need of employment, round to the Government's point of view.

700. At the end of December, authorization was obtained for the publication of a non-political family illustrated called *Erdékes Ujság*; in the beginning it published interesting pictures from Budapest and even from the West, but later its main concern seemed to be the rebirth of producers' co-operatives and the enthusiasm of the miners for their work. Permission was also obtained for the publication of *Esti Hírlap*, a daily paper, which was instructed to publish lively information on everyday life, the theatre and interesting information about the West. On the masthead it was described as an independent political paper, and the first issues were received with great enthusiasm. Gradually the tone of the paper changed, until it became a mere copy of *Népszabadság*. Several of its editors and correspondents fled, and were replaced by reliable Party members.

701. By the middle of February, all semblance of independence of the press was over. Newspapermen were ordered to sign their articles and to pay heed to Minister Marosán's declaration to several correspondents that "Newspapermen should be mindful of the fact that, even while they are writing, they can be arrested". On 19 January, the Journalists' Association, which had expressed solidarity with the Writers' Union, was temporarily suspended.

(3) Youth Organizations

702. After the Revolution, the League of Hungarian University and College Students' Associations (MEFESZ), which continued to meet and to follow an independent line, was strongly attacked by the official press for its attitude during the October events. Attempts were made to neutralize the organization's independence, to intimidate the students by arresting them temporarily and to obtain control of the organization by infiltration. In spite of this, the newspaper *Esti Hírlap* reported on 6 January that MEFESZ had drafted a new programme in which the students endorsed the "socialist order", but were loyal to the Revolutionary ideals of the university students of 23 October; "it is imperative to create conditions for the withdrawal of the Soviet troops from our country as soon as possible; furthermore, parties resting on the ideological basis of socialism should be formed."

703. It was in order to balance the influence of the MEFESZ that the League of Communist Youth (KISZ) was established on 26 February 1957 by the Provisional Central Committee of the Hungarian Socialist Workers' (Communist) Party. The resolution considered the establishment of such an organization necessary in the interest of unity, the furtherance of the education of Hungarian youth and the ensuring of new reserves for the Party. KISZ began to function on 21 March. One of its first acts was to issue an appeal attacking the League of Working Youth (DISZ), as unable to unite the different sectors of Hungarian youth. The appeal added that, before the Revolution, a rather nihilistic and cynical mood had prevailed among the university students. "We must now create a new youth organization which will utilize the experience of DISZ and other Hungarian youth organizations, but will not repeat their

⁶¹ This office was abolished after a few months and its duties were taken over by the Ministries.

mistakes. The main task of KISZ is to serve the cause of building a socialist society in Hungary."

704. In recent months repeated press references have been made to the importance of KISZ, an organization devoted to Communist ideals and reaching both the Hungarian University youth and the working youth. The April issues of *Népszabadság* stated that KISZ was an organization of the dictatorship of the proletariat. In the future, Hungarian youth would be led by Communist youth. Efforts must be made to establish branches of KISZ in factories and universities. Activist meetings of Communist students were held at which emphasis was placed on co-operation between MEFESC and KISZ. "The most important task of KISZ is to take a unified, disciplined and bold stand among the university students, and to organize debates." More attention should be paid to university students and the university council of KISZ should be set up. It was the duty of the young Communists to engage in lively, political activities within the MEFESZ organization. The task of KISZ was to educate true young Communists who would remain loyal to the Party and the people in all circumstances.

705. KISZ, however, seem not to have won much popularity. An article in *Népszabadság* at the end of March discussed the platform of the organization. The author asked "What is worth more—to provide the League with a clear-cut Communist programme, or with a generally worded, non-Communist platform and a name that would conceal our aims, in order to attract to our League both the politically practising and non-practising youth?" The author answered this question by recalling that, since the October events, the Communist nameplate outside the League's headquarters, instead of attracting, had repelled a large proportion of the masses of youth. In spite of that, however, he advised candour and a frank admission of Communist aims, even though this slowed down recruiting.

706. In a speech reported in the press on 29 January, Mr. Marosán stated that the universities were being exploited by counter-revolutionary elements to spread reactionary views. "Youth must be brought up in a spirit of Marxism-Leninism and therefore Marxist-Leninist education will go on in universities." The University of Budapest opened its doors again in February, and the Minister of Education broadcast an appeal concerning the re-opening of all Hungarian universities. The Deputy Minister for Education, who, at the same time, was a member of the Executive Committee of the Communist Party, added another declaration to the effect that universities would be closed again at the first sign of any disturbance. Students who had caused difficulties would be dismissed immediately and those who instigated disturbances in the future would no longer be considered merely to have been led astray. He added that there had been no decision to abolish the teaching of Russian, which would continue to be compulsory in schools.

707. There is evidence that the Government is not satisfied with the attitude of the young people of Hungary. In his speech to the National Assembly of 11 May, Mr. Kádár commented on the behaviour of the youth of the country during the October events. The lesson to be drawn according to him, was that life must be pictured for the young people in all its grimness and not in idealized terms. Young people were too inclined to be idealistic, anyhow. Their faith in popular democracy and socialism was emotional and sentimental, rather than intellectual. No one told them the truth that the true socialist society did not exist and that it was only in the process of being born with much pain amidst great struggles, trials and tribulations; the result was that the youth of Hungary had suffered an overwhelming disillusionment. For the future, their elders should refrain from using superlatives, in order to ensure against a repetition of what had happened in October, when the children of the working class had gone over to the side of the counter-revolution and fascism. Mr. Kádár was not insensitive to the appeals to show patience and humanity, such as one member of Parliament had mentioned. He stressed the necessity for tempering patience with severity toward the guilty. Not all of the 170,000⁶² young people who had emigrated from Hungary in the confused days after October were enemies of the people; still, in view of the great number of dead on both sides, those who were guilty must be dealt with severely "because the life of the nation is dearer to us than anything else".

⁶² According to figures released by the Office of the United Nations High Commissioner for Refugees, the total number of refugees who had left Hungary for Austria and Yugoslavia up to 30 April 1957, amounted to 193,216 (U. N. H. C. R., Reference Service, No. 1, May 1957).

III. CONCLUSIONS

708. Representative government does not exist for the time being in Hungary. In the interval between 23 October and 4 November 1956, the voice of the Hungarian people was heard in organizations which appeared or reappeared in the climate of freedom which spread through the country in those ten days. Contrary to what might have been expected, the voice that spoke through these organizations was harmonious, rather than discordant. The Committee has no doubt that this was the expression of the will of the Hungarian people and that the organizations of workers, of farmers, of writers and of youth were representative of the Hungarian people.

709. After the installation of Mr. Kádár as Prime Minister, the workers, the peasants, the intellectuals, and the young people continued to speak through the organizations which had spoken for them during the Revolution. The Kádár régime was hostile to the recognition of these organizations as representative of the people. The gestures of conciliation, the discussions of enlargement of the Government, the seeming concessions to demands in various fields, appear in retrospect as a sparring for time to grow in strength and to pick off these organizations one by one. In earlier pages it has been shown how the Government cut back the scope of activity and the powers of the Workers' Councils step by step, how it provoked them by arresting their chairmen and many of their members, and how there followed a protest strike which the Government utilized to outlaw the Greater Budapest Workers' Council and all Workers' Councils above the factory level. Worker guards in the factories were disarmed.

710. The workers were co-ordinated politically in the factories themselves, when the role of their Councils was progressively reduced, while Communist Party functionaries came in to organize Party cells over workers' protests. Capital punishment has been made applicable to strike activities.

711. The same methods were used against the non-Communist political parties and their representatives. The Social Democratic Party, which had emerged again at the end of October for a few days of independence, was liquidated by the Communist Party, whose spokesman declared its existence to be a danger to the Hungarian State. The press has regressed to the pre-revolutionary level. Newspapermen have been officially reminded that the Minister of the Interior is looking over their shoulder as they write. Yet the allegiance which the Government is able to command from the intellectuals is so meagre that it has had to disband their organizations.

712. In early November, according to Mr. Kádár, there were few candidates for the portfolios in his Government. The political victories of the Kádár régime since then have not succeeded in restoring even its Communist support to the pre-revolutionary level. Despite this, the Government has put off for two years a national election and continues with a pre-revolutionary legislature. At the National Assembly which was held on 10-11 May, speaker after speaker, with hardly an exception, rose to echo the official line of the Government and brand the October events as a "counter-revolution". Each promised to follow the Government's policy in the future. The prolongation of the National Assembly mandate for two years has deprived the Hungarian people of the exercise of their political right, that of participating in the function of government through elected representatives of their own choice. Parliament has played a central role in the political history of the Hungarian people. It is significant that during the events of October 1956, the Government of Hungary was carried on from the Parliament Building. The Parliament is now being made a subordinate agency of the Government and the Communist Party.

CHAPTER XV. DEPORTATIONS

A. INTRODUCTION

713. Few aspects of the uprising have been the subject of more conflicting reports than that of the deportation of Hungarians to the USSR. The attitude of Mr. Kádár's Government in this matter has been equivocal. On 18 November, the Government issued a communiqué which was broadcast by Radio Budapest stating that false and "provocative" panic rumours were being spread by hostile counter-revolutionary elements that arrests were taking place in Hungary and that young people and others were being deported to the Soviet Union. The communiqué explained that in the interests of the working people, the authorities had been obliged to render harmless counter-revolutionaries, terrorists,

anti-social instigators, armed bandits, thieves, and other common criminals. Arrest were being made, the communiqué added, but none of those arrested had been deported from Hungary.⁶³

714. Other stations subject to Soviet control also broadcast statements denying the reports of deportations. Thus on 21 November, Radio Pécs called on the population not to believe the rumours of deportations. It assured the people that no one was being taken out of the country. The following day, Radio Szombathely, after mentioning that students had refused to go to school on account of the reports of deportations, asserted that such rumours had been proved untrue and that the students had nothing to fear.

715. On 19 November, at the 582nd meeting of the General Assembly, a communiqué was read aloud by a Hungarian delegate, and distributed on the same day to delegations, announcing that no deportations had taken place.⁶⁴ On 22 November, the official newspaper *Népszabadság* reported a similar statement which was said to have been made by Ferenc Münnich, Minister of the Armed Forces and Public Security affairs, who added that the Hungarian Government had asked the Soviet Military Command to turn over all arrested persons to the Hungarian authorities.

716. These assurances did not prove sufficient to calm popular fears and indignation. There is evidence that delegations from Workers' Councils and Revolutionary Councils protested against the deportations both to Mr. Kádár and to the Soviet Military Command. Thus, on 15 November, Radio Budapest announced negotiations between a delegation of the Central Workers' Council of Greater Budapest and Mr. Kádár. In reply to questions by the workers, Mr. Kádár was said to have declared that "agreement had been reached with the competent Soviet authorities that no one would be taken out of the country". Similarly, a statement by the Hungarian Writers' Union read over Radio Budapest on 22 November disclosed that on 20 November a delegation of the Writers' Union had called on the Soviet Military Headquarters to discuss the question of arrests and deportations; representatives of the Hungarian police had also attended the meeting. According to the statement, the Soviet and Hungarian authorities had assured the delegation that no one had been taken out of the country or persecuted for taking part in the uprising.

717. On 3 December, Western correspondents reported that, in the course of an interview in Budapest, István Szirmai, Chief of the Hungarian Government Press Department, had admitted that "there were isolated cases in the first days of chaos after 4 November when the Russian authorities arrested and deported young people. However, when the Government was stabilized, it intervened and all persons deported were returned."⁶⁵ However, on 4 December, the East Berlin Radio ADN announced that Mr. Szirmai had denied having told the Western correspondents that there had been cases of deportation of Hungarians to the USSR. "In stating the correct facts," the broadcast said, "Mr. Szirmai pointed out that, when he was asked by the correspondents whether there had been deportations, he had replied: 'There have been no deportations from Hungary, and consequently your previous reports do not correspond to the facts.'"

718. Meanwhile, leaflets issued by the resistance groups and newspaper articles published in Hungary had continued to make reference to deportations that were alleged to be going on. On 16 November, the Debrecen paper, *Napló*, published an article stating that public opinion had been agitated by the news that people were being carried through Debrecen in closed wagons towards Záhony, on the Russian frontier. It added that it had been announced "officially" that such occurrences would not take place in the future and that measures had been taken for the immediate return of the wagons in question. On 18 November the newspaper *Szabolcs Szatmármegye Népe* reported that a special commission set up by the Committee of the Socialist Workers' (Communist) Party of the County of Szabolcs to investigate deportations had established that "on 14 November at 3 p.m. a train composed of six wagons had carried Hungarian prisoners across the Hungarian frontier." The article continued that the Committee immediately contacted János Kádár and told him that no Hungarian, not even those who had participated in the uprising, should be deported from Hungary.

⁶³ For the text of the communiqué, see A/3367.

⁶⁴ A/3367.

⁶⁵ A text of this report appeared in the following newspapers: *Manchester Guardian*, 4 December; *The Times* of London, 4 December; *News Chronicle*, 4 December; *Daily Telegraph*, 4 December; *Daily Mail*, 4 December; *New York Times*, 4 December and *Le Monde*, 4 December.

719. Leaflets were circulated in Budapest containing what purported to be accounts of deportations. One such publication entitled *Magyar Október* (Hungarian October) dated 15 November 1956 declared that people living near the Western Railway Station in Budapest could hear hammering on the freight cars and that freedom fighters who escaped said that hundreds of captured fighters had been packed into freight cars. Near the Soviet frontier, a wallet was said to have been thrown from a train bound for the USSR. The wallet was alleged to have contained a list of names of Budapest youths who were being deported to the Soviet Union.

B. INVESTIGATION BY THE COMMITTEE

720. Faced by this conflicting evidence, the Committee set out to make an objective and dispassionate study of the facts of the case. On 14 January 1957, the International Commission Against Concentration Camp Practices transmitted twenty-two signed depositions regarding deportations. While none of the refugees who had signed these statements had actually been taken to the USSR, several declared that they had been liberated from trains moving eastwards and, as they assumed, to the Soviet Union. Neither these statements nor any other written evidence in the Committee's possession at the outset was felt to justify it in adopting the attitude either that deportations had, or had not, occurred. As the Committee proceeded with its investigation, it found that the witnesses questioned on the subject seemed convinced that deportations had taken place. Some told of relatives or friends who had allegedly been deported. It was said that lists of names and addresses and appeals for help by those being deported had been thrown from trains moving eastwards and picked up. Students were declared to have visited the addresses in question and to have confirmed that members of the household had disappeared. Other witnesses claimed to have some first-hand knowledge of the deportations, such as seeing sealed trains on their way towards the frontier. None of these first witnesses, however, had themselves been deported and the Committee was still not prepared to voice an opinion based on hearsay only.

721. After a while, however, the Committee had the opportunity to hear several witnesses—seven men and boys, and one young girl, a first-aid nurse—who had actually been deported to the Soviet Union after the events of 4 November 1956. One of these witnesses had succeeded in escaping from a Russian prison. The others, for various reasons, had been returned to Hungary. Several other refugees offered to testify before the Committee about their deportation to the USSR, but the Committee was unable to hear them. The Committee also heard a number of witnesses who had been placed in deportation trains or trucks moving towards the Hungarian-Soviet frontier, but who had been liberated by Hungarian railway workers or freedom fighters. Other witnesses had participated in such liberation activities, and described how they had stopped trains or trucks and freed the prisoners.

722. The Committee subjected all these witnesses to searching cross-examination. As a result of its study of their testimony, and other evidence confirming it, it reached the conclusion that, beyond doubt, deportations to the USSR had indeed taken place, and had taken place in considerable numbers. It was satisfied that the circumstances in which these deportations had occurred were, in general, as described by the witnesses. The official statements denying that any deportations had occurred in Hungary are therefore not in accordance with the facts. These deportations may be regarded as an effort to undermine potential opposition within Hungary.

C. SEIZURE OF DEPORTEES

723. According to the evidence, deportations of Hungarian citizens of the Soviet Union began in the period following the second armed intervention by Soviet forces. The number of such deportations appears to have been particularly large during the three weeks following 4 November. Witnesses said that, on some days, in the middle of November, several trainloads of deportees left Budapest. Deportation trains are said to have arrived in Russia as late as mid-December, and some Hungarians are alleged to have been deported even in January 1957. The largest number of deportees seems to have come from the provinces, especially from the eastern part of Hungary. Witnesses testified that they had seen deportees in Soviet prisons from such towns as Karcag, Szombathely, Győr, Kecskemét, Miskolc, Debrecen, Nyiregyháza and Veszprém.

724. In Budapest itself, most of the early arrests were made in a haphazard

manner. People were rounded up in the streets in groups that ran into hundreds and sometimes included elderly people and children. According to witnesses, the general practice was to close off part of a street by stationing a tank at each end. Anyone found within the area was taken away. One case was reported where fifty people were liberated from a number of trucks, after which the Russian soldiers immediately arrested fifty other people in their place. Some people were seized in centres of resistance, such as the revolutionary barracks taken over by Soviet troops. Others were taken in house-to-house searches by teams of Russian soldiers and former AVH agents, after the fighting had subsided. In the provinces, few were arrested in the streets, but large groups of students, workers for freedom fighters were sometimes arrested together. In some cases, the entire Revolutionary Council in a town or the whole Workers' Council in a factory would be seized.

725. The prisoners were collected in trucks or Soviet armoured cars and generally taken to political prisons or to other assembly places. Witnesses described how, in Budapest, groups of 400-500 people were assembled in underground halls at the Eastern and Western Railway Stations. On 6 November, according to a witness, ninety men and eight women were kept in a Budapest church for three days before being taken to a deportation train. Some prisoners were held captive in the military barracks, such as the Kilián and Petöfi Barracks in Budapest, and then transported to Vecsés, a railway station south-east of Budapest. Prisoners were searched for weapons, questioned and any valuables or papers in their possession were confiscated. In some cases, it appeared that their shoes and top clothing were taken away. Sometimes, prisoners remained at the places of detention up to four days or longer, after which they were taken to heavily guarded trains or trucks.

726. Most of the trains bearing deportees to the Soviet Union went through Záhony, the frontier station between Hungary and Soviet Union, but deportation trains are also reported to have crossed into Romania. The Committee, however, has no conclusive proof that any Hungarians were taken to Romania, apart from those who accompanied Mr. Nagy. Trains bound for the USSR took either the Cegléd-Szolnok-Debrecen-Nyiregyháza line, or that through Gödöllő-Hatvan-Miskolc. Witnesses testified that these trains consisted of sealed freight cars or cattle trucks. There were usually from 20 to 35 wagons on each train, although sometimes there were less. These trains carried nothing but deportees, from 30 to 70 in each wagon. During the journey, the captives received scant supplies of food and there were no adequate sanitary facilities. Men and women all travelled together. Each wagon was guarded by Soviet troops and the engine-drivers were Russian.

727. Many of the prisoners threw from the trains hastily-scribbled notes appealing for help and giving their names and addresses, so that their families could be notified. These messages were picked up by railway workers and other Hungarians, who arranged that as many as possible reached their destinations. One witness told the Committee that, out of seventeen messages thrown out of a train by himself, no fewer than eight reached his family.

728. After a while, the Soviet authorities experienced difficulty in running deportation trains as far as the frontier, since railway workers went on strike and freedom fighters were sometimes able to stop the trains and liberate prisoners. In some places, as happened on 15 November outside the frontier station at Záhony, the rails were removed from the track. To an increasing extent, therefore, the Russians began to make use of trucks. One witness testified that he and 150 other people had been taken from the town of Veszprém in western Hungary to the USSR in seven trucks, each guarded by four Russian soldiers. Another witness reported that he, together with eight others, had been taken to the Soviet Union from the city jail at Nyiregyháza, near the Russian border, in two Russian Red Cross cars. In one case a witness stated that the deportees were forced to travel, in bitterly cold weather, without coats in open trucks.

729. When the freedom fighters stopped a deportation train, by removing the rails or by setting the signals, heavy fighting usually took place before the captives were liberated. In one case, however, the Russian guards fled without fighting. One of these liberation exploits took place while the train was still in a Budapest station, while the Committee also heard reports of the liberation of deportees close to the Russian and Romanian frontiers.

730. Most of the deportees were captured by Soviet troops, but some were seized by former members of the AVH. Some witnesses stated that, while being held in Hungary, they had been physically maltreated on a few occasions by Russian soldiers, but particularly by members of the AVH. Some were

submitted to lengthy interrogation by AVH agents during which they received harsh and inhuman treatment. One witness reported that, before being taken to the USSR, he had been beaten by an AVH officer, until he signed a confession that he was a counter-revolutionary. Those who were found to be carrying arms were beaten; often they were not given food and were threatened with execution. In some cases, a pretence was made that execution was imminent. One witness was placed against a wall by soldiers, who then fired all round him. Witnesses testified about several cases in which women were abused. One witness was told by the soldiers that he would be sent to forced labour in the USSR, while others were told that they would be sent to Siberia. It is noteworthy that witnesses stated that, with a few exceptions, they had been much better treated by Soviet officers and soldiers after they arrived in the USSR, where there were fewer troops of Mongolian origin.

D. EXPERIENCE OF DEPORTEES IN THE USSR

731. The eight witnesses who stated that they had actually been deported were all taken at first to a prison in the town of Uzhorod,⁶⁶ in the Transcarpathian region, about 25 kilometres from Záhony, the frontier town. Other deportees were reportedly taken to the prisons of Mukacevo⁶⁷ and Kolomea in the same district. The prison in Uzhorod had been built at the time when the area was part of Czechoslovakia. It had been emptied of its former prisoners to accommodate the deportees, the first of whom seem to have arrived on 7 November. One witness said that it was already crowded by 10 November. One said that forty-two people were confined in a room large enough for about fourteen and one witness was locked in a room with other people, in which there was not enough space to lie down. According to the guards, Uzhorod was a place of assembly, and trains carrying deportees went further eastwards, while more deportees arrived from Hungary. It was estimated that the prison, after it was filled up, held at least 2,000 persons, all of whom were believed to be Hungarian.

732. In general, the treatment given to deportees in the Soviet prisons was better than that in the Hungarian prisons. The building used for their detention at Uzhorod is of modern construction. Food and general conditions improved, and were much better at the end than in the beginning. Deportees were not tortured, nor were they obliged to do forced labour. Some of the prisoners were confined to individual cells. One witness said that many of these were students and other intellectuals, who were considered to be a dangerous influence. Others were divided into groups and placed in collective cells, men and women being separated. They were taken from the cells only for interrogation or for exercise in the prison yard. Witnesses testified that the Russian guards, many of whom spoke Hungarian, showed sympathy and friendliness towards the prisoners. The Committee was told that Russian people employed in the prisons of Uzhorod and Stryj smuggled messages into the prisoners' cells, which gave them encouragement and news of what was happening in Hungary. Some of them also forwarded letters from the prisoners to relatives and friends. The guards and prison personnel also gave them news about the situation in Hungary and in the USSR. Thus, they learnt that students had been demonstrating in Leningrad and Kiev. According to witnesses, some of the deportees who were sent to the prison at Stryj were told by the guards that a large number of Polish prisoners had recently passed through the prison, and one witness stated that he had seen the words "Poznan 1956" carved on a bench in one of the cells.

733. Witnesses testified that teams of Russian officers and members of the Russian secret police, NKVD, interrogated the prisoners both at Uzhorod and Stryj. In some cases, the interrogation was conducted only by members of the secret police. Apart from routine questions on their personal history, the prisoners were repeatedly asked about their activities during the uprising. In the opinion of the witnesses, the principal purpose of the interrogations was to obtain information about the causes and organization of the uprising, about foreign assistance the Hungarians were thought to have received and about conditions in Hungary before the uprising. It was the impression of the witnesses that the interrogations were not aimed at determining the guilt or inno-

⁶⁶ Hungarian: Ungvár.

⁶⁷ Hungarian: Munkács.

cence of individual prisoners, but rather at finding out why the Hungarian people rose in arms and how they had succeeded in doing so. Prisoners asked several times why they had been deported and under what law they had been brought to the Soviet Union. The answer was always that the Kádár Government had asked the Soviet authorities to take this step.

734. There were women among the prisoners. The majority of deportees were young people, many of them not more than sixteen and some even younger. There were also some elderly persons, one a sixty-two-year-old farmer, who did not know why he had been deported, another a sixty-seven-year-old leader of the Independent Smallholders Party. The majority of the deportees in the prison seem to have been soldiers or freedom fighters. There were said to be a number of high-ranking officers and, among these, some members of the delegation which had been arrested with General Maléter, the Minister of Defence, at the Soviet Army Headquarters, at Tököl, on the night of 3 November. These officers had been brought to Uzhorod by plane. Many of the prisoners were workers and some witnesses estimated that about 20 per cent were students. The Committee received the names of a number of Hungarians whom witnesses declared that they had seen personally in Russian prisons, but the Committee feels obliged not to make these names public. Among them were members of Parliament, high-ranking officers, professors and members of Revolutionary and Workers' Councils from various parts of Hungary. Included among these names submitted to the Committee was that of the stationmaster of one of the Hungarian frontier towns.

735. According to the witnesses, when the deportees arrived at Uzhorod they were usually photographed, full face and profile, and they underwent preliminary interrogation. They also received various injections and, in some cases, all hair was shaved from head and body. The guards told them that this was in preparation for their journey eastwards. One witness explained that his group was placed in a train heated by stoves. The group was told that they were going to an extremely cold area and that they would receive food and water only every second day. However, this train went no further than Stryj, some 136 kilometres from Uzhorod, and the Committee has no evidence that deportees were taken beyond this point. Russian guards told the deportees that they were held up because the students in Kiev were demonstrating; other trains carrying prisoners, they declared, had already passed through to the east. Some of the other witnesses were also taken to the prison at Stryj.

736. Of the eight deported witnesses questioned by the Committee, one had succeeded in escaping with five friends. The other seven witnesses had been returned to Hungary between 19 November 1956 and 5 January 1957. It was not always clear why these particular prisoners had been repatriated. One, however, was returned in a group of thirty young people all, with one exception, under sixteen. Another witness was a member of a Revolutionary Council in a town of Eastern Hungary. He was sent back with all the members of the Council, because the workers in that area went on strike, demanding their return. Some witnesses believed that their release was connected with the protests against deportations in Hungary itself and the discussion of this matter in the United Nations. The witnesses were sent home in small groups and mostly by truck. After their return to Hungary, they were kept in Hungarian prisons for periods varying from a few days to several weeks. They were interrogated by the recreated state security police and, in some cases, roughly handled before being released. Their decision to escape from Hungary arose from the fear of further arrest.

E. ADMISSION OF DEPORTATIONS BY SOVIET AUTHORITIES

737. It has been seen that rumors of the deportations were current in Hungary soon after the second Soviet intervention. During November, reports of such deportations became very numerous and a demand that deportations should cease was one of the conditions made by the workers for ending the strike. As was mentioned above, on 20 November the Hungarian Writers' Union sent a delegation both to the Ministry of the Interior and to the Russian Command in Budapest. One of the members of this delegation testified to the Committee that the Soviet Military Commander, after admitting that one trainload of deportees had been sent to the Soviet Union, tried to persuade the delegation to have the Writers' Union intervene with the workers to end the strike. The witness stated that the Writers' Union decided to give in to what he described as "blackmailing tactics", since the writers felt that everything should be done

to help those already deported and to put an end to deportations. An agreement was, therefore, made by which the Writers' Union was to try to persuade the workers to end the strike, while the Soviet authorities promised to seek the repatriation of individual deportees about whom the Writers' Union could give information.

738. One witness, a professor in Budapest, testified that he and his colleagues had made several efforts to secure the repatriation of a number of students. According to this witness, Lieutenant-Colonel Sidorenko, of the Soviet Central Military Command, at first denied that the Russian authorities had given orders to deport anyone. If such a thing had happened, it must have been an individual action. The witness then handed him a list of names thrown from a deportation train and also told him of several fourteen- and fifteen-year-old children who had recently been brought back with heads shaven from Uzhorod and Kolomea in the Soviet Union. Lieutenant-Colonel Sidorenko then admitted that deportations had taken place, but he said that their object was to get the students away from the scene of fighting and that, once order had been restored, they would be sent home. This same witness told the Committee that he had pleaded the cause of his students almost daily in the Chief Public Prosecutor's Office. On 21 January, during his last visit before he left Hungary, he was told by the Chief Public Prosecutor that he had himself discussed the matter with the Chief Officer of the NKVD in Hungary, who said that the captives would be handed back to the Hungarian authorities, as soon as their interrogation was finished.

739. Evidence from another quarter laid before the Committee came from an Assistant Prosecutor, who testified that, in November and December, the Chief Prosecutor's Office received hundreds of complaints and a list of names of people seized by the Soviet authorities. The witness and a colleague went to a town in Southern Hungary to negotiate, on behalf of the Chief Public Prosecutor, with the Soviet Commander. The latter at first denied that Hungarian citizens had been captured by Soviet armed forces, until a list of names was put before him. He then said that these people were counter-revolutionaries and that the amnesty announced by the Kádár Government did not apply to them. He refused to hand the people over to the Hungarian authorities, and suggested that the witness and his colleague were themselves counter-revolutionaries.

740. From the testimony of witnesses and from other evidence received, the Committee has reached the conclusion that, since 4 November 1956, deportations of Hungarian citizens to the USSR have taken place in considerable numbers, which cannot be accurately assessed, but which run into thousands. The Committee has no proof that more than a part of the deportees has been returned to Hungary.

CHAPTER XVI. OTHER VIOLATIONS OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

A. PRELIMINARY REMARKS

741. Entrusted with the task of studying "the situation created by the intervention of the Union of Soviet Socialist Republics . . . in the internal affairs of Hungary," the Special Committee, as an organ of the United Nations, directed its attention during its investigations to the effect which the Soviet intervention has had on the rights of the individual. Its examination of the decisive role played by the Soviet armed forces in Hungary in the overthrow of a régime which intended to reestablish political rights and fundamental freedoms has inevitably led the Committee to consider the effects of that foreign intervention on human rights.

742. It will be recalled in this connexion that, so far as Hungary is concerned, an uncontested contractual obligation arising from the Treaty of Peace imposes on that country, without any time limit and without any conditions, the duty to take "all measures necessary to secure to all persons under Hungarian jurisdiction, without distinction as to race, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion and of public meeting."⁶⁸ The General Assembly has already had occasion to be concerned with the application of these provisions. It has, by resolutions

⁶⁸ Article 2.

adopted in 1949 and 1950 (resolutions 272 (III), 294 (IV) and 385 (V)), noted the accusations made against Hungary by certain countries parties to the Peace Treaty and has, in particular, expressed "the hope that measures will be diligently applied, in accordance with the Treaties in order to ensure respect (both in Hungary and in Bulgaria) for human rights and fundamental freedoms" (resolution 272 (III)).

743. In most of the evidence it has collected, and in a large number of official documents, both legislative and other, which it has examined, the Committee has learned of individual cases and situations which can only be regarded as contrary to that obligation and to the meaning, even in a narrow sense, of what can be understood by "the enjoyment of human rights and of the fundamental freedoms." The Committee cannot, however, relate all the violations of rights and freedoms which came to its attention during its investigation. This would increase the volume of the report out of all proportion. Some of these violations have already been mentioned in the recital of incidents given in other chapters. The Committee will therefore deal in the following paragraphs with some of the problems affecting individual rights which could not be examined earlier or which seem to it to be especially serious and significant.

B. HOSTILITIES

744. The war waged by the Soviet Army in Hungary was a war carried on in the towns. During October the fighting was in the form of street battles between garrison troops, using tanks and artillery almost exclusively, and the unprepared revolutionaries, armed with whatever light weapons they could find. Roving through Budapest, or guarding strategic points, the Soviet tank crews had little respite and appeared to be running out of food. On 4 November, there poured into Budapest and other Hungarian towns a better prepared force which came almost entirely from outside the country. By following carefully conceived plans and by using the massive superiority of its numbers and weapons, this force attempted to suppress, quickly and absolutely, all resistance to its aims. During the first intervention, the Soviet Army had shown a certain hesitation and uneasiness and some of its units had not concealed their sympathy for the rebels. In the second intervention, the Soviet units were better disciplined and were composed of less educated troops who were unaware of the aspirations, and sometimes even of the identity, of their enemies. In both cases, however, the evidence collected by the Committee points to many instances of brutality and of cruelty,

745. It would be difficult for the Committee to undertake a detailed analysis of the hostilities in Hungary from the point of view of the limitations with which combatants have to comply in virtue of internationally recognized norms of conduct and, in particular, of conventions such as those concluded at Geneva on 12 August 1949. Regardless of the character attributed to the Soviet military intervention in Hungary, these Conventions, to which both the Soviet Union and Hungary are parties, contain numerous humanitarian provisions for improving the lot of the wounded and sick of land and sea forces and for the protection of prisoners of war and civilians. Each of the four Geneva Conventions contains many provisions relating to declared war and to other armed conflicts between the signatory States and also certain provisions applicable to "armed conflicts not of an international character." Even with regard to the latter type of conflict, the Conventions specifically provide as a minimum that:

"(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed *hors de combat* by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

- (a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;
- (b) taking of hostages;
- (c) outrage upon personal dignity, in particular humiliating and degrading treatment;
- (d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court,

affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

(2) The wounded and sick shall be collected and cared for."

746. The accounts and information collected by the Committee concur in the fact that for the purpose of crushing the Revolution, Soviet tanks moved along the streets of Hungarian towns shooting indiscriminately at armed groups or individuals and at every building from which they believed they were being attacked. In addition to operations of this kind, which could be described as military, there are numerous instances of mortar fire across the Danube from Pest to Buda on inhabited quarters, of artillery fire on buildings from which there was no return fire and of haphazard shooting at defenceless passers-by. By way of example, it was reported to the Committee that twenty to thirty tanks went up and down one Budapest street for about an hour, firing at the buildings until they were completely destroyed. Another incident as told to the Committee was as follows: "On 4 November ten armoured cars came towards our positions at Széna Place by way of the Margit Bridge over the Danube. Their guns were pointed at each side of the street in turn. For one and a half kilometres they fired at each house, destroying a large number and killing many people, including women and children. When they arrived at Széna Place they fired at everything within a radius of one kilometre for several hours, although their fire was not returned."

747. Many witnesses have reported cases where Soviet soldiers shot at queues of Hungarians waiting outside bakeries or other food shops. These incidents, in most of which the victims were women and children, contributed in a special way to arouse public indignation, as did the many cases of shooting at ambulances, Red Cross vehicles and the doctors and nurses in those vehicles.

748. It therefore appears to the Committee that, especially after 4 November, Soviet orders were to crush all resistance by every means that would prove effective. Thus, even at Csepel, the number of "civilian" victims was said to be definitely higher than that of "military" victims. In December, the authorities of the city of Budapest estimate that, in the course of the revolt, 40,000 buildings were damaged, 23,000 seriously, while 4,000 had been completely destroyed. The damage in Budapest was estimated at 700 million forints and business losses at 200 million forints. These estimates were, however, later denied by a report to the Budapest City Council which stated that "the number of partially or completely destroyed dwellings at 40,000 appears to be exaggerated, and a figure of 20,000 appears nearer to reality." On 1 February, the official Central Statistical Office reported that about 20,000 flats were damaged in Budapest, which represents 4.1 percent of the total number of flats in the capital. Some 2,217 were completely destroyed. About 260 million forints were needed for reconstruction of these flats.⁶⁹

749. Among the witnesses questioned by the Committee were doctors, nurses and hospital staff, who complained of having been prevented by Soviet gunfire from assisting the wounded in the streets of Budapest. They did not conceal their indignation in recalling certain cases where Soviet soldiers had entered hospitals and carried off wounded persons whom they suspected of being "freedom fighters".

750. Witnesses also complained of the improper use of the Red Cross emblem by the AVH and the Soviet Army, the lack of respect for the white flag and hands raised in token of surrender. One incident reported related to young boys of thirteen or fourteen years of age who, on meeting Soviet tanks, tore up their shirts to make white flags—a gesture which did not have any effect on the soldiers determined to massacre them. During the first days of the Revolution, many cases were reported where weapons were transported by the AVH in ambulances and other vehicles marked with the Red Cross.

751. With regard to the dispatch of medical supplies and of assistance from other countries, the information which the Committee was able to collect does not enable it to arrive at any definite conclusions. Some of the supplies reached their destination and were welcomed with the greatest satisfaction by the medical corps. Later, when the airports were surrounded by Soviet troops and the frontiers closed, the delivery of these medical supplies was delayed.

⁶⁹ *Népszabadság*, 22 December 1956. *Népakarat*, 1 February 1957.

C. THE REPRESSION

752. In his broadcast of 4 November 1956, Mr. Kádár stated that "the Government will not tolerate the persecution of workers on any pretext, for having taken part in recent events." Other indications were also given by Mr. Kádár and his associates of their intention to follow a lenient policy towards those who had taken part in what was then still called the "popular uprising." But, as related elsewhere in this report, the Kádár Government had neither effective power nor organization and the Soviet Army was in full control. Shortly after armed resistance had ended, house to house searches were conducted for those suspected of having borne arms, by parties consisting of Soviet soldiers accompanied by members of the Hungarian police or by former AVH members; many of those suspected were seized; some shot, some deported, some detained in prison. On 23 November, Géza Szénási, who had become Chief Public Prosecutor on 16 November, announced, according to Radio Budapest that the transfer to the Hungarian authorities of persons detained by the Soviet armed forces had begun. A number of protests were formulated during this period by Workers' Councils, the Hungarian Writers' Union, student associations and other organizations, against the detention of civilians in complete disregard of Hungarian law.

753. With a view to the "restoration of order . . . and . . . personal safety and . . . safety of property . . . endangered by the fact that large quantities of fire arms are in the possession of counter-revolutionary elements, professional criminals, . . .",⁷⁰ a series of decree-laws and decrees was enacted by the Praesidium and the Government, in November and December, to "simplify criminal procedure"⁷¹ and to establish a new régime of "summary jurisdiction" directed against "counter-revolutionary elements, professional criminals, irresponsible trouble-makers and other persons not entitled to possess arms."⁷⁰ The offences subject to "summary jurisdiction" were at first "murder, willful homicide, arson, robbery or looting and any kind of crime committed by the unlawful use of firearms, including the attempt to commit the aforesaid crimes".⁷¹ Then other offences, such as "intentional damage to public utility enterprises or to public enterprises serving the population's vital requirements" and the "unlicensed possession of firearms, ammunition, explosives or explosive material", were added. Failure to report to the authorities the unlicensed possession of firearms by other persons except next of kin was also declared to be a crime to be tried summarily.⁷⁰ For the implementation of the decree-law of 11 December, rules were promulgated by decree of 11 December 1956. By Article 12 of these rules, "legal redress" (*perorvoslat*) against decisions of the courts which had jurisdiction in these cases was excluded.⁷²

754. With the enactment of the decree-law of 13 January,⁷³ the list of offences was further enlarged to include such vaguely defined offences as: "organization against the People's Republic, or against the People's democratic order and associating for this purpose", as well as "revolt" and "treason". The sentence for all such crimes is death, although under this decree-law, the Court, in lieu of the death sentence, may, "having regard to all circumstances of the case," impose a sentence of life imprisonment or imprisonment for five to fifteen years. The decree-law authorizes summary trial before "Special Councils" attached to the Budapest City Court, to county courts, military courts and the Supreme Court. The "Special Councils" are composed of a President, appointed by the President of the Court to which the Council is attached, and "people's assessors", elected for one year by the Praesidium of the People's Republic. Appeals against the decision of Special Councils set up in connexion with county courts are decided by a Special Council of the Supreme Court, composed of two professional judges and three people's assessors.

755. Under the summary procedures for trying offenders, the Public Prosecutor has the power to bring the accused before the Special Council without presenting the charge in writing or in advance. The charge is to be made by the Prosecutor orally at the hearing. The rights of the accused to prepare an adequate defence are therefore very greatly jeopardized. Summary procedures can also be employed in the Supreme Court at the request of the Chief Public

⁷⁰ *Magyar Közlöny*, No. 100, 11 December 1956.

⁷¹ *Magyar Közlöny*, No. 93, 12 November 1956.

⁷² *Magyar Közlöny*, No. 101, 12 December 1956.

⁷³ *Magyar Közlöny*, No. 5, 15 January 1957. Regarding the provisions of this decree-law in relation to certain industrial offenses, see Chapter XIV, paragraph 659.

Prosecutor. It is provided in para. 8 (i) of the decree of 13 January 1957 that its provisions will apply retroactively to crimes committed prior to the date of its coming into force, although the death penalty cannot be imposed with respect to crimes committed before that date.

756. On 6 April 1957, the establishment was announced, for the purpose of unifying "jurisdiction over counter-revolutionary crimes, as well as crimes committed against public order and public security", of a special "People's Judicial Council"⁷⁴ which functions within the framework of the Supreme Court. It consists of a President, who is a judge designated by the President of the Supreme Court, and of four "people's judges" elected by the Praesidium of the People's Republic. The jurisdiction of the "People's Judicial Council" extends to all criminal cases which may normally fall within the jurisdiction of military or non-military tribunals. The Council acts as a tribunal of first degree, if a case is submitted to it by the President of the Supreme Court or if it is brought to it by the Chief Public Prosecutor. It may also be an appellate tribunal for any case decided upon by any other tribunal, if the President of the Supreme Court brings the case before it or if the Chief Public Prosecutor submits an appeal. It is also possible to submit to the People's Judicial Council a request for a re-opening of a case already tried by a court.⁷⁵

757. It should be reported at this point that indications can be found of the reluctance of Hungarian judges and local prosecutors to apply these decrees with the desired severity. Newspapers have complained that in many cases, judges have acquitted offenders who should have been punished. A conference of law court presidents was called in Budapest on 15 February 1957, in the course of which Ferenc Münnich, Minister of the Armed Forces and Public Security Affairs, admitted: "Some judges and courts have been very reluctant to re-sume work. They are evidently under the influence of the principle of the independence of judges, which arises out of the traditions of the legal profession and which was misinterpreted by many people * * *". He threatened: "In the field of jurisdiction I have seen symptoms which, in the circumstances have been neither extraordinary nor surprising, but which I want to be changed as soon as possible. Where we see goodwill, we shall give enlightenment and assistance. But where we encounter an enemy, we shall resort to administrative means". Ferenc Nezvál, Government Commissioner to the Ministry of Justice defined the official position: "The most important task of the court is to defend and strengthen the People's democratic State order, to pass sentence in the spirit of the class struggle—both in summary and accelerated proceedings as well as in ordinary criminal jurisdiction—against subversive counter-revolutionary elements. The courts must take particular care that cases concerning counter-revolutionary crimes are heard before all others". He added: "Correct political orientation is a basic condition of good jurisdiction * * *. In dealing with counter-revolutionary offences, our jurisdiction must be tough, quick and merciless" but judges were fully to observe the principles of "socialist legality" in the discharge of their duties. Géza Szénási, the Chief Public Prosecutor, said, "Legality must fully correspond to the interest of the dictatorship of the proletariat".

758. Other decrees enacted in December and January instituted "public security detention".⁷⁶ Under these decrees, "any person whose activities or behaviour endanger public order, or public security, and in particular the undisturbed continuity of productive work and transport, may be placed in public security detention", for a period not exceeding six months. Detention is ordered by the chief police authority of the county concerned or of the city of Budapest and is subject to the approval of the Public Prosecutor. A "complaint" may be made to the Chief Public Prosecutor against a decision ordering detention. Article 6 of the decree of 13 January 1957 of the Minister of the Armed Forces and Public Security Affairs states: "A person placed under public security detention *may* be given permission for conversation, he *may* receive parcels and letters, and *may* write letters, at least once in every month" subject to supervision by police authority. Article 7 states that "A person under public security detention *may*⁷⁷ be employed for work"; he is to receive, in such a case, adequate remuneration but "the cost of public security detention shall be deducted from his remuneration".⁷⁸

⁷⁴ *Népbírószági Tanács.*

⁷⁵ *Népszabadság*, 6 April 1957.

⁷⁶ *Magyar Közlöny*, No. 102, 13 December 1956; No. 4, 13 January 1957.

⁷⁷ Italicizing of the word "may" by the Committee.

⁷⁸ *Magyar Közlöny*, No. 4, 13 January 1957.

759. A decree published on 19 March 1957 provides that certain "harmful persons dangerous to the State and public security or to socialist coexistence, or causing concern from the point of view of other important State interests" may, by order of the head of the county or the Budapest police, be placed under police supervision or removed from their place of residence to another location, while being placed under police supervision or without such supervision having been ordered. Persons under police supervision may not change their residence without police permission, they must report to the police as prescribed and abide by other restrictions. They may be precluded from (a) leaving their domicile at certain periods of the day; (b) visiting certain public places; (c) using a telephone. These administrative measures may be taken for periods not exceeding two years and are subject to review every six months. Appeals may be lodged with the National Police Headquarters of the Ministry of the Interior.⁷⁹

760. Efforts were made in the official Press and radio to justify these measures and to explain their necessity for the protection of the "people's democracy", public order and economic life against the hidden action of the "counterrevolutionaries". It was indicated that they were temporary and would be applied with moderation. Stress was laid on the exceptions contained in some of the decrees, in cases where minors, sick persons and pregnant women were involved, and on the role of the public prosecutors in their fair application. Radio appeals were also made by several personalities to those who had fled the country. A decree-law of 29 November provided that criminal proceedings on the charge of illegally crossing the frontier between 23 October and the date of the decree-law would not be instituted provided the refugees returned voluntarily to Hungary not later than 31 March 1957.⁸⁰ Nevertheless, newspapers regularly carried reports of trials and death sentences and of some executions, the best known being that of József Dudás, the former Chairman of the Hungarian National Revolutionary Committee and of János Szabó, the former Commander of the armed revolutionary groups of Széna Place. Official statistics of arrests, convictions and executions suggested an attitude of relative mildness. It was announced that by 21 December only six death sentences had been carried out. On 28 January, Dr. Szénási, the Chief Public Prosecutor, declared that up to then there had been only 148 cases of summary trial involving 193 accused, of whom 29 were sentenced to death, 9 executed immediately and 5 executed after their appeal for mercy had been rejected. On 15 February, Mr. Nezvál, Government Commissioner to the Ministry of Justice, stated that since the introduction of summary proceedings, 254 persons had been tried and 208 sentenced, of whom 31 were sentenced to death. The death sentence had been carried out in only 21 cases.

761. However, this official picture of relative leniency and the official data of arrests and executions since 4 November are entirely at odds with the accounts given the Committee by several witnesses, of whom some had left Hungary only recently and others had maintained regular, and apparently reliable, contacts in Hungary. It was reported to the Committee as late as April that Soviet Army and security organs were still conducting their investigations and arrests independently of the Hungarian authorities, although, in some cases, with the assistance of Hungarians. It was said that a large number of persons were still being arrested throughout Hungary. Workers' Council members and other leaders of the revolution had been seized. Executions were reported throughout the country and many pre-printed notices that persons "had been sentenced to death for counter-revolutionary activities and that the sentence was duly carried out" were being sent to relatives of executed persons, whose names were inserted in the printed forms by hand. The Committee has not been able to check this information.

762. A few days after the Soviet occupation of Budapest, measures were taken to reconstitute the police and to create new security organs. On 8 November, the Commander of the National Police issued an order that all regular policemen were to report for duty, and a decree was issued for the creation of special armed groups, the "R" police and others, to assist in the restoration of order. District police headquarters were given instructions to organize armed guards composed of workers, whose task was to restore law and order in factories and in the districts in which those factories were located. Later, the object of the workers' armed guards was declared to be "to support armed forces

⁷⁹ *Népakarat*, 24 March 1957.

⁸⁰ *Magyar Közlöny*, No. 98, 1 December 1956.

which may have to guarantee uninterrupted production and prevent attempts by counter-revolutionaries to regain power". Reports appeared in the Press, however, indicating that there were very few volunteers, and testimony was received of the reluctance shown by the workers to co-operate with the Kádár Government in this respect.

763. A permanent security police was organized under the leadership of Colonel László Mátyás, a former cellmate of Mr. Kádár, in AVH prisons, and stress was laid officially on the significance of this change of leadership. But many of the other members of the new secret police were recruited among former AVH personnel.⁸¹

764. Early in February, branches of the police responsible for defending "public order and security", as well as "State security", were unified. As stated on the radio, "the new unified police has to deal not only with common criminal cases, but also with subversive activities directed from abroad, and all criminal deeds directed against People's Democracies". Efforts were made officially to stress the differences between the new secret police and the AVH. It was stated that "the new police had broken with the methods used by the notorious State security police investigations having a political character." The new guarantees, in this respect, were said to be the powers of the public prosecutors who "regularly supervise" the activities of all police bodies, including all investigations. It was recalled that the independence of the Chief Public Prosecutor was stipulated by the Constitution and that he had the power to examine complaints directed against the work of the investigating authorities, to re-examine all cases and to take legal measures against police officers suspected of violating the law. It was pointed out that detentions, which in common criminal cases could not exceed thirty days and in political cases sixty days, could be prolonged only in very special cases with the consent of the public prosecutors.

765. On 21 April, the *Népszabadság* announced that the Praesidium of the People's Republic had expressed its appreciation and thanks to all members and officers of the police for "defeating the counter-revolution, for the liquidation of the counter-revolutionary bands and for a heroic and devoted stand in the defence of socialism". A new medal was struck "for the power of the workers and peasants" and awarded to those members of the police who had "served with distinction".

766. There is no evidence, however, in the possession of the Committee, which would show that these explanations and assurances have found credence among the Hungarian people or that the Kádár Government's efforts to present itself as different in its methods from its predecessors before 23 October, have met with any degree of success.

767. Thus, the authorities have made every effort to trace and punish severely those who played an active part in the revolutionary events. Searches and arrests are continuing. No one may publicly express an opinion which might be construed as opposed to the régime or to the Soviet occupation. The speeded-up trials do not allow the accused to make adequate presentation of their defence. People are distrustful of judges elected upon the nomination of the Communist Party. They are aware, too, of the re-establishment of camps for political prisoners. They must take into account the threat of eviction from their normal place of residence. Aware of the police surveillance and perturbed by reports of executions, the Hungarian people have a real fear and hatred of the new security police, which they identify with the AVH. Many of the witnesses who appeared before the Committee appealed to the United Nations to exert every effort to have the repression stopped.

D. THE SPECTRE OF THE AVH

768. The Committee was deeply shocked by what it learned from witnesses who told of the sufferings inflicted on the Hungarian people by the AVH. It was struck by the extent of the abuses that could be perpetrated by a police

⁸¹ No formal revocation was made of the decision of 29 October 1956 abolishing "all police organs invested with special rights", as well as the AVH. In various declarations to the public, however, it was stated that the AVH would be disbanded and that political investigations would be handled henceforth by a special department set up within the regular police. It was even stated by Mr. Münnich that past activities of the members of the AVH would be investigated by the public prosecutors' offices and special committees were said to have started functioning for this purpose throughout the country in the beginning of December. The results of these investigations have not yet been made public. There are indications that many of the former AVH personnel have been rehabilitated for lack of evidence against them.

force without control and thus all-powerful, pitiless and unabashed by any shameful act. It realized that the existence of such a body, whose secret power affected every phase of public and private life, prevented the enjoyment of all human rights and perverted the functioning of every independent institution.

769. Some information on the origins of the AVH has been given earlier in this report. Its links with the Communist Party, its recruiting methods and some of the ways in which it operated have been mentioned. Nominally entrusted with the investigation of offences against the security of the State, the AVH devoted itself to the defence of the régime and more particularly of those who were in power. Granted unlimited freedom of action by the régime, it increased the number of its officers and planted its spies and informers everywhere. Through them it penetrated into offices and factories, into apartment houses and schools, into diplomatic posts and into the courts. Its uniformed police guarded important public buildings, and its plain clothes police mingled with the crowds. Acting without any outside supervision of any kind, its members became a privileged group with important material advantages. Separated from the rest of the population by a wall of hate, they became a state within the State and a group apart, dedicated to control of the people by terrorism and oppression. During the days of October and November, the horrified revolutionaries discovered in the AVH headquarters files containing "blacklists" with information and reports on almost every inhabitant of the country, countless recordings of telephone and private conversations, and also "perfected" types of torture chambers.

770. Many witnesses who appeared before the Committee had at one time or another been victims of the AVH. A good number of the Communist leaders themselves were, as is well known, the victims of AVH brutality, at times when doctrinal disputes or personal rivalries cut them off from those in power. What was the meaning of the word "torture", which runs throughout the evidence? The verbatim records of the Committee's meetings contain appalling descriptions which the Committee would have hesitated to publish in their entirety, even if the necessity of protecting the families of the witnesses had not been an obstacle.

771. Besides the examples of brutality and degrading forms of treatment causing unspeakable physical suffering, numerous "psychological" methods were used, such as mock executions, threats to families, interminable waiting by prisoners in inhuman conditions aimed at crushing their spirit and drawing a confession from them. The following extracts of testimony given to the Committee will throw some light on this subject.

772. The chairman of one of the Workers' Councils gave the following testimony:

"* * * they took me to a prison, chained my right hand to my left foot, and left me in a dark cell about three metres square. There was no heating, and this was in the middle of the winter of 1950. For clothing I had nothing but a shirt, an undershirt, a pair of shorts and a pair of shoes, and I was left in chains in that hole. I was there for twenty-four hours when I was given a little piece of bread, about twenty decagrams. It was so dark I did not know what the time was and I could not move because, if I did so, my wrists and ankles bled. I had to freeze and starve. Then they took me up to a solitary cell on an upper floor, where I got the regular prison fare and it was not dark and I was not in chains. After twenty-four hours of that, they took me down again and the whole performance was repeated * * *."

773. A mechanic reported as follows:

"When I was interrogated in the AVH prison and during the hearings I was subjected to two kinds of torture. One was physical and consisted of knocking out all my teeth. I was also starved. For six and a half months I was in a concrete cell, where I had no opportunity to wash myself or keep myself clean. I had one thin coverlet. While the accusations against me were being prepared, I was left there and their psychological weapon was the continual threatening of my family. They tried to use hypnosis on me and they staged a mock execution in the courtyard, using blank shot. This was done in an attempt to break down my resistance and make me sign a false confession. Under this treatment I lost weight and in the middle of December weighed only forty-six kilos."

774. A former university professor, an official and a member of the Communist Party declared:

"... During the first three days I was left completely alone. Everything was taken away from me and I was put in a cellar. For three days I was banging at the door and was shouting 'What is this? What do they want of me? A

colonel whom I had known called me out (he had returned from Moscow in 1946). He told me to confess that I was a traitor. He did not at that time detail the accusation From . . . 1949 until October of the next year, for almost eighteen months, I was completely alone in a cell one and a half or two stories below the ground and about 1.50 to 2 metres in size. Sometimes there was water up to my ankles in the cell. When my health became very bad, they put me in a somewhat better cell and they gave me a little more to eat but, with one exception, I was continuously in solitary confinement. At one time they did put someone in with me for a few days, I think to report and spy on me. Meanwhile hearings proceeded, especially in the first months of my confinement. I was in this cell day and night. There was a light burning in it and I could not tell when it was day and when it was night, except that I assumed that it was daytime when they gave me food to eat

"Later on, it was sometimes during the night that the hearings took place—that is to say when I thought it might be night, as they were not giving me anything to eat, but later it turned out I was mistaken. These hearings from the first moment had a definite tendency. They tried to force me to confess firstly, that I had been the agent of the English. The second accusation was that I was an agent of the Yugoslavs The third accusation was that I was an agent of the French Intelligence The fourth was that the American Intelligence had given me instructions

"It was not physically, but morally, that they were trying to force me to confess to these things. I was not willing to sign such statements. I went through tortures which were milder than the usual physical tortures; this was after the period of great physical tortures. Rajk was arrested in June or July, and by the time they got to my case they had already got no confessions out of most of the people so, as far as physical force went they did not insist too much on it. I would say—and others of my comrades who were also accused would agree with me—that it was not the physical torture which was the most terrible thing at these times, but the solitary confinement—being alone. It sounds somewhat paradoxical, I do not want to say I was glad, but it seemed better for them to take me up and slap me around, because then I could see people, I had some contact with people and I tried to hit back.

"I could live; down below it was a crypt in which I was entombed; there was no life. It is very interesting; several years later I met other people who had gone through the same thing, and who said the same. The beatings were not too important, they did not bother us too much, in a way we could be amused, it was a diversion. I must say they did not achieve any real results with physical beatings. They admitted later at the hearing of several so-called criminals that this was not a fruitful way of proceeding. . . . If I am a true Communist, they said, I must accept this sacrifice for the future. They told me I had joined the Party when it was an illegal movement, a resistance movement at the time of the German occupation, to sacrifice even my life in order to achieve the freedom of my country. This freedom, they said, could be ensured only by the Communist Party, which was having some difficulties at this time, as there were traitors in its midst and even though I might not be one of these, here was my opportunity to help it. At the same time, they said that naturally there was no question of sacrificing my life; they said we would talk this over amongst ourselves and would decide together what the judge would say, and after the sentence they would put me in a villa somewhere without any publicity, and there I could communicate with my family, read, study and, apart from freedom of movement, I could have practically everything.

"If I was not willing to sign this confession I would thereby have admitted that I was not willing to follow the orders of the Party, which was my first duty. I would really prove that I was an enemy of the Party and, against an enemy, the Party was entitled to use strong measures. They said if I did not sign, there were worse prisons and in a week I could be a corpse; but if I did sign nothing bad would happen to me. So that briefly it came to this: after a year and a half I signed the confessions, not thinking whether they were true or untrue. This experience was enough for me to wake up; I finally signed. I did it quite cynically. I thought I could not bear this any more. I did not think I would be put in any very good circumstances or that I could see my family regularly, but maybe they would let me write a letter now and then—after all, they even promised me that. It did not make any difference to me; it was quite possible that, even if I signed, I might perish, they might hang me or sentence me, but, on the other hand, maybe it *would* be better. I would at least see human beings,

if not elsewhere, then at the hearing. So I declared, as I say, with some cynicism at that time, that if the Party wished I would be glad to sign.

"So it happened I was put in much better confinement, I got very good food. There were two weeks to the hearing and they started to fatten me up. They gave me books to read: they promised me that after the hearing I could write to my family. We discussed what kind of sentence the judge was going to give me and what kind of questions he would ask, also what I should answer. They showed me the script and warned me that the judge was a man of poor quality and would probably mix up the questions, but they told me not to bother about that, but just to answer the questions in the way I had been told, that we had agreed upon, and in the proper order, and I should not pay attention to what the judge asked me. It became a burlesque, the whole trial and hearing. The judge really asked other things, and it was quite embarrassing to me sometimes to have to suppress my laughter. He asked one thing, and I answered another. For example, he asked how old I was and I replied that 'Yes, I was an English agent.' This was what had been agreed upon beforehand, and this was the way the whole thing happened."

775. Of what value are confessions obtained under these circumstances? The Party doubtless thought it useful to obtain these confessions by any means available. In the same way, at other times, it had been necessary to obtain confessions from peasants that they had acted as kulaks, or from students that they had conspired with foreign nations or from workers saying that they had sabotaged production in their factories.

776. AVH methods were most brutal between 1948 and 1953, and the experience described above relate primarily to that period. This policy was somewhat relaxed under Prime Minister Nagy between 1953 and 1955. From that time on, it had been difficult to go back entirely to the past. The régime itself had appeared to understand the damage it was sustaining from the uncurbed activities of the AVH. The families of victims and certain prisoners released as a result of political changes, demanded safeguards and wanted revenge. Speaking before the National Assembly on 30 July 1956, the then Prime Minister Hegedüs recognized the need to put the police and security agencies of the State "under close surveillance."⁸² György Non, the Chief Public Prosecutor, pointed out at that time that the responsibilities of his post, which was that of "supreme guardian of socialist law and order" included the security of the State. He had admitted publicly that "several directors of State agencies had misused their powers and had had recourse to moral and physical pressures by means of which they had extorted false confessions of guilt". He referred to their "illegal methods" and to "large-scale squandering of communal property to satisfy their boundless greed".⁸³

777. But despite these statements and declared intentions of reforms, and in spite of relaxations after the autumn of 1955, the Hungarian people continued to be afraid and to nourish feelings of hatred. At the beginning of the October Revolution, it was the members of the AVH who first tried to put down the insurrection with machine-guns and their usual methods of terror and torture. The people's vengeance was turned against them, and it knew no bounds. Their former victims and the children of their victims committed atrocities in their turn. There were lynchings, hangings and shootings, and the pleas of the provisional leaders who were trying to restore law and order, were often ignored. Many members of the AVH found sanctuary in refuges offered them by the revolutionary organizations pending trial according to regular judicial procedure.

E. HUMAN RIGHTS

778. The Hungarian people's need for liberty manifested itself with an extraordinary burst of fervour during the brief revolution in October and November. Witnesses noted the joy shown by students on the afternoon of 23 October when they could march in a procession, undoubtedly for the first time in their lives, without their demonstration being compulsory and without having slogans imposed upon them. Their joyous shouts proclaimed their sixteen-point programme, which called for general elections by secret ballot, recognition of the right to strike, and complete freedom of opinion, expression, press and radio. During the days which followed, this long-suppressed desire to throw off restrictions spread to all ranks of society. Budapest and the rest of Hungary gave expression to this through spontaneous demonstrations, through the newspapers, the tone of which had

⁸² *Szabad Nép*, 31 July 1956.

⁸³ *Szabad Nép*, 1 August 1956.

changed completely, and through the radio stations, which promised henceforward to report "the truth and nothing but the truth". The revolutionary organizations included in their programme the establishing of human rights, and several of them referred to the Charter of the United Nations and some to the Universal Declaration of Human Rights.

779. The Government quickly responded to these expectations. Mr. Nagy stated that his goal was to "carry out the systematic democratization of the country in all aspects, both political and economic, of the life of the Party and the State." Amnesties were proclaimed on 24 and 26 October. On 29 October, the AVH was abolished. On 30 October the one-party system came to an end. On the same day Cardinal Mindszenty was released from prison, and on the next day he was once more granted full freedom to discharge his ecclesiastical duties without any restriction. On 31 October, the new organization of free trade unions proclaimed its independence from the Government and from all political parties and demanded free elections and the recognition of the right to strike. Political parties began to organize and requested free elections as a condition for their participation in the Government. On 2 November, the Ministry of Education ordered that the history books in use in schools should be withdrawn, abolished compulsory study of the Russian language and authorized the reinstatement of religious teaching. There was no doubt that the success of the popular revolution could have restored to the Hungarians the enjoyment of the political rights and fundamental freedoms which the Peace Treaty had been intended to guarantee.

780. The Soviet Army's suppression of the Revolution by force of arms put an end to these hopes. Although Mr. Kádár's initial statements still showed traces of a revolutionary programme, the positions adopted subsequently bore witness to the régime's determination to make no concessions to the demands of the "counter-revolutionaries", for, to use the words of Mr. Gyula Kállai, a member of the Central Committee of the Hungarian Socialist Workers' (Communist) Party, "small concessions would inevitably lead to larger ones". This brings to mind the official attitude with regard to free elections and the multi-party system, as well as Mr. Kádár's statement on 15 November that the workers' power can be destroyed "not only by bullets, but also by ballots".

781. Certain legislative and police measures by the Kádár Government here may be recalled. A decree of 8 December abolished the revolutionary committees and councils. A decree-law dated 14 December prohibited public meetings and parades unless authorized by the police. On 20 December the Government announced the establishment of a State Information Office, which was to exercise supervision over the press and information services. The arrest of members of the executive committee of the Students' Association, of several young university professors and of a large number of journalists and writers was followed by suspension of the activities of the Writers' Union on 17 January and of the activities of the Journalists' Association on 19 January. At the end of January, the National Council of Free Trade Unions met and revoked the decision taken by the Hungarian unions during the revolutionary period to withdraw from the World Federation of Trade Unions. On 29 January Mr. Kádár declared that under the dictatorship of the proletariat the right to strike served no useful purpose. At about the same time, students were deprived of freedom to choose the language which they wished to study, and the right to receive religious instruction was limited to those students whose parents had already entered them in such courses at the beginning of the school year. A decree-law of 24 March provided that all appointments, transfers, or dismissals affecting posts of any importance in the Roman Catholic Church and the Presbyterian and Lutheran Churches, as well as those concerning dignitaries of the Jewish faith, would be subject to approval by the Praesidium. This decree was made retroactive to 1 October 1956. On 6 February a decree-law was issued which increased the penalties for encouraging or assisting persons attempting to cross the frontier illegally. Persons failing to inform the authorities of such offences were themselves made liable to imprisonment for terms of as much as two years.

782. The state of affairs which existed before the events of October is thus being reimposed on the Hungarian people step by step: impossibility of expressing opinions differing from those of the régime; a controlled press and radio, which are forced to carry official propaganda justifying the actions of the Government; denial of the right of assembly and association and of choosing for political, administrative or economic posts candidates other than those proposed by the single Party; control of all artistic expression by injunction and by economic pressure; prevention of any personal scientific contact with the West;

prohibition of free organization for the defence of economic and social interests; an educational system steeped in an imposed doctrine and oriented towards adulation of a foreign country; interference with the work of representatives of religious faiths; and measures to prevent Hungarians from seeking asylum abroad. Any infringement of these restrictions and prohibitions is punished by new penal measures. The Hungarians whom the Committee heard are firmly convinced that their compatriots once more find themselves living under the threat of the concentration camp, forced residence or police surveillance and in fear of losing their means of earning a living.

783. A survey of the situation which prevailed in Hungary before the popular uprising of October 1956 and of conditions in that country since the Soviet intervention makes clear the futility of trying to establish an applicable criterion on the basis of the Universal Declaration of Human Rights. The "common standard of achievement for all peoples and all nations" which the Universal Declaration proposes to hold up before the contemporary world is too far removed from the situation in Hungary today. It is rather in the following paragraphs of the Preamble that the Declaration reveals itself:

"Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

"Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law, . . .".

CHAPTER XVII. CONCLUSIONS

784. The terms of reference of the Special Committee covered a broad field, namely to report to the General Assembly of the United Nations after full and objective investigation, its findings on all aspects of the question of Soviet intervention in Hungary by armed force and by other means and the effects of such intervention on the political development of Hungary. The Committee's investigation, as has been explained, involved the study of copious documentation from various sources and in several languages, as well as the questioning of more than a hundred witnesses, whose testimony fills two thousand pages in the verbatim record. The Committee regrets that the attitude of the Hungarian Government has prevented it from basing its investigation on direct observation in Hungary, as required by the General Assembly resolution.

785. The Committee's findings relate to many aspects of the events in Hungary and are concerned with numerous points of detail that have a bearing on the origin and nature of those events. The report itself embodies the conclusions of the Committee, and these conclusions cannot be readily dissociated from the evidence which is there assembled. A summary of the Committee's findings on individual aspects of the situation in Hungary has been appended to certain of the chapters. It would, however, seem appropriate at this stage to summarize a number of conclusions drawn by the Committee from its study of the evidence as a whole. To the best of the Committee's belief, these conclusions represent the essential facts about the Hungarian uprising which are necessary to an understanding of its nature and outcome. They are as follows:

(i) What took place in Hungary in October and November 1956 was a spontaneous national uprising, due to long-standing grievances which had caused resentment among the people. One of these grievances was the inferior status of Hungary with regard to the USSR; the system of Government was in part maintained by the weapon of terror, wielded by the AVH or political police, whose influence was exercised at least until the end of 1955, through a complex network of agents and informers permeating the whole of Hungarian society. In other respects also, Soviet pressure was resented. From the stifling of free speech to the adoption of a Soviet-style uniform for the Hungarian army, an alien influence existed in all walks of life. Hungarians felt no personal animosity towards the individual Soviet soldiers on Hungarian soil, but these armed forces were symbols of something which annoyed a proud people and fed the desire to be free.

(ii) The thesis that the uprising was fomented by reactionary circles in Hungary and that it drew its strength from such circles and from Western "Imperialists" failed to survive the Committee's examination. From start to finish, the uprising was led by students, workers, soldiers and intellectu-

als, many of whom were Communists or former Communists. The majority of political demands put forward during the revolution included a stipulation that democratic socialism should be the basis of the Hungarian political structure and that such social achievements as the land reform should be safeguarded. At no time was any proposal made for the return to power, or to the Government, of any figure associated with pre-war days. "Facists" and "saboteurs", heavily armed, could not have succeeded in landing on Hungarian airfields which were under Soviet supervision, or in crossing the Austrian frontier, where a closed zone was shown by the Austrian authorities to the military attachés of France, the United Kingdom, the United States of America and the USSR;

(iii) The uprising was not planned in advance. It was the universal testimony of witnesses examined by the Committee that events took participants by surprise. No single explanation can determine exactly why the outbreak occurred just when it did. Communist spokesmen, including Mr. Kádár and the members of his present Government, have recognized the bitter grievances of the Hungarian people before 23 October. They have spoken of a "broad, popular movement" caused by the "bitterness and indignation" of the masses. Two factors would seem to have brought this resentment to a head. The first of these was the news received on 19 October of a successful move by Poland for greater independence from the USSR. This news was largely instrumental in bringing the Hungarian students together in the meetings of 22 October. The second factor was the acute disappointment felt by the people when Ernő Gerő, First Secretary of the Central Committee of the Hungarian Workers' (Communist) Party, in his speech on the evening of 23 October failed to meet any of the popular demands and adopted what was considered a truculent tone towards his hearers;

(iv) Although no evidence exists of advance planning, and although the whole course of the uprising bears the hallmark of continuous improvisation, it would appear that the Soviet authorities had taken steps as early as 20 October to make armed intervention in Hungary possible. Evidence exists of troop movements, or projected troop movements, from that date on. It would appear that plans for action had therefore been laid some time before the students met to discuss their demands. The Committee is not in a position to say whether the Soviet authorities anticipated that the grievances of the Hungarian people, stimulated by events in Poland, could no longer be contained. Signs of opposition were evident before the 23rd; the Hungarian Government had reason to foresee that trouble was brewing. While the evidence shows that Soviet troops from outside Hungary were used even in the first intervention, no clause of the Warsaw Treaty provides for intervention by armed forces of the Soviet Union to dictate political developments within any signatory's frontiers;

(v) The demonstrations on 23 October were at first entirely peaceable. None of the demonstrators appear to have carried arms, and no evidence has been discovered that any of those who voiced the political demands or joined the demonstrators had any intention to resort to force. While disappointment at Mr. Gerő's speech may have angered the crowds, it would hardly of itself have sufficed to turn the demonstration into an armed uprising. That this happened was due to the action of the AVII in opening fire on the people outside the Radio Building. Within a few hours, Soviet tanks were in action against the Hungarians. This appearance of Russian soldiers in their midst not as friendly allies, but as enemies in combat, had the effect of still further uniting the people;

(vi) Obscurity surrounds the invitation alleged to have been issued by the Hungarian Government to the Soviet authorities to assist in quelling the uprising by force. Mr. Nagy has denied, with every appearance of truth, that he issued this invitation or was even aware of it. Since Soviet tanks appeared on the streets of Budapest at about 2 a. m. on 24 October, it would have been impossible for him to have addressed any official message to the Soviet authorities, since he held no Government post at the time when the tanks must have received their orders. An invitation may have been made privately by Mr. Gerő, First Secretary of the Central Committee of the Communist Party, or Mr. Hegedüs, the Prime Minister. The Committee, however, has had no opportunity of seeing a text of such an invitation, or of considering the exact circumstances in which it may have been issued. Until further information comes to light, it would be wise to suspend judgement as to whether such an invitation was issued at all.

Similar considerations apply to the invitation which is alleged to have been addressed to the Soviet authorities before the second intervention on 4 November. Mr. Kádár had remained a member of Mr. Nagy's Government when the latter was reconstituted on 3 November and the Committee is unaware of his having given any recorded indication of his disapproval of Mr. Nagy's policies. Mr. Kádár's movements at this time are not fully known, and he cannot be considered to have substantiated his own claim to have called, in the name of the Government for Soviet help. In any event, there is abundant evidence that Soviet preparations for a further intervention, including the movement of troops and armour from abroad, had been under way since the last days of October. Mr. Kádár and his Ministers were absent from Budapest during the first few days after he formed his Government, and administrative instructions to the people of Hungary were issued by the commanders of the Soviet troops;

(vii) When Mr. Nagy became Prime Minister, he was not at first able to exercise the full powers of that office. Only when the grip of the AVH was loosened by the victory of the insurgents was he able to take an independent stand. By this time, the real power in Hungary lay with the Revolutionary and Workers' Councils, which had sprung up spontaneously in different parts of the country and had replaced the collapsing structure of the Communist Party. Mr. Nagy, though himself a Communist of long standing who had lived for many years in the USSR, invited non-Communists into his new Government, and listened to the demands of various Revolutionary and Workers' Councils. It would appear that Mr. Nagy himself, like the country at large, was somewhat taken aback by the pace of developments. However, seeing that his countrymen were united in their desire for other forms of Government and the departure of Soviet troops, he threw in his lot with the insurgents. By this action, he obliterated the impression which he had created while still under the domination of the AVH, and he became a symbolic figure in the uprising, although he had not instigated it, and was never its actual leader;

(viii) The few days of freedom enjoyed by the Hungarian people provided abundant evidence of the popular nature of the uprising. A free press and radio came to life all over Hungary, and the disbanding of the AVH was the signal for general rejoicing, which revealed the degree of unity achieved by the people, once the burden of fear had been lifted from them;

(ix) There were a number of lynchings and beatings by the crowds. These were, in almost all cases, confined to members of the AVH or those who were believed to have co-operated with them;

(x) Steps were taken by the Workers' Councils during this period to give the workers real control of nationalized industrial undertakings and to abolish unpopular institutions, such as the production norms. These were widely resented as being unfair to workers and also a reflection of popularly suspected secret trade agreements with the USSR, which were said to make heavy demands on the Hungarian economy for the benefit of the Soviet Union. During the days of freedom, while negotiations continued with the Soviet authorities for the withdrawal of Russian troops, attempts were made to clear up the streets of Budapest and life was beginning to return to normal. The insurgents had agreed to amalgamate, while maintaining their identity, in a National Guard, which would have been responsible, with the Army and Police, for maintaining order;

(xi) In contrast to the demands for the re-establishment of political rights put forward during the uprising, is the fact that basic human rights of the Hungarian people were violated by the Hungarian Governments prior to 23 October, especially up to the autumn of 1955, and that such violations have been resumed since 4 November. The Committee is convinced that the numerous accounts of inhuman treatment and torture by the AVH are to be accepted as true. On the evidence, it is also convinced that numbers of Hungarians, including some women, were deported to the Soviet Union and that some may not have been returned to their homes. These deportations were designed to break the back of the revolution. Action taken by the Hungarian people in their spontaneous uprising succeeded in ridding them for a few days of the apparatus of police terror. This democratic achievement of a united people was indeed, threatened by a form of "counter-revolution" and it was to this that it succumbed. However, the "counter-revolution" consisted in the setting up by Soviet armed

forces of Mr. Kádár and his colleagues in opposition to a Government which enjoyed the overwhelming support of the people of Hungary;

(xii) Following the second Soviet intervention on 4 November, there has been no evidence of popular support for Mr. Kádár's government. Mr. Kádár has successively abandoned most of the points from the revolutionary programme which he had at first promised to the Hungarian people. On the central question of the withdrawal of Soviet troops, he has moved from complete acceptance of the nation's wishes to a refusal to discuss the subject in present circumstances. Against the workers, he has proceeded step by step to destroy their power and that of the Workers' Councils. Capital punishment is applicable to strike activities. The processes of justice have been distorted by the institution of special police and special courts and by the ignoring of the rights of the accused. The Social Democratic Party has again been forcibly liquidated. General elections have been postponed for two years. Writers and intellectuals are subjected to repressive measures. The Hungarian workers have shown no sign of support for Mr. Kádár's Government or for the prospect of continuous Soviet occupation. Only a small fraction of the 190,000 Hungarians, mostly young people, who fled the country have accepted his invitation to return. The peasants have reason to be grateful to Mr. Nagy for his attitude towards collectivization of agriculture and forced deliveries of farm produce;

(xiii) In the light of the extent of foreign intervention, consideration of the Hungarian question by the United Nations was legally proper and, moreover, it was requested by a legal Government of Hungary. In the matter of human rights, Hungary has accepted specific international obligations in the Treaty of Peace. Accordingly, the Committee does not regard objections based on Paragraph 7 of Article 2 of the Charter as having validity in the present case. A massive armed intervention by one Power on the territory of another, with the avowed intention of interfering with the internal affairs of the country must, by the Soviet's own definition of aggression, be a matter of international concern.

ANNEX

LIST OF MATERIAL RELATING TO THE PROBLEM OF HUNGARY⁸⁴

A. UNITED NATIONS DOCUMENTATION

1. Documentation of the Security Council and the General Assembly
2. Proceedings of the Security Council and the General Assembly
3. Documentation of the Special Committee on the Problem of Hungary :
 - (a) Records of the proceedings
 - (b) Classified extracts from hearings of witnesses. Nos. 1-2
 - (c) Documentation prepared for the Committee
4. United Nations—Monthly Bulletin of Statistics, April 1957, Vol. XI, No. 4
5. Publications of the Economic Commission for Europe :
 - (a) Economic Survey of Europe in 1955 (E/ECE/235)
 - (b) Economic Survey of Europe in 1956 (E/ECE/278)
 - (c) Economic Bulletin for Europe, Vol. 8, Nos. 1-3, May, August and November 1956; Vol. 9, No. 1, May 1957

B. DOCUMENTS OF HUNGARIAN ORIGIN

6. Documents issued before the uprising
 - (a) *Magyar Közlöny* (Hungarian Gazette). The Official Gazette of the Hungarian People's Republic. Index for Nos. 1-57, 4 January-29 June 1956; 1 June-20 October 1956, Nos. 48-92
 - (b) *Budapest Statisztikai Zsebkönyve* (Statistical Handbook of Budapest) 1956, published by the Central Statistical Office of Hungary, 1956
7. Documents issued by the Kádár Government
 - (a) *Magyar Közlöny*: 12 November-29 December 1956, Nos. 93-106; 5 January-3 February 1957, Nos. 1-15
 - (b) Some official Hungarian statements (4 November 1956-9 May 1957) :
 - (i) Programme of the Revolutionary Workers' Peasants' Government, as announced by Mr. János Kádár on 4 November 1956

⁸⁴ NOTE: This is not a bibliography of the Hungarian Revolution but a list of documentation made available to the Special Committee on the Problem of Hungary.

(ii) Declaration of the Revolutionary Workers' Peasants' Government of the Hungarian Peoples Republic, 5 January 1957 ("Major Tasks")

(iii) Current Problems and Tasks. Resolution adopted by the Provisional Central Committee, Hungarian Socialist Workers' Party, 26 February 1957

(iv) Speech by Mr. Istvan Dobi, Chairman of the Praesidium of the Hungarian People's Republic, before the Hungarian National Assembly, 9 May 1957

(c) Publications of the Central Statistical Office (*Központi Statisztikai Hivatal*) of Hungary:

(i) *Fontosabb adatok az 1956 október-decemberi időszakról* (More important data relating to the period of October-December 1956) Budapest, 15 January 1957—81 pages

(ii) *Statisztikai Szemle* (Statistical Review) Vol. XXXIV, November-December 1956, Nos. 11-12

(d) The Counter-Revolutionary Forces in the October Events in Hungary. Published by the Information Bureau of the Council of Ministers of the Hungarian People's Republic ("White Book") (Vols. I and II)

(e) "Siege of Radio Budapest: 23 October 1956." Articles in *Népszabadság*, 22-28 January 1957 (Translated from Hungarian)

(f) Hungarian Review. Published by the Publishing House *Akadémiai Kiadó*, Budapest. March 1957

8. Hungarian Newspapers

(a) Published before the uprising:

(i) *Hétfői Hírlap* (Monday News) 22 October 1956

(ii) *Irodalmi Ujsag* (Literary Gazette). The organ of the Hungarian Writers' Union. 1955: July 23, 30; August 6; September 3, 10; October 8, 23; November 2; December 24, 31. 1956: January 7, 14, 21; February 4, 25; March 3, 10, 17, 24, 31; April 7, 14, 21, 28; May 5; June 2, 9, 16; August 25; September 1, 8, 15, 29; October 6; November 2

(iii) *Magyar Nemzet* (Hungarian Nation). The organ of the People's Patriotic Front. 20 June 1956.

(iv) *Népszava* (People's Voice). The organ of the National Council of Hungarian Trade Unions. 9 September 1956

(v) *Szabad Ifjúság* (Free Youth). The organ of the League of Working Youth (DISZ). 18 October 1956

(vi) *Szabad Nép* (Free People). The organ of the Hungarian Workers' Party. 30 June-31 December 1955; 1 January-22 October 1956

(vii) *Társadalmi Szemle* (Sovial Review). The scientific organ of the Hungarian Workers' Party. September 1955

(b) Published during the uprising:⁸⁵

A Sziv	3 November
Az Én Ujságom	31 October
Egyetemi Ifjúság	29, 31 October; 2 November
Esti Budapest	27 October
Esti Hírlap	30 October
Győr-Sopron-Megyei Hírlap	1, 3 November
Hétfői Hírlap	30 October
Igazság	30 October; 1, 2, 3 November
Irodalmi Ujság	23 October; 2 November (also French and English translations)
Kis Ujság	1, 2, 3 November
Magyar Függetlenség	30, 31 October; 1, 2, 3 November
Magyar Honvéd	31 October; 1, 2, 3 November
Magyar Ifjúság	3 November
Magyar Jövő	3 November
Magyar Nemzet	26, 31 October; 1, 2, 3 November
Magyar Szabadság	30 October; 1 November
Magyar Világ	1, 2, 3 November
Népakarat	1, 2, 3 November
Néphadsereg	29 October
Népszabadság	2, 3 November

⁸⁵ See Chapter XII, para. 587, footnote 1.

Népszava-----	25, 26, 29, 30, 31 October; 1, 2, 3 November
Reformáció-----	4 November
Szabad Dunántúl-----	1, 2 November
Szabad Ifjúság-----	23, 27, 29, 30 October
Szabad Magyar Rádió-----	31 October
Szabad Nép-----	22, 23, 26, 27, 28, 29 October
Szabad Szó-----	31 October
Szabolcs-Szatmári Néplap-----	23, 24, 25 October
Uj Ember-----	4 November
Uj Magyarország-----	2, 3 November
Valóság-----	1, 2 November
Vasi Hírlap-----	1 November
Veszprémmegyei Népújság-----	30 October
(c) Published after 4 November 1956: ⁸⁶	
Dunántúli Napló-----	5 November; 28-31 December 1956; 13-16, 19-20 January 1957
Esti Hírlap-----	28-30 December 1956; 3-11, 13-17 January 1957
Északmagyarország-----	29-31 December 1956; 3-6, 9-20 January 1957
Fejér Megyei Hírlap-----	16-18, 21 November 1956
Hazánk (Győr)-----	10-26 November; 5 December 1956; 5-15, 17-20 January 1957
Magyar Honvéd-----	22, 23 November 1956
Magyar Ifjúság-----	5, 12 January 1957
Mai Nap-----	16, 19 December 1956
Napló (Debrecen)-----	16 November; 13 December 1956
Népakarát-----	16, 18, 23 November; 6-13, 16-20, 22 December 1956; 3-22 January; 13 March up to date
Népszabadság-----	13-14, 17-18, 20, 22-23, 27, 30 November; 1 December 1956 up to date
Szabad Föld-----	16 December 1956; 13 January 1957
Szabad Nép-----	6, 9, 11 November 1956
Szabad Ózd-----	14 November 1956
Uj Zala-----	13 November 1956
Vasmegye-----	14 November 1956
Vas Népe-----	20, 24 November 1956

⁸⁶ See Chapter XIV, para. 700.

9. Other material of Hungarian origin received from witnesses

(a) Memorandum from "Leaders of the Hungarian liberation forces" regarding the views of the "legal Government of Hungary, held captive by the Soviets and the Hungarian people fighting for freedom"

(b) Written statements by a witness on:

(i) The role of the Hungarian peasants and the Co-operative Movement from 1945 to 1956

(ii) The origin of the Hungarian Revolution

(iii) The Hungarian Army and the AVH between 23 October and 14 December 1956

(c) Memoranda of a witness on:

(i) Hungarian justice, 1945-56

(ii) The situation of members of the Bar

(iii) The situation of workers

(iv) The situation of the bourgeoisie

(d) Statement of a high-ranking engineer on the "economic exploitation" of Hungary since 1948

(e) Photostat copies of documents concerned with the arrest of several witnesses and their subsequent release

(f) Statement by a Hungarian Communist woman on:

(i) Her arrest and treatment in prison

(ii) The disintegration within the Hungarian Workers' Party from May 1956 onwards

(iii) The position taken by intellectuals

(g) Photostat copies of material issued at the outset, or in connexion with, the mass meeting of the Building Industry Technological University students on 22 October 1956⁸⁷ transmitted by a witness

(h) Photostat copy of a leaflet containing 17 demands of the University Youth, issued on 23 October 1956 transmitted by a witness

(i) Manifesto and four other declarations of Hungarian writers issued during the revolution; French translation of the issue of *Irodalmi Ujság* of 2 November 1956; and the issue of 15 March 1957 of the same publication published outside Hungary by the members of the Writers' Union in exile

(j) Protocol drawn up on 31 March 1957 in a camp for Hungarian refugees in Italy on terrorist activities of AVH

(k) Sketches and notes by a witness concerning the losses of Soviet forces between 24-27 October 1956 in Budapest

(l) Memorandum on the discussions which took place on 29 October 1956 at the Hungarian Air Force Command regarding the possibility of bombarding Soviet forces in Hungary prepared by a witness

(m) Statement by a witness on the Office of the Hungarian Chief Prosecutor during and after the uprising

(n) *Ahogy Lehet* (As it could be) (Special number devoted to the Hungarian uprising of a literary and cultural review) Paris, October 1956-January 1957, Vol. III, No. 10; IX, No. 1, Nos. 93-94 (Transmitted by a witness)

(o) Memoranda submitted by a Hungarian journalist on:

(i) "The disintegration of the Hungarian Communist Party"

(ii) Russian troop movements

(iii) "Russian control over Hungary"

(p) Memorandum on the Central Workers' Council of Csepel, prepared by a witness

(q) Memoranda supplied by a witness on:

(i) The origin and role of Workers' Councils in Hungary

(ii) The economic situation in Hungary before the uprising

(r) Leaflets supplied by a witness (Photostat copies of twenty leaflets, declarations, manifestos and memoranda issued in Budapest during and after the uprising)

C. MONITORING REPORTS OF RADIO BROADCASTS

10. *British Broadcasting Corporation (B. B. C.) Summary of World Broadcasts:*

(a) Part I (The USSR)

(b) Part II.A (Poland, Czechoslovakia, Eastern Germany, Finland)

(c) Part II.B (Hungary, Romania, Bulgaria, Albania, Yugoslavia)

Published by the Monitoring Service of the B. B. C., 22 October 1956 up to date

11. *Foreign Broadcast Information Service (FBIS) [USA] Daily Report*

Foreign Radio Broadcasts—USSR and Eastern Europe, 22 October 1956 up to date

12. *A Magyar Forradalom és Szabadságharc. A hazai rádióadások tükrében. 1956 október 23—november 9.* (The Hungarian Revolution and fight for Freedom in the Light of Hungarian Broadcasts. 23 October—9 November 1956)

D. COMMUNICATIONS TRANSMITTED BY MEMBERS OF THE UNITED NATIONS⁸⁸

13. *Australia.*—Report of Mr. Eugene Gorman, Q. C., on the Problem of Hungary

14. *Belgium.*—Note transmitted by the Head of the Permanent Delegation of Belgium to the European Office of the United Nations [Translated from French]

15. *France.*—Report on the Hungarian Revolution (Communicated by the Permanent Delegate of Italy to the European Office of the United Nations) [Translated from French]

16. *Italy.*—Report of Hungarian Events (Transmitted by the Permanent Delegate of Italy to the European Office of the United Nations)

17. *Netherlands.*—Statement on Events in Hungary and the foreign intervention in that country during October and November 1956 (Transmitted by the Permanent Delegate of the Netherlands to the European Office of the United Nations)

⁸⁷ See Chapter X, paras. 439-452.

⁸⁸ See Chapter I, paragraph 28.

18. *United Kingdom.*—

(a) Report on the Hungarian Revolution (Transmitted by the Permanent Delegation of the United Kingdom of Great Britain and Northern Ireland)

(b) Documentation transmitted by the Permanent Delegation of the United Kingdom of Great Britain and Northern Ireland, as annexes to "Report on the Hungarian Revolution":

A. Students' Manifesto of 22 October 1956; B. Translation of article by Miklós Molnár in *Szabad Nép*, 29 October 1956, replying to *Pravda*; C. Translations of broadcast speeches by Cardinal Mindszenty on 1 and 3 November 1956; D. Translations of speeches and declarations by leading Hungarian personalities, 29 October–3 November 1956; E. Translations of Party programmes and announcements, 26 October–3 November 1956; F. Translations of articles and declarations on the neutrality of Hungary; G. Declarations and opinions of Hungarian personalities, 26 October–3 November 1956; H. Translation of *Irodalmi Ujság*, published 2 November 1956; I. Memorandum of Greater Budapest Workers' Council, 6 December 1956; J. Translation of declarations by the Democratic Parties and Revolutionary Organizations of Hungary, 8 December 1956; K. Telegram addressed to Mr. N. A. Bulganin by the Greater Budapest Workers' Council, 15 December 1956; L. Statement of the Hungarian Writers' Union passed at the General Meeting, 28 December 1956.

(c) Cuttings from the British Press from 23 October 1956 to 31 January 1957 (transmitted by the Permanent Delegation of the United Kingdom of Great Britain and Northern Ireland)

(d) Summaries of Hungarian daily and weekly Press:

(i) Relevant issues of the daily Press summary from 22 October 1956 to 3 February 1957;

(ii) Two issues of the fortnightly "Review of Hungarian Periodicals", 21 January and 4 February 1957

(e) Other Memoranda on Different Aspects of the Hungarian Revolt, provided by the Government of the United Kingdom.

(f) Photostat copies of a number of leaflets, declarations and manifestos, issued in Budapest during the revolutionary period and now in the possession of British authorities. Informal translations of a few of these are included. The material is numbered 1–44 and two photostat copies of a list, summarizing the contents of each leaflet, are also included.

(g) Material Published in the United Kingdom:

(i) "Hungarian Tragedy", by Peter Fryer;

(ii) "Hungary and the Communist Party", by Peter Fryer

(iii) "A Handful of Ashes", by Noel Barber

(iv) "The Hungarian Revolution", by George Mikes

(v) "What Really Happened in Hungary", by Basil Davidson

(vi) "Encounter" January 1957, containing an article entitled "Two Wandering Satellites" by Peter Miles

(vii) "Picture Post" special supplement entitled "Cry Hungary"

(viii) "The Hungarian People's Rising", December 1956

(ix) "Hungarian Resistance Continues", January 1957

(x) "Repression in Hungary", February 1957

(The last three items also in French and Spanish)

(h) A set of photographs from an exhibition held in London in November 1956

19. *United States of America*

(a) Chronology of Events in Hungary, 23 October–23 November 1956

(b) Report on the Hungarian Revolution (Background; Chronology of Events; Analysis and Comments)

(c) Monitoring material of the Hungarian revolution of October–November 1956

(d) Appeals and Leaflets:

(i) Appeals of the university students (22–24 October 1956)

(ii) Appeals of Revolutionary Councils: Budapest, 28 October 1956; Győr, 30 October 1956

(iii) Appeals of the Soviet Military Command in Budapest and

Győr, 6-7 November 1956

(iv) Appeal of the World Federation of Trade Unions, Prague, 3 November 1956

(v) Other miscellaneous appeals and leaflets (88 photostat pages)

E. DOCUMENTS OF NON-GOVERNMENTAL ORIGIN

20. Summaries of communications received by the Committee from non-governmental sources

21. Material submitted by the International Commission of Jurists:⁸⁹

(a) Memoranda: (i) Background Material to the Legal Situation in and concerning Hungary; (ii) Hungary and the Soviet Definition of Aggression; (iii) The Hungarian Situation in the Light of the Geneva Conventions of 1949; (iv) Summary Trials in Hungary

(b) "The Hungarian Situation and the Rule of Law". The Hague, April 1957

22. Depositions transmitted by the International Commission against Concentration Camp Practices⁹⁰

23. "Vier Tage Freiheit"—"*Der Kampf des ungarischen Volkes und die Gewerkschaften der freien Welt*" [Brussels, 1957]. Pamphlet transmitted by the International Confederation of Free Trade Unions

24. "On Human Rights in Hungary before the Revolution". Memorandum transmitted to the Special Committee on the Problem of Hungary by László Varga on 12 April 1957, in the name of the Federation of Free Hungarian Jurists in America

25. "*Plainte contre le gouvernement hongrois relative aux atteintes portés à la liberté syndicale*". Text of a complaint submitted by the General Secretary of the International Confederation of Free Trade Unions to the Director-General of the International Labour Office [10 April 1957]

26. Report on Hungary by the Delegation of the World Federation of Trade Unions [23-27 November 1956] [includes in Appendix No. 1 "Notes on an Interview with János Kádár and György Marosán, on 24 November"]

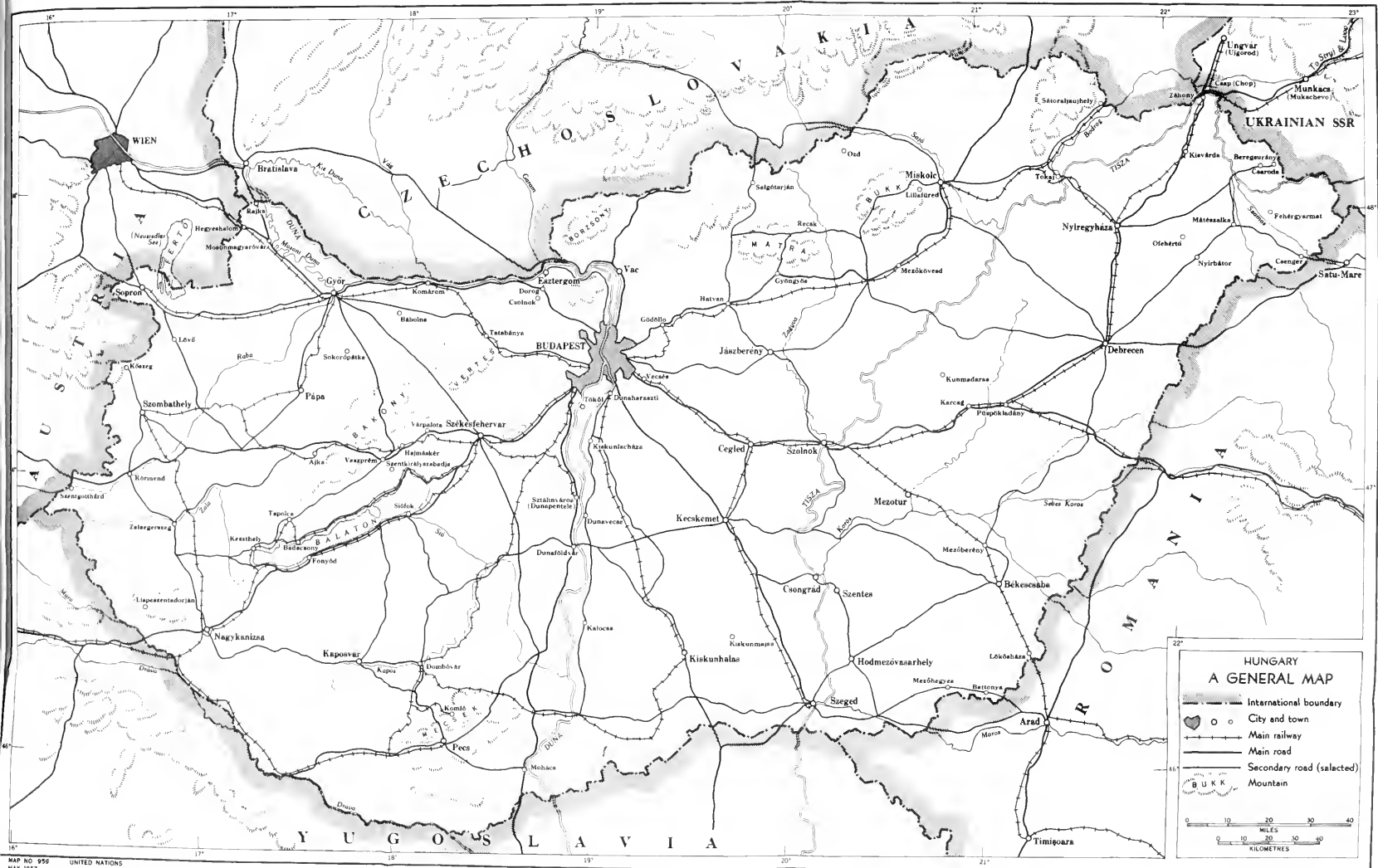
F. MISCELLANEOUS

27. Files of Official Statements of Governments on the Problem of Hungary other than those made within the United Nations

28. Cuttings and extracts from the Ward Press, 22 October 1956 up to date.

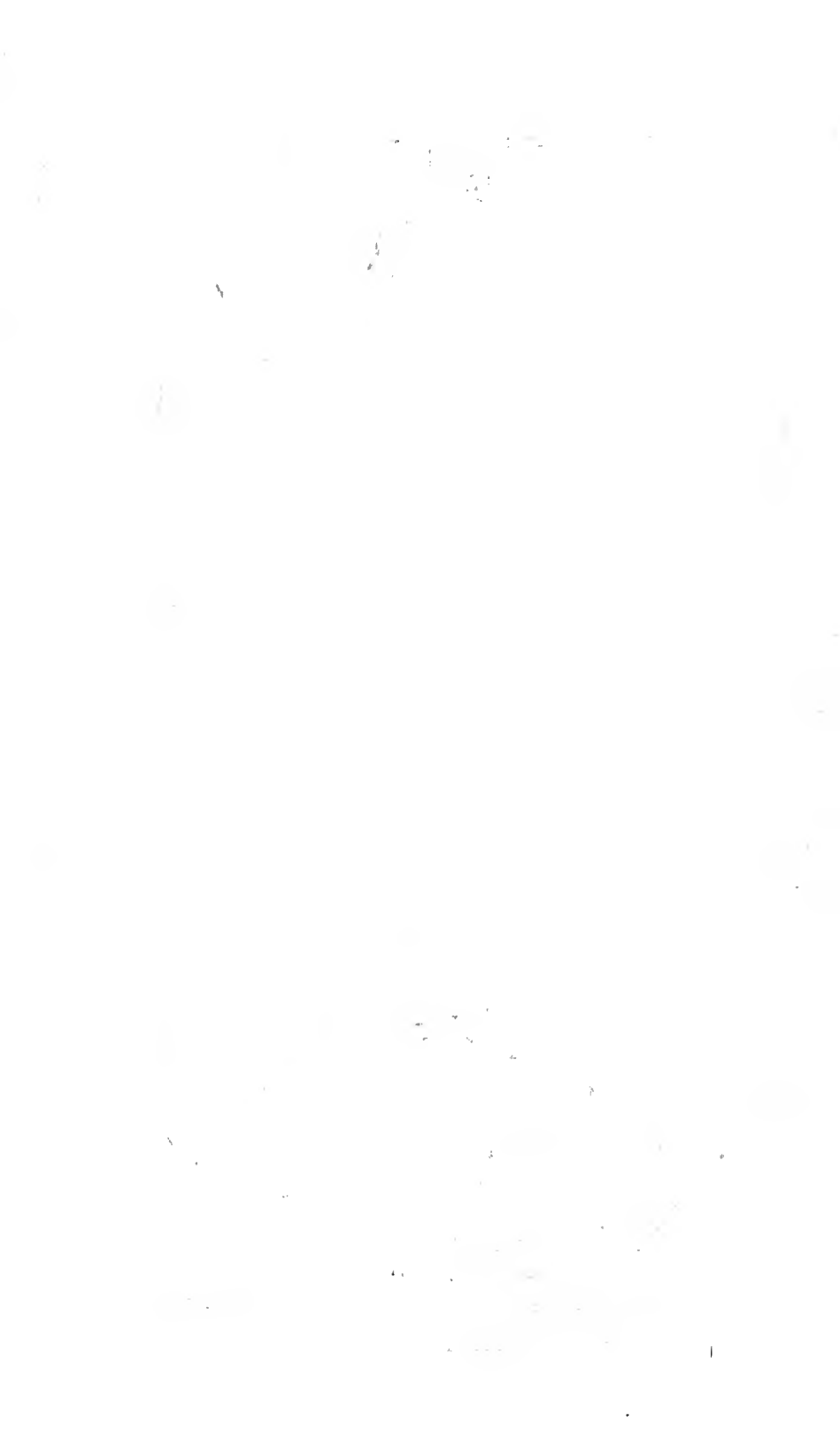
⁸⁹ See Chapter I, paragraph 29.

⁹⁰ See Chapter XV, paragraph 720.



**HUNGARY
A GENERAL MAP**

- International boundary
- City and town
- Main railway
- Main road
- Secondary road (selected)
- Mountain



HUNGARY UNDER SOVIET RULE

A SURVEY OF DEVELOPMENTS SINCE THE REPORT OF THE U. N. SPECIAL COMMITTEE

Prepared by the American Friends of the Captive Nations, and the Assembly of Captive European Nations, in Association With the Hungarian Freedom Fighters Federation, the Hungarian National Council, the National Representation of Free Hungary

Editorial Committee: A. A. Berle, Jr., Leo Cherne, Clare Boothe Luce,
Reinhold Niebuhr

PREFACE

As organizations working for the restoration of freedom in Eastern Europe, we welcomed the report of the U. N. Special Committee on Hungary as an historic document. The report saved the honor and restored the prestige of the United Nations, which was so gravely shaken by its failure to act more vigorously during the Hungarian Revolution of last October. By providing the occasion for the Special Session of the U. N. General Assembly on Hungary, on September 10, the Special Committee's report has given the world organization a second chance to do some of the things public opinion hoped it would do last autumn.

However, although the U. N. Special Committee closed its hearings in April and completed its report in May, the report was not published until June 20 and its consideration by the Assembly was postponed to September 10. The report is complete in great detail through the month of February and reasonably complete for the month of March. But it only contains a few references to developments of April and early May and none thereafter. Thus, through no fault of the Special Committee's, there is a time lag of almost five months between the terminal point of the report and the date of its discussion by the Assembly. It was basically for the purpose of filling this hiatus that the present study was undertaken.

Since the U. N. Special Committee completed its hearings, the Soviet-controlled government in Budapest has continued at an accelerated rate the destruction of human and political liberties so graphically described in the Committee's report. Our organizations believe that the delegates to the U. N. Assembly, and world opinion in general, will welcome this wholly unofficial but carefully documented study of the tragic events of recent months. It is our hope that the information contained in this study will be of some help to the delegates in carrying the record of Soviet intervention right down to the end of August.

Our purpose is to support and supplement the magnificent work of the U. N. Special Committee. We hope that this modest effort will serve to emphasize the absolute necessity of keeping the U. N. Special Committee in being, entrusted with the task of submitting periodic, official, supplementary reports—so long as the Soviet Union continues to defy the U. N. General Assembly by refusing to withdraw its troops from Hungary and by continuing its intervention in the internal affairs of that country.

