

# **ROMANIA 2012 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **Executive Summary**

The constitution and other laws and policies protect religious freedom and, in practice, the government generally respected religious freedom. The trend in the government's respect for religious freedom did not change significantly during the year. Local authorities at times failed to respond to complaints by minority religious groups. The lack of progress on restitution of Greek Catholic churches transferred by the former communist government to the Orthodox Church in 1948 remained a significant problem.

There were reports of societal discrimination based on religious affiliation, belief, or practice. There were cases in which some Orthodox clergy showed hostility toward non-Orthodox church religious groups, criticized their proselytizing activities, and denied them access to cemeteries.

The U.S. ambassador and embassy representatives met with the Ministry of Foreign Affairs and the State Secretariat for Religious Affairs to raise concerns about the government's failure to ensure the full restitution of religious properties seized by former fascist and communist regimes. Embassy representatives met with Orthodox, Muslim, Jewish, and Greek Catholic leaders and communities. Embassy officials also encouraged the Orthodox and Greek Catholic Churches to resume dialogue leading to reconciliation and continued to support the government's efforts to fully acknowledge the country's role in the Holocaust.

## **Section I. Religious Demography**

According to the 2011 census, the population is 19 million. Orthodox adherents constitute 86 percent of the population, Roman Catholics 4 to 6 percent, and Greek Catholics less than 1 percent. According to the Greek Catholic Church and media reports, irregularities by census takers artificially increased the number of Orthodox believers to the detriment of other religious groups. Other religious groups include Protestants, Jews, Muslims, Jehovah's Witnesses, Bahais, The Church of Jesus Christ of Latter-day Saints (Mormons), Zen Buddhists, and members of the Family (God's Children), the Unification Church, and the Society for Krishna Consciousness.

Some religious groups are concentrated in particular regions. Old Rite Russian Christians are mainly located in Moldavia and Dobrogea. Most Muslims live in

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the southeast around Constanta. Most Greek Catholics reside in Transylvania. Protestants and Roman Catholics reside primarily in Transylvania. Orthodox and Greek Catholic ethnic Ukrainians live mostly in the north. Orthodox ethnic Serbs are primarily in Banat. Members of the Armenian Church are concentrated in Moldavia and the south. Virtually all members of the Protestant Reformed, Roman Catholic, Unitarian, and Lutheran churches from Transylvania are ethnic Hungarians. Approximately half of the Jewish population is in Bucharest.

According to an April survey conducted by the Romanian Institute for Evaluation and Strategy, 14 percent of respondents attend church services several times a week, 48 percent several times a month, 16 percent several times a year, and 17 percent only on important religious feasts.

### **Section II. Status of Government Respect for Religious Freedom**

#### **Legal/Policy Framework**

The constitution and other laws and policies protect religious freedom. However, the government's registration and recognition requirements impose restrictions on minority religious groups.

The law establishes a three-tier system of recognition: grupari religioase (religious groups that are not legal entities), religious associations, and religions.

Grupari religioase, as defined by the law, are groups of persons who share the same beliefs but do not receive tax exemptions or support from the state.

Religious associations are legal entities that do not receive government funding, must be registered as such in a religious association registry, and receive only limited tax exemptions. The section of the religion law on tax exemptions engenders some confusion, because it confers tax exemptions "according to the fiscal code." However, the fiscal code does not address the issue of tax exemptions for religious associations. Since the implementation of the 2006 religion law, 18 religious groups have received approval from the State Secretariat for Religious Affairs to register as religious associations.

To register, religious associations must have 300 citizen members and must submit members' personal data. In contrast, the membership requirement for registration of any other type of association is only three members. Religious associations are able to receive "religion" status only after 12 years of continuous activity and a

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minimum membership of 0.1 percent of the population (approximately 19,000 persons).

The law recognizes 18 religious groups as religions: the Romanian Orthodox Church, Orthodox Serb Bishopric of Timisoara, Roman Catholic Church, Greek Catholic Church, Old Rite Russian Christian (Orthodox) Church, Reformed (Protestant) Church, Christian Evangelical Church, Romanian Evangelical Church, Evangelical Augustinian Church, Lutheran Evangelical Church, Unitarian Church, Baptist Church, Pentecostal Church, Seventh-day Adventist Church, Armenian Church, Judaism, Islam, and Jehovah's Witnesses. Groups recognized as religions under the law are eligible for state support based on their proportional representation in the census. They have the right to establish schools, teach religion classes in public schools, receive government funds to build places of worship, partially pay clergy salaries with state funds, broadcast religious programming on radio and television, apply for broadcasting licenses for denominational frequencies, own cemeteries, and receive tax-exempt status.