We wish to express our appreciation to the distinguished members of the Editorial Committee—Mr. Adolf A. Berle, Jr., Mr. Leo Cherne, Mrs. Clare Boothe Luce and Dr. Reinhold Niebuhr—who, despite the pressure of their private responsibilities, undertook the task of weighing and shaping the report for final presentation. And we wish also to express our gratitude to Mr. David Martin who was chiefly responsible for initiating this study and for the tremendous labor of coordinating the work of research and presentation.

CHRISTOPHER EMMET,

Chairman, American Friends of the Captive Nations.

VILIS MASENS,

Chairman, Assembly of Captive European Nations.

INTRODUCTION

Several weeks ago the American Friends of the Captive Nations and the Assembly of Captive European Nations invited the undersigned to assume editorial responsibility for a study designed to provide the U.N. delegates with an account of events in Hungary from the time the U.N. Special Committee terminated its hearings until the end of August. We agreed to serve as an editorial board because we considered it of the greatest importance that the delegates, in addition to discussing the revolution, the Soviet invasion and the post-occupation terror, should also be able to discuss the situation as it exists today.

As the work got under way, it was decided to extend our study to include a fairly comprehensive and documented summary of Soviet rule in Hungary prior to October 1956. The report of the U.N. Special Committee contained certain information on the political background; but the Committee was restricted by a mandate that, of necessity, placed emphasis on the central subject of the revolution and Soviet intervention. We feel that the material contained in our chapter "Soviet Intervention and the Violation of Human Rights Prior to the Revolution" will help to provide a better understanding of the revolution itself. Indeed, there is a vital conclusion to be drawn from this chapter—Soviet intervention did not begin on October 23, but in the early post-war period, and the revolution itself can best be understood as a national uprising against existing intervention.

Our material has been interwoven deliberately with the material of the U.N. Report, because only in this way could it be extended intelligently in both directions.

Although our effort cannot hope to emulate the authority and thoroughness of the splendid report of the U.N. Special Committee, the nature and authenticity of the evidence contained in this text is similar. It is based to a large degree on official Communist documents, speeches, radio broadcasts and items in the controlled Communist press. In addition, the material submitted to our staff included numerous statements by recent escapees, statements and documents smuggled out of Hungary, and letters written directly from Budapest—several of them mailed during the month of August.

Although time and facilities were limited, we believe that our report adheres to the same common sense laws of evidence which governed the report of the U.N. Special Committee. Where the information submitted by individual Hungarians was completely consistent with reports contained in the official Communist press, such information was considered acceptable. Information from individual Hungarians which is basically substantiated by independent statements from several other Hungarian sources was also accepted as almost certainly authentic. Certain items of information which had the quality of plausibility but which lacked confirmation were not included. Because this report had to be prepared within a three-week period, it may contain a few errors in detail—but in all fundamental points, we believe that facts contained in our report are authentic and beyond challenge.

We must express our deep gratitude not only to the great Hungarian organizations whose cooperation made this report possible but also to the many volunteer workers who did the research and helped prepare the material. We should like especially to mention the following individuals who carried a major share of the work:

Moshe Decter
Janos Horvath
General Bela Kiraly
Inure Kovacs
Andrew Kovats

David Martin
George Perenyi-Lukacs
Istvan Szabo
Dr. Laszlo Varga

We are indebted to Mr. Moshe Decter and Mr. David Martin for their assistance in preparing the final text of this report.

(Signed) ADOLF A. BERLE, JR.
LEO CHERNE.
CLARE BOOTHE LUCE.
REINHOLD NIEBUHR.

NEW YORK, N. Y., *September 3, 1957.*

SOVIET INTERVENTION AND THE VIOLATION OF HUMAN RIGHTS IN HUNGARY BEFORE THE REVOLUTION

No report which seeks, as this one does, to supplement and bring up to date the Report of the United Nations Special Committee on Hungary can fail to call attention to the continuous and widespread violation of human rights in Hungary over a period of many years before the Revolution, or to the fact that this repressive system, modeled in every detail upon the Soviet system, was forced upon Hungary by direct Soviet intervention. Indeed, the Revolution can scarcely be understood except as the explosive culmination of powerful undercurrents of resentment by the Hungarian people directed against this repression and intervention. The United Nations Report makes this very point when it states:

"In any study of the causes of the uprising, attention is necessarily focused on the penetration of Hungary by strong Soviet influence over a period of years. This influence was felt in the life of every Hungarian citizen. It dictated the foreign language he was to study at school, it obliged Hungary to accept unfavorable trade agreements with the USSR which adversely affected his standard of living, and it maintained, on the Soviet model, the apparatus of a secret police under the shadow of which he lived. It was precisely against such conditions that the Hungarian people fought. . . . An understanding of the Hungarian uprising calls for recognition of these political, economic and cultural influences or pressures against which the demonstrators of 23 October protested."¹

The United Nations Committee was constrained by its mandate from the General Assembly from undertaking detailed examination of the internal affairs of Hungary and political and other developments in that country before 1956, save insofar as those developments had a *direct* bearing on the uprising of October 1956. It did consider, however, that its primary concern was "to ascertain the extent and the impact of foreign intervention, by the threat or use of armed force or other means, on the internal affairs and political independence of Hungary and the rights of the Hungarian People."²

The present report, sharing the Special Committee's conviction that the Revolution was the outgrowth of systematic Communist repression, cannot in good conscience restrict itself to a consideration of Soviet intervention at the time of the uprising.

The U. N. Committee itself notes that the Kadar regime, in its "White Book" on the October uprising, characterized the policies of its predecessor regime, headed by Matyas Rakosi, as "criminal". The Committee adds:

"If a regime can be described as 'criminal', there cannot be much cause for surprise that a people which has been obliged to live under it for years should eventually bring its resentment into the open."³

If, therefore, Soviet repression of Hungarian independence in the autumn of 1956 bears investigation, surely Soviet intervention at the very outset of the Communist regime in Hungary and for a decade thereafter warrants examination. If the Hungarian Revolution must be viewed as the outcome of a decade of Soviet intervention and of Communist repression at Soviet instigation, surely that intervention and the violation of human rights to which it gave rise must be catalogued—both logic and history required such an endeavor.

Considerable evidence exists, much of it in the form of admissions by the Communist leaders themselves, that from the outset the Communist regime attained its monopoly of power because of the backing of the Soviet army and secret police, and other Soviet pressures. To begin with, the leadership of the Communist Party itself was in the hands of a group of men who returned to Hungary from Russia with the Soviet military victories in 1944-45. Top men like Matyas Rakosi, Erno Gero, Istvan Bata, were Soviet citizens; Andras Hegedus, an intimate and reliable disciple of Rakosi, spent a few years in Moscow to complete his Communist schooling.

Early in 1945, free political parties were reorganized. A provisional governmental coalition, comprised of the Smallholders Party, the Communist Party, the Social Democratic Party and the National Peasant Party, was constituted, and a free parliamentary election was held on November 4, 1945. The Smallholders emerged with an absolute majority of 59.9 percent of the vote, the Communist Party with 17.11 percent, the Social Democrats with 16.9 percent, and the National Peasants with 5.6 percent. Nevertheless, the Smallholders were not

¹ *Report of the Special Committee on the Problem of Hungary*, Chap. IX, para. 372, New York, 1957.

² *Ibid.*, Chap. I, para. 36.

³ *Ibid.*, Chap. IX, para. 376.

allowed to form a government. No less an authority on East European affairs than Professor Hugh Seton-Watson, of the University of London, has stated that "the Soviet commander, Marshal Voroshilov, had only given his consent to an election based on free competition between the parties on condition that all agreed to maintain the coalition".⁴ Furthermore, the Smallholders were forced to give the position of Minister of the Interior, who controlled the secret police, to the Communists. The first Interior Minister under this arrangement was Imre Nagy, soon to be followed by Laszlo Rajk.

The Soviet intention to back the power of the Communist Party in Hungary is attested to by Antal Ban, a major Social Democratic leader, writing of events in 1945-46: "Pushkin, then Soviet Ambassador in Hungary, once remarked in the presence of the writer: 'We have shed our blood for Hungary and we do not want to loosen our grip on her'".⁵

This testimony of early Soviet intervention is confirmed by Jozsef Revai, one of the important Communist figures who returned to Hungary on the wings of Soviet victory. In 1949, after this chapter of events had concluded, he stated:

"Our force was multiplied by the fact that the Soviet Union and the Soviet Army were always there to support us with their assistance."⁶

As the U. N. Special Committee Report summarizes the events of the four years following the election of November 1945:

"... Communist influence steadily asserted itself. By 1948, leaders of the non-Communist parties had been silenced, had fled abroad or had been arrested, and in 1949, Hungary officially became a People's Democracy. Real power was in the hands of Matyas Rakosi, a Communist trained in Moscow. Under his regime, Hungary was modelled more and more closely on the Soviet pattern. Free speech and individual liberty ceased to exist. Arbitrary imprisonment became common and purges were undertaken, both within and outside the ranks of the Party."⁷

The pattern of events was established and clearly discernable within little more than a year after the November election. In February 1947, the Secretary General of the Smallholders Party, Bela Kovacs, was arrested by Soviet MVD forces and disappeared. This action was the equivalent of death for the party. The fate of Kovacs was decisive proof that the Communist Party relied on the Soviet Army for help. A few months later, Premier Ferenc Nagy, also of the Smallholders, went on holiday to Switzerland and, seeing the handwriting on the wall, resigned his office from that country on May 31, 1947. The President of the National Assembly, Msgr. Bela Varga, barely escaped with his life. As a result of these events, the Communist Party declared the National Assembly constitutionally invalid and forced it to dissolve on July 1947.

Thirty-eight days later, on August 31, 1947, new Parliamentary elections were held. In that short period, several new opposition parties appeared on the scene, and all but the Communist Party had to conduct their campaigns under the most difficult and adverse circumstances. The Communists had at their disposal several newspapers, radio stations and associated organizations and had ample funds; the other parties had virtually none of these aids. The state of disorganization in the opposition ranks was exacerbated by Communist tactics, as Matyas Rakosi has himself avowed:

"In this situation we did not allow any time to the enemy for reorganization of his ranks, for reshuffling or regrouping. Instead, we proposed new elections in the weeks when confusion, flurry, indecision, and competition were greatest among the new, reactionary opposition parties."⁸

Despite all these pressures, the Communist Party received only 22.4 percent of the vote cast. The closeness of the election and the determination of the Hungarian people to retain its independence were demonstrated by the votes cast for the other major parties: Democratic People's Party, 16.5 percent; Smallholders, 15.5; Social Democrats, 14.9; Hungarian Independence Party, 13.1. Altogether, 77 percent of the vote was cast for the opposition parties.

But the will of the majority was again thwarted. The Communist Party held the reins of the state machinery, the police and the army and had the Soviet Occupation Army firmly behind it. By forced amalgamations and subversion of

⁴ Hugh Seton-Watson, Introduction to *The Hungarian Revolution*, p. 17, New York, 1957.

⁵ Antal Ban, *The Curtain Falls*, London 1951.

⁶ Cited by Hugh Seton-Watson, op. cit., p. 18.

⁷ *Report of the Special Committee*, Chap. II, para. 47.

⁸ *Társadalmi Szemle*, February-March, 1952, p. 137.

the other parties, the Communists succeeded in destroying the opposition. Again Rakosi explained the process:

"Our party sped up developments after the formation of the government. One of its targets was to prevent the fascist organization calling itself the Hungarian Independence Party . . . from continuing to sabotage the building of our democracy . . . Finally, such a situation developed that even the Smallholders Party demanded the abolition of the fascist party . . ."⁹

Further steps followed in rapid succession. The Communist Party forced the Social Democrats to "fuse" with them in June 1948. The leader of the Christian Women's Camp was expelled from Parliament. The Democratic People's Party announced its dissolution soon after the arrest of Cardinal Mindszenty. And the last flicker of opposition was extinguished in the Hungarian Parliament in February 1949.

How had it all come about? Rakosi, in his famous speech of February 1952, provided the classic explanation:

"In March 1946 . . . the exposure, removal and isolation of the reactionary elements in the Smallholders Party continued without interruption. The Smallholders Party was obliged to exclude or remove one by one or in small groups the compromised members. Day by day we carved off the reactionary elements hiding in the Smallholders Party, one by one like slices of salami. In these unrelenting fights we gradually undermined the enemy's strength and diminished his influence on the masses of working peasants."¹⁰

But the Communist Party did not accomplish these results alone, as Rakosi himself conceded:

"The Soviet Army protected us from diplomatic interference by the Western powers . . . All this naturally helped the consolidation of Communist influence . . ."¹¹

The final and crucial step in demonstrating Soviet intervention in the internal affairs of the Hungarian people from 1944 on is an explanation of the role of the AVH, the Hungarian Secret Police. Rakosi, speaking in 1952, stressed the key position accorded by the regime to this institution:

"There was only one organization over which our Party had control from the very first, and which was never influenced by the political coalition: that was the AVH . . . We maintained firm control of it from the moment of its creation, and we made certain of it as a safe weapon in our fight . . ."¹²

The intimate connection between the AVH and Soviet power in Hungary is repeatedly adverted to by the U. N. Special Committee. Its report fully credits testimony that the AVH "adopted in full the methods of the NKVD" and was "the real machinery of Party control,"¹³ that AVH personnel were "carefully screened, not only by the AVH itself, but also by the NKVD,"¹⁴ that "about a dozen advisers from the NKVD served at its Headquarters . . . an NKVD officer was permanently stationed in each department of the AVH . . . an NKVD Lieutenant Colonel and Major were always present in the investigation department . . . many Hungarian members of the AVH were Soviet citizens and most of the Hungarians serving with it had been trained in the Soviet Union,"¹⁵ and that ". . . the AVH functioned under direct Soviet control . . ."¹⁶

The Hungarian Revolution itself bore witness to the people's resentment of this powerful Soviet encroachment on its daily life. As the UN Committee points out:

"Fundamentally, all classes wanted to see Hungary become free to adopt a policy and to live a life of her own, for which purpose freedom of expression and genuinely free elections were considered essential. There were two obstacles to the achievement of such desires—the presence of Soviet troops by arrangement with the Government which had failed to meet the Hungarian people's grievances and the ubiquitous activities of the State security police, or AVH. These two facts explain the frequency with which demands were put forward that Soviet armed forces should withdraw from Hungary and that the AVH should be disbanded. It was the resistance offered by both which transformed the demonstrations into an armed uprising . . ."¹⁷

⁹ *Ibid.*, p. 140.

¹⁰ *Ibid.*

¹¹ *Ibid.*, p. 123.

¹² *Ibid.*

¹³ *Report of the Special Committee*, Chap. IX, para. 427.

¹⁴ *Ibid.*, Chap. IX, para. 432.

¹⁵ *Ibid.*, Chap. IX, para. 430.

¹⁶ *Ibid.*, Chap. IX, para. 431.

¹⁷ *Ibid.*, Chap. IX, para. 424.

From the very outset, the Hungarian people were saddled with a regime installed under the aegis of Soviet intervention, ruled by a Party which itself credits Soviet force for aiding its accession to power, and whose chief instrument of rule, in turn, was the Party security police, a creature of the Soviet NKVD. It is indubitable that the wholesale violation of human rights in Hungary, which will presently be catalogued and documented, was a direct product of Soviet intervention in the internal affairs of the Hungarian people during a period of more than a decade before the Revolution.

The obligations of the Hungarian government to secure and safeguard the human rights of the Hungarian people flow from several forms of solemn covenants, domestic and international. One of the earliest acts of the coalition government formed after the election of November 1945, was the promulgation in 1946 of a law pledging "personal freedom, a life free of oppression, fear and want; free expression of thought, freedom of opinion, religion and assembly; the maintenance of private property and the security of the individual; freedom of work and the right to lead a decent life; participation in the management of the affairs of state . . ." The government further pledged itself to "guarantee all these rights within the framework of a democratic state to all citizens of Hungary, equally and uniformly and without discrimination."¹⁸

Similarly, in the Constitution which took effect on August 20, 1949, the Hungarian government bound itself to secure all the rights promulgated in the 1946 law.¹⁹

A number of international agreements, having the force of law, also commit the government of Hungary to respect the human rights of the people of Hungary. In the Peace Treaty signed with Hungary in 1947 by, among others, the Soviet Union, the United Kingdom and the United States, the government of Hungary assumed the obligation to ". . . take all measures necessary to guarantee for all persons under Hungarian jurisdiction, without distinction as to race, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion and of public meeting".²⁰

In a memorandum submitted to the United Nations in 1955 expressing its views on the proposed international covenant on human rights, the Hungarian government stated:

"In the sphere of international cooperation the People's Republic of Hungary supports all work and endeavor aimed at securing increased protection of human rights; and with reference to the draft covenants received, it particularly approves the provisions guaranteeing the right of peoples and nations to self-determination, the provisions relating to discrimination as to nationality, race, religion, and the provisions relating to the prohibition of all propaganda designed to arouse racial, national, or religious hostility."²¹

On December 14, 1956, Hungary was admitted to membership in the United Nations, having assumed the obligations of the U. N. Charter to promote and encourage ". . . respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion." The Charter itself was adopted by the Hungarian Parliament and was incorporated in the statutes under Art. I of 1956.

These are the main legal commitments binding the Hungarian government to respect and safeguard the human rights of its people. The key to an understanding of the means by which these rights have been systematically violated can be found in the formula of "socialist legality", in vogue throughout the Soviet orbit. The formula has been defined by two authoritative Hungarian sources, Professor Imre Szabo, a leading legal expert of the regime, and Minister of Justice Eric Molnar. Prof. Szabo has stated that ". . . Socialist legality means the absolute and complete adherence to Socialist legal maxims, to the laws, ordinances and decisions expressing the will of the workers and of the working class."²² Minister Molnar, in an article on "Our Administration of Justice and Socialist Legality," wrote ". . . Socialist legality demands from our administrators of justice strictest adherence to the laws and to their

¹⁸ Act I of 1946.

¹⁹ Constitution of 1949, Articles 46, 47, 49, 50, 51, 54, 55, 56, 57, 58.

²⁰ Peace Treaty With Hungary, 1947, Part II, Chapter I, Article 2, Point 1.

²¹ Distributed to Members of the United Nations by the Secretary General on October 13, 1955, under No. A/2910Add.6.

²² *Tarsadalmi Szemle*, September 1953.

spirit."²³ These definitions clearly amount to little more than an assertion that the laws ought to be obeyed; they do not clarify the key role occupied by the formula in the administration of justice in Hungary or the insistent and repeated emphasis placed on it by all leading Communist spokesmen.

A more revealing and authentic definition has been provided by the former Chief Public Prosecutor of Hungary, Kalman Czako, who wrote:

"... the fundamental components of Socialist Legality are the policy of the (Communist) Party and the political aims of the Government based on the policies of the Party."²⁴

The meaning of this definition is clear: it represents a wholly new concept of law. The rule of law is no longer supreme. The law has been made subordinate and subservient to the objectives, purposes and policies of the Communist Party. Under the system of "socialist legality", the rule of law serves merely as a pious mask behind which arbitrary political considerations take the place of equal justice for all.

One of the most notorious instances of the operation of "socialist legality" was the Laszlo Rajk affair. In a public trial that created a worldwide sensation in 1949, Rajk and several of his associates were accused and found guilty of treason and sentenced to hang. In the wake of the trial, several hundred others were imprisoned, interned or sent to forced labor camps. Seven years later, on March 27, 1956, Matyas Rakosi announced that investigations made by the Hungarian Supreme Court had established that the entire Rajk trial, and others connected with it, had been based on fabricated charges. This pronouncement was followed by a "re-examination" process in the course of which some 300 "baselessly convicted" people were released from prison; most of them had been members of the Party and some had occupied leading positions in it. About this affair and its legality the U. N. Special Committee states:

"The statement about Rajk revealed how one of the most publicized actions of the Rakosi regime had been a travesty of justice and of law. From the mouth of its most powerful leader, the regime stood convicted of shedding innocent blood."²⁵

The laws under which Rajk and his associates were condemned in 1949 were no different seven years later, it is clear that, under the system of "Socialist Legality," the arbitrary political considerations of the Party dictated the execution of Rajk in 1949 and his rehabilitation in 1956. Equal justice and the rule of law were replaced by their trappings; the hollow shell that remained was infused with the techniques of "socialist legality": physical and psychological torture replaced the principle that guilt, not innocence, must be proven; false confessions replaced incontrovertible evidence.

It must be stressed, however, that "socialist legality" applied not merely to leading figures of the Party and regime but to the entire Hungarian people. The following section will examine the violation of four major categories of human rights under the system of "socialist legality" in Hungary.

A. FREEDOM AND SECURITY OF THE PERSON

Criminal courts are not bound by strict formalities in the judgment of an accused person. Thus, Paragraph 4 of the Penal Code states: "The authorities are not bound by any specific method of producing legal evidence and are free to use any evidence." The accused, however, is not allowed similar latitude. This provision, so unfair to the accused, was made part of the Penal Code in 1951²⁶ and reinforced in the 1954 revision of the Code.

Furthermore, the accused person was put at a further grave disadvantage by a ruling of the Supreme Court on the admissibility and evaluation of evidence:

"It is not the number of confessions or of any other evidence, nor the presence or absence of any other matter of form, which decides whether or not an allegation has been proven—but rather the conviction of the Judge, who is to be free of any prescribed forms or principles that oblige him to consider the evidence at hand.

"If the judge, having properly and scrupulously weighed the case with the methods of Marxist dialectics, is convinced that a thing happened, he so states; if he is not convinced, he does not so state. . . . Any other . . . prescribed form

²³ Szabad Nep, June 26, 1956.

²⁴ *Jogtudományi Közlemény*, September 1953.

²⁵ *Report of the Special Committee*, Chap. IX, para. 378.

²⁶ Law III of 1951, Article 4, para (1).

. . . of the production of legal evidence . . . does not fit into our Socialist system of adjudging evidence before passing judgment." ²⁷

In this fashion, the administration of justice under a system of "socialist legality" is reinforced not by the normal rules of evidence but by the use of "the methods of Marxist dialectics".

One of the most persistent and pernicious abuses of the right to Security of Persons in Hungary resides in the extraordinarily elaborate network of spies, informers and stool pigeons of the security police. The U. N. Special Committee Report takes considerable note of this system and of the widespread fear and insecurity which it engenders among all classes and elements of the population.²⁸ What the Report does not state, but what must be realized for a full understanding of the brutally repressive system that prevailed and prevails today in Hungary, is that this network of spies and informers exists as a matter of Party and State policy and is given official status and sanction and protection in statutes enacted in 1952 and 1954.²⁹ Another formal institution that preys on the lives of ordinary citizens and officials alike, further engendering an atmosphere of fear, suspicion and mutual distrust, is the Ministry of State Control, established in 1955, with jurisdiction to probe into virtually every aspect of life and activity conducted by government ministries as well as all other State, cooperative and social organizations, institutions and enterprises.³⁰

Alongside these official instruments of terrorization and fear, there exists a whole insidious skein of informal, but officially encouraged and protected means of prying into the lives of the people and destroying the very notion of privacy cherished in all civilized societies. Among such "voluntary" institutions are to be counted the individuals and groups who write letters to the editors of newspapers informing them, and through them the police, of "irregularities" at home or at work; "patrols" of individuals who arrogate to themselves the right to enter shops, schools, homes and to accost passersby for the purpose of unveiling "inadequacies"; "voluntary social supervisors" issued special certificates and frequently rewarded by the regime for inspecting highway traffic and movements in border zones; tenant committees, enjoying the right to call tenants to meetings and conduct political lectures, who supervise and report on the behavior of apartment-house dwellers; voluntary militia groups whose function is to maintain direct and close contact with janitors of apartments in their districts and with tenant committees and district council members, and to transmit their observations to the competent authorities. Reliable information about these uncivilized practices, it should be noted, does not depend alone on the testimony of people who have successfully managed to escape from Hungary. The Hungarian communist press and radio has frequently and consistently adverted to them with praise and encouragement.³¹

Another aspect of the violation of the Freedom and Security of the Person is the restriction of freedom of movement. This applies with especial severity to movement out of the country, which is virtually prohibited except in rare individual cases of old people who have been granted special permission. Border zones have for years been evacuated and under special guard. Attempts to cross the borders are punished with prison sentences up to five years. A government decree even requires compulsory reports on any occurrence from which a plan to escape can be inferred.³² Organs of the regime, especially near the western and southern borders of the country, are empowered to ask all "suspicious" travelers for identification papers: those who are unable to explain their presence in the area to the satisfaction of the guards are taken to the nearest police stations for questioning. Similarly, free movement inside the country, inherent in the right to choose one's place of work and of residence, is severely restricted by the system of work permits and residence requirements.³³

The existence of this system of repression and the violation of human rights has frequently been conceded by leading members of the Hungarian Communist

²⁷ Supreme Court, Appeal II 1346/1953.

²⁸ *Report of the Special Committee*, Chap. IX, pars. 433-434; Chap. XVI, pars. 768-777.

²⁹ Law II of 1952, Article 28. Law I of 1954, Article 9.

³⁰ Decree No. 27 of 1955.

³¹ *Nepszava*, November 23, 1955, February 15, 1956. March 13, 1956, May 5, 1956, May 9, 1956.

Radio Kossuth, February 2, 1956, March 13, 1956, April 27, 1956.

³² Government Decree 1310, 1949.

³³ Decree of the Council of Ministers 29/1955, Chapter 1.

Party and government. For example, Gyula Benko, Presiding Judge of the Supreme Court, has written:

"... Secrecy in administrative procedures greatly furthered lawlessness . . . A detailed investigation is necessary to determine how it was possible for investigators to make up false charges, for the Public Prosecutor's Office to indict people on the basis of these false charges, and for the courts to pass judgment on the same basis."³⁴

Referring to the mass deportations carried out by the regime in 1951 and 1952, Judge Benko admitted in 1956 that "the deportations had no legal justification and were carried out without regard to the laws of humanity."³⁵

Similar admissions as to the violation of human rights perpetrated under "socialist legality" have also been made by Minister of Justice Molnar. He stated:

"... In the future, the Supreme Court and the Ministry of Justice will carry out their constitutional duties in connection with all legal activities . . . There will be an end to the illegal and harmful practice of creating special courts to deal with political offenses . . . We shall do away with the special prisons of the Secret Police."³⁶

In effect, then, Dr. Molnar confessed that the Ministry of Justice and the regular courts had no jurisdiction throughout the years in cases of political offenses which were of importance to the Party, that the Party and the Secret Police constituted a state within a state.

It should be noted, in conclusion, that all these instruments of control, constituting a public and private system of atomizing and brutalizing the entire population of a country, are closely modeled on methods perfected and refined in the course of many years of practice in the Soviet Union.

B. FREEDOM OF EXPRESSION

Freedom of speech is not normally considered to include the freedom to incite or instigate against the basic foundations of a state. The law in Hungary does not officially differ in this respect from most laws elsewhere. However, the Communist regime has placed a special and unusual construction on the prohibition against incitation: "Anyone making a statement to the effect that he dislikes the present order and hopes for a change is guilty of incitation and of violating this Act (Act VII/1946)."³⁷ Under such a construction, freedom of speech clearly cannot exist. This situation is further aggravated by the fact that, under the law, incitation may be committed in the presence of only one person or even in a letter (if it should happen to fall into the hands of the censorship and the secret police). In this way, the law of "socialist legality" further enhances the potential role of informers and spies.

A further restriction of freedom of speech is contained in an extraordinary ruling of the Supreme Court in 1955:

"Because of the close and inseparable connection between the Communist Party, as the guiding force of our nation, and the state order, as expressed in our Constitution, all statements against the Communists are considered to be automatically directed also against the democratic state order."³⁸

Under such conditions, freedom of the press obviously cannot exist. Hungarian regulations require that the publication of all printed matter receive official governmental permission. This applies not only to newspapers and books but even to catalogues, lists and calendars. Furthermore, all mimeographing and duplicating machines are placed under government control; anyone using them or leasing them or even having them repaired without special permission is liable to punishment. Finally, not only the printing, but the dissemination of printed material requires governmental permission. Distributors of publications containing violations of the law are legally responsible even if they are unaware of the contents.

In Hungary, the press is free only to praise and support the regime and the Party. During the brief period of "thaw" from late 1955 until the Revolution, intellectuals and writers began to speak out with increasing clarity for an end

³⁴ *Uj Vilag*, June 21, 1956.

³⁵ *Ibid.*, July 12, 1956.

³⁶ *Szabad Nep*, June 26, 1956.

³⁷ "Act VII of 1946—On The Defense In Criminal Proceedings Of The Democratic State and Republic," Athenaeum Publications, p. 22.

³⁸ Supreme Court Appeal No. IV.1003/1953, *Birosagi Határozatok*, October 1955.

to what they called "parrot-freedom" and demanded full freedom of the press. In July 1956, the Central Committee of the Communist Party noted these demands with consternation:

"... Certain critics of the shortcomings of our Party from the platform of bourgeois ideology . . . demand 'complete' freedom of the press—in other words, freedom to spread bourgeois views. Today nobody in our country is to be permitted to come out with such anti-socialist views in front of the workers."³⁹

This was the situation as it existed for a decade before the Revolution, and it persists today.

Religious freedom, an aspect of Freedom of Expression, cannot be said to exist where, as in Hungary, all religious organizations with the exception of the churches themselves were disbanded, the formation of new religious organizations prohibited, all church schools nationalized, religious orders dissolved, the head of the Hungarian Roman Catholic Church imprisoned on trumped-up charges and forced confessions, and all important Protestant and Jewish religious and lay leaders either imprisoned or held in forced labor camps.

C. FREEDOM OF PARTICIPATION IN PUBLIC LIFE

We have already dealt with the travesty of free elections held by the Communist regime and the manner in which it repeatedly thwarted the will of the vast majority of the Hungarian people. It remains only to note that the formation of any peaceful opposition party is by law subject to criminal prosecution, with the penalty of death.

Under the provisions of the armistice agreement of 1944, the Hungarian government was obliged to dissolve all organizations of a fascist, pro-Hitler or anti-United Nations character. Early in 1945, 25 organizations were disbanded under this proviso. Almost immediately thereafter, however, and in the course of the next few years of Communist consolidation, thousands of organizations, clubs, societies were dissolved by government decree under the guise of the armistice provisions and the laws stemming therefrom—thus effectively destroying a fundamental freedom, freedom of assembly. New organizations were permitted to exist only if they "served the social, economic and cultural aims of the People's Democracy."⁴⁰

An unmistakable case in point is the short history of Farmers' Reading and Discussion Circles. In order to combat peasant apathy and resistance and in particular to stimulate their activity and support in the nation-wide municipal elections called for November 28, 1954, the regime announced the re-constitution of the traditional Farmers' Circles. The peasants were also promised that the Circles would be under the jurisdiction not of the Communist Party but of a newly-established Patriotic People's Front, in which the Communists were only one of several elements. Wary and suspicious at first, the peasants gradually began to appear at meetings of the Circles and even began to discuss their problems openly, frequently expressing criticisms of the regime and its agrarian order. This unfavorable turn of events was enough to turn the regime against the Circles, but it did nothing until some days after the election. On December 9, the Communist press warned that "... the Farmers' Circles have become centers of local resistance." During the next few months systematic efforts were made to insure the orthodoxy of these groups. By April 1955 it was announced that "the Kulaks" had been eliminated from the Farmers' Circles; and on June 24, 1955, the process of *gleichschaltung* was completed with the announcement that the Circles "... are no longer under the supervision of the Patriotic People's Front; competent Party and State agencies now have exclusive authority over them."⁴¹

D. FREEDOM OF PROPERTY AND LABOR

Both private property and free labor were eliminated or reduced to insignificance from the very beginning of the occupation of Hungary by Soviet forces. By 1949, labor, land and industry had been effectively bolshevized. This term is used advisedly, since it differs fundamentally from nationalization, which, properly speaking, calls for fair compensation and the utilization of nationalized

³⁹ Resolution of the Central Committee of the Hungarian Workers' Party [Communist Party], *Szabad Nep*, July 23, 1956.

⁴⁰ Decree of 1955, Article 1, para. (2).

⁴¹ *Szabad Nep*, June 24, 1955.

property for the benefit of the masses. Bolshevization does neither. This section surveys the bolshevization of three major areas of Hungarian life, modeled on the Soviet pattern: agriculture, industry, labor.

1. Agriculture

The agricultural situation in Hungary was unquestionably ripe for change in 1945; a basic land reform was needed. In that year, all estates in excess of 1,000 acres were broken up and divided among the peasants; the law also regulated the use of estates ranging from 100 to 1,000 acres in size, and in certain cases the state was permitted to use estates larger than five acres.

Almost immediately, however, the regime began a systematic campaign of terror and pressure to force the peasants into Soviet-type Kolhoz, or collective farms. A favorite device was the institution of compulsory deliveries of farm products by the peasants. These deliveries placed such burdens on individual farmers that they were able to eke out a meager existence only by the maximum efforts. Those who broke under the regime's economic and political pressures were forced to give up their independence and join the collective farms. At the end of 1955, 4,816 Kolhoz were in operation with a total of 305,501 members. But despite all pressures, the majority of farmers are still outside the collectives and continue to maintain their independence by various forms of passive resistance.

2. Industry

Through a series of laws and decrees beginning in 1946, virtually every aspect of industry, business and commerce was taken from their owners without compensation. Herewith is the schedule of bolshevization of industry and business:

1946—coal mining, power plants

1947—banks

1948—bauxite and aluminum production, all industrial, communications, mining, electrical enterprises employing 100 or more workers; narrow-gauge railways, movie theatres, water works.

1949—transport services, freight railways, veterinarians

1950—pharmacies, hauling services (carts and horses)

1952—real estate, apartment houses and homes (including fixtures and appurtenances).

But, ironically enough, bolshevization did not result in an increase of public property proportionate to the elimination of private property. Quite the reverse. Bolshevization of property has led to an incredible degree of theft and damage, unprecedented in Hungarian history. And even a special law enacted in 1950 to protect public property, inflicting long prison terms and even death for damage done, the attitude of the people remained unchanged. Thus, in September 1954, a leading official periodical, *Tarsadalmi Szemle*, complained that " * * * the value of goods stolen during 1953 amounted to 600 million forints in state farms alone * * * thefts are uncommonly frequent around construction projects * * * much lumber is stolen * * * in a 100-acre forest, the trees were simply cut down on 60 acres."

3. Labor

Three basic rights of labor, recognized by all free societies, are the right to organize free trade unions, to strike, and to change jobs. By a series of decrees beginning in 1945, the Soviet-imposed Communist regime in Hungary sought to duplicate labor's condition of servitude in Russia by depriving Hungarian workmen of all three rights.

Two decrees, in 1947 and 1950, effectively deprived workers of their right to strike or slow down or hinder production in any way. Penalties for attempted strikes range from severe prison terms to death, depending on the seriousness of the attempt.

In 1945, when the Communist Party assumed de facto power with the backing of the Red Army, all pre-war trade unions that had been re-formed immediately after the War were dissolved and reorganized and placed under Communist control, where they remain to this day. A decree of 1953 legalizes this control.

The Labor Code of 1951 lists the circumstances under which a worker may leave his place of work without permission; it does not include the right to change jobs by his own volition. Furthermore, any worker may be transferred, even against his will, within an enterprise or to another plant, even from one city to another. The atomization of the working class, in whose name the Com-

munist regime purports to rule, couples this virtual serfdom of the worker with arbitrary and capricious regulation of work-norms and wages. It comes as no surprise, then, that the magazine, *Tarsadalmi Szemle*, in its issue of June 1955, describes the period of 1953-54 as one of laxity of norms, wages and labor. The most characteristic manifestation of the deteriorating discipline of the workers, the periodical notes, was absenteeism. The total loss of working days in 1954—outside of paid leave and maternity absences—was equivalent to one year's working time of 40,000 workers! The complaints expressed in this magazine will be familiar to students of life in the Soviet Union, where the same work-system prevails and the same kinds of complaints recur with monotonous regularity.

This chapter, in supplementing the U. N. Special Committee's Report on Soviet intervention in Hungary in October-November 1956, has sought to demonstrate that this intervention began with the first entry of Soviet forces into Hungary in 1944. From that moment forward, Soviet intervention, direct and indirect, has penetrated every aspect of life in Hungary, beginning with the manipulation of elections and the use of terror to enthrone the Communist Party, shattering and remodeling every institution along Soviet lines, and resulting in the gross and systematic violation of basic human, political, economic and cultural rights. It was against a dozen years of such terroristic violations, perpetrated by a puppet Communist regime which had been imposed on them by Soviet intervention and maintained in power by the presence of the Red Army, that the entire Hungarian people arose in October 1956.

SOVIET TROOP DISPOSITIONS AND MILITARY INTERVENTION IN HUNGARY TODAY

The Report of the UN Special Committee on Hungary has done full justice to the facts of the Soviet military suppression of the Hungarian Revolution. It is the purpose of this chapter to present information which documents the fact that Soviet military intervention continues unabated. Indeed, Hungary today can no longer be regarded as enjoying even the status of a Soviet satellite; after weighing all the evidence, the editorial committee believes that it must be considered neither more nor less than a Soviet military protectorate.

The total Soviet control over the life of the nation is based on the presence of the following military and para-military formations under Soviet command:

1. The Soviet Army itself.
2. Units of the Soviet Secret Police.
3. The newly organized Hungarian Security Police.
4. The newly organized Frontier Guards.
5. The so-called "Workers' Militia."
6. The newly organized units of the Army.

In the following paragraphs we shall examine the special role performed by each of these formations.

THE SOVIET ARMY

According to most recent reports, the Soviet Army forces in Hungary constitute a full Army organization, divided into three Army corps consisting of a total of eight armored divisions.⁴² The total of Soviet Secret Police units functioning with the regular army units is not known; but judging by past procedures, it must run into the thousands. Based on an estimate of 10,000-14,000 men per division, the total of the Soviet army forces in Hungary amounts to 80,000-100,000 men. These are supplemented, in the work of control, by an equivalent number of Hungarians under their command and by a corps of Soviet civilian advisers, technicians, secret policemen, etc., which may well exceed 20,000.

The population of Hungary is approximately 9,500,000. The figures given above mean, in effect, that each 100 Hungarians are guarded by a Russian soldier, Hungarian soldier under Russian command, and a MVD man, or Soviet technician. This scale of occupation and control very nearly approaches the customary proportion of prison guards to prison inmates—and warrants comparison of Hungary today to a national prison or an armed garrisoned protectorate.

⁴² Divisional strength, per se, is smaller than this figure, but the divisions are supplemented by artillery, air force and other ancillary units attached to the Army corps and to other commands.

THE SOVIET-CONTROLLED HUNGARIAN SECURITY POLICE

Officially, the Security Police, notorious as the AVO—the only organized armed unit of Hungarians that sided with the Soviet forces during the Revolution—has been formally disbanded. In point of fact, it continues to operate precisely as in the past and entirely under Soviet control and direction. (The operations of the AVO are dealt with more fully in the chapter on repression.)

THE FRONTIER GUARD UNITS

Following the crushing of the Revolution by the Soviet Army, the Kadar regime undertook with feverish haste to reorganize the military surveillance of its frontiers bordering on Austria and Yugoslavia. Before the Revolution, Frontier Guard units consisted of forty to sixty men who patrolled a frontier sector 20 kilometers deep. Since the Revolution, these units have been expanded to 100 men each, and each unit patrols a sector 50 kilometers deep. This is virtually equivalent to a full state of mobilization opposite Austria and Yugoslavia.

The Hungarian frontier bordering on these two countries extends about 600 kilometers—which means that some 30,000 square kilometers of frontier area are under constant surveillance. The total area of Hungary is 93,000 square kilometers—so that fully one-third of the country's area is systematically patrolled by frontier guards.

This surveillance involves constant molestation and terrorization of the people. Among the techniques of the operation are the following: Passengers and luggage on trains within this area are regularly searched. Persons affording the least grounds for suspicion are arrested and interrogated. Villages are periodically turned upside-down at unpredictable moments of the day or night. A Freedom Fighter from the Csorna district has described some aspects of these raids in his region. His eye-witness report also indicates that morale in the Frontier Guard units is not all the Communist regime would like it to be and that members of such units perform their unpleasant tasks only under severe compulsion:

"There is great dissatisfaction in the ranks of the Frontier Guards because on several occasions this spring groups of thirty of their men were given orders to isolate and search certain communities; such forays were undertaken to intimidate enemies of the regime. By way of preparation, several reliable (Communist Party) men, on instructions from the local Party secretary, wrote anti-Communist slogans on the walls during the night preceding the search. On the basis of this provocation, a band of Security Police appeared on the scene the next day and arrested many persons, who were then soundly beaten at the Council House under the guise of interrogation. At the same time, house searches were instituted. They sought abandoned motorcycles, illegally cut wood, even cameras and wrist watches. All watches not recently imported were simply confiscated.

"Such occasions have been used in order to arrest persons accused of having helped escapees across the frontier. Interrogations of this sort have been held at Csorna by an alleged AVO Lieutenant-Colonel in mufti and by an Army Captain, Lajos David.

"... It is characteristic of the attitude of the men that after the revolt they replaced the red star on their caps only under the strictest official orders to do so . . .

"Some time before March 15 (Hungary's Independence Day) ditches were dug all around the barracks and machine-gun nests emplaced there; and since then the men have been kept in a constant state of alert."

THE WORKERS MILITIA

This quasi-military group was formed after the Revolution and contains a significant component of former AVO men and loyal Communist Party people. It totals 25,000 to 30,000 men. Confirmed reports from a variety of sources indicate that it has become a weapon of terror against the workers, far exceeding even the brutal ruthlessness of the AVO before the Revolution. Threats, beatings and other forms of violence are its instruments of intimidation. Popular revulsion against these hated terrorists was poignantly demonstrated

during the official May Day parades this year, when the people corralled to display "spontaneous" enthusiasm, turned their backs on the formation of marching Workers' Militia units.

THE REORGANIZED HUNGARIAN ARMY

Soviet policies on the organization and function of the Hungarian Army have gone through two phases: (a) a phase of deliberate atomization and disintegration of the Army and particularly its officer corps, from November 4, 1956 to March 1, 1957; (b) a phase of cautious and selective reconstitution of the Hungarian Army, from March 1, 1957 to date.

One of the purposes, indeed, of the Soviet intervention in force on November 3-4 was to eliminate and disorganize the remaining elements of the Hungarian Army which had displayed so undisguised an anti-Soviet attitude during the Revolution. The Soviets even sought to disband those military units which had remained passive; the Minister of Defense and the Chief of Staff were given ultimatum to disperse these units within one-half hour. Several truckloads of top military leaders were taken to Tokol and placed under guard, and the Soviets appropriated the now-empty barracks and military stores to their own uses.

Because of the manifest unreliability of the Hungarian Army, Deputy Premier Ferenc Muennich, one of Kadar's most trusted associates, undertook to dissolve the officer corps. Officers were required to sign a statement attesting their faithfulness to Kadar and endorsing the decision to call in Soviet troops in November. The bulk of the officer corps, loyal to its own people, chose instead to leave the army. After December 1, a Control Commission was set up to investigate the behavior of high-ranking officers during the Revolution. This investigation led to the arrest and court-martial of the revolutionary military leaders.

At the beginning of this period, members of the Hungarian Army were treated like prisoners of war—but without any of the protection prescribed by the Geneva convention. They were disarmed and guarded in barracks, some of them thrown into jail, and others deported to the Soviet Union. In late November and early December, 1956, many of the soldiers who had been imprisoned were allowed to return home. But the organization of Hungarian military units was strictly forbidden. The Army's heavy artillery and armored units were progressively shipped out of the country, and what was left of the Army became a mere auxiliary force to the Soviet Army of occupation. The country was placed under direct Soviet military rule; each county, district and village was assigned a Soviet commandant who issued formal military decrees to the populace.

At the end of November, General Pal Ilku, Chief of the Army's political division, stated that the Army, as an organized military force, had been abolished. "For years to come," he said, "the Army will only act in a police capacity and will not be trained for battle maneuvers."

General Ilku, it should be noted, is a key figure in Hungary today. He comes from the Carpatho-Ukraine and is a long-standing member of the Communist Party. Immediately after the Second World War, he became head of the Communist youth movement in Hungary. In 1948, in keeping with traditional Soviet practice, this professional Communist political leader was brought into the Army with the rank of colonel and given a high-ranking post in the political department. Later he went to Russia for five years of intensive military-political training. Unlike most of his colleagues who trained with him in Russia, he was one of five top-ranking officers who did not leave Moscow immediately to take part in the October events in Hungary. It was only on November 2-3 that he re-entered the country, undoubtedly bearing with him last-minute Soviet instructions. He became one of the first Hungarian military leaders to pledge his support to the Kadar regime.

After March 1, 1956, the Soviet rulers began to consider the reorganization of selective and "trustworthy" Hungarian military units. As a result, "elite" corps were organized, from which the most trusted individuals were selected as officer material, while the less reliable majority was relegated to the performance of auxiliary duties. Particular caution has been taken in setting up an air force in training. The old air force, both officers and crews, had been, to a man, supporters of the Revolution. When the Soviets took over, they disbanded the air force and forbade all Hungarian fliers to leave the ground. At present, new Hungarian pilots are being taught to fly. They are presumed to be "reliable"—

but they must be accompanied by Soviet instructors whenever they take an airplane off the ground.

The reorganization of the new "elitist" Hungarian Army, loyal to Kadar and his Soviet masters, is being handled by two key figures whose past history is as instructive as that of General Pal Ilku. They are Colonel Ferenc Ugrai, Chief of Staff of the new Hungarian Army since February, 1957, and Lieutenant General Geza Revesz, who became Minister of Defense in March.

Colonel Ugrai began his military career in 1945 as a lieutenant in the Communist Security Police, the AVO. He rose rapidly through the ranks, and in the late 1940's was sent to advance his military training in Moscow, where he remained for several years. A few years ago he returned to Hungary and became Chief of Staff of the Commanding General of Artillery in the Hungarian Army. Faithful to the Soviets, he, like General Ilku, is primarily a "political" and secret police officer. His loyalty to Kadar was rewarded by his most recent appointment.

General Revesz, Kadar's Minister of Defense, is a much older man; his record as a loyal professional Bolshevik revolutionist dates back to the period immediately following World War I. In 1919, during the Communist coup led by Bela Kun in Hungary, Revesz was a Communist militia-man. After Kun's downfall, Revesz, like Kun, fled to the Soviet Union where he studied at the Academy of Military Engineering. Upon graduation, he became a Comintern agent, his first assignment being to return to Hungary illegally for Party organizational work. Arrested and imprisoned, he continued his Comintern activities following his release, this time in various West European countries where he declared himself a Soviet citizen. For the remaining years of his Comintern service in Western Europe he had no contact with the Party apparatus inside Hungary. Nevertheless, in 1945, following the Soviet military victories in Hungary, he was once again assigned a function in his native land—to direct Communist infiltration of the Hungarian armed forces. In 1949 he became head of the Military Secret Police. It is this Soviet citizen and Comintern agent who is now directing the reorganization of the Hungarian Army, with its system of Russian "advisers."⁴³

There are indications that the Soviet "advisers" are building up the Hungarian Army as an auxiliary attacking force with the most advanced weapons and techniques. For example, according to highly reliable sources, rocket-launching and atomic weapon installations are being constructed in the Hajnasker, Papa and Tapolea districts—sites which were visited by Soviet Marshal Zhukov a few months ago. And since the middle of March, Soviet officers have been training highly selected Hungarian soldiers in atomic warfare at camps in Szolnok, Nyiregyhaza, Debrecen and Orkeny.

Soviet military support for the puppet regime in Budapest has not been restricted to purely military matters. It has also been employed as an instrument of terror. In the Budapest area alone, four prisons are operated by the Soviet Army. Most prominent is the Fo Street Jail in the First District of Budapest (formerly the Budapest County Court Prison). On several floors of this jail there are reported to be many Soviet soldiers who have been sentenced to death or are awaiting trial. The rest of the building is jammed with Hungarian citizens accused of "counter-revolutionary" activities. The Soviet Army also controls the prisons on Vilma Kiralyino Street and Conti Street in Budapest, on Csepel Island and at Godollo. These are used for "unreliable" Hungarians.

At the barracks on Haman Kato Street (formerly Haller Street), a Military Certification Committee, in which the Soviets participate, is engaged in the unending process of purging the Hungarian Army of officers and subalterns sympathetic to the Revolution. Soldiers who appear before this Committee generally do not regain their freedom.

During the first few months of 1957, arrests of Hungarian patriots were made by joint Soviet-AVO patrols. More recently the AVO has been given this function, but letters and reports as late as July 12th still speak of arrests made openly by the Red Army. The more important interrogations are still conducted by Soviet officers.

* * * * *

⁴³ The Russian "adviser" system has been greatly expanded and exercises complete control over the Hungarian army. During the Comintern's most belligerent period (1951-53), all departments of the Home Defense Ministry and all commands down to regimental level were controlled by Russian "advisers." After 1953, this control was relaxed substantially. Today the Hungarian army units are again controlled by Soviet "advisers"—this time down to battalion level.

It is only against the background of the total Soviet military control of Hungary that one can understand the political developments and systematic destruction of human liberties which have characterized the period since last November 4th—and which is the subject of succeeding chapters.

SOVIET INTERVENTION IN HUNGARY AND THE CONTINUING VIOLATION OF HUMAN RIGHTS

1. THE SOVIET ROLE IN THE POST-REVOLUTIONARY TERROR

The Report of the U. N. Special Committee set forth in painstaking detail the systematic violation of political and human rights which followed the suppression of the Hungarian revolt for freedom. All evidence points to the fact that, since the period covered by the U N report, the terror in Hungary has grown enormously. Hundreds of arrests have been announced during the months of July and August, and the most sweeping measures are being taken against professionals and intellectuals whose loyalty is suspect.

The Soviet Kadar regime has publicized a certain number of cases for the purpose of intimidating the Hungarian people. On the other hand, out of consideration for international opinion, they have sought to create the impression that only a small number of people were affected by the terror. The Report of the U. N. Committee casts serious doubt on Kadar's official statistics. According to these statistics, only 21 people had been executed by February 15; while, as of the end of July, the figure stood at 105. But Hungarians who have made an assiduous study of the national and local Hungarian press and who receive regular information from contacts in the country, present the following figures as a conservative estimate of the casualties of the Soviet-Kadar terror:

Executed.....	2, 000
Imprisoned.....	20, 000
Forced Labor Camps.....	15, 000
Internal Deportation.....	10, 000
Deported to Soviet Union.....	¹ 12, 000

¹ Mostly youth.

It is certain that a very large number of people have been imprisoned or executed without public notice of any kind. In an annex to this chapter, we give the particulars of almost 1,500 cases. The majority of these were taken from official Hungarian sources. Many of them, however, were not of public record.

The mass arrests and persecutions that are being perpetrated today are being carried out for the most part by Hungarians, ostensibly under the orders of a Hungarian Government. The fact that the policemen and gaolers and executioners are now in most cases—although not in all cases—Hungarians in no way reduces the reality of Soviet intervention. As the U. N. Report states in introducing the chapters on the suppression of political and human rights:

“Soviet military force was the effective backing of the government installed in power, and the political changes described in the next chapter can be explained only against the background of such intervention.”

The U. N. Report testifies in great detail on the direct employment of the Red Army as an apparatus of coercion and repression in the period immediately following the revolution. Indeed, for some months after the Kadar regime was installed in Budapest by Soviet tanks, the Red Army was not merely the chief but the only effective instrument of repression. It issued military proclamations, openly assuming the widest powers over the lives of the Hungarian people; it instituted its own military tribunals, carried out mass arrests, house-to-house searches and summary executions; it policed the railroads, broke strikes, guarded all key buildings and installations, and clashed with demonstrators. And, according to evidence from many sources, it rounded up thousands of young Hungarians for deportation to the Soviet Union. It recreated security police forces to replace the AVO, and it collaborated openly with them in the repressions of armed or passive resistance.

As the report emphasizes repeatedly, the revolution of October 23 had the manifest support of the entire Hungarian people—with the almost insignificant exception of a handful of communist leaders and the hated AVO. During the second intervention, the Commission found no evidence that Hungarians had at any point fought against Hungarians; it had been a clear-cut war between the invading Red Army on the one side, and the Hungarian people on the other.

At the point of assuming office, Kadar was not merely without any popular support—he was without a police force, without an army, without an apparatus of government. It is not surprising, therefore, that for some time after November 4, Kadar temporized with his people and spoke softly. He engaged in negotiations with the Workers' Councils, the trade unions, the Revolutionary Councils and other organizations that had taken part in the revolution. He promised that "the Government will not tolerate on any pretext the persecution of workers who have taken part in recent events." He also committed himself to democratic multi-party elections and to negotiations with a view to the withdrawal of Soviet troops from Hungary. The Commission's report presented the conclusion that "The gestures of conciliation, the discussions of enlargement of the Government, the seeming concessions to demands in various fields, appear in retrospect as a sparring for time, to grow in strength and to pick off these organizations one by one."

The Revolutionary Committees and Councils were dissolved by decree in December. The Workers' Councils, as the chief stronghold of resistance, were the next target of repression. On December 11, the Kadar regime illegalized the the Greater Budapest Workers' Council and all Councils above factory level. Though strikes and disorders continued through the month of January 1957, the power of the Factory Councils had been effectively broken by the turn of the year. The Revolutionary Council of Hungarian Intellectuals was dissolved at the end of November, after issuing a heroic manifesto of solidarity with the revolution, accepting all the consequences their words might bring upon them, "prison, deportations, and even death." The Writers' Union carried on for a few more months; but it, too, was dissolved on April 21. By the middle of February, according to the report, "all semblance of independence of the press was over."

A series of decree-laws were enacted by the Praesidium in December and January to "simplify criminal procedure". These established summary jurisdiction for a long list of crimes, including "the unlawful possession of firearms and ammunition," the failure to report to the authorities the unlicensed possession of firearms by other persons except next of kin; "organization against the People's Republic or against the people's democratic order, and association for this purpose." Also subject to summary jurisdiction were: "Wilful damage of public service installations or of public institutions . . ."; "trespassing on the territory of such installations, or the wilful disturbance of the activities of such installations by any other act; or instigation of any such offenses." The sentence prescribed for all of these "crimes" was death—although the decrees permitted the courts, "having regard to all circumstances of the case, to impose sentences of life imprisonment or imprisonment for 5 to 15 years."

Since the professional judges were considered untrustworthy by the regime, it was stipulated that the Summary Courts should consist of one professional judge and two "People's Assessors."

As a result of manifest dissatisfaction with the functioning of the existing courts, a decree-law of April 5 set up a "People's Chamber of the Supreme Court of Justice". Of the five judges of this court, only one must be a professional jurist—the other four are "lay assessors" appointed by the Praesidium. The People's Chamber can either serve as a court of first instance—or as a court of review or appeal *if the Chief Public Prosecutor or the President of the Supreme Court is dissatisfied with the verdict rendered by a lower court*. In the first case tried before the People's Chamber, the prisoner, who had been sentenced to 15 years imprisonment by a lower court, had his sentence increased to death by hanging—a sentence which was immediately carried out.

Prosecutors were authorized to bring defendants before summary courts without presenting any charge in advance; the charge is presented orally at the trial.

Legal redress against decisions of the summary courts was excluded.

The duration of the trial from the moment of arraignment to the passing of verdict was limited to three times 24 hours.

Unless the summary courts recommended clemency, death sentences were ordered carried out within two hours of their announcement.

The first decree prescribing the death penalty for the possession of arms was promulgated on December 11. It included the generous announcement that those surrendering their arms by "December 11, 6 p. m." would not be subject to prosecution.

Other decree-laws of the same period instituted "public security detention" for all those whose activities, in the opinion of the police authorities, "endanger

public order." Another decree published on March 19th gave the authorities almost unlimited scope in imposing police supervision or internal deportation on all those who might be suspect. These discretionary punishments were made applicable to all those "persons dangerous to the State and public security or to socialist co-existence, or for economic reasons, or who cause concern from the point of view of other important State interests."

The professional judges of Hungary, it must be recorded have resisted heroically the repeated demands that the Communist leaders have made for severity of punishment. In article in *Magyarország* of March 27 the Chief Public Prosecutor complained that there are a minority of judicial officials who, "being pre-occupied with the mistakes of the past, are constantly scared, while administering justice, of an excessively strict interpretation of the law (which they did to a nice degree in the past). Haunted by the nightmare of unlawful action, they violate the law in such a way that, displaying an incredible political and legal ignorance, they punish and forget to protect society . . . Their policy is to maintain cordial relations with all and to ensure the semblance of being 'humane'. They try to dream of the judge's independence, of impartiality, though even awake they know only too well that such dreams do not exist. . . . Thus it can occur that political speeches of jurists begin with a Marxist quotation and wind up by saying that politics are contingent on jurisprudence."

Premier Janos Kadar in his May 1 speech thundered that "our legal organs are actually complying with the requirements of humanity and democracy when they treat the criminals with the utmost severity."

Nepszabadsag on May 19 complained that:

"The liberalism by which some sentences and the attitude of some judges towards the enemies of our people have been marked must be taken as a serious warning. The judicial administration and the Party organizations must arrive at the correct conclusions. We must eliminate the ideological chaos caused not only by the infiltration of counter-revolutionary ideology, but also by past mistakes . . . and by present defects in the administration of our courts. Our judicial administration must get rid of judges who are unfit for their profession."

Despite all these exhortations, the judges of Hungary did not trouble to conceal their contempt for the legal precepts which were being foisted on them. Mrs. Imre Juhasz, representative of Szolnok County, recently admitted that "many judges have asked for their transfer from the criminal courts to the civil courts because this latter field is not so compromised."

(*Nepszabadsag*, July 4)

2. THE SOVIET COMMUNIST TERROR TODAY

The general situation

From the Communist press, from letters that brave Hungarians still continue to write to their friends abroad, and from those refugees who have escaped to the West in recent months, it is possible to piece together a reasonably authoritative picture of the situation in Hungary today—a picture supported at many points by information that may be gleaned from the Kadar press or radio.

According to these reports, terror is rampant and punitive expeditions are roaming the country. During the first months after the revolution, the terror was of a haphazard nature, based for the most part on chance discoveries and denunciations. The present campaign of terror, in contradistinction, is systematically organized on a national scale and is directed against all those who played even the least important role in the revolution—as well as against those, who, because of some personal or class interest, may be suspect of "sympathizing with the counter-revolution."

Everyone is affected by the terror. Throughout the country, people are constantly being stopped in the streets and asked to identify themselves. People taken into custody on suspicion of passive resistance are questioned by the police for two or three days, then released, their bodies covered with bruises and contusions. In the Rakosi era it was common practice to fatten up prisoners for several weeks prior to their release by way of "proving" the humane conditions in the Communist jails. Apparently the Communist regime now believes that prisoners who have obviously been beaten up are more effective as vehicles of the terror than prisoners who appear to be fat and unharmed. According to many recent arrivals from Hungary, one frequently comes across people in the streets of Budapest whose bruised faces betray a visit to the

police. When questioned, they simply shrug their shoulders and answer: "They suspected me of passive resistance".

According to an estimate by a former lawyer and police captain, up until the end of August some 50,000 people have been dismissed from their jobs under Paragraph 29 of the so-called "Working Law", and several scores of thousands more have been demoted or excluded from promotions. Paragraph 29 provides for penalties against people guilty of political unreliability. The threat of action under this Paragraph is one of the most potent measures the regime has been able to use in inducing former Communists to reenter the Party.

There are many reports of continuing deportations during July and August. A recent refugee from the town of Miskolc submitted a deposition that six students of Miskolc University were deported to the Soviet Union in early August, allegedly because they spied against the Soviet. The deposition stated that the students' cries for help were heard by many people as they were transported out of the town in a covered Soviet truck, and that the students later were able to drop written slips from their railway wagons.

Another deposition by a recent refugee from Eger states that in early August three students of the Academy of law of Eger University were deported to the Soviet Union. The slips of paper which they threw out of their railway wagons were forwarded by the finders to the students' parents. On the 22nd of August in Batonya, a village near the Roumanian frontier, five Hungarians, according to another deposition, were rounded up and deported as a result of a clash with some Soviet soldiers in a public bar."

The report of the U. N. Committee referred to the master index covering the activities of virtually all adult Hungarians which was discovered in the headquarters of the AVO, information has come from a number of sources that, under the direction of the Ministry of the Interior, such a master list is again being compiled in the Jaszai Mari Square Building of the Home Office, and that over 100,000 names have already been entered in the card index which now serves as the basis for investigations and proceedings.

Prisons and concentration camps

The security organs of the Kadar Government are faced with a grave logistical problem: the capacity of their jails and internment camps lags far behind the rate of imprisonment and detention. On January 8th the ill-famed Reesk concentration camp, which was closed by Prime Minister Imre Nagy in 1953, was reopened. Conditions in Reesk must be gauged from the fact that the Hungarian people have always referred to it as "a death camp" or as "Auschwitz". The Kistarcsa concentration camp, which closed in the summer of 1956, is also operating again. In addition there are major camps at Hatvan, Hortobagy, Kovagoszollos, Varplalota and smaller ones at other centers. The number of persons detained in these camps is reported to be at least 15,000—some estimates run as high as 40,000.

In the jails and other places of detention the situation is reported to be even worse than it is in the internment camps. (Information on conditions in the prisons is based on many letters from Hungary and on the testimony of Hungarians who passed through them and subsequently escaped to the West.) Although the employment of chains and other means of physical punishment has been officially abolished, they are, in practice, again employed. The overcrowding in many prisons is so serious that the prisoners suffer as much from this as they do from the physical tortures to which they are subjected. The number of names in the Gyujtofoghaz (now called the "National Prison") exceeds 5,000—which is approximately six times its rated capacity. Ordinary criminals have been taken to other jails, so that at the present time it houses political prisoners almost exclusively. The ill-famed Conti Street jail in Budapest is again operating to capacity. In the Marko Street prison in Budapest, where several thousand prisoners are incarcerated, small cells, 6x15 feet, which were meant to contain 2 persons, have as many as 14 bodies jammed into them. In the larger cells which were meant for 4-6 persons, there are now 35-40. In the small cells there are 2 or 3 straw mattresses, in the large ones 7-8, so that most of the prisoners must lie on the stone floor. There is no soap, and towels must be shared by the inmates of 2 or 3 cells. Twice a day each cell receives 2 pails of water—which is barely enough for drinking. Medical attention is negligible, and drugs for the prisoners are non-existent. Death sentences in the Budapest area are for the most part executed in the closed yard of the National Prison.

The legal terror

The Ministry of the Interior is engaged in a country-wide manhunt for political prisoners who were freed in the course of the revolution. According to official Communist estimates, they have already succeeded in rounding up more than 75% of these prisoners. Former political prisoners who were released during the revolution and have since been apprehended by the Soviet-Kadar police, are for the most part not listed among the casualties of the present terror. For example, on November 23rd, 1956, *Nepszabadsag* reported that in one single county, County Baranya, 175 "former convicts" who had been freed during the October uprising had been recaptured. But a survey of the official Hungarian press reveals the names of only 15 escaped and recaptured convicts for the whole of Hungary—and among these there is not one who was apprehended in County Baranya.

One letter received quotes an important official of the Kadar party as admitting that "in Hungary no one can be certain that he won't be considered a counter-revolutionary. Hitler said that he alone decides who is a Jew and who is not; Kadar has assumed the same arbitrary power. If he and his clique dislike anyone for any reason, they simply brand him a 'counter-revolutionary.' Even the most innocent person whose participation in the revolution was limited to watching from behind drawn blinds with a nightcap on his head, cannot be sure that he won't be branded a saboteur or an imperialist agent."

Prior to the massive campaign of repressions which was launched in July, the decree-laws promulgated earlier in the year were reinforced by even more draconic measures and amendments. Decree-law No. 34, which was announced on June 15, 1957, provided for the establishment of "People's Judicial Councils" for the purpose of "applying an accelerated procedure". Cases coming before the people's judicial councils are generally subject to the death penalty. However, where the court is persuaded that extenuating circumstances exist, it may exercise humanitarian discretion in imposing sentence of life imprisonment or 5-10 years in prison. In no case can it pass sentence of less than 5 years.

Section 31 of the same law provides that ". . . for the protection of the State if a defence counsel is needed, he may be appointed only from those listed by the Ministry of Justice for this purpose."

Whereas the sentence of death for strikers was implicit in decree-law of January 11, 1957, it was announced on June 15th—for the first time in such open language—that the people's judicial councils are empowered to pass sentence of death in cases involving strikers or instigation to strike. (*Magyar Kozlony*, June 15, 1957) With these measures, the Soviet-imposed regime has introduced into Hungarian juridical procedure an unprecedented reign of terror, under which the slightest misdemeanor may be punished by death or at least by 5 years in prison. In their ruthlessness, these measures surpassed the worst days of Stalin and Rakosi.

Theoretically defendants are supposed to have the right to engage counsel and to present evidence in their favor. However, a careful study of many of the cases that have been described in some detail by the official Hungarian press, indicates that cases were frequently decided without counsel for defense, and for that matter, without defense of any kind. To quote only a few examples, this was so in the cases of Andras Nagy and Jozsef Soltesz, sentenced to death by a military court at Miskolo. (*Nepszabadsag*, December 16, 1956). It was so in the case of Ferenc Gabor, Jr., sentenced to death by the Keckemet Military Court (*Nepszabadsag*, December 18, 1956); in the case of Elemer Kovacs, sentenced to 15 years by the Keckemet Military Court for illegal possession of arms. (*Nepszabadsag* January 6, 1957); in the case of Andras Jakab, sentenced to death by the Budapest Military Court for the illegal possession of arms. (*Nepszabadsag*, January 12, 1957); and in many, many other cases, running right down to recent weeks.

The campaign against the intellectuals

The chief targets of the current campaign of repression are the Hungarian writers and intellectuals, who played so outstanding a part in the revolution and the post-revolutionary resistance. So many prominent writers and journalists fled to the West and so many more were arrested that literary life practically ceased to exist after the revolution. On January 26th the armed forces arrested the well-known writers Gyula Hay, Zoltan Zelk (Kossuth Prize winning author and poet) and Tibor Tardos, and the newspapermen Sandor Novobatzky, Pal Locsei, Miklos Gyimes, Balazs Lengyel and Domoskolos Varga—

all of them Communists except Varga and Lengvel. The Writers' Union, as has been previously pointed out, was dissolved by decree on April 21st because "it assaulted the Socialist system". Gabor Folly, a journalist accused of conspiratorial organization, was executed in early July. Jozsef Gali and Gyula Obersovszky, also prominent journalists, were sentenced to death—but their lives were spared thanks to the energetic intervention of a number of well-known Western writers, and even writers in Poland. The internationally famous writer, Tibor Dery, is still under arrest, awaiting trial. Among the writers arrested in January, it is reported that Tibor Tardos has gone mad and is now in a prison hospital. All told it is estimated that more than 50 newspapermen and writers are being kept under arrest in Budapest, among them the whole editorial staff of *Somogyország* and *Miskolci Hírlap*. Most of these are followers of Imre Nagy's Communist tendency.

Driven to desperation by their failure to recruit any significant support from the cultural standardbearers of their country, the Communist leaders have repeatedly made sweeping denunciations directed against the entire category of writers and intellectuals. In an interview with an East German news agency reporter in January, Deputy-Premier Ferenc Muennich denounced the Hungarian associations of newspapermen and writers as "hotbeds of the reactionaries". He said the government had waited for a change in attitude on the part of writers and newsmen, and had made large scale arrests "only when the situation became intolerable." (*New York Times*, January 26, 1957). On June 5th, Kadar's puppet parliament stood and cheered lustily when a university lecturer, Bela Karasonyi, called for a purge of Hungary's intellectual life that would be far more sweeping than any attempted by the Rakosi dictatorship. "The cultural counter-revolution is waging a stubborn and often not unsuccessful rear guard action. We did not get rid of all the bourgeois in our intellectual life after 1945 as we should have done." (*New York Times*, June 6, 1957).

Most eloquent of all in his denunciation of the intellectuals was Deputy Minister Gyorgy Marosan, who is notorious for the coarseness of his language. (It was Marosan, incidentally, who publicly accepted responsibility for demanding the intervention of the Red Army.) Spouting poison against the intellectuals, Marosan told the assembled workers of the Budapest Lang factory on December 9:

"I am the same kind of bum you are. I've never studied anything, just as you've never studied anything. All my life I have hated the gentry, hated the scholars, because every one of them is a rotten no-good counter-revolutionary, and I should like nothing better than to hang them from the first available tree on a rope woven from their own intestines."

The purge of Hungarian writers reached such proportions that the Polish Writers' Union on June 14th, in an act of the greatest political courage, condemned the purge as a violation of the essential rights of men". Their resolution described the arrests and imprisonments of Hungarian writers by the Kadar government as "harmful to the cause of Socialism common to all people's democracies." (*New York Times*, June 15, 1957) But to this day the regime has not been able either to intimidate the Hungarian intellectuals or to win them over. On August 2nd the Hungarian news agency MTI reported that 6 top leaders of Hungarian university life, among them Dr. Laszlo Gillemot, rector of the Budapest Technical University, had been purged; and that the purge also included the heads of other universities in the capital and in the cities of Pecs and Debrecen. Two days later on August 4th, the Kadar Minister of Culture, Gyula Kallai, announced the start of still another all-out campaign to smash intellectual resistance to Communism. Certain intellectual groups, said Mr. Kallai, "still holding fighting positions in cultural fields, have started new aggressions." (AP dispatch—*New York Times*, August 8, 1957)

The straight-jacketing of cultural life and the persecution of artists is not confined to the field of writing. The Hungarian theatre has also been accused of being a hotbed of reaction. For some time after the revolution, theatres continued to present the plays of Western authors and there were virtually no Soviet plays. But it was not long before the regime was able to direct a portion of its attention to the theatre. *Nepszabadsag* pointed out that in the theatres "they have simply banished plays dealing with the problems of a new society . . . they want to restore the bourgeois stage." Gabor Foldes, stage manager of the Gyor theatre, was sentenced to death because of counter-revolutionary activities. According to information received from several sources, the very talented actor, Ivan Darvas, was beaten to death by AVO men. Agi Meszaros (a

Kossuth Prize winner) Bessenyei, Miklos Szakacs and 13 Budapest actors are reported to be in prison because of their revolutionary attitude. The gifted young actor, Imre Sos, who helped organize the effective protest movement which saved the writers Oberszovski and Oali from the gallows, committed suicide together with his wife because of the persecution to which he was subjected.

The paper *Delmagyarország* has reported that Beethoven's opera "Fidelio" was taken off the program in Szeged after several violent demonstrations by the audience. The opera is a passionate protest against tyranny and at its first performance the audience clapped and demonstrated at certain references which applied transparently, *mutatis mutandis*, to the Kadar regime.

Great numbers of educators and teachers are also in prison. In July, the teachers Istvan Filep and Imre Balogh were imprisoned on charges of carrying on counter-revolutionary activities among the students. Laszlo Bede, a university demonstrator, was sentenced to 15 years imprisonment in Debrecen on the same charge. University rector Dezso Baroti; Gabor Fodor, brilliant chemist and twice winner of the Kossuth prize; and Istvan Penzes, a demonstrator, have been removed from Szeged University. The renowned professor of statistics, Pal Csonka, and the professor of architecture, Jeno Rados, have been discharged from Budapest University. Andras Zoltan, a teacher in Gyor, was sentenced to 2½ years imprisonment on the charge of incitement. And David Soveges, principal of Pannohalma gymnasium, was sentenced to 2 years on the same charge. The list could be extended indefinitely.

The persecution of the Hungarian youth

Despite a decade of communist indoctrination, the youth of Hungary were in the forefront of the revolution. It was from the ranks of the student and working class youth that the shock troops of the Freedom Fighters were recruited. Not very surprisingly therefore, the Hungarian youth were the chief target of the mass deportations which characterized the initial period of the Soviet military occupation. During the exodus that followed November 4—while the borders to the West were still open—some 7,000 university students and scores of thousands of young workers made good their escape. But this diminution in numbers has in no way weakened the spirit of Hungary's patriot youth.

It was February before lectures could be recommenced in the country's universities. When the Polytechnical University in Budapest opened up, 40 percent of the student body was missing. In the case of the University of Sopron, the entire Faculty of Forestry, students and professors, had fled the country. Although the terror had already been in operation for more than three months, and although thousands of young people had been deported, arrested or executed, the many thousands of students who resumed their courses demonstrated anything but a chastened attitude.

Dr. Pal Gegesi Kiss, dean of the medical faculty at the University of Budapest, complained some time after his university reopened that searches of the student quarters were daily turning up quantities of concealed weapons. The number of demonstrations and partial strikes that occurred in the period immediately following reopening led Minister of Education Albert Konya to explode: "The teachers and students are collaborating in the organization of these university strikes, and draconic measures will have to be taken against them."

The League of Hungarian University and College Students (MEFESZ), which had been set up on October 20, had developed almost overnight into the national organization of the Hungarian students. MEFESZ played a prominent role in the events of the revolution; and after the Soviet occupation it stubbornly continued to uphold the revolution and to demand the withdrawal of Soviet troops (*Esti Hirlap*, January 6, 1957). Since January, all of the members of the former MEFESZ committee have disappeared. In university circles it is taken as a certainty that of the MEFESZ leaders, Istvan Poznar, Ferenc Perger, Gyorgy Vince and Janos Molnar have been executed, and it is also generally believed that Pal Cserhati, Jozsef Molnar and Edit Molnar followed them to the gallows.

On February 26 the Budapest regime established the League of Communist Youth (KISZ) in an effort to offset the influence of MEFESZ and DISZ (the once communist-controlled League of Working Class Youth which had gone over to the revolution). But despite propaganda and pressures, the most recent reports are that no more than 5% of the Hungarian youth have joined KISZ—and the majority of these are secretly hostile to the regime.

Items which continue to appear in the press confirm reports of the continuing resistance of Hungary's youth to the terror of the regime. On March 23, on the 6 month anniversary of the revolution, the students appeared at their lectures in black suits, and they layed flowers on the graves of the revolution's dead. In the town of Tab in Somogy County, the security forces rounded up a "counter-revolutionary fascist" gang during the month of May. All 9 members of the gang were 16-17 year old students.

The regime has shown itself merciless in dealing with its rebellious youth. The 15 year old student Maria Witz, was sentenced to death by the Supreme Court for counter-revolutionary activities. The 17 year old worker, Benjamin Szramek, was sentenced to 15 years in prison by the Court of Pest County in mid-April. On July 21, President Oldenbroek of the International Federation of Free Trade Unions, energetically protested against the verdict of a Kadar court which sentenced three young workers to death—the 20 year old iron turner Jozsef Burgermeister, the 20 year old mechanic Attila Olah, and the 23 year old welder Bela Laki. Their crime was that they had taken part in the revolution.

The persecution of the peasants

By means of terror and economic pressure the Communist regime had succeeded in forcing some 50% of the stubbornly independent Hungarian peasantry into the collectives by 1953. Under the first premiership of Imre Nagy in that year the peasantry received a limited increase of freedom—as a result of which some of them were able to extricate themselves from the hated *kolhoz*. The October revolution turned what had been a trend into a mass movement. It is estimated that by the beginning of this year almost 90% of the Hungarian peasantry were again producing as independent farmers.

During the period November 1946 to February 1947, the Communist regime, under Soviet direction, was concentrating all its efforts on the destruction of the workers' councils and the intellectual resistance. During this time it made no effort to restore the collectives or to reinstate the system of forced deliveries because it was understandably afraid of having to fight on an additional front at the same time.

A deliberate effort was made to isolate the peasantry from the workers, and many articles appeared in the press praising the peasantry for not having taken an active part in the revolution and for having continued to do their work honestly.

In January and February, some of the leading Communist agricultural experts, under the leadership of Antal Marcisz, Minister of Agriculture, went to Moscow for discussions with the Soviet agricultural authorities. Shortly after they came back, the regime embarked on a ruthless campaign to force the peasants back into *kolhoz* and to undermine the individual peasant producers. In this campaign they resorted to many of the methods of physical, economic, and psychological coercion instituted against the peasantry by the Rakosi regime.

The campaign got under way in March and reached its height during the month of May. For their repressions they employed formations of the recently created "Workers Militia" composed of former AVO men and Communist stalwarts. The Hungarian press is replete with stories relating to the persecution of the peasantry, and much more information has of course reached the West from escapees and travelers.

In the village of Vamosteres, the militia beat up 52 peasants, including women, in the course of their "investigation." The crime of the villagers was that they had "expelled the chairman of their council and his companions from the community." The community of Morahalom was occupied for weeks by members of the militia and the AVO. The June 15th issue of the paper *Delmagyarorszag* in describing this episode said that Istvan Antal, a resident of Morahalom, had embarked on his revolutionary activities under the inflammatory influence of the Voice of America and Radio Free Europe. According to the accusation he had dismissed the former leaders of the tractor station and relegated them to lower positions. He had also personally taken down the Red Star from the tractor station and had broken it up. The article then described how Antal and his companions, leading a mob of peasants, started out to set fire to the Council house. The local police held back the crowd with warning shots until military help (the AVO) arrived from Szeged. The police and the AVO fired into the crowd, reportedly after ordering them to disperse. Two peasants were killed, seven seriously wounded and thirty slightly wounded.

Istvan Antal and his companions were prosecuted for the murders committed by the AVO and for the additional crime of tearing down the Red Star.

Throughout the summer months the provincial papers have carried almost daily accounts of the arrests of peasants. The arrests almost invariably involved groups of peasants who took the leadership in the dissolution of their agricultural collectives and in the dismissal of their Council chairmen. At Fertoszentmiklos, Ferenc Osze and ten companions were sentenced to prison on this charge. At Sokoropaka, twelve peasants went to prison on the charge of damaging community property. At Mihalyi, four farmers were sentenced for periods ranging from 2 to 12 years on the charge of having beaten up the local party secretary and having kept their Council leader under arrest. The sentences passed against the peasants usually include complete or partial confiscation of their property. This property finds its way into the newly formed agricultural collectives.

The provincial press is also full of news items concerning the formation of "voluntary agricultural collectives." The techniques employed in promoting the formation of these voluntary collectives are highly interesting. In some cases, a squad of workers' militia, in civilian clothes, occupy a community and set themselves up in the former offices of the dissolved collective. Then they call in one or two former members of the collective and attempt to persuade them to undertake its reorganization. If they prove uncooperative, they are subjected to a two-day treatment. Inevitably, a certain percentage of the peasants succumb to this treatment.

A peasant who escaped from Hungary several months ago testified in Vienna that on March 4 he and other peasants were called upon to return to the collective. When the peasant resisted, they confiscated his pig and his cow. Then on March 12 he was informed by the community council that his share of the collective's debt to the bank was 3,500 forints and that he was expected to repay this within three days. On the same day they told him that he owed 1,000 forints more as an installment payment on the land he had received in 1945. At this point the peasant decided that the hard life in the Austrian camps was preferable to rejoining the collective.

Despite the combination of police terror and economic coercion, almost 60% of the Hungarian peasantry have, as of this moment, still refused to join the collectives. In July, the government fixed the prices of agricultural produce in an effort to force the peasantry to sell their wares only to the State. Those who sell or buy produce for resale without a government license are imprisoned. The widening price spread is imposing the greatest hardship on the peasants.

Against this background of terror and bungling it is not surprising that agricultural production this year will be seriously reduced. Nor are matters helped by the fact that the most capable peasants simply cannot be persuaded to return to the collectives. In its June 28th issue *Nepszabadsag* complained that "at the head of the cooperatives there are at present much fewer expert farmers skilled in the management of the cooperatives than there were before October. On the national average, only every second producer cooperative has a chairman who has had more than elementary schooling."

But despite such admissions and despite the drastic crop reductions now anticipated, the Communist regime seems to be irrevocably committed to its policy of "voluntary" collectivization. The chances are, therefore, that the coming period will see an increase in the official terror directed against the peasantry of Hungary.

The persecution of religion

About 65% of Hungary's population is Catholic, and the Communist persecution of religion is therefore directed in the first instance against the Catholic church and against the person of Cardinal Mindszenty, whose imprisonment has made him a symbol of resistance to the entire Hungarian people. Since the Soviet occupation of November 4th, hundreds of Catholic priests have been thrown into prison on accusations of "counter-revolutionary" activity. Among those interned are Joseph Peteri, the bishop of Vac; Vendel Endredi, abbot of the Cistercian Order, who under the Rakosi regime was sentenced to 9 years in prison; Andras Zakar and Egon Turcsanyi, the secretaries to Cardinal Mindszenty; Father Imre Varju and Father Antal Kukla of the Budapest Theological Seminary; and the well known theologian Istvan Tabodi.

Strong pressure is being brought on the Catholic church to support the so-called "priests for peace" movement. The basic purpose of this movement is to attempt to reconcile faithful Catholics to the Communist system. But so far

the regime has found only a handful of intimidated compromising priests who are willing to work with it. The so-called "Department of Church Affairs" is again in operation. This department has an office in every diocese and even the most inconsequential administrative matters must be channeled through the state organ. On March 23rd the Praesidium of the Council of Ministers issued a decree, retroactive to October 1, 1956, making the consent of the state essential for every ecclesiastical appointment, transfer, or suspension. In practice this means that the government's approval must be obtained for the filling of even the lowliest ecclesiastical office—and that appointments or changes which were made during the brief period of freedom are automatically invalidated.

The Protestant church is under similar attack. The more bitter attacks in this field have been directed against Bishop Ravasz who is under house arrest at Leanyfalú. Many Protestant ministers are in prison. Among them the theology teacher Barna Nagy, the minister Sandor Joo of Fásor, and the professor of reformed theology Laszlo Papp. Lajos Gulyas, a Reformed minister of Level in West Hungary, was sentenced to death for participation in the revolution.

The Communist regime has also made heavy attacks on Hungarian Jewry. Many Hungarian Jews played a prominent part in the revolution. The leaders of the Jewish community at the time openly supported the uprising, and they condemned the conduct of those Jews who had taken any part during the years of terror in the persecution of the people. In February, four Jewish university professors were arrested, among them professors Imre Szabolcsi and Izidor Miskolczi because they refused to cooperate in the editorship of the government so-called "whitebook", in which the regime alleges that there were anti-Semitic pogroms during the revolution.

But despite all of these attacks, religion in Hungary is stronger than ever. The Yugoslav paper *Ljudska Pravica* recently said in a report that in Budapest "the churches are crowded; conspicuously large numbers of young people are attending mass."

Political developments and the fate of the political parties

The report of the UN Committee states that Kadar seemed at first disposed to consider the possibility of a coalition government, but that this development was impeded "by the opposition of Soviet officials, both civil and military, among them . . . the Soviet Commander in Chief, Marshal Konev, who came to Budapest at that time. Following the visit of the Soviet officials, the attitude of Mr. Kadar towards the formation of a coalition government changed." (para. 680). The report concludes that: "Mr. Kadar's policy in the matter of collaboration with those outside the Hungarian Socialist Workers' (Communist Party), appears to have been decisively influenced, if it was not directed, by Soviet military and civil authorities." (para. 690).

The same pattern of Soviet intervention continues to manifest itself at all levels. There has been an entire series of "diplomatic" visits to Budapest by Soviet and Comintern leaders—Khrushchev and Bulganin, Marshal Zhukov, Anastas Mikoyan, Chou En Lai, and the leaders of the "reliable" Czechoslovak, Rumanian and Bulgarian parties. It is of course impossible to adduce evidence in black and white that the actions of the Budapest government are determined in Moscow. But even the most credulous would find it difficult to pretend that it is simply coincidence that every conference between the Soviet leaders and the Kadar regime is followed immediately by a dramatic hardening of attitude, or by a rash of decrees or pronouncements or by mass arrests.

The arrival of the new Soviet Ambassador, J. Ivanovich Gromov on March 12, coincided almost to the day with the launching of a massive campaign of arrests and with large-scale military movements obviously designed to discourage any revolutionary manifestations on Hungarian Liberation Day, March 15. During the week of March 20, Premier Kadar visited Moscow. There had been some hope that he would bring back an agreement on the status of Soviet troops in Hungary—but when he returned at the end of March, all he could promise was talks on the subject "in the near future." But on other points the talks were apparently highly effective. In Moscow, Kadar promised to step up the punitive aspects of the dictatorship of the proletariat and to tighten up on party discipline. On March 19th, the Budapest regime issued a decree establishing police surveillance and internal deportation by administrative decision of those elements "who endanger the state . . . but whose deeds are not serious enough to warrant criminal procedure. . . ." On March 23, the Ministry of the Interior is-

sued a decree stipulating that all Hungarians must present their identity cards for revalidation at local police headquarters. On the same day, two decrees were announced tightening the regime's control over the Church. The decrees gave the state complete control over Church appointments. They also stated that the "full rigor of the law" would be applied against those individuals who use religious instruction for purposes directed against the political, social or economic order.

The account of the UN report on the subject of the non-communist political parties leaves off at the point where the Petofi Party had dissolved itself, Bela Kovacs, leader of the Independent Smallholders' Party had retired, and the Government had announced its intention of "liquidating" the Social Democratic Party. Despite this, on February 9, Mr. Kadar promised negotiations with the Independent Smallholders and with the Petofi Party "with a view to broadening the Government." But in recent months there has been no pretense of broadening government and the non-communist political leaders have been the victims of a systematic campaign of repression. Zoltan Tildy, leader of the Peasant Party, was placed under house arrest on May 6 in his villa at 42 Budakeszi ut—where he had already spent seven years under house arrest imposed by Rakosi. There have been persistent reports that during the last days of May, house arrest was replaced by effective arrest and Tildy was transported to Fo-utca jail. A number of his Peasant Party colleagues who had refused to join the Kadar government were arrested at the same time. Among them was Attila Szigethy, who towards the end of May tried to end his own life in a prison hospital; Istvan Bibo, Minister of State in the Government of Imre Nagy; and Laszlo Kardos, former director of the Union of Colleges. It is noteworthy that these people had generally been considered fellow-travelers rather than anti-communists. Even after the revolution, Mr. Bibo had proposed a coalition program which would have offered the Soviet Union definite guarantees that Hungary would remain in the Eastern bloc * * *. In the mass arrests of July and August, the campaign against minor non-communist politicians has been carried to even more ridiculous extremes.

The repressive campaign of July–August

A highly interesting document has reached the hands of the committee from Hungarian sources which have been meticulous about their information. It is a copy of a secret tabulation taken from national police headquarters in Budapest covering the arrests which took place from August 1st to 18th. We place this document in evidence because the statistics contained in it correspond closely to what is known about the scale of the arrests, because we are disposed to have confidence in the individuals who transmitted this document, and because it is almost inconceivable that anyone would attempt to forge a document of such great detail but of such limited utility.

County	Number of detentions	Released in 72 hours	Placed under arrest
1/Borsod.....	267	79	168
2/Nograd.....	71	45	26
3/Heves, Hajdu-Bihar, Szabolcs-Szatmar.....	163	23	140
4/Bekes, Csongrad, Szolnok, Bacs-Kiskun.....	197	54	143
5/Baranya, Tolna, Somogy.....	121	39	82
6/Zala, Vas, Győr, Sopron.....	218	17	201
7/Veszprem, Komarom, Fejer.....	87	15	72
8/Pest.....	97	18	79
9/Budapest.....	224	27	197
In all.....	1,445	337	1,108

The massive campaign of repression that has been going on in Hungary in recent weeks was the subject of a highly intelligent and detailed summary by Mr. Fredrick Brook, special correspondent of *The Christian Science Monitor*, who wrote in that paper on August 5th:

"... The attempts of Premier Janos Kadar's regime to present the Hungarian revolution as a 'fascist imperialist plot' has reached new heights of tragedy and absurdity during the past few days.

"In its search for scapegoats, the Ministry of the Interior has now herded together in the jails of Budapest virtually every anti-Communist figure still at liberty in the country—irrespective of his current position or of his role in the October uprising.

"On paper, the new batch of 'counter revolutionaries' now seized may look formidable and sinister enough to Communist eyes. They include Dr. Karoly Zajgovari of the Christian Party, Dr. Ferenc Mattheovics of the Democratic Peoples Party, Hugo Payr of the Christian Hungarian Party, and Isztvan Asztalos of the so-called National Bloc of Independents.

"A number of Dominican priests, former Imperial Army officers, and long-forgotten pre-war right-wing deputies have been thrown in for good measure.

"But this imposing facade of the 'white terror' looks a lot flimsier on closer examination. The four organizations named were among the many emergency groups which during the first three days of November 1956, broke through the turbulent political surface of Budapest like mushrooms after a storm.

"In every case their existence was thoroughly legal. It was sanctioned by the decision of the last legitimate government of Hungary—the National Communist administration of Imre Nagy—to allow the free formation of parties of any ideology.

"In every case, too, these anti-Communist forces only raised their heads after the spontaneous battle of Hungarian workers and students had won concessions and an uneasy truce from the Soviets. The only political significance of these groups was that they expressed in concrete form that yearning for free assembly which was sweeping the entire country."

THE CONSTITUTIONAL ILLEGALITY OF THE KADAR REGIME

The Report of the United Nations Special Committee on Hungary provides complete documentation for the fact that the present Communist regime was imposed upon the Hungarian people, and has maintained its power ever since, solely as a result of the direct military intervention of the Soviet Union. From this fact alone it follows that the regime has not the slightest claim to be regarded as the legitimate and legally constituted government of Hungary. Nevertheless, in the ten months since the suppression of the Revolution, the Kadar administration has made strenuous efforts to gain acceptance of its legitimacy as a government in the court of public opinion and by the chancelleries of the world; and many countries which have not publicly recognized it have at least given it tacit acceptance.

Elsewhere in this study we have reproduced the evidence that the Communist regime was, in the first instance, imposed on Hungary by Soviet force against the clearly and repeatedly expressed will of the Hungarian people—making a mockery of the democratic and constitutional forms to which the Communists have paid lip service. In this basic sense, the legality of the Communist regime is challengeable *ab initio*. But no matter how one may evaluate the legality of those Communist governments which preceded the October revolution, for the purposes of the U. N. debate their legality must be assumed as a premise. The Hungarian Communist regime was admitted to the U. N. in 1955 as the legally constituted government of that country. Implicit in its membership was the assumption of its legality; and legal compliance with the constitution of 1949 must, therefore, be considered a basic criterion of the eligibility of succeeding governments for continuing membership.

It is, therefore, pertinent to point out that, even according to precedents established by Hungarian Communist governments prior to 1956 and to the provisions of the Communist Constitution of 1949, the current regime can make no claim to the widespread *de jure* recognition accorded its predecessors. Its claim to legitimacy has been forfeited by its abrogation of the very forms of constitutionality and legality to which earlier Hungarian Communist regimes made at least token obeisance. By that act of abrogation, the present regime in Hungary has at the same time destroyed all claim to legal standing and official recognition by the U. N. and its member nations. In this chapter we propose to submit to its own constitutional criteria the proclaimed legality of the present Budapest regime. (For the purposes of this study, the terms "legal" and "illegal" are to be understood specifically in terms of the Constitution of 1949.)

Not even the Kadar regime has ever denied that Imre Nagy became Premier in a constitutional and legal manner. As late as May 9 of this year, Istvan Dobi, Chairman of the Praesidium of the People's Republic, speaking to the Hungarian Parliament, said the following:

"On October 24, 1956, the Praesidium of the People's Republic acted in accordance with its constitutional prerogatives in electing Imre Nagy as Premier." (*Nepszabadsag*, May 10, 1957.)

The Constitution of 1949 explicitly provides that cabinet ministers are to be elected to their posts by the Parliament; however, when the Parliament is not in session, the Praesidium of the People's Republic exercises this prerogative.⁴⁴ This is precisely what happened on October 24, 1956, when the Praesidium elected Mr. Nagy Premier, in response to the overwhelming demand of the people, as expressed in the demonstrations of the preceding few days. The U. N. Report makes it clear that the election of Premier Nagy was received with a popular acclaim which was an authentically democratic expression.⁴⁵ This accords with the very phraseology of the Communist Constitution of 1949, which states: "In the Hungarian People's Republic all power is in the hands of the working people,"⁴⁶ a clear and unequivocal commitment to the democratic principle.

Thus, the election of Imre Nagy to the Premiership fulfilled both the unmistakable will of the people and all constitutional requirements.

But his dismissal from that office, following the flagrant intervention of Soviet forces, was legally and politically unprecedented and unconstitutional. His removal on November 12, 1956, was announced in the Government's Official Gazette in these terms:

"The Praesidium of the People's Republic herewith relieves Imre Nagy of his duties as head of the Council of Ministers (Premier)."⁴⁷

The Constitution does not specify a detailed procedure for relieving members of the Council of Ministers of their duties; it merely states that "Parliament, on the motion of the Praesidium of the People's Republic, elects and dismisses the Council of Ministers of individual members thereof." In the absence of specific details in the Constitution, the procedure for dismissing the Premier derives partly from established practice and partly from the nature of the Premier's office.

Both before and after the present Constitution went into effect in 1949, two conditions have had to be met before the Premier could be relieved of his duties: (a) *resignation by his own act*, and (b) *acceptance of the resignation by the proper organ of government*.

Three precedents were established for this in the period before Mr. Nagy acceded to the Premiership. Mr. Ferenc Nagy was Premier from February 4, 1946, to May 30, 1947. In the Spring of 1947, Mr. Ferenc Nagy took a vacation in Switzerland; in his absence the Communist Party brought charges against him which threatened his personal freedom in the event of his return. With his youngest son held hostage in Hungary, Ferenc Nagy was forced to resign the Premiership "voluntarily" while in Switzerland. This case demonstrates that, even under the harsh rule of Matyas Rakosi, characterized by Kadar himself as "criminal", it was considered constitutionally indispensable that the Premier resign his post and that the resignation be duly accepted.

The second precedent was established in the case of Istvan Dobi, who was Premier from December 9, 1948, to August 14, 1952, part of this period being under the Constitution of 1949. His dismissal was recorded in the Official Gazette as follows: "During its August 14, 1952, session, Parliament accepted the resignation of Istvan Dobi from the office of Premier and relieved him of his duties."⁴⁸ Although the Official Gazette did not appear between October 20, 1956, and November 12, 1956, it is clear that a similar procedure was followed in the case of Andras Hegedus, who had been Premier until October 24, 1956. On that day, the official radio broadcast which announced Imre Nagy's election to the Premiership also announced Hegedus' election to the First Deputy Premiership. Thus the legal and constitutional forms followed in the election of Mr. Nagy by the Praesidium were similarly followed in Mr. Hegedus' departure from that office and in his election to the Deputy Premiership; he would necessarily have had to resign the former office before election to the latter.

The nature of the Premier's office is such that, in the event he loses the confidence of his electors—be they the Parliament or the Praesidium—he must resign before his departure from office is legal and constitutionally acceptable. The Praesidium would have had the right to dismiss Imre Nagy only if it had had in its possession his voluntary resignation. However, the decision of the Prae-

⁴⁴ Constitution of 1949, Article 10, para. e; Article 20, para. 4.

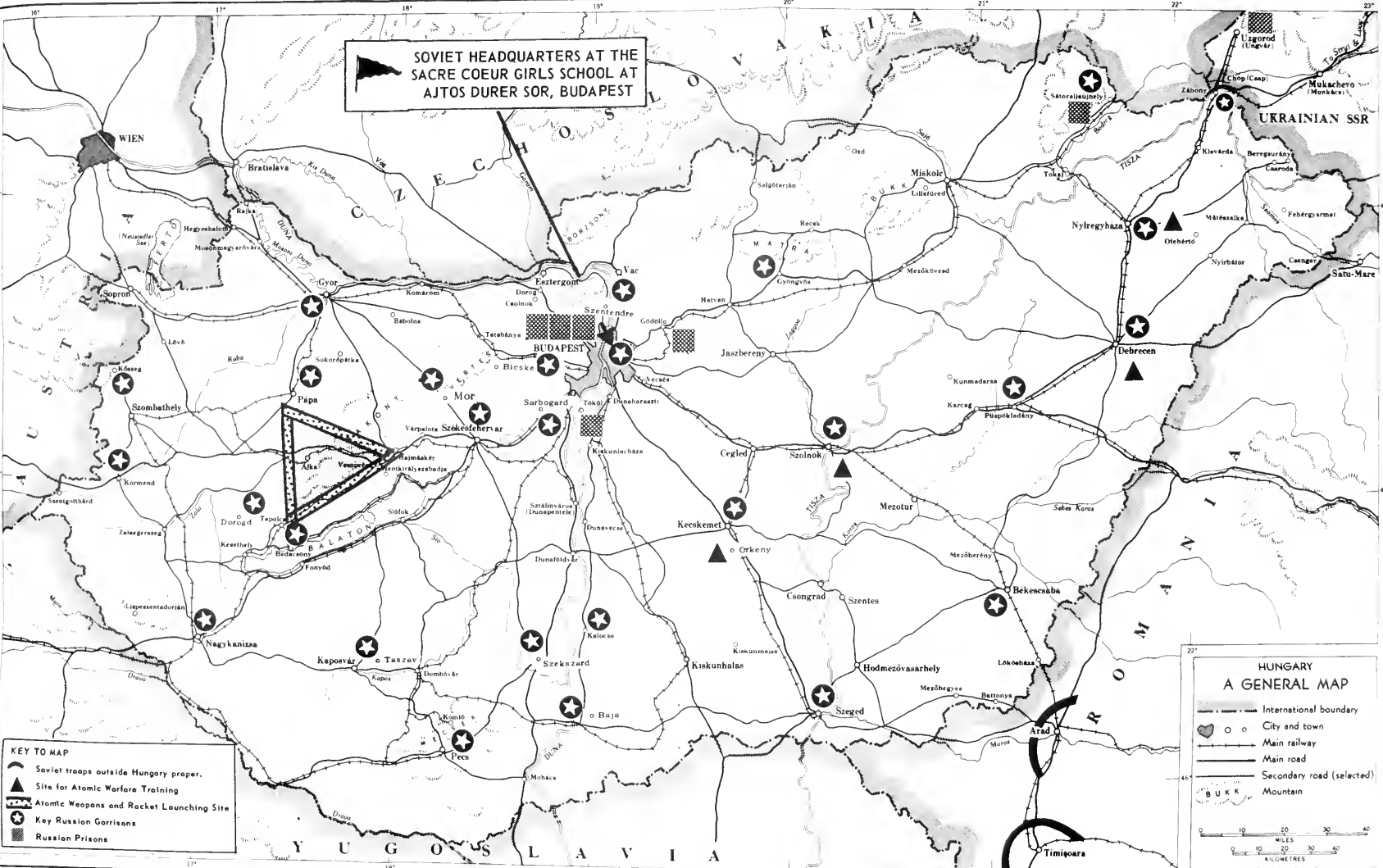
⁴⁵ *Report of the Special Committee*, Chapter II, paras. 52 and 54; Chapter IX, Annexes A and B; Chapter IX, para. 412; *inter alia*.

⁴⁶ Constitution of 1949, Article 10, para. e; Article 20, para. 4.

⁴⁷ *Magyar Kozlony*—Official Gazette—Budapest, November 12, 1956.

⁴⁸ *Magyar Kozlony*, August 17, 1952.

SOVIET HEADQUARTERS AT THE SACRE COEUR GIRLS SCHOOL AT AJTOS DURER SOR, BUDAPEST



KEY TO MAP

- Soviet troops outside Hungary proper.
- Site for Atomic Warfare Training
- Atomic Weapons and Rocket Launching Site
- Key Russian Garrisons
- Russian Prisons

**HUNGARY
A GENERAL MAP**

- International boundary
- City and town
- Main railway
- Main road
- Secondary road (selected)
- Mountain

0 10 20 30 40
MILES
0 10 20 30 40
KILOMETRES

el
 in
 T
 el
 a:
 R
 pe
 ac
 st
 w
 pi

ta

fo
 re
 G:

du

of
 th
 Co
 de
 pa
 off

co
 (a
 pr

ac
 19
 in
 hi:
 hi:
 Pr
 ev:
 as
 re:

Pr
 un
 Ga
 the
 his
 19:
 in
 On
 to
 Pre
 of
 par
 nec
 }
 der
 bef
 Pr:
 in

⁴⁴

⁴⁵

A a:

⁴⁰ Constitution of 1949. Article 10, para. e; Article 20, para. 4.

⁴⁷ *Magyar Kozlony*—Official Gazette—Budapest, November 12, 1956.

⁴⁸ *Magyar Kozlony*, August 17, 1952.

sidium does not refer to any resignation; it only speaks of "relieving" Mr. Nagy—a palpably illegal procedure.

Concrete evidence that even the Kadar group considered Mr. Nagy's resignation indispensable appears in the energetic efforts made by that group to obtain his resignation after November 4, the day he took asylum in the Yugoslav Embassy. In the negotiations instituted between the Yugoslav Government and the Kadar group for Mr. Nagy's freedom, Kadar made it a condition of freedom for Nagy and his associates that they resign from their positions in the government and further "that they declare themselves in sympathy with the efforts of the Hungarian Worker-Peasant Government". As the U. N. Special Committee has established, Imre Nagy absolutely rejected these conditions.⁴⁹

Further evidence demonstrating the illegality of the Kadar regime flows from the nature of the events on November 4, 1956, as the Special Committee has described them. The Soviet attack began at 4:25 a. m. on that day. At 5:20 a. m., Imre Nagy announced over Radio Free Kossuth that the Soviet Union had attacked Hungary with the intention of overthrowing its legally constituted government. He said:

"This is Imre Nagy speaking as President of the Ministers of the Hungarian People's Republic. This dawn Soviet troops launched an attack against our capital with the obvious intent of overthrowing the lawful Hungarian democratic government. Our troops are in action. The Government is at its post. I announce this to the people of the nation and to world public opinion."

The Kadar group was not heard from until 6:00 a. m.—*1 hour and 35 minutes after the Soviet army had invaded*—when they announced the formation of a "government" which was supposed to have called for Soviet intervention after its establishment. Approximately at that time, Imre Nagy left the Parliament building and requested and received asylum in the Yugoslav Embassy. Thereafter, Nagy was prevented from exercising his functions as Premier.

It is clear from this that the Kadar group began its attempt to function as a government at the very time that the legally constituted authorities, far from having resigned, had in effect just proclaimed that a state of war existed between Hungary and the Soviet Union. Thus, while a legally constituted government was still in existence, and while no legitimate steps had been taken to withdraw its mandate, a rival rump group had *proclaimed itself the government* and had "asked" the Red army to invade their country, put down its legal government and crush the revolution, in order to install them in power.

This last point is spread on the record of the U. N.'s Special Committee on Hungary. Speaking of the Soviet forces, it notes:

"They therefore discovered a Hungarian spokesman who would lend some color of legality to their movements. This spokesman was Mr. Kadar. . . . When Mr. Kadar announced the formation of his own Cabinet on the morning of 4 November, it is doubtful whether he had any backing among Hungarians other than that of the handful of politicians mentioned in his radio broadcast and the unquestioned loyalty of the security police."⁵⁰

THE CONTINUING RESISTANCE OF THE HUNGARIAN PEOPLE

"The few days of freedom enjoyed by the Hungarian people," said the conclusion of the Special Committee, "provided abundant evidence of the popular nature of the uprising. A free press and radio came to life all over Hungary, and the disbanding of the AVO was the signal for general rejoicing, which revealed the degree of unity achieved by the people, once the burden of fear had been lifted from them."