Under the religion law, state-provided funding is determined by the number of adherents of each recognized religious community reported in the most recent census and "the religion's actual needs," a vague provision leaving room for interpretation. The Romanian Orthodox Church receives the majority of these funds.

The law entitles the 18 recognized religions to bury, without restriction, their deceased members in cemeteries belonging to other religious groups in localities where they do not have cemeteries of their own and there is no public cemetery.

Ministry of Justice regulations provide for unrestricted access by recognized religions and religious associations to any type of detention facilities, even if their assistance is not requested specifically. The regulations also prohibit interference by the management of penitentiaries with religious programs and forbid the presence of officials at meetings between representatives of religious groups and prisoners. By statute, prison representatives in charge of religious assistance may not be priests or representatives of any religious community.

The government permits recognized religions and religious associations to distribute religious publications.

The law allows clergy from recognized religious groups to minister to military personnel.

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Legislation combating anti-Semitism bans fascist, racist, and xenophobic organizations.

Public schools conduct religious instruction. To be excused from religion classes, students must submit requests in writing. The 18 recognized religions are entitled to hold religion classes in public schools. The law entitles students to attend religion classes in their faith irrespective of their number. The instruction is based on the religious affiliation of the students' parents. The constitution and the law allow the establishment of state subsidized educational institutions administered by recognized religions.

The law provides for long-stay visas for persons conducting religious activities. Visa requirements include approval by the State Secretariat for Religious Affairs and submission of evidence that applicants represent legally established religious organizations. Visas can be extended up to five years.

The government does not permit unrecognized groups to engage in profit-making activities.

The law provides for the restitution of religious properties (and properties belonging to ethnic communities, including the Jewish community, which is defined as such) confiscated between 1940 and 1989. However, the law does not address the return of Greek Catholic churches confiscated by the former communist government and transferred to the Orthodox Church in 1948. A separate law permits the Greek Catholic Church to pursue court action when attempts to obtain restitution of its churches through dialogue with the Orthodox Church are unsuccessful, but it does not automatically reconstitute them.

The government is a member of the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research.

The government observes the following religious holidays as national holidays: Christmas, Orthodox Easter, Pentecost Monday, the Assumption of Mary, and the feast of Saint Andrew. Members of other recognized Christian religious groups celebrating Easter on a different date are entitled to an additional holiday.

### **Government Practices**

There were no reports of abuses of religious freedom.

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Some minority religious groups reported that local authorities did not grant construction permits for places of worship, although they had no legal grounds for refusing. The Greek Catholic Church stated that local authorities continued to refuse a construction permit, first requested in 2003, for a new church in Sapinta in Maramures County. The Greek Catholics attributed the delay to pressure from the Orthodox Church.

In September the Secular Humanist Association (ASUR) urged the Education Ministry to immediately withdraw from schools all religion textbooks that promote intolerance and to take all necessary steps to prevent religious indoctrination. The association expressed concern about the persistent inclusion of such themes as sin, hell, and the devil in religion textbooks for primary schools. ASUR also criticized automatic enrollment in religion classes, and began a campaign to inform parents and schools that parents had the right to withdraw children from religion classes.

In reaction, the Ministry of Education stated it would work with the Orthodox Church to replace religion textbooks promoting intolerance for the school year 2013-2014. In October, 26 nongovernmental organizations (NGOs) sent a separate letter to the education minister expressing concern about the content of religion textbooks. The NGOs criticized the ministry's declared intention of cooperating only with the Orthodox Church in changing religion curricula and textbooks, and asked for a public debate on these issues.

Representatives of the Bahai Faith stated that an 11th grade Orthodox religion textbook containing defamatory content continued to be used nationwide. The book described the emergence of the Greek Catholic Church in the 18th century as the result of "Catholic proselytizing" and calls Jehovah's Witnesses, Bahais, and Mormons "sects" that "represent a genuine threat to society."

Unrecognized groups such as the Bahai Faith criticized the minimum membership requirement for registration as discriminatory. Bahai representatives stated that the number of adherents of some recognized religions is much lower than the 0.1 percent of the population the law requires.

In many cases, minority religious groups were unable to gain restitution of confiscated properties in accordance with the law. Courts delayed hearings on many restitution lawsuits filed by the Greek Catholic Church, and the lawsuits were often impeded by appeals or change of venue requests from the Orthodox Church. Courts also ruled in some cases in favor of the Orthodox Church on the grounds that it had more members than the Greek Catholic Church. For example,

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on March 28 the Cluj Court of Appeal overturned the ruling of a Baia Mare court to restitute the former Greek Catholic Cathedral in Baia Mare.