This point is made over and over again in the course of the report, supported by abundant detail. All the great revolutions of the past had been bitterly fought contests between contending classes or groups. But in the case of the revolution of October 23 the Hungarian people—with the sole exception of the members of the dehumanized AVO—were united against their Soviet oppressors and their handful of political Quislings. Men, women and children, the very young and the very old; conservatives, liberals, socialists, Titoist Communists and even Rakosi Communists—all fought together on the barricades against the Soviet tanks. It would be difficult in the whole of recorded history to find a more remarkable example of national unity.

⁴⁹ *Report of the Special Committee*, Chapter II, paras. 52 and 54; Chapter IX, Annexes A and B; Chapter IX, para. 412; *inter alia*.

⁵⁰ *Ibid*, Chapter VII, para. 296.

And when the Soviet army occupied Budapest, the Hungarian people, instead of bowing their heads, continued to defy their conquerors. The workers refused to return to their jobs; the universities remained closed; the writers and intellectuals on November 24 issued their heroic manifesto of solidarity with the revolution, accepting all the consequences that their words might bring upon them—"prison, deportation, and if necessary, death"; the overwhelming majority of the officers refused to endorse Soviet intervention; the political leaders of the non-Communist parties, to a man, refused to collaborate with the regime; the student organization, MEFESZ, adopted its resolution of January 6 again calling for the withdrawal of Soviet troops and for multi-party elections. An examination of the official Hungarian press for the period following the revolution reveals literally thousands of instances of open defiance of the regime. But the accounts that appear in the press tell only a portion of the story, because they deal with active resistance.

All the reports arriving from Hungary in recent months indicate the existence of a nation-wide campaign of passive resistance. Without preparation or organization, the intellectuals, the workers and the peasants find ways of resisting, each in their own field. Every one guides himself by the principle that he must perform only enough work to insure his own livelihood and safety—but that he should not perform an iota of additional work because this might strengthen the regime. Letters arriving from Budapest, many of them unsigned, say that a large section of the city's workers vie with each other in squandering raw materials and producing waste, so as to injure the hated Communist system and make its economy fail. Elderly female clerks write that they consider it their patriotic duty to waste paper and office articles. Despite numerous threats and many promises, the Hungarian miners are still producing less than 60% of last year's daily output. And one significant report speaks frankly of the amazement and bitterness of the Hungarian people, who see the Western countries increasing their trade with the Kadar regime at the very moment when the Hungarian people are making personal sacrifices to promote its economic failure.

A recent letter from a Freedom Fighter, who is now a teacher in Budapest, says:

"... The boys and girls chalked so many anti-Kadar, anti-Soviet and anti-Party slogans on the walls and sidewalks in the vicinity of the school that the authorities now oblige us teachers, on pain of criminal liability, to put the chalk in a safe place after lessons are over.

"Yes, in the eyes of the Kadar bunch, even chalk in the hands of children is considered a sort of secret weapon."

Early in July the authorities arrested in the town of Szentes a group of young boys and girls, all members of the KISZ (Young Communist League) for putting out leaflets demanding the withdrawal of the Soviet troops. According to other reports, at the graduation festivities of the general school at Sarbogard, the director ordered the children to sing the International. The little peasant boys broke into loud jeering, tore up the pictures of Marx and Lenin, and began to sing the Hungarian National Anthem.

The hated Red Stars which came toppling down all over Hungary during the Revolution, are again in position. But these symbols of tyranny tend to defeat their purpose for the simple reason that they serve to remind the people of their subservience to a foreign power. They also provide convenient and tangible outlets for popular resentment. Indeed, according to all reports the Hungarians make no effort to conceal their scorn and hatred of the Soviet Star.

Items appearing in the official Communist press are very revealing on this subject. For example, *Eszakmagyarország* (Miskolc) for February 27, 1957, carried this account:

"Now that more and more workers of factories, mines, and workshops demand that the red flag and the red star be restored to the places where they stood before the revolution, the Communists and non-partisans of Annabanya have also decided to meet this demand.

"As a matter of fact there were elements who did not agree with this idea. Among them was Lajos Der, president of the workers' council. A few days after the replacement of the red flag and the red star on the front of their workshop, the electric transformer station, Der asked a member of the council, Bela Novak, what his idea was about the red star and the red flag. As Novak agreed with Der that he did not like these symbols on the front of the workshop, they decided they would clandestinely dismantle the symbols of the international

workers' movement. With a detachment of young workers they knocked down the red star and hauled down the red flag, which they burned.

"Communists of the village perceived the misdeed, reported it to the police, and the culprits were arrested. This will be the fate of all those who offend the red battle flag of the proletariat."

A letter written from Hungary in late August reported that many of the Red Stars have somehow disappeared from the Budapest Industrial Fair. According to a more detailed report, the official opening of the Fair, which had been scheduled for 10 A. M. on May 31, had to be delayed for a full hour because "unknown persons" had removed the Red Stars from the entrances of the building and had put up the Kossuth emblem instead. In the course of the investigation, it was established that some of the culprits were the same decoration workers who had been assigned to put up the emblems before the Fair opened.

The story of the continuing resistance of the Hungarian people could be documented with thousands of quotations from the Budapest and provincial press. For example, *Kisalföld* (Gyor) complained on March 6, 1957:

"Provocators do not rest. In Budapest, in Gyor, in towns and villages, workshops and offices the words MUK and JUK ('We'll start again in June') are heard. Counter-revolutionary elements do not rest in their endeavors to create an atmosphere of terror, although times have changed and we cannot compare the conditions of today with those of two or three months ago."

Every calendar date which might conceivably have provided the occasion for opposition manifestations has been preceded by mass arrests and extraordinary military and police precautions. In Budapest several thousand people were taken into temporary custody before March 15, the Hungarian National holiday; before April 4, which celebrates Hungary's liberation from Nazi rule; and before May first.

After July 10, the rumor began to make the rounds that the Freedom Fighters, intending to take advantage of the open schism in the Kremlin and Khrushchev's trip to Prague, were planning to launch a new uprising. A letter from Budapest dated July 16, said: "The situation is tense. The Communists appear to be terribly afraid. Last Sunday four policemen were stationed on every corner of the Boulevard while patrols of three policemen moved up and down between corners." According to another report, on the morning after July 10, the Buda Mountains were packed with Soviet soldiers and guns were emplaced on Mount Gellert, trained on key points in Budapest. "Had the whole thing not been so sad," said the report, "we should have had a good laugh, for it showed so clearly the terrible fear that the Communist heroes have of their own shadows . . ."

But perhaps there is some reason for the jitters which the regime so frequently displays. Deputy Prime Minister Ferenc Meunnich stated recently that 80,000 weapons are still missing from the Army's pre-revolutionary arsenal. Since death is the penalty for concealment of weapons, what Meunnich's statement means in effect is that there are almost 80,000 Hungarians who are prepared to risk death rather than surrender the weapons with which they almost won their freedom.

In short, the pattern of popular opinion in Hungary today is basically the same as it was at the time of the revolution and in the period immediately following. At one end, there is the Red Army and a tiny apparatus of Quisling Hungarians which derives its basic support from the presence of the Red Divisions. At the other end, there is the entire Hungarian people, their resistance broken, but their united desire for freedom undiminished.

APPENDIX A

DECREE LAWS ISSUED BY THE HUNGARIAN COMMUNIST REGIME SINCE DECEMBER, 1956

(Text reproduced from the two studies issued by the International Commission of Jurists in March and June 1957)

Decree having the force of law (hereinafter: "Decree-Law") No. 28 of 1956 of the Presidential Council of the People's Republic

CONCERNING SUMMARY JURISDICTION

The restoration of order is being impeded and the citizens' personal safety and the safety of their property is being endangered by the fact that large quantities of fire-arms are in the possession of counter-revolutionary elements, pro-

fessional criminals, irresponsible troublemakers, and other persons not entitled to possess arms. In possession of arms, the enemies of our People's Republic do not shrink from committing even murder, and threaten those honest workers who with their peaceful constructive work wish to serve the interests of our whole nation. Honest workers rightly demand effective measures for the cessation of this intolerable state of affairs.

Accordingly, the Presidential Council of the People's Republic decrees as follows:

Article 1

With effect from 18.00 hours on the 11th day of December 1956 the Presidential Council of the People's Republic decrees summary jurisdiction over the whole territory of the country in respect of the following crimes:

Murder,
Intentional homicide,
Arson,
Robbery (looting),

Intentional damage to public utility enterprises, or to public enterprises serving the population's vital requirements (Official Compilation of Valid Rules of Substantive Criminal Law, ss. 73 and 172), and attempts at any of these crimes,

The unlicensed possession of firearms, ammunition, explosives, or explosive material.

Article 2

(i) Any person who, without licence, has in his possession firearms (ammunition, explosives etc.) is bound to hand them over to any organ of the armed public order forces by 18.00 hours on the 11th day of December 1956.

(ii) Any person who, between the publication of this Decree-Law and the time-limit fixed for the handing over, hands over his arms, etc., cannot be punished for hiding arms.

Article 3

(i) Association for the purpose of committing the crimes set out in Article 1, and organization for such purpose, shall also be subject to summary jurisdiction.

(ii) Any person who, having obtained credible information of another person's unlicensed possession of firearms (ammunition, etc.), fails to report this to the authorities as soon as possible commits a crime and shall be subject to summary jurisdiction. This provision shall have no application to the next-of-kin specified in Article 29 of Decree-Law II of 1950.

Article 4

(i) The publication of summary jurisdiction shall be undertaken by the Government: Publication may also be made through the Press, radio and posters.

(ii) Proceedings under summary jurisdiction shall be within the competence of the Military Courts; the Presidential Council of the People's Republic may make provision for the appointment of further councils of summary jurisdiction.

(iii) The Presidential Council of the People's Republic authorises the Government to make detailed rules governing summary jurisdiction.

(iv) The mode of possession of arms by armed factory guards and works guards shall be governed by a separate Decree-Law.

Article 5

The present Decree-Law shall come into force on the day of publication.⁶¹

(Sgd.) ISTVAN DOBI,
President of the Presidential Council of the People's Republic.
(Sgd.) ISTVAN KRISTOF,
Secretary to the Presidential Council of the People's Republic.

Decree having the force of Law (hereinafter: "Decree-Law") No. 32 of 1956 of the Presidential Council of the People's Republic

SUPPLEMENTING DECREE-LAW NO. 28 OF 1956

The Presidential Council of the People's Republic supplements Article 3 of Decree-Law No. 28 of 1956 concerning summary jurisdiction by adding the following paragraph (ii).

⁶¹ Published in *Magyar Közlöny*, No. 100, December 11, 1956.

Article 1

(iii) "Where a court of summary jurisdiction declares an accused guilty of a crime subject to summary jurisdiction procedure, it shall, by its judgment, sentence him to death."

Article 2

This supplement shall come into force at the time of publication.⁵¹

(Sgd.) ISTVAN DOBI,
President of the Presidential Council of the People's Republic.
 (Sgd.) ISTVAN KRISTOF,
Secretary to the Presidential Council of the People's Republic.

Decree No. 6/1956 (XII. 11) of the Hungarian Revolutionary Worker-Peasant Government

CONCERNING THE DETAILED RULES OF SUMMARY JURISDICTION

Pursuant to Article 4 (3) of Decree-Law No. 28 of 1956, the Hungarian Revolutionary Worker-Peasant Government decrees as follows:

I. PUBLICATION OF SUMMARY JURISDICTION

Article 1

1. Summary jurisdiction was introduced by Decree-Law of Presidential Council of the People's Republic. The same decree specified the territory in and the crimes to which summary jurisdiction applies.

2. Publication of the introduction of summary jurisdiction shall be the task of the Council of Ministers. Publication may be by poster, press and radio.

3. Notifications publicizing the introduction of summary jurisdiction shall contain:

(a) the description of the crime and the territory in respect of which summary jurisdiction was decreed;

(b) a notice that every person shall refrain from committing such crimes;

(c) a warning that any person who, after publication, shall commit such crime on the territory specified, shall be subject to summary jurisdiction and his punishment shall be death.

Article 2

General rules regulating proceedings before Courts of summary jurisdiction shall be applicable only insofar as they do not differ from rules laid down in the present Decree.

II. PROVISIONS CONCERNING JURISDICTION

Article 3

1. Summary jurisdiction shall be within the jurisdiction of military courts. The Presidential Council of the People's Republic may, for the purpose of conducting summary proceedings, also make provisions for the appointment of other courts.

2. The court of summary jurisdiction shall consist of one professional judge and two people's assessors (section 8 (1) of Law II of 1954).

Article 4

Any person who shall be suspected of a crime triable by a court of summary jurisdiction shall be detained in preliminary custody and forthwith handed over to the nearest military prosecutor or to the prosecutor who has territorial jurisdiction for a court set up by the Presidential Council of the People's Republic in accordance with Article 3 (1).

III. COMMENCEMENT OF PROCEEDINGS BEFORE A COURT OF SUMMARY JURISDICTION

Article 5

1. The accused shall only be brought before a court of summary jurisdiction if either he was caught in the act or the evidence necessary for the proof of his guilt can be submitted to the court forthwith. In that case the prosecutor shall, without an accusation in writing, bring the accused before the nearest military court or the appointed court of summary jurisdiction.

2. Lunatics, persons suffering from serious illness pending their recovery, and pregnant women shall not be brought before the courts of summary jurisdiction.

⁵¹ Published in *Magyar Közlöny*, No. 100, December 11, 1956.

3. If ordinary criminal proceedings have already been commenced against the accused in respect of a crime, summary jurisdiction shall have no application in respect of the same crime.

Article 6

There shall be no transfer of the case from one court of summary jurisdiction to another court of summary jurisdiction.

Article 7

The longest period of proceedings—including judgment—against the accused shall be three periods of 24 hours each which shall be computed from the time when the accused was brought before the court of summary jurisdiction. If this time limit cannot be complied with, the case shall be transferred to an ordinary court having, in accordance with general rules, jurisdiction and competence.

IV. HEARING BEFORE A COURT OF SUMMARY JURISDICTION

Article 8

1. No date shall be fixed for the hearing of the case and no subpoena shall be issued by a court of summary jurisdiction. It shall be the duty of the prosecutor to secure the presence before the court of witnesses and experts and of any evidence that may be required. The charge shall be made by the prosecutor orally at the hearing.

2. The participation of defence lawyer in proceedings before a court of summary jurisdiction shall be compulsory.

Article 9

1. Ordinarily, proceedings shall be confined to the proof of that crime for which the proceedings were commenced. However, at the suggestion of the prosecutor, the proceedings may be extended to deal also with such other crimes as are subject to summary jurisdiction, provided there is no risk of the resulting delay nullifying the summary proceedings. Any crimes committed by the accused not being subject to summary jurisdiction proceedings shall be disregarded.

2. The proceedings may be extended for the purpose of holding responsible other perpetrators of the same crime, but for this reason the giving and execution of judgment against the accused may not be delayed.

Article 10

1. By its judgment the court of summary jurisdiction shall pass the death sentence if the accused shall unanimously be found guilty of an offence which is subject to summary jurisdiction.

2. If the restoration of public peace and the safeguarding of social order do not require the imposition of the death penalty, then the court of summary jurisdiction may impose, in lieu of the death penalty, imprisonment for a period of 10 to 15 years.

3. An accused who was under the age of 20 at the date when he committed the crime, shall be sentenced, not to death, but to imprisonment for a period of 10 to 15 years; and an accused who was under the age of 18 at the date when he committed the crime, shall be sentenced to imprisonment for a period of 5 to 10 years.

4. Beyond the provisions of paragraphs (2) and (3) hereof there shall be no lightening of sentence.

5. If the conditions warranting the acquittal of the accused (Code of Criminal Procedure, s. 180) are present in respect of a crime which is subject to summary jurisdiction, the court of summary jurisdiction shall by judgment acquit the accused of the charge.

Article 11

1. The judgment, with brief reasons therefor, shall forthwith be reduced to writing.

2. Minutes shall be prepared of the hearing before the court of summary jurisdiction and of the closed session preceding judgment. The minutes of the closed session shall include the votes of the members of the council on the guilt of the accused, and the minutes shall be signed, in addition to the president, by all members of the council. These latter minutes shall be attached to the dossier in a sealed envelope.

V. IMPLEMENTATION

Article 12

Except for reopening the case, this being the legal redress used in the interest of legality, there shall be no legal redress against decisions of courts of summary jurisdiction.

Article 13

1. If the accused is sentenced to death, the court of summary jurisdiction shall, immediately following the procedure laid down in the Code of Criminal Procedure, s. 240 (2)–(3), decide whether or not it will recommend the convicted person for mercy. A negative decision on the question of recommendation for mercy must be a unanimous decision of the council.

2. If the court of summary jurisdiction recommends the convicted person for mercy, it shall forthwith submit to the Minister of Justice the dossier of the case, together with a petition for mercy, if any, and the opinions of the prosecutor and of the court of summary jurisdiction. In this case, the carrying out of the death sentence shall be held in abeyance pending a decision on the question of mercy.

3. If the court of summary jurisdiction does not recommend the convicted person for mercy, it shall direct the carrying out of the death sentence. A petition for mercy shall not operate as a stay of execution of sentence; the sentence shall be carried out within two hours from publication.

Article 14

The implementation of a sentence of imprisonment shall be put into effect immediately upon the publication of the judgment by the court of summary jurisdiction.

VI. MISCELLANEOUS PROVISIONS

Article 15

The case shall be transferred to an ordinary court having, in accordance with the general rules, jurisdiction and competence—

if the court of summary jurisdiction finds the case not to be subject to summary jurisdiction proceedings, or

if there can be no conviction owing to the absence of a unanimous decision, or

if the accused is seriously suspected of having committed the crime with which he is charged, but proof of his guilt remains unsuccessful within the legal time-limit (Article 7), or

if it emerges in the course of the hearing that the accused should not have been brought before the court of summary jurisdiction (Article 5 (2) and (3)), or finally.

if it should be wholly impossible to pronounce judgment within the legal time-limit.

Article 16

1. It shall be for the Presidential Council of the People's Republic to take measures for the cessation of summary jurisdiction. The cessation of summary jurisdiction shall be published in the same manner as its introduction.

2. Cases pending before courts of summary jurisdiction—including cases where sentence of death was imposed, though not yet carried out—shall, upon the cessation of summary jurisdiction, be transferred to the ordinary courts; these shall proceed as though no proceedings had been commenced before the courts of summary jurisdiction. The cessation of summary jurisdiction shall not affect sentence of imprisonment once it has been imposed.

Article 17

1. The present decree shall come into force on the day of publication.⁵²

2. With the coming into force of the present decree, decree No. 8020/1939 M. E., concerning the procedural rules of summary jurisdiction, is repealed.

(Sgd.) JÁNOS KADAR,

President of the Hungarian Revolutionary Worker-Peasant Government.

⁵² Published in *Magyar Közlöny*, No. 102, December 13, 1956.

Decree having the force of Law (hereinafter: "Decree-Law") No. 31 of 1956 of the Presidential Council of the People's Republic

CONCERNING PUBLIC SECURITY DETENTION

For the purpose of hindering the damaging activities of counterrevolutionary elements, and of persons who impede the restoration of public security and public order and its consolidation, the Presidential Council of the People's Republic decrees as follows:

Article 1

Any person whose activities or behaviour endangers public order, or public security, and in particular the undisturbed continuity of productive work and transport, may be placed in public security detention (hereinafter: "detention").

Article 2

An order for detention shall be made by the competent prosecutor at the suggestion of the police authority; its implementation shall be the duty of the police authority.

Article 3

The chief prosecutor shall, within 30 days of detention, officially review the case of the detainee. If the conditions of detention do not, or have ceased to, exist, he shall forthwith take measures for its termination. Such review shall be repeated within three months of detention.

Article 4

Detention shall be terminated forthwith if the grounds forming the basis of the detention order have ceased to exist. But the longest period of detention shall not exceed six months.

Article 5

Detailed rules concerning detention shall be made, by Decree, by the chief prosecutor in consultation with the Minister of Armed Forces.

Article 6

The duration of the present Decree-Law shall be one year from the date of publication.

Article 7

The present Decree-Law shall come into force on the day of its publication.⁵²

(Sgd.) ISTVAN DOBI,
President of the Presidential Council of the People's Republic.
(Sgd.) ISTVAN KRISTOF,
Secretary to the Presidential Council of the People's Republic.

Decree having the force of Law (hereinafter: "Decree-Law") No. 1 of 1957 of the Presidential Council of the People's Republic

CONCERNING THE AMENDMENT OF CERTAIN PROVISIONS OF DECREE-LAW NO. 31 OF 1956 DEALING WITH PUBLIC SECURITY DETENTION

Article 1

The following provision shall be substituted for Article 2 of Decree-Law No. 31 of 1956:

"Article 2: Detention shall be ordered—with the approval of the competent prosecutor—by the police authority; its implementation shall be the duty of the police authority."

Article 2

The following provision shall be substituted for Article 5:
"Article 5: Detailed rules concerning detention shall be made, by decree, by the Minister of the Armed Forces and Public Security Affairs in consultation with the chief prosecutor."

⁵² Published in *Magyar Közlöny*, No. 102, December 13, 1956.

Article 3

The present Decree-Law shall come into force on the day of publication.⁶³

(Sgd.) ISTVAN DOBI,
President of the Presidential Council of the People's Republic.
 (Sgd.) ISTVAN KRISTOF,
Secretary to the Presidential Council of the People's Republic.

Decree No. 1/1957 (I.13) of the Minister of the Armed Forces and Public Security Affairs

CONCERNING THE CARRYING INTO FORCE OF DECREE-LAWS NO. 31 OF 1956 AND NO. 1 OF 1957 DEALING WITH PUBLIC SECURITY DETENTION

In agreement with the chief prosecutor I decree as follows with regard to the carrying into effect of Decree-Laws No. 31 of 1956 and No. 1 of 1957:

Article 1

1. Public security detention shall be ordered by the chief police authority for the county (or Budapest) and its order shall require the approval of the prosecutor for the county (or Budapest).

2. The decision ordering public security detention shall contain the personal data of the person to be detained, a detailed description of the facts giving rise to the proceedings, and the enumeration of proofs.

Article 2

The competent prosecutor shall decide within 48 hours whether the decision ordering public security detention shall be approved.

Article 3

1. A complaint shall lie to the chief prosecutor against a decision ordering public security detention approved by the prosecutor.

2. The complaint shall have no suspensive effect on carrying out the public security detention.

3. Whether or no complaint is laid, all decisions concerning public security detention, and a copy of the relevant documents, shall be submitted to the chief prosecutor so that they should arrive within 72 hours of the decision being made (approved by the prosecutor).

Article 4

The decision shall be read to the person placed under public security detention and he shall be apprised of his right to complain.

Article 5

Public security detention shall be carried into effect in the place appointed for this purpose by the chief police officer of the country.

Article 6

A person placed under public security detention may be given permission for conversation, he may receive parcels and letters, and may write letters, at least once in every month. The correspondence, parcels and conversations shall be supervised by the police authority carrying the detention into effect.

Article 7

1. A person under public security detention may be employed for work. In case of employment he shall be supplied with working clothes.

2. In case of employment the person under public security detention shall receive adequate remuneration; the cost of public security detention shall be deducted from his remuneration.

Article 8

Complaints by a person placed under public security detention arising during his detention shall be made to the competent prosecutor.

Article 9

Public security detention shall be terminated:

- (a) after the lapse of 6 months from its commencement;
- (b) if the circumstances giving rise to the detention have ceased;
- (c) when so ordered.

⁶³ Published in *Magyar Közlöny*, No. 4, January 13, 1957.

Article 10

No compensation shall be payable for economic detriments suffered by reason of public security detention.

Article 11

This Decree shall be implemented by the chief police officer of the country, who shall consult with the chief prosecutor.⁶³

(Sgd.) DR. FERENC MÜNNICH,
Minister of the Armed Forces and Public Security Affairs.

NO. 4/1957: DECREE-LAW, PASSED BY THE PRESIDIUUM OF THE PEOPLE'S
REPUBLIC, ON REGULATIONS GOVERNING SUMMARY PROCEEDINGS

In order to consolidate public order and public security, and to achieve greater success in the struggle against counter-revolutionary acts, the Presidential Council of the People's Republic issued the following decree:

Article 1

1. Whenever the accused is detained in custody, the necessary evidence being available, and the prosecutor so suggests, County Courts, (in Budapest: the Metropolitan Courts), Courts Martial and the Supreme Court of the Hungarian People's Republic shall apply the provisions of the present Decree-Law in summary trials for the following crimes or attempts thereof:

(a) murder and intentional homicide (Official Compilation of Valid Rules of Substantive Criminal Law (hereinafter: "C. R. Cr. L.") ss. 349, 351, and 352);

(b) arson (C. R. Cr. L. ss. 162-164);

(c) robbery (C. R. Cr. L. ss. 433-437);

(d) looting and housebreaking (C. R. Cr. L. s. 427(c));

(e) crimes committed in connection with the unlicensed possession of fire-arms and explosives (C. R. Cr. L. s. 33(1) and 34(1)) and in connection with the unlawful use of fire-arms and explosives (C. R. Cr. L. s. 33(3) and s. 34(3));

(f) malicious damage to *utilities supplying water, gas or electricity*, or to such *public utilities* supplying the *population with essentials* which by government decree have been declared *indispensable*;

further, malicious damage to public transport undertakings, or to undertakings required for defence;

further, the acts of any person who, by unlawful entry into, or by his presence on, the premises of such undertaking, or in any other way, deliberately disturbs the working of the undertaking (circumstances taken from C. R. Cr. L. s. 73(1)), and emphasized in the Decree-Law);

or the instigation of others to commit any such act, or the calling upon another so to do (C.R.Cr.L. s. 73(2));

The Decree-Law only applies to the crimes listed in the present Article if the acts were directed at mass stoppage of work or otherwise threatened great danger;

(g) intentional endangering of transport (C. R. Cr. L. s. 172);

(h) organization against the People's Republic, or against the people's democratic state order (C. R. Cr. L. s. 1) and associating for this purpose (C. R. Cr. L. s. 6);

(i) revolt (C. R. Cr. L. ss. 17-24);

(j) treason (C. R. Cr. L. ss. 35, 37-40).

2. In the case of crimes set out in sub-paragraphs (b), (c) and (d) of paragraph 1. hereof, the prosecutor (or Chief prosecutor, as the case may be) may suggest the application of summary procedure, irrespective of the fact whether the offence was committed against private or State-owned property.

3. Act III (Code of Criminal Procedure) of 1951, as amended by Act V of 1954, shall be applied to summary trials, subject to the modifications provided in the present Decree-Law.

Article 2

1. In conjunction with the Metropolitan Courts in Budapest, the County Courts, Military Courts and the Supreme Court of the Hungarian People's Republic a Special Council or Councils shall be set up for the summary trial of acts specified in Article 1. hereof.

⁶³ Published in *Magyar Közlöny*, No. 4, January 13, 1957.

2. The president of the Council shall be appointed by the president of the Court. The people's assessors shall be elected for one year by the Presidential Council of the People's Republic; the people's assessors shall act continuously throughout their term of office.

Article 3

1. Those County Courts (in Budapest: the Metropolitan Courts) shall also be competent to adopt this procedure to whom the prosecutor suggests that the trial be conducted summarily.

2. The chief prosecutor shall also be entitled to suggest the adoption of summary procedure to the Supreme Court of the Hungarian People's Republic.

Article 4

1. In the summary proceedings the prosecutor (or chief prosecutor as the case may be) shall be entitled to cause the accused to be brought before the Court without an accusation in writing. In such cases it shall be the duty of the prosecutor (or chief prosecutor as the case may be) to secure the presence before the Court of witnesses and experts and of any evidence that may be required. The charge shall be made by the prosecutor orally at the hearing.

2. If the prosecutor (or chief prosecutor, as the case may be) submits to the Court an accusation in writing, the hearing shall take place within the shortest possible time, the provisions of the Code of Criminal Procedure regarding preliminary sittings and time-limits of hearings being inapplicable.

Article 5

1. The sentence for crimes tried in summary proceedings shall be death. The court may, having regard to all the circumstances of the case, impose a sentence of life imprisonment or imprisonment for a period of five to fifteen years in lieu of the death sentence. If, however, the law provides a sentence of death even if the crimes were not tried summarily under the present Decree-Law, sentence of imprisonment for less than 10 years may not be pronounced.

2. Paragraph 53. of the Code of Criminal Law shall have no application to summary proceedings.

3. If the accused is a young person, sentence shall be in accordance with s. 8. of Decree-Law No. 34 of 1951 (Ftvr.). This rule does not affect the provisions of C. R. Cr. L., s. 12.

Article 6

1. Appeals lodged against the decisions of Special Councils of the County Courts (in Budapest: the Metropolitan Courts) shall be determined by a Special Council of the Supreme Court of the Hungarian People's Republic, composed of two professional judges and three people's assessors. The formation of the Councils shall be governed by Article 2 (2) hereof.

2. Sub-clauses (2) and (3) of clause 195 of the Code of Criminal Procedure, which provide for time-limits, shall not be applicable to appeals; and appeals shall be heard within the shortest possible time.

Article 7

If the crime being the subject-matter of the charge is not one of those listed in Article 1 of the present Decree-Law, the Special Council shall either conduct the proceedings in accordance with the ordinary provisions of the Code of Criminal Procedure or remit the case to the Court having jurisdiction and competence.

Article 8

1. The present Decree-Law shall come into force on the day of publication. With the exception of the provisions contained in Article 5, its provisions shall be applicable also to crimes committed prior to its coming into force.

2. Decree-Law No. 22 of 1956 shall cease to be valid.

3. This Decree-Law shall not affect the validity of Decree-Law No. 28 of 1956. If, however, summary proceedings against an accused have already been instituted under the present Decree-Law, no Court Martial proceedings shall take place in respect of the same crime. But if the Military Court remits the case to the ordinary court, the prosecutor shall be entitled to suggest the application of summary procedure.⁶¹

⁶¹ Published in *Nepszabadsag*, January 13, 1957, p. 1.

APPENDIX A

Decree-Law Nr. 25/1957 of the Presidential Council of the People's Republic concerning the setting up of the People's Chamber of the Supreme Court and the regulation of its procedure. (Magyar Közlöny No. 40, April 6, 1957, page 237 et seq.).

The Presidential Council of the People's Republic with the purpose of ensuring uniformity of the court's decision in accordance with the interests of the workers in criminal cases against counter-revolutionary criminal acts and against such acts directed against the order of the State and public security, has passed the following decree-law.

CHAPTER I

ORGANISATIONAL PROVISIONS

Par. 1/1. A People's Chamber is to be set up as a special court within the Supreme Court of the Hungarian People's Republic.

Par. 1/2. The People's Chamber of the Supreme Court, herein after called the People's Chamber consists of a President and four People's judges.

Par. 2/1. The President of the People's Chamber is nominated by the President of the Supreme Court of the People's Republic from the professional judges.

Par. 2/2. The people's judges are elected by the Presidential Council of the People's Republic for an indefinite period.

Par. 2/3. People's judges can be elected from among those who according to the II. Law of 1954 Par. 10/1 concerning the judicial organisation of the Hungarian People's Republic can be chosen as professional judges or as people's assessors.

The legal position of the people's judges is the same as that of the judges of the Supreme Court.

CHAPTER II

PROVISIONS CONCERNING CRIMINAL PROCEDURE

APPLICATION OF THE GENERAL RULES OF THE CODE OF CRIMINAL PROCEDURE

Par. 4. In proceedings before the People's Chamber the provisions of the III. Law of 1951 (Code of Criminal Procedure) as amended by the V. Law of 1954 are to be applied subject to the changes made in this decree-law.

THE JURISDICTION OF THE PEOPLE'S CHAMBER

Par. 5. The jurisdiction of the People's Chamber extends according to the rules laid down in this decree-law in the same way to criminal cases within the jurisdiction of the ordinary and the military courts.

PROCEEDINGS BEFORE THE COURT

Par. 6. The People's Chamber acts—without regard to the appropriate jurisdictional rules otherwise applicable—as court of first instance in every criminal case, when the President of the Supreme Court brings the case before the People's Chamber or when the Supreme Public Prosecutor takes proceedings before the People's Chamber.

Par. 7/1. The Supreme Public Prosecutor can bring an accused who is under pre-trial arrest for investigation before the People's Chamber without a bill of indictment, if all the evidence concerning the matter can be laid before the court. In this case the People's Chamber fixes no definite date for the proceedings of the matter and makes no orders for attendance, the Public Prosecutor looking after the production of witnesses and experts as well as to the submission of other necessary evidence.

Par. 7/2. The Supreme Public Prosecutor presents the indictment in cases falling under (1) orally in the course of the proceedings.

Par. 8. When the Supreme Public Prosecutor presents the bill of indictment the proceedings must take place within the shortest possible time. In such cases the provision of the Code of Criminal Procedure concerning the preliminary sitting and the date fixed for the proceedings are not applicable.

JUDGMENT ON APPEAL

Par. 9. The People's Chamber is concerned with the judgment on appeal made against a sentence given by any court at first instance, when the matter has been brought before the People's Chamber by the President of the Supreme Court or

when the Supreme Public Prosecutor raises the case with a view to appeal before the People's Chamber.

Par. 10. The People's Chamber bases its decision resting on the merits of the matter—apart from the exception summarized in Par. 11—on the facts found by the Court of First Instance.

Par. 11/1. When the Court of First Instance :

(a) has set out the facts in a deficient way, or

(b) has stated the facts unclearly, in a way inconsistent with the documents or relying on assumptions which are incorrect, and the complete i. e. correct state of facts can be ascertained without doubt from the documents, the state of facts can be supplemented or corrected by the People's Chamber *ex officio*.

Par. 11/2. When in cases falling under (1) the complete that is to say the correct state of facts cannot be ascertained without doubt from the documents, the People's Chamber can at its discretion :

(a) order the statement of evidence to be supplemented, or

(b) declare the sentence of the Court of First Instance to be a nullity and direct the Court of First Instance to hold a new trial.

Par. 11/3. The People's Chamber in cases falling under (2) point a can either conduct the hearing of evidence itself or entrust it to the Court of First Instance.

Par. 11/4. In cases falling under (2) point b another Chamber of the Court of First Instance can be entrusted with the proceedings.

The People's Chamber hears any appeal against the new sentence of the Court of First Instance when the matter is re-heard.

Par. 11/5. When the People's Chamber supplements or corrects the state of facts it reviews the sentence of the Court of First Instance on the basis of the stated facts which it has established.

Par. 12/1. When the People's Chamber establishes that the Court of First Instance has decided incorrectly, it changes the sentence of the Court of First Instance and makes a decision in accordance with the law.

Par. 12/2. The People's Chamber—after due consideration of all the circumstances to be taken into account—can sentence an accused who has been found not guilty or increase the sentence of a person who has been punished even when the Public Prosecutor makes no appeal against the interest of the accused.

JUDGMENT IN CASES OF SPECIAL REMEDIES

Par. 13. The Supreme Public Prosecutor or the President of the Supreme Court can lodge a protest also with the People's Chamber in the interest of legality against legally binding decisions of any court in a criminal matter, except when the decision in question has been made by the Presidential Council of the Supreme Court of the People's Republic.

Par. 14/1. The Supreme Public Prosecutor can make an application for retrial in the case of a legally binding decision of any court also before the People's Chamber. When the People's Chamber finds that the request is well founded it can rehear the case itself.

Par. 14/2. The provisions contained in (1) are also to be used in a case for an application for retrial of a decision of the People's Chamber.

DECISION CONCERNING RECOMMENDATIONS FOR MERCY AND THE EXECUTION OF SENTENCES

Par. 15/1. When the People's Chamber sentences an accused person to death it immediately decides whether to make a recommendation for mercy or not.

Par. 15/2. When the People's Chamber unanimously or by majority decides to make a recommendation for mercy it sends immediately the documents in the case with any request for mercy submitted and with the statement of attitude of the Supreme Public Prosecutor and of the People's Chamber to the Minister of Justice in order that they may be forwarded to the Presidential Council of the People's Republic.

Par. 15/3. When the People's Chamber doesn't recommend the accused person for mercy it is responsible for the carrying out of the death sentence.

Par. 16. The execution of sentences of imprisonment must take place immediately after the announcement of the sentence of the People's Chamber.

CHAPTER III

PROVISIONS OF THE CRIMINAL LAW

Par. 17/1. When the People's Chamber is trying at first instance a criminal act which falls within the provisions of the summary procedure (No. 4/1957 Decree-Law Par. 1 (1)-(2)) it decides on the sentence according to Par. 5 and sub-paragraph 1 of Par. 8 of the abovementioned Decree-Law.

Par. 17/2. When the People's Chamber is sitting as a court of second instance or in connection with special remedies, punishment for a criminal act which falls under the provisions of a summary procedure (No. 4/1957, Decree-Law Par. 1/-/2 sub-para) is decided upon in accordance with Par. 5 and sub-para 1 of Par. 8, if the proceedings at first instance were conducted according to the regulations governing summary criminal procedure. The provisions of Par. 9-14 are also to be used in these cases.

CHAPTER IV

MISCELLANEOUS AND COMING INTO FORCE OF THE DECREE-LAW

Par. 18. The following provisions take the place of the second part of sub-para 1 of Par. 5 of the Decree-Law No. 4 of 1957:

"The court can according to all the circumstances of the case award life imprisonment or 5 to 15 years imprisonment instead of the death-sentence. Any lesser punishment cannot be given."

Par. 19/1. The Decree-Law is to be applied in cases which are proceeding at the time of its coming into force. The provisions of the Decree-Law concerning judgment in applications for retrial or in proceedings questioning the legality of the proceedings are also applicable in cases which were decided by a legally binding decision before the coming into force of this Decree-Law.

Par. 19/2. The provisions of sub-para 1 do not affect sub-para 3 of Par. 214 of the Code of Criminal Procedure.

Par. 20. This Decree-Law comes into force on the day of its promulgation.⁶⁵

ISTVÁN DOBI s. k.,
President of the Presidential Council of the People's Republic.
ISTVÁN KRISTOF,
Secretary.

APPENDIX B

Ordinance no. 1/1957 (III.19) B. M. of the Minister of the Interior Concerning Expulsion and the Placing of persons under police control (Magyar Közlöny, No. 32, March 19, 1957).

To put into effect Decree no. 1830/1939 M. E. and to ensure legality more effectively, I herewith decree:

Para 1

The heads of the "chief commands" of the county police/the police of Budapest may:

(a) Expel from their permanent or temporary domicile, or from a specified part of the country, persons who are dangerous to the state and public security or to the life of the socialist community or who are undesirable having regard to other important State interests, or dangerous for the economy.

(b) place these persons under police control at their permanent or temporary domicile, or within the territorial administrative unit in which his domicile is seated.

(c) expel a person, and at the same time place him under police supervision in another part of the country.

Para 2

The measures of restraint listed in section 1 cannot be taken against:

(a) persons who have completed their 60th year;

(b) persons who have at least two children under 10 years of age, or

(c) who have two dependents who do not earn and who are supported by the persons in question and whose existence would be detrimentally affected by such measures of restraint.

⁶⁵ April 6, 1957.

Para 3

The following groups of persons cannot be expelled or placed under police supervision :

- (a) persons against whom criminal proceeding must be brought on the basis of evidence which is available or can be made available,
- (b) persons who are minors ;
- (c) persons who according to the Police doctor suffer from a protracted or serious illness ;
- (d) women in an advanced stage of pregnancy ;
- (e) persons who are deaf, crippled or in any other way disabled, or who are unsound of mind.

Para 4

(1) Within 15 days after being served with a final order of expulsion the person who is expelled shall leave his/her domicile and move to another residence of his/her choice. The person expelled may choose any other place of residence, excepting the area specified in the order of expulsion.

(2) A person expelled may not return to the village (town, district, area) from which he/she has been expelled, without previous permission of the competent police unit of his/her new domicile.

Para 5

Persons who, in addition to being expelled, have been placed under police control must move, within 15 days after being served with a final order of expulsion, to the village (town, district, area) assigned to them by the police command. They may leave their forced residence only with the permission of the police command of their new domicile.

Para 6

(1) Persons placed under police supervision :

- (a) may not leave their residence, or the administrative territorial unit stated in the warrant, without the previous permission of police command, of the venue of his/her new residence ;
 - (b) must report to the police at intervals as provided in the order ;
 - (c) must abide by the restrictions provided in the order.
- (2) The order placing a person under police control shall not provide that he/she must report to the police (conf. al. 1 of the present section) more than once a week.
- (3) The police command may forbid a person who is under police control :
- (a) to leave at a certain period of the day ;
 - (b) to visit public places in general, or specific public places ;
 - (c) to use a telephone in his flat.
- (4) These restrictions must be determined in a manner so as not to hinder the person who is under police control from following his occupation.

Para 7

The expulsion and placing of persons under police control are only for a period of six months, which may be extended three separate times for an additional six months, but not to exceed a total of 2 years. After each six months' period the case must be re-examined *ex officio*.

Para 8

(1) Orders, imposing restrictive measures as provided in this Decree and made in the first instance, and orders made in the course of the re-examination of the case, which uphold the former, may be appealed against.

(2) An appeal made against a decision in the first instance suspends its execution.

(3) The appeals are decided by the State police command of the Ministry of the Interior.

Para 9

An expulsion order which has become final or an order concerning the placing of a person under police control and reversal of such orders, must be noted in the Identity Card of the persons expelled or placed under police control.

Para 10

The person who has been expelled by the police from one or more places or from a specific area of the country and, while under the expulsion order, returns thereto, and the person who infringes or eludes the provisions concerning police control, commits a contravention as defined in the decree, having the force of an act, no. 16/1956.

Para 11

The present Decree comes into effect as from the day of its publication. Its provisions must be applied also to cases which are *sub judice*.

Para 12

The present Decree will be put into effect by the national police command of the Ministry of the Interior.

Para 13

Decree no. 760/1939 B. M. is invalid as at the coming into force of the present Decree.

BELA BISZKU,
Minister of the Interior.

APPENDIX B

A PARTIAL LIST OF VICTIMS OF THE LEGAL TERROR IN HUNGARY

This list of those who have been executed, arrested and imprisoned by the Budapest regime was compiled for the most part from official Hungarian sources. A number of names that were not of public record are included. The information on some of the cases is incomplete for the simple reason that this was all that appeared in the Hungarian press.

The actual number of those executed and incarcerated is many times greater than the list presented here.

ABBREVIATIONS

AVO—Security Police	NG—National Guard
comm.—commuted	Nsz.—Nepszabadsag (official CP paper)
CP—Communist Party	RB—Radio Budapest
HIS—Hungarian Information Service	RC—Revolutionary Council
Min.—Minor (under 21)	RK—Radio Kossuth (Budapest)
MTI—Hungarian Press Agency	RN—Radio Nyiregyhaza
Na.— <i>Nepkarat</i> (Budapest daily paper)	WG—Workers' Guard

Name	Age	Profession	Charge	Sentence	Source	Date
Szivos, Mihaly		Turner	Murder		Nsz	Nov. 12
Koller, Istvan			Murder		Na	Nov. 13
Boros, Mihaly			Alleged looting		Na	Nov. 18
Szrenko, Janos			Looting		Na	Nov. 18
Kummer, Karoly			Leader armed band		Nsz	Nov. 22
Mata, Janos			Alleged previous conviction		Nsz	Nov. 22
Matyus, Jozsef			Alleged previous conviction		Nsz	Nov. 22
Molnar, Janos			Alleged previous conviction		Nsz	Nov. 22
Balint, Gy			Escaped convict		Na	Nov. 25
Komaromi, Laszlo, Jr.	17		Looting		Na	Nov. 25
Kossa, (Kosa) Ferenc			Alleged looting		Na	Nov. 25
Bauer, Karoly			Alleged battery		Na	Nov. 25
Bardi, Gyozo			Hiding of arms		Nsz	Nov. 28
Farkas, Lajos			Shooting & hiding of arms		Nsz	Nov. 29
Kelemen, Istvan, Jr.		Former Lieutenant, People's Army	Shooting; hiding of arms		Nsz	Nov. 29
Kelemen, Istvan, Jr.			Shooting; hiding of arms		Nsz	Nov. 29
Benesik Vilmos			Hiding of arms		Na	Nov. 30
Erdelyi, Janos	20		Auto theft; attempted border crossing		Na	Nov. 30
Parago, Bela			Hiding of arms		Na	Nov. 30
Rudeg, Zoltan			Shooting and hiding of arms		Na	Nov. 30
Simoni, Laszlo			Hiding arms		Na	Nov. 30
Valkai, Zoltan			Shooting; hiding arms		Na	Nov. 30
Dolesonka, Lajos		Machinist	Alleged looting		Na	Dec. 2
Hiatniczki, Bela		Locksmith	Looting		Na	Dec. 2
Voros, Janos			Aiding escapees		Somogyorszag	Dec. 2
Baku, S.			Assault on policeman		Na	Dec. 4
Bart, Janos			Assault on policeman		Na	Dec. 4
Haranyi, Pal			Shooting		Na	Dec. 4
Illes, Sandor			Pretending to be Soviet soldier & threatening residents		Na	Dec. 4
Kovacs, Jozsef			Hiding arms		Na	Dec. 4
Otokar, Karoly			Pretending to be Soviet soldier & threatening residents		Na	Dec. 4
Petrovics, Jozsef			Assaulting policeman		Na	Dec. 4
Vasarhelyi, Bela			Assault on policeman		Na	Dec. 4
Verbes, Dezso			Assault on policeman		Na	Dec. 4
Batasz, E.			Wrecking railroad rails		RB	Dec. 6
Kovacs, G.		Technician	Printing leaflets		RB	Dec. 6
Kiss, Lajos			Throwing hand-grenades		Nsz	Dec. 7
Meszaros, Jozsef	23	Member of local Workers Council	Production of counter-revolutionary leaflet		Nsz	Dec. 7
Paulovics, Mihaly			Shooting; hiding arms		Nsz	Dec. 7
Varga, Janos			"Intimidating public"; hiding arms		Nsz	Dec. 7
Boldizsak, Gaspar		Driver	Helping escapees		Na	Dec. 8
Thanyai, Istvan		Driver	Helping escapees		Na	Dec. 8
Veg, Imre		Driver	Helping escapees		Na	Dec. 8

Name	Age	Profession	Charge	Sentence	Source	Date
Balogh, Jozsef			Armed assault on police		Na.	Dec. 9.
Gyovay, Mihaly		Unskilled laborer	Armed assault on police patrol		Na.	Dec. 9
Soki, Ferenc	25	Digger	Armed assault on police patrol		Na.	Dec. 9.
Szabur, Jozsef	32	Peasant	Distributing leaflets, inciting to strike		RB	Dec. 11.
Gal, L.			Hiding arms		NSz	Dec. 11.
Kjiss, Gyula			Vagrancy		NSz	Dec. 11.
Varga, Sandor	18	Baker	Hiding arms		NSz	Dec. 11.
Vezian, T.			Distributing leaflets, inciting to strike		RB	Dec. 11.
Bali, S.		Member Greater Budapest Workers' Council			RB	Dec. 12.
Erdosi, Pal			Helping escapees		Na.	Dec. 12.
Jelics, Jozsef	52		Assault on policeman; hiding gun		Dunantuli Naplo	Dec. 12.
Katai, Andras	30	Worker	Assaulting policeman; stealing gun		Dunantuli Naplo	Dec. 12.
Katai, Pal	29		Assaulting policeman; stealing gun		Dunantuli Naplo	Dec. 12.
Levai, Imre			Assault on police patrol		NSz	Dec. 12.
Racz, S.		Chairman, Greater Budapest Workers' Council			RB	Dec. 12.
Balmt, L.	25		Using arms		RB	Dec. 13.
Csupor, Ferenc			Hiding arms		Na.	Dec. 13.
Fulop, I.			Stalling for profit		RB	Dec. 13.
Gondos, Jozsel			Helping escapees		Na.	Dec. 13.
Jeno, L.	19	Worker	Distributing leaflets		RB	Dec. 13.
Johacs, L.	24		Using arms		RB	Dec. 13.
Kutas, F.			Hiding arms		RB	Dec. 13.
Lajos, S.			Inciting to strike		RB	Dec. 13.
Laszlo, Jeno	19	Worker	Production of seditious leaflets		Na.	Dec. 13.
Mate, I.			Organizing strike		RB	Dec. 13.
Mora, G.	19	Worker	Hiding arms		RB	Dec. 13.
Robek, Karoly			Assault on police station		Na.	Dec. 13.
Sandor, Lajos			Inciting to strike		Na.	Dec. 13.
Szabo, G.	43	Army sergeant	Organization of strike		RB	Dec. 13.
Vasko, A.			Hiding arms	Death	RB	Dec. 13.
Nagy, J.			Hiding arms	Death	RB	Dec. 15.
Soltos, J.			Attempting to escape		Na.	Dec. 15.
Szakats, Istvan			Counter-revolutionary activity		NSz	Dec. 15.
Apaoezki, L.			Hiding arms	Life	RB	Dec. 16.
Csizmadia, J.			Participation in armed assault	15 yrs	Na.	Dec. 16.
Dinnyes, Istvan			Alleged embezzlement of funds		NSz	Dec. 16.
Hering, Bela			Participation in armed assault	12 yrs	Na.	Dec. 16.
Kerteszi, Elek			Armed assault	10 yrs	Na.	Dec. 16.
Kokoval, Jozsel	19		Embezzling Revolutionary Committee funds		NSz	Dec. 16.
Vass, Sandor			Hiding arms	Death—comm. to life	RB	Dec. 17.
Borbely, G.	28		Hiding arms	Death—comm. to life	RB	Dec. 17.
Nyars, R.					RB	Dec. 17.
Pap, I.			Hiding arms	Death—comm. to life	RB	Dec. 17.

Name	Age	Profession	Charge	Sentence	Source	Date
Bodor, Mrs. Mihaly.			Burglary.		NSZ	Dec. 22.
Bucsas, Jozsef.			Homicide.		Na	Dec. 22.
Cseh, M.			Hiding arms.	10 yrs.	RB	Dec. 22.
Czagan, Jozsef			Railroad sabotage; hiding of arms.		Na	Dec. 22.
Darvasi, S.	54	Shoemaker.	Hiding arms.	15 yrs.	RB	Dec. 22.
Ezslas, Antal.		Cabinetmaker.	Inciting to strike.		NSZ	Dec. 22.
Fehér, J.			Hiding arms.	10 yrs.	RB	Dec. 22.
Földi, Dr. Laszlo		Former police lieutenant.	Inciting to strike.		NSZ	Dec. 22.
Gyula, K.	17	Electrician.	Hiding arms.		RB	Dec. 22.
Handgodi, I.			Murder.		NSZ	Dec. 22.
Jureszka, G.		Postal employee.	Hiding arms.	10 yrs.	RB	Dec. 22.
Kisbéri, S.			Hiding arms.	12 yrs.	RB	Dec. 22.
Matusek, Janos.	28		Inciting to armed revolt.		NSZ	Dec. 22.
Molnar, Gyorgy.	50	Council president.	Agitating against collective farms.		Zalai Hirlap.	Dec. 22.
Nagy, Alajos.	16	Grocer.	Hiding arms.		NSZ	Dec. 22.
Rada, K.	23	Apprentice.	Hiding arms.		RB	Dec. 22.
Szentivanyi, Agoston O.		Driver.	Alleged assault.		Na	Dec. 22.
Vasics, L.			Hiding arms.	10 yrs.	RB	Dec. 22.
Balogh, A.			Armed robbery.	15 yrs.	RB	Dec. 23.
Balogh, Janos.			Helping escapees.		NSZ	Dec. 23.
Bessenyei, S.			Inciting against People's Democracy.		RB	Dec. 23.
Burscu, I.			Inciting against People's Democracy.		RB	Dec. 23.
Csillako, Jozsef.			Hiding of arms.		Na	Dec. 23.
Jordan, V.			Hiding arms.		RB	Dec. 23.
Kertesz, Janos.	52	Unskilled labourer.	Hiding of arms.		NSZ	Dec. 23.
Korbasz, Jozsef.			Hiding of arms.		Na	Dec. 23.
Kozma, Gyula.	17	Electrician.	Hiding of arms.		Na	Dec. 23.
Lakatos, P.	26		Robbery.	Death.	RB	Dec. 23.
Rozman, Jozsef.		Worker.	Hiding arms.		Na	Dec. 23.
Szeredi, M.			Inciting against People's Democracy.		RB	Dec. 23.
Szlagyi, Laszlo.			Inciting against People's Democracy.		RB	Dec. 23.
Tigidy, E.			Hiding arms.		NSZ	Dec. 23.
Turcsok, Jozsef.	29		Hiding and using arms.		RB	Dec. 23.
Vidovics, F.			Escaped convict.		Na	Dec. 23.
Vorovicz, Ferenc	28	Teacher.	Inciting against People's Democracy.		RB	Dec. 23.
Fulop, I.			Theft of arms from police; sedition.		Na	Dec. 24.
Kovaacs, G.		Engineer.	Printing leaflets.		RB	Dec. 24.
Nagy, F.	.30	Stoker.	Hiding arms; looting.		RB	Dec. 24.
Horvath, Imre.			Printing leaflets.		RB	Dec. 24.
Csereses, Laos.			Helping escapees.		Na	Dec. 25.
Florlan, Istvan.			Sabotage against railroad and hiding of arms.		Na	Dec. 28.
Gaspar, T.			Looting.		NSZ	Dec. 28.
Hoffmann, Gyula.			Inciting to strike.		NSZ	Dec. 28.
Knissen, Imre.			Hiding of gun.		Somogyország.	Dec. 28.
Kodár, L.			Attempted escape.		Na	Dec. 28.
Nichmond, Bela.			Looting.		NSZ	Dec. 28.
Ritter, Janos.			Railroad sabotage; hiding arms.		Na	Dec. 28.
			Railroad sabotage; hiding arms.		Na	Dec. 28.

Toth, L.	Looting.	Nsz.	Dec. 28.
Samu, Istvan.	Attempted homicide.	Na.	Dec. 28.
Sipocz, Andras.	Aiding escapees.	Na.	Dec. 28.
Udvardi, Antal.	Aiding without leave.	Nsz.	Dec. 28.
P. Szues, Mihaly.	Unauthorized wood-cutting; assault on policeman.	Na.	Dec. 31.
Feka, Lajos.			
Gerendai, Ferenc.	Arson.	Na.	Dec. 31.
Molnar, Geza.	Aiding escapees.	Kisalfold	Dec. 31.
Szolath, Gyula.	Arson at State Farm.	Na.	Dec. 31.
Horvath, Karoly.	Helping escapees.	Nsz.	Jan. 1.
Pendli, Laszlo.	Aiding escapees.	Nsz.	Jan. 1.
Szanto, Ilona, Miss.	Aiding escapees.	Nsz.	Jan. 1.
Maturics, Jozsef	Escaped prisoner.	Somogyország	Jan. 2.
Balajti, Janos.	Escaped convict.	Na.	Jan. 3.
Balogh, Janos.	Arrested as escaped convict.	Na.	Jan. 3.
Goldberger, J.	Illegal border crossing.	Nsz.	Jan. 3.
Horvath, Karoly.	Escaped political prisoner.	Na.	Jan. 3.
Kozsa, M.	Illegal border crossing.	Nsz.	Jan. 3.
Kubieszki, Laszlo.	Hiding arms.	Dunantuli Naplo.	Jan. 3.
Ruppert, Janos.	Hiding arms, attack on Party headquarters.	Dunantuli Naplo.	Jan. 3.
Szivos, G.	Hiding arms, booting.	MTI	Jan. 3.
Doktor, L.	Hiding arms, booting.	Na.	Jan. 4.
Floris, K.	Hiding arms.	RB	Jan. 4.
Gaspár, Tivadar.	Looting.	Na.	Jan. 4.
Telesi, G.	Hiding arms.	RB	Jan. 4.
Bakos, Pal.	Assault on police patrol.	Szabolcs-Szatmar Nepe	Jan. 5.
Borosok, Ferenc.	Embezzlement.	Nsz.	Jan. 5.
Gezsi, Aladar.	Revolutionary acts.	Na.	Jan. 5.
Jubasz, Laszlo.	Attempted homicide.	Nsz.	Jan. 5.
Nagy, Gyula.	Agitating against collective farms.	Szabolcs-Szatmar Nepe	Jan. 5.
Nemeth, Rudolf, Jr.	Hiding arms.	Nsz.	Jan. 5.
Papp, Jeno.	Assault on police patrol.	Szabolcs-Szatmar Nepe	Jan. 5.
Szadai, Antal.	Assault on Communists.	Na.	Jan. 5.
Hajdu, M.	Hiding arms.	Na.	Jan. 6.
Kovacs, E.	Hiding arms.	Na.	Jan. 6.
Kucsik, Imre.	Attempted robbery.	Nsz.	Jan. 6.
Lovas, Janos.	Homeide.	Na.	Jan. 6.
Mayer, Oszkar.	Attempted armed robbery.	Nsz.	Jan. 6.
Mille, L.	Hiding arms.	Nsz.	Jan. 6.
Avar, I.	Helping escapees.	Na.	Jan. 8.
Berecz, Janos.	Hiding arms.	Nsz.	Jan. 8.
Bodol, Imre.	Helping escapees.	Na.	Jan. 8.
Hrepka, F.	Hiding arms.	Nsz.	Jan. 8.
Kolompár, L.	Writing leaflets.	Na.	Jan. 8.
Koposo, G.	Hiding arms.	Na.	Jan. 8.
Koposo, I.	Hiding arms.	Na.	Jan. 8.
Matrai, Viktor.	Aiding escapees.	Nsz.	Jan. 8.
Nagy, F.	Hiding arms.	Na.	Jan. 8.
Pinter, J.	Hiding arms, firing at Soviet tank.	Na.	Jan. 8.
Szohnoki, Lajos.	Hiding arms.	Na.	Jan. 8.
	Death—comm. to life.		
	10 yrs.		
	15 yrs.		
	Death.		

Name	Age	Profession	Charge	Sentence	Source	Date
Varga, Balint.....	26	Plumber.....	Assault on policeman.....		NSZ.....	Jan. 8.
Bihari, Miklos.....		Clerk.....	Helping escapees; hiding arms.....		Na.....	Jan. 9.
Csaszlik, Andor.....			Embezzling Red Cross goods; help.....		NSZ.....	Jan. 9.
Fasko, Lajos.....		Pensionary.....	Helping escapees; hiding of arms.....		Na.....	Jan. 9.
Fasko, Lajos, Jr.....		Driver.....	Helping escapees; hiding of arms.....		Na.....	Jan. 9.
Ferencti, Miss Margit.....		Pharmacist.....	Publishing revolutionary leaflets.....		NSZ.....	Jan. 9.
Gall, J.....		Writer.....	Writing leaflets.....		Na.....	Jan. 9.
Hegedus, Imre.....		Former National Guardist.....	Wounding a Communist.....		NSZ.....	Jan. 9.
Horvath, Lajos.....		Unskilled laborer.....	Publishing revolutionary leaflets.....		NSZ.....	Jan. 9.
Kollar, Mrs. Karoly.....		Janitor.....	Publishing revolution leaflets.....		NSZ.....	Jan. 9.
Kozma, P.....		Soldier.....	Desertion, hiding arms.....	12 yrs.....	RB.....	Jan. 9.
Lakatos, Peter Pal, Mrs.....		Pharmacist.....	Publishing counter-revolutionary leaflets.....		NSZ.....	Jan. 9.
Lusztig, Laszlo.....			Embezzlement of Red Cross goods; aiding es- capees.....		NSZ.....	Jan. 9.
Magyar, Andras.....	24	Miner.....	Hiding gun.....	10 yrs.....	Magyarország.....	Jan. 9.
Moravszki, Lajos.....	21	Miner.....	Homeleide.....		Na.....	Jan. 9.
Roth, Ferenc.....		Driver.....	Aiding escapees; hiding arms.....		Na.....	Jan. 9.
Roth, Sandor.....		Glazier.....	Distribution of counter-revolutionary leaflets.....		NSZ.....	Jan. 9.
Szekerés, Janos, Dr.....		Director of Budapest Red Cross center.....	Embezzlement of Red Cross goods; aiding es- capees.....		NSZ.....	Jan. 9.
Szekerés, Tibor.....			Embezzling Red Cross goods; aiding escapees.....		NSZ.....	Jan. 9.
Szervenes, Istvan.....		Red Cross employee.....	Forging identification cards for escapees.....		NSZ.....	Jan. 9.
Urbanyi, Gyula, Dr.....		Red Cross employee.....	Aiding escapees.....		NSZ.....	Jan. 9.
Vas, J.....	24		Hiding arms.....	10 yrs.....	RB.....	Jan. 9.
Bazso, Istvan.....		Youth.....	Hiding of arms.....	10 yrs.....	Fejer Megyei Hirlap.....	Jan. 10.
Borgula, Janos.....			Helping escapees.....		NSZ.....	Jan. 10.
Duro, Imre.....			Hiding of arms.....	6 yrs.....	NSZ.....	Jan. 10.
Egyed, Istvan.....			Helping escapees.....		NSZ.....	Jan. 10.
Friscak, Marton.....			Murder.....		NSZ.....	Jan. 10.
Gyurus, Ferenc.....			Helping escapees.....	6 yrs.....	NSZ.....	Jan. 10.
Kerteszi, Janos.....			Hiding arms.....		NSZ.....	Jan. 10.
Nemeth, Ferenc.....			Aiding escapees.....		NSZ.....	Jan. 10.
Penek, F.....		Postal employee.....	Hiding arms.....	Death—comm. to life.....	Na.....	Jan. 10.
Simon, Jozsef.....			Aiding escapees.....		NSZ.....	Jan. 10.
Suto, Sandor.....			Aiding escapees.....		NSZ.....	Jan. 10.
Szanyi, Sandor.....			Hiding arms.....	5 yrs.....	NSZ.....	Jan. 10.
Szep, Jozsef.....			Assault on border-guard.....		Dunantuli Naplo.....	Jan. 10.
Szljartó, Jozsef.....	27		Hiding arms.....	12 yrs.....	Fejermegyei Hirlap.....	Jan. 10.
Toth, Lajos.....			Hiding arms.....	5 yrs.....	NSZ.....	Jan. 10.
Varga, Andras.....	21	Unskilled labourer.....	Homeleide.....		NSZ.....	Jan. 10.
Varga, I.....			Murder.....	Death.....	RB.....	Jan. 10.
Vojnovits, Vince.....			Aiding escapees.....	6 yrs.....	NSZ.....	Jan. 10.
Zsanyi, Albert.....			Hiding arms.....		NSZ.....	Jan. 10.
Zsebe, Kalman.....			Aiding escapees.....		NSZ.....	Jan. 10.
Balogh, Sandor.....			Distributing anti-government leaflets.....		NSZ.....	Jan. 10.
Berecsky, B.....		Teacher.....	Hiding arms.....	10 yrs.....	Na.....	Jan. 11.
Boros, F.....			Participating in revolt.....	13 yrs.....	NSZ.....	Jan. 11.

Burzan, Gyula	23	Peasant	Stole a gun.	Acquitted.	Na.	Jan. 11.
Csernyik, J.			Typing anti-government leaflets	Death	Na.	Jan. 11.
Csizmadia, Mrs. Sandor			Participating in revolt	11 yrs.	Dumantuli Naplo.	Jan. 11.
Farkas, M.			Hiding and using arms.		Na.	Jan. 11.
Horvath, S.		University student	Section and inciting to strike		Dumantuli Naplo.	Jan. 11.
Karolyi, Laszlo			Participating in revolt	Death	NSZ.	Jan. 11.
Kiss, F.	20		Participating in revolt	5 yrs.	Na.	Jan. 11.
Many, E.			Hiding arms	5 yrs.	Na.	Jan. 11.
Nagy, F.			Hiding arms	Death.	RB.	Jan. 11.
Pethes, P.		Policeman	Murder	15 yrs.	Na.	Jan. 11.
Romtes, S.	18		Hiding arms	10 yrs.	NSZ.	Jan. 11.
Stauder, L.			Participating in revolt	15 yrs.	Na.	Jan. 11.
Szilagy, I.			Hiding arms	13 yrs.	NSZ.	Jan. 11.
Terkovics, S.		Mechanic	Participating in revolt		NSZ.	Jan. 12.
Torkovics, J.	31		Helping escapees.		NSZ.	Jan. 12.
Zsoter, M.			Helping escapees.		NSZ.	Jan. 12.
Felner, Istvan.			Helping escapees.		NSZ.	Jan. 12.
Gal, Geza.			Helping escapees.		NSZ.	Jan. 12.
Kis, Jozsef			Helping escapees.		NSZ.	Jan. 12.
Kovacs, Elemer			Alleged robbery		Na.	Jan. 12.
Laszlo, Ferenc		Lawyer	Aiding escapees		NSZ.	Jan. 12.
Lazar, Miklos			Aiding escapees		NSZ.	Jan. 12.
Lazar, Miklosne, Mrs.			Aiding escapees		NSZ.	Jan. 12.
Lengyel, Lajos			Aiding escapees		NSZ.	Jan. 12.
Lorincz, Jozsef			Aiding escapees		NSZ.	Jan. 12.
Nemeth, Gyula	29	Member Red Cross.	Hiding arms, member Red Cross	14 yrs.	NSZ.	Jan. 12.
Rideg, K.			Revolutionist.		Zalai Hirlap.	Jan. 13.
Garay, Gyula			Revolutionary.		Zalai Hirlap.	Jan. 13.
Gyore, Jozsef, Jr.		Sec. Youth Party org.	Youthful revolutionary activities.		Zalai Hirlap.	Jan. 13.
Gyore, Karoly, Jr.		Welder	Leader group freedom-fighters.	Death & was ex- cluded.	Zalai Hirlap.	Jan. 13.
Horvath, Istvan.	20				Na.	Jan. 13.
Kohary, G.			Hiding arms		NSZ.	Jan. 13.
Inkaacs, Laszlo.			Participated in attack on Communists		Zalai Hirlap.	Jan. 13.
Palf, Janos.			Beating of Communists.		Zalai Hirlap.	Jan. 13.
Szepadvari, Attila		Streetcar conductor.	Encouraged youth to attack Communists		Zalai Hirlap.	Jan. 13.
Zahora, M.	21		Hiding arms	15 yrs.	RB.	Jan. 13.
Pajsz, F.			Hiding arms	14 yrs.	RB.	Jan. 14.
Czazo, Sandor		Tractor-driver	Hiding of arms		Dumantuli Naplo.	Jan. 15.
Foldes, Dr. Imre.		Lawyer	Helping escapees		Na.	Jan. 15.
Jakos, Mihaly			Agitation against Kadar Party		Eszakmagyarorszag.	Jan. 15.
Klenovszki, Istvan.	20		Killing.		NSZ.	Jan. 15.
Kurucz, Imre.			Agitation against government.		Eszakmagyarorszag.	Jan. 15.
Szabo, Lajos			Agitation against new Kadar Party		Eszakmagyarorszag.	Jan. 15.
Szanto, Lajos			Agitation against new Kadar Party		Eszakmagyarorszag.	Jan. 15.
Tomori, Jozsef			Agitation against new Kadar Party.		Eszakmagyarorszag.	Jan. 15.
Ammer, I.			Murder		Na.	Jan. 16.
Cegledi, J.	16	Peasant.	Singing fascist songs.	Death.	Somogyorszag.	Jan. 16.
Gyorey, J.	17		Hiding arms		Na.	Jan. 16.
Janos, S.			Hiding arms		Na.	Jan. 16.
Janos, S.	17		Hiding arms, robbery		Na.	Jan. 16.
Lauger, J.					Na.	Jan. 16.

Name	Age	Profession	Charge	Sentence	Source	Date
Pospichil, K.	19	Locksmith	Inciting to strike.	15 yrs.	Na.	Jan. 16.
Szobko, J.	30	Engineer	Hiding arms.	Death.	Na.	Jan. 16.
Leclerer, J.	44	Soldier	Terror acts, looting.	Death.	Nsz.	Jan. 17.
Schneider, Zoltan.	44	Peasant	Homicide.	10 yrs.	Nsz.	Jan. 17.
Stefanecik, L.	29	Worker	Hiding arms.	10 yrs.	Na.	Jan. 17.
Adamek, F.	49	Coach-builder	Helping escapees.	10 yrs.	Nsz.	Jan. 18.
Gyurko, L.	49	Coach-builder	Printing and distributing leaflets.	10 yrs.	Nsz.	Jan. 18.
Gyurko, Laszlo.	49	Coach-builder	Printing and distributing leaflets.	10 yrs.	Nsz.	Jan. 18.
Komuves, L.	49	Coach-builder	Printing and distributing leaflets.	10 yrs.	Nsz.	Jan. 18.
Schilling, M.	49	Coach-builder	Printing and distributing leaflets.	10 yrs.	Nsz.	Jan. 18.
Bozsites, Laszlo	49	Coach-builder	Printing and distributing leaflets.	10 yrs.	Na.	Jan. 19.
Dudas, J.	45	Manager, State farm; Pres., Farm Workers Council.	Organized revolt.	Death.	RB.	Jan. 19.
Hauer, S.	24	Engineer	Hiding arms.	12 yrs.	Na.	Jan. 19.
Suli, A.	45	Worker	Hiding arms.	10 yrs.	Na.	Jan. 19.
Szabo, J.	45	Worker	Organized revolt.	Death.	RB.	Jan. 19.
Angyal, I.	45	Worker	Printing leaflets.	Death.	RB.	Jan. 19.
Berkes, Peter	27	Worker	Burglary.	5 yrs.	Na.	Jan. 20.
Csaszar, Laszlo.	27	Worker	Killing AVH officer and 2 police officers.	5 yrs.	Eszakmagyarország.	Jan. 20.
Deak, Mihaly	27	Locomotive stoker	Helping escapees.	5 yrs.	Eszakmagyarország.	Jan. 20.
Eros, Jozsef.	27	Locomotive stoker	Participation in killing AVH officer and 2 police- men.	5 yrs.	Nsz.	Jan. 20.
Horvath, Istvan	27	Railroad conductor	Helping escapees.	5 yrs.	Eszakmagyarország.	Jan. 20.
Horvath, S.	27	Railroad conductor	Helping escapees.	5 yrs.	Nsz.	Jan. 20.
Jagieza, L.	27	Railroad conductor	Helping escapees.	5 yrs.	Na.	Jan. 20.
Konya, Pal	27	Draftsman	Writing and printing leaflets.	5 yrs.	Na.	Jan. 20.
Koroknai, Mrs. Pal	27	Draftsman	Attempted murder.	5 yrs.	Na.	Jan. 20.
Kovaacs, F.	27	Railroad conductor	Killing AVH officer & 2 policemen.	5 yrs.	Eszakmagyarország.	Jan. 20.
Kovaacs, J.	27	Railroad conductor	Helping escapees.	5 yrs.	Nsz.	Jan. 20.
Lukacs, J.	27	Railroad conductor	Printing leaflets.	5 yrs.	Na.	Jan. 20.
Nagy, L.	27	Railroad conductor	Organized women's demonstration.	5 yrs.	Na.	Jan. 20.
Szabo, B.	27	Railroad conductor	Hiding arms.	5 yrs.	Na.	Jan. 20.
Szabo, J.	27	Railroad conductor	Murder.	5 yrs.	RB.	Jan. 20.
Szebel, J.	27	Railroad conductor	Printing leaflets.	5 yrs.	RB.	Jan. 20.
Lord, D. D. (Brittish)	26	Railroad conductor	Murder.	5 yrs.	RB.	Jan. 20.
Pardi, Janos	26	Railroad conductor	Unauthorized entry into Hungary.	5 yrs.	Na.	Jan. 21.
Sajgo, Gyorgy	26	Railroad conductor	Murder.	5 yrs.	Nsz.	Jan. 21.
Baronai, J.	26	Railroad conductor	Murder.	5 yrs.	Nsz.	Jan. 22.
Devenyi, J.	26	Railroad conductor	Murder.	5 yrs.	Nsz.	Jan. 22.
Drabik, Ferenc	26	Railroad conductor	Hiding gun.	5 yrs.	Somogyország.	Jan. 23.
Gedra, Ferenc	26	Railroad conductor	Hiding arms, inciting to strike, planning revolt.	5 yrs.	RB.	Jan. 23.
Gyarmati, Bela	26	Railroad conductor	Hiding arms, inciting to strike.	5 yrs.	RB.	Jan. 23.
Kiss, Sander	26	Railroad conductor	Hiding of arms.	12 yrs.	Na.	Jan. 23.
Peczo, J.	26	Railroad conductor	Hiding of arms.	6 yrs.	Nsz.	Jan. 23.
Petovics, Ferenc	26	Railroad conductor	Assault on a policeman.	18 yrs.	Na.	Jan. 23.
Stelli, Karoly	26	Railroad conductor	Hiding of arms.	5 yrs.	Na.	Jan. 23.
Telji, B.	26	Railroad conductor	Hiding arms, inciting to strike.	5 yrs.	RB.	Jan. 23.
Tejmi, K.	26	Railroad conductor	Aiding escapees.	5 yrs.	RB.	Jan. 23.
Varga, J.	26	Railroad conductor	Hiding arms, inciting to strike.	5 yrs.	RB.	Jan. 23.
Varga, J.	26	Worker	Hiding arms, inciting to strike.	5 yrs.	RB.	Jan. 23.

Vegvari, F.			Hiding arms, inciting to strike.			RB	Jan. 23.
Vincez, G.			Hiding arms.			RB	Jan. 23.
Zebra, F.			Hiding arms, inciting to strike.			RB	Jan. 23.
Balla, P.			Murder of local Party chairman.			NSZ	Jan. 24.
Harming, I.			Murder of local Party chairman.			NSZ	Jan. 24.
Kiss, Gabor.			Distribution of counter-revolutionary leaflets.			NSZ	Jan. 24.
Koleszar, J.			Hiding arms.			NSZ	Jan. 24.
Kollar, L.			Possession of arms.			NSZ	Jan. 24.
Kovecses, F.			Murder of local Party Chairman.			NSZ	Jan. 24.
Lakos, J.			Murder of local Party Chairman.			NSZ	Jan. 24.
Miloszerni, P.			Murder of local Party Chairman.			NSZ	Jan. 24.
Stefanesik, L.			Murder of local Party Chairman.			NSZ	Jan. 24.
Suka, F.			Hiding arms.			NSZ	Jan. 24.
Szaraki, M.			Hiding arms.			NSZ	Jan. 24.
Toth, F.			Hiding arms.			NSZ	Jan. 24.
Varga, F.			Assault.			NSZ	Jan. 24.
Varro, C.			Hiding arms, operating radio transmitter.			NSZ	Jan. 24.
Volvar, S.			Unlawful entry.			NSZ	Jan. 24.
Bulla, Janos.			Hiding a gun.			NSZ	Jan. 24.
Demeter, L.			Looting Soviet deliveries.			NSZ	Jan. 24.
Halapka, Mihaly.			Hiding of arms.			NSZ	Jan. 24.
Liptics, Imre.			Hiding arms.			NSZ	Jan. 24.
Oláh, Ferenc.			Hiding arms.			NSZ	Jan. 24.
Rajo, A.			Looting Soviet deliveries.			NSZ	Jan. 24.
Samas, J.			Looting Soviet deliveries.			NSZ	Jan. 24.
Terek, Jozsef.			Attempted railroad sabotage.			NSZ	Jan. 24.
Torok, J.			Wrecking railroad rails.			NSZ	Jan. 24.
Varga, Sandor.			Hiding a gun.			NSZ	Jan. 24.
Bendzsek, Barna.			Homeless.			NSZ	Jan. 24.
Bot, K.			Dismissing collective farm.			NSZ	Jan. 24.
Buczko, I.			Aiding murder.			NSZ	Jan. 24.
Buczko, L.			Murder of Soviet soldier.			NSZ	Jan. 24.
Cseperszki, B.			Organized counter-revolutionary group.			NSZ	Jan. 24.
Fentos, G.			Hiding arms.			NSZ	Jan. 24.
Hay, G.			Counter-revolutionary activity.			NSZ	Jan. 24.
Jozsef, K.			Hiding arms.			NSZ	Jan. 24.
Katona, Tibor.			Hiding military radio equipment.			NSZ	Jan. 24.
Klass, P.			Hiding arms.			NSZ	Jan. 24.
Korpassi, Andras.			Hiding of arms.			NSZ	Jan. 24.
Lajos, N.			Hiding arms.			NSZ	Jan. 24.
Lengyel, B.			Counter-revolutionary activity.			NSZ	Jan. 24.
Loosel, P.			Murder of policeman.			NSZ	Jan. 24.
Nemeth, J.			Counter-revolutionary activity.			NSZ	Jan. 24.
Novobaczky, S.			Hiding arms.			NSZ	Jan. 24.
Piszek, M.			Attempted escape.			NSZ	Jan. 24.
Polasek, Istvan.			Hiding arms.			NSZ	Jan. 24.
Racz, Janos.			Organized counter-revolutionary group.			NSZ	Jan. 24.
Rago, F.			Organized counter-revolutionary group.			NSZ	Jan. 24.
Rozsa, G.			Organized counter-revolutionary group.			NSZ	Jan. 24.
Szatmari, J.			Counter-revolutionary activity.			NSZ	Jan. 24.
Varga, D.			Counter-revolutionary activity.			NSZ	Jan. 24.
Tardos, T.			Counter-revolutionary activity.			NSZ	Jan. 24.

Name	Age	Profession	Charge	Sentence	Source	Date
Zelk, Z.		Writer.	Counter-revolutionary activity.	10 yrs.	Nsz.	Jan. 26.
Buczko, J.		Innkeeper.	Hiding arms, forging documents.	Death.	Na.	Jan. 27.
Hullar, G.		Seamstress.	Hiding and using arms.		Na.	Jan. 27.
Keese Nagy, Antalme, Mrs.		Unskilled labourer.	Attempted escape.		Nsz.	Jan. 27.
Keese Nagy, Katalin, Miss.		Captain W G.	Hiding arms, keeping leaflets.	13 yrs.	Nsz.	Jan. 27.
Kiraly, I.		Medve, Istvan.	Armed assault against local authorities 11/28.	Death.	Na.	Jan. 27.
Medve, Istvan.	57	Shoemaker.	Murder.		Na.	Jan. 27.
Takacs, F.		Former officer in Hungarian Army.			Nsz.	Jan. 27.
Visnyei, Sandor						
Darazics, M.			Hiding arms.		RN	Jan. 28.
Englmayer, M.			Aiding border crossing.		RB	Jan. 28.
Kapus.			Hiding and using arms.		RN	Jan. 28.
Koelalu, I.			Aiding border crossing.		RB	Jan. 28.
Koeszegi, L.			Aiding border crossing.		RB	Jan. 28.
Toth, G.		Army captain.	Activity during uprising, torturing.		RB	Jan. 28.
Vad, J.			Aiding border crossing.		RB	Jan. 28.
Cziegler, K.			Helping escapees.		D. N.	Jan. 28.
Farago, J.		Innkeeper.	Agitating against collective farms.		RN	Jan. 29.
Kapusi, F.			Hiding arms, forging documents.		RN	Jan. 29.
Mandurics, J.			Helping escapees.		Nsz.	Jan. 29.
Miskovics, Lajos.		Chimney-sweep.	Killing of police officer.		D. N.	Jan. 29.
Stier, J. jr.			Helping escapees.		Eszakmagyarorszag.	Jan. 29.
Tokaji, Gyula.			Killing. AVH officer; destroying Soviet monument.		DN	Jan. 29.
Tokaji, Sandor.					Eszakmagyarorszag.	Jan. 29.
Toldi, J.		Seaman.	Homicide.		Nsz	Jan. 29.
Welsch, Ferenc.		Technician.	Hiding arms, agitating against collective farms. Aiding American journalist to enter Hungary illegally.	8 mos.	RB	Jan. 29.
Bab, J.			Helping escapees.		Na.	Jan. 30.
Csepel, Istvan.			Helping escapees.		Na.	Jan. 30.
Csondoe, Laszlo.		Youth.	Hiding a gun.		Dunantuli Naplo.	Jan. 30.
Gedo, Istvan.			Looking.		Nsz	Jan. 30.
Gerzseny, J.			Assault.		RN	Jan. 30.
Guti, B.			Hiding arms.		RN	Jan. 30.
Horvath, Erno.	26	Employee in factory.	Looting.		Nsz.	Jan. 30.
Katona, S.		Printer.	Looting arms.		Nsz.	Jan. 30.
Kosa, Ferenc.	18		Looting.		Nsz.	Jan. 30.
Misk B.			Assault.		RN	Jan. 30.
Orsos, F.	42	Railway worker.	Hiding arms.	15 yrs.	RB	Jan. 30.
Puzsa, Janos (or Puzso)			Looting during uprising.		Nsz	Jan. 30.
Ruszak (Buzsak), F.	31	Railway worker.	Hiding arms.	10 yrs.	RB	Jan. 30.
Schraudas, A.		Locksmith.	Hiding arms.		Nsz	Jan. 30.
Szekeres, Gyorgy.			Armed looting.		Nsz	Jan. 30.
Szoenyi, J.			Hiding arms.		HIS	Jan. 30.
Szatter, J.			Hiding arms.		Nsz	Jan. 30.
Benyovskii, L.		Worker.	Hiding arms.	Death.	Nsz	Jan. 30.
Illes, Mrs.			False accusation.		Na.	Jan. 31.

Sandor, M.	Organizing gang	Jan. 31	N.Sz.
Szekeress, K.	Organizing gang	Jan. 31	N.Sz.
Toszegi, Pal	Aiding escapees	Jan. 30	N.a.
Ujka, I.	Organizing gang	Jan. 31	N.Sz.
Holdi, J.	Sympathy with rioting students	Feb.	
Csosz, Istvan	Helping escapees	Feb. 1	K. D. N.
Farkas, Bela	Organization of uprising	Feb. 1	Fejermegyei Hirlap
Fekete, Jozsef	Hiding of arms	Feb. 1	Fejermegyei Hirlap
Legedus, Jozsef	Hiding of arms	Feb. 1	Somogyorszag
Ivorvath, Jozsef	Escaped political prisoner	Feb. 1	N.a.
Ivandi, L.	Hiding arms, printing leaflets	Feb. 1	N.Sz.
Jonas, G.	Burglary	Feb. 1	N.Sz.
Lankas, Imre	Hiding arms, attempted murder	Feb. 1	N.Sz.
Neumes, J.	Hiding arms	Feb. 1	Fejermegyei Hirlap
Pajor, Jozsef	Hiding arms	Feb. 1	N.a.
Palmakas, I.	Escaped from prison	Feb. 1	Somogyorszag
Pek, János.	Escaped from prison	Feb. 1	Somogyorszag
Szilovics, Pal	Burglary	Feb. 1	N.Sz.
Berdo, Balazs	Helping escapees	Feb. 2	Dunantuli Naplo
Bogdan, Lajos	Revolutionary activities	Feb. 2	Dunantuli Naplo
Bosnyak, Mihaly	Burglary	Feb. 2	N.Sz.
Bridosa, János	Helping escapees	Feb. 2	Dunantuli Naplo
Herner, Jozsef	Counter-revolutionary activities	Feb. 2	Dunantuli Naplo
Kakobivics, Gyorgy	Revolutionary activities	Feb. 2	Dunantuli Naplo
Koleszarios, János	Revolutionary activities	Feb. 2	Dunantuli Naplo
Kovacs, Dozso	Revolutionary activities	Feb. 2	Dunantuli Naplo
Orsos, Jozsef	Aiding escapees	Feb. 2	Dunantuli Naplo
Szabo, Geza	Counter-revolutionary activities	Feb. 2	Dunantuli Naplo
Szevetinacz, Miklos	Counter-revolutionary activities	Feb. 2	Dunantuli Naplo
Szevinyarovics, Gyorgy	Counter-revolutionary activities	Feb. 2	Dunantuli Naplo
Szili, János, Jr	Sedition	Feb. 2	Dunantuli Naplo
Szili, János, Sr	Hiding arms	Feb. 2	K. D. N.
Szinyakovics, Mihaly	Hiding arms	Feb. 2	K. D. N.
Szandovar, Maytis	Aiding escapees	Feb. 2	Dunantuli Naplo
Sztanics, Mik	Counter-revolutionary activities	Feb. 2	Dunantuli Naplo
Tarcsyia, János	Counter-revolutionary activities	Feb. 2	Dunantuli Naplo
Tombor, János	Counter-revolutionary activities	Feb. 2	Dunantuli Naplo
Barer, G.	Hiding arms	Feb. 2	K. D. N.
Bognar, Antal	Instigating to leave CP	Feb. 2	N.a.
Csere, T.	Escaped convict	Feb. 3	N.Sz.
Farkas, A.	Hiding arms	Feb. 3	N.a.
Gal, János	Hiding arms	Feb. 3	N.a.
Gerzsenyi, Jozsef	Escaped convict	Feb. 3	N.Sz.
Guti, Bela	Revolutionary activities	Feb. 3	Keletmagyarorszag
Morvai, Ambrusz	Revolutionary activities	Feb. 3	Keletmagyarorszag
Romvari, J.	Escaped convict	Feb. 3	N.Sz.
Sipos, Dr	Hiding arms	Feb. 3	N.a.
Sos, Karoly	Organizing Nat. Assembly, writing leaflets	Feb. 3	N.a.
Szuroezki, Jozsef	Escaped convict	Feb. 5	N.Sz.
Bako, P.	Dissembling abandoned tank	Feb. 5	Petofi Nepe
Bardi, I.	Hiding arms	Feb. 5	N.Sz.
Beke, T.	Instigating	Feb. 5	Sz. N.
Bobek, Karoly	Writing leaflets	Feb. 5	F.B.
	Killing a police officer	Feb. 5	Petofinepe
			Death

Name	Age	Profession	Charge	Sentence	Source	Date
Hegedus, Sándor.			Attempted escape; hiding of arms.	14 yrs.	Eszakmagyarország.	Feb. 5.
Kornidész, J.	36	University lecturer.	Organizing counter-revolutionary network.		RB	Feb. 5.
Nábori, Péter.	25	Student.	Hiding arms; and unauthorized hunting.		RB	Feb. 5.
Nemes, J.		Former Capt. in Hungarian Army before 1945.	Distributing leaflets.		RB	Feb. 5.
Soos, Gyula.			Counter-revolutionary attitude.		Kozeptdumantuli Naplo.	Feb. 5.
Szarka, J.			Hiding arms.	Death—comm. to life.	RB.	Feb. 5.
Szemok, Sándor.	22	Peasant.	Theft; hiding arms.		Nsz.	Feb. 5.
Szucs, A.		Teamster.	Inciting.		Szn.	Feb. 5.
Terhes, J.		Teamster.	Sedition.		Szn.	Feb. 5.
Toth, F.			Hiding arms.	Death—comm. to life.	RB.	Feb. 5.
Vecsernyes, J.			Inciting.		Szn.	Feb. 5.
Vekerdí, J.	30	University lecturer.	Printing illegal paper "Eszmelet".		Nsz.	Feb. 5.
Czirok, E.			Hiding gun.		Sz. N.	Feb. 6.
Kis, Béla.		Peasant.	Seditious activities.	2½ yrs.	Dumantuli Naplo.	Feb. 6.
Radv, Karoly.		Council secretary.	Hiding arms.		Fejermegyei Hirlap.	Feb. 6.
Sergely, Ferenc.		Peasant.	Seditious activities.		Dumantuli Naplo.	Feb. 6.
Balint, J.		Student.	Distributing leaflet.		Szegedi Neplap.	Feb. 7.
Balla, J.		Student.	Distributing leaflet.		Szegedi Neplap.	Feb. 7.
Szabo, J.	37		Aiding border crossing.		RB.	Feb. 7.
Bartfai, Istvan.	28	Employee of commercial cooperative.	Distribution of revolutionary leaflets.		Eszakmagyarország.	Feb. 8.
Csikr, Mrs. Dezso.			Embezzlement.		Nsz.	Feb. 8.
Dacsar, E.		Forester.	Hiding arms.		Kozeptdumantuli Naplo.	Feb. 8.
Dudas, Erno Imre.	45	Railroad employee.	Mimeographing revolutionary leaflets.		Eszakmagyarország.	Feb. 8.
Farkas, Zoltan.			Hiding of arms.		Somogyország.	Feb. 8.
Hedler, B.			Hiding arms.		K. D. N.	Feb. 8.
Kami, D.	26		Beating Communist village-president.		K. D. N.	Feb. 8.
Kantas, Gy.			Attempted escape; aiding escapees.		K. D. N.	Feb. 8.
Klein, Jozsef.	25	Youth.	Hiding of arms.		Kozeptdumantuli Naplo.	Feb. 8.
Konczol, Jozsef.			Hiding a gun.		Zalay Hirlap.	Feb. 8.
Magay, L.		Lieutenant.	Counter-revolutionary activity.		Sz. N.	Feb. 8.
Petrovics, Jozsef.			Aiding escapees.		Somogyország.	Feb. 8.
Skakaly, A.			Revolutionary activity.		Szn.	Feb. 8.
Barany, Janos.		Restaurant manager.	Proceeding against leading communists as deputy commander of the National Guard.	10 yrs.	Eszakmagyarország.	Feb. 9.
Gaspar, Sándor.			Attempted escape to Yugoslavia & hiding arms.		Bekesmegyei Neplap.	Feb. 9.
Gelencser, Istvan.		Miner.	Closing local C.P. attempting to form trans-Danubian government.		Dumantuli Naplo.	Feb. 9.
Halasz, F.		Ex-captain.	Hiding of arms.	10 yrs.	RB.	Feb. 9.
Ignacz, Ferenc.		Sec., Textile Workers' Council.	Sedition; inciting to strike. Arrested Feb. 19.		Eszakmagyarország.	Feb. 9.
Keekes, Jozsef.			Hiding of arms.		Szegedi Neplap.	Feb. 9.
Papacs, Dr. F.		Miner.	Writing leaflets; hiding mimeograph.		HIS.	Feb. 9.
Sándor, Istvan.		Driver.	Attempted escape; hiding arms.		Dumantuli Naplo.	Feb. 9.
Simon, Karoly.			Looting Party center, Budapest, 10th District.		Nsz.	Feb. 9.

Cece, Lejos				Participant in killing AVH officers.			Na.	Feb. 10.
G. Toth, Laszlo				Attack on AVH and killing AVH officers.			Na.	Feb. 10.
Hahn, Lajos				Unauthorized possession of hunting rifle			Dunantuli Naplo.	Feb. 10.
Kocsis, L.	63			Planning railway sabotage.			N.sz.	Feb. 10.
Kovacs, Imre				Attempt to blow up railway track.			N.sz.	Feb. 10.
Laubert, Karoly				Participated in attacks on AVH			Na.	Feb. 10.
Langyeli, Laszlo				Participated in attacks against AVH			Kozepdunantuli Naplo.	Feb. 10.
Margay, Mihaly				Opposed former Stalinists in factory			N.sz.	Feb. 10.
Onodi, Istvan				Hiding of "army goods"			N.sz.	Feb. 10.
Faksi, Laszlo				Attempted blowing up of railroad track			N.sz.	Feb. 10.
Szanto, Jozsef				Aiding escapees			N.sz.	Feb. 10.
Szasz, Z.				Participation in revolt.			RB	Feb. 12.
Baranyai, K.				Aiding border crossing			RB	Feb. 12.
Heder, G.				Hiding arms.			RB/IIIS	Feb. 12.
Katona, S.				Hiding arms.			Kisalfold.	Feb. 12.
Kokai, Andras	48			Agitation against Kolkhoz-movement.			RB/IIIS	Feb. 12.
Rozsa, Z.				Hiding arms.			RB/IIIS	Feb. 12.
Suzter, J.				Production & distribution of rev. leaflets.			Na.	Feb. 13.
Bartok, Janos				Armed attack.			N.sz.	Feb. 13.
Batta, S.	29			Ordered hiding of arms.			N.sz.	Feb. 13.
Boni, Z.				Alleged killing; hiding of arms.			Na.	Feb. 13.
Csernakoi, Endre	25			Armed attack			N.sz.	Feb. 13.
Hajrik, L.	29			Producing and distributing leaflets.			Na.	Feb. 13.
Horvath, Sandorne (nee Tol- lasi, Ilena).				Armed attack.			N.sz.	Feb. 13.
Langyeli, I.	25			Attack on Party headquarters.			RB	Feb. 13.
Lakovits, L.	19			Attack on Party headquarters.			RB	Feb. 13.
Olah, M.				Producing and distributing counter-rev. leaflets.			Na.	Feb. 13.
Ravasz, Mihaly				Hiding arms.			N.sz.	Feb. 13.
Rudas, A.				Armed attack.			N.sz.	Feb. 13.
Sejpes, L.	28			Production and distribution counter-rev. leaflets.			Na.	Feb. 13.
Schilt, Laszlo				Illegal possession of arms.			N.sz.	Feb. 13.
Vadasz, J.				Accomplice to murder.			RB/IIIS	Feb. 13.
Welsh, M.	15			Imprisonment, attempted murder.			Na.	Feb. 14.
Bartok, I.				Counter-revolutionary activity			Sz. N	Feb. 14.
Csomor, B.				Counter-revolutionary activity			E. M	Feb. 14.
Geezi, Gy.				Aiding border crossing.			N.sz.	Feb. 14.
Gondos, J.				Printing leaflets, murder.			RB	Feb. 14.
Kaldor, E.	29			Terrorism.			Na.	Feb. 14.
Keresz, F.				Aiding border crossing			N.sz.	Feb. 14.
Keresz, E.				Assault			Na.	Feb. 14.
Kiraly, Mihaly				Hiding leaflets.			Na.	Feb. 14.
Matelli, C.	(1)			Robbery, hiding arms.			RB	Feb. 14.
Monus, B.				Sedition.			Na.	Feb. 14.
Nagy, L.	29			Aiding border crossing			Szn.	Feb. 14.
Magygyorgy, S.				Robbery, hiding arms.			Szn.	Feb. 14.
Nemeth, M.				Sedition.			N.sz.	Feb. 14.
Repper, S.				Aiding border crossing			N.sz.	Feb. 14.
Szabo, J.				Robbery, hiding arms.			N.sz.	Feb. 14.
Szarka, J.				Attempted murder			Na.	Feb. 14.

Name	Age	Profession	Charge	Sentence	Source	Date
Szilagyi, Sandor			Hiding ammunition	2 yrs.	Na.	Feb. 14.
Vasarhelyi, G.		Employee	Revolutionary activity, seditious talk		Szn	Feb. 14.
Vilag, I.		Ironsmith	Robbery, hiding arms		Nsz	Feb. 14.
Berkc, J., Mrs. (nee Simon, M.)			Helping escapees		Zalai Hirlap	Feb. 15.
Bognar, Gy	20		Helping escapees		Zalai Hirlap	Feb. 15.
Bogoti, L.			Helping escapees		Kisalfold	Feb. 15.
Buki, J.			Helping escapees		Kisalfold	Feb. 15.
Dombovari, J.		Former policeman	Looting, armed attack		Nsz	Feb. 15.
Godollei, I.		Worker	Looting, armed attack		Nsz	Feb. 15.
Hegyi, Gy			Helping escapees		Z. H.	Feb. 15.
Karman, H.			Looting, armed attack		Nsz	Feb. 15.
Karman, I.			Looting, armed attack		Nsz	Feb. 15.
Kiss, J.		Former policeman	Assault		Nsz	Feb. 15.
Kolonics, Bela			Helping escapees		Kisalfold	Feb. 15.
Kovacs, J.			Looting, armed attack		Nsz	Feb. 15.
Kovacs, L.			Looting, armed attack		Nsz	Feb. 15.
Lakacs, L.			Helping escapees		Ka.	Feb. 15.
Nemeth, J.			Insulting a police patrol		K. D. N.	Feb. 15.
Simon, M. Miss.			Helping escapees		Z. H.	Feb. 15.
Szabo, A.		Farmer	Assault		Nsz	Feb. 15.
Szavka, Jozsef			Intent to kill prominent Communists		Nsz	Feb. 15.
Szili, S.			Looting, armed attack		Na.	Feb. 15.
Tajli, G.			Looting, armed attack		Nsz	Feb. 15.
Uveges, I.			Looting, armed attack		Nsz	Feb. 15.
Varga, S. Jr.			Looting, armed attack		Nsz	Feb. 15.
Veltel, J.			Helping escapees		K. B.	Feb. 15.
Darida, I.	21		Looting, armed attack		Nsz	Feb. 15.
Darida, L.			Illegal possession of arms		Nsz	Feb. 16.
Ethik, L.	47	Shepherd	Illegal possession of arms		Nsz	Feb. 16.
Elek, J.			Inciting	3 1/2 yrs.	Eszakmagyarorszag	Feb. 16.
Haraszi, V.	35		Killing his wife	10 yrs.	Eszakmagyarorszag	Feb. 16.
Ivanics, M.	32	Foreman weaver	Illegal possession of arms		Nsz	Feb. 16.
Kralovanszky	25	Transport worker	Illegal possession of arms		Nsz	Feb. 16.
Kopacz, K.			Counter-revolutionary activity		Nsz	Feb. 16.
Kulesa, R. M.			Hiding arms	S. 0	Nsz	Feb. 16.
Lester, J.	19	Laborer	Illegal possession of arms		K. D. N.	Feb. 16.
Lexa, L., DR.		Physician	Counter-revolutionary activity		Nsz	Feb. 16.
Markus, J.	28	Factory worker	Illegal possession of arms		S. 0	Feb. 16.
Molnar, Gy.		Forester	Hiding arms		K. D. N.	Feb. 16.
Nagy, J.			Hiding arms		K. D. N.	Feb. 16.
Radvanyi, G.	59	Former Army Captain	Illegal possession of arms		Nsz	Feb. 16.
Rakos, J.		Policeman	Revolutionary activity		S. 0	Feb. 16.
Reidmar, F.			Hiding gun		K. D. N.	Feb. 16.
Starcsics, I.			Revolutionary Activity		S. 0	Feb. 16.
Baryanyi, L.			Operating clandestine transmitter		MTI	Feb. 17.
Docter, J.	31		Calling a policeman "Kadar-soldier"		Kisalfold	Feb. 17.
Erdelyi, I.			Counter-revolutionary activity		Fejermegyei Hirlap	Feb. 17.

Erdelyi, I.	Teacher.	Counter-revolutionary activity.	Fejermegyei Hirlap.	Feb. 17.
Groder, P.	Teacher.	Counter-revolutionary activity.	F. H.	Feb. 17.
Gomor, J.	Teacher.	Operating clandestine transmitter.	MTL	Feb. 17.
Goz, J.	Teacher.	Counter-revolutionary activity.	F. H.	Feb. 17.
Jelany, L.	Teacher.	Concealing stolen goods.	P. N.	Feb. 17.
Jona, B.	Teacher.	Hiding arms.	K. D. N.	Feb. 17.
Joo, Z.	Teacher.	Hiding arms.	K. D. N.	Feb. 17.
Konany, E.	Employee.	Attacking policeman.	K. a.	Feb. 17.
Kriszof, E.	Ex-mayor.	Operating clandestine transmitter.	MTL	Feb. 17.
Peter, G.	Teacher.	Hiding arms.	K. a.	Feb. 17.
Marozski, G.	Pres., Workers' Council.	Attempted escape; stealing; hiding arms.	F. N.	Feb. 17.
Puskas, F.	Teacher.	Revolutionary activity.	F. H.	Feb. 17.
Sallai, I., Jr.	Teacher.	Revolutionary activity.	F. H.	Feb. 17.
Simon, I.	Teacher.	Revolutionary activity.	F. H.	Feb. 17.
Szep, Z.	Actor.	Operating clandestine transmitter.	Nsz.	Feb. 17.
Toth, V.	Teacher.	Revolutionary activity.	F. H.	Feb. 17.
Toth, P.	Teacher.	Wrote revolutionary poems.	F. M.	Feb. 17.
Valent, J.	Student.	Revolutionary activity.	E. M.	Feb. 17.
Veigl, J.	Writer.	Operating clandestine transmitter.	Nsz.	Feb. 17.
Gali, J.	Storekeeper.	Editing leaflet.	R. B.	Feb. 18.
Bukovicszki, M.	Teacher.	Counter-revolutionary activity.	Sz. N.	Feb. 18.
Csehi, K.	Officer.	Hiding arms.	Sz. N.	Feb. 18.
Fazekas, J.	Officer.	Counter-revolutionary activity.	Kozepdunantuli Naplo.	Feb. 19.
Gabor, Laszlo.	Youth.	Counter-revolutionary activity.	Nsz.	Feb. 19.
Hadobak, E., Miss.	Student.	Leader in Revolutionary Council.	Nsz.	Feb. 19.
Hajdu, F.	Butcher.	Border crossing.	Sz. N.	Feb. 19.
Harmatos, J.	Butcher.	Counter-revolutionary activity.	Sz. N.	Feb. 19.
Kosa, P.	Sergeant.	Counter-revolutionary activity.	Sz. N.	Feb. 19.
Kosa, P.	Cabinet-maker.	Counter-revolutionary activity.	Nsz.	Feb. 19.
Sipos, J.	Sergeant.	Insulting party secretary.	K. D. N.	Feb. 19.
Sipos, S.	Sergeant.	Insulting party secretary.	K. D. N.	Feb. 19.
Sturb, J.	Railroad worker.	Counter-revolutionary activity.	Szn.	Feb. 19.
Vinklar, M.	Railroad worker.	Insulting party secretary.	Szn.	Feb. 19.
Zombori, J.	Railroad worker.	Counter-revolutionary activity.	K. D. N.	Feb. 19.
Holba, L.	Railroad worker.	Hiding arms.	D. N.	Feb. 19.
Csirko, I.	Railroad worker.	Counter-revolutionary activity.	D. N.	Feb. 20.
Nemeth, S.	Railroad worker.	Counter-revolutionary activity.	K. D. N.	Feb. 20.
Papp, M.	Railroad worker.	Revolutionary activity.	K. D. N.	Feb. 20.
Ujhelyi, S.	Railroad worker.	Revolutionary activity.	I. H. N.	Feb. 20.
Varga, M.	Railroad worker.	Revolutionary activity.	K. D. N.	Feb. 20.
Bergonyi, S.	Railroad worker.	Revolutionary activity.	K. D. N.	Feb. 20.
Koos, J.	Railroad worker.	Organizing strike.	K. D. N.	Feb. 21.
Kos, M.	Railroad worker.	Hiding ammunition.	S. o.	Feb. 21.
Laez, J.	Railroad worker.	Organizing demonstration.	R. B.	Feb. 21.
Nemeth, I.	Railroad worker.	Insulting an officer.	K. D. N.	Feb. 21.
Racz, D.	Railroad worker.	Helping escapees.	S. o.	Feb. 21.
Serbet, M.	Railroad worker.	Organizing the strike.	K. D. N.	Feb. 21.
Tamas, J.	Railroad worker.	Helping escapees.	S. o.	Feb. 21.
Balint, K.	Railroad worker.	Organizing demonstration.	R. B.	Feb. 21.
Ezer, A.	Railroad worker.	Seditious talk.	D. N.	Feb. 22.
Fabian, J.	Railroad worker.	Common murder.	Nsz.	Feb. 22.
Fekete, S.	Railroad worker.	Hiding arms.	D. N.	Feb. 22.
Fekete, S.	Railroad worker.	Counter-revolutionary activity.	Na.	Feb. 22.

Name	Age	Profession	Charge	Sentence	Source	Date
Hirtb, I.	28	Mechanic	Counter-revolutionary activity		Nsz.	Feb. 22
Horvath, I.			Seditious talk		D. N.	Feb. 22
Magak, A.		Employee	Counter-revolutionary activity		Na	Feb. 22
Kocak, Laszlo			Revolutionary activity		Na	Feb. 22
Sunka, Gy.			Revolutionary activity		Na	Feb. 22
Bosz, M.		Miner	Hiding arms		D. N.	Feb. 23
Czegledi, J.		Miner	Seditious talk	3 yrs.	D. N.	Feb. 23
Mike, E., Miss		Teacher	Distributing anticommunist leaflets		D. N.	Feb. 23
Szemeredi, I.		Burchar	Counter-revolutionary activity		K. D. N.	Feb. 23
Urban, M., Miss		Teacher	Leaflets		K. D. N.	Feb. 23
Bodi, P., Miss		Telephone mechanic	Border crossing	3 mos.	K. D. N.	Feb. 23
Gesz, I.		Worker	Murders	Death.	K. D. N.	Feb. 24
Gyuris, M.			Counter-revolutionary activity	3 mos.	K. D. N.	Feb. 24
Herzeg, B.			Bringing for escape		Sz. N.	Feb. 24
Komar, Istvan		Builder	Beating communists	4 mos.	S. O.	Feb. 24
Kovacs, M.			Beating communists	3 mos.	Sz. N.	Feb. 24
Racz, F.			Revolutionary activity	5 mos.	Sz. N.	Feb. 24
Szlopak, S.		Machine-smith	Border crossing	3 mos.	Sz. N.	Feb. 24
Tandari, M.			Revolutionary activity	6 mos.	Sz. N.	Feb. 24
Katala, K.			Attempted murder	14 yrs.	RK	Feb. 24
Vojta.			Destruction of council house		RB	Feb. 25
Barla, B.		Factory worker	Starting demonstration	14 yrs.	RB	Feb. 25
Berzenyi, B.			Inciting against collective farms		K. D. N.	Feb. 26
Doczi, P., Mrs			Helping escapees		Nsz.	Feb. 26
Forgo, P., Dr.		Physician	Concealing guilt of A. Liptak		Nsz.	Feb. 26
Kerekes, P., Jr.			Attempted escape	1 mo.	P. N.	Feb. 26
Liptak, A.			Killing a Communist		Nsz.	Feb. 26
Liptak, P.			Counter-revolutionary activity		Nsz.	Feb. 26
Muranyi, I., Jr.			Border crossing	1 mo.	P. N.	Feb. 26
Racz, S.			Counter-revolutionary activity		RK	Feb. 26
Slmkovics, G.		Laboratory Assistant	Plotting overthrow of regime		RB/RK	Feb. 26
Bartha, I.		Worker	Hiding arms		P. N.	Feb. 26
Benedek, J.		Manager	Hiding arms		P. N.	Feb. 27
Benke, M.			Hiding arms		P. N.	Feb. 27
Csernocy, I.			Anti-communist talk		P. N.	Feb. 27
Der, L.		Miner	Removal of the red banner		P. N.	Feb. 27
Furi, Sandor			Part in destruction & burning of Village Council house. Was tried.		Eszakmagyarorszag.	Feb. 27
Hamvas, J.		Store-keeper	Hiding arms		P. N.	Feb. 27
Kolompár, M.			Brawling	12 yrs.	RB	Feb. 27
Kovacs, P.			Counter-revolutionary activity		P. N.	Feb. 27
Meszáros, J.			Helping escapees	8 mos.	H. B. N.	Feb. 27
Novak, B.		Miner	Removal of the Red Flag		F. M.	Feb. 27
Paradi, I.			Revolutionary activity		P. N.	Feb. 27
Patyi, I.			Brawling	14 yrs.	RB	Feb. 27
Seress, E.		Miner	Removing Red banner		E. M.	Feb. 27
Szabo, P.			Revolutionary activity		P. N.	Feb. 27
Tokar, J. F.		Miner	Removing Red banner		E. M.	Feb. 27

Toko, I.	Brawling	8 yrs.	R.H.	Feb. 27.
Vancsal, Gy.	Revolutionary activity		P. N.	Feb. 27.
Varga, I.	Helping escapees		H. B. N.	Feb. 27.
Zsilinszki, F.	Revolutionary activity		P. N.	Feb. 27.
Boros, I.	Counter-revolutionary activity		Na.	Feb. 28.
Cziraki, M.	Hiding arms		Na.	Feb. 28.
Deak, J.	Attacking a policeman	2 yrs.	Somogyország	Feb. 28.
Foche, J., Mrs.	Helping escapees		Nsz.	Feb. 28.
Horvath, E., Miss	Helping escapees		Nsz.	Feb. 28.
Hoszar, F.	Border crossing	8 yrs.	Sz. N.	Feb. 28.
Illosay, J., Jr.	Hiding arms		D. N.	Feb. 28.
Konyai, Pal	Attempted escape		P. N.	Feb. 28.
Lakati, P. S.	Hiding arms, counter-revolutionary activity	3 yrs.	Na.	Feb. 28.
Leneyel, A., Dr.	Incubating youth with nationalist spirit		Nsz.	Feb. 28.
Lestak Kecskai, J.	Killing A. V. H. officers	9 yrs.	Na.	Feb. 28.
Liptak, M., Miss	Unimpeded escape		Na.	Feb. 28.
Loska, S.	Hiding arms, counter-revolutionary activity	8 yrs.	Nsz.	Feb. 28.
Misuta, D.	Revolutionary activity	4 yrs.	Na.	Feb. 28.
Miskovics, L.	Revolutionary activity	1 mo.	P. N.	Feb. 28.
Pasztor, M.	Border crossing		Nsz.	Feb. 28.
Sasvari, J.	Hiding arms, counter-revolutionary activity		Nsz.	Feb. 28.
Szabo, J.	Hiding arms, counter-revolution		Nsz.	Feb. 28.
Szabo, S.	Hiding arms	5 yrs.	D. N.	Feb. 28.
Szarka Kovacs, J.	Hiding arms, counter-revolution	1 mo.	Nsz.	Feb. 28.
Szentannai, J.	Border crossing	12 yrs.	P. N.	Feb. 28.
Torok, I.	Conspiracy to overthrow People's Democracy		R.B.	Feb. 28.
Toromba, M.	Hiding arms, counter-revolutionary		Nsz.	Feb. 28.
Ujhjar, J., Miss	Border crossing		Sz.	Feb. 28.
Voros, J.	Border crossing		P. N.	Feb. 28.
Banavas, J.	Counter-revolutionary activity		S. O.	Mar. 1.
Bernati, M.	Organizing a strike		K. D. N.	Mar. 1.
Horvath, M., Miss	Women's street demonstration		K. D. N.	Mar. 1.
Kubelka, K., Mrs.	Women's street demonstration		K. D. N.	Mar. 1.
Lovasz, J.	Counter-revolutionary activity		R.B.	Mar. 1.
Molnar, T.	Organizing a strike		K. D. N.	Mar. 1.
Nanasi, I.	Counter-revolutionary activity		R.B.	Mar. 1.
Toth, I.	Counter-revolutionary activity		R.B.	Mar. 1.
Vadon, P.	Counter-revolutionary activity		R.B.	Mar. 1.
Bezi, S.	Counter-revolutionary activity		R.B.	Mar. 1.
Biro, S.	Attack on the council house		Tiszavidek	Mar. 2.
Boros, A.	Counter-revolutionary activity, hiding arms		H. B. N.	Mar. 2.
Czebe, J.	Organizing and leading counter-revolution		Tiszavidek	Mar. 2.
Gyenes, J.	Hiding arms		R.B.	Mar. 2.
Gyokos, J.	Counter-revolutionary activity	2½ yrs.	D. N.	Mar. 2.
Gyofi, J.	Counter-revolutionary activity		H. B. N.	Mar. 2.
Juszthi, J.	Counter-revolutionary activity		TV	Mar. 2.
Kajari, J.	Counter-revolutionary activity		TV	Mar. 2.
Krankovics, I.	Hiding arms		D. N.	Mar. 2.
Molnar, J., Sr.	Counter-revolutionary activity	2½ yrs.	H. B. N.	Mar. 2.
Molnar, J., Jr.	Revolutionary activity		H. B. N.	Mar. 2.
Ordasi, S.	Revolutionary activity		H. B. N.	Mar. 2.
	Revolutionary activity		TV	Mar. 2.

25

20

19

Name	Age	Profession	Charge	Sentence	Source	Date
Szegvari, B.			Counter-revolutionary activity		RB	Mar. 2
Talasz, J.			Revolutionary activity		TV	Mar. 2
Vizi, J.			Revolutionary activity		TV	Mar. 2
Zsido, M.			Revolutionary activity		TV	Mar. 2
Asboth, Lajos		Pres., Workers' Council	Seditious talk; inciting to strike		Kisalfold	Mar. 3
Balazs, J.	18		Counter-revolutionary activity		Petofi Nepe	Mar. 3
Dezso, L.			Inciting to strike	10 mos.	Kisalfold	Mar. 3
Egyhazi, Gy.			Hiding arms	6 mos.	Sz. N.	Mar. 3
Fodor, Gy.			Hiding arms		Sz. N.	Mar. 3
Gherner, R., Miss			Helping escapee		Ka.	Mar. 3
Grossmann, B.			Helping escapee		Ka.	Mar. 3
Kovacs, I.			Resisting the police		Ka.	Mar. 3
Kunzabó, M.			Counter-revolutionary activity	8 mos.	Sz. N.	Mar. 3
Kombodi, Lajos			Unauthorized border crossing		Kisalfold	Mar. 3
Lazar, S.	33	Worker	Unauthorized border crossing		Boksmgyei Nepszaj	Mar. 3
Magyar, A., Miss			Seditious talk		Ka.	Mar. 3
Magyar, M.			Attacking a Communist	6 mos. (sentence suspended).	Sz. N.	Mar. 3
Molnar, J. Jr.		Peasant	Revolutionary activity	2 yrs.	Sz. N.	Mar. 3
Oláh Murguj, K.			Hiding arms		Nsz	Mar. 3
Pados, J.		Employee	Revolutionary activity		K. D. N.	Mar. 3
Rabi, F.			Revolutionary activity	10 mos.	Sz. N.	Mar. 3
Rajna, M.			Border crossing		Ka.	Mar. 3
Repas, I.			Hiding arms	10 mos.	Sz. N.	Mar. 3
Repas, S.			Hiding arms, attempted homicide	10 mos.	Sz. N.	Mar. 3
Szabó, E.			Inciting to strike	5 yrs.	Sz. N.	Mar. 3
Szabó, M.			Homicide, revolutionary activity		NA	Mar. 3
Sutka, Z.			Revolutionary activity	10 yrs.	Sz. N.	Mar. 3
Szadvari, B.			Inciting to strike	6 mos.	Sz. N.	Mar. 3
Szori, I.			Revolutionary activity	10 mos.	Na	Mar. 3
Teleki, Gy.		Bookkeeper	Revolutionary activity		Sz. N.	Mar. 3
Toth, J.		Gendarme	Revolutionary activity		Beksmgyei Nepszaj	Mar. 3
C. Varga, G.		Employee	Revolutionary activity		Bm. Nu	Mar. 3
Virgonc, P.		Peasant	Revolutionary activity	1 yr., 10 mos.	Bm. Nu	Mar. 3
Bartók, L.			Attacking AVO building, distributing arms		Sz. N.	Mar. 3
Mata, J.			Attacking AVO building, distributing arms		RB	Mar. 4
Rozsa, K.		Worker	Attacking AVO building, distributing arms		RB	Mar. 4
Tompai, A.		Former police captain	Attacking AVO building, distributing arms		RB	Mar. 4
Ujvari, J.			Attacking AVO building, distributing arms		RB	Mar. 4
Balatón, J.			Hiding arms		RB	Mar. 4
Biro, J.			Hiding arms		Pelofi Nepe	Mar. 5
Adorjan, Istvan			Attempted border crossing		P. N.	Mar. 5
Ambrus, J.			Murder	6 mos.	Somogyország	Mar. 6
Andras, Erno			Organized and armed National Guard		RB	Mar. 6
Fekete, J.			Murder		Somogyország	Mar. 6
Kereszt, J.		Gendarme	Agitation against collective farms		RB	Mar. 6
Kovacs, I.		Peasant	Agitation against collective farm		Na	Mar. 6

Nagy, T.	Journalist.	Writing inciting articles.	2 yrs.	RB.	Mar. 6.
Rabi, K. Miss.		Border crossing.	1 mo.	S. O.	Mar. 6.
Savanyu, J.		Murder.		RB.	Mar. 6.
Szabo, I.		Conspiracy to overthrow regime.		RB.	Mar. 6.
Batiz, J.	Worker.	Hiding arms.		Nsz.	Mar. 7.
Begovatz, V.		Inciting.		Somogyország.	Mar. 7.
Bunyevatz, V.		Counter-revolutionary activity in October.		Somogyország.	Mar. 7.
Bura, S.	Peasant.	Manslaughter.	4 yrs.	H. B. N.	Mar. 7.
Parth, J.	Ironsmith.	Hiding arms.		H. B. N.	Mar. 7.
Sallai, L.	Peasant.	Manslaughter.	4 yrs.	H. B. N.	Mar. 7.
Verebi, S.		Hiding gun.		Eszakmagyarország.	Mar. 7.
Blassokovics, F.	20	Counter-revolutionary activity; murder.	8 yrs.	D. N.	Mar. 8.
Deak, L.		Hiding gun.		Eszakmagyarország.	Mar. 8.
Fekete, J.	20	Counter-revolutionary activity.	15 yrs.	D. N.	Mar. 8.
Kajszab, L.	20	Counter-revolutionary activity; murder.	15 yrs.	D. N.	Mar. 8.
Kolozs, Ferenc.		Removing communist emblems.		Na.	Mar. 8.
Molnar, K.		Removing communist emblems.		Na.	Mar. 8.
Major, T.	26	Hiding gun.		E. M.	Mar. 8.
Papal, S.		Hiding gun.		E. M.	Mar. 8.
Fal, L.		Revolutionary activity, homicide.	Life.	D. N.	Mar. 8.
Szabo, A.		Revolutionary activity, murder.	8 yrs.	D. N.	Mar. 8.
Tolgyesi, Gy. St.		Hiding arms.	14 yrs.	D. N.	Mar. 8.
Invely, M.		Seditious talk.		D. N.	Mar. 9.
Oszib, L.	16	Hiding gun.		F. M.	Mar. 9.
Barnai, M.		Wounding a Communist.	6 yrs.	Keletema Gyarország.	Mar. 10.
Csicsely, M., Dr.		Counter-revolutionary activity in October.		Nsz.	Mar. 10.
Freeska, Mihaly.		Revolutionary activity.		Nsz.	Mar. 10.
Laszlofy, I.		Counter-revolutionary activity.		Nsz.	Mar. 10.
More, J.	Landowner.	Wounding a Communist.	6 yrs.	Keletema Gyarország.	Mar. 10.
Papolezy, T.	Army officer.	Hiding arms.		RB.	Mar. 10.
Szarvasi, Gy.	Teacher.	Revolutionary activity.		Nsz.	Mar. 10.
Stankovics, L.	Worker.	Hiding arms.		RB.	Mar. 10.
B., M.	Min.	Hiding arms.	4 yrs.	Nsz.	Mar. 11.
Borzsonyi, Gy.	Village administrator.	Participation in October uprising.		Nsz.	Mar. 12.
Bednar, M.	Former soldier.	Counter-revolutionary activity.		Nsz.	Mar. 12.
Bugyik, S.	Locksmith.	Hiding arms.		Na.	Mar. 12.
Gudler, F.		Hiding arms.		Na.	Mar. 12.
Hajdu, L.		Counter-revolutionary activity.		P. N.	Mar. 12.
Harris, F.		Escaped convict.		Nsz.	Mar. 12.
Hocza, P.	Former soldier.	Counter-revolutionary activity.		S. O.	Mar. 12.
J., J.	Min.	Counter-revolutionary activity.	3 1/2 yrs.	Nsz.	Mar. 12.
J., L.	Min.	Hiding arms.	1 1/2 yrs.	Nsz.	Mar. 12.
K., J.	Min.	Hiding arms.	4 yrs.	Nsz.	Mar. 12.
Keresztesi Nagy, A.	Employee.	Counter-revolutionary activity; murder.		Nsz.	Mar. 12.
Kiss, K.		Hiding arms.		P. N.	Mar. 12.
Kuszenka, J.	Former soldier.	Counter-revolutionary activity.		Nsz.	Mar. 12.
Lang, D.		Counter-revolutionary activity.		Nsz.	Mar. 12.
MISH, L.		Hiding arms.		Nsz.	Mar. 12.
Nagy, A.	Former soldier.	Counter-revolutionary activity.	5 yrs.	Nsz.	Mar. 12.
Nagy, A.	Former soldier.	Counter-revolutionary activity.		Nsz.	Mar. 12.
Papp, I.		Counter-revolutionary activity.		Nsz.	Mar. 12.
		Death—comm. to life.		Nsz.	Mar. 12.

Name	Age	Profession	Charge	Sentence	Source	Date
Kemenyi, Gy.			Counter-revolutionary activity; hiding arms.		Nsz.	Mar. 12
Schaffer, S.	22		Hiding arms.		P. N.	Mar. 12
Szegedi, L.			Counter-revolutionary activity.		Nsz.	Mar. 12
T., L.		Min.	Hiding arms.	3½ yrs.	Nsz.	Mar. 12
Toth, J.		Former soldier	Counter-revolutionary activity.		P. N.	Mar. 12
Turtl, J.		Village administrator	Advocate of the old system.		H. B. N.	Mar. 12
Voros, I.	70	R. C. student of Theol.	Revolutionary activity.		Nsz.	Mar. 12
Francis-Kiss, Mihaly			Terroristic acts against communists in 1919.	Death.	Nsz.	Mar. 13
Horvath, A.			Common murder.		Nsz.	Mar. 13
L., J.			Armed plotting; manslaughter.	1½ yrs.	Nsz.	Mar. 13
Lehel, M.			Printing leaflets.		RB.	Mar. 13
Kovacs, I.		Police sergeant.	Murder.	8 yrs.	S. O.	Mar. 13
Mraz, P.			Armed plotting; manslaughter.	2 yrs.	Nsz.	Mar. 13
Nagy, T.	48		Hiding two sabres.		S. O.	Mar. 13
Potyondi, M.	17		Revolutionary activity.		S. O.	Mar. 13
R., M.			Armed plotting; manslaughter.	3 mos.	Nsz.	Mar. 13
Rafiac, P.			Armed plotting; manslaughter.	8 yrs.	Nsz.	Mar. 13
Szmrek, B.			Armed plotting; manslaughter.	15 yrs.	Nsz.	Mar. 13
Vital, G.		Railroad employee.	Inciting.	1 yr., 2 mos.	Szn.	Mar. 13
Both, J.			Hiding arms.		Nsz.	Mar. 14
Both, J.			Hiding arms.		Nsz.	Mar. 14
Franczka, B.			Leading revolt.		Nsz.	Mar. 14
Kecskes, S.	19	Peasant.	Counter-revolutionary activity.	3 yrs.	Na.	Mar. 14
Kecses, A.	22		Distributing strike leaflets.	3 yrs.	Na.	Mar. 14
Fataki, G.			Hiding arms.		Nsz.	Mar. 14
Szabo, G.			Hiding arms.		Nsz.	Mar. 14
Vindecker		Merchant.	Revolutionary activity.	1 yr.	S. O.	Mar. 14
Dorogi, J.			Attempted escape.		D. N.	Mar. 15
Gorgey, B.		Employee.	Counter-revolutionary activity.	1 yr., 3 mos.	E. M.	Mar. 15
Hamori, I.		Miner.	Helping escapees.	6 mos.	D. N.	Mar. 15
Kadar, I.			Helping escapees.		D. N.	Mar. 15
Matt, F.		Peasant.	Attempted escape.		S. O.	Mar. 15
Szabai, J.	25		Inciting against collective farm.		S. O.	Mar. 15
Szabolczi, F.			Helping escapees.		S. O.	Mar. 15
Tarr, Gy.		Worker.	Helping escapees.	10 mos.	D. N.	Mar. 15
Acs, Jozsef			Escaped convict (political).	10 mos.	D. N.	Mar. 15
Csaba, B.		Worker.	Hiding arms.	10 yrs.	Kisalfold.	Mar. 16
Csaki, A.		Peasant.	Hiding arms.		Na.	Mar. 16
Csel, F.		Railway worker.	Agitation against collective farm.		Na.	Mar. 16
Danko, I.			Inciting against Soviet Union.		Na.	Mar. 16
Demeter, I.			Painting slogans.		Na.	Mar. 16
Esztergalyos, Z.			Counter-revolutionary activity, seditious talk.		Nsz.	Mar. 16
Fekete, J.			Destruction of Soviet memorial.		Keletmagyarország	Mar. 16
Földesi, M.			Torturing C P members.	9 yrs.	Na.	Mar. 16
Hauer, M.			Helping escapees.	8 mos.	RB.	Mar. 16
Heisz, J.			Attempted escape.	1½ mos.	Na.	Mar. 16
Harai, I.			Hiding ammunition.	3 mos.	S. O.	Mar. 16
Harai, I.			Painting slogans.		Nsz.	Mar. 16
Kasztner, J., Jr.			Helping escapees.		K. a.	Mar. 16

Kazal, G.	High School student.		Hiding arms; counter-revolutionary activity.		K. D. N.	Mar. 16.
Kovacs, M.	Attempted escape.		Painting slogans.		S. O.	Mar. 16.
Mori, J.	Painter.		Painting slogans.		N.Sz.	Mar. 16.
Molnar, L.	Worker.		Helping escapees.		N.Sz.	Mar. 16.
Nagy, B.	Teacher.		Taking part in women's demonstration.	1 yr.	N.A.	Mar. 16.
Nagy, B. Mrs.	University student.		Border crossing.	1 mo.	K. D. N.	Mar. 16.
Nagy, S.	Worker.		Border crossing.	6 mos.	S. O.	Mar. 16.
Pintr, M.	Railway worker.		Border crossing.	3 mos.	S. O.	Mar. 16.
Rozsavolgyi, A.	Worker.		Revolutionary activity.	3 yrs.	K.A.	Mar. 16.
Sokl, A.	Worker.		Incited against the Soviet Union.	10 mos.	K. D. N.	Mar. 16.
Vamosi, F.	Lieutenant.		Hiding arms.	6 yrs.	S. O.	Mar. 16.
Wirth, M.	Writer.	25	Counter-revolutionary activity.		S. O.	Mar. 16.
Wolf, GY.	Aeronomist.		Destruction of Soviet memorial.	1 yr.	Eszakmagyarország.	Mar. 17.
Bihar, S.	Employee.		Destruction of Soviet memorial.	F. H.	F. H.	Mar. 17.
Galamb, B.	Peasant.		Destruction of Soviet memorial.	F. H.	F. H.	Mar. 17.
Galfi, A.	Turner.	58	Resistance to the police.	Death.	Bm. Nu.	Mar. 17.
Krar, J.	Industrial trainee.		Hiding arms.		N.Sz.	Mar. 19.
Tomasi, A.	Industrial trainee.		Hiding arms.		N.Sz.	Mar. 19.
Zaboran, J.	Industrial trainee.	27	Hiding arms.		N.Sz.	Mar. 19.
Bajusz, F.	Industrial trainee.		Hiding arms.		N.Sz.	Mar. 19.
Kohari, G.	Industrial trainee.		Hiding arms.		N.Sz.	Mar. 19.
Rabacs, G.	Industrial trainee.		Hiding arms.		N.Sz.	Mar. 19.
Radnoti, I.	Industrial trainee.		Hiding arms.		N.Sz.	Mar. 19.
Szolko, J.	Worker.		Helping escapees.	6 mos.	N.Sz.	Mar. 19.
Fulop, Mihaly.	Actor.	40	Wounding a policeman.	1 yr.	Szgedi Nephap.	Mar. 20.
Gajkovics, Gyorgy.	Actor.		Counter-revolutionary talk, inciting.	6 mos.	Szn.	Mar. 20.
Mégyesi, F.	Peasant.		Revolutionary activity.		Szn.	Mar. 20.
Redai, J.	Colonel.		Counter-revolutionary activity.		N.A.	Mar. 20.
Szedo, L.	Teacher.		Inciting to strike.		N.Sz.	Mar. 21.
Varga, V.	Major.		Counter-revolutionary activity.		N.Sz.	Mar. 21.
Barta, A.	Lieutenant.		Counter-revolutionary activity in October.		N.Sz.	Mar. 21.
Beda, J.	Lieutenant.		Terrorism.		RB	Mar. 21.
Bitskel, A.	Lieutenant.		Counter-revolutionary activity.		N.Sz.	Mar. 21.
Bolla, J.	Employee.		Hiding arms.	6 yrs.	N.Sz.	Mar. 21.
Dobongzai, L.	Employee.	24	Fighting Soviet Army; hiding arms.	Death.	N.A.	Mar. 21.
Farago, L.	Captain.		Hiding arms.	5 yrs.	N.Sz.	Mar. 21.
Jakab, I.	Captain.		Distributing anticomunist leaflets.		N.Sz.	Mar. 21.
Jozsa, Gy.	Kolhoz-president.		Revolutionary activity.	14 mos.	H. B. N.	Mar. 21.
Katonai, T.	Captain.		Inciting against Kolhoz.		N.Sz.	Mar. 21.
Martonffy, D.	Captain.		Revolutionary activity.		S. O.	Mar. 21.
Papp, E.	Captain.		Revolutionary activity.		N.Sz.	Mar. 21.
Scholta, J.	Peasant.		Helping escapees.		D. N.	Mar. 21.
Szűjarto, L.	Peasant.		Helping escapees.		D. N.	Mar. 22.
Tormasi, T.	Peasant.		Helping escapees.		D. N.	Mar. 22.
Cziba, A.	Peasant.		Helping escapees.		N.A.	Mar. 23.
Golligovics, Gy. (alias Gajkovics).	Former general.	17	Organizing counter-revolutionary group.	10 yrs.	RB	Mar. 22.
Malcszki, J., Mrs.	Former general.	35	Organizing counter-revolutionary group.	14 yrs.	RB	Mar. 22.
Balassa, G.	Former general.		Organizing counter-revolutionary group.		N.A.	Mar. 23.
Mozsgaj, J.	Former general.		Organizing counter-revolutionary group.		S. O.	Mar. 24.
Pintr, F.	Former general.		Organizing counter-revolutionary group.		RB	Mar. 22.
Rigo, I.	Former general.		Organizing counter-revolutionary group.		SO	Mar. 22.
Dronvari, J.	Former general.		Organizing counter-revolutionary group.		RB	Mar. 23.

Name	Age	Profession	Charge	Sentence	Source	Date
Godó, I.			Organizing counter-revolutionary group.	6 yrs.	RB	Mar. 23
Godó, S.			Organizing counter-revolutionary group.	5½ yrs.	RB	Mar. 23
Hubs, G.			Printing leaflets.		RB	Mar. 23
Ivankai, G.		Technician.	Printing leaflets.		RB	Mar. 23
Meszaros, J.			Revolutionary activity.		Nsz	Mar. 23
Mikulas, G.			Murder.	Death.	RB	Mar. 23
Mizsei, Dr. B.		Lawyer.	Murder.	Death.	RB	Mar. 23
Tokar, Dr. V.		Lawyer.	Murder.	Death.	RB	Mar. 23
Zambori, J.		Laborer.	Accomplice to murder.	10 yrs.	RB	Mar. 23
B., I.		Min.	Conspiracy against state.	8 mos.	Nsz	Mar. 24
Buda, F.		University student.	Writing, distributing, counter-rev. poems.		H. B. N	Mar. 24
Fenecezi, J.		Worker.	Hiding arms.		D. N	Mar. 24
Folly, G.		Journalist.	Conspiracy against state.	Death.	Nsz	Mar. 24
Horvath, I.			Helping escapees.	4 mos.	P. N	Mar. 24
Horvath, M.			Conspiracy against state.	5 yrs.	Nsz	Mar. 24
Lakatos, M.			Helping escapees.	3 mos.	Nsz	Mar. 24
Lazar, E.	23		Hiding arms.	10 mos.	H. B. N	Mar. 24
Lazar, F.			Hiding arms.	2 yrs.	H. B. N	Mar. 24
Lovas, L.		Journalist.	Counter-revolutionary activity.		E. M	Mar. 24
Kereso, A.			Attempted escape.		P. N	Mar. 24
Kovesdy, L.		High School teacher.	Counter-revolutionary activity—Arrested by Soviet troops.	1 mo., 8 days	Sz. N	Mar. 24
Meszaros, J.	24		Border crossing.	3 mos.	P. N	Mar. 24
Nagy, M. Miss.		Former nun.	Anti-government leaflets.		Nsz	Mar. 24
Nemeth, J.		Teacher.	Hiding arms.	2½ yrs.	H. B. N	Mar. 24
P., J.		Min.	Conspiracy against state.	1½ yrs.	Nsz	Mar. 24
P., I.		Min.	Conspiracy against state.	1½ yrs.	Nsz	Mar. 24
Rinyai, G.	19		Border crossing.		S. O	Mar. 24
Ruzteska, A. Mrs.			Leaflets.		Nsz	Mar. 24
Ruzteska, I. Miss.			Leaflets.		Nsz	Mar. 24
Smidt, J.		Former nun.	Distributing leaflets.		Nsz	Mar. 24
Somodi, F.			Leaflets.		Nsz	Mar. 24
Szabackal, J.			Former prisoner, returned from Yugoslavia.		Nsz	Mar. 24
Vasvari, S.			Granted asylum to escaped prisoners.		P. O	Mar. 24
Koeh, Jozsef			Conspiracy against state.	5 yrs.	Nsz	Mar. 24
Adam, Janos.	56		Hiding arms.	15 yrs.	Nsz	Mar. 24
Alfoldi, Janos.			Hiding of arms.		Nsz	Mar. 24
Ambrus, G.			Organizing counter-revolutionary group.		Nsz	Mar. 26
Ambrus, L.			Organizing counter-revolutionary group.		Nsz	Mar. 26
Bocko, I.			Organizing counter-revolutionary group.		Nsz	Mar. 26
Borsosai-Leugyel, G.			Counter-revolutionary activity.		Nsz	Mar. 26
Boško, K.		Lawyer.	Counter-revolutionary activity.		Nsz	Mar. 26
Deak, B.	37	Former army officer.	Stopping Communist march.		Nsz	Mar. 26
Fazekas, I.			Counter-revolutionary activity.	2 yrs.	Nsz	Mar. 26
Franyo, Istvan.			Counter-revolutionary activity.		Nsz	Mar. 26
Contere, I.			Hiding of arms.		Nsz	Mar. 26
Haros, O.			Organizing counter-revolutionary group.	2½ yrs.	Nsz	Mar. 26
Huber, Gy.			Counter-revolutionary activity.	2½ yrs.	Nsz	Mar. 26

Kardos, L.	Journalist.	Hiding arms.	Sz. N.	Mar. 26.
Kunzshabo, F.		Counter-revolutionary activity.	S. O.	Mar. 27.
Padvari, J.		Hiding arms.	Sz. N.	Mar. 26.
Padmary, B.		Hiding arms.	Sz. N.	Mar. 26.
Perze, J.		Hiding arms.	Sz. N.	Mar. 26.
Racz, I. J.	Machine-smith.	Hiding arms.	Sz. N.	Mar. 26.
Ronvari, J.		Counter-revolutionary activity.	DN.	Mar. 26.
Simon, I.		Organizing counter-revolutionary group.	Nsz.	Mar. 26.
Szatver, I.		Organizing counter-revolutionary group.	Nsz.	Mar. 26.
Zsodo, I.		Hiding arms.	DN.	Mar. 26.
Zsodo, S.		Hiding arms.	DN.	Mar. 26.
Peteri, G.	Former policeman.	Hiding arms.	Na.	Mar. 28.
Szombati, V.		Murder.	Nsz.	Mar. 28.
Altorsai, Dr. S.	Miner.	Armed conspiracy, murder.	RB.	Mar. 29.
Fuz, K. Karoly.	Engineer.	Hiding of gun.	RB.	Mar. 29.
Horvath, M.		Fought against Soviet Army.	F. H.	Mar. 29.
Jambries, Gy.		Helping escapees.	Na.	Mar. 29.
Kutner, L.		Fought against Soviet Army.	Na.	Mar. 29.
Zelkfalvi, E.	Post Office chief.	Helping escapees.	Na.	Mar. 29.
Antal, E.	Laboratory assistant.	Organizing strike.	Na.	Mar. 30.
Bodler, B.		Organizing strike.	Na.	Mar. 30.
Kos, G.	Teacher.	Counter-revolutionary activity.	RB.	Mar. 30.
Santa, S.	Student.	Hiding arms.	Nsz.	Mar. 30.
Androvics, Janos.	Butler.	Organizing strike.	RB.	Mar. 30.
Brihya, K.	Printer.	Entertainment of revolutionaries.	Na.	Mar. 31.
Czigo, I.	Worker.	Murder.	Nsz.	Mar. 31.
Czigo, L.	Worker.	Murder.	Nsz.	Mar. 31.
Gervai, M., Miss.	Book-keeper.	Entertainment of revolutionaries.	Na.	Mar. 31.
Kertesz, A.	Manager.	Entertaining revolutionaries.	Na.	Mar. 31.
Mohai, K.	Assistant Manager.	Entertaining revolutionaries.	Na.	Mar. 31.
Molnar, J.		Murder.	Nsz.	Mar. 31.
Nagy, J.		Murder.	Nsz.	Mar. 31.
Toth, Laszlo, Mrs.	Streetcar conductor.	Looting.	Na.	Mar. 31.
Ujlaki, C.		Espionage.	MVI.	Apr. 1.
Kerekes, F.		Counter-revolutionary activity.	RB.	Apr. 2.
Meszaros, G.		Counter-revolutionary activity.	RB.	Apr. 3.
Szombaty, J.		Counter-revolutionary activity.	RB.	Apr. 3.
Boris, J.		Death.	RB.	Apr. 3.
Horvath, J.		Hiding arms.	RB.	Apr. 5.
Kis, V.		Hiding arms.	RB.	Apr. 5.
Csanyi, L.		Hiding arms.	RB.	Apr. 5.
Harasta, G.		Counter-revolutionary activity.	RB.	Apr. 6.
Kahai, L.	Worker.	Counter-revolutionary activity.	Nsz.	Apr. 6.
Lukacs, Mrs. I.		Counter-revolutionary activity.	RB.	Apr. 6.
Markos, I.		Counter-revolutionary activity.	Nsz.	Apr. 6.
Molnar, F.		Counter-revolutionary activity.	RB.	Apr. 6.
Novak, F.		Counter-revolutionary activity.	RB.	Apr. 6.
Rozsas, Mrs. G.		Counter-revolutionary activity.	RB.	Apr. 6.
Sima, F.		Counter-revolutionary activity.	Nsz.	Apr. 6.
Streer, F.		Counter-revolutionary activity.	RB.	Apr. 6.
Szabo, S.		Counter-revolutionary activity.	Nsz.	Apr. 6.
Bago, G.	Worker.	Counter-revolutionary activity.	Nsz.	Apr. 6.
Bosko, K.		Repeated incitement.	Nsz.	Apr. 9.
		Counter-revolutionary activity.	Na.	Apr. 9.

Name	Age	Profession	Charge	Sentence	Source	Date
Hatvany, Dr. V.			Counter-revolutionary activity.		Na	Apr. 9.
Kovacs, F.			Inciting murder	16 yrs.	NSZ	Apr. 9.
Kovacs, Dr. L.			Counter-revolutionary activity		Na	Apr. 9.
Lukacs, J.		Student	Attempted murder	8 yrs.	NSZ	Apr. 9.
Matefi, C.			Hiding arms; incitement	1 yr.	NSZ	Apr. 9.
Molnar, J.			Hiding arms; incitement	8 mos.	NSZ	Apr. 9.
Nagyfejto, J.			Counter-revolutionary activity		Na	Apr. 9.
Pribelszki, I.			Repeated incitement	6 mos.	NSZ	Apr. 9.
Tomo, B.			Counter-revolutionary activity		Na	Apr. 9.
Toth, I.		Medical student	Murder and incitement	Death.	NSZ	Apr. 9.
Toth, I.			Counter-revolutionary activity		Na	Apr. 9.
Bencsik, J.			Hiding arms	15 yrs.	NSZ	Apr. 10.
Forgacs, A.		Store Manager	Hiding arms		NSZ	Apr. 10.
Gyenge, J.	21		Hiding arms		NSZ	Apr. 10.
Kerepecki, L.		Worker	Hiding arms		NSZ	Apr. 10.
Polya, F.	24		Hiding arms	Death.	NSZ	Apr. 10.
Balazs, F.	25		Hiding arms	Death	RB	Apr. 10.
Garami, G.		Driver		Death—comm.	RB	Apr. 11.
Magas, S.				Death—comm.	RB	Apr. 11.
Magas, S.			Attempted sabotage.		NSZ	Apr. 12.
Farago, I.			Murder		NSZ	Apr. 12.
G. Toth, L.			Attempted sabotage		NSZ	Apr. 12.
Hajdu, J.			Murder		NSZ	Apr. 12.
Komjathy, F.			Murder		NSZ	Apr. 12.
Kovacs, S.			Murder		NSZ	Apr. 12.
Lapsansz, I.			Murder		Na	Apr. 12.
Magyar, Laszlo			Hiding arms; armed threatening		NSZ	Apr. 12.
Maronczsik, J.			Murder		NSZ	Apr. 12.
Nagy, Z.			Murder		NSZ	Apr. 12.
Siko, D.			Murder		NSZ	Apr. 12.
Szigetvari, L.			Attempted sabotage		NSZ	Apr. 12.
Ulah, M.	21		Murder	Death.	NSZ	Apr. 13.
Csigo, L.	25	Worker	Counter-revolutionary activity		NSZ	Apr. 14.
Sipos, B.			Counter-revolutionary activity		NSZ	Apr. 14.
Horvath, L.			Sabotage		NSZ	Apr. 16.
Marton, J.			Sabotage		NSZ	Apr. 16.
Oroszazi, L.			Sabotage		NSZ	Apr. 16.
Kiraly, J.			Terrorism		RB	Apr. 18.
Kovacs, G.		Miner	Organizing strike		RB	Apr. 18.
Magalin, G.		Teacher	Organizing strike		RB	Apr. 18.
Sooskuly, A.			Terrorism		RB	Apr. 18.
Zriny, J.			Counter-revolutionary activity		RB	Apr. 18.
Zimosak, E.	44		Organizing women's demonstration		RB	Apr. 18.
Messina, I.		Former policeman	Murder		NSZ	Apr. 19.
Dery, T.		Writer	Crime against state		NSZ	Apr. 21.
Beres, L.			Counter-revolutionary activity		NSZ	Apr. 26.

Name	Age	Profession	Charge	Sentence	Source	Date
Nagyri, Capt. K.		Teacher	Counter-revolutionary activity	Life	MTI	May 21
Pados I				Life	MTI	May 21
Papp, B.		Transport worker		10 yrs.	MTI	May 21
Simo, P.				5 yrs.	MTI	May 21
Tajti, F.				10 yrs.	MTI	May 21
Angyal, I.	20	Foreman	Printing leaflets, murder		RB	May 22
Bakoczi, I.		Poet	Counter-revolutionary activity	5 yrs.	MTI	May 22
Eorsi, I.			Printing, distributing leaflets	12 yrs.	NSz	May 22
Kruger, G.			Hiding arms	3 yrs.	RB	May 22
Roszner-Barou, I.			Counter-revolutionary activity	6 yrs.	NSz	May 22
Tamas, I.			Hiding arms	10 yrs.	NSz	May 23
Fodor, M.			Murder	Death	RB	May 23
Kis, S.			Served under Maletier	Death	NSz	May 23
Preszmayer, A.			Murder	Death	NSz	May 23
Szrog, S.			Attacking farm collective		NSz	May 28
Bodac, I., Jr.			Attacking farm collective		NSz	May 28
Csontos, M.			Attacking farm collective		NSz	May 28
Hornyak, S.			Attacking farm collective		NSz	May 28
Jonasz, B.			Attacking farm collective		NSz	May 28
Kis, I.			Attacking farm collective		NSz	May 28
Legendi, J.			Attacking farm collective		NSz	May 28
Muller, J.			Attacking farm collective		NSz	May 28
Ritter, L.			Attacking farm collective		NSz	May 28
Szabo, F.			Attacking farm collective		NSz	May 28
Szabo, S.			Attacking farm collective		NSz	May 28
Gertai, G.			Attacking farm collective		NSz	May 28
Meszaros, G.			Attacking farm collective		NSz	May 28
Szombaty, I.			Attacking farm collective		NSz	May 28
Veres, L.			Attacking farm collective		NSz	May 28
Nagy, Mrs. D.			Counter-revolutionary activity	11 yrs.	NSz	May 29
Cifrik, L.			Counter-revolutionary activity	8 yrs.	RB	May 29
Fokles, G.			Counter-revolutionary activity	13 yrs.	RB	May 29
Gulyas, L.			Counter-revolutionary activity	7 yrs.	RB	May 29
Nagy, J.			Counter-revolutionary activity	8 yrs.	RB	May 29
Thanyi, A.			Counter-revolutionary activity	Death	MTI	June 10
Weintraeger, L.		Minister	Counter-revolutionary leader	Death	MTI	June 10
Zsigrmond, I.			Counter-revolutionary leader	Death	MTI	June 10
Kondor, Jozsef			Counter-revolutionary leader	Death	MTI	June 10
Aczel, Dezso	20	Chauffeur	Assisting border crossing	Death	NSz	June 10
Aczel, Ede		Mechanic	Hiding arms, looting	Death	MTI	June 10
Antal, Istvan			Urging overthrow of system	Death	MTI	June 10
Babarel, Tibor			Attempting overthrow of system	Death	MTI	June 10
Balogh, Antal	25		Attempted border crossing	Death	MTI	June 10
Farkas, I.			A accomplice to murder	1 yr.	MTI	June 10
Fazekas Kadar, Imre		Farmer	Attempting to overthrow system		Kozepdumantuli Naplo	June 13
Gabor, Janos			Hiding arms, looting		Hajdu-Bihar Naplo	June 15
Gal, Andras			Hiding arms, looting		Hajdu-Bihar Naplo	June 15
Koszo, Ferenc		Farmer	Attempting to overthrow system		Delmagyarorszag	June 15
					Kisalfold	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15
					Hajdu-Bihar Naplo	June 15
					Delmagyarorszag	June 15
					NSz	June 15
					Delmagyarorszag	June 15
					Hajdu-Bihar Naplo	June 15

Name	Age	Profession	Charge	Sentence	Source	Date
Tujner, Jozsef.....		Peasant.....	Smuggling of men.....	6 mos.....	Kisalfold.....	June 25.....
Szanto Blitz, Jozsef.....			Incitement.....	3 yrs.....	Kisalfold.....	June 25.....
Kabalecs, K.....			Storming radio station.....	Death.....	KK.....	June 26.....
Kablaacs, Karoly.....			Attempt to overthrow system.....	15 yrs.....	Kisalfold.....	June 27.....
Kablaacs, Pal.....			Attempt to overthrow system.....	17 yrs.....	Kisalfold.....	June 27.....
Barta, Bela.....	30		Armed uprising.....	Death.....	Eszakmagyarorszag.....	June 28.....
Baso, Andras.....			Damaging public property.....		Delmagyarorszag.....	June 29.....
Karai, Janos.....			Damaging public property.....		Delmagyarorszag.....	June 29.....
Zilcsak, E.....			Incitement.....	16 yrs.....	N.Sz.....	June 29.....
Horvath, Imre.....			Smuggling men.....	4 yrs.....	Delmagyarorszag.....	June 30.....
Acs, Istvan.....			Attempt to overthrow system.....	2 yrs.....	Kisalfold.....	June 30.....
Kiss, Lajos.....			Attempt to overthrow system.....	12 yrs.....	Kisalfold.....	July 2.....
Kovacs, Elemer.....			Attempt to overthrow system.....	8 yrs.....	Kisalfold.....	July 2.....
Hegedus, Gyorgy.....			Using force against authorities.....	1 yr.....	Kozeptunantuli Naplo.....	July 2.....
Hegedus, Jozsef.....			Using force against authorities.....	4 yrs.....	Kozeptunantuli Naplo.....	July 2.....
Ifforvacsak, Mihaly.....			Using force against authorities.....	2 yrs.....	Kozeptunantuli Naplo.....	July 2.....
Marothi, Mihaly.....			Attempt to overthrow system.....	10 yrs.....	Kisalfold.....	July 2.....
A. T. Janos.....		Industrial trainee.....	Attempted border crossing.....		Delmagyarorszag.....	July 3.....
J. Maria.....		Industrial trainee.....	Attempted border crossing.....		Delmagyarorszag.....	July 3.....
Boros, Juhanna.....			Attempted border crossing.....		Delmagyarorszag.....	July 4.....
Buchman, Magdolna.....			Attempted border crossing.....		Delmagyarorszag.....	July 4.....
Erdoi, Istvan.....			Damaging public property.....	5 mos.....	Delmagyarorszag.....	July 4.....
Gyokos, Jozsef.....			Attempt to overthrow system.....	5 1/2 yrs.....	Hajdu-Bihar Naplo.....	July 4.....
Karakovics, Istvan.....			Various crimes.....	2 1/2 yrs.....	Hajdu-Bihar Naplo.....	July 4.....
Keckes, Dandor.....			Counter-revolutionary activities.....	5 1/2 yrs.....	Hajdu-Bihar Naplo.....	July 4.....
Komhanyi, Erzebet.....			Counter-revolutionary activities.....		Delmagyarorszag.....	July 4.....
Foldhazi, Istvan.....			Attempted border crossing.....		Delmagyarorszag.....	July 4.....
Goenczi, F.....			Slandering Soviet and Hungarian officers.....		N.Sz.....	July 5.....
Gyongyosi, M.....	25	Former army lieutenant.....	Murder.....	Death.....	N.Sz.....	July 5.....
Kovacs, F.....	25	Former security police.....	Murder.....	Death.....	N.Sz.....	July 5.....
Horvath, Andras Zoltan.....		Teacher.....	Printing, incitement to murder.....	Death.....	N.Sz.....	July 5.....
Obersovszky, G.....		Journalist.....	Incitement.....	28 mos.....	Kisalfold.....	July 5.....
Sari, Daniel Jr. & companions.....			Editing illegal paper.....	15 yrs.....	N.Sz.....	July 5.....
SIKlosi, Edith.....		Former nun.....	Damaging public property.....		Kisalfold.....	July 5.....
Soveres, David Dr.....		Principal of Gymnasia.....	Incitement.....	1 yr.....	Kisalfold.....	July 5.....
Sovenyi, Karoly.....		Chauffeur.....	Incitement.....	2 yrs.....	Kisalfold.....	July 5.....
Lachky, A.....			Helping refugees; hiding arms.....		Kisalfold.....	July 5.....
Balogh, J.....			Accomplice to murder.....		N.Sz.....	July 10.....
Koronipal, L.....	40	Decorator.....	Conspiring to overthrow state.....		N.Sz.....	July 12.....
Fataki, L.....	39	Technician.....	Conspiring to overthrow state.....		N.Sz.....	July 12.....
Spamberger, G.....			Conspiracy.....		N.Sz.....	July 12.....
Gabor, J.....			Organizing to overthrow regime.....	Death.....	N.Sz.....	July 12.....
Horvath, F.....		Served under Maeter.....	Attempted murder.....	12 yrs.....	N.Sz.....	July 19.....
Stanc, K.....			Attempted murder.....	Death.....	N.Sz.....	July 21.....
Khuen-Hedervary, K.....			Attempt to overthrow regime.....	Life.....	N.Sz.....	July 21.....
Klenovszki, I.....			Accomplice to murder.....		N.Sz.....	July 25.....
Wirth, Mihaly.....			Hiding arms.....	6 mos.....	Somogyi Neplap.....	July 25.....

Fieder, L.	Attempt to overthrow regime.	10 yrs.	N.Sz.	July 26.
Schmidt, L.	Accessory to murder.	7 yrs.	N.Sz.	July 26.
Fuchs, A.	Counter-revolutionary activity.	14 yrs.	N.Sz.	July 27.
Balogh, J.	Counter-revolutionary activity.	15 yrs.	N.Sz.	July 29.
Beszides, I.	Counter-revolutionary activity; hiding arms.	5 yrs.	N.Sz.	July 29.
Horvath, F.	Revolutionary activity; murder.	Death.	N.Sz.	July 29.
Horvath, L.	Counter-revolutionary activity.	6 yrs.	N.Sz.	July 29.
Korompai, L.	Counter-revolutionary activity.	12 yrs.	N.Sz.	July 29.
Kovacs, E. Miss.	Counter-revolutionary activity.	2 yrs.	N.Sz.	July 29.
Libal, F. Miss.	Counter-revolutionary activity.	3 yrs.	N.Sz.	July 29.
Palaki, L.	Counter-revolutionary activity.	14 yrs.	N.Sz.	July 29.
Schlid, K.	Counter-revolutionary activity.	6 yrs.	N.Sz.	July 29.
Spambarger, Gy.	Revolutionary activity; murder.	Death.	N.Sz.	July 29.
Stanel, K.	Counter-revolutionary activity.	Life.	N.Sz.	July 29.
Szabo, G.	Counter-revolutionary activity; manslaughter.	8 yrs.	N.Sz.	July 29.
Szendrei, J.	Counter-revolutionary activity.	8 yrs.	N.Sz.	July 29.
Furkas, I.	Revolutionary activity; manslaughter.	Life.	N.Sz.	July 31.
Kukla, A.	Revolutionary activity; manslaughter.	Life.	N.Sz.	July 31.
Nagy, J.	Revolutionary activity.	20 yrs.	N.Sz.	July 31.
Rosner, I. Dr.	Counter-revolutionary activity.	6 yrs.	N.Sz.	July 31.
Leszkovszky, P.	Counter-revolutionary activity.	Life.	N.Sz.	Aug. 1.
Tabodi, I.	Counter-revolutionary activity.	Life.	N.Sz.	Aug. 1.
Turesanyi, E. A.	Counter-revolutionary activity.	Life.	N.Sz.	Aug. 1.
Vajth, I.	Counter-revolutionary activity.	Life.	N.Sz.	Aug. 1.
Sillat, B.	Revolutionary activity.	12 yrs.	N.Sz.	Aug. 2.
Zsoter, B.	Revolutionary activity.	12 yrs.	N.Sz.	Aug. 2.
Asztalos, I.	Counter-rev. activity; organizing political party.	2 yrs.	N.Sz.	Aug. 2.
Bezedei, Gy. Dr.	Counter-rev. activity; organizing political party.	14 yrs.	N.Sz.	Aug. 2.
Bozso, S.	Counter-rev. activity; organizing political party.	2 yrs.	N.Sz.	Aug. 3.
Kronpaszki, A. Dr.	Counter-rev. activity; organizing political party.	2 yrs.	N.Sz.	Aug. 3.
Mathewics, F. Dr.	Counter-rev. activity; organizing political party.	2 yrs.	N.Sz.	Aug. 3.
Mesko, Z. Gy. Dr.	Counter-rev. activity; organizing political party.	2 yrs.	N.Sz.	Aug. 3.
Fayt, H.	Counter-rev. activity; organizing political party.	2 yrs.	N.Sz.	Aug. 3.
Poltary, V.	Counter-rev. activity; organizing political party.	2 yrs.	N.Sz.	Aug. 3.
Sebo, P.	Counter-rev. activity; organizing political party.	2 yrs.	N.Sz.	Aug. 3.
Soltész, J.	Revolutionary activity.	2 yrs.	N.Sz.	Aug. 3.
Szigethy, J.	Counter-rev. activity; organizing political party.	2 yrs.	N.Sz.	Aug. 3.
Zajgovari, K. Dr.	Counter-rev. activity; organizing political party.	2 yrs.	N.Sz.	Aug. 3.
Jaszberenyi, O. Miss.	Counter-rev. activity; organizing political party.	2 yrs.	N.Sz.	Aug. 3.
Rozsavolgyi, B.	Counter-revolutionary activity; murder.	Life.	N.Sz.	Aug. 3.
Sarkozy, J. Dr.	Counter-revolutionary activity.	Life.	Radio Kossuth	Aug. 7.
Berges, S. Dr.	Counter-revolutionary activity.	Life.	Radio Kossuth	Aug. 7.
Csinesak, E. Dr.	Counter-revolutionary activity.	5 yrs.	Radio Kossuth	Aug. 8.
Toth, I. Dr.	Counter-revolutionary activity.	12 yrs.	Radio Kossuth	Aug. 8.
Mindszenti, L.	Revolutionary activity; hiding arms.	Death.	Radio Kossuth	Aug. 8.
Szortisey, I.	Counter-revolutionary activity.	Death.	N.Sz.	Aug. 16.

INTERNATIONAL COMMISSION OF JURISTS

THE HAGUE, NETHERLANDS

JOSEPH T. THORSON, president, Ottawa, Canada	JOSE T. NABUCO, Rio de Janeiro, Brazil
A. J. M. VAN DAL, vice president, The Hague, Netherlands	STEFAN OSUSKY, Washington, D. C.
GIUSEPPE BETTIOL, Rome, Italy	SIR HARTLEY SHAWCROSS, London, England
DUDLEY B. BONSAI, New York, N. Y.	PURSHOTTAM TRIKAMDAS, Bombay, India
PHILIPPE N. BOULOS, Beirut, Lebanon	H. B. TYABJI, Kabachi, Pakistan
PER T. FEDERSPIEL, Copenhagen, Denmark	JUAN J. CARBAJAL VICTORICA, Montevideo, Uruguay
THEO FRIEDENAU, Berlin, West Germany	EDOUARD ZELLWEGER, Zurich, Switzerland
HENRIK MUNKTELL, Upsala, Sweden	JEAN KRÉHER, Paris, France

NORMAN S. MARSH, Secretary-General

[Press Release—Embargoed until noon Friday, September 6, 1957]

Enclosed is the text of an appeal, with supporting documentation, sent to all National Delegations at the United Nations which the International Commission of Jurists is making with regard to Hungary in connection with the Special Session on September 10 of the General Assembly of the United Nations. It is planned that all local National Sections or Working Groups of the Commission will issue similar press statements in their respective countries. Such Sections or Groups now exist, among others, in the following countries: England, France, Germany, United States, Italy, Turkey, Greece, Australia, India, Philippines, Thailand, Canada, Iran, Finland, Sweden, Norway, Denmark, Netherlands, Brazil, Chile, Uruguay, Mexico. The text of the Commission's statement is embargoed until noon, Friday, September 6.

NORMAN S. MARSH,
Secretary-General.

INTERNATIONAL COMMISSION OF JURISTS

THE HAGUE, NETHERLANDS

NORMAN S. MARSH, Secretary-General

SEPTEMBER 2, 1957.

YOUR EXCELLENCY: On the eve of the special meeting of the United Nations General Assembly, I venture to draw your Excellency's attention to the views of the International Commission of Jurists as set out in its publications, "The Hungarian Situation and the Rule of Law", published in April 1957, and "The Continuing Challenge of the Hungarian Situation to the Rule of Law", published in June 1957. A brief summary of the reports together with additional documentation is appended to this letter.

I would firstly emphasize that the concern of the International Commission of Jurists over the Hungarian situation is based not on political or national considerations, but on the common interests of the legal profession over a wide part of the world to maintain, in international and in municipal law, respect for Human Rights as set out in the Charter of the United Nations, and for the minimum standards of justice recognized by all civilized nations.

Secondly, it may be pointed out that the information on which the Commission has based its report is exclusively drawn from the Official Laws, Government Statements and Press of Hungary. While the Commission has reason to believe that these do not give a complete picture of the situation, they do at the least reveal conditions which are profoundly disturbing to the conscience and professional standards of lawyers in all countries.

The information published by the Commission showed that the laws and decrees of the authorities in Hungary failed to provide the minimum safeguards of justice in criminal trials as are recognized by civilized nations. In particular, these laws and decrees—

- (1) failed to provide for an impartial tribunal;
- (2) defined offences in vague terms open to abuse in interpretation;
- (3) gave the accused no proper notice of the charge preferred;
- (4) allowed no adequate time and facilities for the accused to prepare his defence, to call witnesses and to instruct counsel of his own choice on his behalf;
- (5) empowered a higher Tribunal to sentence an accused person previously acquitted, or to increase the sentence when no appeal had been made in the interests of the accused.

The Commission would now respectfully draw your attention to the incontestable fact that, since the publication of the Commission's reports in April and June last, and since the issue on June 22 of the Report of the United Nations Special Committee on the Problem of Hungary, repression in that country has been intensified rather than diminished. On June 15 a consolidating law confirmed the main features of the legal system set up by the Hungarian authorities, thus establishing on a permanent basis the system of trial for political offenders which had been described in the Commission's publications.

Moreover, the evidence of Hungarian official sources and Press shows that the legal system instituted by the Hungarian authorities to deal with political offenders has, in recent months, been used with increasing severity. Thus, in a two-month period, June 22-August 22, Hungarian official sources and Press have admitted the arrest of at least 194 persons and the trial of 204 other persons for offences of an allegedly political nature. Of 204 persons tried in this period, concerning whom the details of sentence are known, 22 have been sentenced to death, 11 to life imprisonment and 171 to long periods of imprisonment. In the whole preceding period of approximately seven-and-a-half months from the outbreak of the Revolution until June 22, the Commission obtained exclusively from Hungarian sources information concerning 423 persons brought to trial and sentenced. It should be emphasized that, owing to the secrecy with which most of the trials have been conducted, these figures necessarily give an imperfect idea of the scale of repression in Hungary; they are only significant in so far as they show, on the basis of information released by the Hungarian authorities themselves, that this repression is continuing with increasing force.

Of even greater significance than these figures are the statements recently made by Hungarian spokesmen.

Thus, on June 1, in a speech reported over Budapest Radio, Dr. Nezval, the Hungarian Minister of Justice, announced that "mercy" would be only an exceptional step. On June 4, Mrs. Imre Juhasz, member of Parliament, in a speech reported in *Nepszabadsag*, said:

"Quite a fair number of judges have asked to be transferred from the Criminal Court to the Civil Court . . . a good many of our public prosecutors have shown procrastination in drawing up indictments and in ordering preliminary arrests."

In reference to "counter-revolutionaries", she said, "We cannot show mercy towards them". In the same sense, on July 10, Dr. Nezval, at a Press conference reported over Budapest Radio said:

"We must make sure that the courts keep counter-revolutionary elements and aspirations at bay and mete out punishment for counter-revolutionary criminal acts."

On July 17, an article in *Delmagyarorszag* entitled, "Leniency—Why?" began with these words:

"Counter-revolutionaries have got the jitters, they do not like the pressure of the steady hard fist and the determination of the workers' class . . . It is superfluous for them to lament and moan; they will get where they deserve to be, irrespective of where they keep in hiding."

Between the middle and the end of July the world press published unconfirmed reports of a new wave of arrests in Hungary, the most conservative of which estimated that 1500 to 2000 people had been arrested. Mr. Marosan, Minister of State, in a speech reported in the Hungarian Press on July 26, and on Budapest Radio on July 31 and August 1, said:

"We do not deny that we have arrested a few counter-revolutionaries who had well deserved it . . . the detention of some hundreds of people has aroused indignation in the West. Why all this excitement? Our organs of internal security are today striking blows at those at whom Rakosi should have struck . . . We showed patience for a while, but after the CPSU (Communist Party of the Soviet Union) resolution, a number of dubious elements were discovered and began to spread the 'words': 'We start again in October'. Our patience was then exhausted and our authorities did what they should have done in the years 1945 to 1948."

The Commission has noted with the utmost concern that among the most recent lists of arrested or convicted persons are included a number of lawyers, including amongst them the President of the Budapest Bar. In this connexion, it is significant that a number of official spokesmen of the present regime in Hungary have repeatedly reprimanded the judges and public prosecutor, as well as university professors of law, for their adherence to "an excessively strict

interpretation of the law" and to the "dream of the judge's independence" and "impartiality".

In the light of the foregoing consideration, the Commission respectfully urges—

1. that the claim of the present Hungarian regime to speak in the United Nations as the effective Government of Hungary must depend on its ability to maintain its power without recourse to methods of oppression which are at variance with the respect for Human Rights required by the Charter of the United Nations, with the specific provisions of the Treaty of Peace with Hungary of 1947 and the Geneva Convention of 1949, as well as with the fundamental principles of law recognized by all civilized countries;

2. that the continuing repression in Hungary as shown by the findings of the International Commission of Jurists based on the exclusive evidence of Hungarian sources, raises a case against the present regime in Hungary which cannot be satisfactorily answered until that regime is prepared to allow an impartial committee of investigation to visit Hungary.

I have the honour to be,

Your obedient Servant,

NORMAN S. MARSH.

Enclosure: Survey of the Hungarian system of summary trials with the full text of the Consolidating Decree-Law of June 15, 1957 on judicial organization and criminal procedure.

[Enclosure to letter of September 2, 1957]

SURVEY OF THE HUNGARIAN SYSTEM OF SUMMARY TRIALS

I. THE LAW AND ITS ENFORCEMENT

The main features of the system of summary trials are contained in the consolidated legislation of June 15, the text of which is given in Section III below.

1. *Summary Courts.*—There are three kinds of Summary Courts, called People's Courts. People's Courts attached to County Courts consist of a professional judge and two lay judges; the latter are elected by the supreme political body, that is the Presidential Council of the People's Republic, i. e., by those at present in political control in Hungary. These lay judges have the same rights of voting as the professional judge and can overrule him. The People's Court of the Supreme Court consists of one Judge and four lay judges, similarly appointed and with the same powers of overruling the professional judge. Military Summary Courts are similarly staffed.

2. *Vague Definition of Offences.*—Many types of offence may be tried summarily; some of these offences are defined in such vague terms that they give the court an extremely wide discretion in interpretation. For example, an accused person can be tried for offences such as "organization against the People's Republic or against the People's democratic order" or "the disturbing or inciting others to disturb the working of an essential undertaking". Essential undertakings are now defined (inter alia) as every agricultural, industrial, or commercial establishment which employs more than 100 people.

3. *Severe Penalties.*—The penalty for these crimes is death unless there are extenuating circumstances, but a minimum punishment of five years is in any event prescribed for adult offenders. Pardon cannot apparently be exercised without a favourable recommendation by the People's Court of the Supreme Court.

4. *The Procedure at Summary Trials.*—An accused may be tried on an oral presentation of the case by the prosecutor without a bill of indictment thereby depriving him of proper notice of the charge and adequate time to prepare his defence. It is for the prosecutor to secure the presence of witnesses; this gives the accused no opportunity in practice to call witnesses for the defence. Finally, the Decree-law of June 15 provides that the accused cannot even be represented by counsel of his own choice but must select his advocate from a list approved by the Minister of Justice.

5. *Appeal Courts.*—The People's Court of the Supreme Court is not only a Court of trial but is also a Court of review or appeal at the instance of the President of the Supreme Court or the Chief Public Prosecutor. Of its five judges only one is required to be a professional lawyer, the other four (any three of whom can outvote the professional judge) are appointed by the Presi-

dential Council of the People's Republic—i. e., by those at present in political control of Hungary. It would appear that this People's Court is not primarily intended as an ordinary court of appeal to which either the accused or the trial prosecutor have access but rather as a tribunal through which the President of the Supreme Court or the Chief Public Prosecutor can control, correct, and if necessary remove to the jurisdiction of the People's Court, the administration of criminal justice in political cases throughout the country. It is also significant that this People's Court is empowered to sentence an accused person previously acquitted or to increase the sentence, although the accused has not made an appeal on his own behalf. There is a further appeal from the People's Court of the Supreme Court to a Presidential Court on the grounds of "legality". The Presidential Court consists of four professional judges and seven lay associates; it has the same power as the People's Court of the Supreme Court to worsen the position of the accused.

6. *Reference to Evidence Published by the Commission.*—A reminder is now necessary of the evidence contained in the publications of the Commission as to the application of these laws in practice. This can be best done by some significant examples: (a) In the first summary published by the Commission in April 1957 covering a period of 3½ months, November to February 1957, there is a record of 128 cases. There are only four acquittals. Some of the accused were sentenced to death and executed for such crimes as *hiding arms or organizing revolt*. (b) In the Supplement published in June 1957, covering 4 months March–June 1957 295 cases are referred to. There were 2 acquittals. Attention must be drawn to cases where sentences have been increased on appeal. The most characteristic of these were those of Gyula Obersovsky and Jozsef Gali whose sentences of three and one years of imprisonment respectively were increased on appeal to the sentence of death. These sentences have been commuted in the light of appeals from a number of foreign organizations, but this was not fate of others such as Istvan Micsinai whose sentence has been increased on appeal to death penalty and who has since been executed. The total number of cases during this period of about 7½ months prior to June 22, 1957 in which sentences known to the Commission examined was 423. The examination of the charts giving full particulars of these trials and sentences indicates extreme severity of the Summary Courts even having regard to the nature of this emergency legislation. During the 2 months from June 22 to August 22 at least 204 persons have been tried and sentenced with the same harshness. No acquittals are reported.

II. THE ATTITUDE OF HUNGARIAN AUTHORITIES AS SHOWN BY THEIR OWN STATEMENTS

Speeches made and articles written are indicative of the constant pressure of the authorities on the prosecutors and judges to exercise the utmost severity when dealing with political offenders. The statements referred to by the Commission in its past publications and statements made more recently show the continued determination of those in power in Hungary to use their laws with utmost rigor. Dr. Ferenc Nezval, now the Hungarian Minister of Justice said as far back as February 15, 1957, "our jurisdiction must be tough, quick, merciless." On the same date Dr. Ferenc Muennich, the Minister of the Armed Forces, called for "the application of the weapon of jurisdiction and our laws with the utmost severity". On May 1, Mr. Kádár expressed his belief "that the criminals must be punished and those who intrigue against the People's Republic and the work of the people must be restrained. We hold that the power, life and peace of the people is the most sacred thing in the world. Consequently our legal organs are actually complying with the requirements of humanity and democracy when they treat the criminals with the utmost severity." At this time "complaints" began to appear in the Hungarian Press about the way in which the courts were responding to this exhortation to severity. Thus on May 5 the Staff of the Militia Battalion of the Police H. Q. of County Baranya protested against a sentence of acquittal at a trial in Pecs. On May 10 *Dunantuli Naplo* demanded the removal of the judge who gave this verdict and that the judge himself should be tried. On May 19 *Nepszabadsag* referred to many complaints and objections concerning the work of the Courts, "What was and in a sense, what is even now the cause of the mistrust in courts? The fundamental reason is the opportunism and liberalism of certain judges in the fight against the counter-revolution" * * *. In some cases the Courts pass ridiculously mild sentences on the mortal enemies of our people and our system despite the fact that their guilt was stated and their action

justly described * * *. In other cases judges apply extenuating circumstances in an entirely unlawful manner, which make the passing of severe sentences * * * impossible * * *. We must avail ourselves of all means to make our courts work and judge in the *spirit of the class warfare of the proletariat*. *The demand to pass sentences in a spirit of class warfare has never been as opportune as now* * * *. This means *ruthless, unbending rigor against the enemies of the people*". On May 30 at a meeting of party members reported in *Nepszabadsag* objections were raised "to the indulgence with which the enemies of the people" were treated.

On June 1, in a speech reported over Budapest Radio, Dr. Nezval announced that "*mercy*" would be only an exceptional step. This was consistent with a statement made at a lecture by Mr. Bela Biszku on May 27 calling for making sure that violent aspects of the dictatorship of the proletariat will not be neglected, *Nepszabadsag* refers on June 2 to complaints made concerning sentences in the cases of political crimes. "Judges are still influenced by the spiritual terror of the counter-revolution * * * officials of the Ministry visit Courts regularly and see to it that sentences passed on counter-revolutionaries should comply with the demands of socialist legality". On June 4, Mrs. Imre Juhasz, Member of Parliament in a speech reported in *Nepszabadsag* said "Quite a fair number of judges have asked to be transferred from the criminal court to the civil court * * *. A good many of our public prosecutors have shown procrastination in drawing up indictments and in ordering preliminary arrests". *Talking of counter-revolutionaries she said "We cannot show mercy towards them"*. On June 19 *UJ UTON* published a letter from the Company of Militia of County Heves protest against the action of a public prosecutor who did not demand a death sentence. "We do not recognize the humane decision of the Court and we file an appeal for aggravation. We cannot recognize that the principal Laszlo Joob * * * the leader of the Houved Committee has been sentenced to only 15 years imprisonment". A similar protest is made against other sentences. On June 30 *NEZ* referring to counter-revolutionaries repeats the demand. "Those who violate the law must be punished". On July 10 Dr. Ferenc Nezval at a press conference reported over Budapest Radio said "We must make sure that the Courts keep counter-revolutionary elements and aspirations at bay and mete-out punishment for counter-revolutionary criminal acts." He added, significantly that there had been "an improvement concerning criminal sentences as compared with recent months" but unfortunately the courts had not in all cases recognized the great social danger of those crimes.

On July 17 an article in *Delmagyarország* entitled "Leniency—Why?" starts with these opening words "Counter-revolutionaries have got the jitters, they do not like the *pressure of the steady hard fist* and the determination of the workers' class * * *. They had better give up their day dreams straight away because they will not have another opportunity to undermine our system. It is superfluous for them to lament and groan; they will get where they deserve to be, irrespective of where they keep in hiding." Between the middle and the end of July World Press published unconfirmed reports about a wave of arrests in Hungary. The arrests were said to have started on July 17 and ended on July 23. The most conservative estimates were that 1,500 to 2,000 people were arrested: some newspapers alleged 10,000 arrests. Mr. Marosan in a speech, reported in the Hungarian Press on July 26 and on Budapest Radio on July 31 and August 1, said that the detention of some hundreds of people had aroused indignation in the West. "We do not deny that we have arrested a few counter-revolutionaries who had well deserved it * * *. Why all this excitement? Our organs or internal security are today striking blows at those at whom Rakosi should have struck * * *. We showed patience for a while, but after the CPSU (Communist Party of the Soviet Union) resolution, a number of dubious elements were discovered and began to spread the 'words': 'We start again in October'. Our patience was then exhausted and our authorities did what they should have done in the years 1945 to 1948."

[Translation from the Hungarian]

III. Decree Law of June 15.

Decree Having the Force of Law (hereinafter: "Decree-Law") No. 34 of 1957 of the Presidential Council of the People's Republic (of Hungary) concerning People's Courts and the Regulation of the Judiciary's Organization and Certain Questions Arising from Criminal Proceedings

In the course of trying crimes committed for political reasons or having political objects, summary procedure and the adjudication by the People's Courts of the Supreme Court have proved effective. For this reason (and) in the interest of a continued fight against counter-revolutionaries, and complete liquidation of counter-revolutionary elements and, generally, the upholding of public order and public security, and the further strengthening of socialist legality, the setting up of People's Courts with the Metropolitan and County Courts to adjudicate according to the rules of summary procedure is—at the request of the workers—warranted.

The rules governing judges' competence in proceedings for crimes against the proper functioning or safety of traffic and transport by rail, road, air and water, and of telecommunications, and those governing defence counsel's co-operation in crimes particularly offending against the interest of the State, do not comply with present-day requirements.

For these reasons the Presidential Council of the People's Republic has passed the following Decree-Law.

CHAPTER I. RULES RELATING TO PEOPLE'S COURTS

ORGANIZATIONAL RULES

1. (1) People's Courts shall be created at the Metropolitan Court in Budapest and at the County Courts.

(2) The Metropolitan and County People's Courts (hereinafter: "County People's Court") shall consist of one Chairman and two People's judges.

(3) The Chairman of the County People's Court shall be appointed from among professional judges by the President of the Metropolitan Court or of the County Courts (as the case may be).

2. (1) There shall be a People's Court at work at the Supreme Court of the Hungarian People's Republic.

(2) The People's Court of the Supreme Court of the Hungarian People's Republic (hereinafter: People's Court of the Supreme Court) shall consist of a Chairman and four People's judges.

(3) The Chairman of the People's Court of the Supreme Court shall be appointed from among professional judges by the President of the Supreme Court.

3. (1) The People's judges shall be elected—for an indefinite period—by the Presidential Council of the People's Republic.

(2) Any Hungarian national who has had no previous convictions and is entitled to vote and is not less than 30 years of age may be elected a People's judge.

(3) The legal status of People's judges shall be identical with that of the judges of the Metropolitan Courts, the County Courts and the Supreme Court.

JURISDICTION OF COUNTY PEOPLE'S COURTS

4. (1) If the accused is in preliminary custody and the necessary evidence is available and the Prosecutor—at the direction of the Chief Prosecutor—suggests, the County People's Court shall deal with the following crimes:

(a) organizing against the People's Republic or against the people's democratic State order (Official Compilation of Valid Rules of Substantive Criminal Law (hereinafter: "C. R. Cr. L."), s. 1) and conspiring to this end (C. R. Cr. L., s. 8),

(b) revolt (C. R. Cr. L., ss. 17-24),

(c) crimes committed by the unlicensed possession, etc. of explosives or fire-arms or ammunition (C. R. Cr. L., s. 33 (1) and 34 (1)), the use of explosives and the unlawful use of fire-arms (C. R. Cr. L., ss. 33 (3) and 34 (3)),

(d) treason (C. R. Cr. L., ss. 35, 37-40),

(e) crimes committed by causing malicious damage to utilities supplying water, gas or electricity; or to indispensable public undertakings supplying the population with essentials; or to public transport undertakings or to undertakings required for defence; further, the acts of any person who, by unlawful entry into, or by his presence on, the premises of such undertaking, or in any other way deliberately disturbs the working of the undertaking (circumstances taken from C. R. Cr. L., s. 73 (1) and emphasized in the present Decree-Law),

or the instigation of others to commit any such act, or the calling upon another so to do (C. R. Cr. L., s. 73 (2));

Provided that it (the County People's Court) shall only deal with the crimes listed in this sub-section if the act was directed at mass stoppage of work or otherwise threatened great danger;

(f) arson (C. R. Cr. L., ss. 162-164),

(g) intentionally committing a crime for the purpose of endangering transport (C. R. Cr. L., s. 172),

(h) murder and intentional homicide (C. R. Cr. L., ss. 349, 351 and 352),

(i) looting (housebreaking: C. R. Cr. L., s. 427 (c)),

(j) robbery (C. R. Cr. L., ss. 433-437).

(2) In the case of crimes set out in paragraphs (f), (i) and (j) of sub-section (1) hereof, the Prosecutor may raise a charge before the County People's Court irrespective of whether the act was harmful to private or to State-owned property.

JURISDICTION AT FIRST INSTANCE OF THE PEOPLE'S COURT OF THE SUPREME COURT

5. (1) The People's Court of the Supreme Court shall in any criminal matter act as a Court of first instance if the President of the Supreme Court attributes the matter to fall within the jurisdiction of the People's Court of the Supreme Court or if the Chief Prosecutor raises the charge in that (People's) Court.

(2) If the Supreme Court at first instance is seized of a criminal matter wherein a civil or military person was a perpetrator of the crime, the President of the Supreme Court may transfer the matter—according to its character—to either the People's Court of the Supreme Court or the Military Divisional Court of the Supreme Court (s. 24).

JURISDICTION OF THE COUNTY PEOPLE'S COURT

6. That County People's Courts shall also have jurisdiction wherein the Prosecutor suggests the proceedings to be conducted.

RULES OF CRIMINAL PROCEDURE TO BE EMPLOYED

7. Proceedings before the People's Court shall be governed by the provisions of Act No. III of 1951, as amended by Act No. V of 1954 and Decree-Law No. 8 of 1957, subject to the following changes.

SUMMARY PROCEDURE

8. (1) The Prosecutor may, without an accusation in writing, cause the accused to be brought before the County People's Court. In that case, the County People's Court shall not appoint a day for the hearing of the case and shall not issue subpoenas; it shall be the duty of the Prosecutor to secure the presence before the County People's Court of witnesses and experts and of any evidence that may be required. The charge shall be made by the Prosecutor orally at the hearing.

(2) If the Prosecutor submits an accusation in writing, the hearing shall take place within the shortest possible time. In that event the provisions of the Code of Criminal Procedure regarding preparatory sittings and the time-limits for the appointment of dates of hearing shall be inapplicable.

9. (1) The jurisdiction of the County People's Court shall extend to all crimes of the accused, even if some of those crimes are not covered by the provisions of s. 4.

(2) The County People's Court shall not proceed against a person—even on the grounds of multiplicity (of crimes)—who has committed no crime falling within the jurisdiction of the County People's Court.

10. The provisions of ss. 8-9 shall be applicable to cases where the Chief Prosecutor raises a charge before the People's Court of the Supreme Court (s. 5 (1)) and suggests summary procedure.

ADJUDICATION ON APPEAL

11. Appeals against decisions of County People's Courts shall be heard by the People's Court of the Supreme Court.

12. (1) In case of appeals lodged against decisions of County People's Courts, s. 190 (2) of the Code of Criminal Procedure shall be applied, except that the appellant may, if the judgment be served on him, within three days therefrom give detailed reasons for his appeal.

(2) Periods specified in s. 195 (2) and (3) of the Code of Criminal Procedure shall not be applicable to appeals against decisions of County People's Courts; and appeals shall be heard within the shortest possible time.

13. (1) Appeals lodged against judgments of first instance of any court shall be adjudicated upon by the People's Court of the Supreme Court if the President of the Supreme Court attributes the appeal to fall within the jurisdiction of, or if the Chief Prosecutor refers the appeal for adjudication to, that Court.

(2) The provisions of s. 12 (2) shall be inapplicable in cases to which sub-section (1) of the present section applies.

14. Save for the exceptions set out in s. 15 hereof, decisions on the merits of the appeal before the People's Court of the Supreme Court shall be based on the facts as found by the court of first instance.

15. (1) If—

(a) the finding of facts is defective, or

(b) the finding of facts is obscure, contradicts the contents of documents, or is based on wrong factual conclusions, and the full and/or true facts can be ascertained from the documents beyond all doubt, the People's Court of the Supreme Court shall supplement and/or amend the facts as found by the court of first instance.

(2) If from the documents the full or true facts cannot be ascertained beyond all doubt under sub-section (1) the People's Court of the Supreme Court shall—

(a) order additional evidence to be adduced, or

(b) invalidate the judgment of first instance and order the court of first instance to conduct a re-trial.

(3) In cases to which paragraph (a) of sub-section (2) applies the People's Court of the Supreme Court shall either adduce the evidence itself or direct the court of first instance so to do.

(4) In cases to which paragraph (b) of sub-section (2) applies, re-trial may be ordered to be conducted by another People's Court of that court of first instance which conducted the original proceedings. Appeals lodged against a judgment resulting from such re-trial shall also be adjudicated upon by the People's Court of the Supreme Court.

(5) If the People's Court of the Supreme Court supplements and/or amends the finding of fact, its adjudication upon the judgment of the court of first instance shall be based on its own (the People's Court of the Supreme Court's) finding of fact.

16. (1) If in the opinion of the People's Court of the Supreme Court the judgment of the court of first instance was wrong, it (the People's Court of the Supreme Court) shall vary the judgment of the court of first instance and decide according to law.

(2) The People's Court of the Supreme Court may convict the accused and/or increase his sentence even if the Prosecutor has not lodged an appeal.

EXTRAORDINARY REMEDIAL MEASURES

17. Objections on the grounds of legality raised by the Chief Prosecutor or by the President of the Supreme Court against a final judgment of County People's Court and the Chief Prosecutor's proposals for re-trials shall be adjudicated upon by the People's Court of the Supreme Court.

18. (1) Unless the decision was made by the Supreme Court, the Chief Prosecutor or the President of the Supreme Court may, in the interest of legality, lodge with the People's Court of the Supreme Court their objection against a final decision in a criminal matter of any court.

(2) Objections on the grounds of legality raised against final decisions of the People's Court of the Supreme Court or the Military Divisional Court of the Su-

preme Court (s. 24) may be referred to, and adjudicated by, a Presidential Court consisting of the Chairman, being a professional judge appointed by the President of the Supreme Court, and three professional judges and seven People's judges or military assessors (as the case may be).

(3) Objections on the grounds of legality raised by the Chief Prosecutor or the President of the Supreme Court against a final decision of another criminal court of the Supreme Court may also be referred to the Presidential Court specified under sub-section (2).

19. If the People's Court of the Supreme Court and/or the Presidential Court specified in s. 18 (2) takes a meritorious decision on the objection raised on the ground of legality (s. 227 (3), Code of Criminal Procedure), this decision may be less favourable to the accused than the invalidated decision has been, provided the period that had elapsed between the decision complained of becoming final and the notification of the objection is less than one year.

20. The Chief Prosecutor may submit to the People's Court of the Supreme Court his proposal for the re-trial of any proceedings resulting in a final decision. If the People's Court of the Supreme Court finds the said proposal to be well founded, it may itself conduct the re-trial proceedings.

DETERMINATION OF RECOMMENDATIONS FOR MERCY AND IMPLEMENTATION OF JUDGMENTS

21. (1) If the accused is sentenced to death by the People's Court, the People's Court shall, after hearing the Prosecutor, in *camera* express a reasoned opinion on whether or not it will recommend the accused for mercy.

(2) If the People's Court of the Supreme Court unanimously or by majority vote recommends mercy for the convicted person, the papers relating to the case (if any) and the opinion of the People's Court of the Supreme Court shall forthwith be transferred to the Minister of Justice for submission to the Presidential Council of the People's Republic.

(3) If the People's Court of the Supreme Court does not recommend mercy for the convicted person, it shall direct the carrying out of the death sentence.

22. The implementation of a sentence of imprisonment imposed by the People's Court shall be put into effect immediately upon the publication of the judgment.

SENTENCES WHICH PEOPLE'S COURTS MAY IMPOSE

23. (1) The sentence to be imposed by the County People's Court for the crimes listed in s. 4 hereof shall be death. Having regard to all the circumstances of the case the Court may, in lieu of the death penalty, impose a sentence of imprisonment for life or for a period of 5 to 10 years; there shall be no further lightening of sentence. Insofar as the act concerned is, by law, punishable by death even apart from the present Decree-Law, no shorter term of imprisonment than 10 years shall be imposed.

(2) s. 53 of the Criminal Code (General Part) shall be inapplicable to proceedings before the County People's Court.

(3) If the accused is a minor, he shall be sentenced in accordance with the provisions of s. 8 of Decree-Law No. 34 of 1951 (Ftvr.). This shall not, however, affect the provisions of C. R. Cr. L., s. 12.

(4) Whenever the People's Court of the Supreme Court proceeds as a court of first instance according to the rules of summary jurisdiction in respect of any crime set out in s. 4 hereof, it shall impose sentence pursuant to sub-sections (1)-(3) hereof.

(5) If proceedings at first instance were conducted by the People's Court, the People's Court of the Supreme Court shall, at second instance or by way of an extraordinary remedial measure, also impose sentence pursuant to subsections (1)-(3) hereof.

(6) The provisions contained in this section shall not be applicable to crimes committed prior to the 15th day of January 1957.

PROVISIONS CONCERNING COURTS MARTIAL PROCEEDINGS

24. (1) The provisions contained in ss. 4-23 hereof shall also be applicable to courts martial proceedings; such proceedings shall be conducted, within the jurisdiction of the People's Courts, by a Special Court of the military tribunals and of the Military Divisional Court of the Supreme Court.

(2) The composition of the Special Court set up under sub-section (1) hereof shall be governed by the provisions of ss. 1-2 (of the present Decree-Law). Instead of People's judges, the proceedings shall be attended by Military Assessors chosen by the Presidential Council of the People's Republic.

DEFINITION OF INDISPENSABLE PUBLIC UNDERTAKINGS

25. (1) For the purpose of C.R.Cr.L., s. 73, all State (owned) agricultural, industrial (mining, transport, etc.) or commercial undertakings regularly employing over 100 workers shall be deemed to be indispensable public undertakings.

(2) The provision of sub-section (1) hereof shall not be applicable to crimes committed prior to the 15th day of January 1957.

AUTHORITY FOR THE SETTING-UP AND DISSOLUTION OF PEOPLE'S COURTS

26. The Minister of Justice shall see to the setting-up and dissolution of County People's Courts.

CHAPTER II

PROVISIONS RELATING TO CERTAIN QUESTIONS OF THE JUDICIARY'S ORGANIZATION

27. The following provision shall be added to s. 18(1) of Act No. II of 1954 concerning the organization of the Judiciary in the Hungarian People's Republic: "The Minister of Justice may within the same area amalgamate District Courts and City Courts and in Budapest may amalgamate several District Courts."

28. Sub-section (2) of s. 50 of Act No. II of 1954 shall be substituted by the following provision:

"(2) The Presidential Court of the Supreme Court shall proceed in the name of the full court of the Supreme Court in the matters set out in paragraphs (b), (d) and (e) of sub-section (1). The Chairman of the Presidential Court shall be the President of the Supreme Court, or a member of the Presidential Court so appointed by the President of the Supreme Court. The members of the Presidential Court shall be appointed by the President of the Supreme Court from among Vice-Presidents and Judges of the Supreme Court."

CHAPTER III

COURTS COMPETENT TO CONDUCT PROCEEDINGS IN RESPECT OF CRIMES HARMING TRAFFIC, TRANSPORT AND TELECOMMUNICATIONS

29. (1) Proceedings in respect of crimes committed against the proper functioning or safety of traffic and transport by rail, road, air and water, and of telecommunications, which do not fall into the County Courts' jurisdiction shall at first instance be conducted by Courts appointed by the Minister of Justice from among the District Courts within the county (City and City District Courts).

(2) Proceedings in respect of crimes referred to in sub-section (1) hereof shall be conducted by the courts which, under the general rules (Code of Criminal Procedure, ss. 2430), are competent, if the Prosecutor submits the case to them for adjudication.

30. Crimes committed against the proper functioning or safety of traffic and transport by rail, road, air and water, and of telecommunications shall mean the following offences:

- misuse of explosives (C.R.Cr.L., s. 33),
- those offences endangering the interests of defence which are listed in C.R.Cr.L., s. 73,
- arson (C.B.Cr.L., s. 162),
- causing of flood (C.R.Cr.L., ss. 168-171),
- endangering of transport and damage causing public danger (C.R.Cr.L., ss. 172-183),
- endangering of life or body (C.R.Cr.L., ss. 374-376),
- abandonment of victims of accidents (C.R.Cr.L., s. 377),
- robbery (C.R.Cr.L., ss. 433-436 and 437(1)),
- offences specified in ss. 95-96 and 93-100 of Act No. XIX of 1934 on the

Service Discipline of Seagoing Merchant Ships,

offences specified in ss. 3, 5, 8, and 9 of Decree-Law No. 24 of 1950 as amended by Decree-Law No. 11 of 1956 on the Protection by Criminal Law of State-owned Property; and finally

offences specified in Decree No. 55 of 1953 (4 December) M.T. dealing with Increased Protection of Traffic;

provided these offences harm or endanger the proper functioning or safety of traffic or transport by rail, road, air or water, or of telecommunications.

CHAPTER IV

PROVISIONS APPLICABLE TO THE DEFENCE IN CERTAIN CRIMINAL PROCEEDINGS

31. (1) In the course of civil and military criminal proceedings—if the security of the State should specially warrant this—no advocate may act as authorized or appointed defence counsel whose name does not appear on a list compiled by the Minister of Justice for that purpose.

(2) The Minister of Justice shall—in consultation with the Minister of the Interior and the Chief Prosecutor—by Decree lay down those offences in respect of which criminal proceedings are to be governed by sub-section (1) hereof.

32. In military criminal proceedings, even in matters not falling under s. 31, no advocate shall act as defence counsel whose name the Minister of Justice has not included in either the list of military defence counsel or the list compiled under s. 31 (1) hereof.

CHAPTER V

PROVISIONS CONCERNING OPERATIVENESS

33. Subject to ss. 23 (6) and 25 (2) hereof, the provisions of the present Decree-Law shall be applied also to proceedings commenced in respect of crimes committed prior to the coming into force of the present Decree-Law.

34. Those provisions of the present Decree-Law which regulate re-trials and objections on the ground of legality shall be applied also to completed matters which resulted in final decisions.

35. Criminal matters now pending shall be completed in accordance with the provisions of Decree-Law No. 4 of 1957 on Expedited Procedure and Decree-Law No. 25 of 1957 on the Setting-up of, and Procedure before, the People's Court of the Supreme Court, provided a hearing of the matter has already taken place in court.

36. The present Decree-Law shall not affect the validity of Decree-Law No. 28 of 1956 on Summary Jurisdiction. However, if summary proceedings under ss. 8-9 of the present Decree-Law have already been commenced against the accused, no expedited proceedings shall be taken in respect of the same crime. On the other hand, where a court of summary jurisdiction remits the case to the ordinary court, the Prosecutor may—pursuant to a direction by the Chief Prosecutor—propose that the proceedings be completed by the People's Court.

37. Cases pending and involving any of the offences specified in s. 30 hereof, shall be dealt with pursuant to the provisions of s. 29 hereof, if the court has not set down the case for trial (Code of Criminal Procedure, s. 140 (3) (a)) and the Prosecutor proposes the case to be transferred to the District Court (City, City District Court) competent under s. 29 hereof.

38. (1) Save for the provisions of Chapters I, and IV., the present Decree-Law shall come into force on the day of publication.¹ The date when the provisions of Chapters I. and IV. will come into force shall be stated, by Decree, by the Hungarian Revolutionary Worker-Peasant Government.

(2) On the coming into force of the provisions of Chapter I. and IV. hereof, the following enactments shall cease to have effect:

Decree-Law No. 20 of 1950 on the Amendment of Certain Provisions concerning Army Defence Counsel; subject to the limitations of s. 35 hereof.

Decree Law No. 4 of 1957 on Expedited Procedure and

Decree-Law No. 25 of 1957 on the Setting-up of, and the Procedure before, the People's Court of the Supreme Court; and

Decree No. 2 of 1957 (15th January) Korm.

(Sgd.) ISTVAN DOBI,

President of the Presidential Council of the People's Republic.

(Sgd.) ISTVAN KRISTOF,

Secretary of the Presidential Council of the People's Republic.

¹ Published in Magyar Közlöny, No. 66, 15 June 1957.

The Hungarian Situation and the Rule of Law

INTERNATIONAL COMMISSION OF JURISTS

THE HAGUE

1957

5333

CONTENTS

Foreword	3
Resolution of The Hague Conference on Hungary, March 2, 1957	4
List of Participants	6
Introduction	9
Documents:	
A. Hungary and the Soviet Definition of Aggression . . .	19
B(a). G. P. ZADOROZHNY: Interview on Legal Aspects of Soviet Intervention in Hungary	23
B(b). EVGENYI A. KOROVIN: The Legal Aspects of Intervention (Extract)	25
B(c). EVGENYI A. KOROVIN: Jungle Law Versus the Law of Nations. (Extract)	26
B(d). Professor Dr. ARTHUR BAUMGARTEN: Recent Events in Hungary and Egypt (Extract)	28
C. Treaty of Peace with Hungary, 1947 (Extract)	31
D. Soviet-Hungarian Treaty of Friendship of 1948 (Extract)	34
E. Warsaw Pact and Resolution of 1955	35
F. Soviet Definition of Aggression	41
G. Address sent by the Second World Peace Congress to the United Nations, Warsaw 1950 (Extract)	44
H. Declaration of the Government of the USSR on Rela- tions with Socialist Countries, October 30, 1956 . .	45
I(a). The Hungarian Question before the United Nations, October 28 — December 15, 1956, Summary	48
I(b). United Nations Resolution of November 21, 1956. . .	51
I(c). United Nations Resolution of November 21, 1956. . .	52
I(d). United Nations Resolution of December 4, 1956 . . .	53
I(e). United Nations Resolution of December 12, 1956. . .	54
J. The Hungarian Situation in the Light of the Geneva Conventions of 1949	56

K.	Summary trials in Hungary	63
	Annex (a) Decree-Law on Criminal Procedure of November 12, 1956	68
	Annex (b) Decree proclaiming Summary Jurisdiction of December 11, 1956 (and amendment of December 13)	69
	Annex (c) Decree concerning Rules of Summary Juris- diction of December 11, 1956	72
	Annex (d) Decree concerning Public Security Detention	77
L.	New Law on Summary Procedure in Hungary, Contain- ing the Text of the Decree-Law on Summary Trials of January 13, 1957	81
M.	Report of Committee on Penal Procedure adopted at Sixth Congress of the International Association of Democratic Lawyers, Brussels, May 1956	87
N.	Data on Arrests Made in Hungary Between November 4, 1956 and February 23, 1957, as published in Hungar- ian Sources	92
O.	Data on Sentences Passed under Summary Jurisdiction Between November 4, 1956 and February 23, 1957, as published in Hungarian Sources	102
P.	Official Statements of the Kadar Regime on the Number of Sentences Passed Under Summary Jurisdiction Between November 4, 1956 and January 28, 1957 . .	110
Q.	Conference of Court Presidents in Hungary, February 15, 1957	112
R(a).	ICJ letter to the Hungarian Minister of Justice, January 24, 1957	118
R(b).	Letter to ICJ from FERENC NEZVAL, Hungarian Govern- ment Commissioner to the Ministry of Justice, February 2, 1957	119
S(a).	Geneva Convention Relative to the Treatment of the Prisoners of War of August 12, 1949 (Convention III) (Extracts)	120
S(b).	Geneva Convention Relative to the Protection of Civilian Persons in Time of War of August 12, 1949 (Con- vention IV) (Extracts)	127
S(c).	Reservations Made at the Time of Signature of the Geneva Conventions for the Protection of War Victims of August 12, 1949 (Hungary and USSR)	141

FOREWORD

THE INTERNATIONAL COMMISSION OF JURISTS is a world wide voluntary association of lawyers independent of governments and uniting the legal profession irrespective of differing political opinions. All agree, however, that in the international relations of their countries and in their municipal systems of law they seek to secure and promote and protect the Rule of Law. By the Rule of Law they mean adherence to those institutions and procedures, not always identical, but broadly similar, which experience and tradition in the different countries of the world, often having themselves varying political structures and economic backgrounds, have shown to be essential to protect the individual from arbitrary government and to enable him to enjoy the dignity of man.

The events in Hungary challenged the basic legal principles, for which the Commission stands, and in their initial impact stirred public opinion. But a growing sense of powerlessness to effect the course of events provided a dangerous temptation to inactivity and to a reluctant acceptance of the *fait accompli*. Recognizing this danger the Commission cooperated with an all-party group of lawyers in England in an attempt to send Sir LIONEL HEALD, Q. C., Sir FRANK SOSKICE, Q. C., and Sir HARTLEY SHAWCROSS, Q. C. to Hungary as observers of the summary trials instituted by the Kadar régime, although the attempt was frustrated by a refusal to grant visas. With a similar aim, the Commission has published and widely circulated the series of research papers, now embodied in the documentation here printed; these papers drew the attention of lawyers throughout the world to the legal character of Soviet intervention in Hungary, and to breaches of the Treaty of Peace with Hungary of 1947 and of the Geneva Convention of 1949, which have followed the institution of the Kadar régime in that country.

The concern of the Commission with the Hungarian situation found expression in a Conference of distinguished lawyers, from 14 countries under the chairmanship of Sir HARTLEY SHAWCROSS, in The Hague on March 2, 1957; the resolution unanimously passed at that Conference is printed on pp. 4-5 of this booklet, together with the list of participants. The facts and views which are here set out represent on most points the findings of fact and legal opinion of that Conference as well as of the International Commission. The views of the Conference and of the Commission were presented to the UN Special Committee on the Problem of Hungary ("Committee of Five") by Sir HARTLEY SHAWCROSS at Geneva on March 13, 1957.

APRIL 1957

NORMAN S. MARSH
Secretary-General

Resolution

**TEXT OF A RESOLUTION UNANIMOUSLY PASSED BY
A CONFERENCE OF LAWYERS
ORGANIZED BY
THE INTERNATIONAL COMMISSION OF JURISTS
AT THE HAGUE ON MARCH 2, 1957:**

Hague Conference, March 2, 1957

This Conference of lawyers, summoned by the International Commission of Jurists with its seat at The Hague, and representing many different legal traditions –

Having considered the material, drawn from official Hungarian sources, which has been prepared by the Secretariat of the International Commission and, in particular, the facts relating to the administration of justice in Hungary as well as the laws and decrees of the authorities in that country, and taking due note of the communication made to the Commission by Dr. FERENC NEZVÁL in charge of the Ministry of Justice in Budapest,

Having considered the obligations of the Charter of the United Nations and the provisions concerning human rights, undertaken by the USSR and Hungary,

And having further considered the provisions of the treaty of Peace between the Allied and Associated Powers and Hungary of 1947, whereby Hungary has undertaken to secure to all persons under its jurisdiction the enjoyment of human rights and of the fundamental freedoms, and the minimum safeguards of justice required by the Geneva Conventions of 1949, (to which the USSR and Hungary are parties) in cases arising both from internal and international conflict,

Is of the opinion that the laws and decrees of the authorities in Hungary violate human rights in failing to provide the minimum safeguards of justice in criminal trials which are recognized by civilized nations particularly for offences punishable with death, in that they

1. fail to provide in every case for an impartial tribunal;
2. define offences in vague terms open to abuse in interpretation;

3. give the accused no proper notice of the charge preferred;
4. do not allow adequate time and facilities for the accused to prepare his defence, to call witnesses and to instruct counsel on his behalf;
5. do not always provide an effective right of appeal or effective procedure for clemency.

Deplores the secrecy in which almost all the criminal trials in Hungary have been conducted since 4th November 1956 and regrets the refusal of the authorities in Hungary to allow impartial legal observers to trials which are of concern to lawyers of all nations,

Resolves to ask the International Commission of Jurists:

1. to convey to Dr. FERENC NEZVÁL, in charge of the Ministry of Justice in Budapest, the views expressed and grave concern felt by this Conference;
2. to inform the governments of the USSR, the United Kingdom and the United States of America, as the Powers responsible in the first instance under the Hungarian Peace Treaty for its interpretation and execution, of the breaches of human rights and fundamental freedoms in Hungary contrary to Article 2 of this treaty;
3. to send a copy of this resolution to the signatories of the Geneva Conventions of 1949 and to the International Red Cross as the Protecting Authority under Articles 10/10/10/11 of those Conventions;
4. to request the Committee of Five, set up by the United Nations Assembly to investigate the events in Hungary, to hear the representatives of the International Commission of Jurists on the matters considered by this Conference;
5. to communicate this resolution to the Bar and other legal Associations and the Faculties of Law of all countries, requesting that they be given immediate publicity and support,

Expresses its respect for all lawyers in Hungary who are prepared to perform their duties in accord with the demands of conscience and justice,

And appeals to the judges, public prosecutors and lawyers of Hungary to uphold, as is their duty, the great traditions of their profession,

And reminds them of their individual responsibility according to the fundamental principles of justice recognized by all nations.

HAGUE CONFERENCE ON HUNGARY*List of participants***AUSTRIA**

SEIDL-HOHENVELDERN, IGNAZ Professor, University of Saarbrücken; Hon. Lecturer in Public International Law and International Administrative Law at Vienna University

BELGIUM

COLLIGNON, THEO Former President of the Bar of Liège; former President of the Federation of Belgian Lawyers

ORBAN, PAUL-MAURICE

Professor at the University of Ghent, Dean of Law Faculty; Senator; Belgian Delegate, 7th Session UN General Assembly, New York

DENMARK

EYBEN, W. E. VON Professor of Law, Copenhagen University; Chairman of a number of Commissions and particularly President Monopoly Council; Head of Egmont H. Petersens Kollegium

FINLAND

SUONTAUSTA, TAUNO ERLAND Minister of Justice 1948-50; Member of Permanent Court of Arbitration 1949-; Member of Supreme Administrative Court 1950-55

FRANCE

BURDEAU, GEORGES Professor of Law, University of Paris

JANVIER, PAUL

Conseiller; Professor of Law of the Faculty of Poitiers

GERMANY

DIX, HELMUTH Advocate in Cologne

FRIEDENAU, THEO

Doctor of Law; since 1950 Chairman of the Investigating Commission of Free Jurists, Berlin; Member Executive Committee, International Commission of Jurists

MARTENS, WILHELM

President German Section, International Commission of Jurists; President High Court of Appeals, Karlsruhe, 1945-1955

HOLLAND**DAL, A. J. M. VAN**

Lawyer at the Supreme Court of the Netherlands, The Hague; Vice-President, International Commission of Jurists

**KAPPEYNE VAN DE COPPELLO,
N. J. C. M.**

Lawyer at Amsterdam; Chairman of the Association for the Defence of the Rule of Law (Dutch Section of the International Commission of Jurists); Treasurer World Federation of UN Associations

LANGEMEIJER, G. E.

Professor of Law, University of Leiden; Advocate General of the Supreme Court of the Netherlands

LOEFF, L. P. M.

Advocate General of the Supreme Court of the Netherlands

RÖLING, BERNARD V. A.

Professor of International and Criminal Law, University of Groningen; Former Justice, Netherlands Special Supreme Court for War Criminals; Former Justice, International Military Tribunal for the Far East

INDIA**BOSE, VIVIAN**

Puisne Judge, Supreme Court of India, New Delhi, 1951-56

NORWAY**ANDENAES, JOHANNES BRATT**

Professor, University of Oslo; Constitutional Advisor, Supreme Court of Norway

SWEDEN**MUNKTELL, AXEL HENRIK**

Member of Parliament; Professor of Law, University of Uppsala; Member Executive Committee, International Commission of Jurists

SWITZERLAND**ZELLWEGER, EDOUARD**

Former Minister of Switzerland in Yugoslavia; Constitutional Advisor to the Prime Minister of the United Kingdom of Libya; Member Executive Committee, International Commission of Jurists

UNITED KINGDOM**BENENSON, PETER**

Of the Inner Temple Barrister-at-Law; Advocate, Supreme Court of Cyprus

- FOSTER, JOHN GALWAY, Q.C. Member of Parliament; Recorder of Oxford 1938-51; Lecturer in Private International Law, Oxford, 1934-39
- GARDINER, GERALD AUSTIN Q.C. Bencher, Inner Temple; Member Committee on Supreme Court Practice and Procedure 1947-53; Member of Lord Chancellor's Law Reform Committee
- HEATHCOTE-WILLIAMS, HAROLD, Q.C. Recorder of Tiverton 1947-51; Bencher, Inner Temple
- JONES, F. ELWYN, Q.C. Member of Parliament; Member of British War Crimes Executive, Nuremberg, 1945; British Representative on Rumanian, Hungarian and Bulgarian Treaty Commissions, 1949
- SHAWCROSS, RT. HON. SIR HARTLEY, P.C., Q.C., LL.M. Member of Parliament; Recorder of Kingston-upon-Thames since 1946; Chairman of the Bar Council; Chief Prosecutor for UK, before International Military Tribunal at Nuremberg; a Principal Delegate for UK to Assemblies of UN, 1945-49; a UK Member Permanent Court of Arbitration at The Hague, 1950-
- U.S.A.
- BONSAL, DUDLEY BALDWIN Attorney at Law New York; Chairman Executive Committee, Association of the Bar of the City of New York; Chairman Special Committee on the Federal-Loyalty Security Program of the Association of the Bar of the City of New York; Member and Chairman of the Executive Committee, International Commission of Jurists
- EXPERTS ON HUNGARY
- BENJAMIN, OLIVER Joint Secretary-General Hungarian Revolutionary Council, Paris
- MARTIN, ANDREW Ph. D., London; Dr. Jur. (Budapest); of the Middle and Inner Temple Barrister-at-Law; Counsel on public and private International Law and Hungarian Law

INTRODUCTION

The documents here printed largely speak for themselves, but it may be convenient, if by way of introduction, the facts which they set out and the opinions which they express are summarized.