Representatives of the Greek Catholic Church asserted that the government did not respond adequately to complaints regarding restitution of properties or discrimination by local officials. In April the Greek Catholic Bishop of Oradea wrote letters to the prime minister and the Orthodox Patriarch complaining about local authorities' failure to enforce a final and irrevocable court ruling restituting a former Greek Catholic church in Vasad. Because of interference by local Orthodox clergy, Greek Catholic worshippers were unable to enter the church.

On September 25, the European Court of Human Rights (ECHR) ordered the government to pay compensatory damages and trial expenses totaling 25,000 euros (\$33,008) to the Roman Catholic Archdiocese in Alba Iulia for refusing for 14 years to enforce a government emergency order restituting a building including the Batthyaneum library and an astronomical institute.

A fund established by the government in 2005 to compensate claimants with shares of stock for properties that could not be returned in kind subsequently disbursed all of its shares, and was no longer a viable source of restitution.

Claimants complained that some local authorities opposed restitution or consistently delayed providing information about claimed properties to the Special Restitution Commission (SRC), thereby obstructing the restitution process despite laws stipulating fines for such delays. Since 2003 the SRC received 14,814 applications for property restitution from recognized religious groups and restituted 1,554 properties. However, the SRC returned only 135 of the 6,723 properties claimed by the Greek Catholic church, and in some cases local authorities delayed enforcement or did not take any steps to enforce decisions. Local authorities failed to enforce a 2010 final court ruling providing restitution of a Greek Catholic church in Casva despite the church's appeal to the president, prime minister, interior minister, and the Mures County prefect.

In Pesceana, a Greek Catholic community established in 2005 reported ongoing discrimination and harassment. Community members stated that authorities and local Orthodox priests continued to deny them access to the local public cemetery despite a 2009 appellate court ruling that a Greek Catholic priest could conduct religious services in the cemetery for deceased Greek Catholics.

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Falun Dafa Romania alleged that the Chinese embassy pressured the Ministry of Foreign Affairs to instruct the Ministry of Culture to reject any Falun Dafa applications.

Members of the Seventh-day Adventist Church stated that some public educational institutions, for example Ovidius University in Constanta, refused to make accommodations for examinations of students who observed the Sabbath on Friday evenings.

According to several religious groups, military chaplains were exclusively Orthodox priests with the exception of one Roman Catholic priest and one clergy member from the Evangelical Alliance.

Some religious groups stated that authorities generally allowed only the Orthodox Church an active role in annual opening ceremonies at schools and other community events. Greek Catholic priests from Transylvania stated they were never invited to official local events.

Non-Orthodox religious groups faced difficulty in accessing cemeteries and in obtaining land to establish cemeteries. In Bucharest the local Islamic community did not receive land promised by the government for the establishment of an Islamic cemetery and construction of a mosque.

Mormons reported discrimination through arbitrary and uneven application of laws, ordinances, and regulations. Mormons also reported that police protection was inadequate, citing a case in which attackers reportedly held two missionaries at gun point in Bucharest but police refused to charge the attackers with any crime. In another case in Deva, a Romanian Mormon missionary called the police to report a violent disturbance in the residence next door. When police arrived, instead of investigating the reported violence, they demanded residence registration papers for the Romanian citizen missionary.

Most mainstream politicians continued to publicly denounce anti-Semitism and attempts to deny the Holocaust. However, there were cases of anti-Semitic or Holocaust-denying statements.

In January a director in the prefect's office of Mures County posted the message from the entrance to the Auschwitz concentration camp, "Arbeit macht frei" (work makes you free), on his Facebook page. The National Council to Combat

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Discrimination (CNCD) investigated and on February 22 determined that the action violated anti-discrimination laws and fined the director 1,000 lei (\$300).

On April 17, the Elie Wiesel Institute for the Study of the Holocaust in Romania expressed indignation over the Suceava County Council sponsorship of a book written by a former member of the pre-World War II fascist Legionnaire Movement. The book carried on its cover the picture of former Legionnaire leader Corneliu Zelea Codreanu.

In May the Wiesel Institute asked the prosecutor general's office to consider banning the "All for the Country" party. The institute accused the party of having a neo-fascist doctrine and using fascist, xenophobic, and racist symbols from the Legionnaire Movement. In September the Bucharest prosecutor's office sought to ban the party and initiated legal action. A court decision was pending at year's end.