INTERVENTION OF USSR IN HUNGARY

It is unnecessary to review at length the facts, so far as they are ascertainable, concerning the Hungarian rising and the circumstances in which Soviet forces were employed to suppress it. It is desired, however, to draw attention in the light of the established facts, to the meaning in international law of "intervention".

An authoritative modern definition of intervention is given in Oppenheim's *Treatise on International Law* (5th ed. by Lauterpacht 1955 p. 305). It is there clearly stated, firstly that intervention must be *dictatorial* and not merely limited to good offices and mediation. The role of the Soviet forces in Hungary, whatever excuse may be advanced for their employment, cannot be regarded as one of mediation or good offices. Secondly, Oppenheim states that dictatorial intervention is as a rule forbidden by international law.¹ To this rule he admits some exceptions, most of which can have no possible relevance to the Hungarian situation. One exception, however, deserves special consideration particularly in view of the reliance which has been faced upon it by Soviet legal apologists.²

This exception relates to situations in which the intervening state is exercising a right of individual or collective self defence for the purpose of restraining a state which disturbs the peace of the world, such as is envisaged by Article 51 of the Charter. But there is no evidence that the rising in Hungary constituted an armed attack in the sense of Article 51 on the Soviet Union or that Hungary itself was directly or indirectly attacked by any one, other than the Soviet forces. In other words, Article 51 provides no basis for the suppression of an internal disturbance in one country by the forces of another.

Although it appears to be asserted by some Soviet apologists that the Warsaw Pact of 1955 provides an independent ground for the entry of Soviet troops into Hungary, an examination of the specific wording of that treaty shows that it purports to have been contracted within the framework of the United Nations organization in furtherance of:—"the principles of respect for the independence and sover-

¹ This is also well explained by HYDE (*International Law*, 2nd Ed., 1945 at p. 253), where he says:—"Nor is the situation legally altered by reason of the fact that intervention occurs in pursuance of a treaty of guarantee, or that such action is in response to an invitation from either party to the conflict. Foreign interference, howsoever invoked, is necessarily directed against a portion of the population of a State and is thus a denial of its right to engage in or suppress a revolution or of employing its own resources to retain or acquire control over the Government of its own country."

² See Documents B (a-d), pp. 23-30.

eighty of states and of non-interference in their internal affairs" (Preamble), "the settlement of international disputes" between the parties . . . peacefully" (Article 1) and "individual or collective self-defence in accordance with Article 51 of the United Nations Organization . . . in the event of armed attack in Europe on one or more of the Parties to the Treaty" (Article 4).³

The Warsaw Pact, therefore, is in its application to the Hungarian situation closely linked with Article 51 of the Charter and that Article, as has already been pointed out, provides no justification for armed intervention in the internal affairs of another state.

There is, it is true, a further clause in the Warsaw Pact which provides for a joint command of armed forces of the Parties. In an annex to the Treaty it is stated that "the disposition of the Joint Armed Forces in the territories of the signatory states will be effected, by agreement among the states, in accordance with the requirements of their mutual defence", and by Article 5 it is declared that the Parties shall "adopt other agreed measures necessary to strengthen their defensive power, in order to protect the peaceful labours of their peoples, guarantee the inviolability of their frontiers and territories, and provide defence against possible aggression." These clauses, however, clearly envisage a threat of external aggression and not one of internal conflict, any doubt in the treaty being resolved by the express words of the Preamble, namely its invocation of "the principles of respect for the independence and sovereignty of states and of non-interference in their internal affairs". In any event, both in Article 5 and in the annex to the Treaty, agreement between the parties is necessary for adopting "measures" or ordering "the disposition of the Joint Armed Forces". Thus, while the stationing of Soviet troops in Hungary prior to the disturbances may appear to be justified on the basis of the Warsaw Pact, there is no evidence of any such agreement to bring in further troops, at all events after November 1. It will be remembered that on the 30th October the Soviet Government in a Declaration stated that it had ordered its troops to withdraw from Budapest and declared its readiness to begin negotiations with the Government of Hungary and with the other Parties to the Warsaw Pact on the question of Soviet troops in Hungarian territory; and on 1st November Mr. NAGY informed the Soviet Ambassador that further Soviet troops had entered Hungary and demanded their immediate withdrawal.

Other possible exceptions to the rule against intervention can have little bearing on the Hungarian situation. As an example may be mentioned the case where a treaty specifically gives to one State the right to interfere in the internal affairs of another, so that, in effect, the latter has surrendered a portion of its "independence and sovereignty". It is precisely these attributes of statehood which the Preamble to the Warsaw Pact purports to respect.

³ See Document E, pp. 35-40.

The interference of the USSR in the affairs of Hungary, so far from constituting an intervention justified by international law, appears closely to correspond with a proposed Soviet definition of "aggression" which, according to Article 1 of the Charter, it is the purpose of the United Nations to suppress. The Soviet definition, which was reintroduced in an expanded form before the United Nations, as recently as 1953 (UN Doc. A/AC 66/L2/Rev. 1), divides aggression into four types: direct, indirect, economic and ideological. An act such as invasion by armed forces is direct aggression. Of the other types "indirect aggression" appears singularly apposite to the Hungarian situation, in that by Article 2(c) it is declared to include the promotion of "an internal upheaval in another State or a reversal of policy in favour of the aggressor". But in regard to all the types of aggression it is by Article 6 specifically laid down that *inter alia* the "following circumstances are not a justification of aggression:—

"arguments of a political strategic or economic nature"

"the alleged shortcomings of any state,

as for example: — alleged shortcomings of its administration, . . . any revolutionary or counter-revolutionary movement, civil war, disorder or strikes . . . the establishment or maintenance in any state of any political, economic or social system."

HUNGARIAN PEACE TREATY

The Hague Conference of March 2, paid particular attention to another aspect of the Hungarian situation. Apart altogether from the obligations of the general principles of international law, which prohibit intervention, there is in this case a specific provision of an international treaty protecting the Hungarian people, namely the Hungarian Peace Treaty of 1947, to which amongst others the Soviet Union was a party. Article 2 provides that:—

"Hungary shall take all measures necessary to secure all persons under Hungarian jurisdiction . . . the enjoyment of human rights and of the fundamental freedoms".

In an Advisory Opinion of the International Court of Justice in 1950, these provisions were held by the majority of the Court to constitute a legal obligation.

In interpreting this article it is not possible directly to rely, so far as criminal justice is concerned, on the provisions of Articles 9–11 of the Universal Declaration of Human Rights, 1948, or on Articles 5–6 of the European Convention on Human Rights. Nevertheless it is well established in interpreting treaties that reference may be made to 'the general principles of law recognized by civilized nations', a source of law specifically recognized by Article 38 of the Statute of the International Court of Justice. It is difficult to conceive that these principles would be held not to include:

Freedom from arbitrary arrest or detention. [Universal Declaration of Human Rights, Article 9; European Convention on Human Rights, Article 5(1)];

The right of the accused to be informed of any criminal charge preferred [European Convention on Human Rights, Articles 5(2), 6(3)(a)];

The right of the accused to have adequate time and facilities for the preparation of his defence [Universal Declaration of Human Rights, Article 11, 1. European Convention on Human Rights, Article 6(3)(b)].

GENEVA CONVENTIONS

The obligations relating to fundamental rights which are contained in the Hungarian Peace Treaty are given a more precise form in the Geneva Conventions of 1949, to which the Soviet Union and Hungary were parties.

It is true that in Convention IV which is concerned with the protection of the civilian population, a distinction is made between a conflict of an international character where the obligations are laid down in greater detail, and an internal conflict. It has been strongly argued, however, that the Soviet action amounted clearly to dictatorial intervention by the armed forces of one State in the internal affairs of another and as such it is without doubt a conflict of an international character.

In the particular circumstances of the Soviet intervention in Hungary, it makes no difference whether action taken against the civilian population is carried out by the Soviet forces themselves or, as appears to be more often the case, by the Hungarian authorities under their control. Article 47 is quite explicit on the point:

“Protected persons who are in occupied territory shall not be deprived, in any case or in any manner whatsoever, of the benefits of the present Convention by any change introduced, as the result of the occupation of a territory, into the institutions or government of the said territory, nor by any agreement concluded between the authorities of the occupied territories and the Occupying Power, nor by any annexation by the latter of the whole or part of the occupied territory.”

Convention IV affords protection to the civilian population in a most comprehensive and specific manner. This protection covers such matters as deportations (Art. 49), care of children (Art. 50), spiritual assistance (Art. 58) and relief schemes, including the activities of the Red Cross (Art. 59–63). The International Commission of Jurists is however concerned to emphasize the very detailed provisions contained in the Convention concerning the administration of justice, particularly in Articles 64–77.

In the light of the known facts concerning the administration of justice in Hungary the following articles, although printed in full hereafter, illustrate the nature of the obligations so well that they deserve citation *in extenso*:

Article 68

"The Occupying Power . . . may impose the death penalty on a protected person only in cases where the person is guilty of espionage, of serious acts of sabotage against the military installations of the Occupying Power or of intentional offences which have caused the death of one or more persons, provided that such offences were punishable by death under the law of the occupied territory in force before the occupation began."

Article 71

"No sentence shall be pronounced by the competent courts of the Occupying Power except after a regular trial.

"Accused persons who are prosecuted by the Occupying Power shall be promptly informed, in writing, in a language which they understand, of the particulars of the charges preferred against them, and shall be brought to trial as rapidly as possible. The Protecting Power shall be informed of all proceedings instituted by the Occupying Power against protected persons in respect of charges involving the death penalty or imprisonment for two years or more; it shall be enabled, at any time, to obtain information regarding the state of such proceedings. Furthermore, the Protecting Power shall be entitled, on request, to be furnished with all particulars of these and of any other proceedings instituted by the Occupying Power against protected persons.

"The notification to the Protecting Power, as provided for in the second paragraph above, shall be sent immediately, and shall in any case reach the Protecting Power three weeks before the date of the first hearing. Unless, at the opening of the trial, evidence is submitted that the provisions of this Article are fully complied with, the trial shall not proceed. The notification shall include the following particulars:

- a) description of the accused;
- b) place of residence or detention;
- c) specification of the charge or charges (with mention of the penal provisions under which it is brought);
- d) designation of the court which will hear the case;
- e) place and date of the first hearing."

Article 72

"Accused persons shall have the right to present evidence necessary to their defence and may, in particular, call witnesses. They shall have the right to be assisted by a qualified advocate or counsel of their own choice, who shall be able to visit them freely and shall enjoy the necessary facilities for preparing the defence.

"Failing a choice by the accused, the Protecting Power may provide him with an advocate or counsel. When an accused person has to meet a serious charge, and the Protecting Power is not functioning, the Occupying Power, subject to the consent of the accused, shall provide an advocate or counsel."

Article 74

"Representatives of the Protecting Power shall have the right to attend the trial of any protected person, unless the hearing has, as an exceptional measure, to be held *in camera* in the interests of the security of the Occupying Power, which shall then notify the Protecting Power. A notification in respect of the date and place of trial shall be sent to the Protecting Power."

Article 75

"In no case shall persons condemned to death be deprived of the right of petition for pardon or reprieve.

"No death sentence shall be carried out before the expiration of a period of at least six months from the date of receipt by the Protecting Power of the notification of the final judgment confirming such death sentence, or of an order denying pardon or reprieve."

In the above articles it will have been noted that there are references to the "Protecting Power". Article 11 specifically provides for a situation, which has in fact arisen in Hungary, where neither the Occupying Power or the governmental authorities of the Occupied territory have agreed on or accepted Protecting Powers. It lays down that if protection cannot be arranged, the occupying power "shall request or shall accept the offer of the services of a humanitarian organization such as the International Committee of the Red Cross to perform the humanitarian functions performed by the Protecting Powers under the present Convention."

Even if the situation in Hungary is regarded as a purely internal conflict, a substantial measure of protection is given by Article 3 of Convention IV to persons taking no part in the hostilities, including members of armed forces who have laid down their arms. It is of particular concern to the International Commission of Jurists to emphasize that this Article specifically prohibits:—

- (d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court affording all the judicial guarantees which are recognised as indispensable by civilized peoples."

SUMMARY JUSTICE IN HUNGARY

It is now important to consider, in the light of the general principles of international law and the specific obligations of the Treaty of Peace with Hungary and the Geneva Conventions, the laws actually put into force by the authorities in Hungary, as well as the known facts concerning penal justice in that country.

1. LAWS OF THE HUNGARIAN AUTHORITIES

A. Decree-Law of November 12, 1956.

This authorized the Procurator's department to present a prosecution before the ordinary courts in a wide range of offences (which include "murder, wilful manslaughter, arson, robbery, looting, any kind of crime committed by the unlawful use of firearms, including the attempt to commit the aforesaid crimes"),

- (i) without submitting a Bill of indictment
- (ii) without the issue of summons or fixing of a day for hearing by the court.

These powers are limited not only to cases where the accused was caught *flagrante delicto* but also extend to any case where "the Procurator's department can submit immediately the necessary evidence to the Court." The Procurator's department is specifically authorized to rely merely on a verbal presentation of the charge at the trial. It would appear that under this procedure the accused may have no foreknowledge of the offence with which he is charged and can have no adequate opportunity to prepare his defence.

B. Decree-Law of December 11, 1956 (amended December 13, 1956)

This empowers Military Courts to try by the summary procedure introduced on November 10 the offences listed in that Decree and adds to the list certain other offences, notably the failure to report knowledge of the possession of firearms by third parties, other than next of kin. The appointment of other courts of summary jurisdiction by the Presidential Council of the Republic is also authorized by this Decree. An amendment of December 13 provides a mandatory death sentence. Thus a person stands in peril of his life with virtually no provision for his defence.

C. Decree of December 12, 1956

This regulates in greater detail the composition and powers of Courts applying summary procedure. This Decree exempts certain categories of accused (persons who are suffering from serious illness or who are insane, as well as pregnant women) from the jurisdiction of such Courts and limits the sentence on those under 20 to imprisonment. It also envisages the substitution of imprisonment for the death sentence "if the reestablishment of peace and order no longer requires the imposition of the death penalty." This Decree provides that there shall be no appeal except by way of revision but a petition for clemency can be made unless there is a unanimous veto by the court; failing this the death sentence has to be carried out within two hours.

D. Decree-Law of December 13, 1956 (amended January 13, 1957 and supplemented by a Decree of the same day).

By this decree the Procurator's department on the recommendation of the police can order detention without trial for a period not exceeding six months.

E. Decree-Law of January 13, 1957

Jurisdiction. The decree specifies all the crimes now triable summarily (Art. 1). The significance of this decree lies, inter alia, in the *extension of summary procedure* to the crimes of:

- a) disturbing or inciting others to disturb the working of public utility or essential undertakings by a "mass strike", or otherwise by any act "threatening great danger";
- b) associating or organizing "against the People's Republic" or the "democratic state order";
- c) revolt and treason.

It must be made clear that the acts specified in (a) and (b) above were in some measure criminal offences before this decree, but were not triable summarily. It is however pertinent to comment on the vagueness of definitions of crimes such as 'associating against the democratic state order'. It is also appropriate to underline that any (or at any rate any organized) opposition is a crime, now triable summarily.

Special Courts. Crimes are triable summarily before Special Councils attached to County Courts, the Military Courts and the Supreme Court. Special Councils consist of a President (appointed by the President of the Court to which the Council is attached) and two lay assessors (elected by the Presidential Council of the People's Republic for one year). It seems that the lay assessors have equal voting rights to the President who is a professional judge, and can thus outvote him; the administration of justice by the Summary Courts appears to be, therefore, in the complete control of laymen appointed by the regime.

The election of lay assessors by the Presidential Council calls for special comment:—

- a) The Presidential Council consists of 21 members of the National Assembly and corresponds to the Presidium of the Supreme Soviet of the USSR;
- b) Judges of the ordinary courts (except for military courts) are normally elected by the District and County Councils (Soviets);
- c) The special significance of the concentration of power of appointment of lay assessors in the Presidential Council is that their election is now decided by this supreme body in Budapest even for the Courts in the provinces.

Summary trial in ordinary courts. Summary procedure can continue to be applied in ordinary courts at the request of the Prosecutor.

Procedure at trial. There is no substantial change in the summary procedure:

- a) There is no necessity for the prosecution to present a written "accusation" and the charge is made orally at the hearing;
- b) The prosecutor should secure the presence of witnesses.

Punishment. The punishment remains death, although the Court has the power to impose a sentence of life imprisonment, or imprisonment for 5 to 15 years in lieu of death sentence.

Appeal. There was no right of Appeal in the previous Decree-Laws dealing with Summary Trials, and this provision is new. An appeal lies to a Special Council of the Supreme Court consisting of 2 professional judges and 3 lay assessors. The members of this Special Council are appointed in the same manner as the Councils (referred to above). Thus the 3 lay assessors of Appeal are elected by the Presidential Council of the Republic, have apparently equal voting rights to the Judges and can outvote them. It is, therefore, very doubtful whether the right of appeal offers any real safeguards to the accused.

Retrospective operation of summary Laws. This decree on Summary Procedure applies retrospectively to crimes committed (apparently at any time) prior to its coming into force on January 13, 1957 but the death penalty cannot be imposed under this decree to any crime committed before that date. (It seems, therefore, that if the prosecution demands the death penalty, the defendant must be tried by a Military Court, if the crime was committed before the material date.)

2. THE KNOWN FACTS REGARDING THE ADMINISTRATION OF JUSTICE IN HUNGARY

Documents "N" and "O", give an analysis compiled from official Hungarian sources of 130 cases tried and 358 arrests made in Hungary since the events of early November 1956 up to February 23, 1957. It must be emphasized that only Hungarian authorities themselves – and their intimate friends can know how many persons have in fact been arrested and sentenced; it would serve no useful object for us to consider the various unofficial estimates of these figures, disturbing as they may be. It is sufficient – and in some ways better – to consider the evidence of the trials and arrests, about which the Kadar régime wishes the Hungarian people to know. From the evidence here presented three conclusions may be drawn:–

In the first place, it is clear that a system of judicial repression is continuing in Hungary. If a comparison is made between the lists of persons tried and persons arrested it will be seen that the latter is much larger than and almost totally different from the former. It is possible but unlikely that the persons arrested have not yet been tried. It is more probable that they have been tried in secret. This lack of publicity may be due to the fact that among the persons arrested there is a higher proportion of clearly political offences than appears in the particulars given of persons tried.

Secondly, special publicity is being given to the offence of hiding arms, with the apparent purpose of removing the threat of armed resistance to further repression.

It follows, thirdly, that there is a grave danger of intensified repression, once the means of resistance have been eliminated.

REACTIONS OF THE HUNGARIAN AUTHORITIES

It may finally be asked what has been the attitude of the Hungarian authorities to the breaches of international law and of international treaties which have been described. Some light on this is thrown by the official correspondence which has passed between the International Commission of Jurists and M. FERENC NEZVÁL, in charge of the Hungarian Ministry of Justice, as well as by the speech which M. NEZVÁL made to the Court Presidents on February 15 last.

It will be seen from the correspondence included in this book⁴ that the Commission specifically asked for the admission of legal observers to Hungary, after the offer made by three former Attorneys-General of England, to go to Hungary had been refused. In his reply M. NEZVÁL, in turning down the request "for the time being", referred only to the Law of January 13, 1957, under which he stated that, up to February 2, only 15-20 persons had been arrested and that the likelihood of further arrests was small. But in his statement to the judges on February 15. M. NEZVÁL admitted that 254 persons had been tried under one or other of the summary decrees, all of which, as has been shown, fall short of the minimum standards of justice.

The speech of M. NEZVÁL on February 15, 1957, is also most revealing for another reason. It clearly shows that the carrying out of the system of summary justice instituted by the Hungarian authorities has provoked misgivings in the minds of the judges and that the authorities are exerting pressure on them to apply these Decrees with the utmost severity.

"THESE ARE OUR LAWS - LET THEM PREVAIL"

The practical purpose of the International Commission of Jurists in drawing the attention of world opinion to the legal aspects of the Hungarian situation has been well expressed by Sir HARTLEY SHAW-CROSS, the Chairman of the Hague Conference of March 2, 1957. In the concluding paragraphs of an article in the London "Times" of March 13, 1957, he said:

"Arguments resting solely on political or moral grounds may be criticized by their opponents as founded on wrong or biased political opinions. But when those arguments can themselves be based on accepted principles of law their validity cannot so easily be attacked. Experience is, I think, tending to show that no country, however tightly insulated by an Iron Curtain from world opinion, can afford indefinitely to ignore obligations which go to the root of accepted principles of justice and international law."

"At the Nuremberg Trial I expressed the popular sentiment that 'These are our laws - let them prevail!' It may seem to some in the light of the unhappy lawlessness to which the world has since been exposed that those words were empty rhetoric. But it is not quite so. The reversals - too late - of many of the unjust trials in the Soviet Union; the 'rehabilitation' of men and women who had, as now admitted, been wrongly executed; the popular rising in Hungary itself are all examples of man's indomitable craving after justice according to law."

⁴ See Documents R (a, b), pp. 118-119.

HUNGARY AND THE SOVIET DEFINITION OF AGGRESSION ¹

1. The Soviet definition of aggression, first proposed in 1933,² reintroduced in 1950³ and in an expanded form put before the United Nations as recently as 1953,⁴ is the appropriate touchstone for assessing the legal significance of the recent Soviet intervention in Hungary.

2. The facts on which a legal judgement must be based may be summarized from Hungarian⁵ and Soviet sources in the following way:

a) October 23, 1956. Disturbances in Budapest, rapidly spreading to the whole country.

b) October 24, 08.00 hours (G.M.T.). Radio Budapest announces request for help by Hungarian Government from Soviet forces stationed in Hungary under the Warsaw Pact and states that these forces are assisting in restoring order. But on October 30, Radio Budapest states that Nagy had not signed the Hungarian Government appeal to the Soviet Government, which it attributes to Hegedüs (Prime Minister until the morning of October 24) and to Gerö (First Secretary of the Hungarian Workers Party until the morning of October 25).

c) October 24. Nagy takes over the post of Prime Minister.

d) October 25 and 28. Nagy announces negotiations between Hungarian Government and Soviet Union in which among other questions that of the withdrawal of Soviet troops in Hungary would be discussed.

e) October 31. Nagy requests the Soviet Government to state place and time for negotiations between the latter, the Hungarian Government and the other parties to the Warsaw Pact regarding the withdrawal of Soviet troops from Hungary in the light of the Soviet Government statement of October 30 on relations between the Soviet Union and other socialist States.⁶

f) Meanwhile on October 28, 29, 30 and 31 Radio Budapest announces that agreement has been reached on the withdrawal of Soviet troops from Budapest. Between October 29 and 31 further announcements are made on the withdrawal. It is announced that October 31 has been agreed as the final date for the withdrawal from Budapest.

¹ Issued by the International Commission of Jurists on November 16, 1956.

² League of Nations, Records of the Conference for the Reduction and Limitation of Armaments, Series B, Vol. 2, p. 237 (Doc. Conf. D/CG 38).

³ United Nations Document A/C 1/608/Rev. 1.

⁴ UN Doc. A/AC. 66/L. 2/Rev. 1 (reproduced in UN Doc. A/2638); Russian text: *Pravda*, 27 August 1953; German translation: *Osteuropa-Recht*, 1956, pp. 276, 283.

⁵ As reported in *BBC Summary of World Broadcasts*, Part IIb, 1956, No. 772-775.

⁶ *Pravda*, 31 October 1956, p. 1; English translation: *New Times* (Moscow), 1956, No. 45, pp. 1-2.

g) November 1. Nagy demands of Soviet Ambassador to Hungary that Soviet troops newly arrived from the Soviet Union be immediately withdrawn; he gives notice to terminate Hungarian adherence to the Warsaw Pact, and declares Hungary's neutrality. Nagy informs the Secretary-General of the United Nations and requests inclusion of the question of Hungarian neutrality on next agenda of United Nations General Assembly.⁷ Further protests to the Soviet Ambassador in the same sense are made by the Hungarian Government on November 2 and another communication is sent to the Secretary-General of the United Nations. No announcement of these developments is given in the Soviet press or radio.

h) November 3. A joint committee of Soviet military leaders and representatives of the Hungarian Government meets in the Parliamentary buildings in Budapest. Radio Budapest announces that the Soviet delegation has promised that no further moves of Soviet troops would take place across the Hungarian frontier.

i) November 4, 04.19 hours. Nagy says over Radio Budapest: "In the early hours of this morning Soviet troops launched an attack against our capital with the obvious intention of overthrowing the lawful democratic Hungarian Government. Our troops are fighting. The Government is in its place. I am informing the people of the country and world public opinion of this."

At 04.58 hours Radio Budapest states: "Imre Nagy, Premier of the National Government calls on Pal Maleter, the Defence Minister, Istvan Kovacs, Chief of the General Staff and other members of the military mission who went to Soviet Army HQ at 21.00 last night and have not yet returned, to do so immediately and take charge of their respective offices."

At 7.10 hours Radio Budapest falls silent. Meanwhile another transmitter announces at 5.00 hours that Kadar has formed a "Revolutionary Worker-Peasant Government"; this announcement is repeated by Radio Moscow on the same morning.⁸

Resuming transmission at 22.17 hours Radio Budapest declares that Nagy government has disintegrated and ceased to exist, an announcement anticipated by Radio Moscow at 21.39 hours.⁹

3. a) Does Soviet intervention in Hungary, as set out above, constitute "aggression" according to the above mentioned Soviet definition the relevant part of which (Article 1) reads as follows:

"In an international conflict that State shall be declared the attacker which first commits one of the following acts: . . .

⁷ Text: *New York Times*, 2 November 1956, p. 5, col. 3.

⁸ *BBC, The Monitoring Report*, 1956, No. 5, 192, p. 2.

⁹ *Ibid.*, No. 5, 193, pp. 1-2.

- b) Invasion by its armed forces, even without a declaration of war, of the territory of another State;
- c) Bombardment by its land, sea or air forces of the territory of another State or the carrying out of a deliberate attack on the ships or aircraft of the latter;
- d) The landing or leading of its land, sea or air forces inside the boundaries of another State without the permission of the government of the latter, or the violation of the conditions of such permission, particularly as regards the length of their stay or the extent of the area in which they may stay."

b) It clearly constitutes aggression, if it took place without Hungarian permission. Permission to station Soviet troops in Hungary is given by the Warsaw Pact of May 14, 1955, provided it is "by agreement among the states, in accordance with the requirements of their (i.e., the signatories to the Warsaw Pact) mutual defence".¹⁰

c) From Article 4 of the Warsaw Pact¹¹ it emerges that "mutual defence" envisages only defence against the armed attack of another state; it specifically does not cover the suppression of the people's rising in one of the signatory states.¹² That "armed attack" only relates to relations between States is also emphasized in Soviet legal literature, where treaties between "capitalist" states concluded "with the purpose of suppressing any struggle for national liberation" are criticized.¹³

d) As the Soviet intervention cannot be justified by reference to "mutual defence", *it must be concluded that this intervention constitutes "aggression", according to the Soviet definition of that term, unless it had the permission of the Hungarian Government, independent of the Warsaw Pact.*

e) But can it be said that the Soviet intervention took place with the permission of the Hungarian Government?

It is, in the first place, extremely doubtful on the facts above stated that the request made on October 24 to the Soviet Government for

¹⁰ Russian text: *Pravda*, 15 May 1955; English translation: *New Times*, 1955, No. 21, Suppl.; *American Journal of International Law*, Vol. 49 (1955), Suppl., pp. 194-199; German translation: Meissner, *Ostpakt-System* (Frankfurt, Berlin, 1955), pp. 204-206.

¹¹ Article 4: "In the event of armed attack in Europe on one or more of the Parties to the Treaty by any State or group of States, each of the Parties . . . shall . . . come to the assistance of the State or States attacked with all such means as it deems necessary, including armed force."

¹² Article 1: "The Contracting Parties undertake, in accordance with the Charter of the United Nations Organization to refrain in their international relations from the threat or use of force, and to settle their international disputes peacefully, and in such manner as will not jeopardize international peace and security."

¹³ See Tunkin, G. I. *Sovetskoe gosudarstvo i pravo* (Soviet State and Law) (Moscow) 1956, No. 1, pp. 101-102.

the support of Soviet troops came from the constitutionally competent organ¹⁴ of the Hungarian Government (See 2 (a) above).

Secondly, it is clear that, in the light of the Soviet definition of "aggression", not even a request by a foreign government can from the standpoint of international law justify intervention to support a government against an internal rising. Article 6 of the Soviet definition is directly applicable to the Hungarian situation:

"Attacks such as those referred to in paragraph 1 and acts of economic, ideological and indirect aggression . . . may not be justified by any arguments of a political, strategic or economic nature . . . In particular, the following may not be used as justifications:

A. The internal position of any State, as for example: . . .

d) Any revolutionary or counter-revolutionary movement, civil war, disorders or strikes;

e) The establishment or maintenance in any State of any political, economic or social system."

Thirdly, the repeated requests of the Prime Minister Nagy, on behalf of the Hungarian Government, to withdraw Soviet troops cancelled any permission, if ever given.

Fourthly, the entry of further Soviet troops was never approved by the Hungarian Government, who protested strongly against it.

f) *The conclusion is therefore that the Soviet Government committed and continues to commit clear acts of aggression against the Hungarian Government, according to its own definition of aggression.*

4. Furthermore, the Soviet definition recognizes "indirect aggression" in Article 2 which reads as follows:

"That State shall be declared to have committed an act of indirect aggression which: . . .

c) Promotes an internal upheaval in another State or a reversal of policy in favour of the aggressor."

In the illegal detention of the Hungarian representatives sent to negotiate with the Soviet military authorities on November 3, in the forcible overthrow of the Nagy government and in the setting up of the Kadar régime, *the Soviet government is self-condemned of "indirect aggression"*.

5. The Soviet intervention in Hungary therefore is "direct" and "indirect aggression" according to its own definition.

¹⁴ Cf. Articles 10, 20 and 25 of the Constitution.

INTERVIEW ON LEGAL ASPECTS OF SOVIET INTERVENTION IN HUNGARY¹

G. P. ZADOROZHNY

Doctor of Law

Question: "There are politicians in the West who maintain that the Warsaw Treaty does not provide for the use of the armed forces of its signatories in situations like that which arose in Hungary. What would you say to that?"

Answer: "Well that claim is unfounded and I might say irresponsible. As you must know, the Warsaw Treaty does provide for the defence of the socialist gains of the countries concerned, and of their sovereignty and independence, against all forms of aggression. The forms which aggression may take are extremely varied. It may be direct and open, like the attack on Egypt by Israel, Britain and France, or it may be camouflaged and indirect, as when armed bands cross the frontier and a putsch against the lawful Government of a country is staged. Nor is it any the less of an aggression if the form it takes is indirect and camouflaged. To be sure, no foreign State has attacked Hungary directly, but for a long time millions of dollars have been pouring into the organization of subversive activity and the formation of armed bands within Hungary, as well as beyond its borders, with the aim of overthrowing the people's democratic Governments. We know from reports that have appeared even in the Western Press that when the putsch started armed fascist gangs crossed the Austrian frontier from Western Germany into Hungary in great numbers. These gangs created a threat to the socialist gains of the Hungarian people and for a while there was a danger that Hungary might lose its independence and the pre-war fascist way of life be reinstated. That was how the *casus foederis*, or conditions demanding the implementation of allied obligations, arose. The Soviet Army did not enter on its own initiative. It went at the request of the Imre Nagy Government in Hungary and then at the request of the Janos Kadar Government. As the Soviet Government's declaration of October 30th points out, the Soviet forces will be withdrawn from Hungary when agreement is reached on that score with the Hungarian Government."

Question: "Would you call this aspect of the Warsaw Treaty unusual as compared with the treaties existing between countries in the West?"

¹ Radio Broadcast from Moscow in English for North-America on November 18, 1956, 23.00 G.M.T. (excerpts as monitored by *BBC Summary of World Broadcasts*, Part I, No. 780, 23 November 1956, pp. 19-20).

Answer: "Decidedly not. All the contemporary treaties and agreements now effective between the countries of the West provide for mutual aid not only in cases of direct but even of indirect aggression. I might also mention that Article 6 of the Inter-American Mutual Aid Pact of 1947 and Article 25 of the charter of the Organization of American States adopted in 1948 both acknowledge the existence of indirect aggression, which does not take the form of armed attack."

Question: "What juridical force has Imre Nagy's denunciation of the Warsaw Pact or his appeal to the United Nations?"

Answer: "The Warsaw Pact was ratified by the Hungarian Parliament. No Government, no matter in what country, can annul a treaty which has been ratified. This can only be done by the State body which ratified it. Imre Nagy's Government, which only existed a few days, and in that time cleared the way for the reaction and the ensuing chaos in Hungary, soon broke up and juridically no longer exists. The appeal to the UN was actually made in his name alone and not in the name of the Hungarian State and the Hungarian people. The Janos Kadar Government, which is now actually and juridically governing the country, has protested against this using of Nagy's appeal as a pretext to include the so-called Hungarian question on the agenda of the General Assembly and so gain its backing for interference in Hungary's internal affairs . . ."

THE LEGAL ASPECTS OF INTERVENTION ¹

EVGENYI A. KOROVIN

Professor of Law, Corresponding Member, USSR, Academy of Sciences

On 26th November Evgenyi Korovin, a Corresponding Member of the USSR Academy of Sciences, examined the legal aspects of Soviet intervention in Hungary in a talk for listeners in South East Asia. In this he declared that the cause of the bloodshed in Hungary had been interference from outside and continued: "Confronted with such a situation every country, according to Article 51 of the UN Charter,² has the inalienable right to self-defence, both individual and collective. Thus, in asking the USSR for armed assistance, the Hungarian Government was exercising its right to collective self-defence against aggression. There is another important circumstance making legal the presence of Soviet forces in Hungary, and that is the obligations assumed by the USSR under the Warsaw Treaty. Article 5 of this treaty lays it down that all the signatories will take concerted measures necessary for strengthening their capacity for defence in order to safeguard the peaceful labour of their peoples, to guarantee the integrity of their borders and ensure the repulse of possible aggression. It should be stressed that the Warsaw Treaty was concluded in full accordance with the UN Charter as a regional agreement for the maintenance of international peace and security."

¹ Radio Broadcast from Moscow in English for South-East Asia on November 26, 1956, 14.45 G.M.T. (as monitored by *BBC, Summary of World Broadcasts*, Part I, No. 782, 30 November 1956, p. 31).

² Article 51: Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

Document B(c)**JUNGLE LAW VERSUS THE LAW OF NATIONS¹**
(Extract)

EVGENYI A. KOROVIN

Professor of Law, Corresponding Member, USSR, Academy of Sciences

In an effort to sidetrack attention from the shameful attack on Egypt and the many outrages that accompanied it, the imperialists' propaganda raised a tremendous clamour over the so-called Hungarian question, and here too legalistic sophistries were brought into play. Thus, at the UN General Assembly the Soviet Union was accused of all manner of "violations" of international law, and the demand was put forward for UN observers to be sent to Hungary.

Actually, however, it is the raising of the "Hungarian question" in the UN that is a violation of the Charter, that is, of the principles of international law. Article 2, Point 7 of the Charter says in black and white:

"Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state."

The counter-revolutionary plot in Hungary and its suppression by the workers' and peasants' government, the composition of the Hungarian government, its relations with the government of the Soviet Union, the question of elections in Hungary – these are all beyond any manner of doubt matters of a domestic order, which the Charter removes from the United Nations' jurisdiction. That bringing them up there was a gross violation of the Charter is something that requires no great legal erudition to realize.

Of course, the events within a country may in some cases become a subject for the UN to pass opinion on. But only if they constitute a threat to peace, breach of peace, or act of aggression. Could the Hungarian events have proved a threat to peace or led to its breach? Yes, they could have – but only if the fascist revolt had not been put down by the joint efforts of the Hungarian revolutionary government, Hungary's patriots, and of the Soviet troops.

That restoration of fascism constitutes a direct threat to peace is a fact recognized in a number of major international documents: the 1947 peace treaty with Hungary and all the other peace treaties with nazi Germany's wartime allies obligate them not to allow the existence and activities of organizations of a fascist type. This characterization of fascism is now in effect a generally recognized norm of international law.

¹ *New Times* (Moscow), 1957, No. 1, pp. 15-17, here pp. 16-17.

Thus, in aiding the Hungarian people, at the Hungarian government's request, in putting down the armed fascist revolt, the Soviet Union, far from offending against international law, was upholding its norms and helping to strengthen the forces of peace and democracy in Europe.

Nor, in general, can the presence in Hungary of Soviet troops be viewed as infringing international law in any degree whatever. Soviet troops are temporarily stationed in Hungary, Poland and Rumania with the full consent of these states, on the basis of the 1955 Warsaw Treaty of Friendship, Cooperation and Mutual Assistance, Article 5 of which provides for "agreed measures necessary to strengthen their defensive power, in order to protect the peaceful labours of their peoples, guarantee the inviolability of their frontiers and territories, and provide defence against possible aggression."

It is claimed that Hungary is not bound by the Warsaw Treaty because it was repudiated by Imre Nagy at the moment of the final disintegration of his government. But this has no legal validity whatever. Quite apart from the fact that the treaty was concluded for a term of twenty years, under the Hungarian Constitution the conclusion or discontinuance of international treaties does not rest with the Council of Ministers. It rests with the Presidium of the National Assembly alone. And that body unanimously approved Hungary's membership in the Warsaw Treaty and has never pronounced for withdrawing from it.



Document B(d)

RECENT EVENTS IN HUNGARY AND EGYPT¹

PROFESSOR DR. ARTHUR BAUMGARTEN

(Extract)

The intervention of the Soviet Union is viewed by the opposite party as an action contrary to international law and – according to EISENHOWER'S letter to BULGANIN – even as a violation of moral principles. Actually, it is in keeping with international law and with moral principles to an extent that leaves nothing to be desired. For the purpose of appraisal under international law, the fact that the action was taken at the request of the Hungarian Government cannot unreservedly be taken as a criterion. A point that is decisive is that the Soviet troops were on Hungarian territory according to treaty and for a purpose sanctioned by international law, and that by their action they fulfilled the very purpose for which they were sojourning in that territory. That the Soviet troops were stationed in Hungary according to treaty is not contested by anyone. The moment Soviet troops are stationed on Hungarian territory, their first duty is to take care that the Hungarian Peace Treaty is not violated in any of its essential provisions. This treaty provides in Article 4 that the Fascist régime shall not again be introduced in Hungary. The Soviet Union, being one of the victorious Powers in the anti-Fascist struggle, is responsible to the Hungarian people not only morally, but also on the ground of international law, for the observance of this provision. In my opinion she would therefore have been obliged to intervene even if the Hungarian Government had not requested her to do so. The imperialistic Governments evidently cannot or will not comprehend such a thesis based on international law, a fact that is shown by the manner in which they trampled on the Potsdam Agreement. According to the Warsaw Pact the Soviet troops in Hungary have also another duty to perform than the one just mentioned. They have to protect Hungary as being one of the states of the Warsaw Pact, as well as the States allied with her, against the menace of attack from outside, i.e., from the states of the Atlantic Pact. The counter-revolution in Hungary was organized from outside by the states of the Atlantic Pact – or some of them – and furnished with the necessary armaments and financial funds; it forms part of the acts of aggression planned by the governments concerned. No further explanation is needed in order to show what an excellent base of attack against the East would have been afforded by a Fascist

¹ Translated from the German: *Staat und Recht* (East Berlin), 1956, No. 8, pp. 959–961.

Hungary. It was therefore not only permissible but also essential for the Soviet Union to use its troops in taking action against the Hungarian Fascist counter-revolution. What shall we say when we hear that the governments of the Atlantic Pact and Paris Agreements, puffed with aggressiveness and disregard of the liberty of the nations within their reach, are protesting against the defensive measures taken by the Soviet Union in regard to Hungary, which measures were fully in keeping with the Warsaw Pact – the abrupt notice of termination of the Pact by the Nagy Government was invalid according to its provisions – and were both legally and morally unassailable? “Cet animal est très méchant; quand on l’attaque, il se défend”.

In regard to the moral aspect of the matter one need only remark the following. In a time like our own, in which social progress is both possible and essential but is also seriously menaced, there is no higher duty for nations and individuals than to promote it by every means in their power and to keep it clear of disturbances. In the case with which we are concerned, the Soviet Union has fulfilled this duty. To allow the counter-revolution to take its course, when it was possible to frustrate it, would from the moral point of view have been an inexcusable *delictum commissivum per omissionem* – it would have brought disaster to Hungary and not only to Hungary. If EISENHOWER is of the opinion that the intervention of the Soviet troops in Hungary was morally reprehensible, he is opposing the general moral standard, rather than the specifically Communist moral standard, in favour of monopolistic Capitalism.

In the Hungarian question, the majority of the General Assembly of the UNO has violated international law in more than one respect. The UNO, had it acted according to its Charter and according to the general provisions of international law, should not have concerned itself with the events in Hungary at all. For some days a civil war in that country – unleashed and directed by Fascist groups inside and outside the country – has, as was inevitable, inflicted the utmost harm on the Hungarian people. With the help of the Soviet troops stationed in the country, the Hungarian people – who in their overwhelming majority had no wish to resort to civil war – have now fortunately put an end to this civil war. Law and order in Hungary have, in the main, been restored. The wounds made by the revolt will, as far as possible, gradually be healed, and after elimination of the faults which were committed by the former leading authorities and which rightfully aroused the dissatisfaction of a large part of the population, the people will continue their constructive work more successfully than was hitherto the case, in so far as there is no external interference. Such interference is aimed at by the resolution of the majority of the General Assembly, who wish to force upon the Hungarian Government and the Hungarian people free elections under the control of an international commission, which is tantamount to disregard of the sovereignty of Hungary. Were things carried to the extent of a police action of the UNO to substantiate the resolution, this would entail the risk of war,

which is not exactly one of the tasks of the UNO. If, on the other hand, the resolution is left as a recommendation without sanctions, the Hungarian Government and the Hungarian people will reply to it with due contempt. In a similar way as international law is violated by the interference in the internal affairs of Hungary which is embodied in this resolution, so also is the demand made to the Soviet Union to withdraw its troops immediately from Hungary a violation of international law both vis-à-vis the Soviet Union and vis-à-vis Hungary. As explained in the foregoing, the Soviet Union is entitled by international law to have troops on Hungarian territory, in the same way as it was entitled by international law to intervene in the civil war in order to defeat the Fascist counter-revolution. Whether and how long the Soviet troops should stay in Hungary, is a matter to be decided directly between the two governments concerned and is outside the competence of the UNO.

Lastly, attention is drawn in this connection to Article 107 of the Charter. According to Article 107, no provision of the Charter can annul or rule out measures affecting any state which was an enemy of any one of the signatories of the Charter during the second world war, where such measures were taken by the responsible governments as being an outcome of that war. Consequently, no organ of the UNO is entitled to intervene in opposition to the measures taken by the Soviet Union for the suppression of the Fascist counter-revolution in Hungary.

Whilst the majority of the General Assembly of the UNO—with very light regard, as we have just shown, for international law—shows little interest for the liberty and prosperity of the Hungarian people, it shows very great interest in bringing about a fundamental change of government in the People's Democracies. The reaction in Hungary wished to engineer the counter-revolution on a large scale. When it failed, the reaction did not despair, but endeavoured via the UNO to find the way to liberate the "poor Hungarian people" from the "Soviet tyranny" by means of "free elections". When the reactionaries are told that only Fascism could take the place of the People's Democracy, they feign incredulity, and when told that they ought to be fully aware of this, they pretend to be indignant. But fewer and fewer people are being misled by this make-believe.

TREATY OF PEACE WITH HUNGARY

(Extract)

*Paris, February 10, 1947*¹

The Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Australia, the Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, India, New Zealand, the Ukrainian Soviet Socialist Republic, the Union of South Africa, and the People's Federal Republic of Yugoslavia, as the States which are at war with Hungary and actively waged war against the European enemy States with substantial military forces, hereinafter referred to as "the Allied and Associated Powers", of the one part, and Hungary, of the other part;

Whereas the Allied and Associated Powers and Hungary are desirous of concluding a treaty of peace, which, conforming to the principles of justice, will settle questions still outstanding as a result of the events hereinbefore recited and form the basis of friendly relations between them, thereby enabling the Allied and Associated Powers to support Hungary's application to become a member of the United Nations and also to adhere to any Convention concluded under the auspices of the United Nations;

Have therefore agreed to declare the cessation of the state of war and for this purpose to conclude the present Treaty of Peace. . . .

Article 2

1. Hungary shall take all measures necessary to secure to all persons under Hungarian jurisdiction, without distinction as to race, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion and of public meeting.
2. Hungary further undertakes that the laws in force in Hungary shall not, either in their content or in their application, discriminate or entail any discrimination between persons of Hungarian nationality on the ground of their race, sex, language or religion, whether in reference to their persons, property, business, professional or financial interests, status, political or civil rights or any other matter.

¹ Department of State Publication 2743, reprinted in *European Peace Treaties After World War II* (Boston 1954; Documents on American Foreign Relations, Vol. VIII, IX, Suppl.) pp. 273-297.

Article 3

Hungary, which in accordance with the Armistice Agreement has taken measures to set free, irrespective of citizenship and nationality, all persons held in confinement on account of their activities in favour of, or because of their sympathies with, the United Nations or because of their racial origin, and to repeal discriminatory legislation and restrictions imposed thereunder, shall complete these measures and shall in future not take any measures or enact any laws which would be incompatible with the purposes set forth in this Article.

Article 4

Hungary, which in accordance with the Armistice Agreement has taken measures for dissolving all organizations of a Fascist type on Hungarian territory, whether political, military or para-military, as well as other organizations conducting propaganda, including revisionist propaganda, hostile to the United Nations, shall not permit in future the existence and activities of organisations of that nature which have as their aim denial to the people of their democratic rights.

Article 6

1. Hungary shall take all necessary steps to ensure the apprehension and surrender for trial of:

- a) Persons accused of having committed, ordered or abetted war crimes and crimes against peace or humanity;
- b) Nationals of any Allied or Associated Power accused of having violated their national law by treason or collaboration with the enemy during the war.

2. At the request of the United Nations Government concerned, Hungary shall likewise make available as witnesses persons within its jurisdiction, whose evidence is required for the trial of the persons referred to in paragraph 1 of this Article.

3. Any disagreement concerning the application of the provisions of paragraphs 1 and 2 of this Article shall be referred by any of the Governments concerned to the Heads of the Diplomatic Missions in Budapest of the Soviet Union, the United Kingdom and the United States of America, who will reach agreement with regard to the difficulty.

Article 22

1. Upon the coming into force of the present Treaty, all Allied forces shall, within a period of 90 days, be withdrawn from Hungary, subject to the right of the Soviet Union to keep on Hungarian territory such armed forces as it may need for the maintenance of the lines of communication of the Soviet Army with the Soviet zone of occupation in Austria.

2. All unused Hungarian currency and all Hungarian goods in possession of the Allied forces in Hungary, acquired pursuant to Article 11 of the Armistice Agreement, shall be returned to the Hungarian Government within the same period of 90 days.

3. Hungary shall, however, make available such maintenance and facilities as may specifically be required for the maintenance of the lines of communication with the Soviet zone of occupation in Austria, for which due compensation will be made to the Hungarian Government.

Article 39

1. For a period not to exceed eighteen months from the coming into force of the present Treaty, the Heads of the Diplomatic Missions in Budapest of the Soviet Union, the United Kingdom and the United States of America, acting in concert, will represent the Allied and Associated Powers in dealing with the Hungarian Government in all matters concerning the execution and interpretation of the present Treaty.

2. The Three Heads of Mission will give the Hungarian Government such guidance, technical advice and clarification as may be necessary to ensure the rapid and efficient execution of the present Treaty both in letter and in spirit.

3. The Hungarian Government shall afford the said Three Heads of Mission all necessary information and any assistance which they may require in the fulfilment of the tasks devolving on them under the present Treaty.

Article 40

1. Except where another procedure is specifically provided under any Article of the present Treaty, any dispute concerning the interpretation or execution of the Treaty, which is not settled by direct diplomatic negotiations, shall be referred to the Three Heads of Mission acting under Article 39, except that in this case the Heads of Mission will not be restricted by the time limit provided in that Article. Any such dispute not resolved by them within a period of two months shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding.

Document D**TREATY OF FRIENDSHIP, COOPERATION AND
MUTUAL ASSISTANCE
BETWEEN HUNGARY AND THE USSR****(Extract)***Moscow, February 18, 1948*¹

The President of the Republic of Hungary and the Presidency of the Supreme Council of the USSR, guided by the purpose of intensifying the friendly relations between the two countries, and fully convinced that the intensification of friendly and good neighbourly relations between Hungary and the Soviet Union corresponds to the vital interests of both countries, have decided to conclude the following treaty

Article 3

The High Contracting Parties undertake not to make any alliance with, or take part in actions sponsored by, any other Power directed against either of the High Contracting Parties.

Article 4

The High Contracting Parties shall discuss together any international questions bearing on their interests.

Article 5

The High Contracting Parties confirm their decision to intensify their economic and cultural relations in the spirit of understanding, friendship and co-operation, mutually respecting each other's sovereignty and independence as well as the non-intervention in each other's internal affairs.

Article 6

This Treaty shall remain in force for twenty years from the date of its signing. Should either of the High Contracting Parties not denounce the same one year before the date of expiration, it shall continue to be operative for another period of five years until one of the High Contracting Parties, one year before the termination of a new period of five years, expresses his wish, in writing, to denounce the Treaty. The present Treaty shall be ratified as soon as possible and become operative on the day of the exchange of the ratification documents in Budapest.

¹ *Documents and State Papers* (Washington, D.C.), Vol. I, No. 4 (July 1948), pp. 235-236.

WARSAW PACT OF 1955

**ALBANIA, BULGARIA, CZECHOSLOVAKIA,
GERMAN DEMOCRATIC REPUBLIC,
HUNGARY, POLAND, RUMANIA USSR**

**TREATY OF FRIENDSHIP, COOPERATION AND MUTUAL
ASSISTANCE**

Signed at Warsaw, May 14, 1955; in force June 5, 1955.¹

The Contracting Parties,

reaffirming their desire for the establishment of a system of European collective security based on the participation of all European states irrespective of their social and political systems, which would make it possible to unite their efforts in safeguarding the peace of Europe;

mindful, at the same time, of the situation created in Europe by the ratification of the Paris agreements, which envisage the formation of a new military alignment in the shape of "Western European Union", with the participation of a remilitarized Western Germany and the integration of the latter in the North Atlantic bloc, which increases the danger of another war and constitutes a threat to the national security of the peaceable states;

being persuaded that in these circumstances the peaceable European states must take the necessary measures to safeguard their security and in the interests of preserving peace in Europe;

guided by the objects and principles of the Charter of the United Nations Organization;

being desirous of further promoting and developing friendship, cooperation and mutual assistance in accordance with the principles of respect for the independence and sovereignty of states and of non-interference in their internal affairs,

have decided to conclude the present Treaty of Friendship, Cooperation and Mutual Assistance and have for that purpose appointed as their plenipotentiaries:

¹ *New Times* (Moscow), 1955, No. 21, Supp., pp. 65-70, reprinted in *The American Journal of International Law* (Washington, D.C.), October 1955, Suppl., pp. 194-199.

the Presidium of the People's Assembly of the People's Republic of Albania: MEHMET SHEHU, Chairman of the Council of Ministers of the People's Republic of Albania;

the Presidium of the People's Assembly of the People's Republic of Bulgaria: VYLKO CHERVENKOV, Chairman of the Council of Ministers of the People's Republic of Bulgaria;

the Presidium of the Hungarian People's Republic: ANDRAS HEGEDUS, Chairman of the Council of Ministers of the Hungarian People's Republic;

the President of the German Democratic Republic: OTTO GROTEWOHL, Prime Minister of the German Democratic Republic;

the State Council of the Polish People's Republic: JOZEF CYRANKIEWICZ, Chairman of the Council of Ministers of the Polish People's Republic;

the Presidium of the Grand National Assembly of the Rumanian People's Republic: GHEORGHE GHEORGHIU-DEJ, Chairman of the Council of Ministers of the Rumanian People's Republic;

the Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics: NIKOLAI ALEXANDROVIC BULANIN, Chairman of the Council of Ministers of the USSR;

the President of the Czechoslovak Republic: VILIAM SIROKY, Prime Minister of the Czechoslovak Republic,

who, having presented their full powers, found in good and due form, have agreed as follows:

Article 1

The Contracting Parties undertake, in accordance with the Charter of the United Nations Organization, to refrain in their international relations from the threat or use of force, and to settle their international disputes peacefully and in such manner as will not jeopardize international peace and security.

Article 2

The Contracting Parties declare their readiness to participate in a spirit of sincere cooperation in all international actions designed to safeguard international peace and security, and will fully devote their energies to the attainment of this end.

The Contracting Parties will furthermore strive for the adoption, in agreement with other states which may desire to cooperate in this, of effective measures for universal reduction of armaments and prohibition of atomic, hydrogen and other weapons of mass destruction.

Article 3

The Contracting Parties shall consult with one another on all important international issues affecting their common interests, guided by the desire to strengthen international peace and security.

They shall immediately consult with one another whenever, in the opinion of any one of them, a threat of armed attack on one or more of the Parties to the Treaty has arisen, in order to ensure joint defence and the maintenance of peace and security.

Article 4

In the event of armed attack in Europe on one or more of the Parties to the Treaty by any state or group of states, each of the Parties to the Treaty, in the exercise of its right to individual or collective self-defence in accordance with Article 51 of the Charter of the United Nations Organization, shall immediately, either individually or in agreement with other Parties to the Treaty, come to the assistance of the state or states attacked with all such means as it deems necessary, including armed force. The Parties to the Treaty shall immediately consult concerning the necessary measures to be taken by them jointly in order to restore and maintain international peace and security.

Measures taken on the basis of this Article shall be reported to the Security Council in conformity with the provisions of the Charter of the United Nations Organization. These measures shall be discontinued immediately the Security Council adopts the necessary measures to restore and maintain international peace and security.

Article 5

The Contracting Parties have agreed to establish a Joint Command of the armed forces that by agreement among the Parties shall be assigned to the Command, which shall function on the basis of jointly established principles. They shall likewise adopt other agreed measures necessary to strengthen their defensive power, in order to protect the peaceful labours of their peoples, guarantee the inviolability of their frontiers and territories, and provide defence against possible aggression.

Article 6

For the purpose of the consultations among the Parties envisaged in the present Treaty, and also for the purpose of examining questions which may arise in the operation of the Treaty, a Political Consultative Committee shall be set up, in which each of the Parties to the Treaty shall be represented by a member of its Government or by another specifically appointed representative.

The Committee may set up such auxiliary bodies as may prove necessary.

Article 7

The Contracting Parties undertake not to participate in any coalitions or alliances and not to conclude any agreements whose objects conflict with the objects of the present Treaty.

The Contracting Parties declare that their commitments under existing international treaties do not conflict with the provisions of the present Treaty.

Article 8

The Contracting Parties declare that they will act in a spirit of friendship and cooperation with a view to further developing and fostering economic and cultural intercourse with one another, each adhering to the principle of respect for the independence and sovereignty of the others and non-interference in their internal affairs.

Article 9

The present Treaty is open to the accession of other states, irrespective of their social and political systems, which express their readiness by participation in the present Treaty to assist in uniting the efforts of the peaceable states in safeguarding the peace and security of the peoples. Such accession shall enter into force with the agreement of the Parties to the Treaty after the declaration of accession has been deposited with the Government of the Polish People's Republic.

Article 10

The present Treaty is subject to ratification, and the instruments of ratification shall be deposited with the Government of the Polish People's Republic.

The Treaty shall enter into force on the day the last instrument of ratification has been deposited. The Government of the Polish People's Republic shall notify the other Parties to the Treaty as each instrument of ratification is deposited.

Article 11

The present Treaty shall remain in force for twenty years. For such Contracting Parties as do not at least one year before the expiration of this period present to the Government of the Polish People's Republic a statement of denunciation of the Treaty, it shall remain in force for the next ten years.

Should a system of collective security be established in Europe, and a General European Treaty of Collective Security concluded for this purpose, for which the Contracting Parties will unswervingly strive, the present Treaty shall cease to be operative from the day the General European Treaty enters into force.

Done in Warsaw on May 14, 1955, in one copy each in the Russian, Polish, Czech and German languages, all texts being equally authentic. Certified copies of the present Treaty shall be sent by the Government of the Polish People's Republic to all the Parties to the Treaty.

In witness whereof the plenipotentiaries have signed the present Treaty and affixed their seals.

For the Presidium of the People's Assembly of the People's Republic of Albania MEHMET SHEHU

For the Presidium of the People's Assembly of the People's Republic of Bulgaria VYLKO CHERVENKOV

For the Presidium of the Hungarian People's Republic
ANDRAS HEGEDUS

For the President of the German Democratic Republic
OTTO GROTEWOHL

For the State Council of the Polish People's Republic
JOZEF CYRANKIEWICZ

For the Presidium of the Grand National Assembly of the
Rumanian People's Republic
GHEORGHE GHEORGHIU-DEJ

For the Presidium of the Supreme Soviet of the Union of Soviet
Socialist Republics
NIKOLAI ALEXANDROVICH BULGANIN

For the President of the Czechoslovak Republic
VILIAM SIROKY

ESTABLISHMENT OF A JOINT COMMAND

of the Armed Forces of the Signatories to the Treaty of Friendship, Cooperation and Mutual Assistance

In pursuance of the Treaty of Friendship, Cooperation and Mutual Assistance between the People's Republic of Albania, the People's Republic of Bulgaria, the Hungarian People's Republic, the German Democratic Republic, the Polish People's Republic, the Rumanian People's Republic, the Union of Soviet Socialist Republics and the Czechoslovak Republic, the signatory states have decided to establish a Joint Command of their armed forces.

The decision provides that general questions relating to the strengthening of the defensive power and the organization of the Joint Armed Forces of the signatory states shall be subject to examination by the Political Consultative Committee, which shall adopt the necessary decisions.

Marshal of the Soviet Union I. S. KONEV has been appointed Commander-in-Chief of the Joint Armed Forces to be assigned by the signatory states.

The Ministers of Defence or other military leaders of the signatory states are to serve as Deputy Commanders-in-Chief of the Joint Armed Forces, and shall command the armed forces assigned by their respective states to the Joint Armed Forces.

The question of the participation of the German Democratic Republic in measures concerning the armed forces of the Joint Command will be examined at a later date.

A Staff of the Joint Armed Forces of the signatory states will be set up under the Commander-in-Chief of the Joint Armed Forces, and will include permanent representatives of the General Staffs of the signatory states.

The Staff will have its headquarters in Moscow.

The disposition of the Joint Armed Forces in the territories of the signatory states will be effected, by agreement among the states, in accordance with the requirements of their mutual defence.



DEFINITION OF AGGRESSION*August 25, 1953***DRAFT RESOLUTION SUBMITTED BY THE UNION OF
SOVIET SOCIALIST REPUBLICS**

A/AC. 66/L. 2/Rev. 1.

The Special Committee on the Question of Defining Aggression recommends to the General Assembly the adoption of the following resolution:

Resolution

The General Assembly,

Considering it necessary to formulate directives with a view to determining which party is guilty of aggression, declares that:

Article 1.

In an international conflict that State shall be declared the attacker which first commits one of the following acts:

- a) Declaration of war against another State;
- b) Invasion by its armed forces, even without a declaration of war, of the territory of another State;
- c) Bombardement by its land, sea or air forces of the territory of another State or the carrying out of a deliberate attack on the ships or aircraft of the latter;
- d) The landing or leading of its land, sea or air forces inside the boundaries of another State without the permission of the government of the latter, or the violation of the conditions of such permission, particularly as regards the length of their stay or the extent of the area in which they may stay;
- e) Naval blockade of the coasts or ports of another State;
- f) Support of armed bands organized in its own territory which invade the territory of another State, or refusal, on being requested by the invaded State, to take in its own territory any action within its power to deny such bands any aid or protection.

Article 2.

That State shall be declared to have committed an act of indirect aggression which:

- a) Encourages subversive activity against another State (acts of terrorism, diversion, etc.);

- b) Promotes the outbreak of civil war within another State;
- c) Promotes an internal upheaval in another State or a reversal of policy in favour of the aggressor.

Article 3.

That State shall be declared to have committed an act of economic aggression which first commits one of the following acts:

- a) Takes against another State measures of economic pressure violating its sovereignty and economic independence and threatening the basis of its economic life;
- b) Takes against another State measures preventing it from exploiting or nationalizing its own natural riches;
- c) Subjects another State to an economic blockade.

Article 4.

That State shall be declared to have committed an act of ideological aggression which:

- a) Encourages war propaganda;
- b) Encourages propaganda in favour of using atomic, bacterial, chemical and other weapons of mass destruction;
- c) Promotes the propagation of fascist-nazi views, of racial and national exclusiveness, and of hatred and contempt for other peoples.

Article 5.

An act other than those listed in the preceding paragraphs may when committed by a State be deemed to constitute aggression if declared by resolution of the Security Council in a particular case to be an attack or an act of economic, ideological or indirect aggression.

Article 6.

Attacks such as those referred to in paragraph 1 and acts of economic, ideological and indirect aggression such as those referred to in paragraphs 2, 3 and 4 may not be justified by any arguments of a political, strategic or economic nature, or by the desire to exploit natural riches in the territory of the State attacked or to derive any other kind of advantages or privileges, or by reference to the amount of capital invested in the State attacked or to any other particular interests in its territory, or by the affirmation that the State attacked lacks the distinguishing marks of statehood.

In particular, the following may not be used as justifications:

- A. The internal position of any State, as for example:
 - a) The backwardness of any nation politically, economically or culturally;

- b)* Alleged shortcomings of its administration;
- c)* Any danger which may threaten the life or property of aliens;
- d)* Any revolutionary or counter-revolutionary movement, civil war, disorder or strikes;
- e)* The establishment or maintenance in any State of any political, economic or social system.

B. Any acts, legislation or orders of any State, as for example:

- a)* The violation of international treaties;
- b)* The violation of rights and interests in the sphere of trade, concessions or any other kind of economic activity acquired by another State or its citizens;
- c)* The rupture of diplomatic or economic relations;
- d)* Measures in connection with an economic or financial boycott;
- e)* Repudiation of debts;
- f)* Prohibition or restriction or immigration or modification of the status of foreigners;
- g)* The violation of privileges granted to the official representatives of another State;
- h)* Refusal to allow the passage of armed forces proceeding to the territory of a third State;
- i)* Measures of a religious or anti-religious nature;
- j)* Frontier incidents.

Article 7.

In the event of the mobilization or concentration by another State of considerable armed forces near its frontier, the State which is threatened by such action shall have the right of recourse to diplomatic or other means of securing a peaceful settlement of international disputes. It may also in the meantime adopt requisite measures of a military nature similar to those described above, without, however, crossing the frontier.

Document G**ADDRESS SENT BY
THE SECOND WORLD PEACE CONGRESS
TO THE UNITED NATIONS****(Extract)***Warsaw, 22 November 1950*¹

. . . The Second World Peace Congress, comprising delegates of 80 countries and expressing the true voice of a humanity longing for peace, demands that immediate consideration be given by the United Nations and by the parliaments to which the government of the various countries are responsible, to the following proposals designed to restore and maintain confidence among all countries, regardless of their social systems: . . .

4

We consider it necessary to denounce the attempts made by the aggressors to confuse the very concept of what constitutes aggression and, in this way, to provide a pretext for foreign intervention in the internal affairs of other countries.

No political, strategic or economic considerations, no motives deriving from the internal situation or any conflict in one or another state can justify armed intervention by any other state.

Aggression is a criminal act on the part of the state which first employs armed force against another state under any pretext whatsoever.

¹ *New Times* (Moscow), 1950, No. 48, Supp. II, pp. 1-2.

DECLARATION OF THE GOVERNMENT OF THE USSR

*on the Principles for Further Developing and Strengthening
Friendship and Cooperation Between the Soviet Union and
Other Socialist Countries*

October 30, 1956¹

The policy of peaceful coexistence, friendship and cooperation among all countries was and remains the immutable basis of the foreign relations of the Union of Soviet Socialist Republics.

This policy finds its most profound and consistent expression in the relations between the socialist countries. United as they are by the common ideal of building a socialist society and by the principles of proletarian internationalism, the countries of this great commonwealth of socialist nations can build their relations with one another only on a basis of full equality, respect for each other's territorial integrity, independence and sovereignty, and non-interference in each other's internal affairs. This does not preclude, but on the contrary, presupposes close fraternal cooperation and mutual assistance in the economic, political and cultural fields.

It was on this basis that the system of people's democracy arose, gained strength and displayed its great virility in several European and Asian countries after the second world war and the defeat of fascism.

The process of establishing the new system and implementing farreaching revolutionary reforms in social relationships was attended by no small number of difficulties, unsolved problems and outright mistakes, which extended also to relations between the socialist countries. These violations and mistakes tended to deprecate the principle of equality in relations between the socialist countries.

The Twentieth Congress of the Communist Party of the Soviet Union resolutely condemned these violations and mistakes and declared that it would be the task of the Soviet Union consistently to apply the Leninist principles of equality of nations in its relations with other socialist countries. The Twentieth Congress declared that full account must be taken of the historical past and specific features of each country that has taken the path of building the new life.

The Soviet government has consistently carried out these momentous decisions of the Twentieth Congress, which create the conditions

¹ *New Times* (Moscow), 1956, No. 45, pp. 1-2.

for the further strengthening of friendship and cooperation between the socialist countries on the immutable principle of their complete sovereignty.

Recent developments have shown that there is need for a statement on the position of the Soviet Union in its relations with other socialist countries, primarily in the economic and military spheres.

The Soviet government is prepared to discuss with the governments of the other socialist countries measures to ensure the further development and strengthening of economic contacts between socialist countries, with a view to eliminating any possibility whatever of violation of the principle of national sovereignty, mutual benefit and equality in economic relations.

That principle must be applied also to advisers. In the early period, when the new social system was taking shape, the Soviet Union, at the request of the governments of the People's Democracies, dispatched a number of its experts to these countries—engineers, agronomists, scientific workers, military advisers. In the recent period the Soviet government has on several occasions raised with the socialist countries the question of recalling its advisers.

In view of the fact that the People's Democracies have developed their own competent personnel in all branches of economic and military endeavour, the Soviet government considers it urgent to discuss with the other socialist countries whether it is advisable to retain the Soviet advisers there.

An important basis of relations between the Soviet Union and the People's Democracies in the military sphere is the Warsaw Treaty, the parties to which have assumed definite political and military obligations, including the obligation to adopt "agreed measures necessary to strengthen their defensive power, in order to protect the peaceful labours of their peoples, guarantee the inviolability of their frontiers and territories, and provide defence against possible aggression."

It will be remembered that, in accordance with the Warsaw Treaty and government agreements, Soviet military units are stationed in the Hungarian and Rumanian Republics. The Soviet military units in the Polish Republic are there in accordance with the Potsdam Agreement of the Four Powers and the Warsaw Treaty. There are no Soviet military units in the other People's Democracies.

With a view to ensuring the mutual security of the socialist countries, the Soviet government is prepared to examine with the other socialist countries signatory to the Warsaw Treaty the question of Soviet troops stationed in the territory of the above-mentioned countries. In this the Soviet government proceeds from the general principle that the troops of any Warsaw Power may be stationed in the territory of another Warsaw Power by agreement of all the Treaty members, and solely with the consent of the country in whose territory

the troops have been stationed at its request, or are proposed to be stationed.

The Soviet government considers it necessary to make a statement in connection with the events in Hungary. The development of these events has shown that the working people of Hungary, which has made big progress on the basis of the people's-democratic system, have rightly raised the question of the need to eliminate the serious shortcomings in economic development, further improve the material well-being of the population and combat bureaucratic distortions in the government apparatus. However, the dark forces of reaction and counter-revolution attached themselves to this just and progressive movement of the working people and are attempting to utilize the discontent of part of the working population to undermine the foundations of the people's-democratic system in Hungary and reestablish landlord and capitalist rule.

The Soviet government, like the entire Soviet people, deeply regrets that the development of events in Hungary has led to bloodshed.

At the request of the Hungarian people's government, the Soviet government agreed to bring Soviet military units into Budapest in order to help the Hungarian People's Army and the Hungarian authorities to establish order in the city.

In view of the fact that the continued presence of Soviet military units in Hungary may serve as a pretext for still further aggravation of the situation, the Soviet government has ordered its military command to withdraw the Soviet units from Budapest as soon as the Hungarian government considers this necessary.

At the same time, the Soviet government is prepared to begin negotiations with the government of the Hungarian People's Republic and other parties to the Warsaw Treaty on the question of Soviet troops in Hungarian territory.

It is now the chief and sacred duty of all workers, peasants, intellectuals, of all the Hungarian working people, to defend the socialist gains of their People's Democracy.

The Soviet government expresses the confidence that the peoples of the socialist countries will not allow the foreign and internal forces of reaction to shake the foundations of the people's democratic system, won and strengthened by the courageous struggle and labour of the workers, peasants and intellectuals of each country. They will remove all obstacles to the further strengthening of the democratic foundations, independence and sovereignty of their countries, and will make every effort to further develop the socialist foundations of each country, its economy and culture, in order to ensure the uninterrupted rise of the material and cultural standards of all the working people, and strengthen the fraternal unity and mutual assistance of the socialist countries, thereby strengthening the great cause of peace and socialism.

Document I(a)**THE HUNGARIAN QUESTION BEFORE THE
UNITED NATIONS***October 28–December 15, 1956*Summary ¹**I. Security Council, Emergency Session**

At the request of the United States, Britain and France, the Security Council placed the Hungarian question on its agenda at an emergency session October 28. The Budapest Government of Imre Nagy, which had just come to power, protested against this action, declaring that the situation "fell exclusively within domestic jurisdiction".

On November 1, however, the Nagy Government asked for help "in defending the country's neutrality", and the next day it asked the Council to "call for immediate negotiations".

At 5.30 a.m., Sunday, November 4, a United States resolution calling on the Soviet Union to end its intervention was killed by a Soviet veto. At the request of the United States, the Council then called an emergency session of the Assembly to meet that same afternoon.

II. General Assembly

Ten resolutions on the Hungarian question have been adopted by the Assembly, either during the emergency session or during the regular 1956 session, which began November 12.

These resolutions, with the dates of their adoption, and with the sponsors in parenthesis, are as follows:

1. Emergency Session

November 4 (United States).

The motion called on the Soviet Union to stop its armed attack on the people of Hungary, and to withdraw all its forces without delay from Hungarian territory.

In addition, the resolution called upon the Soviet Union and Hungary to permit observers designated by the Secretary General to enter Hungary, to travel freely in the country, and to report their findings.

Also, it called upon all members of the United Nations to cooperate in making available food, medicine and other supplies to the Hungarian people, and asked the Secretary General to report the needs to the Assembly as soon as possible.

¹ Following a summary in *New York Times*, December 16, 1956, p. 3.

November 9 (Cuba, Ireland, Italy, Pakistan and Peru).

This repeated the request for the withdrawal of Soviet forces "without any further delay".

It also declared that free elections, "under United Nations auspices," should be held in Hungary as soon as "law and order" had been restored. It asked the Secretary General to report to the Assembly as soon as possible on both compliance and relief needs.

November 9 (United States).

This authorized an emergency program for Hungarian refugees, and all members of the United Nations were requested to make special contributions. The Secretary General was requested to draw up the program in consultation with the United Nations High Commissioner for Refugees, other international agencies, and "interested" Governments.

Hungary and the Soviet Union were requested to permit distribution of relief supplies, and the Soviet Union was asked to stop action against Hungarians in violation of international law, justice and morality.

November 9 (Austria).

All members were asked to participate in providing relief supplies "to the greatest extent possible".

November 10 (United States).

This transferred "the situation in Hungary" to the regular session of the Assembly, opening two days later.

2. *Regular Session*

November 21 (Cuba).

This repeated the requests in the resolutions of November 4 and November 9 for the "prompt" withdrawal of Soviet forces and the dispatch of observers to Hungary by the Secretary General. It urged the Soviet Union and Hungarian authorities to "take immediate steps" to stop the deportation of Hungarians and to permit those who had been deported to return "promptly".

November 21 (Ceylon, India and Indonesia).

The resolution declared that while some United Nations members affirmed that there had been deportations, others had denied this "categorically". It therefore urged Hungary, "without prejudice to its sovereignty," to permit the Secretary General to send observers, and requested him to report to the Assembly "without delay".

November 21 (United States, Argentina, Belgium and Denmark).

This requested Governments and non-governmental organizations to make contributions to the Secretary General, the High Commissioner for Refugees, or other appropriate agencies for the care and resettlement of refugees. It authorized an immediate appeal to meet "the minimum present needs".

December 4 (United States, Argentina, Australia, Belgium, Cuba, Denmark, El Salvador, Ireland, Italy, Netherlands, Norway, Pakistan, Sweden and Thailand).

Recalling previous resolutions this noted "with deep concern" that the Soviet Union had failed to comply with requests that it desist from its intervention in the internal affairs of Hungary, cease its deportations of Hungarian citizens and return promptly to their homes those it had already deported, withdraw its armed forces from Hungary and cease its repression of the Hungarian people.

The resolution again called upon the Soviet Union to comply with these requests, and fixed December 7 as a deadline for the Soviet Union and the "Hungarian authorities" to consent to receive United Nations observers.

It authorized the Secretary General to send observers to "other countries as appropriate" – in other words, to Austria or to any of Hungary's Communist neighbours who would receive them.

December 12 (United States and nineteen other countries).

This recalled previous resolutions, and said that the Assembly "condemns the violation of the (United Nations) Charter by the Government of the Union of Soviet Socialist Republics in depriving Hungary of its liberty and independence and the Hungarian people of the exercise of their fundamental rights".

It also called on the Soviet Union to make "immediate arrangements" for the withdrawal of its forces under United Nations supervision, and to permit the re-establishment of Hungary's independence.

**GENERAL ASSEMBLY DECISIONS ON THE
HUNGARIAN SITUATION¹**

Resolution Adopted November 21
on Basis of Proposal by Cuba
A/Res/407

The General Assembly,

Recalling its resolutions 1004 (ES-II) of 4 November 1956 and 1005 (ES-II), 1006 (ES-II) and 1007 (ES-II) of 9 November 1956 adopted at the second emergency special session,

Noting that the Secretary-General has been requested to report to the General Assembly on compliance with resolutions 1004 (ES-II) and 1005 (ES-II),

Having received information that the Soviet army of occupation in Hungary is forcibly deporting Hungarian men, women and children from their homes to places outside Hungary.

Recalling the principles of the Charter of the United Nations, in particular the principle embodied in Article 2, paragraph 4, the obligations assumed by all Member States under Articles 55 and 56 of the Charter, the principles of the Convention on the Prevention and Punishment of the Crime of Genocide, in particular article II (c) and (e), to which Hungary and the Union of Soviet Socialist Republics are parties, and the Treaty of Peace with Hungary, in particular the provisions of article 2,

1. Considers that the information received adds urgency to the necessity of prompt compliance with resolutions 1004 (ES-II) and 1005 (ES-II) calling for the prompt withdrawal of Soviet forces from Hungary and for the dispatch of observers to Hungary by the Secretary-General;
2. Urges the Government of the Union of Soviet Socialist Republics and the Hungarian authorities to take immediate steps to cease the deportation of Hungarian citizens and to return promptly to their homes those who have been deported from Hungarian territory;
3. Requests the Secretary-General to keep the General Assembly informed as to compliance with this as well as the above-mentioned resolutions, so that the Assembly may be in a position to consider such further action as it may deem necessary.

¹ Reprinted from *United Nations Review*, (New York), January 1957, pp. 89-90.

Resolution Adopted November 21
on Basis of Proposal by Ceylon, India, Indonesia
A/Res/408

The General Assembly,

Noting that certain Member States have affirmed that Hungarian nationals have been forcibly deported from their country,

Noting further that certain other Member States have categorically affirmed that no such deportations have taken place,

Recalling paragraph 5 of its resolution 1004 (ES-II) of 4 November 1956, in which the Government of Hungary is asked to permit observers designated by the Secretary-General to enter the territory of Hungary, to travel freely therein, and to report their findings to the Secretary-General,

Noting that the Secretary-General is pursuing his efforts in this regard with the Hungarian Government,

Noting further that the Secretary-General has urged Hungary as a Member of the United Nations to cooperate with the great majority in the clarification of the situation,

1. Urges Hungary to accede to the request made by the Secretary-General without prejudice to its sovereignty;
2. Requests the Secretary-General to report to the General Assembly without delay.

Resolution Adopted November 21
on Basis of Proposal by Argentina, Belgium,
Denmark, United States
A/Res/409

The General Assembly,

Noting the grave situation described in the report of the Office of the United Nations High Commissioner for Refugees to the Secretary-General in document A/3371 and Corr. 1 and Add. 1,

Considering that the flow of refugees from Hungary continues at a high rate,

Recognizing the urgent need of these tens of thousands of refugees for care and resettlement,

1. Takes note with appreciation of the action taken by the Secretary-General to determine and help to meet the need of the Hungarian refugees, and by the Office of the United Nations High Commissioner for Refugees to assist these refugees and to bring about coordinated action on their behalf by Governments, inter-governmental agencies and non-governmental organizations;
2. Requests the Secretary-General and the High Commissioner for Refugees to continue their efforts;
3. Urges Governments and non-governmental organizations to make contributions to the Secretary-General, to the High Commissioner for Refugees or to other appropriate agencies for the care and resettlement of Hungarian refugees, and to coordinate their aid programmes in consultation with the Office of the High Commissioner;
4. Requests the Secretary-General and the High Commissioner for Refugees to make an immediate appeal to both Governments and non-governmental organizations to meet the minimum present needs as estimated in the report of the Office of the High Commissioner for Refugees to the Secretary-General and authorizes them to make subsequent appeals on the basis of plans and estimates made by the High Commissioner with the concurrence of his Executive Committee.

Resolution Adopted December 4
on Proposal of Fourteen Assembly Members
A/Res/413

The General Assembly,

Recalling its resolutions 1004 (ES-II) of 4 November 1956, 1005 (ES-II), 1006 (ES-II) and 1007 (ES-II) of 9 November 1956, and A/RES/407 and A/RES/408 of 21 November 1956 relating to the tragic events in Hungary,

Having received and noted the report of the Secretary-General that United Nations observers have not been permitted to enter Hungary,

Noting with deep concern that the Government of the Union of Soviet Socialist Republics has failed to comply with the provisions of the United Nations resolutions calling upon it to desist from its intervention in the internal affairs of Hungary, to cease its deportations of Hungarian citizens and to return promptly to their homes those it has already deported, to withdraw its armed forces from Hungary and to cease its repression of the Hungarian people,

1. Reiterates its call upon the Government of the Union of Soviet Socialist Republics and the Hungarian authorities to comply with the above resolutions and to permit United Nations observers to enter the territory of Hungary, to travel freely therein and to report their findings to the Secretary-General;
2. Requests the Government of the Union of Soviet Socialist Republics and the Hungarian authorities to communicate to the Secretary-General, not later than 7 December 1956, their consent to receive United Nations observers;
3. Recommends that in the meantime the Secretary-General arrange for the immediate dispatch to Hungary, and other countries as appropriate of observers named by him pursuant to paragraph 4 of resolution 1004 (ES-II);
4. Requests the Governments of all Member States to co-operate with the representatives named by the Secretary-General by extending such assistance and providing such facilities as may be necessary for the effective discharge of their responsibilities.

Resolution Adopted December 12
on Basis of Proposal by Twenty Assembly Members
A/Res/424

The General Assembly,

Deeply concerned over the tragic events in Hungary,

Recalling those provisions of its resolutions 1004 (ES-II) of 4 November 1956, 1005 (ES-II) of 9 November 1956, A/RES/407 of 21 November 1956 and A/RES/413 of 4 December 1956, calling upon the Government of the Union of Soviet Socialist Republics to desist from its intervention in the internal affairs of Hungary, to withdraw its forces from Hungary and to cease its repression of the Hungarian people,

Recalling also those provisions of its resolutions 1004 (ES-II) and A/RES/407, calling for permission for United Nations observers to enter the territory of Hungary, to travel freely therein and to report their findings to the Secretary-General,

Having received the report of the Secretary-General of 30 November 1956 (A/3403), stating that no information is available to the Secretary-General concerning steps taken in order to establish compliance with the decisions of the General Assembly which refer to a withdrawal of troops or related political matters, and the note of the Secretary-General of 7 December 1956 (A/3435),

Noting with grave concern that there has not been a reply to the latest appeal of the General Assembly for the admission of United Nations observers to Hungary, as contained in its resolution A/RES/413,

Considering that recent events have clearly demonstrated the will of the Hungarian people to recover their liberty and independence,

Noting the overwhelming demand of the Hungarian people for the cessation of intervention of foreign armed forces and the withdrawal of foreign troops,

1. Declares that, by using its armed force against the Hungarian people, the Government of the Union of Soviet Socialist Republics is violating the political independence of Hungary;
 2. Condemns the violation of the Charter by the Government of the Union of Soviet Socialist Republics in depriving Hungary of its liberty and independence and the Hungarian people of the exercise of their fundamental rights;
 3. Reiterates its call upon the Government of the Union of Soviet Socialist Republics to desist forthwith from any form of intervention in the internal affairs of Hungary;
 4. Calls upon the Government of the Union of Soviet Socialist Republics to make immediate arrangements for the withdrawal, under United Nations observation, of its armed forces from Hungary and to permit the re-establishment of the political independence of Hungary;
 5. Requests the Secretary-General to take any initiative that he deems helpful in relation to the Hungarian problem, in conformity with the principles of the Charter and the resolutions of the General Assembly.
-

Document J

**THE HUNGARIAN SITUATION
IN THE LIGHT OF THE GENEVA CONVENTIONS
OF 1949 ***

The reports from Hungary about mass arrests, summary trial,¹ deportations² and other measures which are alleged to have infringed the Rule of Law have attracted worldwide attention.

The present Government of Hungary contends that the national uprising suppressed by Soviet armed forces is an internal affair of Hungary. The Soviet Union holds the same view.

It is, however, to be remembered that there are rules of international law which apply even if the conflict in question is merely a "civil war". These rules are laid down in the Geneva Conventions for the protection of the victims of war,³ concluded in 1949 and signed among others by the Soviet Union⁴ and by the Hungarian People's Republic.⁵

The obligations entered into by the signatories of the Convention depend on the character of the conflict, and are more specific if it is an international conflict and less detailed if it is an internal one.

I. Obligations in an Internal Conflict

If it is assumed that the conflict is an internal one, the parties are bound to apply among others the following provisions at least:

* Issued by the International Commission of Jurists on December 7, 1956.

¹ Cf. Decree on Criminal Procedure of November 10, 1956 (Radio Budapest, November 10, 1956, 14.00 hours, as monitored in *BBC Summary of World Broadcasts*, Part II B, No. 777/1956/, pp. 8-9 with text of Decree). Text: *infra*, p. 68.

² Cf. Report of Radio Budapest, November 14, 1956, 15.00 hours (*BBC, The Monitoring Report*, No. 5, 200 /November 15, 1956/, p. 1) as well as the case of IMRE NAGY and his group.

³ Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (hereafter called "Convention I").

Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (hereafter called "Convention II").
Convention relative to the Treatment of Prisoners of War (hereafter called "Convention III").

Convention for the Protection of Civilian Persons in Time of War (hereafter called "Convention IV").

⁴ The Belorussian and Ukrainian Republics are also signatories of the Conventions.

⁵ English text: *Final Record of the Diplomatic Conference of Geneva of 1949* (Berne), (hereafter cited *Record*), Vol. 1; French text: *Actes de la Conférence diplomatique de Genève de 1949* (Berne), Tome I; Russian text: *Zhenevskie konventsii o zashchite zhertv voyny*, Izdanie Vedomostei Verchovnogo Soveta SSSR (publication of Gazette of the Supreme Soviet of the USSR) (Moscow 1954), 219 pp.; German text: *Bundesgesetzblatt* (Bonn), Teil II, S. 781 ff; *Die Genfer Abkommen zum Schutz der Kriegsgesopfer vom 12. August 1949* (hrsg. vom Deutschen Roten Kreuz, 3. Aufl., Bonn 1955).

Persons taking no active part in the hostilities shall be treated humanely. The following acts in particular are prohibited:

- "a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;
- b) taking of hostages;
- c) outrages upon personal dignity, in particular humiliating and degrading treatment;
- d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples." (Art. 3, Convention IV)

During the negotiations the Soviet Union supported ⁶ a draft approved by the XVIIth International Red Cross Conference at Stockholm in August 1948 ⁷ which served as a basis for discussion at the Diplomatic Conference in Geneva in 1949. This text reads:

"In all cases of armed conflict not of an international character the Parties to the conflict shall be bound to implement the provisions of the present Convention (i.e. as a whole, not only Art. 3 mentioned above), subject to the adverse party likewise acting in obedience thereto."

When this text met with opposition on the part of a number of government delegates, the Soviet Union introduced the following version of the provision:

"... The Parties to the conflict shall be bound to implement the provisions of the present Convention which guarantee:

humane treatment of the civilian population;

prohibition within the territory occupied ... of reprisals against the civilian population, the taking of hostages, ... damage to property...

prohibition of any discriminatory treatment of the civilian population..." ⁸

The delegate from Hungary also favoured as wide as possible an application of the Convention to civil wars:

"The essential aim of the Conference was to extend the field of action of the Convention as much as possible for the protection of the victims of conflicts." ⁹

⁶ Cf. *Record*, Vol. IIB, pp. 13-14, 34, 37, 42, 44, 47, 76, 93, 325-327.

⁷ Art. 2, par. 4 of the Draft. Text: *Record*, Vol. I., p. 113.

⁸ Amendment of the Soviet Union, July 21, 1949 (*Record*, Vol. III, Annex Nr. 15, p. 28). Corresponding amendments for the other Conventions.

⁹ Joint Committee, First meeting, April 26, 1949 (*Record*, Vol. IIB, p. 11).

II. Internal or International Conflict?

The view that events in Hungary represent merely an internal conflict has no basis in international or Hungarian law. It is the considered view of the International Commission of Jurists that the events in Hungary amount to an international conflict with two adverse parties – the Hungarian nation on the one side and the Soviet Union on the other side. The reasons for this view are as follows: –

1. The suppression of the national uprising in Hungary constitutes an aggression in the sense of the Soviet definition of aggression proposed to the United Nations in 1953 (cf. the paper "Hungary and the Soviet Definition of Aggression", released by the International Commission of Jurists, November 16, 1956).
2. The overthrow of the NAGY government and the setting up of the KADAR régime was effected with the help of Soviet armed forces and constitute an "indirect aggression" in the sense of the Definition just mentioned.
3. The request for military assistance made by the KADAR government was therefore not valid under international law.
4. The request was also invalid in Hungarian constitutional law. The armed attack began before the KADAR régime was in power. Five days later – on November 9 – a constitutional amendment was enacted to legalize subsequently the existence and the acts of the KADAR government.¹⁰
5. The request, even if validly made, could have had no legal effect on the application of the Convention, since Art. 47 of Convention IV stipulates:

"Protected persons ... shall not be deprived, in any case or in any manner whatsoever, of the benefits of the present Convention ... by any agreement between the authorities of the occupied territories and the Occupying Power..."

The Soviet and Hungarian Governments are therefore under a legal duty to carry out those obligations which the Geneva Conventions provide for cases of an international conflict.

III. Obligations in an "International Conflict"

The obligations apply to all cases of armed conflict between two or more of the Parties as well as "to all cases of partial or total occupation of the territory of a High Contracting Party, even if the said occupation meets with no armed resistance" (Art. 2/2/2/2).¹¹

¹⁰ Decree of November 9, 1956. Text broadcast by Radio Budapest, November 9, 1956, 19.00 hours (*BBC Summary, loc. cit.*, Part IIB, No. 777 (1956), p. 7).

¹¹ Article common to all four Conventions.

The obligations of the signatory states in such cases include among others:

A. With respect to all Victims of War

The provisions mentioned under this heading "cover the whole of the populations of the countries in conflict, without any adverse distinction based in particular on ... political opinion, and are intended to alleviate the sufferings caused by the war" (Art. 13).¹²

1. Particular protection of the wounded and children (Art. 16-22, 24)
2. Allowing free passage of all consignments of medical and hospital stores and, if intended for children and mothers, also of essential foodstuffs, clothing and tonics (Art. 23).¹³
3. Allowing family correspondence and facilitating enquiries made by members of dispersed families (Art. 25, 26).

B. With respect to Civilian Persons

The provisions mentioned under this heading cover all persons who are nationals of a State bound by the Convention and find themselves in the hands of an Occupying Power of which they are not nationals. The protection extends to all persons who are not covered by one of the other three Conventions (see note 3) (Art. 4). The protection lasts for the duration of the occupation (Art. 6). If a protected person is suspected or engaged in activities hostile to the security of the Occupying Power he forfeits certain rights under Convention IV, but retains at least the right of fair and regular trial (cf. *infra* under 10) (Art. 5).

4. Human treatment, respect for the person, honour, family rights, religious convictions, customs. Equal treatment, "without any adverse distinction based, in particular, on ... political opinion" (Art. 27).
5. No exercise of physical or moral coercion (Art. 31).
Prohibition of any measures causing physical suffering or extermination of protected persons, including e.g. torture, or any other measure of brutality (Art. 32).¹⁴
6. Prohibition of collective penalties and all measures of intimidation or terrorism (Art. 33).¹⁵ Prohibition of taking hostages (Art. 34).

¹² This and the following article refer to Convention IV.

¹³ Cf. Text proposed by the Soviet Union (*Record*, Vol. III, Annex No. 222, p.114).

¹⁴ Cf. Amendment of the Soviet Union, June 14, 1949 (*Record*, Vol. III, Annex No. 231, p. 116), supported by Hungary in the 13th meeting of Committee III, June 15, 1949 (*Record*, Vol. IIA, p. 717).

¹⁵ Cf. Text presented by the Soviet Union, June 7, 1949 (*Record*, Vol. III, Annex No. 234, p. 117).

7. Prohibition of "individual or mass" forcible transfers,¹⁶ as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, ... regardless of their motive." (Art. 49, cf. also Art. 52, 76-77).

The phrase "into the territory of the Occupying Power or the territory of any other country" was incorporated on the suggestion of the Soviet Union.¹⁷

8. No sanctions or any measures of coercion against public officials or judges, should they abstain from fulfilling their functions for reasons of conscience (Art. 54).

9. Duty to ensure food and medical supplies to the population (Art. 55)¹⁸ as well as hospital establishments and services (Art. 56). Duty to allow and facilitate relief schemes for the population if inadequately supplied (Art. 59-62). Red Cross Societies shall be able to pursue their activities (Art. 63).¹⁹

10. Respect for existing criminal legislation (Art. 64). Duty not to enact retroactive criminal laws (Art. 65). Courts of the Occupying Power shall apply only those provisions of law which are in accordance with general principles of law (Art. 67). The penalty shall be in proportion to the offence (Art. 67-68). There shall be no prosecution for acts committed or for opinions expressed before the occupation (Art. 70). No sentence shall be pronounced by the competent courts of the Occupying Power except after a regular trial (Art. 71). An accused person shall have the right of defence (Art. 72) and a convicted person the right of appeal (Art. 73). They shall be detained and serve their sentences in the occupied territory (Art. 76).

C. With respect to Prisoners of War

The Convention also protects apart from the traditional category of "members of the armed forces of a Party" the following persons among others:-

a) members of organized resistance movements, if they are commanded by a person responsible for his subordinates, if they carry arms openly and respect the laws and customs of war.

b) members of regular armed forces who profess allegiance to a government or an authority not recognized by the Detaining Power.

¹⁶ The words "individual or mass" are missing from the Russian text, as reproduced in the source quoted *supra*, note 5. The English and French texts are, however, authentic (Art. 55/54/133/150).

¹⁷ Amendment of the Soviet Union, May 12, 1949 (*Record*, Vol. III, Annex No. 45, p. 130).

¹⁸ Cf. Amendment of the Soviet Union, June 28, 1949 (*Record*, Vol. III, Annex No. 282, p. 136).

¹⁹ Cf. Amendment of the Soviet Union, June 28, 1949, (*Record*, Vol. III, Annex No. 292, p. 139).

c) Inhabitants who on the approach of the enemy spontaneously take up arms to resist the invading forces, if they carry arms openly and respect the laws and custom of war (Art. 4A).²⁰

The Convention applies to these persons from the time they fall into the power of the enemy until their final release (Art. 5).

The inclusion of the persons mentioned under a-c was considered imperative considering the experience of Nazi-occupation of Denmark and other countries which were invaded without resistance on the part of the armed forces. The innovation was supported by the Soviet delegate who declared:

“Civilians who took up arms in defence of the liberty of their country should be entitled to the same protection as members of armed forces”.²¹

He spoke also in favour of protection of members of resistance movements (partisans).²² The Hungarian delegate supported the Soviet Union in both cases.²³

The individual obligations of the Detaining Power include among others:

11. Duty to treat prisoners of war humanely (Art. 13).²⁴

Respect for their person and honour (Art. 14). Equal treatment “without any adverse distinction based on ... political opinions” (Art. 16).

12. Duty to allow prisoners of war to send and receive letters and cards (Art. 71).

13. Duty not to bring a prisoner of war before a court unless it offers the essential guarantee of independence and impartiality as generally recognized and in particular, a procedure which affords the accused the rights of defence (Art. 84, 105) and of appeal (Art. 106).

14. No prisoner of war may be tried or sentenced for an act which is not forbidden by the law of the Detaining Power or by international law, in force at the time the said act was committed. No moral or physical coercion may be exerted on a prisoner of war in order to induce him to admit his guilt. No prisoner of war may be convicted without having had an opportunity to present his defence and the assistance of a qualified advocate or counsel (Art. 99).

15. Prisoners of war shall be released and repatriated without delay after the cessation of active hostilities. (Art. 118).

²⁰ This and the following articles refer to Convention III.

²¹ Committee II, Fifth meeting, May 16, 1949 (*Record*, Vol. IIA, p. 426).

²² *loc. cit.*, p. 429.

²³ Source as in note 21 and 22.

²⁴ Cf. Amendment of the Soviet Union, May 4, 1949 (*Record*, Vol. III, Annex No. 99, p. 64).

D. Provisions for enforcing these obligations

The following provisions are incorporated into all four Geneva Conventions in order to assure their strict performance.

1. The Parties "undertake to respect and to ensure respect for the present Convention in all circumstances" (Art. 1/1/1/1).²⁵
2. The protected persons "may in no circumstances renounce in part or in entirety the rights secured to them by the present Convention" (Art. 7/7/7/8).
3. The Convention "shall be applied with the cooperation and under the scrutiny of the Protecting Powers" (Art. 8/8/8/9). The Parties may agree to entrust to an impartial organisation the duties incumbent on the Protecting Powers (Art. 10/10/10/11).²⁶
4. The Parties undertake to enact any legislation necessary to provide effective penal sanctions for persons committing or ordering to be committed, any grave breaches of the Conventions (Art. 49/50/129/146 and Art. 50/51/130/147).²⁷

The Hungarian delegate stated that the Hungarian Military Penal Code, in force since February 1, 1949, stipulates severe penalties for violations of the Convention.²⁸

5. An enquiry shall be instituted concerning any alleged violation of the Convention (Art. 52/53/132/149).

IV

In publishing this paper the International Commission of Jurists hopes to act in the interests of the signatories of the Geneva Conventions, including the Soviet Union and Hungary, since Articles 47/48/127/144 of the Conventions provide:

"The High Contracting Parties undertake ... to disseminate the text of the present Convention as widely as possible in their respective countries, . . . so that the principles thereof may become known to the entire population."

²⁵ This and following articles are common to all four conventions.

²⁶ Cf. an amendment by the Soviet Union, July 20, 1949 (*Record*, Vol. III, Annex 26, p. 34) and the reservation of the Soviet Union and Hungary to Art. 10/10/10/11.

²⁷ Cf. Amendments of the Soviet Union of July 20 and 21, 1949 (*Record*, Vol. III, Annex Nr. 53 and 53A, p. 44).

²⁸ *Record*, Vol. IIB, p. 32.

SUMMARY TRIALS IN HUNGARY *

1. Recent decrees and laws passed by the KADAR régime in Hungary must be profoundly disturbing to members of the legal profession throughout the world, who are concerned to ensure that accused persons in criminal trials are accorded the safeguards recognized in all developed systems of law. Furthermore, it would appear that in certain aspects these decrees and laws constitute a violation both of the Treaty of Peace with Hungary, 1947¹ and of the Geneva Conventions of 1949² which were ratified by the Hungarian Peoples Republic and by the Union of Soviet Socialist Republics.

2. The relevant decrees and laws are set out in full in an annex to this paper. They may be summarized as follows: -

A. Decree-Law of November 10, 1956 (hereinafter called Decree A).³ This authorizes the Procurator's department to present a prosecution before the court in a wide range of offences⁴

- (i) without submitting a Bill of indictment;
- (ii) without the issue of summons or fixing of a day for hearing by the court.

These powers are limited not only to cases where the accused was caught *flagrante delicto* but also extend to any case where "the Procurator's department can submit immediately the necessary evidence to the Court". The Prosecutor's department is specifically authorized to rely merely on a verbal presentation of the charge at the trial. It would appear that under this procedure the accused may have no foreknowledge of the offence with which he is charged and can have no adequate opportunity to prepare his defence.

B. Decree-Law of December 9, 1956, amended December 12, 1956 (hereinafter called Decree B).⁵ This empowers Military Courts to try the offences listed in Decree A and adds to the list certain other

* Issued by the International Commission of Jurists on January 4, 1956.

¹ This Treaty was concluded by USSR, the United Kingdom, USA, Australia, the Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, India, New Zealand, the Ukrainian Soviet Socialist Republic, the Union of South Africa, Yugoslavia with Hungary at Paris on February 10, 1947.

² English text: *Final Record of the Diplomatic Conference of Geneva of 1949* (Berne), Vol. I.

³ Text as broadcast by Radio Budapest, November 10, 1956, 14.00 hrs. (*BBC Summary of World Broadcasts*, Part IIB, No. 777, November 15, 1956, p. 8-9). Text: *infra*, p. 68.

⁴ These include "murder, wilful manslaughter, arson, robbery, looting any kind of crime committed by the unlawful use of firearms, including the attempt to commit the aforesaid crimes".

⁵ Text as broadcast by Radio Budapest, December 9 and 12, 1956 (*BBC Summary*, *loc. cit.*, No. 785, December 13, 1956, p. 4 and No. 786, December 18, 1956, p. 2). Text: *infra*, pp. 69-71.

offences, notably the failure to report knowledge of the possession of firearms by third parties, other than next of kin. The appointment of other courts of summary jurisdiction by the Presidential Council of the Republic is also authorized by this Decree. The amendment of December 12 provides a mandatory death sentence for offences specified in Decree A and B. Thus, a person tried in accordance with the procedure laid down under Decree A stands in peril of his life with virtually no provision for his defence.

C. Decree of December 11, 1956 (hereinafter called Decree C).⁶ This regulates in greater detail the composition and powers of Military Courts. This Decree exempts certain categories of accused (persons who are suffering from serious illness or who are insane, as well as pregnant women) from the jurisdiction of Military Courts and limits the sentence on those under 20 to imprisonment. It also envisages the substitution of imprisonment for the death sentence "if the reestablishment of peace and order no longer requires the imposition of the death penalty". But this Decree provides that there shall be no appeal except by way of revision⁷ and a petition for clemency can only be made by a unanimous decision of the court; failing such leave the death sentence has to be carried out within two hours. In view of the latter provision it is not unfair to suggest that no serious miscarriage of justice, should it occur, could be rectified, except posthumously.

D. Decree-Law of December 13 (hereinafter called Decree D).^{7a} This in effect reintroduced the system, abolished by IMRE NAGY in 1953,⁸ whereby the Procurator's department on the recommendation of the police can order detention without trial for a period not exceeding six months.

3. The situation created by the above Decrees is not the exclusive concern of the Hungarian government but must be considered in the light of international conventions and treaties binding on Hungary.

A. The Treaty of Peace with Hungary, 1947. Part II, section 1, article 2 provides *inter alia* that "Hungary shall take all measures necessary to secure all persons under Hungarian jurisdiction ... the enjoyment of human rights and of the fundamental freedoms".

Although the precise meaning to be given to this article is a matter of interpretation, it clearly constitutes a legal obligation, which is to be

⁶ Radio Budapest, December 15, 1956 Text: *infra*, pp. 72-76.

⁷ Article 10; the appeal by way of revision is a characteristic of the countries which followed the Soviet system. In Hungary the revision can only be initiated by the Procurator or the President of the Supreme Court and is heard by the Supreme Court (Sec. 225 of the Hungarian Code of Criminal Procedure 1951: III *tv.* amended under Law 1954 V *tv.* 8). Cf. *Highlights of Current Legislation and Activities in Mid-Europe* (Washington D.C.), November 1956, p. 360.

^{7a} Text with amendments and supplements: *infra*, pp. 77-80.

⁸ Resolution No. 1034/1953 (VII 26) Mt. h., published in *Törvények és Rendeletek Hivatalos Gyűjteménye*, 1953, p. 193 (also in *Nepszava*, July 26, 1953). English translation: *Highlights*, *loc. cit.*, October 1953, No. 5, p. 10.

inferred from the Advisory Opinion of the International Court of Justice in the Interpretation of Peace Treaties with Bulgaria, Hungary and Roumania.⁹ In interpreting this article it is not possible directly to rely so far as criminal justice is concerned, on the provisions of Articles 9–11 of the Universal Declaration of Human Rights, 1948,¹⁰ or on Articles 5–6 of the European Convention on Human Rights.¹¹ Nevertheless it is well established in interpreting treaties that reference may be made to “the general principles of law recognized by civilized nations”, a source of law specifically recognized by Article 38 of the Statute of the International Court of Justice. It is difficult to conceive that these principles would be held not to include:—

Freedom from arbitrary arrest or detention

Universal Declaration of Human Rights,
Article 9;
European Convention on Human Rights,
Article 5(1).

The right of the accused to be informed of any criminal charge preferred

European Convention on Human Rights,
Articles 5(2), 6(3)(a).

The right of the accused to have adequate time and facilities for the preparation of his defence

Universal Declaration of Human Rights,
Article 11, 1.
European Convention on Human Rights,
Article 6(3)(b).

It is significant that the International Association of Democratic Lawyers (IADL), which has been consistently supported by the USSR and by other Eastern European countries, in the findings of its Com-

⁹ *Interpretation of Peace Treaties with Bulgaria, Hungary and Roumania (Second Phase)*; *Advisory Opinion* of July 18, 1950, p. 228.

In this Opinion the Court held that although the Governments of those countries were legally bound to carry out the provisions of the Peace Treaties relating to settlement of disputes, including the appointment of their representatives to the Commissions provided for by the treaties, the Secretary General of the United Nations was not authorised to make such appointments after the parties refused to do so. Judges Read and Azevodo dissenting. Judge Krylov concurred with the opinion but was unable to concur with the reasons dealing with the problem of international responsibility as these in his opinion went beyond the scope of his request for opinion.

¹⁰ The Universal Declaration of Human Rights which was proclaimed by the General Assembly of the United Nations on December 10, 1948 is neither a treaty nor an international agreement and is not and does not purport to be a statement of law or of legal obligation. (See Lauterpacht, *International Law and Human Rights*, 1950, p. 399).

¹¹ The European Convention on Human Rights was signed on November 4, 1950 by the members of the Council of Europe, and came into force in 1953 after ratification by 10 countries. Neither Hungary nor the USSR are parties to this Convention.

mittee on Penal Procedure (Brussels Conference, May 1956), attended among others by leading Soviet and Hungarian lawyers, include *inter alia* the above mentioned rights among the elements necessary "in a system of criminal procedure to preserve the rights of the individual". (The text of the findings is set out in the annex to this paper, *infra*, pp. 87-89). Indeed in some respects the Committee goes further in requiring:—

From the moment of arrest every accused must have the right to consult with his legal advisers without surveillance.

Report of Committee on Penal Procedure
Article 5(c).

There must be at least one appeal in all criminal proceedings.

Ibid., article 7.

No state of emergency abrogating these principles shall be permitted in time of peace

Ibid., article 9.

It is therefore submitted:

1. that the words "the enjoyment of human rights and of the fundamental freedoms" in the Treaty of Peace with Hungary, 1947 must be interpreted as including the above mentioned rights of accused persons in criminal trials.
2. that the decrees and laws of the Hungarian Government particularized above are in breach of section 1, article 2 of the Treaty of Peace with Hungary, 1947.

B. Geneva Conventions of 1949. The views of the International Commission of Jurists on the application of these Conventions to the present situation in Hungary were fully discussed in the paper entitled "The Hungarian Situation in the light of the Geneva Conventions of 1949" published on December 7, 1956.

This Commission considered that certain provisions of the Conventions were applicable to the Hungarian situation whether the conflict were to be regarded as "internal" or "international".

(i) If it is regarded as "internal" then "the passing of sentences and the carrying out of executions without previous judgement pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples" is prohibited" (Art. 3, Convention IV).

For the reasons above given and from the explicit wording of Decrees A, B, C and D above cited, it is evident in the view of the International Commission of Jurists that they do not afford such guarantees and therefore, that the KADAR régime is in breach of the Convention.

(ii) If, on the other hand, it is regarded as an "international conflict" it is firstly relevant to note the provisions of Article 47 of Convention IV:— "Protected persons" ... shall not be deprived, in any case or in any manner whatsoever, of the benefits of the present Convention ... by any agreement between the authorities of the occupied territories and the Occupying Power ...". It must follow that, if the Government of the Occupied Power, introduces measures at the instance of the Occupying Power, such measures are subject to the provisions of the Conventions dealing with the administration of justice by the Occupying Power.

These provisions deal separately with the protection of civilian persons and with members of the armed forces.

a) As far as civilian persons are concerned, it is sufficient to mention articles 71–73 of Convention IV which provide for "regular trial" and give the accused person the rights of defence and of appeal.

b) As far as members of the armed forces are concerned, a term which includes both members of organized resistance movements and inhabitants who carry arms openly to resist the invading forces (Article 4A of Convention III) the following provisions of Convention III protect those who fall into the hands of the enemy:—

Detained persons are entitled to be tried by independent and impartial courts the procedure of which affords the accused the rights of defence and appeal (Articles 84, 99, 105 and 106 of Convention III).

The fact that the Decrees of the KADAR régime do not afford accused persons such rights as are provided under the Conventions both to civilian persons and members of the armed forces has been sufficiently demonstrated in paragraph 2 of this paper.

Document K**Annex (a)**

Decree having the force of Law (hereinafter: "Decree-Law")
No. 22 of 1956 of the Presidential Council
of the Hungarian People's Republic

Concerning the Simplification of Criminal Procedure in Certain Crimes**Article 1.**

(i) In cases of murder, wilful homicide, arson, robbery, looting, and any kind of crime committed by the unlawful use of firearms, including the attempt to commit the aforesaid crimes, the Prosecution may cause, without an accusation in writing, the perpetrator to be brought before the court if he was caught in the act, or if the necessary evidence can be submitted to the court forthwith.

(ii) (Whenever) paragraph (i) is applicable, no date for hearing shall be fixed by the court, nor shall subpoenas be issued. At the hearing the prosecution shall prefer the charge orally. It is for the prosecution to see that witnesses and experts appear in court, and that other evidence is submitted to it.

Article 2.

The present Decree-Law shall come into force on the day of publication.¹

(sgd.) Istvan Dobi, President of the Presidential Council of the People's Republic

(sgd.) Istvan Kristof, Secretary to the Presidential Council of the People's Republic.

¹ Published in *Magyar Közlöny*, No. 93, November 12, 1956, p. 568.

Decree having the force of law (hereinafter: "Decree-Law")
No. 28 of 1956 of the Presidential Council
of the People's Republic

Concerning Summary Jurisdiction

The restoration of order is being impeded and the citizens' personal safety and the safety of their property is being endangered by the fact that large quantities of fire-arms are in the possession of counter-revolutionary elements, professional criminals, irresponsible trouble-makers, and other persons not entitled to possess arms. In possession of arms, the enemies of our People's Republic do not shrink from committing even murder, and threaten those honest workers who with their peaceful constructive work wish to serve the interests of our whole nation. Honest workers rightly demand effective measures for the cessation of this intolerable state of affairs.

Accordingly, the Presidential Council of the People's Republic decrees as follows:

Article 1.

With effect from 18.00 hours on the 11th day of December 1956 the Presidential Council of the People's Republic decrees summary jurisdiction over the whole territory of the country in respect of the following crimes:

murder,
intentional homicide,
arson,
robbery (looting),

intentional damage to public utility enterprises, or to public enterprises serving the population's vital requirements (Official Compilation of Valid Rules of Substantive Criminal Law, ss. 73 and 172), and attempts at any of these crimes,

the unlicensed possession of firearms, ammunition, explosives, or explosive material.

Article 2.

- (i) Any person who, without licence, has in his possession firearms (ammunition, explosives etc.) is bound to hand them over to any organ of the armed public order forces by 18.00 hours on the 11th day of December 1956.
- (ii) Any person who, between the publication of this Decree-Law and the time-limit fixed for the handing over, hands over his arms, etc., cannot be punished for hiding arms.

Article 3.

- (i) Association for the purpose of committing the crimes set out in Article 1, and organization for such purpose, shall also be subject to summary jurisdiction.
- (ii) Any person who, having obtained credible information of another person's unlicensed possession of firearms (ammunition, etc.), fails to report this to the authorities as soon as possible commits a crime and shall be subject to summary jurisdiction. This provision shall have no application to the next-of-kin specified in Article 29 of Decree-Law II of 1950.

Article 4.

- (i) The publication of summary jurisdiction shall be undertaken by the Government: Publication may also be made through the Press, radio and posters.
- (ii) Proceedings under summary jurisdiction shall be within the competence of the Military Courts; the Presidential Council of the People's Republic may make provision for the appointment of further councils of summary jurisdiction.
- (iii) The Presidential Council of the People's Republic authorises the Government to make detailed rules governing summary jurisdiction.
- (iv) The mode of possession of arms by armed factory guards and works guards shall be governed by a separate Decree-Law.

Article 5.

The present Decree-Law shall come into force on the day of publication.¹

- (sgd.) Istvan Dobi, President of the Presidential Council of the People's Republic.
- (sgd.) Istvan Kristof, Secretary to the Presidential Council of the People's Republic.

¹ Published in *Magyar Közlöny*, No. 100, December 11, 1956.

Decree having the force of Law (hereinafter: "Decree-Law")
No. 32 of 1956 of the Presidential Council
of the People's Republic

Supplementing Decree-Law No. 28 of 1956

The Presidential Council of the People's Republic supplements Article 3 of Decree-Law No. 28 of 1956 concerning summary jurisdiction by adding the following paragraph (iii).

Article 1.

(iii) "Where a court of summary jurisdiction declares an accused guilty of a crime subject to summary jurisdiction procedure, it shall, by its judgment, sentence him to death."

Article 2.

This supplement shall come into force at the time of publication.¹

(sgd.) Istvan Dobi, President of the Presidential Council of the People's Republic.

(sgd.) Istvan Kristof, Secretary to the Presidential Council of the People's Republic.

Document K**Annex (c)**

Decree No. 6/1956 (XII. 11)
of the Hungarian Revolutionary Worker-Peasant Government
Concerning the Detailed Rules of Summary Jurisdiction

Pursuant to Article 4 (3) of Decree-Law No. 28 of 1956, the Hungarian Revolutionary Worker-Peasant Government decrees as follows:

I. Publication of Summary Jurisdiction**Article 1.**

1. Summary jurisdiction was introduced by Decree-Law of Presidential Council of the People's Republic. The same decree specified the territory in and the crimes to, which summary jurisdiction applies.
2. Publication of the introduction of summary jurisdiction shall be the task of the Council of Ministers. Publication may be by poster, press and radio.
3. Notifications publicizing the introduction of summary jurisdiction shall contain:
 - a) the description of the crime and the territory in respect of which summary jurisdiction was decreed;
 - b) a notice that every person shall refrain from committing such crimes;
 - c) a warning that any person who, after publication, shall commit such crime on the territory specified, shall be subject to summary jurisdiction and his punishment shall be death.

Article 2.

General rules regulating proceedings before Courts of summary jurisdiction shall be applicable only insofar as they do not differ from rules laid down in the present Decree.

II. Provisions concerning jurisdiction**Article 3.**

1. Summary jurisdiction shall be within the jurisdiction of military courts. The Presidential Council of the People's Republic may, for the purpose of conducting summary proceedings, also make provisions for the appointment of other courts.

¹ Published in *Magyar Közlöny*, No. 102, December 13, 1956.

2. The court of summary jurisdiction shall consist of one professional judge and two people's assessors (section 8(1) of Law II of 1954).

Article 4.

Any person who shall be suspected of a crime triable by a court of summary jurisdiction shall be detained in preliminary custody and forthwith handed over to the nearest military prosecutor or to the prosecutor who has territorial jurisdiction for a court set up by the Presidential Council of the People's Republic in accordance with Article 3 (1).

III. Commencement of proceedings before a Court of summary jurisdiction

Article 5.

1. The accused shall only be brought before a court of summary jurisdiction if either he was caught in the act or the evidence necessary for the proof of his guilt can be submitted to the court forthwith. In that case the prosecutor shall, without an accusation in writing, bring the accused before the nearest military court or the appointed court of summary jurisdiction.

2. Lunatics, persons suffering from serious illness pending their recovery, and pregnant women shall not be brought before courts of summary jurisdiction.

3. If ordinary criminal proceedings have already been commenced against the accused in respect of a crime, summary jurisdiction shall have no application in respect of the same crime.

Article 6.

There shall be no transfer of the case from one court of summary jurisdiction to another court of summary jurisdiction.

Article 7.

The longest period of proceedings – including judgment – against the accused shall be three periods of 24 hours each which shall be computed from the time when the accused was brought before the court of summary jurisdiction. If this time limit cannot be complied with, the case shall be transferred to an ordinary court having, in accordance with general rules, jurisdiction and competence.

IV. Hearing before a court of summary jurisdiction

Article 8.

1. No date shall be fixed for the hearing of the case and no subpoena shall be issued by a court of summary jurisdiction. It shall be the duty of the prosecutor to secure the presence before the court of witnesses and experts and of any evidence that may be required. The charge shall be made by the prosecutor orally at the hearing.

2. The participation of defence lawyer in proceedings before a court of summary jurisdiction shall be compulsory.

Article 9

1. Ordinarily, proceedings shall be confined to the proof of that crime for which the proceedings were commenced. However, at the suggestion of the prosecutor, the proceedings may be extended to deal also with such other crimes as are subject to summary jurisdiction, provided there is no risk of the resulting delay nullifying the summary proceedings. Any crimes committed by the accused not being subject to summary jurisdiction proceedings shall be disregarded.

2. The proceedings may be extended for the purpose of holding responsible other perpetrators of the same crime, but for this reason the giving and execution of judgment against the accused may not be delayed.

Article 10

1. By its judgment the court of summary jurisdiction shall pass the death sentence if the accused shall unanimously be found guilty of an offence which is subject to summary jurisdiction.

2. If the restoration of public peace and the safeguarding of social order do not require the imposition of the death penalty, then the court of summary jurisdiction may impose, in lieu of the death penalty, imprisonment for a period of 10 to 15 years.

3. An accused who was under the age of 20 at the date when he committed the crime, shall be sentenced, not to death, but to imprisonment for a period of 10 to 15 years; and an accused who was under the age of 18 at the date when he committed the crime, shall be sentenced to imprisonment for a period of 5 to 10 years.

4. Beyond the provisions of paragraphs (2) and (3) hereof there shall be no lightening of sentence.

5. If the conditions warranting the acquittal of the accused (Code of Criminal Procedure, s. 180) are present in respect of a crime which is subject to summary jurisdiction, the court of summary jurisdiction shall by judgment acquit the accused of the charge.

Article 11

1. The judgment, with brief reasons therefor, shall forthwith be reduced to writing.

2. Minutes shall be prepared of the hearing before the court of summary jurisdiction and of the closed session preceding judgment. The minutes of the closed session shall include the votes of the members of the council on the guilt of the accused, and the minutes shall be signed, in addition to the president, by all members of the council. These latter minutes shall be attached to the dossier in a sealed envelope.

V. Implementation

Article 12

Except for reopening the case, this being the legal redress used in the interest of legality, there shall be no legal redress against decisions of courts of summary jurisdiction.

Article 13

1. If the accused is sentenced to death, the court of summary jurisdiction shall, immediately following the procedure laid down in the Code of Criminal Procedure, s. 240 (2)–(3), decide whether or not it will recommend the convicted person for mercy. A negative decision on the question of recommendation for mercy must be a unanimous decision of the council.

2. If the court of summary jurisdiction recommends the convicted person for mercy, it shall forthwith submit to the Minister of Justice the dossier of the case, together with a petition for mercy, if any, and the opinions of the prosecutor and of the court of summary jurisdiction. In this case, the carrying out of the death sentence shall be held in abeyance pending a decision on the question of mercy.

3. If the court of summary jurisdiction does not recommend the convicted person for mercy, it shall direct the carrying out of the death sentence. A petition for mercy shall not operate as a stay of execution of sentence; the sentence shall be carried out within two hours from publication.

Article 14

The implementation of a sentence of imprisonment shall be put into effect immediately upon the publication of the judgment by the court of summary jurisdiction.

VI. Miscellaneous provisions

Article 15

The case shall be transferred to an ordinary court having, in accordance with the general rules, jurisdiction and competence

if the court of summary jurisdiction finds the case not to be subject to summary jurisdiction proceedings, or

if there can be no conviction owing to the absence of a unanimous decision, or

if the accused is seriously suspected of having committed the crime with which he is charged, but proof of his guilt remains unsuccessful within the legal time-limit (Article 7), or

if it emerges in the course of the hearing that the accused should not have been brought before the court of summary jurisdiction (Article 5 (2) and (3)), or finally,

if it should be wholly impossible to pronounce judgment within the legal time-limit.

Article 16

1. It shall be for the Presidential Council of the People's Republic to take measures for the cessation of summary jurisdiction. The cessation of summary jurisdiction shall be published in the same manner as its introduction.

2. Cases pending before courts of summary jurisdiction – including cases where sentence of death was imposed, though not yet carried out – shall, upon the cessation of summary jurisdiction, be transferred to the ordinary courts; these shall proceed as though no proceedings had been commenced before the courts of summary jurisdiction. The cessation of summary jurisdiction shall not affect sentence of imprisonment once it has been imposed.

Article 17

1. The present decree shall come into force on the day of publication.¹

2. With the coming into force of the present decree, decree No. 8020/1939 M.E., concerning the procedural rules of summary jurisdiction, is repealed.

(sgd.) Janos Kadar, President of the Hungarian Revolutionary Worker-Peasant Government.

* * *

Decree No. 2-1957 (I.15)

of the Hungarian Revolutionary Worker-Peasant Government

Concerning the Classification of Certain State Enterprises as indispensable Public Utility Enterprises**Article 1**

For the purpose of implementing Decree-Law No. 4 of 1957 dealing with the regulation of summary criminal procedure, every state-owned agricultural, industrial (mining, transport, etc.) or commercial enterprise which regularly employs more than 100 workers shall – until further notice – be regarded as indispensable public utility enterprise.

Article 2

The present Decree shall come into force on the day of publication.²

(sgd.) Dr. Ferenc Münnich, Deputy President of the Hungarian Revolutionary Worker-Peasant Government.

¹ Published in *Magyar Közlöny*, No. 101, December 12, 1956.

² Published in *Magyar Közlöny*, No. 5, January 15, 1957.

Document K**Annex (d)**

Decree having the force of Law (hereinafter: "Decree-Law")
No. 31 of 1956 of the Presidential Council of the People's Republic
Concerning Public Security Detention

For the purpose of hindering the damaging activities of counter-revolutionary elements, and of persons who impede the restoration of public security and public order and its consolidation, the Presidential Council of the People's Republic decrees as follows:

Article 1

Any person whose activities or behaviour endangers public order, or public security, and in particular the undisturbed continuity of productive work and transport, may be placed in public security detention (hereinafter: "detention").

Article 2

An order for detention shall be made by the competent prosecutor at the suggestion of the police authority; its implementation shall be the duty of the police authority.

Article 3

The chief prosecutor shall, within 30 days of detention, officially review the case of the detainee. If the conditions of detention do not, or have ceased to, exist, he shall forthwith take measures for its termination. Such review shall be repeated within three months of detention.

Article 4

Detention shall be terminated forthwith if the grounds forming the basis of the detention order have ceased to exist. But the longest period of detention shall not exceed six months.

Article 5

Detailed rules concerning detention shall be made, by Decree, by the chief prosecutor in consultation with the Minister of Armed Forces.

Article 6

The duration of the present Decree-Law shall be one year from the date of publication.

Article 7

The present Decree-Law shall come into force on the day of its publication.¹

(sgd.) Istvan Dobi, President of the Presidential Council of the People's Republic.

(sgd.) Istvan Kristof, Secretary to the Presidential Council of the People's Republic.

Decree having the force of Law (hereinafter: "Decree-Law")
No. 1 of 1957 of the Presidential Council of the People's Republic
**Concerning the Amendment of Certain Provisions of Decree-Law No. 31
of 1957 Dealing with Public Security Detention**

Article 1

The following provision shall be substituted for Article 2 of Decree-Law No. 31 of 1956:

"Article 2: Detention shall be ordered – with the approval of the competent prosecutor – by the police authority; its implementation shall be the duty of the police authority."

Article 2

The following provision shall be substituted for Article 5:

"Article 5: Detailed rules concerning detention shall be made, by decree, by the Minister of the Armed Forces and Public Security Affairs in consultation with the chief prosecutor."

Article 3

The present Decree-Law shall come into force on the day of publication.²

(sgd.) Istvan Dobi, President of the Presidential Council of the People's Republic.

(sgd.) Istvan Kristof, Secretary to the Presidential Council of the People's Republic.

¹ Published in *Magyar Közlöny*, No. 102, December 13, 1956.

² Published in *Magyar Közlöny*, No. 4, January 13, 1957.

Decree No. 1/1957 (I.13)**of the Minister of the Armed Forces and Public Security Affairs****Concerning the Carrying into Force of Decree-Laws No. 31 of 1956 and No. 1 of 1957 Dealing with Public Security Detention**

In agreement with the chief prosecutor I decree as follows with regard to the carrying into effect of Decree-Laws No. 31 of 1956 and No. 1 of 1957:

Article 1

1. Public security detention shall be ordered by the chief police authority for the county (or Budapest) and its order shall require the approval of the prosecutor for the county (or Budapest).
2. The decision ordering public security detention shall contain the personal data of the person to be detained, a detailed description of the facts giving rise to the proceedings, and the enumeration of proofs.

Article 2

The competent prosecutor shall decide within 48 hours whether the decision ordering public security detention shall be approved.

Article 3

1. A complaint shall lie to the chief prosecutor against a decision ordering public security detention approved by the prosecutor.
2. The complaint shall have no suspensive effect on carrying out the public security detention.
3. Whether or no complaint is laid, all decisions concerning public security detention, and a copy of the relevant documents, shall be submitted to the chief prosecutor so that they should arrive within 72 hours of the decision being made (approved by the prosecutor).

Article 4

The decision shall be read to the person placed under public security detention and he shall be apprised of his right to complain.

Article 5

Public security detention shall be carried into effect in the place appointed for this purpose by the chief police officer of the country.

Article 6

A person placed under public security detention may be given permission for conversation, he may receive parcels and letters, and may write letters, at least once in every month. The correspondence, parcels and conversations shall be supervised by the police authority carrying the detention into effect.

Article 7

1. A person under public security detention may be employed for work. In case of employment he shall be supplied with working clothes.
2. In case of employment the person under public security detention shall receive adequate remuneration; the cost of public security detention shall be deducted from his remuneration.

Article 8

Complaints by a person placed under public security detention arising during his detention shall be made to the competent prosecutor.

Article 9

Public security detention shall be terminated:

- a) after the lapse of 6 months from its commencement;
- b) if the circumstances giving rise to the detention have ceased;
- c) when so ordered.

Article 10

No compensation shall be payable for economic detriments suffered by reason of public security detention.

Article 11

This Decree shall be implemented by the chief police officer of the country, who shall consult with the chief prosecutor.¹

(sgd.) Dr. Ferenc Münnich, Minister of the Armed Forces and Public Security Affairs.

¹ Published in *Magyar Közlöny*, No. 4, January 13, 1957.

NEW LAW ON SUMMARY PROCEDURE IN HUNGARY *

1. A new Decree-Law on summary procedure was passed by the Kadar régime on January 13, 1957. Its text is attached to this paper. The new decree-law is the most far-reaching and drastic of all summary laws passed in Hungary.

2. The previous decree-laws have – according to Dr. FERENC NEZVAL, Government Commissioner of Justice in Hungary – “proved inadequate recently so that the expedited procedure has now been introduced”.¹

3. Preamble

The preamble to this decree defines its objects which are: (a) to establish public order and security, and (b) to “achieve greater success in the struggle against ‘counter-revolution’”.

g. Jurisdiction

The decree specifies all the crimes now triable summarily. (Art. 1). Some of the crimes, such as murder or arson, or unlawful possession of fire-arms were already subject to summary procedure under the previous decrees. The significance of this decree lies, inter alia, in the *extention of the jurisdiction* of Summary Courts to:

- a) the crime of disturbing or inciting others to disturb the working of public utility or essential undertakings by a “mass strike”, or otherwise by any act “threatening great danger”;
- b) the crime of associating or organizing “against the People’s Republic” or the “democratic state order”;
- c) revolt and treason.

It must be made clear that the acts specified in (a) and (b) above were in some measure criminal offence before this decree, but were not triable summarily. While it is not the object of this paper to review criminal legislation of the countries which follow the Soviet conceptions of law, it is pertinent to comment on the vagueness of definitions of crimes such as “associating against the democratic state order”. It is also appropriate to underline that any (or at any rate any organized) opposition is a crime, now triable summarily.

* Issued by the International Commission of Jurists on February 20, 1957.

¹ Radio Budapest, January 13, 1957, 07.00 hours, as monitored by *BBC Summary of World Broadcasts*, Part IIB, No. 794, January 17, 1957, p. 6.

5. Special Courts

Crimes are triable summarily before Special Councils attached to County Courts, the Military Courts and the Supreme Court. (Art. 2) Special Councils consist of a President (appointed by the president of the Court to which the Council is attached) and two lay assessors (elected by the Presidential Council of the People's Republic for one year). It seems that the lay assessors have equal voting rights to the President who is a professional judge, and can thus outvote him; the administration of justice by the Summary Courts appears to be, therefore, in the complete control of laymen appointed by the Regime.

The election of lay assessors by the Presidential Council calls for special comment:

- a) The Presidential Council consists of 21 members of the National Assembly and corresponds to the Presidium of the Supreme Soviet of the USSR.
- b) Judges of the ordinary courts (except for military courts) are normally elected by the District and County Councils (Soviets) and by the National Assembly.
- c) The special significance of the concentration of power of appointment of lay assessors in the Presidential Council is that their election is now decided by this supreme body in Budapest even for the Courts in the provinces.

6. Summary trial in ordinary Courts

Summary procedure can also be applied in the Supreme Court and in the County Courts at the request of the Prosecutor (Art. 3).

7. Procedure at trial

There is no substantial change in the summary procedure (Art. 4):

- (a) There is no necessity for the prosecution to present a written "accusation" and the charge is made orally at the hearing;
- (b) The prosecutor should secure the presence of witnesses.

8. Punishment

The punishment is death, although the Court has the power to impose a sentence of life imprisonment, or imprisonment for 5 to 15 years in lieu of death sentence (Art. 8).

9. Appeal

There was no right of Appeal in the previous Decree-Laws dealing with Summary Trials, and this provision is new. An *Appeal* lies to a *special council* of the Supreme Court consisting of 2 professional judges and 3 People's assessors. The members of this Special Council are appointed in the same manner as the Councils (referred to in Paragraph 5). Thus the 3 People's Assessors of Appeal are elected by the Presidential Coun-

cil of the Republic, have apparently equal voting rights to the Judges and can outvote them. It is, therefore, very doubtful whether the right of appeal offers any real safeguards to the accused.

10. Retrospective operation of summary laws

This decree on Summary Procedure applies retrospectively to crimes committed (apparently at any time) prior to its coming into force on January 13, 1957, but the death penalty *cannot* be imposed under this decree to any crime committed before that date. It seems, therefore, that if the prosecution demands the death penalty, the defendant must be tried by a Military Court, if the crime was committed before the material date.

TRANSLATION FROM THE HUNGARIAN

Decree Having the Force of Law of the Presidential Council of the People's Republic Regulating the Procedure of Summary Trials

In order to consolidate public order and public security, and to achieve greater success in the struggle against counter-revolutionary acts, the Presidential Council of the People's Republic issued the following decree:

Article 1

1. Whenever the accused is detained in custody, the necessary evidence being available, and the prosecutor so suggests, County Courts, (in Budapest: the Metropolitan Courts), Courts Martial and the Supreme Court of the Hungarian People's Republic shall apply the provisions of the present Decree-Law in summary trials for the following crimes or attempts thereat:

a) murder and intentional homicide (Official Compilation of Valid Rules of Substantive Criminal Law (hereinafter: "C.R.Cr.L.") ss. 349, 351, and 352);

b) arson (C.R.Cr.L. ss. 162-164);

c) robbery (C.R.Cr.L. ss. 433-437);

d) looting and housebreaking (C.R.Cr.L. s. 427(c));

e) crimes committed in connection with the unlicensed possession of fire-arms and explosives (C.R.Cr.L. s. 33(1) and 34(1)) and in connection with the unlawful use of fire-arms and explosives (C.R.Cr.L. s. 33(3) and s. 34(3));

f) malicious damage to *utilities supplying water, gas or electricity*, or to such *public utilities* supplying the *population with essentials* which by government *decree have been declared indispensable*;

further, malicious damage to public transport undertakings, or to undertakings required for defence;

further, the acts of any person who, by unlawful entry into, or by his presence on, the premises of such undertaking, or in any other way, deliberately disturbs the working of the undertaking (circumstances taken from C.R.Cr.L. s. 73(1), and emphasized in the Decree-Law);

or the instigation of others to commit any such act, or the calling upon another so to do (C.R.Cr.L. s. 73(2));

The Decree-Law only applies to the crimes listed in the present Article if the acts were directed at mass stoppage of work or otherwise threatened great danger;

g) intentional endangering of transport (C.R.Cr.L. s. 172);

h) organization against the People's Republic, or against the people's democratic state order (C.R.Cr.L. s. 1) and associating for this purpose (C.R.Cr.L. s. 6);

i) revolt (C.R.Cr.L. ss. 17-24);

j) treason (C.R.Cr.L. ss. 35, 37-40).

2. In the case of crimes set out in sub-paragraphs (b), (c) and (d) of paragraph 1. hereof, the prosecutor (or Chief prosecutor, as the case may be) may suggest the application of summary procedure, irrespective of the fact whether the offence was committed against private or State-owned property.

3. Act III (Code of Criminal Procedure) of 1951, as amended by Act V of 1954, shall be applied to summary trials, subject to the modifications provided in the present Decree-Law.

Article 2

1. In conjunction with the Metropolitan Courts in Budapest, the County Courts, Military Courts and the Supreme Court of the Hungarian People's Republic a Special Council or Councils shall be set up for the summary trial of acts specified in Article 1. hereof.

2. The president of the Council shall be appointed by the president of the Court. The people's assessors shall be elected for one year by the Presidential Council of the People's Republic: the people's assessors shall act continuously throughout their term of office.

Article 3

1. Those County Courts (in Budapest: the Metropolitan Courts) shall also be competent to adopt this procedure to whom the prosecutor suggests that the trial be conducted summarily.

2. The chief prosecutor shall also be entitled to suggest the adoption of summary procedure to the Supreme Court of the Hungarian People's Republic.

Article 4

1. In the summary proceedings the prosecutor (or chief prosecutor as the case may be) shall be entitled to cause the accused to be brought before the Court without an accusation in writing. In such cases it shall be the duty of the prosecutor (or chief prosecutor as the case may be) to secure the presence before the Court of witnesses and experts and of any evidence that may be required. The charge shall be made by the prosecutor orally at the hearing.

2. If the prosecutor (or chief prosecutor, as the case may be) submits to the Court an accusation in writing, the hearing shall take place within the shortest possible time, the provisions of the Code of Criminal Procedure regarding preliminary sittings and the time-limits of hearings being inapplicable.

Article 5

1. The sentence for crimes tried in summary proceedings shall be death. The court may, having regard to all the circumstances of the case, impose a sentence of life imprisonment or imprisonment for a period of five to fifteen years in lieu of the death sentence. If, however, the law provides a sentence of death even if the crimes were not tried summarily under the present Decree-Law, sentence of imprisonment for less than 10 years may not be pronounced.

2. Paragraph 53. of the Code of Criminal Law shall have no application to summary proceedings.

3. If the accused is a young person, sentence shall be in accordance with s. 8. of Decree-Law No. 34 of 1951 (Ftvr.). This rule does not affect the provisions of C.R.Cr.L., s. 12.

Article 6

1. Appeals lodged against the decisions of Special Councils of the County Courts (in Budapest: the Metropolitan Courts) shall be determined by a Special Council of the Supreme Court of the Hungarian People's Republic, composed of two professional judges and three people's assessors. The formation of the Councils shall be governed by Article 2 (2) hereof.

2. Sub-clauses (2) and (3) of clause 195 of the Code of Criminal Procedure, which provide for time-limits, shall not be applicable to appeals; and appeals shall be heard within the shortest possible time.

Article 7

If the crime being the subject-matter of the charge is not one of those listed in Article 1 of the present Decree-Law, the Special Council shall either conduct the proceedings in accordance with the ordinary provisions of the Code of Criminal Procedure or remit the case to the Court having jurisdiction and competence.

Article 8

1. The present Decree-Law shall come into force on the day of publication. With the exception of the provisions contained in Article 5, its provisions shall be applicable also to crimes committed prior to its coming into force.
2. Decree-Law No. 22 of 1956 shall cease to be valid.
3. This Decree-Law shall not affect the validity of Decree-Law No. 28 of 1956. If, however, summary proceedings against an accused have already been instituted under the present Decree-Law, no Court Martial proceedings shall take place in respect of the same crime. But if the Military Court remits the case to the ordinary court, the prosecutor shall be entitled to suggest the application of summary procedure.¹

¹ Published in *Nepszabadsag*, January 13, 1957, p. 1.

**SIXTH CONGRESS OF THE INTERNATIONAL
ASSOCIATION OF DEMOCRATIC LAWYERS**

Brussels, May 22-25, 1956

**FROM THE REPORT OF COMMITTEE ON PENAL
PROCEDURE¹**

On the basis of the discussion there was general agreement on the elements requiring to be present in a system of criminal procedure to preserve the rights of the individual. This agreement was reached by lawyers from different countries and different social systems. These elements and the suggestions agreed by the Committee to them are set out below:

1. Nullum crimen sine lege

We have observed with regret many infringements of this principle in which we reaffirm our belief. We consider that the doctrine of analogy ought not to form part of any procedure and that offences should be clearly stated. In particular, we reject the conception of collective punishment.

2. The need for the accused to be brought to trial speedily

a) The period from time of arrest to appearance before a magistrate or judicial functionary should not exceed 48 hours.

b) To ensure this there must be effective legal sanction, civil or criminal and unjustified detention should give a right to an action for damages.

c) During the preliminary investigation the accused must not be kept in detention more than three months without the permission of the Court after public hearing of the parties.

3. Fair trial

a) It is desirable that Courts of first instance should contain a lay element appointed on democratic principles.

b) No punishment involving deprivation of liberty to be imposed except by a judicial tribunal.

¹ From a Report on the Congress published by the International Association of Democratic Lawyers (Brussels).

4. No discrimination against the accused

There shall be no discrimination in the forms of penal procedure or punishment for reasons of race, religion, class or any other cause. This point arises because in some legal systems particularly in colonial countries sections of its population are tried by a procedure which provides less guarantees than those afforded by the procedure to which other members of its population are subject.

5. Right of defence

a) An accused without means shall be entitled to effective legal aid and representation by a qualified lawyer of his own choice before all tribunals without exception.

b) That the accused and his Counsel shall have the same rights at the hearing as has the prosecution.

c) From the moment of arrest every accused must have the right to consult with his legal advisers without surveillance.

d) That in countries where the preliminary investigation is in private defending counsel should be entitled to be present with the accused at all stages of the preliminary investigation and to have access to the prosecution dossier before the examination or confrontation of the accused.

e) Lawyers should not be subjected to prosecution or pressure because of their professional status on behalf of their clients.

6. Proof

a) A confession particularly made to the police must be corroborated by independent evidence before it can be the basis of a conviction. Evidence of an accomplice also requires corroboration by independent evidence.

b) Conviction must be based only on facts proved in evidence.

c) No arrested person shall be subject to any physical pressure, threats or promises calculated to produce a statement.

7. Appeal

There must be at least one appeal in all criminal proceedings.

8. Punishment

a) Corporal punishment should be abolished.

The death penalty should be abolished in time of peace.

9. State of emergency

No state of emergency abrogating these principles shall be permitted in time of peace.

We consider that one of the strongest guarantees of the application of these principles is to assure full and fair publicity for all criminal proceedings with the exception of those involving state secrets or matters of serious indecency.

We put forward these proposals as minimum suggestions only in the belief that their adoption would involve significant advances in nearly every criminal procedure throughout the world. We urge all lawyers to do whatever they can to secure their implementation in their own countries . . .

ABBREVIATIONS USED IN DOCUMENTS N, O, P

15	15 years imprisonment
1 $\frac{2}{3}$	1 year and 8 months imprisonment
Bor	Borsod
consid.	consideration
CC	County Court
CP	Communist Party
c-r	counter-revolutionary
DC	District Court
exec.	executed
HIS	Hungarian Information Service
life	life imprisonment
MC	Military Court
MEFESZ	Federation of Hungarian University and College Student Unions
Mil. Coll.	Military Collegium
min.	minor
MTI	Hungarian News Service
Nep	Nepakarat (newspaper)
NG	National Guard
Nsz	Nepszabadsag (newspaper)
Ord. Court	Ordinary Court, transferred to
org.	organization
p	for political reasons
partic.	participation in uprising
PC	Presidential Council
prev. conv.	previous conviction
publ.	published
R	Radio
RB	Radio Budapest
RC	Revolutionary Council
Rep.	Republic
RN	Radio Nyiregyhaza
SC	Supreme Court
WG	Workers Guard

**DATA ON ARRESTS
BETWEEN NOVEMBER 4, 1956 AND FEBRUARY 23,**

Source			Data on Arrested			
File No.	Source	Date	Name	Age	Profession	Prev. conv.
1. Identified cases						
1-4	RB	Nov. 30	4			
5-8	RB	Nov. 30	4			
9-10	RB	Nov. 30	2			
11-49	RB	Dec. 5	39			
50	RB	Dec. 6	Micsinai, I.			
51	RB	Dec. 6	Halász, E.			
52	RB/Nep	Dec. 6/Jan. 20	Obersovszky, Gyula	29	journalist	
53	RB	Dec. 6	Kovács, G.		technician	
54-57	RB	Dec. 6	4			
58	RB	Dec. 11	Gál, L.			
59	RB	Dec. 11	Viczián, T.			
60	RB	Dec. 11	1			
61	RB	Dec. 12	Rács, S.			
62	RB	Dec. 12	Bal, S.			
63	RB	Dec. 13	Gondos(?), J.			
64	RB	Dec. 13	Fueloep(?), I.			
65	RB	Dec. 13	Vaskó(?), A.			
66	RB	Dec. 13	Máté, I.			
67	RB	Dec. 13	Szabó(?), Gergely	43	army sergeant	
68	RB	Dec. 13	Lajos, Sándor			
69	RB	Dec. 13	Jenoe, László	19	worker	
70	RB	Dec. 13	Móra, G.	19	worker	
71	RB	Dec. 13	Kutas, F.			
72	RB	Dec. 13	Johacs(?), L.	24		
73	RB	Dec. 13	Bálint, L.	25		
74-94	RB	Dec. 14	21			yes
95-96	RB	Dec. 14	2			
97-103	Nep	Dec. 15	7			
104	Nep	Dec. 15	1			yes
105	RB	Dec. 17	Szöke, S.	21		
106	RB	Dec. 17	Borbély, G.	28		
107	RB	Dec. 17	Huszár, A.	56	electrician	
108	RB	Dec. 17	Talanyi, F.		worker	
109	RB	Dec. 17	Troják, F.		worker	
110	RB	Dec. 18	Kulák(?), J.			
111	RB	Dec. 18	Nagy, I.			
112	RB	Dec. 18	Hegedüs, J.			
113	RB	Dec. 18	Tamás, J.			
114	RB	Dec. 18	Tamás, F.			
115	Nsz	Dec. 21	Ulaga, G.	15		
116	Nsz	Dec. 21	Ulaga, A.	14		
117	Nsz	Dec. 21	Fischer, F.	15		

¹⁾ See p. 90 for list of abbreviations.

**MADE IN HUNGARY
1957 AS PUBLISHED IN HUNGARIAN SOURCES¹**

Document N

Possible Aggravating Circumstances	Place of Arrest	Charge	Release	Sentence published (File No.)
	Budapest	armed assault		
	Budapest	looting		
	Budapest	robbery		
	Budapest	"chanting fascist slogans"		
	Budapest	killing K. Turner		
	Budapest	wrecking railway rails		
	Budapest	writing leaflets; editing illegal paper "Elink"		
	Budapest	printing leaflets		
	Budapest	transporting mimeograph		
	Salgotarján	reading loudly leaflets, instigation to strike		
	Salgotarján	reading loudly leaflets, instigation to strike		
	Győr	hiding arms		
	Budapest	Chairman { Greater Budapest		
	Budapest	Member { Worker's Council		
	Győr	aid to cross border		
	Csongrád	selling for profit		
	Csongrád	organization of strike		
		organization of strike		
		instigation to strike		
		instigation to strike		
	Csongrád	distributing leaflets		
	Csongrád	hiding arms		
	Bacs-Kiskun	hiding arms		
	Pest	using arms		
	Pest	using arms		
	Baranya	escaped convicts		
	Paks	hiding arms		
	Kecskemét	armed assault		
	Esztergom	hiding arms		
		hiding arms		
		hiding arms		
		hiding arms		
		hiding arms		
	Bakonycsernye	hiding arms		
	Bakonycsernye	hiding arms		
	Bakonycsernye	hiding arms		
	Dunapentele	hiding arms		
	Dunapentele	hiding arms		
	Fejér	hiding arms		
	Fejér	hiding arms		
	Fejér	hiding arms		

(continued)

Source			Data on Arrested			
File No.	Source	Date	Name	Age	Profession	Prev. conv.
I. Identified cases (continued)						
118	Nsz	Dec. 21	Balog, András	17		
119	RB	Dec. 22	Darvasi, S.	54	shoemaker	
120	RB	Dec. 22	Gyula, K.	17	electrician	
121	RB	Dec. 22	András, István	16	apprentice	
122	RB	Dec. 22	Rada, Károly	16	apprentice	
123	RB	Dec. 23	Jordán, V.			
124	RB	Dec. 23	Burcsu, I.			
125	RB	Dec. 23	Vidovics (Burovics?), F.			
126	RB	Dec. 23	Bessenyci, S.			
127	RB	Dec. 23	Szerédi, M.			
128	RB	Dec. 23	Tiglidy, E.			
129	RB	Dec. 24	Nagy, F.	30	stoker	
130	RB	Dec. 24	Szülek (Fülop?), I. (cf. No. 64?)		teacher	
131	RB	Dec. 24	Kovács, G.		engineer	
132	Nep	Jan. 8	Kolompár, L.			
133	HIS/Nep	Jan. 9/20	Gali, J.		writer	
134-142	HIS	Jan. 9	9			
143	Nsz	Jan. 13	Koháry, G. + aids			yes
144	Nep	Jan. 16	János, S.	17		
145	Nep	Jan. 16	György, J.	16		
146	Nep	Jan. 16	Pospichil, K.	19	lockmaker	
147	Nep	Jan. 16	Ceglédi, J.			
148	Nep	Jan. 16	Langer, J.			
149	Nsz	Jan. 18	Schilling, M.			
150	Nep	Jan. 20	Angyal, I.			
151	Nep	Jan. 20	Szabó, B.			yes
152	Nep	Jan. 20	Kovács, F.			yes
153	Nep	Jan. 20	Horváth, S.			yes
154	Nep	Jan. 20	Kovács, J.			
155	Nep	Jan. 20	Gyöngyösi, M.			yes
156	Nep	Jan. 20	Tóth, Ilona		doctor	
157	Nep	Jan. 20	Jagicza, L.		draftsman	
158	Nep	Jan. 20	Lukács, J.			
159	RB	Jan. 23	Domjan, J.			
160	RB	Jan. 23	Vincze, György			
161	Nep	Jan. 23	1			
162	RB	Jan. 23	Folly, G.		journalist	yes
163	Nep	Jan. 24	Suka, F.			
164	Nep	Jan. 24	Stefancsik, L.			
165	Nep	Jan. 24	Varga, F. (N?)			
166-170	Nep	Jan. 24	5			
171	Nsz	Jan. 24	Harminc, I.			
172	Nsz	Jan. 24	Lakos, János			
173	Nsz	Jan. 24	Lakos, Pál			
174	Nsz	Jan. 24	Balla, P.			
175	Nsz	Jan. 24	Kövecses, F.	23	student	yes
176	Nsz	Jan. 24	Miloszerni, P.			

(continued)

Source			Date on Arrested			
File No.	Source	Date	Name	Age	Profession	Prev. conv.
I. Identified cases (continued)						
177	Nsz	Jan. 24	Varro, C.		technician	
178	Nsz	Jan. 24	Koleszár, J.		soldier	
179	Nsz	Jan. 24	Kollar		stud. med.	
180	RB	Jan. 26	Bot, K.			
181	RB	Jan. 26	Fentös, G.			
182	Nep	Jan. 26	Kiss, P.			
183	Nep	Jan. 26	Piszkó, M.			
184	Nep	Jan. 26	Szatmári, J.			
185	Nep	Jan. 26	Cseperszki, B.			
186	Nep	Jan. 26	Ragó, F.			
187	Nep	Jan. 26	Rózsa, György			
188-197	Nep	Jan. 27	10			
198-207	Nep	Jan. 27	10	min.		
208-221	Nep	Jan. 27	14			
222	RN	Jan. 28	Kapus			
223	RN	Jan. 28	Darazics, M.			
224	RB	Jan. 28	1			
225	RB	Jan. 28	Cserbakoei, Endre			
226	RB	Jan. 28	Weisz (Wiszt?), Márta	15		yes
227	RB	Jan. 28	Tóth, G.		army captain	
228	RB	Jan. 28	Koeszegi(?), P.			
229	RB	Jan. 28	Englmayer(?), M.			
230	RB	Jan. 28	Koefalu(?), I.			
231	RB	Jan. 28	Vad(?), J.			
232	Nsz	Jan. 29	Kapusi, F.			
233	RB	Jan. 29	Toldi, J.		seaman	
234	RN	Jan. 29	Farago, J.		innkeeper	
235	RN	Jan. 30	Misák, B.			
236	RN	Jan. 30	Gerzseny, J.			
237	RN	Jan. 30	Guti, B.			
238	Nsz	Jan. 30	Héder, Géza		sergeant	
239	Nsz	Jan. 30	Katona, S.		printer	
240	Nsz	Jan. 30	Szutter, J.		worker	
241	Nsz	Jan. 30	Schrudas(?), A.		lockmaker	
242	Nsz	Jan. 30	Bona, Z.			
243	HIS	Jan. 30	Szoenyi(?), J.			
244	Nep	Jan. 31	Benyovszki, L.			
245	Nep	Jan. 31	Illés, Mrs.			
246	Nsz	Feb. 1	Ivándi, L.	24	employee	
247	Nsz	Feb. 1	Nemes, L.			
248	Nep	Feb. 3	Barer, G.			yes
249	Nep	Feb. 3	Sipos, Dr.		lawyer	

Possible Aggravating Circumstances	Place of Arrest	Charge	Release	Sentence published (File No.)
member RC	Budapest Budapest Budapest	hiding arms, radio transmitter hiding arms not reporting 3rd party		
chief NG, kulak	Zala	hiding arms dissolving kolkhoz, armed assault		
} partic. in Szabo- } Dudas-group	Zala Zala Petervasar Petervasar Heves Heves Heves Heves Budapest Budapest Budapest Demecser Pecs Budapest Budapest Budapest Feher	hiding arms hiding arms hiding arms organising c-r group organising c-r group organising c-r group organising c-r group c-r group hiding arms escaped convicts hiding and using arms hiding arms murder aiding murder aiding murder appointed himself police chief and court president during uprising, torture		104 105
member, NG member, NG member, NG captain, NG	Budapest Dunabogdany Vasarosnameny Vasarosnameny Vasarosnameny Pomaz Pomaz Pomaz Pomaz Mohacs Budapest Budapest Eger Eger Gyula Ercsi	aid to cross border aid to cross border aid to cross border aid to cross border aid to cross border hiding arms, forged documents hiding arms instigation against kolkhoz assault assault hiding arms hiding arms hiding arms hiding arms ordered to hide arms hiding arms hiding arms false accusation hiding arms, attempted murder, printing leaflets, c-r group aiding Iváncsi, L. (No. 246) instigation to leave CP organised National Assembly; carried out arrests; writing leaflets	released	100 101

(continued)

Source			Date on Arrested			
File No.	Source	Date	Name	Age	Profession	Prev. conv.
1. Identified cases (continued)						
250	Nep	Feb. 3	Romvári, J.			
251	Nep	Feb. 3	Farkas, A.			
252	RB	Feb. 5	Beke, T.	23	student	
253	RB	Feb. 5	Nemes, J.	25	student	
254	RB	Feb. 5	Vekerdi, J.	30	Univ. lecturer	
255	RB	Feb. 5	Kornidesz, I.	36	Univ. lecturer	
256-262	RB	Feb. 5	7		students	
263-265	RB	Feb. 5	3		Univ. lecturers	
266-302	RB	Feb. 7	37			
303	RB	Feb. 7	Szabó, J.	37		
304-305	HIS	Feb. 9	2			
306	HIS	Feb. 9	Papacsi, Dr. Ervin			
307	RB	Feb. 9	Halász, F.		ex-captain	
308-321	RB	Feb. 10	14			
322	RB	Feb. 12	Baranyai, Károly			
323	Nsz	Feb. 15	Veltei, János			yes
324	Nsz	Feb. 15	Kovacs, László			
325	Nsz	Feb. 15	Úveges, István			
326	Nsz	Feb. 15	Szili, Sándor			
327	Nsz	Feb. 15	Szabo, András			
328	Nsz	Feb. 15	Tajti, Gábor			
329	Nsz	Feb. 15	Karman, Hegye			
330	Nsz	Feb. 15	Karman, Imre			
331	Nsz	Feb. 15	Gödöllei, István			
332	Nsz	Feb. 15	Feher, András		publician	
333	Nsz	Feb. 15	Kovacs, Jozsef		meat-packer	
334	MTI	Feb. 17	Kristof, Egon		ex-major	
335	MTI	Feb. 17	Baranyai, László			
336	MTI	Feb. 17	Szape, Zoltan		actor	
337	MTI	Feb. 17	Gomor, Jozsef		teacher	
338	MTI	Feb. 17	Veigl, Jozsef		student	
339	RB	Feb. 18	Gali, Jozsef		writer	
340	RN	Jan. 25	Samasi, István			
341	RN	Jan. 25	Demeter, László			
342	RN	Jan. 25	Rajo, András			
343	Nep	Feb. 14	Bartok, István			
344	Nep	Feb. 14	Szarka, Jozsef			
345	Nep	Feb. 14	Monus, Bela		teacher	
346	Nep	Feb. 14	Kerese, Pal		former officer	
347	Nsz	Feb. 14	Kertesz, Emő		manager	
348	Nsz	Feb. 14	Gondos, István		driver	
349	Nsz	Feb. 14	Repper, Sándor			
350	Nsz	Feb. 14	Nagy, Lajos	29		yes(p)

Possible Aggravating Circumstances	Place of Arrest	Charge	Release	Sentence published (File No.)
member, MEFESZ member, MEFESZ	Decs Tolcsva	hiding arms hiding arms writing leaflets distributing leaflets printing illegal paper "Eszmelet" organising c-r network partic. in c-r network partic. in c-r network		
	Szentgotthard	aid to cross border; hiding arms; c-r activity		
	Miskolc	aid to cross border distributing leaflets writing leaflets; hiding mimeograph		
	Vas	closed local CP; attempt to form Trans-Danubian government		
	Miskolc	murder of Lt. Col. Gyula Gati and six of his companions		
	Koermend	aid to cross border		
	Nagykata	looting, armed attack		
	Nagykata	looting, armed attack		
	Nagykata	looting, armed attack		
	Nagykata	looting, armed attack		
	Nagykata	looting, armed attack		
	Nagykata	looting, armed attack		
	Nagykata	looting, armed attack		
	Nagykata	looting, armed attack		
	Vac	running clandestine transmitter		
	Vac	running clandestine transmitter		
	Vac	running clandestine transmitter		
	Vac	running clandestine transmitter		
	Budapest	editing leaflet		
		looting Soviet deliveries		
		looting Soviet deliveries		
	Budapest	looting Soviet deliveries		
	Budapest	incitement, attempt of murder		
	Budapest	attempt of murder		
partic.		hiding leaflets		
		terrorism		
		aid to cross border		
		aid to cross border		
member, NG	Kecskemet	aid to cross border		
		robbery, hiding arms		

(continued)

Source			Data on Arrested				
File No.	Source	Date	Name	Age	Profession	Prev. conv.	
1. Identified cases (continued)							
351	Nsz	Feb. 14	Szabo, János		driver	yes	
352	Nsz	Feb. 14	Yirag, Imre		iron-melter	yes	
353	Nsz	Feb. 14	Batta, Sándor	29	worker		
354	Nsz	Feb. 14	Hajdik, Lajos Jr.	29	peasant		
355	Nsz	Feb. 14	Langyel, István	25	railway-man		
356	Nsz	Feb. 14	Sejpes, László	28			
Budapest Show Trial							
156	RB	Feb. 14	Toth, Ilona		doctor		
52			Obersovszky, G.	29	journalist		
339			Gali, Jozsef		writer		
150			Angyal, István	29	building foreman		
357			Eörsi, István		poet		
358			Kaldor, Erika	29	doctor		
151			Szabó, Bela		clerk		
359			Molnar, Sándor	21	worker		
153			Horváth, Sándor Mrs.				
155			Gyöngyösi, Miklos (F?)				
360			Mateffij, Csaba				yes
158			Lukács, Jozsef				
361	Goenczi, Ferenc			min. min.	miner		
					shipbuilding worker		
2. Unidentified cases							
362	RB	Dec. 12	"many"				
363	RB	Dec. 15	"people in custody"				
364	HIS	Dec. 28	"a gang of criminals"				
365	RB	Feb. 1	"nearly 2000"				
366	RB	Feb. 1	310 (arrested between Nov. and end of January)				
367	RB	Feb. 7	3000 children				
368			a number of writers				
369	HIS	Feb. 11	"terrorists"				
370	HIS-RB	Feb. 21/23	a number of c-r-ies				

Possible Aggravating Circumstances	Place of Arrest	Charge	Release	Sentence published (File No.)
member, NG member, NG partic. partic. partic.	Kecskemet Kecskemet Verescgyhaza Verescgyhaza Verescgyhaza	robbery, hiding arms robbery, hiding arms armed attack armed attack armed attack		
	Budapest Budapest Budapest Budapest Budapest Budapest Budapest Budapest Budapest Budapest Budapest	instigation, murder instigation editing, printing leaflets printing leaflets, murder printing leaflets, murder printing leaflets, murder printing leaflets, murder distributing leaflets distributing leaflets, embezzlement torture, murder murder		
members, NG	Eger Nograd Dunakeszi Szeged Szeged Toemoerheny Miskolcz Tolna	instigation to revolt; hiding arms partic. in uprising in Salgotarian instigation to revolt; looting; kidnapping communists attempt to cross border into Yugoslavia escaped convicts attempt to cross border blowing up railway lines in November	"most of them released after questioning" "returned to their parents"	

**DATA ON SENTENCES PASSED UNDER
BETWEEN NOVEMBER 4, 1956 AND FEBRUARY 23,**

I. Military Courts

Source			Data on Convicted				Charge o
File No.	Source	Date	Name	Age	Profession	Prev. conv.	after Nov. 4, 1956
1. Adults							
1	RB	Dec. 15	Soltész, János			yes	hiding arms
2	RB	Dec. 15	Nagy, Lajos				hiding arms
3	RBor	Dec. 16	Csizmadia, János				hiding arms
4	RB	Dec. 17	Pap, István				hiding arms; use of arms
5	RB	Dec. 17	Nyars, Rudolf				hiding arms
6	Nep	Dec. 18	Minczer, Jozsef	24	miner		hiding arms
7	Nep	Dec. 18	Minczer, Károly	22	locksmith		hiding arms
8	RBor	Dec. 18	Kazinczy, Zoltan				hiding arms
9	RB/Nep	Dec. 20/21	Rózsa, István	52		yes(p)	hiding arms
10	RB/Nep	Dec. 20/21	Bólya, Pal		political officer		hiding arms
11	RB	Dec. 20	Huszár, András				hiding arms; at- tempt of murder
12	RB	Dec. 22	Kisbéri, Sándor				hiding arms
13	RB	Dec. 22	Vlasics, László				hiding arms
14	RB	Dec. 22	Fehér, József				hiding arms
15	RB	Dec. 22/23	Darvasi, Sándor	54			hiding arms
16	RB	Dec. 22	Cseh, Miklós				hiding arms
17	RB	Dec. 22	Jureszka, György				hiding arms
18	RB	Dec. 23	Lakatos, Péter	26			armed robbery
19	RB	Dec. 23	Balogh, Ákos				armed robbery
20-24	RB	Dec. 23	5				armed robbery
25	MTI	Jan. 3	Szivós, Géza				hiding arms
26	RB	Jan. 4	Telcsi (Tajko?), György	21			hiding arms
27	RB	Jan. 4	Floriz (Köriz?), Kálmán	19			hiding arms
28	HIS/Nep	Jan. 4/8	Doktor, László	21			hiding arms; looting; menac- ing witnesses
29	Nep	Jan. 6	Kovacs, Elemér	26		yes	hiding arms
30	Nep	Jan. 6	Mile, Lajos	23			hiding arms; attempted suicide
31	Nep	Jan. 6	Hajóú, Miklos				hiding arms
32	Nep	Jan. 8	Pintér, József		worker		hiding arms
33	Nep	Jan. 8	Nagy, Ferenc				hiding arms; firing
34	Nep	Jan. 8	Hrepka, Ferenc				hiding arms
35	Nep	Jan. 8	Kopcsó, Gyula				hiding arms
36	Nep	Jan. 8	Kopcsó, Imre				hiding arms

1) Sec p. 90 for list of abbreviations

SUMMARY JURISDICTION IN HUNGARY
1957 AS PUBLISHED IN HUNGARIAN SOURCES¹

Document O

Crimes Committed	Data on Sentence			If Death Sentence — Petition for Clemency			Arrest publ. (File No.)	
	Possible Aggrava- ting Circumstan- ces	Military Court of the Garrison of	Sentence	Forwar- ded by Court	Com- muted by PC to	Refused by and Execution		
before Nov. 4, 1956								
revolt (declared Rep. of Kesztole) revolt (declared Rep. of Kesztole)	partic.	Miskolc	death	yes	-	PC; exec.	119	
		Miskolc	death					?
	partic.	Budapest	life	yes	?	-		
		Budapest	death					life
	revolt (attack on CP HQ)	partic.	Budapest	death	no	-		Court; exec.
			Budapest	death				
		partic.		10	-	-		exec.
				4				
			Kecskemét	14				
			Kecskemét	15				
Budapest			12					
Budapest			12					
Budapest			10					
Kaposvar			15					
revolt (partic. in Dudas group)	partic.	Budapest	10	-	-	PC; exec.		
		Budapest	death					
		Debrecen	5 to 12					
		Debrecen	15					
		Budapest	death					
revolt (fired at Soviet tank)	partic.	Debrecen	15	-	-	PC; exec.		
		Debrecen	10					
		Kecskemét	15					
			15					
revolt (fired at Soviet tank)	partic.	Kecskemét	15	-	-	PC; exec.		
		Debrecen	14					
		Debrecen	10					
		Budapest	death					
revolt (fired at Soviet tank)	partic.	Budapest	15	-	-	PC; exec.		
		Budapest	15					
		Budapest	15					
		Budapest	death					
revolt (fired at Soviet tank)	partic.	Budapest	10	-	-	PC; exec.		
		Budapest	15					
revolt (fired at Soviet tank)	partic.	Budapest	15	-	-	PC; exec.		
		Budapest	10					

I. Military Courts (continued)

Source			Data on Convicted				Charge of
File No.	Source	Date	Name	Age	Profession	Prev. conv.	after Nov. 4, 1956
37	RB	Jan. 9	Kozma, Pál		soldier		hiding arms, desertion
38	RB	Jan. 9	Vas, József				hiding arms, threat w. arms murder;
39	RB	Jan. 10	Varga, István			yes	bodily harm
40	Nep	Jan. 10	Péntek, Ferenc		employee		hiding arms
41	Nep	Jan. 11	Torkovics, János	31	car mechanic		hiding arms
42	Nep	Jan. 11	Terkovics, Sándor			yes	hiding arms
43	Nep	Jan. 11	Csernyik, József		peasant		not reporting 3rd party
44	Nep	Jan. 11	Horváth, Sándor				hiding arms
45	Nep	Jan. 11	Bereczky, Béla				hiding arms, use of arms
46	Nsz	Jan. 11	Many, Elisabeth	20		yes	hiding arms
47	Nsz	Jan. 11	Farkas, Mihály			yes	
48	Nsz	Jan. 11	Szilágyi, István				
49	Nsz	Jan. 11	Zsótér, Mátvás				
50	Nsz	Jan. 11	Boros, Ferenc				
51-59	Nsz	Jan. 11	9				
60	Nsz	Jan. 11	Kiss, Ferenc				
61	MTI/RB	Jan. 11/12	Romics (Romik?), Sándor	22	policeman		murder
62	Nsz	Jan. 12	Jakab, András		worker	yes	hiding arms, looting
63	Nsz	Jan. 12	Rideg, Károly	29			hiding arms
64	RB	Jan. 13/14	Zahora (Zavorka?), Mihály	21		yes	hiding arms
65	RB	Jan. 14	Pajsz, Ferenc				hiding arms
66	Nsz	Jan. 15	Ammer, István				murder
67	Nep	Jan. 16	Szobko, József	30	electrical eng.		hiding arms
68	Nsz	Jan. 17	Lederer, Jenő		soldier	ar-rested	terrorist acts, looting
69	Nep	Jan. 17	Stefancsik, Lajos	44	worker		hiding arms
70	Nep	Jan. 19	Süli, Antal	45			hiding arms
71	Nep	Jan. 19	Hauer, Sándor	24	worker		hiding arms; keeping a leaflet
72	RB	Jan. 19	Dudas, Jozsef	45	engineer	yes(p)	
73	RB	Jan. 19	Szabó, János			yes(p)	
74	RB	Jan. 20	Nagy, Lajos	20			murder
75	RB	Jan. 20	Szebeli, Janos	29			murder
76	RB/HIS	Jan. 23	Varga, József		worker	yes	
77	RB/HIS	Jan. 23	Batonai, László				} hiding arms; instigation to strike; plans for revolt
78	RB/HIS	Jan. 23	Batonai, István				
79	RB/HIS	Jan. 23	Vegvari, Ferenc				
80	RB/HIS	Jan. 23	Tejní, Károly				
81	RB/HIS	Jan. 23	Zebra, Ferenc				
82	RB/HIS	Jan. 23	Peczó, Imre				
83	RB/HIS	Jan. 23	Tejli, Bela				
84	RB/HIS	Jan. 23	Dévényi, József				

Crimes Committed	Data on Sentence			If Death Sentence — Petition for Clemency			Arrest publ. (File No.)
	Possible Aggrava- ting Circumstan- ces	Military Court of the Garrison of	Sentence	Forwar- ded by Court	Com- muted by PC to	Refused by and Execution	
before No. 4, 1956		Kecskemet	12				153?
		Kecskemet	10				
		Budapest	death		—	PC; exec.	
		Budapest	death	yes	life		
			15				
			10				
			acquitted				
		Budapest	11				
			10				
			death	yes	—	PC; exec.	
	revolt (in Gyulavar)	partic.	Kecskemet	death	yes	—	
revolt (in Gyulavar)	partic.	Kecskemet	death	yes	—	PC; exec.	
revolt (in Gyulavar)	partic.	Kecskemet	15				
revolt (in Gyulavar)	partic.	Kecskemet	13				
revolt (in Gyulavar)	partic.	Kecskemet	13				
revolt (in Gyulavar)	partic.	Kecskemet	5-12				
revolt (in Gyulavar)	partic.	Kecskemet	Ord.	yes	?		
			Court				
revolt (in Miskolc)	partic.	Kecskemet	death	yes	?		
revolt (member, RC)		Budapest	death		—	exec.	
			14				
			15				
		Kecskemet	14				
	NG	Kecskemet	death		—	exec.	
	NG	Budapest	15				
		Budapest	death	?			
	NG	Budapest	10				
	NG	Budapest	10				
		Budapest	12				
revolt, org. of	partic.	SC, Mil. Coll.	death			exec.	
revolt, org. of	partic.	SC, Mil. Coll.	death		—	exec.	
		Szekesfehervar	death		—	exec.	
		Szekesfehervar	death		—	exec.	
	group- leader	Budapest	death	?			
		Budapest	death	?			
		Budapest	10				
		Budapest	5				
		Budapest	5				
		Budapest	5				
		Budapest	acquitted				
		Budapest	acquitted				

I. Military Courts (continued)

Source			Data on Convicted				Charge of
File No.	Source	Date	Name	Age	Profession	Prev. Conv.	after Nov. 4, 1956
1. Adults (continued)							
85	RB	Jan. 25	Török, József	24			wrecking railway rails
86	RB	Jan. 26	Németh, József	25	worker		murder of policeman
87	Nep	Jan. 27	Hullár, Gábor		innkeeper	yes	hiding arms, threat w. arms
88	Nep	Jan. 27	Király, Imre		Captain of WG	yes	hiding arms; keeping leaflets
89	Nep	Jan. 27	Takács, Ferenc	57	shoemaker		murder
90	Nep	Jan. 27	Buczko, József				hiding arms, forging doc.
91	RB	Jan. 30	Orsos, Ferenc	42	railwayworker		hiding arms
92	RB	Jan. 30	Ruzsak (Buzsak?), Ferenc	34	railwayworker		hiding arms
93	Nep	Feb. 1	Pálinkás, István		transportworker		hiding arms
94	Nep	Feb. 1	Jónás, Gyula	21	worker		hiding arms
95	Nep	Feb. 3	Csere, Tibor	33	lift-technician		hiding arms
96	RB	Feb. 5	Szarka, Janos				hiding arms
97	RB	Feb. 5	Toth, Ferenc				hiding arms
98	RB/HIS	Feb. 12	Rózsa, Zsigmond				hiding arms
99	RB/HIS	Feb. 12	Rudas, András				hiding arms
100	RB/HIS	Feb. 12	Héder, Géza				hiding arms
101	RB/HIS	Feb. 12	Katona, Sándor				hiding arms
102	RB/HIS	Feb. 12	Suszter, János				hiding arms
103	RB/HIS	Feb. 12	I				hiding arms
104	RB/HIS	Feb. 13	Cserbakoei, Endre				murder
105	RB/HIS	Feb. 13	Weisz, Marta				murder
106	RB	Feb. 13	Lukovics, László				attack on CP HQ
107	RB	Feb. 13	Oláh, Miklos				attack on Cp HQ
2. Minors							
108-M	RB	Dec. 20	I	17		yes	hiding arms
109-M	Nep	Jan. 11	Nagy, Ferenc				hiding arms
110-M	Nep	Jan. 11	Stauder, László	18			hiding arms
111-M	Nep	Jan. 11	Pethes, Péter				hiding arms
112-M	Nep	Jan. 26	Lajos, N.	19	apprentice		hiding arms
113-M	Nep	Jan. 26	József, K.	16	schoolboy		hiding arms
II. Ordinary Courts							
114-Ord	RB	Jan. 14	Tamás, József	42	porter		hiding arms
115-Ord	RB	Jan. 24	Tóth, Ferenc				assault
116-Ord	RB	Jan. 24	Volvár, Sandor				unlawful entering of premises

Crimes Committed	Data on Sentence			If Death Sentence — Petition for Clemency			Arrest publ. (File No.)
	Possible Aggrava- ting Circumstan- ces	Military Court of the Garrison of	Sentence	Forwar- ded by Court	Com- muted by PC to	Refused by and Execution	
before Nov. 4, 1956			12				
		Kecskemet	death	yes	?		
	partic.	Budapest	death	yes	?		
	WG		13				
	WG partic., WG	Szekesfehervar	death 10		-	exec.	
		Budapest	15				
		Budapest	10				
			15				
	NG		10				
	NG		10				
		Budapest	death		15		
		Budapest	death		15		
		Budapest	death	no	-	MC; exec.	
		Budapest	death	yes	?		
		Budapest	death	yes	?		238
		Budapest	death	no	-	MC; exec.	239
		Budapest	death	no	?		
		Budapest	acquitted	yes			
		Budapest	5				225
		Budapest	1				226
		Miskolc	death				
		Miskolc	death				
				2			
			5				
			Ord. Court				
			5				
			6				
			8				
		Ordinary Court in					
			1 2/3				
		Dunapentele					
		Budapest	4				

II. Ordinary Courts (continued)

Source			Data on Convicted				Charge of
File No.	Source	Date	Name	Age	Profession	Prev. conv.	after Nov, 4, 1956
117-Ord	RB	Jan. 26	Buczko, Lajos				having killed a Soviet soldier aiding Buczkó, L (No. 117-Ord) attempt to cross border attempt to cross border organising demonstration organising demonstration organising demonstration murder aid to murder aid to murder murder, hiding arms murder, hiding arms
118-Ord	RB	Jan. 26	Buczko, Imre				
119-Ord	RB	Feb. 9	1 } couple				
120-Ord	RB	Feb. 9		1 }			
121-Ord	RB	Feb. 21	Barta, Bela		worker		
122-Ord	RB	Feb. 21	Tamas, János				
123-Ord	RB	Feb. 21	Kos, Margot				
124-Ord	Nep	Feb. 23	Palyi, István				
125-Ord	Nep	Feb. 23	Kolompar, Matyas				
126-Ord	Nep	Feb. 23	Peko, István				
127-Ord	RB	Feb. 13	Lukovicz, Laszlo	19	fireman		
128-Ord	RB	Feb. 13	Olah, Miklos	22	store-keeper		

III. Special Session of Courts (cf. Decree-Law of January 13, 1957)

No cases published so far.

Crimes Committed	Data on Sentence				
before Nov. 4, 1956	Possible Aggravating Circumstances	Ordinary Court in	Sentence	Execution of sentence	Arrest publ. (File No.)
			6		
			3		
		Koermend DC	4 months	conditionally suspended	
		Koermend DC	3 months	conditionally suspended	
		Miskolc CC	14		
			8		
			3		
		Kecskemet CC	14		
		Kecskemet CC	12		
		Kecskemet CC	8		
		Miskolc CC	death	?	
		Miskolc CC	death	?	

**OFFICIAL STATEMENTS
ON THE NUMBER OF SENTENCES PASSED UNDER
BETWEEN NOVEMBER 4, 1956**

Source			Spokesman	Period covered	Number of		
File No.	Source	Date			cases tried		ac- cused
					Hungary	Budapest	
1	RB	21 Dec.	Minister of Justice	Nov. 4 - appr. Dec. 20			
2	RB	22 Dec.	Radio Budapest	Nov. 4 - appr. Dec. 21	18		
3	RB	1 Jan.	Chief of Budapest Police	Nov. 4 - appr. Dec. 31		23	
4	MTI/HIS	2/3Jan.	Chief of Budapest Police	Nov. 4 - appr. Dec. 31			
5	RB	25 Jan.	Minister of Armed Forces	Nov. 4 - appr. Jan. 24			
6	Nep	5 Feb.	General Procurator	Nov. 4 - Jan. 28	148		193
			Data on individual cases <i>published</i> in Hungarian sources (cf. list of sen- tences), <i>supra</i> , pp. 102-109	Nov. 4 - Jan. 28	67		102

1) See p. 90 for list of abbreviations

**OF THE KADAR REGIME
SUMMARY JURISDICTION IN HUNGARY
AND JANUARY 28, 1957²**

No. of sentences passed			Death sentences in particular						Pending cases			No. of persons detained under Decree of Dec. 20 1956
im-prison-ment	death		Appeal for mercy			Execution confirmed		Com-mu-ted	Handed over to Ord. Court.	to be retried	not yet tried	
	Hungary	Budapest	rejected by		under consid.	Hungary	Budapest					
			MC	PC								
	6				3	3						
						3						
		2					2					
												none
						10						
128	29		9	5		14			36	1	8	
69	29		1	5		14		6	2			

Document Q**CONFERENCE OF COURT PRESIDENTS IN HUNGARY***February 15, 1957¹*

A two-day national conference of law court presidents began at the New City Hall in Budapest on February 15. Those present on the first day included President DOBI. Speeches were made by FERENC NEZVAL, in charge of the Ministry of Justice, and FERENC MUENNICH, the Minister of the Armed Forces.

Nezval's Speech*Some Judges "Confused"*

The 18.30 home service bulletin on February 15 gave recorded excerpts from the speech made on the first day by Nezval. The excerpts were linked with summarized passages read by an announcer. In the report below the passages broadcast in Nezval's own voice are quoted.

"The events of October confused the clarity of the judges' vision, too, although generally speaking they remained calm and sober – as was only to be expected of them in their responsible job. In more places than one our judges forestalled illegalities and the persecution and execution of innocent people by their sober and calm attitude. KAPOSVAR was one such place . . .

The Class Struggle: Summary Jurisdiction

"The most important task of the courts is to defend and strengthen the people's democratic State order, to pass sentence in the spirit of the class struggle – both in summary and accelerated proceedings as well as in ordinary criminal jurisdiction – against subversive counter-revolutionary elements. The courts must take particular care that cases concerning counter-revolutionary crimes are heard before all others.

"I wish to discuss summary and accelerated processes. Counter-revolutionary propaganda abroad and its friends at home have spread the wildest alarmist rumours about summary jurisdiction. The truth is that between the introduction of summary proceedings and 15th February, 254 people were tried; 208 of them have been sentenced – 31 to death. Several people in the latter category have been reprieved by the Presidential Council. The death sentence was carried out again in 21 cases. It must be emphasized in this connection that our summary courts took up the merciless struggle against the counter-revolution unhesitatingly and thus made an appreciable contribution to the consolidation of order. They therefore deserve our thanks and appreciation. Our motive in introducing accelerated criminal procedure was to provide a primary deterrent. We hope that we shall not have to resort to it often. However, this depends not on us but on the criminals."

¹ Radio Budapest, February 15, 1957, 14.00 hours GMT (*BBC Summary of World Broadcasts*, Part II B, No. 804, February 21, 1957, pp. 4–8).

Reactionary Lawsuits

The Government's promise that nobody would be persecuted merely for taking part in last October's events would be honoured. Proceedings were being taken only against those who had committed acts of terror, and against looters.

The defeated and dispersed counter-revolutionary forces were now trying to do harm and foment disquiet and confusion by various means. They were trying to resort to lawsuits for compensation; former factory owners were appearing to demand restitution and compensation, claiming that their factories, business premises, installations and equipment had been illegally taken from them. Another aspect of this effort was the presentation of restitution claims and other demands against producer co-operatives. In these cases, and in the case of any lawsuit concerning producer co-operatives, the courts should take priority action and make sure that the producer co-operatives legitimate demands were met as soon as possible.

"Tough, Quick and Merciless" Judgment on Counter-Revolutionaries

Another version of Nezval's speech, based on an "Esti Hirlap" report, was given in the 16.00 home service bulletin on January 15. According to this account, NEZVAL said that the acid test of court practice under the new laws would be whether the judges regarded the October events as counter-revolutionary or as a struggle for the liberation of the country. This was an essential problem of practice and of principle. He added that correct political orientation was a basic condition of good jurisdiction. This alone enabled a judge to evaluate correctly the danger that any particular offence represented to society. In dealing with counter-revolutionary offences, "our jurisdiction must be tough, quick and merciless", but judges must fully observe the principles of socialist legality in the discharge of their duties.

Yet another report of the speech, given by MTI on February 15, said that, discussing the independence of judges, Nezval declared that judges must not receive instructions of any sort either from local organs or from the Ministry of Justice as far as the sentence itself was concerned. The Government adhered strictly to the Constitution and guaranteed the independence of the judges in every respect.

Muennich's Speech*October Events not True Revolution*

Nezval's report was followed by a debate, in which FERENC MUENNICH, the Minister of the Armed Forces, was one of the speakers. At 23.00 on February 15, an announcer read extracts from his speech, of which the following is an abridged version:

"As a member of the Government. I salute you and wish this highly significant conference every success . . . Many speakers have raised the question: have we had a revolution or a counter-revolution? Of course by now this has become less of a problem for the masses.

More and more people assert with conviction that what has taken place in our country was a counter-revolution . . . You know that the concept of revolution was reshaped by the founders of socialism Marx and Engels. By their definition, revolution means the mass-struggle of the oppressed class against the oppressors and exploiters . . . Were those who took part in the rising members of an oppressed class? Did they fight against an oppressive social system? I think not, because our People's Republic has always been a State of the working class and working people, whose leaders included workers, peasants and progressive intellectuals. The same could be said of the courts. The elements of the criterion of revolution did not therefore exist here.

Organized Nature of Counter-Revolution

"The factors leading to the October events were the dissatisfaction of the masses with Rakosi's methods, and with injustices, excesses and over-ambitious industrial projects. The policy of recent years left out of account the circumstances of our country and people and our economic resources. Things were carried too far and caused legitimate dissatisfaction among the workers both in the Party and outside it. Domestic reaction had of course been watching for years. It was not for nothing that the US imperialists set aside 170,000,000 dollars to foster by every means the dissatisfaction caused by political faults in the democratic countries and, if conditions were favourable, to turn it into a revolt against the people's democracy, calculated to overthrow its power.

"It is only natural that the counter-revolution never appeared in its true colours. It took advantage of faults and of the dissatisfaction with them. I want to point out that there are no miracles in this world. A peaceful demonstration does not turn into an organized military action against State targets within half an hour. Arms dumps definitely existed in the Buda hills. The counter-revolution was supported from far away. It was prepared. It is not therefore difficult for anyone to make up his mind whether this was a revolution or a counter-revolution. One should look not at slogans but at essentials.

"The situation was further complicated by the events which ensued when, as a result of Imre Nagy's cowardice, his Government turned gradually more and more towards the counter-revolution. When he announced a cease-fire, the fascist forces exploited this relaxation to commit murder and blood atrocities, and to prove that what was taking place in the country was not the manifestation of the dissatisfaction of well-intentioned masses, but a planned attack on the people's democracy and socialism, an attack unscrupulously supported by the propaganda of international reaction by radio and by secret contacts. It is they who are responsible for the fact that this fascist enterprise was able to carry with it such substantial masses and claim blood sacrifices, precisely because the domestic reaction misled the people by saying: "All we have to do is to make a move, and the entire West will come to our side. We shall then gain the upper hand here".

Soviet Intervention Legitimate

“Naive and ill-informed people thought that the adherence of the Hungarian People’s Republic to the socialist camp was only temporary. They forgot that this was a battle between two world systems; that Hungary’s adherence to the people’s democracies is not only due to geography, but also to an ideological factor. The imperialists take it for granted that there should be US and British troops in Western Germany, because Western Germany itself belongs to NATO. In the same way, it is not a matter of dispute among us why the Soviet Army came to our aid and why it is here. The reason is that we belong not to the capitalist but the socialist camp and we are contractually bound to the countries of the socialist camp. What has taken place, the Soviet Army’s aid and its stay here, are all entirely legitimate. It is our domestic affair, in which we allow no interference.

“Rubbish in People’s Minds”

“The armed fighting has certainly left a lot of rubbish about the streets of Budapest. Likewise, the reckless anarchist agitation, conducted for months by a section of writers without restraint, responsibility or scruple left a lot of rubbish in people’s minds. The rubbish in the streets can be cleared away more quickly than that in people’s minds. The interpretation of events and the failure to understand them have given rise to confusion, traces of which have survived to this day in the minds of many. The Party and Government are well aware of this when they assess events. They have handled this question patiently. No one can accuse us of the opposite because we hoped that a great many people, when they came to think over these events, would establish what has happened, would identify themselves with our appraisal of them and co-operate with us. To some extent this is what happened and has become a positive element in Party and Government policy.

Independence of Judges Defined

“In the field of jurisdiction I have seen symptoms which in the circumstances have been neither extraordinary nor surprising, but which I want to be changed as soon as possible. Where we see good will we shall give enlightenment and assistance. But where we encounter an enemy, we shall resort to administrative means.

“Some judges and courts have been very reluctant to resume work. They were evidently under the influence of the principle of the independence of judges, which arises out of the traditions of the legal profession and which was misinterpreted by many people. In my opinion, the independence of judges is confined to the free judgment of the crime by the court and the pronouncement of a verdict within the framework of legality. The question of whether or not to sit in judgment does not enter into it. This is a political question, a passive declaration of opinion against the policy of the Government and the regime. The older members of the profession know very well what the independence of

judges is worth in the capitalist system. The capitalists did not shrink from interfering in the court's right to free judgment if the verdict ran counter to what the capitalist society expected.

Judges Must Repress Counter-Revolution

"We recognise the right to free judgment but we do make one demand, namely, that judges should have the courage to apply the severity of the law to the enemy. A representative of the Supreme Court has rightly pointed out here that we are also fighting the counter-revolution with weapons wielded by judges.

"The counter-revolution has not disappeared. It has merely gone into hiding. It has no armed forces, but it has groups, and if we are not vigilant and allow ourselves to fall under the spell of illusions because all is quiet and orderly in the streets, we may be in for some surprises. We may be prevented from uniting our forces, and our country may be prevented from making faster progress towards consolidation. The courts of the people's democracy, of the dictatorship of the proletariat, can play a great part in all this in applying the full severity of the law to counter-revolutionaries. This is a matter of duty and a question of conscience for judges. It is also a patriotic duty to the country and the people."

Judges Must be Brave

"Our aim is not "fiat justitia, pereat mundus", as the Latin tag has it. We say "Long live Hungary, - socialism-building Hungary". And the judges of the people's democracy, the judges of the proletarian dictatorship who, when faced with the enemy, are not afraid and do not hesitate to apply the weapon of jurisdiction and our laws, with the maximum severity - not forgetting that we stand on the basis of socialist legality - have a great part to play in this. We do not want sentences based on the confession of the defendants or accused, we want sentences based on legally-submitted evidence. You may therefore safely pass judgment. It is your duty to do so."

"The Government and Party hold our corps of judges in high esteem. We know that the overwhelming majority of its members are faithful to the people's democracy and accept the people's guidance. We are also convinced that with your help we shall make this corps even more solid, truer to principle, more patriotic and more devoted to duty, to consolidate our people's democracy, the dictatorship of the proletariat, and the economic and cultural evaluation of our people."

Supreme Prosecutor's Speech:

Legality must Correspond to Regime's Interests

On the second day of the conference, Dr. GEZA SZENASSY, the Supreme Prosecutor, was quoted by MTI (16.2.56) as saying: "Legality must fully correspond to the interests of the dictatorship of the pro-

letariat. Judges, too, must clearly see the danger which threatened the existence of the People's Republic. The realization of this danger is one of the conditions of working well in defence of the power of the People's Republic and of the dictatorship of the proletariat. The demands of the present historic phase must be borne in mind and sentences pronounced according to law in the best interests of the working people."

Nezval's Summing-up

According to the agency, NEZVAL, replying to points raised by judges during the conference, said: "We shall initiate proceedings only against those who committed acts of violence. The question has been raised several times whether mere participation in revolutionary committees or workers' councils is punishable. The Government's view is that simple participation in a revolutionary committee should not entail legal consequences if the person concerned did not commit any crime. This applies particularly to workers' councils."

Referring to the distinctions made by some people between one judge and another, NEZVAL said: "We do not admit any difference between judges of working class origin and those of bourgeois origin. Neither the Party nor the Government expect anybody to be a Party member if he does not wish to be. One cannot differentiate between judges on the basis of Party membership. The only criterion is their work in the interests of the law, the country, our economy and the policy of our people."

"Nepakarat" on the Independence of Judges

Must Serve People's Democracy

A "Nepakarat" article on the independence of judges and "the impassioned debates between judges on this subject" was quoted on the home service (09.00, 16.2.57). The judges were saying: "We want to be independent because only thus we can mete out justice". If they meant that judges must not be given any concrete instruction in particular cases, they were right. But "if they want to wave the banner of the judge's independence against the service of the dictatorship of the proletariat," then they were wrong. Every lawyer knew of Marx's views on the class character of law and jurisdiction. There had never been a State in which the courts could assert their independence of the ruling class. "There can be no court in our country unwilling to serve the people's democracy, and no judge unwilling to serve the worker-peasant power may pronounce sentence here," the article said.

Document R(a)

24th January 1957

His Excellency
the Minister of Justice
15 Szabadsag
Budapest, District 5
Hungary

Your Excellency,

The International Commission of Jurists, with its seat at The Hague, unites members of the legal profession from all parts of the world. It is represented by distinguished jurists whose names are stated in the heading of this letter. The Commission has, in the past, sent observers to important trials in several countries, and it recently arranged for an observer to be present, on behalf of the Commission, at the "treason trials" in South Africa. The Commission now desires, at the request of numerous lawyers in all parts of the world, to send three eminent lawyers from neutral countries to Hungary for about a week to visit the courts in your country and, in particular to observe the cases conducted under the Decree-Law on Summary Jurisdiction of 13th January 1957.

The object of this mission of distinguished and independent jurists is to inform the legal profession in other parts of the world as to these trials with which the legal opinion in all countries is concerned.

It is very much to be hoped that Your Excellency will be able to ensure that visas are granted to the three observers, and if you agree in principle, we would like to submit suitable names for your consideration. I would add that at present the Commission is not giving any publicity to its communication with Your Excellency.

Yours respectfully,
(s) A. J. M. VAN DAL
Vice-President of the
International Commission of Jurists

Document R(b)

To
Mr. A. J. M. VAN DAL
Vice-President of the International
Commission of Jurists
47, Buitenhof
The Hague
Holland

Sir,

Referring to your letter of the 24th January, I have the honour to inform you that up to the present no Hungarian Court has passed sentence under the Decree-Law No. 4 of the year 1957 on Summary Criminal Jurisdiction. Actually – viewed in a national aspect – inquiry has been opened in very few such cases (about 15 to 20) against accused parties, in respect of which the clauses of the above-mentioned Decree-Law could be applied where necessary. It is to be noted in particular that in cases where proceedings are instituted on account of crimes defined in the said Decree-Law, it is the departmental (municipal) Procurator, or otherwise the Procurator general, who causes by virtue of articles 1 and 3 that the case is conducted according to summary jurisdiction. It is therefore impossible for the moment to state exactly the number of cases which the Procurator has referred to summary jurisdiction, but in any case the number is not very large. In view of the very small number of these cases, the proposed visit of the members of the International Commission of Jurists would hardly be opportune at the present time.

Yours respectfully,
(s) FERENC NEZVAL
(Dr. FERENC NEZVAL)
Government Commissioner
to the Ministry of Justice

Budapest, 2nd February 1957

Document S(a)

**GENEVA CONVENTION RELATIVE
TO THE TREATMENT OF PRISONERS OF WAR**

of August 12, 1949

(Convention No. III)

(Extracts)

PART I: GENERAL PROVISIONS

Article 4

A. Prisoners of war, in the sense of the present Convention, are persons belonging to one of the following categories, who have fallen into the power of the enemy:

1. Members of the armed forces of a Party to the conflict, as well as members of militias or volunteer corps forming part of such armed forces.
2. Members of other militias and members of other volunteer corps, including those of organized resistance movements, belonging to a Party to the conflict and operating in or outside their own territory, even if this territory is occupied, provided that such militias or volunteer corps, including such organized resistance movements, fulfil the following conditions:
 - a) that of being commanded by a person responsible for his subordinates;
 - b) that of having a fixed distinctive sign recognizable at a distance;
 - c) that of carrying arms openly;
 - d) that of conducting their operations in accordance with the laws and customs of war.
3. Members of regular armed forces who profess allegiance to a government or an authority not recognized by the Detaining Power.
4. Persons who accompany the armed forces without actually being members thereof, such as civilian members of military aircraft crews, war correspondents, supply contractors, members of labour units or of services responsible for the welfare of the armed forces, provided that they have received authorization from the armed forces which they accompany, who shall provide them for that purpose with an identity card similar to the annexed model.
5. Members of crews, including masters, pilots and apprentices, of the merchant marine and the crews of civil aircraft of the Parties to the conflict, who do not benefit by more favourable treatment under any other provisions of international law.
6. Inhabitants of a non-occupied territory, who on the approach of the enemy spontaneously take up arms to resist the invading forces, without having had time to form themselves into regular armed units, provided they carry arms openly and respect the laws and customs of war.

B. The following shall likewise be treated as prisoners of war under the present Convention:

1. Persons belonging, or having belonged, to the armed forces of the occupied country, if the occupying Power considers it necessary by reason of such allegiance to intern them, even though it has originally liberated them while hostilities were going on outside the territory it occupies, in particular where such persons have made an unsuccessful attempt to rejoin the armed forces to which they belong and which are engaged in combat, or where they fail to comply with a summons made to them with a view to internment.

2. The persons belonging to one of the categories enumerated in the present Article, who have been received by neutral or non-belligerent Powers on their territory and whom these Powers are required to intern under international law, without prejudice to any more favourable treatment which these Powers may choose to give and with the exception of Articles 8, 10, 15, 30, fifth paragraph, 58-67, 92, 126 and, where diplomatic relations exist between the Parties to the conflict and the neutral or non-belligerent Power concerned, those Articles concerning the Protecting Power. Where such diplomatic relations exist, the Parties to a conflict on whom these persons depend shall be allowed to perform towards them the functions of a Protecting Power as provided in the present Convention, without prejudice to the functions which these Parties normally exercise in conformity with diplomatic and consular usage and treaties.

C. This Article shall in no way affect the status of medical personnel and chaplains as provided for in Article 33 of the present Convention.

Article 5

The present Convention shall apply to the persons referred to in Article 4 from the time they fall into the power of the enemy and until their final release and repatriation.

Should any doubt arise as to whether persons, having committed a belligerent act and having fallen into the hands of the enemy, belong to any of the categories enumerated in Article 4, such persons shall enjoy the protection of the present Convention until such time as their status has been determined by a competent tribunal.

PART II: GENERAL PROTECTION OF PRISONERS OF WAR

Article 12

Prisoners of war in the hands of the enemy Power, but not of the individuals or military units who have captured them. Irrespective of the individual responsibilities that may exist, the Detaining Power is responsible for the treatment given them.

Prisoners of war may only be transferred by the Detaining Power to a Power which is a party to the Convention and after the Detaining Power has satisfied itself of the willingness and ability of such transferee Power to apply the Convention. When prisoners of war are transferred under such circumstances, responsibility for the application of the Convention rests on the Power accepting them while they are in its custody.

Nevertheless, if that Power fails to carry out the provisions of the Convention in any important respect, the Power by whom the prisoners of war were transferred shall, upon being notified by the Protecting Power, take effective measures to correct the situation or shall request the return of the prisoners of war. Such requests must be complied with.

Article 13

Prisoners of war must at all times be humanely treated. Any unlawful act or omission by the Detaining Power causing death or seriously endangering the health of a prisoner of war in its custody is prohibited, and will be regarded as a serious breach of the present Convention. In particular, no prisoner of war may be subjected to physical mutilation or to medical or scientific experiments of any kind which are not justified by the medical, dental or hospital treatment of the prisoner concerned and carried out in his interest.

Likewise, prisoners of war must at all times be protected, particularly against acts of violence or intimidation and against insults and public curiosity.

Measures of reprisal against prisoners of war are prohibited.

Article 14

Prisoners of war are entitled in all circumstances to respect for their persons and their honour.

Women shall be treated with all the regard due to their sex and shall in all cases benefit by treatment as favourable as that granted to men.

Prisoners of war shall retain the full civil capacity which they enjoyed at the time of their capture. The Detaining Power may not restrict the exercise, either within or without its own territory, of the rights such capacity confers except in so far as the captivity requires.

Article 15

The Power detaining prisoners of war shall be bound to provide free of charge for their maintenance and for the medical attention required by their state of health.

Article 16

Taking into consideration the provisions of the present Convention relating to rank and sex, and subject to any privileged treatment which may be accorded to them by reason of their state of health, age or professional qualifications, all prisoners of war shall be treated alike by the Detaining Power, without any adverse distinction based on race, nationality, religious belief or political opinions, or any other distinction founded on similar criteria.

PART III: CAPTIVITY

SECTION VI

RELATIONS BETWEEN PRISONERS OF WAR AND THE AUTHORITIES

Chapter III: Penal and disciplinary sanctions

I. General Provisions

Article 82

A prisoner of war shall be subject to the laws, regulations and orders in force in the armed forces of the Detaining Power; the Detaining Power shall be justified in taking judicial or disciplinary measures in respect of any offence committed by a prisoner of war against such laws, regulations or orders. However, no proceedings or punishments contrary to the provisions of this Chapter shall be allowed.

If any law, regulation or order of the Detaining Power shall declare acts committed by a prisoner of war to be punishable, whereas the same acts would not be punishable if committed by a member of the forces of the Detaining Power, such acts shall entail disciplinary punishments only.

Article 83

In deciding whether proceedings in respect of an offence alleged to have been committed by a prisoner of war shall be judicial or disciplinary, the Detaining Power shall ensure that the competent authorities exercise the greatest leniency and adopt, wherever possible, disciplinary rather than judicial measures.

Article 84

A prisoner of war shall be tried only by a military court, unless the existing laws of the Detaining Power expressly permit the civil courts to try a member of the armed forces of the Detaining Power in respect of the particular offence alleged to have been committed by the prisoner of war.

In no circumstances whatever shall a prisoner of war be tried by a court of any kind which does not offer the essential guarantees of independence and impartiality as generally recognized, and, in particular, the procedure of which does not afford the accused the rights and means of defence provided for in Article 105.

Article 85

Prisoners of war prosecuted under the laws of the Detaining Power for acts committed prior to capture shall retain, even if convicted, the benefits of the present Convention.

Article 86

No prisoner of war may be punished more than once for the same act, or on the same charge.

Article 87

Prisoners of war may not be sentenced by the military authorities and courts of the Detaining Power to any penalties except those provided for in respect of members of the armed forces of the said Power who have committed the same acts.

When fixing the penalty, the courts or authorities of the Detaining Power shall take into consideration, to the widest extent possible, the fact that the accused, not being a national of the Detaining Power, is not bound to it by any duty of allegiance, and that he is in its power as the result of circumstances independent of his own will. The said courts or authorities shall be at liberty to reduce the penalty provided for the violation of which the prisoner of war is accused, and shall therefore not be bound to apply the minimum penalty prescribed.

Collective punishment for individual acts, corporal punishment, imprisonment in premises without daylight and, in general, any form of torture or cruelty, are forbidden.

No prisoner of war may be deprived of his rank by the Detaining Power, or prevented from wearing his badges.

Article 88

Officers, non-commissioned officers and men who are prisoners of war undergoing a disciplinary or judicial punishment, shall not be subjected to more severe treatment than that applied in respect of the same punishment to members of the armed forces of the Detaining Power of equivalent rank.

A woman prisoner of war shall not be awarded or sentenced to a punishment more severe, or treated whilst undergoing punishment more severely, than a woman member of the armed forces of the Detaining Power dealt with for a similar offence.

In no case may a woman prisoner of war be awarded or sentenced to a punishment more severe, or treated whilst undergoing punishment more severely, than a male member of the armed forces of the Detaining Power dealt with for a similar offence.

Prisoners of war who have served disciplinary or judicial sentences may not be treated differently from other prisoners of war.

III. Judicial Proceedings

Article 99

No prisoner of war may be tried or sentenced for an act which is not forbidden by the law of the Detaining Power or by international law, in force at the time the said act was committed.

No moral or physical coercion may be exerted on a prisoner of war in order to induce him to admit himself guilty of the act of which he is accused.

No prisoner of war may be convicted without having had an opportunity to present his defence and the assistance of a qualified advocate or counsel.

Article 100

Prisoners of war and the Protecting Powers shall be informed as soon as possible of the offences which are punishable by death sentence under the laws of the Detaining Power.

Other offences shall not thereafter be made punishable by the death penalty without the concurrence of the Power on which the prisoners of war depend.

The death sentence cannot be pronounced on a prisoner of war unless the attention of the court has, in accordance with Article 87, second paragraph, been particularly called to the fact that since the accused is not a national of the Detaining Power, he is not bound to it by any duty of allegiance, and that he is in its power as the result of circumstances independent of his own will.

Article 101

If the death penalty is pronounced on a prisoner of war, the sentence shall not be executed before the expiration of a period of at least six months from the date when the Protecting Power receives, at an indicated address, the detailed communication provided for in Article 107.

Article 102

A prisoner of war can be validly sentenced only if the sentence has been pronounced by the same courts according to the same procedure as in the case of members of the armed forces of the Detaining Power, and if, furthermore, the provisions of the present Chapter have been observed.

Article 103

Judicial investigations relating to a prisoner of war shall be conducted as rapidly as circumstances permit and so that his trial shall take place as soon as possible. A prisoner of war shall not be confined while awaiting trial unless a member of the armed forces of the Detaining Power would be so confined if he were accused of a similar offence, or if it is essential to do so in the interests of national security. In no circumstances shall this confinement exceed three months.

Any period spent by a prisoner of war in confinement awaiting trial shall be deducted from any sentence of imprisonment passed upon him and taken into account in fixing any penalty.

The provisions of Articles 97 and 98 of this Chapter shall apply to a prisoner of war whilst in confinement awaiting trial.

Article 104

In any case in which the Detaining Power has decided to institute judicial proceedings against a prisoner of war, it shall notify the Protecting Power as soon as possible and at least three weeks before the opening of the trial. This period of three weeks shall run as from the day on which such notification reaches the Protecting Power at the address previously indicated by the latter to the Detaining Power.

The said notification shall contain the following information:

1. surname and first names of the prisoner of war, his rank, his army, regimental, personal or serial number, his date of birth, and his profession or trade, if any;
2. place of internment or confinement;

3. specification of the charge or charges on which the prisoner of war is to be arraigned, giving the legal provisions applicable;
4. designation of the court which will try the case, likewise the date and place fixed for the opening of the trial.

The same communication shall be made by the Detaining Power to the prisoners' representative.

If no evidence is submitted, at the opening of a trial, that the notification referred to above was received by the Protecting Power, by the prisoner of war and by the prisoners' representative concerned, at least three weeks before the opening of the trial, then the latter cannot take place and must be adjourned.

Article 105

The prisoner of war shall be entitled to assistance by one of his prisoner comrades, to defence by a qualified advocate or counsel of his own choice, to the calling of witnesses and, if he deems necessary, to the services of a competent interpreter. He shall be advised of these rights by the Detaining Power in due time before the trial.

Failing a choice by the prisoner of war, the Protecting Power shall find him an advocate or counsel, and shall have at least one week at its disposal for the purpose. The Detaining Power shall deliver to the said Power, on request, a list of persons qualified to present the defence. Failing a choice of an advocate or counsel by the prisoner of war or the Protecting Power, the Detaining Power shall appoint a competent advocate or counsel to conduct the defence.

The advocate or counsel conducting the defence on behalf of the prisoner of war shall have at his disposal a period of two weeks at least before the opening of the trial, as well as the necessary facilities to prepare the defence of the accused. He may, in particular, freely visit the accused and interview him in private. He may also confer with any witnesses for the defence, including prisoners of war. He shall have the benefit of these facilities until the term of appeal or petition has expired.

Particulars of the charge or charges on which the prisoner of war is to be arraigned, as well as the documents which are generally communicated to the accused by virtue of the laws in force in the armed forces of the Detaining Power, shall be communicated to the accused prisoner of war in a language which he understands, and in good time before the opening of the trial. The same communication in the same circumstances shall be made to the advocate or counsel conducting the defence on behalf of the prisoner of war.

The representatives of the Protecting Power shall be entitled to attend the trial of the case, unless, exceptionally, this is held in camera in the interest of State security. In such a case the Detaining Power shall advise the Protecting Power accordingly.

Article 106

Every prisoner of war shall have, in the same manner as the members of the armed forces of the Detaining Power, the right of appeal or petition from any sentence pronounced upon him, with a view to the quashing or revising of the sentence or the reopening of the trial. He shall be fully informed of his right to appeal or petition and of the time limit within which he may do so.

Article 107

Any judgment and sentence pronounced upon a prisoner of war shall be immediately reported to the Protecting Power in the form of a summary communication, which shall also indicate whether he has the right of appeal with a view to the quashing of the sentence or the reopening of the trial. This communication shall likewise be sent to the prisoners' representative concerned. It shall also be

sent to the accused prisoner of war in a language he understands, if the sentence was not pronounced in his presence. The Detaining Power shall also immediately communicate to the Protecting Power the decision of the prisoner of war to use of to waive his right of appeal.

Furthermore, if a prisoner of war is finally convicted or if a sentence pronounced on a prisoner of war in the first instance is a death sentence, the Detaining Power shall as soon as possible address to the Protecting Power a detailed communication containing:

1. the precise wording of the finding and sentence;
2. a summarized report of any preliminary investigation and of the trial, emphasizing in particular the dements of the prosecution and the defence;
3. notification, where applicable, of the establishment where the sentence will be served.

The communications provided for in the foregoing sub-paragraphs shall be sent to the Protecting Power at the address previously made known to the Detaining Power.

Article 108

Sentences pronounced on prisoners of war after a conviction has become duly enforceable, shall be served in the same establishments and under the same conditions as in the case of members of the armed forces of the Detaining Power. These conditions shall in all cases conform to the requirements of health and humanity.

A woman prisoner of war on whom such a sentence has been pronounced shall be confined in separate quarters and shall be under the supervision of women.

In any case, prisoners of war sentenced to a penalty depriving them of their liberty shall retain the benefit of the provisions of Articles 78 and 126 of the present Convention. Furthermore, they shall be entitled to receive and despatch correspondence, to receive at least one relief parcel monthly, to take regular exercise in the open air to have the medical care required by their state of health, and the spiritual assistance they may desire. Penalties to which they may be subjected shall be in accordance with the provisions of Article 87, third paragraph.

**GENEVA CONVENTION
RELATIVE TO THE PROTECTION OF CIVILIAN
PERSONS IN TIME OF WAR**

of August 12, 1949

(Convention No. IV)

(Extracts)

PART I: GENERAL PROVISIONS

Article 1

*Respect for the Convention*¹

The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances.

Article 2

Application of the Convention

In addition to the provisions which shall be implemented in peace time, the present Convention shall apply to all cases of declared war or of any other armed conflict which may arise between two or more of the High Contracting Parties, even if the state of war is not recognised by one of them.

The Convention shall also apply to all cases of partial or total occupation of the territory of a High Contracting Party, even if the said occupation meets with no armed resistance.

Although one of the Powers in conflict may not be a party to the present Convention, the Powers who are parties thereto shall remain bound by it in their mutual relations. They shall, furthermore, be bound by the Convention in relation to the said Power, if the latter accepts and applies the provisions thereof.

Article 3

Conflicts not of an international character

In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

1. Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed *hors de combat* by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

¹ The marginal notes included in the present edition of the Geneva Conventions, have no official character. The International Committee of the Red Cross feels that their insertion will aid the study of the Conventions.

- a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;
- b) taking of hostages;
- c) outrages upon personal dignity, in particular humiliating and degrading treatment;
- d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognised as indispensable by civilised peoples.

2. The wounded and sick shall be collected and cared for.

An impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict.

The Parties to the conflict should further endeavour to bring into force, by means of special agreements, all or part of the other provisions of the present Convention.

The application of the preceding provisions shall not affect the legal status of the Parties to the conflict.

Article 4

Definition of protected persons

Persons protected by the Convention are those who, at a given moment and in any manner whatsoever, find themselves, in case of a conflict or occupation, in the hands of a Party to the conflict or Occupying Power of which they are not nationals.