On March 5, Social Democratic Party (PSD) spokesperson Senator Dan Sova stated on a television program that "no Jew suffered on Romanian territory thanks to Marshal Antonescu" (the pro-Nazi leader during World War II). He further said that "historical data indicates that a total of 24 Jews were killed during the Iasi pogrom by the German army." The Romanian and international Jewish community, the NGO Center for Monitoring Anti-Semitism in Romania (MCA Romania), the Wiesel Institute, and the Roma Center for Social Intervention and Studies (Romani CRISS) condemned Sova's statements. MCA Romania and Romani CRISS filed a criminal complaint against Sova, arguing that his statements violated the law forbidding Holocaust denial. Sova was temporarily dismissed from the position of PSD spokesperson and went to Washington to visit the Holocaust Memorial Museum. Upon his return, Sova declared publicly that his statements had come from ignorance, withdrew them, and apologized. He stated that after studying hundreds of pages of documents in Washington he now understood that "Jews had a dramatic fate" in Romania. Sova was later appointed to the position of Minister Delegate for Liaison with Parliament on August 6, triggering a new wave of domestic and international criticism. Sova again apologized publicly for his original statements, and said that he was aware of historical information confirming the Holocaust in Romania. He subsequently promoted stronger legislation against racism and anti-Semitism and supported projects to broaden Holocaust education in schools and universities.

On October 18, member of the European Parliament (MEP) and leader of the Greater Romania Party Corneliu Vadim Tudor stated during a television program

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he “would deny the Holocaust (in Romania) until death, because I love my people.” MCA Romania and the Elie Wiesel Institute urged authorities to enforce existing legislation against anti-Semitism and xenophobia. Publications of the Greater Romania Party continued to carry anti-Semitic statements and articles.

In April the Elie Wiesel Institute for the Study of the Holocaust in Romania raised objections with the prosecutor general’s office concerning a memorial to former Legionnaire leader Corneliu Zelea Codreanu on National Highway 1 outside of Bucharest. On July 11, the prosecutor’s office in Buftea decided the memorial was not a statement of propaganda and did not violate the emergency ordinance that bans celebrating or commemorating individuals who committed criminal acts against society and humanity.

The government continued to implement the recommendations of the International Commission on the Holocaust in Romania (Wiesel Commission) Report and to promote Holocaust education in school curricula.

The government made progress in efforts to teach the history of the Holocaust, which was included in history courses in the seventh, ninth, 11th, and 12th grades. During the 2012-2013 school year, 106 high schools offered the optional course “History of the Jews--The Holocaust.” The government continued to provide Holocaust education training to history teachers in specialized training centers in Bacau, Arad, Brasov, Craiova, and Galati. In August, 15 history teachers participated in a training course at Yad Vashem. The Ministry of Education provided written materials and maintained a web site with a guide for teaching about the Holocaust designed to assist teachers nationwide. The ministry also sponsored national and international seminars on teaching Holocaust history and provided additional educational resources to help combat anti-Semitism. The Eli Wiesel Institute for the Study of the Holocaust in Romania was also very active in educating the general public regarding the Holocaust.

In November the Baptist Church reported to authorities that MEP Gigi Becali stated on a talk show that Baptists and “Neo-Protestants” (defined as including Baptists, Pentecostals, Seventh-day Adventist, Mormons, Jehovah’s Witnesses, and others) in general are “Satanic cults” and not Christians. The Baptist Church also criticized the television station and urged it to take the necessary steps to avoid such misrepresentations and slanderous statements in the future.

The Jehovah’s Witnesses reported no problems for the first time in their history in Romania.

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The Seventh-day Adventist Church noted increased official openness and tolerance towards minority religious groups. Church representatives stated authorities were more responsive to religious freedom and discrimination issues.

### **Section III. Status of Societal Respect for Religious Freedom**

There were reports of societal discrimination based on religious affiliation, belief, or practice.

Participants in talk shows broadcast by private and public television stations and in Internet discussions expressed anti-Semitic views and attitudes. MCA Romania repeatedly stated that anti-Semitic, racist, xenophobic, and nationalistic views continued to be distributed online.

Media and independent observers reported several cases of graffiti with swastikas on the walls of buildings in Bucharest.

Extremist organizations held high profile public events with anti-Semitic themes, sponsored religious services, symposia, and marches commemorating leaders of the Legionnaire Movement, and republished anti-Semitic material, primarily online. Venues for such events included Targu Ocna, Padurea Verde in Timis county, and Tancabesti forest in Ilfov county.

The Greek Catholic Church reported that in many localities Orthodox priests harassed and intimidated its members. In rural areas, Greek Catholics reported Orthodox priests used threats and other forms of intimidation to prevent people from joining the Greek Catholic Church. In November local Orthodox clergy in Vintere refused to obey a ruling allowing members of the Greek Catholic Church to pray in their former church and pressured villagers against declaring affiliation with the Greek Catholic Church. Authorities eventually enforced the ruling.