Nationals of a State which is not bound by the Convention are not protected by it. Nationals of a neutral State who find themselves in the territory of a belligerent State, and nationals of a co-belligerent State, shall not be regarded as protected persons while the State of which they are nationals has normal diplomatic representation in the State in whose hands they are.

The provisions of Part II are, however, wider in application, as defined in Article 13.

Persons protected by the Geneva Convention of August 12, 1949, for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, or by the Geneva Convention of August, 12 1949, for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, or by the Geneva Convention of August 12, 1949, relative to the Treatment of Prisoners of War, shall not be considered as protected persons within the meaning of the present Convention.

Article 5

Derogations

Where in the territory of a Party to the conflict, the latter is satisfied that an individual protected person is definitely suspected of or engaged in activities hostile to the security of the State, such individual person shall not be entitled to claim such rights and privileges under the present Convention as would, if exercised in the favour of such individual person, be prejudicial to the security of such State.

Where in occupied territory an individual protected person is detained as a spy or saboteur, or as a person under definite suspicion of activity hostile to the security of the Occupying Power, such person shall, in those cases where absolute military security so requires, be regarded as having forfeited rights of communication under the present Convention.

In each case such persons shall nevertheless be treated with humanity and in case of trial shall not be deprived of the rights of fair and regular trial prescribed by the present Convention. They shall also be granted the full rights and privileges of a protected person under the present Convention at the earliest date consistent with the security of the State or Occupying Power, as the case may be.

Article 6*Beginning and end of application*

The present Convention shall apply from the outset of any conflict or occupation mentioned in Article 2.

In the territory of Parties to the conflict, the application of the present Convention shall cease on the general close of military operations.

In the case of occupied territory, the application of the present Convention shall cease one year after the general close of military operations; however, the Occupying Power shall be bound, for the duration of the occupation, to the extent that such Power exercises the functions of government in such territory, by the provisions of the following Articles of the present Convention: 1 to 12, 27, 29 to 34, 47, 49, 51, 52, 53, 59, 61 to 77, 143.

Protected persons whose release, repatriation or re-establishment may take place after such dates shall meanwhile continue to benefit by the present Convention.

Article 7*Special agreements*

In addition to the agreements expressly provided for in Articles 11, 14, 15, 17, 36, 108, 109, 132, 133 and 149, the High Contracting Parties may conclude other special agreements for all matters concerning which they may deem it suitable to make separate provision. No special agreement shall adversely affect the situation of protected persons, as defined by the present Convention, nor restrict the rights which it confers upon them.

Protected persons shall continue to have the benefit of such agreements as long as the Convention is applicable to them, except where express provisions to the contrary are contained in the aforesaid or in subsequent agreements, or where more favourable measures have been taken with regard to them by one or other of the Parties to the conflict.

Article 8*Non-renunciation of rights*

Protected persons may in no circumstances renounce in part or in entirety the rights secured to them by the present Convention, and by the special agreements referred to in the foregoing Article, if such there be.

Article 9*Protecting Powers*

The present Convention shall be applied with the cooperation and under the scrutiny of the Protecting Powers whose duty it is to safeguard the interests of the Parties to the conflict. For this purpose, the Protecting Powers may appoint, apart from their diplomatic or consular staff, delegates from amongst their own nationals or the nationals of other neutral Powers. The said delegates shall be subject to the approval of the Power with which they are to carry out their duties.

The Parties to the conflict shall facilitate to the greatest extent possible the task of the representatives or delegates of the Protecting Powers.

The representatives or delegates of the Protecting Powers shall not in any case exceed their mission under the present Convention. They shall, in particular, take account of the imperative necessities of security of the State wherein they carry out their duties.

Article 10*Activities of the International Committee of the Red Cross*

The provisions of the present Convention constitute no obstacle to the humanitarian activities which the International Committee of the Red Cross or any other impartial humanitarian organisation may, subject to the consent of the Parties to the conflict concerned, undertake for the protection of civilian persons and for their relief.

Article 11

Substitutes for Protecting Powers

The High Contracting Parties may at any time agree to entrust to an international organisation which offers all guarantees of impartiality and efficacy the duties incumbent on the Protecting Powers by virtue of the present Convention.

When persons protected by the present Convention do not benefit or cease to benefit, no matter for what reason, by the activities of a Protecting Power or of an organisation provided for in the first paragraph above, the Detaining Power shall request a neutral State, or such an organisation, to undertake the functions performed under the present Convention by a Protecting Power designated by the Parties to a conflict.

If protection cannot be arranged accordingly, the Detaining Power shall request or shall accept, subject to the provisions of this Article, the offer of the services of a humanitarian organisation, such as the International Committee of the Red Cross, to assume the humanitarian functions performed by Protecting Powers under the present Convention.

Any neutral Power or any organisation invited by the Power concerned or offering itself for these purposes, shall be required to act with a sense of responsibility towards the Party to the conflict on which persons protected by the present Convention depend, and shall be required to furnish sufficient assurances that it is in a position to undertake the appropriate functions and to discharge them impartially.

No derogation from the preceding provisions shall be made by special agreements between Powers one of which is restricted, even temporarily, in its freedom to negotiate with the other Power or its allies by reason of military events, more particularly where the whole, or a substantial part, of the territory of the said Power is occupied.

Whenever in the present Convention mention is made of a Protecting Power, such mention applies to substitute organisations in the sense of the present Article.

The provisions of this Article shall extend and be adapted to cases of nationals of a neutral State who are in occupied territory or who find themselves in the territory of a belligerent State in which the State of which they are nationals has not normal diplomatic representation.

Article 12

Conciliation procedure

In cases where they deem it advisable in the interest of protected persons, particularly in cases of disagreement between the Parties to the conflict as to the application or interpretation of the provisions of the present Convention, the Protecting Powers shall lend their good offices with a view to settling the disagreement.

For this purpose, each of the Protecting Powers may, either at the invitation of one Party or on its own initiative, propose to the Parties to the conflict a meeting of their representatives, and in particular of the authorities responsible for protected persons, possibly on neutral territory suitably chosen. The Parties to the conflict shall be bound to give effect to the proposals made to them for this purpose. The Protecting Powers may, if necessary, propose for approval by the Parties to the conflict a person belonging to a neutral Power, or delegated by the International Committee of the Red Cross, who shall be invited to take part in such a meeting.

**PART II: GENERAL PROTECTION OF POPULATIONS
AGAINST CERTAIN CONSEQUENCES OF WAR**

Article 13

Field of application of Part II

The provisions of Part II cover the whole of the populations of the countries in conflict, without any adverse distinction based, in particular, on race, nationality, religion or political opinion, and are intended to alleviate the sufferings caused by war.

Article 23

Consignment of medical supplies, food and clothing

Each High Contracting Party shall allow the free passage of all consignments of medical and hospital stores and objects necessary for religious worship intended only for civilians of another High Contracting Party, even if the latter is its adversary. It shall likewise permit the free passage of all consignments of essential foodstuffs, clothing and tonics intended for children under fifteen, expectant mothers and maternity cases.

The obligation of a High Contracting Party to allow the free passage of the consignments indicated in the preceding paragraph is subject to the condition that this Party is satisfied that there are no serious reasons for fearing:

- a) that the consignments may be diverted from their destination, or
- b) that the control may not be effective, or
- c) that a definite advantage may accrue to the military efforts or economy of the enemy through the substitution of the above-mentioned consignments for goods which would otherwise be provided or produced by the enemy or through the release of such material, services or facilities as would otherwise be required for the production of such goods.

The Power which allows the passage of the consignments indicated in the first paragraph of this Article may make such permission conditional on the distribution to the persons benefited thereby being made under the local supervision of the Protecting Powers.

Such consignments shall be forwarded as rapidly as possible, and the Power which permits their free passage shall have the right to prescribe the technical arrangements under which such passage is allowed.

Article 24

Measures relating to child welfare

The Parties to the conflict shall take the necessary measures to ensure that children under fifteen, who are orphaned or are separated from their families as a result of the war, are not left to their own resources, and that their maintenance, the exercise of their religion and their education are facilitated in all circumstances. Their education shall, as far as possible, be entrusted to persons of a similar cultural tradition.

The Parties to the conflict shall facilitate the reception of such children in a neutral country for the duration of the conflict with the consent of the Protecting Power, if any, and under due safeguards for the observance of the principles stated in the first paragraph.

They shall, furthermore, endeavour to arrange for all children under twelve to be identified by the wearing of identity discs, or by some other means.

Article 25*Family news*

All persons in the territory of a Party to the conflict, or in a territory occupied by it, shall be enabled to give news of a strictly personal nature to members of their families, wherever they may be, and to receive news from them. This correspondence shall be forwarded speedily and without undue delay.

If, as a result of circumstances, it becomes difficult or impossible to exchange family correspondence by the ordinary post, the Parties to the conflict concerned shall apply to a neutral intermediary, such as the Central Agency provided for in Article 140, and shall decide in consultation with it how to ensure the fulfilment of their obligations under the best possible conditions, in particular with the cooperation of the National Red Cross (Red Crescent, Red Lion and Sun) Societies.

If the Parties to the conflict deem it necessary to restrict family correspondence, such restrictions shall be confined to the compulsory use of standard forms containing twenty-five freely chosen words, and to the limitation of the number of these forms despatched to one each month.

Article 26*Dispersed families*

Each Party to the conflict shall facilitate enquiries made by members of families dispersed, owing to the war, with the object of renewing contact with one another and of meeting, if possible. It shall encourage, in particular, the work of organisations engaged on this task provided they are acceptable to it and conform to its security regulations.

PART III: STATUS AND TREATMENT OF PROTECTED PERSONS**SECTION I****PROVISIONS COMMON TO THE TERRITORIES OF THE PARTIES
TO THE CONFLICT AND TO OCCUPIED TERRITORIES****Article 27****Treatment***I. General observations*

Protected persons are entitled, in all circumstances, to respect for their persons, their honour, their family rights, their religious convictions and practices, and their manners and customs. They shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats thereof and against insults and public curiosity.

Women shall be especially protected against any attack on their honour, in particular against rape, enforced prostitution, or any form of indecent assault.

Without prejudice to the provisions relating to their state of health, age and sex, all protected persons shall be treated with the same consideration by the Party to the conflict in whose power they are, without any adverse distinction, based, in particular, on race, religion or political opinion.

However, the Parties to the conflict may take such measures of control and security in regard to protected persons as may be necessary as a result of the war.

Article 28*II. Danger zones*

The presence of a protected person may not be used to render certain points or areas immune from military operations.

Article 29*III. Responsibilities*

The Party to the conflict in whose hands protected persons may be is responsible for the treatment accorded to them by its agents, irrespective of any individual responsibility which may be incurred.

Article 30*Application to Protecting Powers and relief organisations*

Protected persons shall have every facility for making application to the Protecting Powers, the International Committee of the Red Cross, the National Red Cross (Red Crescent, Red Lion and Sun) Society of the country where they may be, as well as to any organisation that might assist them.

These several organisations shall be granted all facilities for that purpose by the authorities, within the bounds set by military or security considerations.

Apart from the visits of the delegates of the Protecting Powers and of the International Committee of the Red Cross, provided for by Article 143, the Detaining or Occupying Powers shall facilitate as much as possible visits to protected persons by the representatives of other organisations whose object is to give spiritual aid or material relief to such persons.

Article 31*Prohibition of coercion*

No physical or moral coercion shall be exercised against protected persons, in particular to obtain information from them or from third parties.

Article 32*Prohibition of corporal punishment, torture, etc.*

The High Contracting Parties specifically agree that each of them is prohibited from taking any measure of such a character as to cause the physical suffering or extermination of protected persons in their hands. This prohibition applies not only to murder, torture, corporal punishments, mutilation and medical or scientific experiments not necessitated by the medical treatment of a protected person, but also to any other measures of brutality whether applied by civilian or military agents.

Article 33*Individual responsibility, collective penalties, reprisals, pillage*

No protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited.

Pillage is prohibited.

Reprisals against protected persons and their property are prohibited.

Article 34*Hostages*

The taking of hostages is prohibited.

SECTION III**OCCUPIED TERRITORIES****Article 47***Inviolability of rights*

Protected persons who are in occupied territory shall not be deprived, in any case or in any manner whatsoever, of the benefits of the present Convention by any change introduced, as the result of the occupation of a territory, into the institutions or government of the said territory, nor by any agreement concluded between the authorities of the occupied territories and the Occupying Power, nor by any annexation by the latter of the whole or part of the occupied territory.

Article 49*Deportations, transfers, evacuations*

Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive.

Nevertheless, the Occupying Power may undertake total or partial evacuation of a given area if the security of the population or imperative military reasons so demand. Such evacuations may not involve the displacement of protected persons outside the bounds of the occupied territory except when for material reasons it is impossible to avoid such displacement. Persons thus evacuated shall be transferred back to their homes as soon as hostilities in the area in question have ceased.

The Occupying Power undertaking such transfers or evacuations shall ensure, to the greatest practicable extent, that proper accommodation is provided to receive the protected persons, that the removals are effected in satisfactory conditions of hygiene, health, safety and nutrition, and that members of the same family are not separated.

The Protecting Power shall be informed of any transfers and evacuations as soon as they have taken place.

The Occupying Power shall not detain protected persons in an area particularly exposed to the dangers of war unless the security of the population or imperative military reasons so demand.

The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.

Article 52*Protection of workers*

No contract, agreement or regulation shall impair the right of any worker, whether voluntary or not and wherever he may be, to apply to the representatives of the Protecting Power in order to request the said Power's intervention.

All measures aiming at creating unemployment or at restricting the opportunities offered to workers in an occupied territory, in order to induce them to work for the Occupying Power, are prohibited.

Article 54*Judges and public officials*

The Occupying Power may not alter the status of public officials or judges in the occupied territories, or in any way apply sanctions to or take any measures of coercion or discrimination against them, should they abstain from fulfilling their functions for reasons of conscience.

This prohibition does not prejudice the application of the second paragraph of Article 51. It does not affect the right of the Occupying Power to remove public officials from their posts.

Article 58*Spiritual assistance*

The Occupying Power shall permit ministers of religion to give spiritual assistance to the members of their religious communities.

The Occupying Power shall also accept consignments of books and articles required for religious needs and shall facilitate their distribution in occupied territory.

Article 64*Penal legislation.**I. General observations*

The penal laws of the occupied territory shall remain in force, with the exception that they may be repealed or suspended by the Occupying Power in cases where they constitute a threat to its security or an obstacle to the application of the present Convention. Subject to the latter consideration and to the necessity for ensuring the effective administration of justice, the tribunals of the occupied territory shall continue to function in respect of all offences covered by the said laws.

The Occupying Power may, however, subject the population of the occupied territory to provisions which are essential to enable the Occupying Power to fulfil its obligations under the present Convention, to maintain the orderly government of the territory, and to ensure the security of the Occupying Power, of the members and property of the occupying forces or administration, and likewise of the establishments and lines of communication used by them.

Article 65*II. Publication*

The penal provisions enacted by the Occupying Power shall not come into force before they have been published and brought to the knowledge of the inhabitants in their own language. The effect of these penal provisions shall not be retroactive.

Article 66*III. Competent courts*

In case of a breach of the penal provisions promulgated by it by virtue of the second paragraph of Article 64, the Occupying Power may hand over the accused to its properly constituted, non-political military courts, on condition that the said courts sit in the occupied country. Courts of appeal shall preferably sit in the occupied country.

Article 67*IV. Applicable provisions*

The courts shall apply only those provisions of law which were applicable prior to the offence, and which are in accordance with general principles of law, in particular the principle that the penalty shall be proportionate to the offence. They shall take into consideration the fact that the accused is not a national of the Occupying Power.

Article 68*V. Penalties. Death penalty*

Protected persons who commit an offence which is solely intended to harm the Occupying Power, but which does not constitute an attempt on the life or limb of members of the occupying forces or administration, nor a grave collective danger, nor seriously damage the property of the occupying forces or administration or the installations used by them, shall be liable to internment or simple imprisonment.

ment, provided the duration of such internment or imprisonment is proportionate to the offence committed. Furthermore, internment or imprisonment shall, for such offences, be the only measure adopted for depriving protected persons of liberty. The courts provided for under Article 66 of the present Convention may at their discretion convert a sentence of imprisonment to one of internment for the same period.

The penal provisions promulgated by the Occupying Power in accordance with Articles 64 and 65 may impose the death penalty on a protected person only in cases where the person is guilty of espionage, of serious acts of sabotage against the military installations of the Occupying Power or of intentional offences which have caused the death of one or more persons, provided that such offences were punishable by death under the law of the occupied territory in force before the occupation began.

The death penalty may not be pronounced against a protected person unless the attention of the court has been particularly called to the fact that since the accused is not a national of the Occupying Power, he is not bound to it by any duty of allegiance.

In any case, the death penalty may not be pronounced against a protected person who was under eighteen years of age at the time of the offence.

Article 69

VI. Deduction from sentence of period spent under arrest

In all cases the duration of the period during which a protected person accused of an offence is under arrest awaiting trial or punishment shall be deducted from any period of imprisonment awarded.

Article 70

VII. Offences committed before occupation

Protected persons shall not be arrested, prosecuted or convicted by the Occupying Power for acts committed or for opinions expressed before the occupation, or during a temporary interruption thereof, with the exception of breaches of the laws and customs of war.

Nationals of the Occupying Power who, before the outbreak of hostilities, have sought refuge in the territory of the occupied State, shall not be arrested, prosecuted, convicted or deported from the occupied territory, except for offences committed after the outbreak of hostilities, or for offences under common law committed before the outbreak of hostilities which, according to the law of the occupied State, would have justified extradition in time of peace.

Article 71

Penal procedure

I. General observations

No sentence shall be pronounced by the competent courts of the Occupying Power except after a regular trial.

Accused persons who are prosecuted by the Occupying Power shall be promptly informed, in writing, in a language which they understand, of the particulars of the charges preferred against them, and shall be brought to trial as rapidly as possible. The Protecting Power shall be informed of all proceedings instituted by the Occupying Power against protected persons in respect of charges involving the death penalty or imprisonment for two years or more; it shall be enabled, at any time, to obtain information regarding the state of such proceedings. Furthermore, the Protecting Power shall be entitled, on request, to be furnished with all particulars of these and of any other proceedings instituted by the Occupying Power against protected persons.

The notification to the Protecting Power, as provided for in the second paragraph above, shall be sent immediately, and shall in any case reach the

Protecting Power three weeks before the date of the first hearing. Unless, at the opening of the trial, evidence is submitted that the provisions of this Article are fully complied with, the trial shall not proceed. The notification shall include the following particulars:

- a) description of the accused;
- b) place of residence or detention;
- c) specification of the charge or charges (with mention of the penal provisions under which it is brought);
- d) designation of the court which will hear the case;
- e) place and date of the first hearing.

Article 72

II. *Right of defence*

Accused persons shall have the right to present evidence necessary to their defence and may, in particular, call witnesses. They shall have the right to be assisted by a qualified advocate or counsel of their own choice, who shall be able to visit them freely and shall enjoy the necessary facilities for preparing the defence.

Failing a choice by the accused, the Protecting Power may provide him with an advocate or counsel. When an accused person has to meet a serious charge and the Protecting Power is not functioning, the Occupying Power, subject to the consent of the accused, shall provide an advocate or counsel.

Accused persons shall, unless they freely waive such assistance, be aided by an interpreter, both during preliminary investigation and during the hearing in court. They shall have at any time the right to object to the interpreter and to ask for his replacement.

Article 73

III. *Right of appeal*

A convicted person shall have the right of appeal provided for by the laws applied by the court. He shall be fully informed of his right to appeal or petition and of the time limit within which he may do so.

The penal procedure provided in the present Section shall apply, as far as it is applicable, to appeals. Where the laws applied by the Court make no provision for appeals, the convicted person shall have the right to petition against the finding and sentence to the competent authority of the Occupying Power.

Article 74

IV. *Assistance by the Protecting Power*

Representatives of the Protecting Power shall have the right to attend the trial of any protected person, unless the hearing has, as an exceptional measure, to be held *in camera* in the interests of the security of the Occupying Power, which shall then notify the Protecting Power. A notification in respect of the date and place of trial shall be sent to the Protecting Power.

Any judgment involving a sentence of death, or imprisonment for two years or more, shall be communicated, with the relevant grounds, as rapidly as possible to the Protecting Power. The notification shall contain a reference to the notification made under Article 71 and, in the case of sentences of imprisonment, the name of the place where the sentence is to be served. A record of judgments other than those referred to above shall be kept by the court and shall be open to inspection by representatives of the Protecting Power. Any period allowed for appeal in the case of sentences involving the death penalty or imprisonment of two years or more shall not run until notification of judgment has been received by the Protecting Power.

Article 75*V. Death sentence*

In no case shall persons condemned to death be deprived of the right of petition for pardon or reprieve.

No death sentence shall be carried out before the expiration of a period of at least six months from the date of receipt by the Protecting Power of the notification of the final judgment confirming such death sentence, or of an order denying pardon or reprieve.

The six months period of suspension of the death sentence herein prescribed may be reduced in individual cases in circumstances of grave emergency involving an organised threat to the security of the Occupying Power or its forces, provided always that the Protecting Power is notified of such reduction and is given reasonable time and opportunity to make representations to the competent occupying authorities in respect of such death sentences.

Article 76*Treatment of detainees*

Protected persons accused of offences shall be detained in the occupied country and if convicted they shall serve their sentences therein. They shall, if possible, be separated from other detainees and shall enjoy conditions of food and hygiene which will be sufficient to keep them in good health, and which will be at least equal to those obtaining in prisons in the occupied country.

They shall receive the medical attention required by their state of health.

They shall also have the right to receive any spiritual assistance which they may require.

Women shall be confined in separate quarters and shall be under the direct supervision of women.

Proper regard shall be paid to the special treatment due to minors.

Protected persons who are detained shall have the right to be visited by delegates of the Protecting Power and of the International Committee of the Red Cross, in accordance with the provisions of Article 143.

Such persons shall have the right to receive at least one relief parcel monthly.

Article 77*Handing over of detainees at the close of occupation*

Protected persons who have been accused of offences or convicted by the courts in occupied territory, shall be handed over at the close of occupation, with the relevant records, to the authorities of the liberated territory.

Article 78*Security measures. Internment and assigned residence. Right of appeal*

If the Occupying Power considers it necessary, for imperative reasons of security, to take safety measures concerning protected persons, it may, at the most, subject them to assigned residence or to internment.

Decisions regarding such assigned residence or internment shall be made according to a regular procedure to be prescribed by the Occupying Power in accordance with the provisions of the present Convention. This procedure shall include the right of appeal for the parties concerned. Appeals shall be decided with the least possible delay. In the event of the decision being upheld, it shall be subject to periodical review, if possible every six months, by a competent body set up by the said Power.

Protected persons made subject to assigned residence and thus required to leave their homes shall enjoy the full benefit of Article 39 of the present Convention.

PART IV: EXECUTION OF THE CONVENTION

SECTION I

GENERAL PROVISIONS

Article 144

Dissemination of the Convention

The High Contracting Parties undertake, in time of peace as in time of war, to disseminate the text of the present Convention as widely as possible in their respective countries, and, in particular, to include the study thereof in their programmes of military and, if possible, civil instruction, so that the principles thereof may become known to the entire population.

Any civilian, military, police or other authorities who, in time of war, assume responsibilities in respect of protected persons must possess the text of the Convention and be specially instructed as to its provisions.

Article 145

Translations. Rules of application

The High Contracting Parties shall communicate to one another through the Swiss Federal Council and, during hostilities, through the Protecting Powers, the official translations of the present Convention, as well as the laws and regulations which they may adopt to ensure the application thereof.

Article 146

*Penal sanctions**I. General observations*

The High Contracting Parties undertake to enact any legislation necessary to provide effective penal sanctions for persons committing, or ordering to be committed, any of the grave breaches of the present Convention defined in the following Article.

Each High Contracting Party shall be under the obligation to search for persons alleged to have committed, or to have ordered to be committed, such grave breaches, and shall bring such persons, regardless of their nationality, before its own courts. It may also, if it prefers, and in accordance with the provisions of its own legislation, hand such persons over for trial to another High Contracting Party concerned, provided such High Contracting Party has made out a *prima facie* case.

Each High Contracting Party shall take measures necessary for the suppression of all acts contrary to the provisions of the present Convention other than the grave breaches defined in the following Article.

In all circumstances, the accused persons shall benefit by safeguards of proper trial and defence, which shall not be less favourable than those provided by Article 105 and those following of the Geneva Convention of August 12, 1949, relative to the Treatment of Prisoners of War.

Article 147

II. Grave breaches

Grave breaches to which the preceding Article relates shall be those involving any of the following acts, if committed against persons or property protected by the present Convention: wilful killing, torture or inhuman treatment, including biological experiments, wilfully causing great suffering or serious injury to body or health, unlawful deportation or transfer or unlawful confinement of a protected

person, compelling a protected person to serve in the forces of a hostile Power, or wilfully depriving a protected person of the rights of fair and regular trial prescribed in the present Convention, taking of hostages and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly.

Article 148

III. Responsibilities of the Contracting Parties

No High Contracting Party shall be allowed to absolve itself or any other High Contracting Party of any liability incurred by itself or by another High Contracting Party in respect of breaches referred to in the preceding Article.

Article 149

Enquiry procedure

At the request of a Party to the conflict, an enquiry shall be instituted, in a manner to be decided between the interested Parties, concerning any alleged violation of the Convention.

If agreement has not been reached concerning the procedure for the enquiry, the Parties should agree on the choice of an umpire who will decide upon the procedure to be followed.

Once the violation has been established, the Parties to the conflict shall put an end to it and shall repress it within the briefest possible delay.

SECTION II

FINAL PROVISIONS

Article 150

Languages

The present Convention is established in English and in French. Both texts are equally authentic.

The Swiss Federal Council shall arrange for official translations of the Convention to be made in the Russian and Spanish languages.

**RESERVATIONS
MADE AT THE TIME OF SIGNATURE OF THE
GENEVA CONVENTIONS FOR THE PROTECTION
OF WAR VICTIMS**

*of August 12, 1949*¹

HUNGARIAN PEOPLE'S REPUBLIC

Mrs. KARA made the following reservations:

At the meeting of the Diplomatic Conference on August 11th, 1949, the Delegation of the Hungarian People's Republic reserved the right to make express reservations on signing the Conventions, after having examined them. In their speech at the above meeting the Hungarian Delegation observed that they were not in agreement with all the provisions of the Conventions. After a thorough study of the text of the Conventions, the Government of the Hungarian People's Republic decided to sign the Conventions in spite of their obvious defects, as it considered that the Conventions constituted an advance in comparison with the existing situation from the point of view of the practical application of humanitarian principles and the protection of war victims.

The Government of the Hungarian People's Republic is obliged to state that the concrete results achieved by the Diplomatic Conference which ended on August the 12th do not come up to expectations, since the majority of the members of the Conference did not adopt the proposals of the Soviet Delegation concerning the atomic weapon and other means of mass extermination of the population.

The Delegation of the Hungarian People's Republic noted with regret the point of view of the majority of the Conference, which was contrary to the wishes of the nations engaged in the struggle for peace and liberty. The Delegation of the Hungarian People's Republic is convinced that the adoption of the Soviet proposals would have been the most effective means of protecting war victims. The Delegation of the Hungarian People's Republic wishes, in particular, to point out the essential defects of the Convention relative to the Protection of Civilian Persons in Time of War; they drew the attention of the States taking part in the Conference to those defects during the meetings. A particular case in point is that of Article 4 of the Convention; by virtue of that Article the provisions of the Civilians Convention do not apply to certain persons, because the States whose nationals they are, have not adhered to the Convention. The Government of the Hun-

¹ *Final Record of the Diplomatic Conference of Geneva of 1949*, Vol. 1 (Berne), pp. 346-347 and 355-356.

garian People's Republic considers that the above provision is contrary to the humanitarian principles which the Convention is intended to uphold.

The Hungarian People's Government has also serious objections to Article 5 of the said Convention; according to the terms of that Article, if protected persons are definitely suspected of activities hostile to the security of the State, that is enough to deprive them of protection under the Convention. The Government of the Hungarian People's Republic considers that that provision has already made any hope of realizing the fundamental principles of the Convention illusory.

The express reservations made by the Government of the Hungarian People's Republic on signing the Conventions, are as follows:

1. In the opinion of the Government of the Hungarian People's Republic, the provisions of Article 10 of the Wounded and Sick, Maritime Warfare and Prisoners of War Conventions and of Article 11 of the Civilians Convention, concerning the replacement of the Protecting Power, can only be applied if the Government of the State of which the protected persons are nationals, no longer exists.

2. The Government of the Hungarian People's Republic cannot approve the provisions of Article 11 of the Wounded and Sick, Maritime Warfare and Prisoners of War Conventions and of Article 12 of the Civilians Convention, according to which the competence of the Protecting Power extends to the interpretation of the Convention.

3. In regard to Article 12 of the Convention relative to the Treatment of Prisoners of War, the Government of the Hungarian People's Republic maintains its point of view that in the case of the transfer of prisoners of war from one Power to another, the responsibility for the application of the provisions of the Conventions must rest with both of those Powers.

4. The Delegation of the Hungarian People's Republic repeats the objection which it made, in the course of the meetings at which Article 85 of the Prisoners of War Convention was discussed, to the effect that prisoners of war convicted of war crimes and crimes against humanity in accordance with the principles of Nuremberg, must be subject to the same treatment as criminals convicted of other crimes.

5. Lastly, the Government of the Hungarian People's Republic maintains the point of view which it expressed in regard to Article 45 of the Civilians Convention, namely that, in the case of the transfer of protected persons from one Power to another, the responsibility for the application of the Convention must rest with both of those Powers.

UNION OF SOVIET SOCIALIST REPUBLICS

General SLAVIN, Head of the Delegation of the Union of Soviet Socialist Republics:

1. On signing the Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, the Government of the Union of Soviet Socialist Republics makes the following reservation:

Article 10

The Union of Soviet Socialist Republics will not recognize the validity of requests by the Detaining Power to a neutral State or to a humanitarian organization, to undertake the functions performed by a Protecting Power, unless the consent of the Government of the country of which the protected persons are nationals has been obtained.

* * *

2. On signing the Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, the Government of the Union of Soviet Socialist Republics makes the following reservation:

Article 10

The Union of Soviet Socialist Republics will not recognize the validity of requests by the Detaining Power to a neutral State or to a humanitarian organization, to undertake the functions performed by a Protecting Power, unless the consent of the Government of the country of which the protected persons are nationals has been obtained.

* * *

3. On signing the Convention relative to the Treatment of Prisoners of War, the Government of the Union of Soviet Socialist Republics makes the following reservations:

Article 10

The Union of Soviet Socialist Republics will not recognize the validity of requests by the Detaining Power to a neutral State or to a humanitarian organization, to undertake the functions performed by a Protecting Power, unless the consent of the Government of the country of which the prisoners of war are nationals has been obtained.

Article 12

The Union of Soviet Socialist Republics does not consider as valid the freeing of a Detaining Power, which has transferred prisoners of war to another Power, from responsibility for the application of the Convention to such prisoners of war while the latter are in the custody of the Power accepting them.

Article 85

The Union of Soviet Socialist Republics does not consider itself bound by the obligation, which follows from Article 85, to extend the application of the Convention to prisoners of war who have been convicted under the law of the Detaining Power, in accordance with the principles of the Nuremberg trial, for war crimes and crimes against humanity, it being understood that persons convicted of such crimes must be subject to the conditions obtaining in the country in question for those who undergo their punishment.

* * *

4. On signing the Convention relative to the Protection of Civilian Persons in Time of War, the Government of the Union of Soviet Socialist Republics feels called upon to make the following declaration:

Although the present Convention does not cover the civilian population in territory not occupied by the enemy and does not, therefore, completely meet humanitarian requirements, the Soviet Delegation, recognizing that the said Convention makes satisfactory provision for the protection of the civilian population in occupied territory and in certain other cases, declares that it is authorized by the Government of the Union of Soviet Socialist Republics to sign the present Convention with the following reservations:

Article 11

The Union of Soviet Socialist Republics will not recognize the validity of requests by the Detaining Power to a neutral State or to a humanitarian organization, to undertake the functions performed by a Protecting Power, unless the consent of the Government of the country of which the protected persons are nationals has been obtained.

Article 45

The Union of Soviet Socialist Republics will not consider as valid the freeing of a Detaining Power, which has transferred protected persons to another Power, from responsibility for the application of the Convention to the persons transferred, while the latter are in the custody of the Power accepting them.

**The Continuing Challenge
of the
Hungarian Situation
to the
Rule of Law**

**SUPPLEMENT TO THE REPORT OF THE INTERNATIONAL COMMISSION
OF JURISTS PUBLISHED IN APRIL 1957**

June 1957

**INTERNATIONAL COMMISSION OF JURISTS
THE HAGUE**

FOREWORD

On March 2, 1957 the International Commission of Jurists summoned at The Hague an international conference of distinguished lawyers from 14 different countries. The purpose of the Conference was to consider the legal implications of the Soviet intervention in Hungary in and after November 1956 and to draw the attention of lawyers throughout the world to the grave shortcomings of the judicial system in that country, especially with regard to the system of summary justice instituted by the Kadar régime. The documents put before and the findings of the Conference were presented to the United Nations Special Committee on the Problem of Hungary by Sir HARTLEY SHAWCROSS at Geneva on March 13, 1957 and have since been published in a report entitled "The Hungarian situation and the Rule of Law".¹

The report of the United Nations Special Committee on the Problem of Hungary which was published on June 20, 1957 makes specific acknowledgement of the material received from the International Commission of Jurists and of its oral presentation to the Committee by Sir HARTLEY SHAWCROSS.² There is moreover ample evidence in the body of the Committee's report to show that the facts concerning the legal situation in Hungary and the legal interpretation of those facts as submitted by the International Commission of Jurists to the UN Committee have been substantially accepted. One notable example is to be found on page 208 of the Committee's report (Conclusion XIII) where it is specifically stated, endorsing an argument put forward by the Commission, that "a massive armed intervention by one Power on the territory of another, with the avowed intention of interfering with the internal affairs of the country must, by the Soviet's own definition of aggression, be a matter of international concern".³ Moreover, in Chapter 16 of the UN Report, "Other Violations of Human Rights and Fundamental Freedoms", the account given of the legal background of repression, and of the international instruments such as the Hungarian peace treaty of 1947 and the Geneva Conventions of 1949 which such repression violates, follows very closely and in detail the information supplied by the International Commission of Jurists.

The Commission is encouraged that its work on Hungary has received endorsement from an important and authoritative committee set up by the UN Assembly. But the Commission considers it important to emphasize at this time that the régime of repression in Hungary is not merely a historical incident but a continuing fact. The report of the UN Committee was necessarily concerned to a large extent with the events leading up to and immediately following the Hungarian

¹ Obtainable without charge on application to the International Commission of Jurists, 47 Buitenhof, The Hague, Netherlands.

² See page 7, para 29, and page 218 of the UN Report.

³ See also para 324 where the UN Committee specifically refers to "a communication from an international group of jurists" on the Soviet government's own definition of aggression and its applicability to the Hungarian situation.

rising. The Commission now wishes to draw the attention of lawyers throughout the world, and of general public opinion, to the continuing violation in Hungary of principles of justice recognized by all civilized nations. With this end in view the Commission has prepared the following report which supplements the report issued on March 2nd under the title of "The Hungarian Situation and the Rule of Law". The attitude of the Commission and the appeal which it makes to the legal conscience of the world is summarized in a statement made on the occasion of the publication of the UN Committee's report on June 20, 1957. The text of the statement is as follows:

1. The UN report on Hungary expressly endorses the resolutions of the Hague Conference called by the Commission on March 2nd on administration of Justice in Hungary and accepts the legal conclusions submitted by Sir HARTLEY SHAWCROSS to the UN Committee of 5 in Geneva on March 13, namely
 - a) that the Russian intervention was "aggression", even according to the Soviet Union's own definition.
 - b) that the methods used to put down opposition involving flagrant disregard of human rights, constitute a violation of the UN Charter, the Hungarian Peace Treaty of 1947 and the Geneva Conventions of 1949.
 - c) that the introduction of special tribunals and summary procedure has deprived the accused of fundamental rights of defence.
2. The International Commission of Jurists has collected information from Hungarian sources which shows that the system of legal repression in Hungary is continuing and increasing:
 - a) Even from figures admitted by the Hungarian authorities it appears that more than twice as many persons were tried during the last three months than during the first four months after the revolution.
 - b) New laws have been introduced between April and June which still further weaken the already insufficient safeguards of fair trial. In particular it is now possible to retry before a special tribunal cases already decided, where the verdict has been unsatisfactory to the authorities. And as recently as June 15th the right of the accused to choose his defence counsel has been restricted to a special list approved by the Hungarian Ministry of Justice.
 - c) The reluctance of some judges and prosecutors to apply the repressive measures of the Kadar régime is continuing, and has led to repeated complaints and threats by the Hungarian authorities. It is now openly admitted that the object of the Kadar régime is ruthlessly to crush the organisers of the rising and those still opposing the régime.
3. The International Commission of Jurists, as a non-governmental organisation with Consultative Status with the Economic and Social Council of the United Nations, and representing the views of lawyers in many countries, calls on the member states of the United Nations and on world opinion
 - a) to take effective action, in the light of the report of UN Special Committee, to uphold in accordance with the Charter, the Treaty of Peace with Hungary of 1947 and the Geneva Conventions of 1949 the authority of the Rule of Law and the protection of human rights in Hungary.
 - b) *to press, as an immediately practical step, for the admission of an independent investigating committee of lawyers as observers to Hungary.*

NORMAN S. MARSH

Secretary-General

June 1957

I

THE LEGAL POLICY OF THE KADAR REGIME

In the Report of the International Commission of Jurists on The Hague Conference on Hungary an account was given of an address delivered in Budapest on February 15, 1957 by Dr. NEZVÁL, then acting Minister of Justice. The dissatisfaction which he then clearly showed with the way in which the judges were carrying out the policy of the régime has resulted in a number of further pronouncements in the same vein. Thus on February 22, 1957 *Nepszabadsag* discussed a resolution passed by the Party authorities on February 27. The paper commented on the still somewhat critical situation and stated "the way out of this critical situation does not lead through compromises with the demands of counter-revolutionaries but rather through a determined and firm stand against the counter-revolutionaries and disturbers of order". On March 2 Dr. NEZVÁL defended summary justice. He said "we shall avail ourselves of this instrument, wherever it is called for, to restore public order completely and to consolidate public security. The accelerated procedure is a necessary measure but which we wish to retain only as long as absolutely necessary". The emergency measures, he added, would be abolished after the complete re-establishment of order, the normalization of production, and the annihilation of counter-revolutionary forces. "We do not want a régime of terror but we want to defend and we shall defend the dictatorship of the proletariat. The working millions approve our law while the enemies of the country and people dread it."

At the end of March there were a number of indications of an intensified offensive against judges and prosecutors who were not carrying out the wishes of the government. Thus in an article in *Magyarország* of March 27 Dr. GYULA SZENASI, the Supreme Public Prosecutor, spoke of a "minority" of judicial officials who, "being preoccupied with the mistakes of the past, are constantly scared, while administering justice, of an excessively strict interpretation of the law (which they did to a nice degree in the past). Haunted by the nightmare of unlawful action, they violate the law in such a way, that, displaying an incredible political and legal ignorance, they punish and forget to protect society . . . Their policy is 'to maintain cordial relations with all and to ensure the semblance of being "humane". They try to dream of the judge's independence, of impartiality, though even awake they know only too well that such dreams do not exist . . . Our independence and impartiality in practice mean cowardly opportunism . . . In the present historical times, pregnant with ordeals, the personnel policy of the past years is undergoing a test too. It has been found out that there are still undeserving men on whom socialist education was simply wasted. Our experiences in connexion with them are the same as those of the tamer of animals who wants to teach the parrot how to swim. Thus it

can occur that political speeches of jurists begin with a Marxist quotation and wind up by saying that politics are contingent on jurisprudence."

After giving examples of allegedly unduly lenient sentences, the Supreme Public Prosecutor proceeded to admit and to emphasize the importance of the influence on the court exercised by the public prosecutor: "This is done by a bill of indictment drawn up in the spirit of the party well substantiated by evidence and strengthened, if necessary, by political weight". It is interesting to note that the Supreme Public Prosecutor in an article intended for Hungarian readers considered it necessary to refer at some length to the Commission's Conference at The Hague on Hungary and to criticize what he called its conception of "bourgeois legality" and the "stupid joke" of impartiality.

A further indication of official concern is the fact that on March 28 and March 29 conferences of judges and prosecutors were held in Budapest. At the first meeting the President of the Supreme Court, Dr. JOZSEF DOMOKOS was stated to have outlined the basic legal and political considerations which should guide the courts; at the second it was announced that the furtherance of legality, uniformity and consistent severity in dealing with counter-revolutionary offences were discussed.

On March 30 judges again fell to be admonished by Dr. NEZVÁL. In a radio interview he said that the counter-revolution had confused the clear vision of a considerable number of judges and judicial staff: "I have to admit that there were some workers in the judiciary, though a negligible number, who enter the services of the counter-revolutionaries". He then listed the emergency measures taken after the counter-revolution and described them as "designed to launch an effective and vigorous struggle against counter-revolutionary elements, habitual criminals and irresponsible trouble makers". Dr. NEZVÁL said that the military courts "accepted this ruthless fight without hesitation". The regular courts "after some initial wavering" are working with steadily mounting determination. Dr. NEZVÁL indicated that to make courts more effective they must improve their co-operation with the security forces, with the police and the prosecution authorities. Answering questions Dr. NEZVÁL stated that although there had been some wavering of judges they nevertheless have fulfilled the court's role of proletarian dictatorship.

On April 17 the leading article in *Nepszabadsag* stated that the party realized that the way to consolidate the people's power was not to acquiesce in the counter-revolution, but to smash it, not only with arms, but also politically, and ideologically.

On May 1 Mr. KADAR in his May-day speech expressed his belief

“that the criminals must be punished and those who intrigue against the People’s Republic and the work of the people must be restrained. We hold that the power, life and peace of the people is the most sacred thing in the world. Consequently, our legal organs are actually complying with the requirements of humanity and democracy when they treat the criminals with the utmost severity.”

On May 9 Mr. KADAR made a speech to the National Assembly in which he said that there were no reprisals in Hungary. “Our fist hit only those who had organised, or after November 12 deliberately taken part in the fight against the people’s power. The government will not call anyone to account for having participated in any march or demonstration, provided they have not committed any other, graver counter-revolutionary act which must be judged with greater severity. But that cannot entail immunity for, and does not mean that we shall not seek out and call to account, the organisers and the murderers. Nor can immunity apply to those who, after November 4, stubbornly persisted in their fight against the people’s democracy and continued to organise the counter-revolution.”

A few days later Mr. KADAR in a speech to the National Assembly stated “Penalties must be severe, and if anyone has committed a capital offence, for that capital offence he must get what he deserves. Why? So that we may deter others who are not yet guilty as far as crimes against the people are concerned.”

On May 19 *Nepszabadsag* called for “Judgement in the spirit of the class struggle” which meant “unrelenting rigour for the enemies of the people only – for the organisers, leaders and deliberate participants of the counter-revolution, and those guilty of grave crimes – but not for workers who have erred or faltered once”. The paper went on: “The liberalism by which some sentences and the attitude of some judges towards the enemies of our people have been marked must be taken as a serious warning. The judicial administration and the Party organisations must arrive at the correct conclusions. We must eliminate the ideological chaos caused not only by the infiltration of counter-revolutionary ideology, but also by past mistakes . . . and by present defects in the administration of our courts. Our judicial administration must get rid of judges who are unfit for their profession.”

The article significantly admitted that a “People’s Chamber”, set up recently because of “opportunism” and “liberalism” among certain judges, was obliged to hear cases a second time “in order to give proper punishments”.

These pronouncements indicate on the one hand the existence of continuing disquiet in the legal profession and on the other the determination of the Kadar régime to use judicial procedures in order to enforce their political supremacy.

II

NEW LEGISLATION DEALING WITH POLITICAL OFFENDERS

Previous laws, which have been discussed in the Commission's report "The Hungarian Situation and the Rule of Law", had set up special tribunals, in which the lay element predominated, and introduced a summary procedure available both in these tribunals, in the military courts and in the ordinary courts for a wide range of criminal offences; this procedure deprived the accused of most of the judicial safeguards recognized as essential in the legal systems of civilized nations. A Decree Law of April 5 completes the system of politically-controlled justice with the institution of a People's Chamber of the Supreme Court of Justice. Of its five judges only one is required to be a professional lawyer, the other four (whose majority vote prevails) are appointed by the Presidential Council of the People's Republic - i.e., by those at present in political control of Hungary. This People's Chamber can act as a court of first instance or a court of review or appeal at the instance of the President of the Supreme Court or the Supreme Public Prosecutor. It would appear that this People's Chamber is not intended as an ordinary court of appeal to which either the accused or the trial prosecutor have access but rather as a tribunal through which the President of the Supreme Court or the Supreme State Prosecutor can control, correct, and if necessary remove to the jurisdiction of the People's Chamber, the administration of criminal justice in political cases throughout the country. It is also significant that the Decree Law of April 5 specifically empowers the People's Chamber to sentence an accused person previously acquitted or to increase the sentence, where no appeal is made in the interests of the accused. No large number of cases before the People's Chamber have been given publicity by the Hungarian authorities, but in the first case before the People's Chamber a sentence of 15 years' imprisonment was increased to a death sentence, which was immediately carried out.

It should be emphasized that in proceedings at first instance before the People's Chamber the same summary procedure may be adopted as is available under earlier legislation before other criminal courts: that is to say, the accused person may be tried on an oral presentation of the case by the prosecutor without a bill of indictment, thereby depriving the accused of proper notice of the charge and adequate time to prepare his defence.

The pattern of control over the people of Hungary has been completed by an Ordinance of March 19, 1957 purporting to be made by the Minister of the Interior in execution of a Decree of 1939 (see Appendix B). Under this Decree persons who cannot, for lack of existing evidence or available evidence, be criminally prosecuted, can be ex-

pelled from their permanent or ordinary place or residence or from a fixed part of the country and/or subjected to police supervision, on the grounds that they are "dangerous to the State or public security or to socialist coexistence" or even because they cause "anxiety from the point of view of other important State interests" or simply for "economic reasons". From a legal point of view it is significant that this drastic interference with individual liberty can take place solely by administrative action and that appeal lies only to the head of the police authority responsible by carrying it out – i.e., to the State Police Headquarters of the Ministry of the Interior.

According to a decree of the Presidential Council of 15 June, the full text of which is not at present available, the safeguards of the accused in political crimes tried by special tribunals have been further weakened by a limitation in the rights of the defence. An accused person can now only be defended by a lawyer appearing on the approved list of the Ministry of Justice.

III

TRIALS PUBLISHED BY THE HUNGARIAN AUTHORITIES

In the report on "The Hungarian Situation and the Rule of Law" the International Commission of Jurists gave particulars, drawn exclusively from official Hungarian sources, of 128 persons tried for political offences from the beginning of November until February 23. It was fully realized that this information was incomplete, but it was thought important to show that, even on the facts admitted by the Hungarian authorities, the situation as regards the administration of justice was profoundly disturbing. The table appended to this report gives similar information from Hungarian sources from February 24 to June 22, in which evidence of cases has been collected. The pattern of extreme severity continues: out of a total of 296 cases 79 sentences of death or life imprisonment are reported and it must be borne in mind that for 14 cases the sentences have not been announced. Executions have been admitted in 17 cases. Perhaps most significant is the fact that in only two cases were the accused acquitted and in only two other cases released, in one of the two on grounds of "repentance". The other outstanding feature is the secrecy in which the trials were conducted with the exception of some exceptional cases, notably that of Ilona Toth, a 25-year old medical student.

Appendix A

Decree-Law Nr. 25/1957 of the Presidential Council of the People's Republic concerning the setting up of the People's Chamber of the Supreme Court and the regulation of its procedure.

(Magyar Közlöny No. 40, April 6, 1957, page 237 et seq.)

The Presidential Council of the People's Republic with the purpose of ensuring uniformity of the court's decisions in accordance with the interests of the workers in criminal cases against counter-revolutionary criminal acts and against such acts directed against the order of the State and public security, has passed the following decree-law.

CHAPTER I**ORGANISATIONAL PROVISIONS**

Par. 1/1. A People's Chamber is to be set up as a special court within the Supreme Court of the Hungarian People's Republic.

Par. 1/2. The People's Chamber of the Supreme Court, herein after called the People's Chamber consists of a President and four People's judges.

Par. 2/1. The President of the People's Chamber is nominated by the President of the Supreme Court of the People's Republic from the professional judges.

Par. 2/2. The people's judges are elected by the Presidential Council of the People's Republic for an indefinite period.

Par. 2/3. People's judges can be elected from among those who according to the II. Law of 1954 Par. 10/1 concerning the judicial organisation of the Hungarian People's Republic can be chosen as professional judges or as people's assessors.

The legal position of the people's judges is the same as that of the judges of the Supreme Court.

CHAPTER II

**PROVISIONS CONCERNING CRIMINAL PROCEDURE
APPLICATION OF THE GENERAL RULES OF THE CODE OF
CRIMINAL PROCEDURE**

Par. 4. In proceedings before the People's Chamber the provisions of the III. Law of 1951 (Code of Criminal Procedure) as amended by the V. Law of 1954 are to be applied subject to the changes made in this decree-law.

THE JURISDICTION OF THE PEOPLE'S CHAMBER

Par. 5. The jurisdiction of the People's Chamber extends according to the rules laid down in this decree-law in the same way to criminal cases within the jurisdiction of the ordinary and the military courts.

PROCEEDINGS BEFORE THE COURT

Par. 6. The People's Chamber acts – without regard to the appropriate jurisdictional rules otherwise applicable – as court of first instance in every criminal case, when the President of the Supreme Court brings the case before the People's Chamber or when the Supreme Public Prosecutor takes proceedings before the People's Chamber.

Par. 7/1. The Supreme Public Prosecutor can bring an accused who is under pre-trial arrest for investigation before the People's Chamber without a bill of indictment, if all the evidence concerning the matter can be laid before the court. In this case the People's Chamber fixes no definite date for the proceedings of the matter and makes no orders for attendance, the Public Prosecutor looking after the production of witnesses and experts as well as to the submission of other necessary evidence.

Par. 7/2. The Supreme Public Prosecutor presents the indictment in cases falling under (1) orally in the course of the proceedings.

Par. 8. When the Supreme Public Prosecutor presents the bill of indictment the proceedings must take place within the shortest possible time. In such cases the provision of the Code of Criminal Procedure concerning the preliminary sitting and the date fixed for the proceedings are not applicable.

JUDGMENT ON APPEAL

Par. 9. The People's Chamber is concerned with the judgment on appeal made against a sentence given by any court at first instance, when the matter has been brought before the People's Chamber by the President of the Supreme Court or when the Supreme Public Prosecutor raises the case with a view to appeal before the People's Chamber.

Par. 10. The People's Chamber bases its decision resting on the merits of the matter – apart from the exception summarized in Par. 11 – on the facts found by the Court of First Instance.

Par. 11/1. When the Court of First Instance:

a) has set out the facts in a deficient way,

or b) has stated the facts unclearly, in a way inconsistent with the documents or relying on assumptions which are incorrect, and the complete i.e. correct state of facts can be ascertained without doubt from the documents, the state of facts can be supplemented or corrected by the People's Chamber *ex officio*.

Par. 11/2. When in cases falling under (1) the complete that is to say the correct state of facts cannot be ascertained without doubt from the documents, the People's Chamber can at its discretion:

- a) order the statement of evidence to be supplemented
- or b) declare the sentence of the Court of First Instance to be a nullity and direct the Court of First Instance to hold a new trial.

Par. 11/3. The People's Chamber in cases falling under (2) point a can either conduct the hearing of evidence itself or entrust it to the Court of First Instance.

Par. 11/4. In cases falling under (2) point b another Chamber of the Court of First Instance can be entrusted with the proceedings.

The People's Chamber hears any appeal against the new sentence of the Court of First Instance when the matter is re-heard.

Par. 11/5. When the People's Chamber supplements or corrects the state of facts it reviews the sentence of the Court of First Instance on the basis of the stated facts which it has established.

Par. 12/1. When the People's Chamber establishes that the Court of First Instance has decided incorrectly, it changes the sentence of the Court of First Instance and makes a decision in accordance with the law.

Par. 12/2. The People's Chamber – after due consideration of all the circumstances to be taken into account – can sentence an accused who has been found not guilty or increase the sentence of a person who has been punished even when the Public Prosecutor makes no appeal against the interest of the accused.

JUDGMENT IN CASES OF SPECIAL REMEDIES

Par. 13. The Supreme Public Prosecutor or the President of the Supreme Court can lodge a protest also with the People's Chamber in the interest of legality against legally binding decisions of any court in a criminal matter, except when the decision in question has been made by the Presidential Council of the Supreme Court of the People's Republic.

Par. 14/1. The Supreme Public Prosecutor can make an application for retrial in the case of a legally binding decision of any court also before the People's Chamber. When the People's Chamber finds that the request is well founded it can rehear the case itself.

Par. 14/2. The provisions contained in (1) are also to be used in a case for an application for retrial of a decision of the People's Chamber.

DECISION CONCERNING RECOMMENDATIONS FOR MERCY AND THE EXECUTION OF SENTENCES

Par. 15/1. When the People's Chamber sentences an accused person to death it immediately decides whether to make a recommendation for mercy or not.

Par. 15/2. When the People's Chamber unanimously or by majority decides to make a recommendation for mercy it sends immediately the documents in the case with any request for mercy submitted and with the statement of attitude of the Supreme Public Prosecutor and of the People's Chamber to the Minister of Justice in order that they may be forwarded to the Presidential Council of the People's Republic.

Par. 15/3. When the People's Chamber doesn't recommend the accused person for mercy it is responsible for the carrying out of the death sentence.

Par. 16. The execution of sentences of imprisonment must take place immediately after the announcement of the sentence of the People's Chamber.

CHAPTER III

PROVISIONS OF THE CRIMINAL LAW

Par. 17/1. When the People's Chamber is trying at first instance a criminal act which falls within the provisions of the summary procedure (No. 4/1957 Decree-Law Par. 1(1)-(2)) it decides on the sentence according to Par. 5 and sub-paragraph 1 of Par. 8 of the abovementioned Decree-Law.

Par. 17/2. When the People's Chamber is sitting as a court of second instance or in connection with special remedies, punishment for a criminal act which falls under the provisions of a summary procedure (No. 4/1957, Decree-Law Par. 1/-/2 sub-para) is decided upon in accordance with Par. 5 and sub-para 1 of Par. 8, if the proceedings at first instance were conducted according to the regulations governing summary criminal procedure. The provisions of Par. 9-14 are also to be used in these cases.

CHAPTER IV

MISCELLANEOUS AND COMING INTO FORCE OF THE DECREE-LAW

Par. 18. The following provisions take the place of the second part of sub-para 1 of Par. 5 of the Decree-Law No. 4 of 1957:

"The court can according to all the circumstances of the case award life imprisonment or 5 to 15 years imprisonment instead of the death-sentence. Any lesser punishment cannot be given."

Par. 19/1. The Decree-Law is to be applied in cases which are proceeding at the time of its coming into force. The provisions of the Decree-Law concerning judgment in applications for retrial or in proceedings questioning the legality of the proceedings are also applicable in cases which were decided by a legally binding decision before the coming into force of this Decree-Law.

Par. 19/2. The provisions of sub-para 1 do not affect sub-para 3 of Par. 214 of the Code of Criminal Procedure.

Par. 20. This Decree-Law comes into force on the day of its promulgation.¹

ISTVÁN DOBI s.k.

President of the Presidential
Council of the People's Republic

ISTVÁN KRISTOF

Secretary

¹) April 6, 1957

Appendix B.

Ordinance no. 1/1957 (III.19) B.M. of the Minister of the Interior Concerning Expulsion and the Placing of persons under police control. Magyar Közlöny, No. 32, March 19, 1957

To put into effect Decree no. 1830/1939 M.E. and to ensure legality more effectively, I herewith decree:

Para 1

The heads of the "chief commands" of the county police/the police of Budapest may:

- a) Expel from their permanent or temporary domicile, or from a specified part of the country, persons who are dangerous to the state and public security or to the life of the socialist community or who are undesirable having regard to other important State interests, or dangerous for the economy.
- b) place these persons under police control at their permanent or temporary domicile, or within the territorial administrative unit in which his domicile is seated.
- c) expel a person, and at the same time place him under police supervision in another part of the country.

Para 2

The measures of restraint listed in section 1 cannot be taken against:

- a) persons who have completed their 60th year;
- b) persons who have at least two children under 10 years of age, or
- c) who have two dependents who do not earn and who are supported by the persons in question and whose existence would be detrimentally affected by such measures of restraint.

Para 3

The following groups of persons cannot be expelled or placed under police supervision:

- a) persons against whom criminal proceeding must be brought on the basis of evidence which is available or can be made available,
- b) persons who are minors;
- c) persons who according to the Police doctor suffer from a protracted or serious illness;
- d) women in an advanced stage of pregnancy;
- e) persons who are deaf, crippled or in any other way disabled, or who are unsound of mind.

Para 4

- 1) Within 15 days after being served with a final order of expulsion the person who is expelled shall leave his/her domicile and move to another residence of his/her choice. The person expelled may choose any other place of residence, excepting the area specified in the order of expulsion.
- 2) A person expelled may not return to the village (town, district, area) from which he/she has been expelled, without previous permission of the competent police unit of his/her new domicile.

Para 5

Persons who, in addition to being expelled, have been placed under police control must move, within 15 days after being served with a final order of expulsion, to the village (town, district, area) assigned to them by the police command. They may leave their forced residence only with the permission of the police command of their new domicile.

Para 6

- 1) Persons placed under police supervision:
 - a) may not leave their residence, or the administrative territorial unit stated in the warrant, without the previous permission of police command, of the venue of his/her new residence;
 - b) must report to the police at intervals as provided in the order;
 - c) must abide by the restrictions provided in the order.
- 2) The order placing a person under police control shall not provide that he/she must report to the police (conf. al. 1 of the present section) more than once a week.
- 3) The police command may forbid a person who is under police control:
 - a) to leave at a certain period of the day;
 - b) to visit public places in general, or specific public places;
 - c) to use a telephone in his flat.
- 4) These restrictions must be determined in a manner so as not to hinder the person who is under police control from following his occupation.

Para 7

The expulsion and placing of persons under police control are only for a period of six months, which may be extended three separate times for an additional six months, but not to exceed a total of 2 years. After each six months' period the case must be re-examined *ex officio*.

Para 8

- 1) Orders, imposing restrictive measures as provided in this Decree and made in the first instance, and orders made in the course of the re-examination of the case, which uphold the former, may be appealed against.
- 2) An appeal made against a decision in the first instance suspends its execution.
- 3) The appeals are decided by the State police command of the Ministry of the Interior.

Para 9

An expulsion order which has become final or an order concerning the placing of a person under police control and reversal of such orders, must be noted in the Identity Card of the persons expelled or placed under police control.

Para 10

The person who has been expelled by the police from one or more places or from a specific area of the country and, while under the expulsion order, returns thereto, and the person who infringes or eludes the provisions concerning police control, commits a contravention as defined in the decree, having the force of an act, no. 16/1956.

Para 11

The present Decree comes into effect as from the day of its publication. Its provisions must be applied also to cases which are *sub judice*.

Para 12

The present Decree will be put into effect by the national police command of the Ministry of the Interior.

Para 13

Decree no. 760/1939 B.M. is invalid as at the coming into force of the present Decree.

BELA BISZKU
Minister of the Interior

**INFORMATION ON SENTENCES UNDER
BETWEEN FEBRUARY 27, 1957 AND JUNE, 1957**

Source			Courts		Data on
File No.	Source ¹⁾	Date	Kind of Court	Place of Court	Name
129	RB	Feb. 18	Military Court	Budapest	Magas, Sandor
130	RB	Feb. 21	County Court	Miskolc	Barta, Bela
131	RB	Feb. 27	County Court	Miskolc	Toeroek, Istvan
132-137	RB	Feb. 27	County Court	Miskolc	6 men
138	RB	Feb. 28			Cziraki, Mihaly
139-143		March 1	Military Court	Budapest	5 men
144	Nep	March 3	County Court (Ordinary Court)	Szeged	Molnar, Janos
145	Nep	March 3	County Court (Ordinary Court)	Szeged	Virgonc, Pal
146-150	Nep	March 3	County Court (Ordinary Court)	Szeged	5 men
151	RB	March 6			Nagy, Tamas
152	RB	March 7	County Court	Pecs	Szabo, Istvan
153	RB	March 7	County Court	Pecs	Pal, Lajos
154	RB	March 7	County Court	Pecs	Fekete, Janos
155	RB	March 7	County Court	Pecs	Pajta?, Laszlo
156-157	RB	March 7	County Court	Pecs	2 men
158	RB	March 11	Metropolitan Court	Budapest	Benke, Miklos
159	RB/Nep	March 11	Metropolitan Court	Budapest	K., Janos *)
160	RB/Nep	March 11	Metropolitan Court	Budapest	B., Mihaly
161	RB/Nep	March 11	Metropolitan Court	Budapest	T., Laslo
162	RB/Nep	March 11	Metropolitan Court	Budapest	J., Lukacs
163	RB/Nep	March 11	Metropolitan Court	Budapest	J., Jozsef
164	RB/Nep	March 11	Metropolitan Court	Budapest	Misti, Laszlo
165	RB	March 11	County Court	Miskolc	Bokros, Imre
166	Nep	March 12	County Court	Csongrad	Bugyik, Sandor
167	Nep	March 13	County Court	Pest	Szmrek, Benjamin
168	Nep	March 13	County Court	Pest	Raffael, Peter
169	Nep	March 13	County Court	Pest	Mraz, Peter
170	Nep	March 13	County Court	Pest	L.I.
171	Nep	March 13	County Court	Pest	R.M.
172	RB	March 13	County Court	Heves	Ivadi, Laszlo
173	RB	March 13	County Court	Heves	Gyoery, Kalman
174	RB	March 13	County Court	Heves	Becskei, Bela (Istvan?)
175	RB	March 13	County Court	Heves	Seboek, Jozsef
176	RB	March 13	County Court	Heves	Hanko, Laszlo
177	RB	March 15	Military Court	Nagykanizsa	Horvath, Istvan

¹ The abbreviations are explained on p. 90 of the REPORT.

* In the case of minors the surname is not normally given.

**SUMMARY JURISDICTION
AS PUBLISHED IN HUNGARIAN SOURCES**

Convicted		Data on Trial				
Age	Profession	Charge	Sentence	Appeal	Sentence on Appeal	Whether Executed
	Fact. worker	Possession of arms	Death	yes		commuted
	Headmaster	Demonstration	14 years			
		Counter-rev.	Detention (Mental case)			
		Counter-rev.	3-12 years			
		Concealing arms	Death	3 yes	Life	2 executed
		Concealing arms				
		Counter-rev.				
		Counter-rev.	6 months to 2 years			
	Journalist	Writing inflammatory articles	2 years			
		Counter-rev.	Life			
		Counter-rev.	Life			
		Counter-rev.	15 years			
		Counter-rev.	15 years			
		Counter-rev.	8 years			
min.	industrial apprentice	Concealing arms	4 years			
min.	industrial apprentice	Concealing arms	4 years			
min.	industrial apprentice	Concealing arms	3½ years			
min.	industrial apprentice	Concealing arms	3½ years			
min.	industrial apprentice	Concealing arms	1½ years			
min.	industrial apprentice	Concealing arms	3 years and 8 months			
19	Industr. appr.	Concealing arms	5 years			
	Build. worker	Counter-rev.	Life			
	Lock-smith	Concealing arms	6 years			
		Murder; Larceny	15 years			
		Murder; Larceny	8 years			
		Murder; Larceny	2 years			
min.		Murder; Larceny	1½ years			
min.		Murder; Larceny	3 months			
		Counter-rev.; concealing arms	6 years			
		Counter-rev.; concealing arms	4-20 months			
		Counter-rev.; concealing arms	4-20 months			
		Counter-rev.; concealing arms	4-20 months			
		Counter-rev.; concealing arms	4-20 months			
	Farmer	Concealing arms	15 years			

(continued)

Source		Courts			Date on
File No.	Source	Date	Kind of Court	Place of Court	Name
178	HIS	March 15	Military Court	Budapest	Garami, Gyula
179	HIS	March 15	Military Court	Budapest	Bata, Sandor
180	Nep	March 16	Metropolitan Court	Budapest	Rehm, Jozsef
181	RB	March 16	County Court	Gyoer-Sopron	Fekete, Jozsef
182	RB	March 16	County Court	Gyoer-Sopron	Soki, Antal
183	RB	March 16	County Court	Gyoer-Sopron	Acs, Jozsef
184	RB	March 17	County Court	Tatabanya	Kerpecs, Janos
185	RB	March 17	County Court	Tatabanya	Bikas, Ferenc
186	RB	March 17	County Court	Tatabanya	Gerencser, Julia
187	RB	March 17	County Court	Tatabanya	Brenner, Jozsef
188	Szabad Fold	March 17	County Court	Gyula	Erdodi, Laszlo
189	RB	March 20	Military Court	Debrecen	Jozsa, Gyoergy
190	Nep	March 21			Szabo, Istvan
191	Nep	March 21	Military Court	Kecskemet	Kardos, Karoly
192	Nep	March 21	Military Court	Kecskemet	Hursan, Pal
193	Nep	March 21	Military Court	Kecskemet	Bencsik, Elek
194	Nep	March 21	Military Court	Kecskemet	Cs., Lajos
195	Nep	March 21	Military Court	Kecskemet	Voros, Lajos
196	Nep	March 21	Military Court	Kecskemet	Hegely, Ferenc
197	Nep	March 21	Military Court	Kecskemet	Mazan, Matyas
198	Nep	March 21	Military Court	Kecskemet	Flender, Mihaly
199	Nep	March 21	Military Court	Kecskemet	Szilagyi, Tibos
200	Nep	March 21	Military Court	Kecskemet	Szasz, Pal
201	Nep	March 21	Metropolitan Court	Budapest	Jakab, Jozsef
202	Nep	March 21	Metropolitan Court	Budapest	Kathonai, Tibos
203	RB	March 22	Court of summary jurisdiction		Bajusz, Ferenc Jozsef
204	HIS	March 23	County Court	Miskolc	Mikulas, Gabor
205	HIS	March 23	County Court	Miskolc	Tokar, Dr. Vince
206	HIS	March 23	County Court	Miskolc	Nizei, Dr. Bela
207	HIS	March 23	County Court	Miskolc	Zambory, Jozsef
208	RB	March 23	Summary trial	Szekszard	Dromvari, Jozsef
209	RB	March 23	Summary trial	Szekszard	Goedoe, Istvan
210	RB	March 23	Summary trial	Szekszard	Goedoe, Sandor
211	RB	March 23	Ordinary Court		Several men
212	RB	March 23	Metropolitan Court	Budapest	Folly, Gabor
213	Nep	March 23	Military Court	Gyor	Koch, Jozsef

(continued)

Source		Courts			Data on
File No.	Source	Date	Kind of Court	Place of Court	Name
214	RB	March 23	Metropolitan Court	Budapest	Vasvari, Sandor
215	RB	March 23	Metropolitan Court	Budapest	Horvath, Miklos
216	RB	March 23	Metropolitan Court	Budapest	P., Gyula
217	RB	March 23	Metropolitan Court	Budapest	P., Istvan
218	RB	March 23	Metropolitan Court	Budapest	Huszar, Bela
219	RB	March 23	Metropolitan Court	Budapest	P., Istvan ³)
220	Nep	March 26	Metropolitan Court (Ordinary Court)	Budapest	Harcos, Oliver
221	Nep	March 26	Metropolitan Court (Ordinary Court)	Budapest	Huber, Gyula
222	Nep	March 26	Metropolitan Court (Ordinary Court)	Budapest	Fazekas, Istvan
223	RB	March 29	Military Court	Budapest	Balazs, Ferenc
224	RB	March 29	Military Court	Budapest	Kos, Geza
225	RB	March 31			Ludmany, Imre
226	MTI	April 2		Kecskemet	Kiss, Mihaly Francia
227	Nep	April 2	County Court	Gyoer-Sopron	1 (leader of group)
228	Nep	April 2	County Court	Gyoer-Sopron	2
229	Nep	April 2	County Court	Gyoer-Sopron	3
230	Nep	April 2	County Court	Gyoer-Sopron	4
231	Nep	April 2	County Court	Gyoer-Sopron	5
232	Nep	April 2	County Court	Gyoer-Sopron	6
233-234	RB	April 2	Metropolitan Court	Budapest	2 boys
235	RB	April 3	County Court	Miskolc	Szombati, Dr. Istvan
236	RB	April 3	County Court	Miskolc	Berzsenyi, Gyoergy
237	RB	April 3	County Court	Miskolc	Verebes, Lajos
238-241	RB	April 3	County Court	Miskolc	4 men
242	RB	April 3	County Court	Miskolc	Verres, Lajos
243	RB	April 3	County Court	Miskolc	Meszaros, Gyoergy
244	NSZ	April 3	Metropolitan Court, spec. bench	Budapest	Both, Jozsef
245	RB	April 5	Metropolitan Court	Budapest	Horvath (Korbasz?), Jozsef
246	RB	April 5	Metropolitan Court	Budapest	Boris, Jozsef

³ Not identical with the No 217.

(continued)

Source			Courts		Data on
File No.	Source	Date	Kind of Court	Place of Court	Name
247	RB	April 5	Metropolitan Court	Budapest	Kis, Vendel
248	HIS	April 5	County Court	Komarom	Eszto, Zoltan
249	RG	April 6	Military Court	Gyor	Csaszar, Jozsef Sr.
250	RG	April 6	Military Court	Gyor	Csaszar, Jozsef Jr.
251	EH	April 6	County Court	Miskolc	Gyuro, Illes
252	RB	April 8	Metropolitan Court	Budapest	Toth, Ilona
253	RB	April 8	Metropolitan Court	Budapest	Gyoengyoesi, Miklos
254	RB	April 8	Metropolitan Court	Budapest	Goenczi, Ferenc
255	RB	April 8	Metropolitan Court	Budapest	Molnar, Geza
256	RB	April 8	Metropolitan Court	Budapest	Obersovaky, Gyula
257	RB	April 8	Metropolitan Court	Budapest	Gali, Jozsef
257a	RB	April 8	Metropolitan Court	Budapest	Kovacs, Ferenc
258	RB	April 8	Metropolitan Court	Budapest	Pribelszki, Istvan
259	RB	April 8	Metropolitan Court	Budapest	Bago, Gyula
260	RB	April 8	Metropolitan Court	Budapest	Lukacs, Jozsef
261	RB	April 8	Metropolitan Court	Budapest	Matefy-Csaba, Janos
261a	RB	April 8	Metropolitan Court	Budapest	(Not known)
262	RB	April 9	Military Court	Budapest	Polya, Ferenc Sandor
263	RB	April 9	Military Court	Budapest	Bencsik, Jozsef Jr.
264	RB	April 9	Military Court	Budapest	Bencsik, Jeno
265	Nep	April 10	Military Court	Budapest	Schiff, Janos
266		April 12		Gyor	Lasz, Sandor
267-287	RB/MTI	April 12	Metropolitan Court	Budapest	21 men

Convicted			Data on Trial			
Age	Profession	Charge	Sentence	Appeal	Sentence on Appeal	Whether Executed
30	Engineer	Terrorism; taking fire-arms; attempted execution during counter-rev.	3½ years			
		Organizing of strikes	6 years			
28	Worker	Attacking soviet troops; concealing arms	Acquitted			
	Student	Attacking soviet troops; concealing arms	Death			
26	Journalist	Plotting against PD	14 years			
		Incitement against the government; murder; distribution of antigovernmental leaflets	Death	yes	Conf. (June 20) RB	
30	Playwright	Incitement against the government; murder; distribution of antigovernmental leaflets	Death	yes	Conf. (June 20) RB	Further review of cases under consideration R.B. June 21
		Incitement against the government; murder; distribution of antigovernmental leaflets	Death	yes	Conf. (June 20) RB	
27	Security policeman	Incitement against the government; murder; distribution of antigovernmental leaflets	8 years	yes	14 years	
		Inciting to murder	3 years	yes	On app. by peopl. Court Bench of Supr. Court Sent. incr. to Death June 20 RB	
25	Worker	Incitement against the government; murder; distribution of antigovernmental leaflets	1 year	yes		
		Incitement against the government; murder; distribution of antigovernmental leaflets	10 years	yes	30 m.	
16	Worker	Incitement against the government; murder; distribution of antigovernmental leaflets	6 months	yes	30 m.	
		Incitement against the government; murder; distribution of antigovernmental leaflets	6 months	yes	30 m.	
27	Worker	Incitement against the government; murder; distribution of antigovernmental leaflets	10 years			
		Incitement against the government; murder; distribution of antigovernmental leaflets	1 year	yes	8 years	
27	Worker	Concealment of arms	8 months	yes	3 years	
		Concealment of arms	Death	yes		
27	Worker	Concealment of arms	Death	yes	15 years	Executed
		Concealing arms	Death	yes		Executed
		Writing inciting articles	1½ years			
		Counter-rev.; murder	14 death; Four life; one 15 years; one 10 years; one 5 years	yes		

(continued)

Source			Courts		Date on
File No.	Source	Date	Kind of Court	Place of Court	Name
288	RB/MTI	April 12	Metropolitan Court	Budapest	Lengyel, Laszlo
289	RB	April 14	Metropolitan Court	Budapest	Micsinai, Istvan
290	Radio Berzs.	April 19		Zalaegerszeg	Klincser, Gyula
291	Nep	April 21	County Court	Miskolc	Ostorhazi, Laszlo
292	Nep	April 21	County Court	Miskolc	Haviar, Laszlo
293-294	RB	April 23	Metropolitan Court	Budapest	2 men
295	RB	April 24	}		Magalin, Gyoergy
296	RB	April 24			Kovacs, Gyoergy
297-309	RB	April 24			13 men known as Tatabanya Insurgents
310	HIS	April 24	County Court	Nograd	Szabo, Ervin
311	HIS	April 24	County Court	Nograd	Beda, Jozsef
312	HIS	April 24	County Court	Nograd	Jecsmenik, Andor
313	HIS	April 24	County Court	Nograd	Others
314	MTI	April 25	Supreme Court		Farkas, Mihaly
315	RB	April 25	Military tribunal	Budapest	Kiss, Janos
316	RB	April 26	County Court	Gyoer-Sopron	Szekely, Sandor
317	RB	April 26	County Court	Gyoer-Sopron	Fodor, Endre
318	RB	April 26	Military Court	Debrecen	Toeroek, Istvan
319	RB	April 26	Military Court	Debrecen	Gegeny, Bela
320	RB	April 26	Military Court	Debrecen	Zombor, Laszlo
321	RB	April 29	People's bench supreme court	Budapest	Kanyo, Bertalan
322	RB	April 30	Metropolitan Court	Budapest	Horti, Laszlo
323	RB	April 30	Metropolitan Court	Budapest	Varga, Tamas

Convicted			Data on Trial			
Age	Profession	Charge	Sentence	Appeal	Sentence on Appeal	Whether Executed
		Complicity in murder by hanging 2 police officers				
		Accomplice in murder; misuse of power; hiding arms	15 years	yes	Supr. Court People's Court Bench Sentence increased to death	Executed
		Instigation in October-November 1956				
	Teacher	Murder; incitement against PD	Life			
	Miner	Murder; incitement against PD	12 years			
		Concealment of arms; counter-rev.				
		Armed rising against communists				
		Armed rising against communists				
	Ex-chairman county workers council		8 years			
	Ex-chairman Nagybatony National Committee		8 years			
	Form. work. coun. offic.		7 years			
		Abusing public office	2-2½ years			
		Concealing firearms	16 years			Executed
		Counter-rev. acts	Death			
		Counter-rev. acts	Life			
		Counter-rev. acts	5 years			
	Student	Concealing firearms and ammunition	15 years			
		Concealing firearms and ammunition	10 years			
	Technician	Failing to inform authorities of concealed firearms	10 years			
		Police murderer and counter-rev.	Death confirmed	yes		Executed
		Plotting to overthrow people's democracy; concealing arms; distribution leaflets	15 years			
		Plotting to overthrow people's democracy; concealing arms; distribution leaflets	10 years			

(continued)

Source			Courts		Data on
File No.	Source	Date	Kind of Court	Place of Court	Name
324	RB	April 30	Metropolitan Court	Budapest	Rac, Elek
325	Nep	May 1	County Court	Gyula	Szabo, Sandor
326	RB	May 2	County Court	Miskolc	Toth, Janos
327	RB	May 2	County Court	Miskolc	Kiss, Geza
328	RB	May 7	Military Court	Budapest	Gacsco, Istvan
329	RB	May 7	Military Court	Budapest	Alapi, Laszlo
330	RB	May 7	Military Court	Budapest	Toth, Miklos
331	RB	May 7	Military Court	Budapest	Kelemen, Karoly
332	RB	May 7	Military Court	Budapest	Kiss, Antal
333	HIS	May 9	Metropolitan Court		Cserbakoi, Endre
334	HIS	May 9	Metropolitan Court		Wiszt, Marta
335	MTI	May 10	Supreme Court		Palhazi, Ferenc
336	MTI	May 10	Supreme Court		Preisz, Zoltan
337	RB	May 13	County Court	Baranya	Dobrovics, Emil
338	MTI	May 13	County Court	Budapest	Sinkovits, Gyula
339	MTI	May 13	County Court	Budapest	Racz, Sandor
340-345	MTI	May 13	County Court	Budapest	6 men
346	MTI	May 13	County Court	Budapest	Toth, Bela K.
347	MTI	May 13	County Court	Budapest	Kiss, Arpad
348	MTI	May 13	County Court	Budapest	Imre, Karoly
349	MTI	May 13	County Court	Budapest	Kasa, Sandor
350	Radio Szomb.	May 13			Kosa, Ferenc
351	Radio Szomb.	May 13			Szabo, Lajos
352	HIS	May 15			Pozsar, Istvan
353	RB	May 17	Summary proc.	Budapest	Kovacs, Lajos and accomplices

Convicted			Data on Trial			
Age	Profession	Charge	Sentence	Appeal	Sentence on Appeal	Whether Executed
min.	Police-agent	Plotting to overthrow people's democracy; concealing arms; distribution leaflets	5 years			
		Plotting to overthrow PD; illegal crossing of border	8½ years			
		Blowing up railway bridge	Death			
		Blowing up railway bridge	Life			
		Blowing up railway bridge	Death		yes	
		Blowing up railway bridge	Death		yes	
		Blowing up railway bridge	15 years		yes	
	miner	Taking part in fighting	Life		yes	
		Belonging to counter-rev. group	4 years		yes	
		Belonging to counter-rev. group	Death			
		Belonging to counter-rev. group	Death			Executed
		Strike in support of counter-rev.	14 years			
		Recent organization of subversive activities and concealing arms	Life			
		Recent organization of subversive activities and concealing arms	15 years			
University assistant	Recent organization of subversive activities and concealing arms	1-5 years				
	Recent organization of subversive activities and concealing arms	12 years				
	Recent organization of subversive activities and concealing arms	10 years				
	Recent organization of subversive activities and concealing arms	13 years				
	Recent organization of subversive activities and concealing arms	7 years				
	Concealing arms	1 year				
	Illegally crossing the frontier	Released				
26	University assistant	Counter-rev.	Released on ground of repentance			
		Concealing arms				

(continued)

Source			Courts		Data on
File No.	Source	Date	Kind of Court	Place of Court	Name
354	RB	May 18	Supreme Court	Miskolc	Misita (Misuta?), Dezsoe
355	RB	May 18	County Court	Debrecen	Bede, Laszlo
356	NSZ	May 18	County Court	Mosonmagyar- var	Kertesz, Erno
357	NSZ	May 18	County Court	Mosonmagyar- var	Teszars, Bela
358	MTI	May 21	Military tribunal	Dunapentele	Pados, Prof. Istvan
359-363	MTI	May 21	Military tribunal	Dunapentele	5 men
364	MTI	May 21	Military tribunal	Dunapentele	Izinger, Gyula
365	MTI	May 21	Military tribunal	Dunapentele	Nagyeri, Karoly
366	RB/MTI	May 22	Military Court	Debrecen	Kiss, Sandor
367	RB/MTI	May 22	Military Court	Debrecen	Szrog, Sandor
368	HIS/MTI	May 22	Metropolitan Court	Budapest	Kabelacs, Pal
369	HIS/MTI	May 22	Metropolitan Court	Budapest	Kabelacs, Karolyi
370	MTI	May 23	Metropolitan Court	Budapest	Roszner, Baron Istvan
371	HIS/RB	May 23	County Court	Gyoer-Sopron	Foeldes, Gabor
372	HIS/RB	May 23	County Court	Gyoer-Sopron	Tihany, Arpad
373	HIS/RB	May 23	County Court	Gyoer-Sopron	Gulyas, Lajos
374	HIS/RB	May 23	County Court	Gyoer-Sopron	Laszlo Weintreger
375	HIS/RB	May 23	County Court	Gyoer-Sopron	Lajos Cifrik
376	HIS/RB	May 23	County Court	Gyoer-Sopron	Imre, Zsigmond
377	HIS/RB	May 23	County Court	Gyoer-Sopron	Jurik, Antal

Convicted			Data on Trial			
Age	Profession	Charge	Sentence	Appeal	Sentence on Appeal	Whether Executed
		Counter-rev.; terror	8 years	yes	by People's Court Bench of Supr. Court increased to life	
	Professor	Attack on soviet forces	15 years			
		Organizing illegal crossing of border	20 months			
	Teacher	Organizing illegal crossing of border				
		Guilty of arresting people; being concerned with broadcasting of writers appeal; counterrev.	Life	yes ¹⁾		
		Guilty of arresting people; being concerned with broadcasting of writers appeal; counterrev.	5-10 years	yes		
	Lieutenant	Guilty of arresting people; being concerned with broadcasting of writers appeal; counterrev.	7 years	yes		
	Captain	Guilty of arresting people; being concerned with broadcasting of writers appeal; counterrev.	Life	yes		
		Killing and robbing a soviet soldier	Death			Executed
		Killing and robbing a soviet soldier	Death			Executed
		Taking part in attack on radio building	Death			
		Taking part in attack on radio building	Life			
	Landowner	Counter-rev.	3 years			
	Dir. theatre	Murder; incitement to murder; counter-rev.	Death			
	Schoolmaster	Murder; incitement to murder; counter-rev.	Death			
	Clergyman	Murder; incitement to murder; counter-rev.	Death			
		Murder; incitement to murder; counter-rev.	Death			
		Murder; incitement to murder; counter-rev.	Death			
		Murder; incitement to murder; counter-rev.	Death			
		Murder; incitement to murder; counter-rev.	Death			

¹⁾ By Prosecutor.

(continued)

Source			Courts		Data on
File No.	Source	Date	Kind of Court	Place of Court	Name
378	HIS/RB	May 23	County Court	Gyoer-Sopron	Korodi, Karoly
379	HIS/RB	May 23	County Court	Gyoer-Sopron	Zalai, Ferenc
380-385	HIS/RB	May 23	County Court	Gyoer-Sopron	6 men
386	RB/MTI	May 23	Metropolitan Court	Budapest	Eorsi, Istvan
387	RB/MTI	May 23	Metropolitan Court	Budapest	Szabo, Bela
388	RB/MTI	May 23	Metropolitan Court	Budapest	Nagy, Mihaly
389	RB/MTI	May 23	Metropolitan Court	Budapest	Molnar, Sandor
390	RB/MTI	May 23	Metropolitan Court	Budapest	Kaldor, Dr. Vera
391	HIS/Nep	May 23		Budapest	Preszmayer, Agoston
392	HIS	May 23		Budapest	Counter-rev. group
393	RB/MTI	May 21/24	Military Court	Budapest	Boros, Istvan
394	RB/MTI	May 21/24	Military Court	Budapest	Kuelloes, Imre
395	RB/MTI	May 21/24	Military Court	Budapest	Cziho, Pal
396	RB/MTI	May 21/24	Military Court	Budapest	Papp, Balint
397	RB/MTI	May 21/24	Military Court	Budapest	Tajti (Tajki?), Ferenc
398	MTI	May 29		Budapest	Kemal, Ekrem
399		May 30 ¹		Budapest	Bibo, Istvan
400		May 30 ¹		Budapest	Szigeti, Attila
401					Angyal, Istvan
402	RB	May 31	Metropolitan Court	Budapest	Nagy, Dezsoe (Mrs.)
403	RB	June 2	Military Court	Szekszard	Banda, Sandor
404	RB	June 2	Military Court	Szekszard	Füred, Istvan (Mrs.)
405	RB/MTI	June 8	County Court	Gyoer-Sopron	Mihaly, Lendvai
406	RB/MTI	June 8	County Court	Gyoer-Sopron	Gyoergy, Peterdy
407-409	RB/MTI	June 8	County Court	Gyoer-Sopron	3 men
410		June 8 ¹		Budapest	Bobak, Jozsef
411		June 8 ¹		Budapest	Harazin, Janos
412		June 8 ¹		Budapest	Sijler, Laszlo
413-417				Budapest	5 men
418	MTI	June 21	Metropolitan Court	Budapest	Piroska, Janko (Mrs.)
419-421	MTI	June 22		Budapest	3 men
422	MTI	June 22	Military Court	Györ	Hetz, Gyula
423	MTI	June 22	Military Court	Györ	Geiszt, Joseph

¹) These cases are still unconfirmed

Convicted			Data on Trial			
Age	Profession	Charge	Sentence	Appeal	Sentence on Appeal	Whether Executed
	Poet	Murder; incitement to murder; counter-rev. Murder; incitement to murder; counter-rev. Murder; incitement to murder; counter-rev. Distributing leaflets; taking part in free Kossuth radio Counter-rev. Counter-rev. Counter-rev. Counter-rev.	Death Death 6 months to life 5 years			
	Lieutenant Techn. empl. Transp. man. Chairm. loc. org.	Trying to overthrow premier Kadar; robbery; attempting to escape Trying to overthrow premier Kadar; robbery; attempting to escape Counter-rev. Counter-rev. Counter-rev. Counter-rev.	Death 1 to 6 years 7 years 10 years 5 years 10 years			Executed
33	Ex-minister	Counter-rev.	10 years			
29	build. forem.	Counter-rev. Counter-rev. Counter-rev.	8 years Death Death			
	Writer Writer	Inciting against PD Inciting against PD	8 years 5 years 8 months to 5 years	yes yes		
	Writer Writer Writer Journalists	Running a newspaper and an information office during the revolution. Organizing "Un. Hungarian Workers Party" Attack on Party H.Q., 30th Oct. '56 Murder	Death Death 8 months to 8 years 18 years			
		Illegal possession of arms	Death Death 15 years	yes		

Justice in Hungary Today

THIRD REPORT OF THE
INTERNATIONAL COMMISSION OF JURISTS ON

The Hungarian Situation and the Rule of Law

SEPTEMBER 1, 1957 – JANUARY 31, 1958

February 1958

INTERNATIONAL COMMISSION OF JURISTS
THE HAGUE

MEMBERS OF THE INTERNATIONAL
COMMISSION OF JURISTS

JOSEPH T. THORSON	President, Ottawa, Canada
A. J. M. VAN DAL	Vice-President, The Hague, Netherlands
GIUSEPPE BETTIOL	Rome, Italy
DUDLEY B. BONSALE	New York, USA
PHILIPPE N. BOULOS	Beirut, Lebanon
PER T. FEDERSPIEL	Copenhagen, Denmark
THEO FRIEDENAU	Berlin, W. Germany
JEAN KREHER	Paris, France
HENRIK MUNKTELL	Upsala, Sweden
JOSE T. NABUCO	Rio de Janeiro, Brazil
STEFAN OSUSKY	Washington, D.C.
SIR HARTLEY SHAWCROSS	London, England
PURSHOTTAM TRIKAMDAS	New Delhi, India
H. B. TYABJI	Karachi, Pakistan
JUAN J. CARBAJAL VICTORICA	Montevideo, Uruguay
EDOUARD ZELLWEGER	Zurich, Switzerland

NORMAN S. MARSH

Secretary-General

EDWARD S. KOZERA

Administrative Secretary

The International Commission of Jurists is a non-governmental organization which has consultative status, category "B", with the United Nations Economic and Social Council.

Published in English, French, German and Spanish
and distributed by

INTERNATIONAL COMMISSION OF JURISTS
47, BUITENHOF

THE HAGUE, NETHERLANDS

Additional copies of this publication may be obtained
without charge by writing directly to the Commission.

CONTENTS

Introduction	5
Letter of September 2, 1957 to UN Delegations	11
I. Legislation on Summary Procedure currently in Force	15
II. Continuing Repression	18
III. Conclusion	18
Appendices	
(I) Legislation	
I. Chart of Hungarian Emergency Legislation 1956-1957	20
II. Decree-Law No. 34 of June 15, 1957 on People's Chambers and Summary Procedure Applicable by these Chambers	21
III. Decree No. 41 of June 29, 1957 on Giving Effect to Chapter I and IV of Decree-Law No 34/1957	31
IV. Decree No. 5 of June 29, 1957 on the Execution of Decree-Law No. 34/1957	32
V. Decree-Law No. 62 of November 3, 1957 on Abolishing Summary Jurisdiction	34
VI. Publications on the Suspension of the Autonomy of the Chamber of Lawyers of Budapest and Miskolc (1956, 1957)	35
VII. Decree-Law 41 of July 14, 1957 Amending Decree-Law No. 31/1956 on Public Security Detention	36
(II) Trials	
VIII. Chronological List of Sentences as Reported by Hungarian Sources, September 1, 1957 - January 17, 1958	37
(III) Statements	
IX. Article in NEPSZABADSAG, May 19, 1957	44
X. Janos Kadar - Speech before Miners at Tatabanya, September 1, 1957	45
XI. Gyoergy Marosan - Speech at a Mass Meeting of Students at the Budapest Technical University, September 23, 1957; Speech at a Mass Meeting at the Koeztarsasag Square in Budapest, October 30, 1957	46
XII. Laszlo Gyáros, Foreign Ministry Spokesman - Press Conference of September 27, 1957, State- ment on Internments and Death Sentences	47
XIII. Geza Szenasi, Supreme Public Prosecutor - Article in NEPSZABADSAG of November 10, 1957 entitled "On the Road of Socialist Legality"	48

XIV.	Laszlo Szabo – Article in NEPSZABADSAG of November 24, 1957 entitled “In the Chamber of Lawyers things are easily forgotten” . . .	52
XV.	Ferenc Nezval, Minister of Justice – Article in NEPSZABADSAG of December 14, 1957 on a meeting of Lawyers in Moscow	54
XVI.	Geza Szenasi, Supreme Public Prosecutor – Report before the Hungarian National Assembly, December 21, 1957	55
XVII.	Interview with Muenich.	62
XVIII.	Government Decree	63
XIX.	Report by Janos Kadar, President of the Revolutionary Worker-Peasant Government, submitted to the National Assembly at its Opening Session on January 27, 1958	65
XX.	Articles in NEPSZABADSAG, January 30, 1958 . .	70
XXI.	Foreign Ministry Spokesman’s Press Conference .	71

INTRODUCTION

This report is the third to be issued by the International Commission of Jurists on the Rule of Law in Hungary. The two previous reports, published in April 1957 and June 1957 respectively, sought to make known the facts concerning the administration of justice in Hungary on the basis of the laws published and accounts of arrests and trials given by the Hungarian authorities themselves. The report here presented covers the period September 1, 1957 to January 31, 1958.

The object of the International Commission of Jurists in publishing these reports has been to provide an incontrovertible basis of fact which may be submitted to the judgment of world public opinion and in particular may be assessed in the light of the general principles of law recognized by civilized nations. The reports have been well received in many countries, many of them geographically and politically remote from the European scene, and they have been extensively used in the debates on the Hungarian situation in the United Nations. They have had a considerable impact on the present régime in Hungary itself, and the facts which they have disclosed apparently caused some concern at an international conference of lawyers meeting in Moscow in November 1957.¹

Recent visitors to Hungary confirm that the authorities are now anxious to rehabilitate themselves with world opinion and to this end to create the impression that a system more lenient and more strictly in accord with legality is now prevailing in Hungary. The true position would appear to be that

an unspecified number of people remain in prison either for taking part in the uprising of November 1956 or for their opposition, actual or potential, to the régime thereafter set up;

the authorities are reluctant to bring such persons to public trial for fear of repercussions in and outside Hungary;

they are therefore relying to some extent on secret trials, on the linking of political offences, where possible, with alleged discreditable common law offences and on their powers of detention without trials;

¹ *Prawo i Zycie*, No. 26/27, December 22, 1957. Mr. Nezval, the Hungarian Minister of Justice, in an article in "Nepszabadsag", No. 295, of December 14, 1957, describing the Conference tried to take satisfaction from the fact that "at the plenary session" questions concerning the accordancy of Hungarian legislation with human rights, the legal status of the present Hungarian regime and the rights of the defence under Hungarian procedure were not raised "any longer".

the legal procedure, however, applicable in such cases as are brought before the courts still fails to provide the minimum safeguards of fair trial.

Moreover, it is clear that the Hungarian authorities alternate, at all events as the people of Hungary are concerned, between promises of leniency and threats of savage repression. Thus in a report² to the Hungarian National Assembly on December 21, 1957 the Supreme Public Prosecutor, Mr. Geza Szenasi, said:

“Workers engaged in the Criminal Courts should not heed the siren song of ‘let’s be friends’. Such voices come from the circle of those who, professing a degree of loyalty and displaying good will, try to strike root again, but who in the autumn of 1956, incited, mostly from behind the scenes, drove to their death or to catastrophe simple people who were confused and trusted them. A luke-warm atmosphere would favour the enemy, because it would allow him a respite and thus open up fresh possibilities for action. We shall not give the enemy this advantage . . . Let no one tell us that a year has passed since the counter-revolution and that we ought accordingly to be more lenient. No, we will not relent when judging active enemies.”

Trials

To arrive at the real picture of recent developments in Hungary the mere examination of the number of published sentences based, as has always been the practice of the Commission, upon official Hungarian sources only, is an insufficient guide.

Nevertheless, during the period of four months under review, a very substantial number of sentences, often of great severity, has been disclosed in Hungarian publications and radio, and these (which number over 200) are fully cited in Appendix VIII. It is worthy of note that it has now been admitted, albeit in a small number of cases, that trials are conducted in secret.

*People’s Chambers*³

It is of the greatest significance that the Decree-law of June 15, 1957 on People’s Chambers still remains in force. This Decree-law, the text of which is contained in Appendix II, re-enacted and extended summary procedure before ordinary Courts. Bearing this in mind the passing of the Decree-law No. 62, published on November 3, 1957, which purports to abolish summary jurisdiction, is misleading in the

² See Appendix XVI to this Report.

³ In the English translation from the Hungarian the terms “People’s Courts” and “People’s Court Benches” have also been used interchangeably with “People’s Chambers”.

extreme. For instance, the preamble of this Decree-law provides: "The successes attained in the last year concerning the re-establishment of law and order make it possible to abolish summary jurisdiction introduced for a transitory period". In fact a careful examination of Decree-law No. 62, and the Chart (Appendices V and I), discloses that while seven different Decree-laws dealing with Summary Jurisdiction have at different times been repealed or have become obsolete, the sole effect of the repeals is to discontinue certain summary proceedings primarily before Military Courts which, due to the introduction of People's Chambers, have largely fallen into disuse. The procedure before the People's Chambers is of summary nature and continues "to violate human rights in failing to provide the minimum safeguards of justice in criminal trials which are recognized by civilized nations".⁴ This is evident from the provisions of the Decree of June 15, 1957⁵ the relevant parts of which may be summarized as follows:

1. There is no necessity for the prosecution to present a written accusation and the charge is made orally at the hearing; no date for trial need be fixed (Art. 8, 1).
2. The prosecutor should secure the presence of witnesses (Art. 8, 1).
3. The accused cannot be represented by Counsel of his own choice, but must select him from a list provided by the Ministry of Justice, "if the security of the State should specially warrant it" (Art. 31, 1).
4. The People's Chamber of the Supreme Court has the power to sentence an accused even if acquitted by the lower Court or to increase his sentence even if the Prosecutor has not appealed (Art. 16, 2).
5. The People's Chamber of the Supreme Court may set aside any final judgment at the request of the Chief Procurator or the President of the Supreme Court (Art. 17), and pass a decision less favourable to the accused (Art. 19). The Presidential Court of the Supreme Court has the same right to set aside a judgment of a Chamber of the Supreme Court.

The continued operation of People's Chambers is emphasized in the speech of Mr. Szenasi of December 1957 (Appendix XVI). "The introduction of summary jurisdiction had demonstrated the strength of the revolutionary Worker Peasant Government and that initial success has made it possible to start the large-scale liquidation of the counter-revolution by legal action. Steps in that direction had been the introduction of the accelerated criminal procedure and the setting-up of People's Chambers of the Supreme Court and later also of the County Courts. People's Chambers have also helped to remove counter-

⁴ *The Hungarian Situation and the Rule of Law*, published by the International Commission of Jurists, March 1957, p. 4. This report is available on request.

⁵ See *infra*, pp. 21—30.

revolutionaries from the Law Courts and the appointment of People's Judges has further strengthened the judiciary".⁶

The post-revolutionary laws providing for detention without trial on grounds of public security have also remained in force notwithstanding Decree-law No. 62.

Mr. Szenasi admitted in his above-mentioned speech the existence of one detention camp in which "1,869 persons were detained on December 20, 1957", and suggested that these measures of preventative detention should be extended.

Pressure on Judges and Procurators

The exercise of pressure on judges and procurators to apply utmost severity in the performance of their duties has continued. In an article in "Nepszabadsag", No. 266, November 10, 1957 (Appendix XIV), the same Dr. Geza Szenasi, the Supreme Public Prosecutor, had already complained that prosecutors had been too lenient. "They did not always apply adequate firmness when dealing with violators of the law. Public prosecutors must work in such a way that the offender's punishment is always commensurate with the offence..." He was particularly concerned that they should resist pressure by individuals and organizations and apply equal vigour in prosecuting "persons engaged in State or economic functions". He also suggested that local influence made the prosecutor's task more difficult, and cited Lenin as saying "there is no different standard of legality in Kazan and Kaluga". Finally, Mr. Szenasi expressed in different words his view already referred to: "We must liquidate the bases, remnants and consequences of the counter-revolution".

Attack on Practising Lawyers

It is of particular concern to members of the legal profession in all countries to know that the attacks on practising lawyers in Hungary have not diminished. In an article in "Nepszabadsag", No. 278, November 24, 1957, Laszlo Szabo attacked the Hungarian Bar. "After the defeat of the counter-revolution, a new leadership took over which has at disposal the list of the persons who were rehabilitated by the fascist leadership. What has been done against them? A few very conspicuous and prominent bourgeois lawyers were 'ticked off', but

⁶ *The New York Times* of December 22, 1957 and *Le Monde* of December 24, 1957 report that in the speeches of the President of the Supreme Court of Hungary, Mr. Jozef Domonkos and/or of the Public Chief Prosecutor, Geza Szenasi, it was revealed that half the total number of Hungarian judges had been summarily dismissed for having refused to sit on summary Courts for the trial of revolutionaries. As far as the Commission could ascertain Hungarian sources were silent on this point as regards this ground of dismissal and the number of the dismissed.

on the whole the anti-State measures of the general staff of lawyers of the counter-revolution have been left untouched. These gentlemen walk about also today with their lawyer's certificate and 'represent the laws of the People's Democratic State in the service of their clients.'" He then attacked by name a number of members of the Budapest Bar.

It was reported in „Nepszabadsag” on March 23, 1958 that the legal profession was to be reorganized, self-government of the Chambers of Lawyers suspended and practice as a general rule only permitted on a collective basis.

Conclusion

The present regime in Hungary has recently been anxious to show that its administration of justice corresponds with the fundamental principles recognized by civilized peoples, but the evidence of its laws and practice, as well as some of the pronouncements of its leaders, are hard to reconcile with this intention. Nevertheless it is clear that the continuing pressure of an informed world legal opinion has already had a considerable impact on the Hungarian authorities. The present report raises questions which the lawyers of the world in their individual capacity would do well to ask of the Hungarian government and those who support them.

NORMAN S. MARSH
Secretary-General

**Letter of September 2, 1957 from the Secretary-General
to UN Delegations.**

Your Excellency,

On the eve of the special meeting of the United Nations General Assembly, I venture to draw your Excellency's attention to the views of the International Commission of Jurists as set out in its publications, "The Hungarian Situation and the Rule of Law", published in April 1957, and "The Continuing Challenge of the Hungarian Situation to the Rule of Law", published in June 1957. A brief summary of the reports together with additional documentation is appended to this letter.

I would firstly emphasize that the concern of the International Commission of Jurists over the Hungarian situation is based not on political or national considerations, but on the common interests of the legal profession over a wide part of the world to maintain, in international and in municipal law, respect for Human Rights as set out in the Charter of the United Nations, and for the minimum standards of justice recognized by all civilized nations.

Secondly, it may be pointed out that the information on which the Commission has based its report is exclusively drawn from the Official Laws, Government Statements and Press of Hungary. While the Commission has reason to believe that these do not give a complete picture of the situation, they do at the very least reveal conditions which are profoundly disturbing to the conscience and professional standards of lawyers in all countries.

The information published by the Commission showed that the laws and decrees of the authorities in Hungary failed to provide the minimum safeguards of justice in criminal trials as are recognized by civilized nations. In particular, these laws and decrees:

- 1) failed to provide for an impartial tribunal;
- 2) defined offences in vague terms open to abuse in interpretation;
- 3) gave the accused no proper notice of the charge preferred;
- 4) allowed no adequate time and facilities for the accused to prepare his defence, to call witnesses and to instruct counsel of his own choice on his behalf;
- 5) empowered a higher Tribunal to sentence an accused person previously acquitted, or to increase the sentence when no appeal had been made in the interests of the accused.

The Commission would now respectfully draw your attention to the incontestable fact that, since the publication of the Commission's reports in April and June last, and since the issue on June 22 of the Report of the United Nations Special Committee on the Problem of Hungary, repression in that country has been intensified rather than diminished. On June 15 a consolidating law confirmed the main features of the legal system set up by the Hungarian authorities, thus establishing on a permanent basis the system of trial for political offenders which had been described in the Commission's publications.

Moreover, the evidence of Hungarian official sources and Press shows that the legal system instituted by the Hungarian authorities to deal with political offenders has, in recent months, been used with increasing severity. Thus, in a two-month period, June 22–August 22, Hungarian official sources and Press have admitted the arrest of at least 194 persons and the trial of 204 other persons for offences of an allegedly political nature. Of 204 persons tried in this period, concerning whom the details of sentence are known, 22 have been sentenced to death, 11 to life imprisonment and 171 to long periods of imprisonment. In the whole preceding period of approximately seven-and-a-half months from the outbreak of the Revolution until June 22, the Commission obtained exclusively from Hungarian sources information concerning 423 persons brought to trial and sentenced. It should be emphasized that, owing to the secrecy with which most of the trials have been conducted, these figures necessarily give an imperfect idea of the scale of repression in Hungary; they are only significant in so far as they show, on the basis of information released by the Hungarian authorities themselves, that this repression is continuing with increasing force.

Of even greater significance than these figures are the statements recently made by Hungarian spokesmen.

Thus, on June 1, in a speech reported over Budapest Radio, Dr. Nezval, the Hungarian Minister of Justice, announced that "mercy" would be only an exceptional step. On June 4, Mrs. Imre Juhasz, member of Parliament, in a speech reported in *Nepszabadsag*, said:

"Quite a fair number of judges have asked to be transferred from the Criminal Court to the Civil Court. . . . a good many of our public prosecutors have shown procrastination in drawing up indictments and in ordering preliminary arrests."

In reference to "counter-revolutionaries", she said, "We cannot show mercy towards them". In the same sense, on July 10, Dr. Nezval, at a Press conference reported over Budapest Radio said:

"We must make sure that the courts keep counter-revolutionary elements and aspirations at bay and mete out punishment for counter-revolutionary criminal acts."

On July 17, an article in *Delmagyarország* entitled, "Leniency - Why?" began with these words:

"Counter-revolutionaries have got the jitters, they do not like the pressure, of the steady hard fist and the determination of the workers' class. . . . It is superfluous for them to lament and moan, they will get where they deserve to be, irrespective of where they keep in hiding."

Between the middle and the end of July the world press published unconfirmed reports of a new wave of arrests in Hungary, the most conservative of which estimated that 1500 to 2000 people had been arrested. Mr. Marosan, Minister of State, in a speech reported in the Hungarian Press on July 26, and on Budapest Radio on July 31 and August 1, said:

"We do not deny that we have arrested a few counter-revolutionaries who had well deserved it. . . . the detention of some hundreds of people has aroused indignation in the West. Why all this excitement? Our organs of internal security are today striking blows at those at whom Rakosi should have struck. . . . We showed patience for a while, but after the CPSU (Communist Party of the Soviet Union) resolution, a number of dubious elements were discovered and began to spread the 'words': 'We start again in October'. Our patience was then exhausted and our authorities did what they should have done in the years 1945 to 1948."

The Commission has noted with the utmost concern that among the most recent lists of arrested or convicted persons are included a number of lawyers, including amongst them the President of the Budapest Bar. In this connexion, it is significant that a number of official spokesmen of the present regime in Hungary have repeatedly reprimanded the judges and public prosecutor, as well as university professors of law, for their adherence to "an excessively strict interpretation of the law" and to the "dream of the judge's independence" and "impartiality".

In the light of the foregoing consideration, the Commission respectfully urges

1. that the claim of the present Hungarian regime to speak in the United Nations as the effective Government of Hungary must depend on its ability to maintain its power without recourse to methods of oppression which are at variance with the respects for Human Rights required by the Charter of the United Nations, with the specific provisions of the Treaty of Peace with Hungary of 1947 and the Geneva Convention of 1949, as well as with the fundamental principles of law recognized by all civilized countries;

2. that the continuing repression in Hungary as shown by the findings of the International Commission of Jurists based on the exclusive evidence of Hungarian sources, raises a case against the present regime in Hungary which cannot be satisfactorily answered until that regime is prepared to allow an impartial committee of investigation to visit Hungary.

I have the honour to be,

Your obedient Servant,

NORMAN S. MARSH

I

LEGISLATION ON SUMMARY PROCEDURE CURRENTLY IN FORCE

In spite of recent utterances to the contrary of Hungarian authorities and their endeavours to create an opposite impression, one of the main characteristics of the criminal trials in political cases in Hungary is still the application of a summary procedure.

The summary procedure currently applicable in the trial of political opponents is regulated in a Decree-Law of June 15, 1957.¹ This Decree-Law provides for the creation of "People's Chambers" within County Courts, the Metropolitan Court of Budapest and the Supreme Court. These People's Chambers may apply a summary procedure, if the Procurator so suggests (Arts. 8-10).

Such procedure is also applicable to proceedings before a Special Court of the Military Tribunals (Art. 24¹).

The simplified procedure is characterized among others by the following provisions:

- a. There is no necessity for the prosecution to present a written accusation and the charge is made orally at the hearing; no date for trial need be fixed (Art. 8¹);
- b. It is for the Procurator to secure the presence of witnesses (Art. 8¹);
- c. The accused cannot be represented by Counsel of his own choice, but must select his advocate from a list compiled by the Minister of Justice,² "if the security of the State should specially warrant this" (Art. 31¹). In proceedings before Military Tribunals this applies to all offences (Art. 32), while in other proceedings it only applies to offences specified by the Minister of Justice (Art. 31²); a list of such offences was published on June 29, 1957.³
- d. The People's Chamber of the Supreme Court is empowered to sentence an accused person who has been previously acquitted, or to increase his sentence, even if the Procurator has not lodged an appeal (Art. 16²);

¹ Decree-Law No. 34/1957, *Magyar Közlöny* (Official Gazette), Budapest, 1957, No. 66; English translation: Supplement to an Appeal of the International Commission of Jurists to the United Nations on September 2, 1957, Part III, pp. 1-10, a copy of which is attached to the present report as Appendix II, *infra* p. 21. The provisions of Chapter I and Chapter IV were put into effect on June 29, 1957 by Decree No. 41/1957, *Magyar Közlöny*, 1957, No. 73; English translation: Appendix III, *infra* p. 31.

² In this connection attention should be drawn to the fact that the autonomy of some Bar Councils has been suspended by order of the Minister of Justice. Such orders were published, e.g. for the Bars of Budapest and Miskolc in *Magyar Közlöny*, 1957, No. 8 and 1956, No. 106 respectively; English translations: Appendix VI to this Report (*infra* p. 35).

³ Ordinance of the Minister of Justice No. 5/1957, published in *Magyar Közlöny*, 1957, No. 73; English translation: Appendix IV to this Report (*infra* p. 32).

- e. The People's Chamber of the Supreme Court may set aside – within a year – any final judgment of any criminal Court on a protest of the Chief Procurator or the President of the Supreme Court (Art. 17) and may pass a decision “less favorable to the accused than the invalidated decision has been” (Art. 19). The same right is vested in the Presidential Court of the Supreme Court with regard to decisions of the Chambers of the Supreme Court (Art. 18).

The provisions governing the procedure just outlined are still in effect. They have not been repealed by subsequent legislation during the period covered by this Report, either expressly or by implication. Even the Decree of November 3, 1957 entitled “On the Abolition of Summary Jurisdiction”⁴ does not affect the validity of the rules of summary procedure described above. The Decree of November 3, 1957 repeals Decree-Law No. 28/1956 of December 11, 1956 on the Proclamation of Summary Jurisdiction⁵ and a supplement thereto: Decree-Law No. 32 1956 of December 13, 1956.⁶ These Decrees of December 1956 provided that “proceedings under summary jurisdiction shall be within the competence of the Military Tribunals” and that the “Government is authorized to make detailed rules governing summary jurisdiction” (Art. 4). Such rules were actually laid down in a Decree (No. 6/1956) of December 11, 1956.⁷

The Decree-Law of November 3, 1957 on the abolition of summary jurisdiction introduces no change in the essence of the law, except in so far as the summary procedure as regulated by the Decrees of December 1956 provides for more extra-ordinary measures than the rules currently in force. Abolished are, for instance, the maximum period of summary proceedings which was fixed at 72 hours, and the provision requiring death sentences to be carried out within 2 hours, if the Court decides not to recommend an application for mercy.

Nor does the “Decree on Abolition of Summary Procedure” affect in any way whatsoever the validity of the post-revolutionary laws providing for public security detention without a Court sentence.⁸

In order to determine the practical effect of the Decree abolishing

⁴ *Magyar Közlöny*, 1957, No. 117; English translation: Appendix V to this Report (*infra*, p. 34).

⁵ *Magyar Közlöny*, 1956, No. 100; English translation: *The Hungarian Situation and the Rule of Law*, published by the International Commission of Jurists, The Hague, 1957, pp. 69–70.

⁶ *Magyar Közlöny*, 1956, No. 102; English translation: *The Hungarian Situation and the Rule of Law*, *ibid*, p. 71.

⁷ *Magyar Közlöny*, 1956, No. 101; English translation: *The Hungarian Situation and the Rule of Law*, *ibid*, pp. 72–76.

Decrees of December 13, 1956 and of January 13, 1957 as well as March 19, 1957 and July 14, 1957. Texts: *Magyar Közlöny*, 1956, No. 102 and 1957, Nos. 4, 32, 77; English translation: *The Hungarian Situation and the Rule of Law*, *ibid*, pp. 77–80; *The Continuing Challenge of the Hungarian Situation to the Rule of Law*, published by the International Commission of Jurists, The Hague, June 1957, pp. 15–17; Appendix VII to this Report (*infra*, p. 36).

summary jurisdiction it is necessary to have in mind the type of Courts that have tried cases of a political nature and the procedures applied by them. It appears that soon after the crushing of the revolution – approximately between November 1956 and January 1957 – political trials were primarily conducted by Military Tribunals applying the now abolished summary procedure.⁹ In January 1957 “Special Councils” were established within existing Courts.¹⁰ The procedure before these Councils was governed by the rules for summary jurisdiction of December 11, 1956 mentioned above.¹¹ The experiment with “Special Councils” within the framework of Courts apparently failed to produce an instrument of repression satisfactory to the group in power. This probably led to the creation of “People’s Chambers” at the Supreme Court by a Decree of April 6, 1957.¹² It was empowered to apply a summary procedure outlined in the same Decree (Arts. 3–7). “In the course of trying crimes committed for political reasons or having political objects, summary procedure and the adjudication by the People’s Chamber of the Supreme Court have proved effective.” This statement is taken from the Preamble of the Decree-Law of June 15, 1957.¹³ This Decree-Law abolished the “Special Councils” and created further People’s Chambers – apart from the one already existing at the Supreme Court – at County Courts and at the Metropolitan Court of Budapest. It also regulates in detail the procedure to be applied by the People’s Chambers. It is, as outlined above, a summary procedure, but technically not identical with the summary procedure now abolished, since it is regulated in another Decree. From then on trials for participation in the October uprising were mainly conducted by People’s Chambers.

It thus appears that the practical effect of the Decree-Law abolishing summary jurisdiction is very limited. This is the more true if one considers that Military Tribunals which primarily applied the summary procedure now abolished are expressly empowered under Decree-Law of June 15, 1957, still in force,¹⁴ to try cases by a procedure of a summary nature. Such trials may now be conducted by “Special Courts” of Military Tribunals. They have the same rights as People’s Chambers of ordinary Courts with regard to jurisdiction, procedure, appeals, extraordinary remedies, mercy and sentence (Art. 24).¹⁵

A table showing the Hungarian emergency laws passed since No-

⁹ Sources as in Notes 5 and 6.

¹⁰ Decree-Law No. 4/1957 of January 13, 1957 with Supplement of January 15, 1957; Texts: *Magyar Közlöny*, 1957, No. 5; English translation: *The Hungarian Situation and the Rule of Law*, *ibid*, pp. 83–86, 76.

¹¹ Source as in Note 7.

¹² Decree-Law No. 25/1957 of April 6, 1957. Text: *Magyar Közlöny*, 1957, No. 40; English translation: *The Continuing Challenge of the Hungarian Situation to the Rule of Law*, *ibid*, pp. 10–14.

¹³ Source as in Note 1.

¹⁴ *Ibid*.

¹⁵ *Ibid*.

vember 4, 1956, is attached (Appendix I). In the last column particulars are given whether and by which law each of the acts is repealed. The extent to which summary procedure is still applicable is illustrated in this table.

II

CONTINUING REPRESSION

The statements of Hungarian Party and State leaders responsible for the administration of Justice show that their determination to deal with oppositional forces in a ruthless manner has in no way diminished.¹⁶ This is corroborated by the trials of persons having participated in the October rising. But it would be misleading to reach a conclusion on the extent of repression merely on the basis of the number of sentences reported.¹⁷ Caution in evaluating these figures is required because the number of cases tried *in camera* seems to have increased. This is indicated by the fact that even cases of prominent figures were tried in secret, although it must have been obvious to the authorities in question that in view of the popular concern, both in Hungary and abroad, over the fate of the accused the secrecy of the trial could not be kept.

III

CONCLUSION

The procedural devices which were used so far to dispose of political opponents are still in force. The lack of procedural safeguards becomes more serious from the point of view of the accused since the crimes triable summarily are defined in vague terms and the punishments are unduly severe.¹⁸

In the light of the official statements and of the sentences reported the conclusion is, therefore, warranted that the danger of summary jurisdiction in Hungary is at present as great as before.

The continuing repression of participants of the October rising is in striking contrast with Art. 3 of the Program of the Hungarian Revolutionary Worker-Peasant Government of November 4, 1956, which reads:

¹⁶ Texts and extracts from a number of pertinent statements are reproduced in Appendices IX-XXI.

¹⁷ See the chronological list in Appendix VIII compiled exclusively from Hungarian sources; Western sources report 40,000 persons being in detention camps, 12,000 persons being deported to the Soviet Union, 2,000 being executed (*Times* (London), October 23, 1957, based on figures given by the Society of American Friends of Captive Nations and the Assembly of Captive European Nations).

¹⁸ For a more detailed analysis of the substantive and procedural aspects of the Hungarian emergency laws see the publications of the International Commission of Jurists quoted in Notes 1, 5 and 8.

“To end the fratricidal fighting and to restore internal order and peace, the Government will not tolerate that workers should be persecuted, under any pretext whatsoever, for having taken part in the most recent events.”¹⁹

¹⁹ Radio Budapest I (Kossuth Radio), November 4, 1956, 21.05 hours; English translation: *BBC Summary*, Part IIB, No. 775, November 8, 1956, p. 75 (71).

Type of Act	No.	Date	Subject	Text "M.K."	English translation	Repealed by
I. Summary Jurisdiction						
1)	D-L 22/1956	Nov. 12, 1956	Simplification of criminal procedure	1956 No. 93	RoL 68	D-L 4/1957
2)	D-L 28/1956	Dec. 11, 1956	Proclamation of Summary Jurisdiction	1956 No. 100	RoL 69	D 62/1957
3)	D-L 32/1956	Dec. 13, 1956	Supplement hereto	1956 No. 102	RoL 71	D 62/1957
4)	D 6/1956	Dec. 11, 1956	Rules of Summary Jurisdiction	1956 No. 101	RoL 72-76	obsolete
5)	D-L 4/1957	Jan. 15, 1957	Procedure of Summary Trials (Creation of Special Councils at Courts)	1957 No. 5	RoL 83-86	D-L 34/1957
6)	D 2/1957	Jan. 15, 1957	Supplement hereto	1957 No. 5	RoL 76	obsolete
7)	D-L 25/1957	April 6, 1957	Creation of People's Chamber (at Supreme Court)	1957 No. 40	Supp. 10-14	D-L 34/1957
8)	D-L 34/1957	June 15, 1957	Creation of People's Chambers (at Supreme Court and County Courts with right of Procurator to direct trial by summary procedure, Art. 8)	1957 No. 66	App. II	—
9)	D 41/1957	June 29, 1957	Giving effect to Chapter I and IV of D-L 34/1957	1957 No. 73	App. III	—
10)	Ord. 5/1957	June 29, 1957	Containing a list of offences for which choice of counsel is limited.	1957 No. 73	App. IV	—
11)	D-L 62/1957	Nov. 3, 1957	Abolition of Summary Jurisdiction	1957 No. 117	App. V	—
II. Public Security Detention						
12)	D-L 31/1956	Dec. 13, 1956	Public Security Detention	1956 No. 102	RoL 77-78	—
13)	D-L 1/1957	Jan. 13, 1957	Amendment hereto	1957 No. 4	RoL 78	—
14)	D 1/1957	Jan. 13, 1957	Carrying out of D-L 31/1956	1957 No. 4	RoL 79-80	—
15)	Ord. 1/1957	Mar. 19, 1957	Police control	1957 No. 32	Supp. 15-17	—
16)	D-L 41/1957	Jul. 14, 1957	Amendment to D-L 31/1956	1957 No. 77	App. VII	—

Abbreviations: App. = Appendix; D = Decree; D-L = Decree-Law; "M.K." = Magyar Közlöny; Ord. = Ordinance; RoL = "The Hungarian Situation and the Rule of Law", The Hague, 1957; Supp. = Supplement; "The Continuing Challenge of the Hungarian Situation to the Rule of Law", The Hague, 1957.

Appendix II

Decree Law of June 15

Decree Having the Force of Law (hereinafter: "Decree-Law") No. 34 1957 of the Presidential Council of the People's Republic (of Hungary) Concerning People's Courts and the Regulation of the Judiciary's Organization and Certain Questions Arising from Criminal Proceedings.

In the course of trying crimes committed for political reasons or having political objects, summary procedure and the adjudication by the People's Courts of the Supreme Court have proved effective. For this reason (and) in the interest of a continued fight against counter-revolutionaries, the complete liquidation of counter-revolutionary elements and, generally, the upholding of public order and public security, and the further strengthening of socialist legality, the setting up of People's Courts with the Metropolitan and County Courts to adjudicate according to the rules of summary procedure is – at the request of the workers – warranted.

The rules governing judges' competence in proceedings for crimes against the proper functioning or safety of traffic and transport by rail, road, air and water, and of telecommunications, and those governing defence counsel's co-operation in crimes particularly offending against the interest of the State, do not comply with present-day requirements.

For these reasons the Presidential Council of the People's Republic has passed the following Decree-Law.

CHAPTER I

RULES RELATING TO PEOPLE'S COURTS

Organizational Rules

1. (1) People's Courts shall be created at the Metropolitan Court in Budapest and at the County Courts.

(2) The Metropolitan and County People's Courts (hereinafter: "County People's Court") shall consist of one Chairman and two People's judges.

(3) The Chairman of the County People's Court shall be appointed from among professional judges by the President of the Metropolitan Court or of the County Courts (as the case may be).

2. (1) There shall be a People's Court at work at the Supreme Court of the Hungarian People's Republic.

(2) The People's Court of the Supreme Court of the Hungarian People's Republic (hereinafter: People's Court of the Supreme Court) shall consist of a Chairman and four People's judges.

(3) The Chairman of the People's Court of the Supreme Court shall be appointed from among professional judges by the President of the Supreme Court.

3. (1) The People's judges shall be elected – for an indefinite period – by the Presidential Council of the People's Republic.

(2) Any Hungarian national who has had no previous convictions and is entitled to vote and is not less than 30 years of age may be elected a People's judge.

(3) The legal status of People's judges shall be identical with that of the judges of the Metropolitan Courts, the County Courts and the Supreme Court.

Jurisdiction of County People's Courts

4. (1) If the accused is in preliminary custody and the necessary evidence is available and the Prosecutor – at the direction of the Chief Prosecutor – suggests, the County People's Court shall deal with the following crimes:

- a) organizing against the People's Republic or against the People's Democratic State order (Official Compilation of Valid Rules of Substantive Criminal Law (hereinafter: "C.R.Cr.L."), s. 1) and conspiring to this end (C.R.Cr.L., s. 8),
- b) revolt (C.R.Cr.L., ss. 17–24),
- c) crimes committed by the unlicensed possession, etc. of explosives or fire-arms or ammunition (C.R.Cr.L., s. 33(1) and 34(1)), the use of explosives and the unlawful use of fire-arms (C.R.Cr.L., ss. 33(3) and 34(3)),
- d) treason (C.R.Cr.L., ss. 35, 37–40),
- e) crimes committed by causing malicious damage to utilities supplying water, gas or electricity; or to indispensable public undertakings supplying the population with essentials; or to public transport undertakings or to undertakings required for defence; further, the acts of any person who, by unlawful entry into, or by his presence on, the premises of such undertaking, or in any other way deliberately disturbs the working of the undertaking (circumstances taken from C.R.Cr.L., s. 73(1) and emphasized in the present Decree-Law);
or the instigation of others do commit any such act, or the calling upon another so to do (C.R.Cr.L., s. 73(2));
Provided that it (the County People's Court) shall only deal with the crimes listed in this sub-section if the act was directed at mass stoppage of work or otherwise threatened great danger;
- f) arson (C.R.Cr.L., ss. 162–164),

- g) intentionally committing a crime for the purpose of endangering transport (C.R.Cr.L., s. 172),
- h) murder and intentional homicide (C.R.Cr.L., ss. 349, 351 and 352),
- i) looting (housebreaking: C.R.Cr.L., s. 427(c)),
- j) robbery (C.R.Cr.L., ss. 433–437).

(2) In the case of crimes set out in paragraphs (f), (i) and (j) of sub-section (1) hereof, the Prosecutor may raise a charge before the County People's Court irrespective of whether the act was harmful to private or to State-owned property.

*Jurisdiction at First Instance of the People's Court
of the Supreme Court*

5. (1) The People's Court of the Supreme Court shall in any criminal matter act as a Court of first instance if the President of the Supreme Court attributes the matter to fall within the jurisdiction of the People's Court of the Supreme Court or if the Chief Prosecutor raises the charge in that (People's) Court.

(2) If the Supreme Court at first instance is seised of a criminal matter wherein a civil or military person was a perpetrator of the crime, the President of the Supreme Court may transfer the matter – according to its character – to either the People's Court of the Supreme Court or the Military Divisional Court of the Supreme Court (s. 24).

Jurisdiction of the County People's Court

6. That County People's Courts shall also have jurisdiction wherein the Prosecutor suggests the proceedings to be conducted.

Rules of Criminal Procedure to be Employed

7. Proceedings before the People's Court shall be governed by the provisions of Act No. III of 1951, as amended by Act No. V of 1954 and Decree-Law No. 8 of 1957, subject to the following changes.

Summary Procedure

8. (1) The Prosecutor may, without an accusation in writing, cause the accused to be brought before the County People's Court. In that case, the County People's Court shall not appoint a day for the hearing of the case and shall not issue subpoenas; it shall be the duty of the Prosecutor to secure the presence before the County People's Court of witnesses and experts and of any evidence that may be required. The charge shall be made by the Prosecutor orally at the hearing.

(2) If the Prosecutor submits an accusation in writing, the hearing shall take place within the shortest possible time. In that event the

provisions of the Code of Criminal Procedure regarding preparatory sittings and the time-limits for the appointment of dates of hearing shall be inapplicable.

9. (1) The jurisdiction of the County People's Court shall extend to all crimes of the accused, even if some of those crimes are not covered by the provisions of s. 4.

(2) The County People's Court shall not proceed against a person – even on the grounds of multiplicity (of crimes) – who has committed no crime falling within the jurisdiction of the County People's Court.

10. The provisions of ss. 8–9 shall be applicable to cases where the Chief Prosecutor raises a charge before the People's Court of the Supreme Court (s. 5(1)) and suggests summary procedure.

Adjudication on Appeal

11. Appeals against decisions of County People's Courts shall be heard by the People's Court of the Supreme Court.

12. (1) In case of appeals lodged against decisions of County People's Courts, s. 190(2) of the Code of Criminal Procedure shall be applied, except that the appellant may, if the judgment be served on him, within three days therefrom give detailed reasons for his appeal.

(2) Periods specified in s. 195(2) and (3) of the Code of Criminal Procedure shall not be applicable to appeals against decisions of County People's Courts; and appeals shall be heard within the shortest possible time.

13. (1) Appeals lodged against judgments of first instance of any court shall be adjudicated upon by the People's Court of the Supreme Court if the President of the Supreme Court attributes the appeal to fall within the jurisdiction of, or if the Chief Prosecutor refers the appeal for adjudication to, that Court.

(2) The provisions of s. 12(2) shall be inapplicable in cases to which sub-section (1) of the present section applies.

14. Save for the exceptions set out in s. 15 hereof, decisions on the merits of the appeal before the People's Court of the Supreme Court shall be based on the facts as found by the court of first instance.

15. (1) If

- a) the finding of facts is defective, or
- b) the finding of facts is obscure, contradicts the contents of documents, or is based on wrong factual conclusions, and the full and/or true facts can be ascertained from the documents beyond all doubt, the People's Court of the Supreme Court shall supplement and/or amend the facts as found by the court of first instance.

(2) If from the documents the full or true facts cannot be ascertained beyond all doubt under sub-section (1), the People's Court of the Supreme Court shall:

- a) order additional evidence to be adduced, or
- b) invalidate the judgment of first instance and order the court of first instance to conduct a re-trial.

(3) In cases to which paragraph (a) of sub-section (2) applies the People's Court of the Supreme Court shall either adduce the evidence itself or direct the court of first instance so to do.

(4) In cases to which paragraph (b) of sub-section (2) applies, re-trial may be ordered to be conducted by another People's Court of that court of first instance which conducted the original proceedings. Appeals lodged against a judgment resulting from such re-trial shall also be adjudicated upon by the People's Court of the Supreme Court.

(5) If the People's Court of the Supreme Court supplements and/or amends the finding of fact, its adjudication upon the judgment of the court of first instance shall be based on its own (the People's Court of the Supreme Court's) finding of fact.

16. (1) If in the opinion of the People's Court of the Supreme Court the judgment of the court of first instance was wrong, it (the People's Court of the Supreme Court) shall vary the judgment of the court of first instance and decide according to law.

(2) The People's Court of the Supreme Court may convict the accused and/or increase his sentence even if the Prosecutor has not lodged an appeal.

Extraordinary Remedial Measures

17. Objections on the grounds of legality raised by the Chief Prosecutor or by the President of the Supreme Court against a final judgment of County People's Court and the Chief Prosecutor's proposals for re-trials shall be adjudicated upon by the People's Court of the Supreme Court.

18. (1) Unless the decision was made by the Supreme Court, the Chief Prosecutor or the President of the Supreme Court may, in the interest of legality, lodge with the People's Court of the Supreme Court their objection against a final decision in a criminal matter of any court.

(2) Objections on the grounds of legality raised against final decisions of the People's Court of the Supreme Court or the Military Divisional Court of the Supreme Court (s. 24) may be referred to, and adjudicated by, a Presidential Court consisting of the Chairman, being a professional judge appointed by the President of the Supreme Court, and three professional judges and seven People's judges or military assessors (as the case may be).

(3) Objections on the grounds of legality raised by the Chief Prosecutor or the President of the Supreme Court against a final decision of another criminal court of the Supreme Court may also be referred to the Presidential Court specified under sub-section (2).

19. If the People's Court of the Supreme Court and/or the Presidential Court specified in s. 18(2) takes a meritorious decision on the objection raised on the ground of legality (s. 227(3), Code of Criminal Procedure), this decision may be less favourable to the accused than the invalidated decision has been, provided the period that had elapsed between the decision complained of becoming final and the notification of the objection is less than one year.

20. The Chief Prosecutor may submit to the People's Court of the Supreme Court his proposal for the re-trial of any proceedings resulting in a final decision. If the People's Court of the Supreme Court finds the said proposal to be well founded, it may itself conduct the re-trial proceedings.

*Determination of Recommendations for Mercy
and Implementation of Judgments*

21. (1) If the accused is sentenced to death by the People's Court, the People's Court shall, after hearing the Prosecutor, *in camera* express a reasoned opinion on whether or not it will recommend the accused for mercy.

(2) If the People's Court of the Supreme Court unanimously or by majority vote recommends mercy for the convicted person, the papers relating to the case (if any) and the opinion of the People's Court of the Supreme Court shall forthwith be transferred to the Minister of Justice for submission to the Presidential Council of the People's Republic.

(3) If the People's Court of the Supreme Court does not recommend mercy for the convicted person, it shall direct the carrying out of the death sentence.

22. The implementation of a sentence of imprisonment imposed by the People's Court shall be put into effect immediately upon the publication of the judgment.

Sentences which People's Courts may Impose

23. (1) The sentence to be imposed by the County People's Court for the crimes listed in s. 4 hereof shall be death. Having regard to all the circumstances of the case the Court may, in lieu of the death penalty, impose a sentence of imprisonment for life or for a period of 5 to 10 years; there shall be no further lightening of sentence. Insofar as the act concerned is, by law, punishable by death even apart from the present Decree-Law, no shorter term of imprisonment than 10 years shall be imposed.

(2) s. 53 of the Criminal Code (General Part) shall be inapplicable to proceedings before the County People's Court.

(3) If the accused is a minor, he shall be sentenced in accordance with the provisions of s. 8 of Decree-Law No. 34 of 1951 (Ftvr.). This shall not, however, affect the provisions of C.R.Cr.L., s. 12.

(4) Whenever the People's Court of the Supreme Court proceeds as a court of first instance according to the rules of summary jurisdiction in respect of any crime set out in s. 4 hereof, it shall impose sentence pursuant to sub-sections (1)–(3) hereof.

(5) If proceedings at first instance were conducted by the People's Court, the People's Court of the Supreme Court shall, at second instance or by way of an extraordinary remedial measure, also impose sentence pursuant to sub-sections (1)–(3) hereof.

(6) The provisions contained in this section shall not be applicable to crimes committed prior to the 15th day of January 1957.

Provisions concerning Courts Martial Proceedings

24. (1) The provisions contained in ss. 4–23 hereof shall also be applicable to courts martial proceedings; such proceedings shall be conducted, within the jurisdiction of the People's Courts, by a Special Court of the military tribunals and of the Military Divisional Court of the Supreme Court.

(2) The composition of the Special Court set up under sub-section (1) hereof shall be governed by the provisions of ss. 1–2 (of the present Decree-Law). Instead of People's judges, the proceedings shall be attended by Military Assessors chosen by the Presidential Council of the People's republic.

Definition of Indispensable Public Undertakings

25. (1) For the purpose of C.R.Cr.L., s. 73, all State (owned) agricultural, industrial (mining, transport, etc.) or commercial undertakings regularly employing over 100 workers shall be deemed to be indispensable public undertakings.

(2) The provision of sub-section (1) hereof shall not be applicable to crimes committed prior to the 15th day of January 1957.

Authority for the Setting-up and Dissolution of People's Courts

26. The Minister of Justice shall see to the setting-up and dissolution of County People's Courts.

CHAPTER II

PROVISIONS RELATING TO CERTAIN QUESTIONS OF THE JUDICIARY'S ORGANIZATION

27. The following provision shall be added to s. 18(1) of Act No. II of 1954 concerning the organization of the Judiciary in the Hungarian People's Republic:

“The Minister of Justice may within the same area amalgamate District Courts and City Courts and in Budapest may amalgamate several District Courts.”

28. Sub-section (2) of s. 50 of Act No. II of 1954 shall be substituted by the following provision:

“(2) The Presidential Court of the Supreme Court shall proceed in the name of the full court of the Supreme Court in the matters set out in paragraphs (b), (d) and (c) of sub-section (1). The Chairman of the Presidential Court shall be the President of the Supreme Court, or a member of the Presidential Court so appointed by the President of the Supreme Court. The members of the Presidential Court shall be appointed by the President of the Supreme Court from among Vice-Presidents and Judges of the Supreme Court.”

CHAPTER III

COURTS COMPETENT TO CONDUCT PROCEEDINGS IN RESPECT OF CRIMES HARMING TRAFFIC, TRANSPORT AND TELECOMMUNICATIONS

29. (1) Proceedings in respect of crimes committed against the proper functioning or safety of traffic and transport by rail, road, air and water, and of telecommunications, which do not fall into the County Courts' jurisdiction shall at first instance be conducted by Courts appointed by the Minister of Justice from among the District Courts within the county (City and City District Courts).

(2) Proceedings in respect of crimes referred to in sub-section (1) hereof shall be conducted by the courts which, under the general rules (Code of Criminal Procedure, ss. 24–30), are competent, if the Prosecutor submits the case to them for adjudication.

30. Crimes committed against the proper functioning or safety of traffic and transport by rail, road, air and water, and of telecommunications shall mean the following offences:

misuse of explosives (C.R.Cr.L., s. 33),
 those offences endangering the interests of defence which are listed in C.R.Cr.L., s. 73,
 arson (C.R.Cr.L., s. 162),
 causing of flood (C.R.Cr.L., ss. 168–171),
 endangering of transport and damage causing public danger (C.R.Cr.L., ss. 172–183),
 endangering of life or body (C.R.Cr.L., ss. 374–376),
 abandonment of victims of accidents (C.R.Cr.L., s. 377),
 robbery (C.R.Cr.L., ss. 433–436 and 437(1)),
 offences specified in ss. 95–96 and 93–100 of Act No. XIX of 1934 on the Service Discipline of Seagoing Merchant Ships,

offences specified in ss. 3, 5, 8, and 9 of Decree-Law No. 24 of 1950 as amended by Decree-Law No. 11 of 1956 on the Protection by Criminal Law of State-owned Property; and finally offences specified in Decree No. 55 of 1953 (4 December) M.T. dealing with Increased Protection of Traffic; provided these offences harm or endanger the proper functioning or safety of traffic or transport by rail, road, air or water, or of telecommunications.

CHAPTER IV

PROVISIONS APPLICABLE TO THE DEFENCE IN CERTAIN CRIMINAL PROCEEDINGS

31. (1) In the course of civil and military criminal proceedings – if the security of the State should specially warrant this – no advocate may act as authorized or appointed defence counsel whose name does not appear on a list compiled by the Minister of Justice for that purpose.

(2) The Minister of Justice shall – in consultation with the Minister of the Interior and the Chief Prosecutor – by Decree lay down those offences in respect of which criminal proceedings are to be governed by sub-section (1) hereof.

32. In military criminal proceedings, even in matters not falling under s. 31, no advocate shall act as defence counsel whose name the Minister of Justice has not included in either the list of military defence counsel or the list compiled under s. 31(1) hereof.

CHAPTER V

PROVISIONS CONCERNING OPERATIVENESS

33. Subject to ss. 23(6) and 25(2) hereof, the provisions of the present Decree-Law shall be applied also to proceedings commenced in respect of crimes committed prior to the coming into force of the present Decree-Law.

34. Those provisions of the present Decree-Law which regulate retrials and objections on the ground of legality shall be applied also to completed matters which resulted in final decisions.

35. Criminal matters now pending shall be completed in accordance with the provisions of Decree-Law No. 4 of 1957 on Expedited Procedure and Decree-Law No. 25 of 1957 on the Setting-up of, and Procedure before, the People's Court of the Supreme Court, provided a hearing of the matter has already taken place in court.

36. The present Decree-Law shall not affect the validity of Decree-Law No. 28 of 1956 on Summary Jurisdiction. However, if summary proceedings under ss. 8–9 of the present Decree-Law have already been

commenced against the accused, no expedited proceedings shall be taken in respect of the same crime. On the other hand, where a court of summary jurisdiction remits the case to the ordinary court, the Prosecutor may – pursuant to a direction by the Chief Prosecutor – propose that the proceedings be completed by the People's Court.

37. Cases pending and involving any of the offences specified in s. 30 hereof, shall be dealt with pursuant to the provisions of s. 29 hereof, if the court has not set down the case for trial (Code of Criminal Procedure, s. 140(3)(a)) and the Prosecutor proposes the case to be transferred to the District Court (City, City District Court) competent under s. 29 hereof.

38. (1) Save for the provisions of Chapters I. and IV., the present Decree-Law shall come into force on the day of publication.¹ The date when the provisions of Chapters I. and IV. will come into force shall be stated, by Decree, by the Hungarian Revolutionary Worker-Peasant Government.

(2) On the coming into force of the provisions of Chapter I. and IV. hereof, the following enactments shall cease to have effect:

Decree-Law No. 20 of 1950 on the Amendment of Certain Provisions concerning Army Defence Counsel;

subject to the limitations of s. 35 hereof, Decree-Law No. 4 of 1957 on Expedited Procedure and Decree-Law No. 25 of 1957 on the Setting-up of, and the Procedure before, the People's Court of the Supreme Court; and

Decree No. 2 of 1957 (15th January) Korm.

(sgd.) ISTVAN KRISTOF,
Secretary of the Presidential
Council of the People's Republic.

(sgd.) ISTVAN DOBI,
President of the Presidential
Council of the People's Republic.

¹ Published in *Magyar Közlöny*, No. 66, 15 June 1957.

Appendix III

Decree of June 29, 1957

Decree No. 41/1957 of the Hungarian Revolutionary Worker-Peasant Government concerning the Execution of Decree-Law No. 34/1957 (Concerning People's Courts and the Regulation of the Judiciary's Organization and Certain Questions Arising from Criminal Proceedings).

On the basis of Art. 38(1) of Decree-Law No. 34 of 1957 the Hungarian Revolutionary Worker-Peasant Government decrees:

Article 1

The provisions of Chapter I and IV of Decree-Law No. 34 of 1957 concerning the People's Courts and the Regulation of the Judiciary's Organization and Certain Questions Arising from Criminal Proceedings come into force on July 3, 1957.

Article 2

The present Decree comes into force on the day of its promulgation.¹

DR. FERENC MUENNICH,
First Vice Chairman of the
Hungarian Revolutionary Worker-Peasant Government

¹ *Magyar Közlöny*, No. 73, June 29, 1957.

Appendix IV

Ordinance of June 29, 1957

Decree No. 5/1957, I. M. of the Minister of Justice concerning The Execution of Decree-Law No. 34/1957. Concerning People's Courts and the Regulation of the Judiciary's Organization and Certain Questions Arising from Criminal Proceedings.

On the basis of the authorization contained in Art. 26 and Art. 31(2) of the Decree-Law No. 34 of 1957 concerning the People's Courts and the Regulation of the Judiciary's Organization and Certain Questions Arising from Criminal Proceedings—with regard to Arts. 2–4 in agreement with the Minister of Internal Affairs and the Supreme Procurator – I decree:

Article 1

The Chamber of the People's Court starts its activities at the Metropolitan Court, the County Court of Pest, further the County Courts of Miskolc, Szeged, Pécs and Győr on July 3, 1957.

The venue of the Chamber of the People's Court of the Metropolitan Court, comprises the area of Budapest.

The venue of the Chamber of the People's Court of the County Court of Pest comprises the area of the counties of Pest, Szołnok, Fejér and Nógrád.

The venue of the Chamber of the People's Court of the County Court of Miskolc comprises the area of the counties of Borsod-Abauj-Zemplén, Heves, Hajdu-Bihar and Szabolcz-Szatmár.

The venue of the Chamber of the People's Court of the County Court of Szeged comprises the area of the counties of Csongrád, Bács-Kiskun and Békés.

The venue of the Chamber of the People's Court of the County Court of Pécs comprises the area of the counties of Baranya, Somogy, Zala and Tolna.

The venue of the Chamber of the People's Court of the County Court of Győr comprises the area of the counties of Győr-Sopron, Komárom, Vas and Veszprém.

Art. 31(1) of the Decree-Law shall be applied:

- a) if the proceedings are brought for:
 - actions, movements or organizations against the democratic order and the People's Republic (BHÖ, point 1), preparatory actions of such offences etc. (BHÖ, point 8) or the non-performance of the duty of reporting an offence mentioned in point 1 of the BHÖ (BHÖ, point 9),
 - crimen laesae maiestatis* against the territory of the Hungarian State (BHÖ, points 13–16),
 - the crime of sedition (BHÖ points 17–24),
 - the crime of illicit organization of armed troops (BHÖ, point 25),

¹ BHÖ is the official collection of criminal provisions—transl.

the crime of treason and spying (BHÖ, points 35–47),
 the crime of violating international good relations (BHÖ,
 point 109),
 the crime against State secrets (BHÖ, point 109),
 further:

b) also in other criminal cases if this is especially motivated by the safeguarding of State interests.

Article 3

1) In the course of the investigation the Procurator and after the filing of the indictment the President of the Court shall ascertain whether in a certain criminal case the safeguarding of the State interests is especially motivated (important–transl.) (Article 2b).

2) If the specific importance arises after the beginning of the trial the counsel previously retained (or ordered) shall be entitled to act until the final conclusion of the case if his name was not included in the list (Art. 31(1) of the Decree-Law).

Article 4

1) The provision of Art. 31(1) of the Decree-Law must be applied also if there are several suspects in the case and the reason for the applying of the above mentioned provisions arises with regard to any of the suspects, further, if the proceedings are conducted for several crimes and the reason for applying the above mentioned provisions with regard to any of them.

2) In cases which are unfinished at the time of the coming into force of the Decree-Law until the final conclusion of the proceedings on the basis of his formerly being retained (or ordered), also the counsel may act whose name is not in the list.

Article 5

The present Decree comes into force on the day of its promulgation.¹

DR. FERENC NEZVAL, M.P.
 Minister of Justice

¹ *Magyar-Közlöny*, No. 73, June 29, 1957.

Appendix V**Decree-Law of November 3, 1957**

*Decree-Law No. 62/1957 of the Presidium of the Hungarian People's Republic concerning the abolishing of summary jurisdiction.*¹

The successes attained in the last year concerning the reestablishment of law and order, make it possible to abolish summary jurisdiction, introduced for a transitory period. Therefore the Presidium of the People's Republic enacts the following Decree-Law:

Article 1

- 1) Summary jurisdiction, introduced by Decree-Law No. 28/1956 and the Decree-Law No. 32/1956 supplementing the former, is repealed from the date of the publishing of the present Decree-Law.
- 2) The Hungarian-Revolutionary-Workers'-Peasants'-Government is charged with the promulgation of the repeal of summary jurisdiction.

Article 2

- 1) The present Decree-Law comes into force on the day of its promulgation.
- 2) On the coming into force of the present Decree-Law proceedings which are *sub judice* before summary courts, must be transferred to courts which have jurisdiction and are competent according to general provisions. The prosecutor may in these cases also move for a hearing by the People's Court.

ISTVAN KRISTOF M.P.
Secretary of the Presidium
of the People's Republic

ISTVAN DOBI M.P.
President of the Presidium
of the People's Republic

¹ *Magyar Közlöny*, No. 117, November 3, 1957.

Appendix VI

*Publication*¹

I suspend the autonomy of the Chamber of lawyers of Budapest on the basis of Article 43(2) of the Act IV of 1957 until the holding of new elections and I charge with the preparing of the elections and the administration Dr. Imre Bárd, Solicitor at Budapest, as delegate of the Minister.

DR. FERENC NEZVÁL, M. P.
charged with the Administration
of the Ministry of Justice

*Publication*²

I suspend the autonomy of the Chamber of Lawyers of Miskolc on the basis of Article 43(2) of the Act IV of 1937 until the holding of new elections and I charge with the preparing of the elections and with the administration Dr. Miklòs Sömjèni, Solicitor at Miskolc, as delegate of the Minister.

DR. FERENC NEZVÁL, M.P.
charged with the Administration
of the Ministry of Justice

¹ *Magyar Közlöny*, No. 106, December 29, 1956.

² *Magyar Közlöny*, No. 8, January 22, 1957.

Appendix VII

Decree-Law of July 14, 1957

Decree-Law No. 41/1957 of the Presidium of the People's Republic. Concerning the Administration of Decree-Law No. 31/1956.

Article 1

The second sentence of Art. 4 of Decree-Law No. 31 of 1956 (in the following D-L) is replaced by the following provision: "The duration of custody of public security is six months, which can be extended by the Ministry of Internal Affairs with the consent of the Supreme Procurator".

Article 2

Art. 6 of the D-L is repealed.

Article 3

The present D-L comes into force on the day of its promulgation.¹

ISTVÁN KRISTOF,
Secretary of the Presidium
of the People's Republic

DANIEL NAGY,
Deputy Chairman of the
Presidium of the People's
Republic

¹ *Magyar Közlöny*, No. 77, July 14, 1957.

CHRONOLOGICAL LIST

of Sentences as Reported by Hungarian Sources
September 1, 1957 – January 17, 1958**September 1, 1957*¹

The People's Chamber (of the County Court) of Szeged pronounced in the trial against Medard Skultethy and 10 co-defendants conducted partly in closed session the following sentences for "active participation in the organization for overthrowing the People's Democracy":

Medard Skultethy	10 years imprisonment	
Ferenc Balint	10 years	„
Tibor Jozsef Farkas	10 years	„
Zsúzsanna Kecskes	10 years	„
Imre Nagy jun.	10 years	„
Joszeif Tisoczki	8 years	„
Mihaly Sulyok jun.	7 years	„
Peter Veres	5 years	„
Mihaly Karacsonyi jun.	3 years	„
Illes Godo	2½ years	„
Matyas Honko	2 years	„

*September 3, 1957*²

The County Court of Szeged passed the following sentences against counter-revolutionaries who damaged the Soviet monument:

Sandor Haller jun.	2 years and 2 months imprisonment	
Mihaly Bogar	1 year imprisonment	
Sandor Varga	8 months	„
Janos Nemeth	6 months	„

*September 14, 1957*³

Geza Goor was sentenced to 2½ years of imprisonment for illegal possession of arms.

*September 14, 1957*⁴

The Court (in Szolnok) pronounced the following sentences for instigation against collective farms:

Andras Szekeres	3 years imprisonment	
Janos Vereb	2 years	„
Sandor Fekete	1 year	„

* In the preceding two months see the Secretary General's letter to UN delegations of September 2, 1957, (supra, p. 12).

¹ "Delmagyarország", Szeged, September 1, 1957, p. 6.

² "Delmagyarország", Szeged, September 3, 1957.

³ "Zalai Hírlap", Zalaegerszeg, September 14, 1957.

⁴ "Tiszavidek", Szolnok, September 14, 1957, p. 3.

*September 16, 1957*⁵

Istvan Suetoe and Istvan Boros were sentenced each to 2½ years of imprisonment for having tried to leave the country without authorization.

*September 21, 1957*⁶

The Szolnok Court sentenced Istvan Csatho for embezzlement and for having tried to cross the border without authorization with 4 years imprisonment.

*September 25, 1957*⁷

A Budapest Court sentenced Dr. Gyoergy Noel for violations of foreign currency regulations and for illegal possession of arms to 2 years imprisonment, to a fine of 2,000 Forint and to deprivation of civic rights for 3 years.

*September 26, 1957*⁸

A Budapest court sentenced 5 persons to imprisonment from 8 months to 3 years. The leader of the group, Istvan Jozsa, was accused to have stolen and looted public property. During the trial two other persons were arrested who were summoned before the court as witnesses.

*October 5, 1957*⁹

In the trial of Zsigmond Piros and his group in the County Court (of Debrecen) the following sentences were pronounced for counter-revolutionary activities:

Zsigmond Piros	18 months imprisonment
Sandor Szabo	14 months ,,
Sandor Nagy	1 year ,,
Lajos Hogyesz	1 year ,,

The rest of the accused were sentenced to imprisonment from 4 to 12 months.

*October 5, 1957*¹⁰

The Military Tribunal sentenced the following persons for concealing weapons:

⁵ "Hetfoei Hirek", Budapest, September 16, 1957, p. 7.

⁶ "Tiszavidek", Szolnok, September 21, 1957.

⁷ "Nepakarat", Budapest, September 25, 1957.

⁸ "Nepakarat", Budapest, September 26, 1957.

⁹ "Hajdu-Bihari Naplo", Debrecen, October 5, 1957.

¹⁰ "Naplo", Debrecen, October 5, 1957.

Hornyak and Kurunczi (leaders)	15 years imprisonment each
Osvai	15 years ,,
Gyuricza	12 years ,,
Funne	12 years ,,
Szabo	10 years ,,
Harsfalvi	10 years ,,
Csordas	10 years ,,
N. Istvan	7 years ,,
K. Istvan	7 years ,,

*October 5, 1957*¹¹

In a trial for conspiracy the People's Court passed the following sentences:

Laszlo Balogh	death
Geza Pech-Eckhardt	life-long imprisonment

14 other co-defendants were sentenced from 2 years' to life-long imprisonment. The group was charged with illegal contacts with the West and organizing for the overthrow of the People's Republic.

*October 8, 1957*¹²

The People's Court of Szolnok sentenced the following persons for defamation and persecution of Communists, instigation against the Soviet Union and terror actions in October 1956:

Mihaly Herczeg	15 years imprisonment
Ferenc Molnar	15 years ,,
Laszlo Csetenyi	12 years ,,
Imre Csato	11 years ,,
Istvan Balazs	10 years ,,
Janos Adam	6 years ,,

*October 8, 1957*¹³

The death sentence against Lajos Nagy has been executed. The death sentence against Nagy has been passed in June 1957 by the People's Court of Szeged in a rehearing of the trial for counter-revolutionary activity. The judgment was confirmed by the Supreme Court and the plea for mercy of the accused was rejected.

*October 9, 1957*¹⁴

The People's Chamber of the Supreme Court sentenced Istvan Patyi jun., Matyas Kolompar and Istvan Peko to death. The sentences

¹¹ "Nepszabadsag", Budapest, October 5, 1957, p. 8.

¹² "Tiszavidek", Szolnok, October 8, 1957.

¹³ "Petoefi Nepe", Kecskemet, October 8, 1957.

¹⁴ "Petoefi Nepe", Kecskemet, October 9, 1957.

have been executed. They were accused of having murdered the employee of the Council of Kiskunmajas in October 1956. The accused Sandor Koncz was sentenced to life-long imprisonment.

October 9, 1957¹⁵

The Budapest Court sentenced Janos Szekeres and 13 co-defendants for assistance to cross the border illegally, for theft, forgery of documents and other offences. They have been working in the Hungarian Red Cross:

Andor Csasznik	3 years imprisonment
Janos Szekeres	2 years „
Istvan Szerencses sen.	18 months „

The other accused persons were sentenced to imprisonment from 6 to 12 months.

October 9, 1957¹⁶

The Supreme Court of Budapest passed the following sentences for aiding the counter-revolutionary movement:

Zoltan Molnar	3 years imprisonment
Domokos Varga, writer	2 years „
Aron Tobias	1 year „ (suspended)
Gyula Fekete	1 year „ (suspended)

The trial was held *in camera*.

October 16, 1957¹⁷

Rozalia Rab, accused of looting at "Divatcsarnok" (at a dress-maker's in Budapest), was sentenced to 12 months of imprisonment.

October 16, 1957¹⁸

Ilona Borbas, an employee of the post office, was sentenced by the Budapest Court to 14 months imprisonment for having emptied 32 envelopes coming from abroad and for the possession of leaflets with instigating contents. The two co-defendants Mrs. Istvan Toth and Mrs. Balint Toeroek were sentenced to 14 and to 8 months imprisonment respectively.

October 20, 1957¹⁹

The People's Chamber of the Military Tribunal at Gyoer sentenced Dr. Arpad Brusznayai and his 11 associates. Brusznayai was accused to have organized a conspiracy for the overthrow of the

¹⁵ "Nepakarat", Budapest, October 9, 1957.

¹⁶ "Radio Budapest", October 9, 1957, 23.00 hours.

¹⁷ "Nepakarat", Budapest, October 16, 1957.

¹⁸ "Nepakarat", Budapest, October 16, 1957.

¹⁹ "Eszakmagyarorszag", Miskolc, October 22, 1957.

People's Democracy. The other accused persons were sentenced for active participation.

Brusznjai	life-long imprisonment
Imre Kis Gal	10 years ,,
Laszlo Dormanyi	10 years ,,
Dr. Ferenc Horvath	5 years ,,
Imre Lorand	4 years ,,
Miklos Maczko	3½ years ,,
Laszlo Ferenczi	2 years and 4 months imprisonment
Dr. Oszkar Jonas	2 years imprisonment
Imre Perge	2 years ,,
Gyula Monori	1½ years ,,
Sandor Eva	1 year ,,

*October 22, 1957*²⁰

The People's Chamber at Miskolc imposed the following sentences on the members of a group who were accused for having arrested and insulted members of the Party Committee of Miskolc.

Laszlo Babits (leader of the group)	life-long imprisonment
Istvan Farkas	15 years ,,
Janos Molnar jun.	14 years ,,
Sandor Kiss	12 years ,,
Gyula Spanyol	11 years ,,
Sandor Remenyi	11 years ,,
Arpad Vita	8 years ,,

5 more accused persons were sentenced to 2 to 4 years imprisonment.

*October 25, 1957*²¹

The County Court of Borsod sentenced Gyula Lemdvai to death. The sentence has been executed. Gyula Lemdvai was the leader of a group of 45 persons composed mostly of prisoners released during the revolution. He fled and was recaptured.

*November 13, 1957*²²

The People's Chamber of the Supreme Court sentenced the following Hungarian writers accused for activities hostile to the state.

²⁰ "Eszakmagyarország", Miskolc, October 22, 1957.

²¹ "Nepszabadsag", Budapest, October 25, 1957.

²² Radio Budapest, November 13, 1957, 18.00 hours; English translation: BBC Summary of World Broadcasts, Part IIB, No. 881, November 19, 1957, page 1.

Tibor Dery for leading an organisation with the aim of overthrowing the order of the People's Democracy	9 years of imprisonment
Gyula Hay for participation in this organisation	6 years ,,
Zoltan Zelk	3 years ,,
Tibor Tardos for instigation against the democratic order	18 months ,,

November 26, 1957 ²³

Istvan Szoertsey, accused of having joined the counter-revolutionaries at the Kilian-barracks, having taken an active part in armed actions and of having participated in the murder of several persons, was sentenced in the first instance to life-long imprisonment, and in the second instance to death. The sentence has been executed.

December 3, 1957 ²⁴

Istvan Vecsernyes was sentenced to an imprisonment of 2 years and 8 months for assistance to cross the border without authorization (sentence suspended). Two women were sentenced (suspended) to 10 and 14 months of imprisonment for having tried to cross illegally the border.

December 11, 1957 ²⁵

The Special Council of the Supreme Court's Military Tribunal has sentenced to death Major Antal Palinkas-Pallavicini, who in October 1956 escorted Jozsef Mindszenty to Budapest with a convoy of armed vehicles, for organizing a military counter-revolutionary battalion, arresting members of the State Security Authority and editing a pamphlet. The sentence has been carried out.

December 12, 1957 ²⁶

Paul Fekete and his associates have been sentenced by the Military Court of Szeged. Paul Fekete, Istvan Toth and Hrabovszky were found guilty by the court of leading a group for the overthrow of the People's Democracy, 12 co-defendants were sentenced for active participation in this group.

Paul Fekete	Life-long imprisonment
Istvan Toth	15 years ,,
Otto Hrabovszky	10 years ,,

²³ "Nepakarat", Budapest, November 26, 1957, p. 4.

²⁴ "Nepakarat", Budapest, December 3, 1957, p. 8.

²⁵ "Nepszabadsag", December 11, 1957.

²⁶ "Bekesmegyei Nepujzag", Bekeszaba, December 7, 1957, p. 5.

Other accused persons were sentenced to imprisonment from 18 months to 8 years.

*December 21, 1957*²⁷

21 rebels were sentenced by a Special Tribunal at Szeged, in Southern Hungary.

*January 3, 1958*²⁸

The People's Court Council of the Supreme Court approved the sentence passed on first instance by the County Court of Pest, according to which Laszlo Ivan Kovacs, one of the leaders of the counter-revolutionary group in Corvin-Koz, had been found guilty of the crime of organizing and heading a conspiracy aimed at the overthrow of the order of a people's democracy and sentenced the accused to death. The sentence has been executed.

*January 17, 1958*²⁹

Father Egon Albert Turcsanyi, former secretary to Cardinal Mindszenty, primate of Hungary, was sentenced by the People's Court of the Budapest Tribunal to life imprisonment for crimes against the People's State, not suitable to his clerical activities.

15 other Roman Catholic priests and theology students and one layman were charged with actions against "peace priests" who co-operated with the Communist régime and with distributing pamphlets. The organizers and directors of this group, who continued their activity also after November 4, were sentenced to 4-10 years imprisonment, while the other members of the group, performing mostly technical work, were sentenced to imprisonment ranging from 1 to 2 years, or less than one year.

²⁷ "Bekesmegyei Nepujsag", December 21, 1957.

²⁸ "Nepakarat", No. 2, Budapest, January 3, 1958.

²⁹ Radio Kossuth, January 17, 1958, 22.00 hours.

Appendix IX**Article in Nepszabadsag, May 19, 1957**

“What was, and in a sense what is even now, the cause of the mistrust in courts? The fundamental reason is the opportunism and *liberalism of certain judges in the fight against the counter-revolution . . .* In some cases the Courts pass ridiculously mild sentences on the mortal enemies of our people and our system despite the fact that their guilt was stated and their action justly described . . . In other cases judges apply extenuating circumstances in an entirely unlawful manner, which make the passing of severe sentences . . . impossible . . . We must avail ourselves of all means to make our courts work and judge in the *spirit of the class warfare of the proletariat. The demand to pass sentences in a spirit of class warfare has never been as opportune as now . . . This means ruthless, unbending rigor against the enemies of the people.*”

Appendix X**Janos Kadar: Speech before Miners at Tatabanya ¹**

“... We work with our right hand and hold the gun in our left hand. And we shall teach those people a lesson who have any objections. Whoever revolts against the regime will have to bear the consequences...”

¹ Radio Budapest, September 1957.

Appendix XI**Gyoergy Marosan****Speech at a Mass Meeting of Students at the Budapest Technical University¹**

“Perhaps somebody wants to say: ‘Calm us down, because in July you have imprisoned 1,200 persons. What is the guarantee that you do not imprison more persons?’ We did not like to put these people in prison; by the way we have partly released them, especially engineers and others. But as for the Horthy-officers, they will not be released. ‘We shall begin again’, they said, and in order to prevent that, we keep them in safety.”

“The students will have to know that October 23 is a working day and that they will have to study on this day. I shall come myself to check whether the students are present. The workers are working on that day so you will have to learn too. Everyone who will not be present without being able to prove that he was ill will be reminded that another 15,000 students are waiting to be enrolled at the University.”

Gyoergy Marosan**Speech at a Mass Meeting at the Koeztarsasag Square in Budapest**

“. . . The “Bourgeoisie” does not give in . . . but when it is necessary we shall take further measures against the class enemies . . . We shall prevent from the beginning any attempt directed against the people’s rule . . .”

¹ Radio Budapest, September 23, 1957, 21.00 hours

² Ibid. October 30, 1957, 21.00 hours.

Appendix XII

Laszlo Gyáros, Foreign Ministry Spokesman

Press Conference (Excerpts)
*September 27, 1957*¹

Internments and Death Sentences

Replying to a question about internments, Gyáros said that Court approval was necessary to prolong an internment order beyond six months². This served "the consolidation of legality". The internal political tension which had been noticeable after the crushing of the counter-revolution, had, moreover, been diminishing since January. It was only the Western reactionary Press which now still spoke of "tension" in connection with the political situation in Hungary.

Asked how many death sentences had been pronounced in Hungary and how many executions had been carried out since last November, Gyáros said that the Hungarian Press had given the exact numbers: 107 persons had been sentenced and 47 executed. The 10th September communique of the International Commission of Jurists, which estimated the number of persons executed to be between 2,000 and 5,000, was "invention from beginning to end" and "part of the campaign of slander launched against the Hungarian People's Republic prior to the 11th session of the UN General Assembly on 10th September".

¹ Radio Budapest, September 27, 1957. English translation: BBC Summary, Part IIB, No. 868, October 3, 1957, pp. 11-12.

² There appears to be no necessity for the Court approval under Art. 1 of Decree-Law No. 41/1957; see Appendix VIII supra.

Appendix XIII**Dr. Geza Szenasi, Supreme Public Prosecutor**

Article in "Nepszabadsag", No. 266, November 10, 1957¹

On the Road of Socialist Legality

In contrast with the bourgeois state order, where the public prosecutor is simply a state representative of the indictment whose exclusive task is the prosecution of criminals, the socialist state demands from its public prosecutor the safeguarding of legality and, of course, provides him with all legal rights and guarantees necessary to exercise power. The new public prosecuting organs set out on the designated road. Our public prosecutors were faced with new tasks and new territories.

Their work was not free from mistakes. They did not always apply adequate firmness when dealing with violators of the law, or applied undue rigour in case of lesser offences. But in spite of all deficiencies, they endeavoured, in their own sphere of work, to contribute to the strengthening of the workers' power and to the building of a happier future.

Firmness in safeguarding socialist legality is of basic importance both from the point of view of the state and citizens. It is, therefore, a public matter, in the fullest sense of the word, how the public prosecutors practice the rights provided by the law. The Supreme Public Prosecutor of the Hungarian People's Republic and the prosecuting organs subordinated to him are to take steps if the laws of the Hungarian People's Republic are violated in any way. This means that the proceedings of the prosecutor's office, the actions taken against the violation of the law, are not of a discretionary nature, but are obligatory *ex-officio*, irrespective of the fact whether the violations of the law are revealed in the course of the proceedings of the prosecutor's office, or on the grounds of requests, reports or complaints submitted by citizens or authorities.

After the counter-revolution in the autumn of 1956 also the prosecutor's offices had to carry on their work under difficult conditions. Today the wounds inflicted by the counter-revolution are in the process of healing, life is back to normal. Order has been restored and confidence in the party and the worker-peasant government has strengthened.

Normal work is now possible in the field of public prosecution, that is to protect our state with full vigour from all hostile attacks, from conspirators, war-mongers, destructive elements and looters of

¹ English translation: BBC Summary, Part IIB, No. 880, November 14, 1957, pp. 2-3 (Excerpts; missing part supplied from Hungarian source).

social property. Public prosecutors must work in a way that the offenders' punishment is always commensurate with their offence and honest people can live and work in peace.

In view of the fact that the public prosecutor possesses special power, by virtue of the law, to initiate prosecution, to bring the accused before the court, it is easy to understand that he may be exposed to incessant attempts made by individuals and organisations to exercise pressure on him. It may occur in particular that such attempts are made in the interest of persons engaged in state or economic functions. As a matter of course, such actions cannot be unanimously branded as dishonest. In many cases arguments are put forward stressing the individual merits of the suspect persons, the importance of their function, and efforts are made to convince the public prosecutor of the alleged indispensability of the persons in question.

Were the public prosecutors to accede to such attempts and were the intermediaries to succeed in warding off the danger of the criminals' being called to account, this would inevitably entail as its consequence that the necessarily greater responsibility of persons in leading positions would get reduced, thus calling forth a reverse reaction. This would rightly hurt the natural sense of justice of the working millions and also socialist legal principles.

It is, therefore, the duty of prosecuting organs to make it conscious and also to prove it in their daily practice that in the course of their control of legality equal treatment is applied to all offenders irrespective of their function, of their employment.

The investigating organs directly responsible for criminal prosecution must not lose sight of their duty, while tracing criminal acts and ascertaining who the culprits were and the extent of their responsibility, of establishing also the attenuating and extenuating circumstances in favour of the persons against whom legal proceedings have been instituted, besides the aggravating circumstances.

Certain local organs still manifest a certain lack of understanding and opposition in connexion with the tasks and activity of the public prosecutor's office. To some extent it is a natural consequence of the latter's activity inasmuch as its duty to control legality is not confined to the activity and conduct of citizens, but extends also to the activity of state organs, authorities, etc. The control activity of the public prosecutor's office extends, namely, to ascertaining whether the citizens comply with their duties prescribed by legal regulations. (E.g., payment of taxes, work discipline, payment of fines imposed by means of administrative measures, notification of change of address, etc.). The public prosecutor's office, however, carries out also this kind of control activity in the form of the supervision of the state organs concerned. That means, it examines first and foremost how much the state organs can make the citizens comply with their obligations. Simultaneously, it sees to it that the state organs, authorities, etc., do not violate the legal rights of the citizens.

In the defence of local interests it is often argued – and in some

cases this viewpoint serves for the justification of the violation of the law – that in the given case the observance of the legal provisions would not have been in keeping with the requirements set up by class-warfare, it would have meant favouring class-alien, hostile, etc. persons. Obviously, this is an incorrect and harmful attitude. The greater part of our laws and legal provisions ensures the consideration of local circumstances, possibilities and peculiarities just by providing the organs concerned with a sphere of authority of weighing up matters when deciding a number of questions, within certain frames of a general compulsory character. The consideration of local conditions and circumstances within such frames is correct and necessary. Their assertion, however, by exceeding the scope of law, that is the consideration whether the provisions of law binding upon everyone should be applied or not, is obviously inadmissible. The weighing up, the deliberation of national, general state (economic, social) and civic interests is the task of the legislator and when the law is published and comes into force it is to be taken for granted that the weighing up of such general interests and requirements – and that includes also the requirements of the class-warfare – has already been done. We are always to set out from the point that the provision of law in question – so long as it is in force – is correct, to the purpose and safeguards the interests of the people's democracy. Action is to be taken against those who, in an arbitrary way, "flexibly" narrow down or widen recently published and carefully thought out legal provisions, voicing, pharisaically, public interest, while, in reality, they are out for biased personal success and not infrequently for the assertion of individual interests.

This implies that the law must not be violated for any local or opined interests. As Lenin said: "There is no Kazan and no Kaluga legality". On the other hand, the interests of class-warfare must not be "exploited for petty ends" at the expense of the violation of the law. The observance of laws is a fundamental issue of state centralism.

For the aforesaid reasons it is incorrect, and it is most harmful to state discipline, if some of our local administrative organs, undertakings, etc. adopt an attitude whereby they look upon the prosecutor's office and the public prosecutor as an organ and a state functionary that, by exercising their task of control and by taking measures, hinder "practical", successful work and, as is said, "do not help them" in the best possible solution of their tasks. They attack the public prosecutor for the honest fulfilment of his legal duties. This attitude manifested by some of our organs had a pernicious effect upon many public prosecutors, particularly in the past years. They had the feeling that "they were being ground between two stones". On the one hand, the Supreme Public Prosecutor's Office or their own legal, moral and political conviction demand that they should take action against the violations of the law and simultaneously against the offenders, while the local organs concerned are against it and for that reason make their work more difficult. Yet the position is that the control activity of the public prosecutor's office, this special organ of the state power, is to be looked

upon as help rendered, even if this activity means the calling to account of state functionaries who use their arguments to evade the laws. Our public prosecutors must by all means discard the illusion of "two stones". There is but one "stone", that of socialist legality, and that is the foundation stone of our state system and our state life.

We must not lose sight of the experiences gained in the past years. We cannot tolerate any violations of the law either to the right or to the left, that is to say, we cannot tolerate either liberalism or excesses.

The 20th Congress of the CPSU has, among others, indicated the further cementing of legality as an important task. This is vindicated also by our conditions as a general principle. Nor should we forget that there is a grave and bloody counter-revolutionary attempt, which though failed, behind us. In this situation we must liquidate the bases, remnants and consequences of the counter-revolutionary forces so as to create the best possible conditions for our socialist development and to promote, also in a direct manner, the socialist achievements of our economic, social and state life.

From the point of view of our state life, the protection and strengthening of socialist legality is of primary importance. In essentials this means the firm assertion of state centralism. In this difficult but noble work our public prosecutor's offices must take the lead. By availing themselves of their independence from the local state administrative organs, they should consistently assert the interests of the socialist state and the general interests of the workers that correspond with the former.

Appendix XIV

Laszlo Szabo

*Article in "Nepszabadsag", No. 278, November 24, 1957 (Summary)
In the Chamber of Lawyers things are easily forgotten . . .*

Several months ago, in an article entitled: "The revolution of the pettifoggers" we described what happened in the chamber of lawyers in October and November of last year. I believe it is superfluous to quote from the article. The present leadership of the chamber knows well what happened in the days of the counter-revolution and they also know that power in the chamber was taken over, even if only for a few days, by supporters of the old regime, by legal protectors of the old capitalist and feudal system. After the defeat of the counter-revolution a new leadership took over, which has at its disposal the list of the persons who were rehabilitated by the fascist leadership. What has been done against them? A few very conspicuous and prominent bourgeois lawyers were "ticked off" but on the whole the anti-state measures of the general staff of lawyers of the counter-revolution have been left untouched. These gentlemen walk about also today with their lawyers' certificate and "represent" the laws of the people's democratic state in the service of their clients.

There was a time when we thought that the chamber, after having put its ranks in order, would throw out these figures. We were mistaken . . . Now that some months have passed does the chamber not remember any more the days of the counter-revolution? It seems it has forgotten all the horrible deeds of the Horthyite "lawyers" and how they prepared for the murder of all communists, for their imprisonment, for the removal of sympathisers, also there, in the chamber of lawyers. These are facts which very many honest lawyers have not forgotten and will not forget. We may add that this is also done by millions of the working people.

We might, perhaps, introduce some of them to the new leadership of the chamber.

Let us begin, perhaps, with the former richest lawyer of Budapest, Dr. Mihaly Pal Simon, who had 27 lawyer-candidates in his office. He began his political career in the first world war, that is he was a spy. After the defeat of the Soviet Republic he must have done great legal and other services for Horthy because he was straight away appointed chief government counsellor (a title instituted by the Horthy regime). He naturally continued his practice. After collecting a few millions he began, after 1945 - in keeping with his activity in the first world war - to work for the Americans. He often handed informations to the American Colonel Kopcsak, who was expelled from the country for espionage. Mr. Simon, however, who was deprived of his practice in 1948 by the people's state, became again a lawyer, which was approved by the chamber.

Article then describes the "careers" of Kornel Kelemen, Miklos Baksay, Antal Eperjessy Stöhl, Kalman Nemesszeghy, Sandor Mazgon, and Gyula Rusthy, lawyers.

They are all known, by everyone, as the most loyal supporters of the old system.

A few days ago a new leadership began its work in the National Federation of the Chambers of Lawyers. It is too early as yet to express an opinion on its activity, but it is a fact that the persons enumerated and many others like them are still lawyers today.

Appendix XV

Ferenc Nezval, Minister of Justice

Article in "Nepszabadsag", No. 295, December 14, 1957. The legal dispute in connexion with Hungary has been clarified also in the circles of international lawyers

A meeting was held by the International Association of Democratic Lawyers in Moscow between November 16 and 20, 1957. It was preceded by widespread interest since it was the first plenary session of the Federation after the events in Hungary in the autumn of last year which deals with the so-called "Hungarian question".

The session was attended by 90 delegates from 25 countries. The discussions were held in the most beautiful hotel of Moscow, in the luxuriously furnished marble hall of the hotel Sovjetskaja . . .

The report of the Hungarian delegation which had been drawn up in several languages was eagerly seized by the delegates at the very first meeting. Great interest was also shown for the "White Book" of the government. It was undoubtedly due to the effect of the "White Book" and the report that already on the second day of the session it was declared by a number of Asian, Middle Eastern, South American, and, let us add, also European delegates that our information had made a good impression because so far our enlightening works and propaganda material had not reached them and because they had not known so far the actual situation in connexion with the counter-revolution. They had not been aware of the horrible crimes committed by the counter-revolutionaries, and had not heard about the immeasurable moral damage the counter-revolution had caused in the ranks of the youth, nor had they had any idea about the gigantic material damage caused by the counter-revolution. They were not aware either of the actual situation concerning the fact that our statutory provisions concerning the liquidation of the counter-revolution and the restoration of law and order in the country were fully in accordance with the legal view accepted on an international basis. On the basis of the reports of the delegates it was established with astonishment that western propaganda by its invented "information" on the statutory provisions published in Hungary had misled all the lawyers of the world.

The first tangible result of our enlightening work was that at the plenary session questions as to whether our statutory provisions were in accordance with human rights, whether the revolutionary worker-peasant government could be regarded as a legal government, and whether in Hungary guarantees concerning the law of procedure, in particular the right of defence, were asserted, – which western radios had been trying to dispute for many months – were not raised at all any longer.

Appendix XVI

Geza Szenasi, Supreme Public Prosecutor

*Report before Hungarian National Assembly
December 21, 1957*¹

The first item on the third day was the report of Geza Szenasi, the Supreme Public Prosecutor. According to Budapest radio's edited recording of his report, he said that this was the second occasion when the Supreme Prosecutor of the People's Republic reported to the Assembly in accordance with Article 43 (2), of the Constitution. On this occasion, he wished to report on the manner in which he had discharged his duty after the counter-revolution. His experience of the counter-revolution disproved the lies of those who saw in that event a workers' rising against the regime, and who feted terrorist murderers and common criminals as heroes of freedom. In fact, there was hundredfold evidence to prove that in the organisation and execution of the counter-revolution the class enemy had been the inciter, perpetrator and often the leader.

No sooner had the outbreak of the counter-revolution in Budapest been reported than the most active elements of reaction had gone into action, mobilised former gendarmes, capitalists and kulaks and, by establishing first the so-called provisional national committees and later the so-called revolutionary committees, had launched a frontal attack on the Party, the prosecuting authorities and the local councils. Throughout the country over 3,000 Communists had been arrested, and many other parties and organisations had been set up with the object of restoring capitalism or fascism.

Writers' and Fascists' Share in Counter-Revolution

"Investigations have thrown light on the hostile activity of certain writers' groups. It is an established fact that some reactionary groups of Hungarian writers undertook to play an active part in the preparation of an armed attack, in the support of the advance of the counter-revolutionary forces and the realisation of bourgeois endeavours to bring about a restoration. The Western intelligence centre called Free Europe Committee quickly recognised the hostile attitude of some writers' groups. Some weeks before October 1956, this intelligence centre sent an inciting appeal to these groups in the form of a circular evidently because it regarded these writers as allies. These writers played a leading part in the organisation and execution of the attack on the policy of the State leadership, and after 4th November obstructed

¹ Radio Budapest, December 21, 1957, 16.30 hours; "*Nepszabadsag*", December 22, 1957; "*Magyar Nemzet*" December 22, 1957; English translation: BBC Summary, Part IIB, No. 892, December 31, 1957, pp. 15-19 (Headings supplied).

the implementation of the Revolutionary Worker-Peasant Government's objective - to establish political and economic consolidation."

An important part had also been played by Horthy fascists, the clerical reaction, the Right-wing leaders of the former coalition Parties and the group of traitors led by Imre Nagy. They had paved the way for the most reactionary forces, and later openly committed treason by leading the counter-revolution to overthrow the people's democratic order. The revolutionary committees had been responsible for the arrest of the Communists and their supporters, for the dismissal of leaders of the State administration and Councils, and for the organisation of armed groups. The revolutionary councils of Szolnok County were typical; they had included 322 kulaks, 112 gendarmes, 128 Horthyite army officers, 100 former Arrow Cross members and 123 former capitalists. The provisional workers' council of MAVAG had included 23 "hostile elements" and that of the Ganz factory 10. Several champions of freedom praised in the West were in fact fascists and class enemies and others escaped convicts and murderers with long criminal records. During the counter-revolution 16,518 convicts had escaped, including 13,000 common criminals. The National Guards were being recruited at the time of the release of those criminals, and most of the weapons had thus got into the hands of hostile, criminal and hooligan elements.

Obstacles to Restoration of Order

The liquidation of the counter-revolution had begun under extremely difficult conditions. Although the proletariat had been victorious, the forces of the counter-revolution had remained active. Fascists, criminals and other hooligans had still been armed. Production had been hampered by strike calls, and thousands had crossed the Western frontiers. Finally, most of the prosecuting authorities and courts had been disorganised, and people's minds confused.

In view of all that the public order forces and the police had had no easy task. But they had strengthened wavering courts and prosecutors. They deserved the highest praise, not least because they had had to fight on two fronts - defending the proletariat and arresting those suspected of counter-revolutionary crimes. Nevertheless, a great many active class enemies, capitalists, aristocrats, hooligans, common criminals and other counter-revolutionary terrorists had made good their escape to the West, together with over 2,000 common criminals released from prison by the counter-revolutionaries.

The introduction of summary jurisdiction had demonstrated the strength of the Revolutionary Worker-Peasant Government, and that initial success had made it possible to start the large-scale liquidation of the counter-revolution by legal action. Steps in that direction had been the introduction of the accelerated criminal procedure and the setting up of People's Court Benches with the Supreme Court and later also the County Courts. People's Court Benches had also helped to

remove counter-revolutionaries from the law courts, and the appointment of people's judges had further strengthened the judiciary. Legality had thus been enforced, but procedure had throughout been in accordance with Article 1 of the Penal Code.

Trials and Detention to Continue

Trials of counter-revolutionary criminals had not yet ended. "Should a counter-revolutionary murderer or bandit be discovered, even after many years, he must be severely dealt with, as he deserves. The task remains. Against criminal elements belonging to the hostile classes maximum severity, based on the law, must be exercised; workers who committed minor offences must receive more lenient treatment as consolidation proceeds, and finally criminal proceedings may even be dropped. These two considerations will enable the judiciary to avoid excesses in either direction and also erratic actions.

"Workers engaged in the criminal courts should not heed the siren song of 'let's be friends'. Such voices come from the circle of those who, professing a degree of loyalty and displaying good will, try to strike roots again, but who, in the autumn of 1956, incited, mostly from behind the scenes, and drove to their death or to catastrophe simple people who were confused and trusted them. A lukewarm atmosphere would favour the enemy, because it would allow him a respite and thus open up fresh possibilities for action. We shall not give the enemy this advantage."

To ensure fair criminal proceedings, investigating authorities had been instructed to gather evidence carefully, and to take decisions collectively. In this way bias had been avoided and mistakes reduced to a minimum.

Another institution that had helped to restore order had been "custody for the safety of the public" (*koebiztonsagi oerizet*). The Government still held that this was merely a transitory emergency measure. Only one public safety camp existed, in which 1,869 persons had been detained on 20th December – a quarter of them habitual slackers and similar elements. The Assembly should know that he – Szenasi, would also use custody in the public interest against economic parasites. It was intolerable that déclassé elements, middlemen with a doubtful history and income, should make a living by loitering.

"At the same time, both as regards criminal cases and cases involving public safety, I must state with the greatest emphasis that those who prefer false accusations or utter slanders will be called to account. I want to guarantee unconditionally that the citizen shall be spared vexatious proceedings, and that any harmful employment of police and judicial authorities should be stopped as quickly as possible. We have instructed prosecutors' offices that once the innocence of an accused

has been proved, criminal proceedings are to be started against any accuser or witness who acted maliciously or carelessly. If a court acquits a person it must initiate proceedings *ex officio* in accordance with Article 87 of the Penal Code."

Protecting Social Property

The counter-revolution had also launched a serious attack on the economy of the Republic, on its social property. Its appropriate protection was, however, far from complete. Action remained to be taken by prosecutors and courts, and also by State, economic and social organs. "I have given orders to prosecutors' offices and the police to make a monthly analysis . . . of the mistakes of supervision or organisation which have made or still make possible offences against social property. I have drawn the attention of the Ministries concerned to the established causes, and we are also checking what they have done to eliminate the causes. Prosecutors have also been instructed to check whether, following a conviction, the enterprise or organ concerned has taken action to prevent similar crimes from being committed in the future. Against all those who are found criminally negligent, I shall take more rigorous steps than hitherto to institute criminal proceedings."

At the end of this year, the balance sheets and stocktaking reports should help to account for the materials taken away and the sums illegally received. Ministries had been instructed to prepare and check reports carefully. Prosecutors and the auditing departments of the Ministry of Finance and other finance organs would share in this work. The enemy and elements incorrigibly infected by him must gradually be removed from public and economic life. The parasite section of citizens regarded the "*après moi le déluge*" attitude as a virtue, hooliganism as smartness, and syncicism as philosophy. The result was uninhibited pilfering.

"The laxity of public morals on this scale is one of the results of counter-revolution. The cause of its prevalence is the indifference and criminal lack of firmness of managers and of those whose duty it is to exercise control. Experience shows that a considerable proportion of thefts from factories, of corruption and bribery, is detected by the police – apart from offences committed in one or two countries – whereas if the directors, chief accountants, and superior organs paid any attention to this, as is their duty, most of the irregularities would be detected by them. Moreover, a substantial proportion of stolen property remains unrecovered. Even where cases come to light, the prosecuting authorities hardly bother about recovering the stolen property. Often they do not even seize the property of the perpetrators, accomplices or those responsible."

Factory Courts and "Speculation"

Pilfering from factories, enterprises and State farms was a class

question, not only because social property was the foundation of a socialist society, but also because the counter-revolution, driven from streets and forced underground, was trying to disorganise production. One need no longer regard every thief as an enemy, but only a blind man could fail to discover the enemy behind some ordinary crimes. To protect social property it was necessary to revive the special lay courts in factories to deal with petty offences; they had proved effective before the counter-revolution, and they were suitable for offenders against social property and for workers who had erred, and who would be branded by workers of their own factory.

Some small artisans and retailers were engaging in transactions which could not be allowed. They were using material stolen from factories or engaging in wholesale trade. Such men were not performing the tasks assigned to them by the Government. Even some co-operatives were not averse to speculation. The number of persons indicted for speculation in the third quarter was three times that of the first quarter.

Generally speaking, however, public security in Hungary was shaping favourably, and further improvement could be expected. The police itself had asked for supervision by the prosecutors' offices, so that, to guarantee both sides of socialist legality, prosecutors and police were able to advance together.

Prosecutors and the Rule of Law

One of the pet slogans of counter-revolutionary demagoguery had been that of violations of law, but it had been found that in the overwhelming majority of cases the procedure had been lawful. Over and above the figures given in last year's report, the Supreme Prosecutor's Office had reviewed, up to last November, the cases of 3,012 persons convicted for political crimes who had been arrested since last October and who had asked for a review. Full rehabilitation had been recommended in only 399 cases. Reviews had now ended. One of the gravest mistakes had been removed; it had been proved that while there had been violations of law, they had not been on anything like the scale as alleged by the enemy.

One of the most important fields of the work of prosecutors was that concerning minors. Prosecutors had also tried to induce those concerned to return property taken from producer co-operatives. Instructions had been issued to disband or restrict the activities of co-operatives which, contrary to the law, were based not on collective production but solely on collective marketing.

Housing, Labour, Agriculture

Prosecutors also had the duty to investigate complaints made by members of the public. This was important work conducive to ensuring uniform legality. On the whole, however, prosecutors should not deal

with complaints referring to measures dating from more than a year before the complaint. Prosecutors were dealing mainly with two categories of complaints – those concerning dwellings and others concerning labour affairs. Even now squatting in flats and the breaking of official seals seemed to be regarded as lawful. Such “bandits” deserved neither patience nor indulgence. The police had power to evict and arrest such persons.

During 1957, there had been two kinds of complaints concerning labour affairs. As a result of the counter-revolution, persons loyal to the Party had been unlawfully declared redundant. Abuses committed against the Labour Code must no longer be dealt with by a mere caution. In each case the prosecutor had to intervene where it was necessary to invalidate or annul the unlawful instructions of the counter-revolution.

The other category of labour complaints was related to the period of recovery. When the re-employment of persons dismissed on political grounds had become necessary, some had held the extreme view that persons so dismissed could not be re-employed anywhere. “To put an end to this erroneous view, which is also contrary to the Constitution, I applied to the Minister of Labour, explaining that dismissal for political reasons makes the persons dismissed unsuitable for the specific post they held, but does not exclude the provision of other employment which takes the political circumstances into consideration. The Minister of Labour accepted my view and took the necessary action within his Ministry.”

The abolition of the produce collection system called for the restoration of discipline, and he – Szenasi – had recommended to the College of the Supreme Court to establish a precedent, laying down that all conditions in the production contract must be brought to the notice of producers so that they should know their rights and duties. To halt the deterioration of contract discipline, however, it must be stated that the producer, if he failed to complete for reasons for which he was not to blame, should be bound over – contrary to present legal practice – so that he could perform his obligations under the contract in addition to returning the advance payment received. This was very important to ensure adequate supplies for the population. It followed that the Prosecutor’s Office was not only a prosecuting authority but also the supporter of the lawful rights of every stratum of the population. So as to enhance this social role of the Prosecutor’s Office and to broaden direct contacts with the people, instructions, to take effect on the 1st January 1958, had been issued on prosecutor’s consulting hours, to be held regularly in factories.

The Prosecutor’s Office also settled ownership of land and questions of agricultural work. Cases of unauthorised tree felling and of timber thefts had occurred. Punishment was slight in comparison with the harm done. Prosecutors would therefore work for the full rigour of the law to be brought to bear and for full compensation to be paid to the national economy.

Irrelevance and Danger of Western Propaganda

Whenever a leader in a people's democracy uttered a word the Western bourgeois political sentinels and Press were immediately ready with an answer. "His very cough leads to the birth of a commentary, and we have enough internal enemies to pick it up, spread it and further distort it, and we also have a good many not hostile but stupid people who will believe it. They want to foretell whether we are becoming softer or sterner . . . We have work to do and can rarely spare the time to be amused by bourgeois daydreams. We follow the road defined by the Party". In the year following the counter-revolution, Party and State leadership had displayed level-headedness and moderation throughout. The liquidation of the counter-revolution in Hungary was Hungary's internal affair, and the protection of State and social order was the constitutional duty of the Government in power.

The preservation and further development of socialist achievements imposed important obligations on the Government. The measures of the Revolutionary Worker-Peasant Government corresponded in every respect to the interests of the country and the people and also to human rights in general. The Government had not introduced a single measure that could be criticised on objective grounds. The imperialist gangsters, the murders of the people of Cyprus, Algiers, Egypt, and Oman, were yelling about a bloodbath. The multi-millionaires were ordering their legal experts to defend the interests of the Hungarian proletariat. Preventive education, the prosecution of crimes and the administration of justice were confronted with greater tasks than hitherto. In a revolutionary situation and in the interests of the class certain matters could be excused. The issue was one of human lives, not of methods. Since any mistake by the prosecution affected not a clay pigeon but a human being, not even the smallest fault could be allowed. Naturally, the fact that in prosecuting hostile categories merely the surface appearance and not the substance was being prosecuted was also a fault.

"Our endeavour remains the same as before, namely, to observe to the maximum the provisions of the penal code and to institute criminal proceedings against the uncomprehending, where enlightenment remains fruitless. I believe that I have left no doubt about my intentions, that I am not trying to liberalise the prosecution of crimes and general supervision, but to make them more civilised. For this reason, too, let no one tell us that a year has passed since the counter-revolution and that we ought accordingly to be more lenient. No; we will not relent when judging active enemies. We say that so far only a year has elapsed since the counter-revolution. The final disinfection of the focal points of the counter-revolution requires an intelligent prosecution, partisan Party representation and class courts of justice. An intelligent class hatred, free from daily impulses, is stronger and more lasting and therefore entails a greater social success than the blind hatred appropriate at certain times".

The report was adopted.

Appendix XVII

Interview with Muennich¹

THE US JOURNALISTS' VISIT

*A delegation of some thirteen US journalists led by Marcel Duriaux, Administrative Secretary of the American Editors' and Commentators' Association spent three days in Hungary. Before their departure from Hungary they were received by First Vice-Premier Ferenc Muennich, who answered a series of questions. The interview was widely publicised in the Press, on the radio and by the agencies.*¹

EXCERPTS CONCERNING

Trials of Counter-revolutionaries: Nagy and Maleter

The US journalists asked what changes had taken place in Hungary since October 1956 and were told: "Vast changes have occurred in the life of the people. While during the counter-revolution foreign and domestic bandits let loose on the people were free to indulge in murder in the streets, we have restored law and order. We prosecute the murderers on a constitutional and legal basis. Today every honest citizen in the country can sleep undisturbed.

Asked about Pal Maleter, Muennich said that Maleter was "guilty of grave crimes which come under the competence of a court."

In reply to questions about Imre Nagy, Muennich said: "Imre Nagy committed grave acts against the Hungarian People's Republic, for which he is responsible. For this reason, he is at this time hardly in a position to grant the interviews you have been asking for."

¹ Radio Budapest in English, January 16, 1958, 20.00 hours.

Appendix XVIII

Government Decree¹

The Government published a decree giving effect to the People's Supervision Law as from 18th January, and regulating procedure. The Central Committee has jurisdiction throughout the country. People's supervision extend to all organs of State administration, except the Council of Ministers, to factories, enterprises, associations, co-operatives, co-operative centres etc. No one shall take part in supervision if he holds the rank of head of department or a higher rank in the body being investigated or is a relative or spouse of such a person. Where reports received by a committee refer to matters of public importance the committee has power either itself to investigate the complaint or to pass it on to some other competent authority.

Members of the central, County, borough, rural district or county district shall be elected for an indefinite period. Members of committees and people's supervisors shall perform their tasks after working hours. They shall not receive salaries but have expenses refunded according to a prescribed scale. The decree was also said to contain regulations concerning methods of supervision and action that may be taken as a result of the investigation.

*The Social Courts*²

The staff of the Lenin metallurgical works at Miskolc called for the immediate setting-up of social courts in the factories, and suggested that thieves should be pilloried at hearings to be held following their apprehension. It was also stressed that the detection of thefts called for more effective work on the part of the police and the Prosecutor's Offices. The main effort would, however, have to be concentrated on forestalling crimes by supervision and enlightenment.

*Crimes against Social Property*³

The papers publicised a statement by Geza Szenasi, the Supreme Prosecutor, in reply to a letter to 'Nepszabadsag' from a group of Ganz workers, demanding that crimes against social property, "which have become extraordinarily frequent", should be dealt with under

¹ Radio Budapest, January 17, 1958, 21.00 hours; Hungarian information service, January 18, 1958. English translation, BBC Summary, Part IIB, No. 899, January 23, 1958, p. 5.

² Radio Budapest, January 1, 1958, 09.00 hours; English translation, BBC Summary, Part IIB, No. 899, January 23, 1958, p. 5.

³ Hungarian information service January 16, 1958; English translation, BBC Summary, Part IIB, No. 898, January 21, 1958, p. 5.

the "accelerated procedure". The Courts, they ended, should pass sentences of exemplary severity. In reply to this letter, Szenasi stated: "I am instructing the Chief Prosecutor's office to recommend that major cases of speculation and racketeering in social property should be dealt with at People's Court level."

*Prosecutors' Consulting Hours in Factories*⁴

Prosecutors' consulting hours (*uegyeszi fogadoorak*) will be started in some 20 or 30 factories in Budapest this month. Most of the reports the Prosecutors expect to receive will probably be "of public interest", but Prosecutors will listen to individual complaints and will advise workers on personal problems. The system of consulting hours will greatly assist the implementation of the People's Supervision Act.

⁴ Radio Budapest 09.00 hours, 13.1.58; English translation, BBC Summary, Part IIB, No. 898, January 21, 1958, p. 5.

Appendix XIX

Report by Janos Kadar

*President of the Revolutionary Worker-Peasant Government, submitted to the National Assembly at its opening session on January 27, 1958.*¹

“Honourable National Assembly,

Eight months ago I reported to the National Assembly on the work of the government. The essence of my report then was that we had succeeded in protecting in our country the people's power and the state and independence of the Hungarian People's Republic against the forces of the counter-revolutionary uprising. Now, when I report on the activity of the government for the period of another 8 months, I may say that, as compared to the situation in May of last year, there has been a further consolidation in the state and social order of the Hungarian People's Republic.

This consolidation has been attained as the result of a consistent fight against the stubborn enemies of the people's democratic order. At its last session the National Assembly listened to the reports of the Supreme Public Prosecutor and the President of the Supreme Court and took cognisance of the reports. This relieves me of the duty to deal in my report with these questions in detail. The government believes that the police, the public prosecutor's offices, and the courts, by overcoming initial difficulties, complied and continue to comply on the whole with the obligations which devolve on them in the protection of the interests of the Hungarian people and which are assigned to them by the Constitution and by the laws of the Hungarian People's Republic.

*In the past period it was the task of the police and judicial organs of our state to take proceedings against violators of the law, and to carry on at the same time the work of disclosing the crimes and of unmasking their perpetrators that in the period of the counter-revolutionary uprising attacked the Hungarian people and the Hungarian People's Republic.*²

It can be established that the organs of the administration of justice of our state have followed the principle and main line confirmed by the National Assembly which determined clearly that those who have erred must be pardoned, but that, at the same time, they must weigh down on the criminals with the full rigour of the law.

In accordance with this principle no proceedings were started by our organs of the administration of justice against simple participants in the several events of the counter-revolutionary uprising, but

¹ Nepszabadsag, No. 23 of January 28, 1958.

² Italics supplied.

they called to account those who had been instigators, initiators, leaders, and organisers, and also those who in the course of events had committed murders or other grave crimes.

As a result of the work of our police and judicial organs — which was to considerable extent due to the direct support given by broad strata of the population — the government were able to cease summary jurisdiction at the beginning of November of last year.”

We ensure both sides of legality.

“Honourable National Assembly,

The government may report that law and order and legality are fully ensured in our country. Legality — as it is known — has two sides. One side is that the citizens should abide by the laws of the country, and therefore a citizen who does not observe the law will be called to account; the other side is that the organs and officers of the law who execute the law should also abide by the law.”

“The Hungarian police, public prosecutor’s offices, and courts have nowadays a sufficient number of illdisposed critics, the smaller part of whom is here in this country, and the major part of them is in the West. These illdisposed critics make invectives from time to time when guilty Hungarian citizens are arrested by the police, charged by public prosecutor’s offices, and sentenced by courts. However, even the most illdisposed critic could not point out last year a single case against the Hungarian authorities in which anyone was called to account for a deed he had not done. In the cases they criticised it is in fact a question of classifying actions in different ways. They proclaim as “heroes” those who attack the Hungarian people’s state and its order and talk about “glorious deeds”, while, according to Hungarian laws, the persons concerned have committed crimes and are guilty. It may be regrettable in their eyes but it is beneficial to the Hungarian people that the Hungarian judicial organs in judging the deeds of the counter-revolutionaries do not proceed on the basis of the opinion of some western instigator of the counter-revolutionary in question but on the basis of the law of the Hungarian People’s Republic.

The observance of legality in our country — apart from the fact that no one is sentenced for something he has not done — is also ensured by the fact that depending on the decision of the defendant concerned it recognises or denies the action which he has been accused of and his guilt. It constitutes a legal principle in the practice of our courts that a confession made by the defendant is in itself not sufficient to sentence him. *The government consider it an important task and will vigilantly watch over it in future that law and order and legality continue to be ensured by our appropriate state organs with all the means at their disposal.*”³

³ Italics supplied.

On the western circles which demand pardon for counter-revolutionaries and on the people who ask for amnesty in our country.

“Honourable National Assembly,

In recent months — from the West — the amnesty to be given to counter-revolutionaries has become the central militant question in the attacks against the Hungarian People’s Republic. Attempts are being made to influence public opinion with the help of this question, and even to exercise pressure on our government. We know these western circles that demand amnesty very well. Several people from these circles had close, or to be more precise decisive relations with the organisers and leaders of the counter-revolutionary uprising in our country during the bloody days of the counter-revolution and — it is interesting to note — they did not represent at all a humane attitude at the time, on the contrary, they encouraged the people to slaughter progressive Hungarian citizens by hundreds and thousands. These people became humanists only — and then all of a sudden — when we had crushed the counter-revolutionary uprising and when for the murderers the time had come to account for their deeds. The attitude of such people is quite clear to us: they want to save their own people. We consider it unfortunate, however, that these imperialist circles have succeeded, by playing a dirty trick on them, in mobilising quite a number of humane and honest people to raise their voice in the interest of an amnesty to be given to guilty counter-revolutionaries. In connexion with the persons who, not knowing the facts, asked for pardon for counter-revolutionaries charged with grave crimes in good faith, I should like to refer to three things.

These well-meaning persons should first of all bear in mind that, before asking pardon for Hungarian counter-revolutionaries who, exceeding in barbarism even the Hitlerite Fascists, hanged by their feet progressive people who were faithful to their oath and to their people — they should, in the name of humaneness, stand up first in the interest of the true patriots in Algeria, in Cyprus, in Oman, Kenya, and that can be found in many other places, who are being tortured and murdered in large numbers even today because they fight against imperialism for the independence of their countries.”

“Secondly, I should like to ask these well-meaning humanists whether they would have been able to propose an amnesty in the spring of last year in the dome hall of the buildings of the Hungarian National Assembly when decorations were handed by the president of the Presidential Council to the relatives of the murdered people who had protected their country until their death. What could they have said, in the name of humaneness, about forgiveness of sins and pardon to be given to murderers and their instigators, to the 280 weeping mothers of workers and peasants, to their fathers, widows, and orphans? I believe that there and then not even they could have

asked for forgiveness for people like Maletor or even for people like Tibor Dery.

The third question which I have to deal with in connexion with the question of amnesty, is not a question of the past but a question of the future. We stand indeed on the basis of humaneness, but its sense, in our opinion, lies in something else. It is our prime duty and the prime duty of the government in power to watch over the peace and quiet life of the people, of more than 9½ million Hungarian citizens, it is our duty to protect their life and blood which is a million times more precious to us than that of murderous counter-revolutionaries, or slaps on the shoulders and approval promised by the West in case we grant amnesty to the criminals who committed capital crimes at the time of the counter-revolutionary uprising.

We know very well that there live in western countries many people who are indeed guided in their way of thinking and in their actions by a deep feeling of humaneness, but when it is a question of amnesty we must also consider that beside them there still live also the inhuman foreign instigators of the counter-revolutionary uprising in Hungary, with no small power in their hands and who have – even today not given up the idea of initiating again some similar crime against Hungary or some other people's democratic country."

"The law concerning "The general rules of state administration procedure" regulates the rights and obligations of the acting organs of administration and of the citizens, improving thereby greatly procedure itself and creating full legality in the line of state administration. It is the task of the government decree concerning the establishment of the Council of Sciences and Higher Education and of the new Council to ensure the healthy direction of scientific research work and training carried on in various places. By a government decree we also established the National Council for the Protection of Children and Juveniles which serves the purpose of co-ordinating the state and social measures serving this objective, and which will try to settle a particularly painful question, that of abandoned children.

The law on popular control serves the purpose of promoting the further consolidation of our state order and of overcoming economic abuses. The law decree regulating the filling of important and confidential positions serves the same purposes. The law on popular control was discussed by the National Assembly a month ago. Therefore I wish to say in connexion with it only that, provided it functions well as a result of the combined work of the government and the masses, it will realise not only effective control but will also increase the political strength of our system and our society. In connexion with the filling of important and confidential positions we have ordained that the filling of these positions will be subject to certificates of good conduct. We believe it is the right and at the same time also the duty of the people's state to see to it that in our

country only citizens with a clean record should be able to work in important and confidential spheres of work. Let us keep away from them also the anti-democratic elements and the persons who have committed economic and other crimes.

Of great importance is also the law decree on the establishment of factory councils. As a result of the bad experiences gained in connexion with the workers' councils we have had to struggle in this question with various difficulties also so far, and we shall have to do so to a certain extent also in future.

The social and economic functionaries who also today shrink from the establishment of any new organ reminding them somehow of the workers' councils are wrong. The factory councils, which are from an organisational point of view and also directly under the supervision of the trade unions, and ideologically and politically under that of the party organisations, will further develop the democratism of factory life, but will also be suited to develop trade union work in the right direction and, last but not least, will increase the social activities of the factory workers.

Finally, in the series of legislation I wish to mention the law decree introducing obligatory pension insurance for the members of agricultural cooperative farms. We believe that the settling of this question was our human duty in connexion with the peasants who have become disabled and old in agricultural work, and at the same time it will also be useful from the point of view of the development of the cooperative farms movement".

Appendix XX**Article in "Nepszabadsag" No. 25, January 30, 1958**

Law Practice withdrawn from former Horthyist State Counsellor, Dr. Mihaly Simon.

About 2 months ago this paper wrote about some faults having been found with a few lawyers, among them Simon too, who were taken back as members of the Chamber of Advocates by the counter-revolution in 1956, and they are practicing lawyers to this very day. Now 2 months after the article about them was published, they have been removed, for all of them had a lot on their conscience. So did Simon.

But they don't want to understand why they were removed. Why should they? Unfortunately there are plenty of other lawyers in the Chamber of Advocates who are sorry for Dr. Simon. But let's go back into history a little, and stop in December of 1919.

Before us is a questionnaire that was filled out after the defeat of the Hungarian Soviet Republic – by lawyers. This questionnaire is just the one signed by Pal Mihaly Simon. At the time Dr. Simon, the aristocrat lawyer, decorated state counsellor, was called upon to fill out and sign the following questionnaire:

"The Budapest Chamber of Advocates calls upon all lawyers, without exception, to give a written report on their activities in the period of the proletarian dictatorship between March 21 and August 1, 1919, particularly as to whether they accepted any kind of a position, work or office from the Hungarian soviet republic, whether political or administrative work".

There were over 20 questions that had to be answered in full. Of Dr. Simon they even asked whether he was a "red soldier" or not, or any trade union functionary, whether he was a member of any confidential organ of the Hungarian soviet republic . . .

Why do you suppose they asked so many questions, and so carefully? One can make guesses . . . And then there are still some lawyers who are sorry for him for being thrown out of the Chamber of Advocates of the People's Republic, sorry for a Horthyist state counsellor. And to be frank, we're not making the big fuss they did!

Foreign Ministry Spokesman's Press Conference

*Laszlo Gyáros, Head of the Press Department of the Hungarian Foreign Ministry, gave a Press conference attended by Hungarian and foreign journalists on 25th January. He answered more than 20 questions two of which appearing below concerned alleged deportations and expulsions.*¹

Deportations and Expulsions

Question: Has every Hungarian deported been brought home from Russia, and if so, have they all been set free in Hungary?

Gyáros: "No one was deported after the suppression of the counter-revolution in October 1956. Reports of deportations are malicious calumny, an invention of Western journalists who were in Hungary without visas during the counter-revolution. We did not allow those journalists to come back in 1957, and, if they try again, we shall tell them there is more room outside."

Question: There have been reports of people being deported from Budapest to the provinces. Is it true that people have been asked to leave Budapest?

Gyáros: "It is not true. It is, at times, very funny to note how Western journalists sweat in their attempts to invent hair-raising sensations. On this occasion they have been unlucky, it seems to me, because on the very day on which the 'Neue Zuercher Zeitung', quoting UP, spoke of 500 deportations, 'Le Soir' of Brussels, quoting AFP, reported 5,000 such deportations. It is easy to work out that, had more Western news agencies taken part in the mathematical operation, the third would have spoken of 50,000 deportations, the fourth of 500,000, and the fifth of 5,000,000. There is a proverb which says 'Tell one more lie; but if no one believes you, stop lying'. Well, the position is that nobody believes their lies any more. Why, then, do they go on lying?"

Asked about the whereabouts of a number of individuals, Gyáros replied that Gyoergy Lukacs was at present working on a book on aesthetics, and "living where he had lived since 1946"; in the case of Imre Nagy, he had nothing to add to what he had already said at previous Press conferences; tendentious reports about Attila Szigeti and some of his friends had not been officially confirmed; Racz and Bali, the leaders of the former Budapest workers' council, were, to the best of his knowledge, being held for questioning; Matyas Rakosi, Ernoe Geroe and Andras Hegedues were, it was

¹ Radio Budapest, January 25, 1958, 15.00 hours and Hungarian Information Service, January 25, 1958, English translation, BBC Summary, Part IIB, No. 901, January 30, 1958.

common knowledge, in the Soviet Union; he had no knowledge of the whereabouts of Bibo.

TRIED TO PREVENT DEPORTATIONS

*Death for Hungarian*²

A Court at Vac, north of Budapest, has sentenced a railway worker to death for blowing up railway lines to prevent Hungarian citizens being deported to Russia after the 1956 uprising.

Usually reliable sources said today that two other railwaymen were sentenced to life imprisonment and a fourth to fifteen years on similar charges, and eleven others were given lesser terms.

² Reuter-Budapest, February 20, 1958, cf. Manchester Guardian, February 21, 1958.

BOSTON PUBLIC LIBRARY



3 9999 05445 3202

Boston Public Library
Central Library, Copley Square

Division of
Reference and Research Services

Social Sciences
Department

The Date Due Card in the pocket indicates the date on or before which this book should be returned to the Library.

Please do not remove cards from this pocket.