Although the law allows religious groups access to cemeteries belonging to other churches, Orthodox priests denied minority religious groups access to cemeteries in some places. Members of some minority religious groups, including the Greek Catholic Church and the Bahai Faith, reported Orthodox priests would not allow the burial of non-Orthodox deceased in denominational cemeteries or in public cemeteries (often treated as denominational by Orthodox priests) unless certain conditions were met; the burials had to take place in isolated sections of the cemetery or Orthodox religious services had to be used in the burials.

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In November an Orthodox priest incited Orthodox believers to verbally abuse a group of Greek Catholics in Pesceana on their way to pray at a Greek Catholic tomb.

Mormons criticized the existence of a “predominant state-sponsored church,” stating it created problems for minority religious groups. They also stated that members of minority religious groups found it difficult to opt out of Orthodox religion classes at public schools because of social pressure, and asserted that the influence of the Orthodox Church prevented its members from declaring their conversion for fear of adverse societal reactions. Mormons said their members were unfairly burdened financially because a portion of their taxes supported other religious groups, primarily the Orthodox Church, with no opt-out provision for smaller religious groups.

Orthodox clergy generally opposed and delayed returning churches to Greek Catholics, arguing that formerly Greek Catholic places of worship belonged to the congregations currently using them. Orthodox clergy also argued that the low number of Greek Catholics did not justify the return of their properties.

Tensions continued in localities where the Orthodox Church refused to comply with court-ordered restitutions, or where the Greek Catholic Church initiated lawsuits for restitution.

In cases where courts ordered the Orthodox Church to return churches to their former owners, Orthodox priests frequently instigated the local population to oppose enforcement of the orders. Local authorities often hesitated to enforce such rulings, but in some cases the Greek Catholic Church achieved success after lengthy efforts. Greek Catholics finally reclaimed a church in Vasad on May 3 following repeated refusals by local authorities to enforce a final court ruling. On August 9, Greek Catholics in Sisesti reclaimed ownership of a church after a 13-year court battle. Orthodox clergy, however, had removed all Greek Catholic icons and other religious objects. In Budesti the Greek Catholic community reclaimed a church on October 29 after 20 years of using private homes for worship. Although the Greek Catholic Church offered to hold alternating religious services with the Orthodox Church in the churches it regained, in most cases, the latter rebuffed the offers.

The Orthodox and Greek Catholic Churches failed to begin a dialogue to resolve outstanding property disputes, despite an exchange of messages during the year

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aimed at reaching an agreement over terms under which a dialogue could commence.

### **Section IV. U.S. Government Policy**

The ambassador and other embassy representatives regularly met with government officials and religious leaders to discuss issues of religious freedom. Embassy representatives, along with visiting U.S. Department of State officials, met with the State Secretariat for Religious Affairs and the Ministry of Foreign Affairs to discuss religious freedom, the role of the State Secretariat in the country's religious life, and Orthodox-Greek Catholic property issues.

Embassy officials raised concerns with government officials about the slow pace of religious property restitution, particularly of Greek Catholic churches. U.S. officials also discussed with government officials the importance of full official recognition of the Holocaust in the country, improvements in Holocaust education, and complete implementation of the 2004 recommendations of the Wiesel Commission.

The ambassador hosted an iftar with representatives from more than a dozen religious groups. Embassy officials attended events celebrating the country's varied religious traditions, including with the Muslim community in Constanta county and the Jewish and Greek Catholic communities in Timis county and Bucharest. Embassy representatives met on several occasions with the Federation of Jewish Communities concerning funding for the rehabilitation of a cemetery in Bucharest.

The ambassador, embassy representatives, and Department of State officials met regularly with leaders of the Greek Catholic Church to discuss Orthodox-Greek Catholic relations, local discrimination incidents, and relations with the national government. Embassy officials also met regularly with representatives of the Orthodox Church to discuss Orthodox-Greek Catholic relations.

Embassy staff continually encouraged the Orthodox and Greek Catholic Churches to resume dialogue aimed at reconciliation and resolving outstanding property disputes. The U.S. ambassador and six other ambassadors met in February with the Orthodox Patriarch and several bishops to encourage resuming Orthodox-Greek Catholic dialogue.

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The embassy organized a visit of a U.S. imam to Constanta to help develop relationships between Muslim communities in the two countries.

The ambassador used the ambassadorial fund for cultural preservation to renovate a synagogue in Oradea.

The embassy supported the activities of the U.S. Holocaust Memorial Museum in its efforts to further Holocaust education, including embassy co-sponsorship of a Holocaust teacher training course in Iasi in November.