

ROMANIA 2015 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution and other laws guarantee freedom of religion and include provisions for the protection of minority religious groups. Laws provide religious groups with state support and access to the army, hospitals, retirement homes, penitentiaries, and orphanages. Groups must register under a three-tiered system to receive benefits. Government restrictions prevented some religious groups from gaining official recognition and others from obtaining the return of religious properties confiscated between 1940 and 1989. The Greek Catholic Church, in particular, said it was unable to take possession of many of its churches after authorities failed to enforce court rulings. Reportedly, local officials, often under the influence of Orthodox clergy, continued to hinder the access of non-Orthodox religious groups to cemeteries. Some politicians criticized a decision to allow construction of a mosque. Media reported the Orthodox Church pressured school officials to require Orthodox religious education classes for all children. The government continued to implement recommendations of the International Commission on the Holocaust in Romania and expanded Holocaust education in school curricula. In December the constitutional court struck down new legislation granting priority to property cases brought by Holocaust survivors and facilitating the return of the property due to a legal challenge by the president over other, unrelated parts of the legislation. The government was pursuing reintroducing the measure.

Anti-Semitic incidents, including desecrations of synagogues, Holocaust denial, and events commemorating former pro-Nazi leaders of the Legionnaire Movement occurred during the year. Members of some minority religious groups, including the Greek Catholic Church and the Seventh-day Adventist Church, reported cases of Orthodox priests who forbade non-Orthodox burials in denominational and public cemeteries. There were numerous media reports of vandalism against the site of a proposed mosque, including burying frozen pigs, releasing piglets to graze, and setting up displays of crosses on mosque grounds. Minority religious groups said the media often reported the religious affiliation of criminals from minority religions.

U.S. embassy officials continued to raise concerns with the government about the slow pace of religious property restitution and the importance of full recognition of the Holocaust and improvement in Holocaust education. Embassy representatives and visiting Department of State officials met with leaders of the Greek Catholic

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Church to discuss Orthodox-Greek Catholic relations and incidents of discrimination. Together with Jewish community leaders and organizations, the embassy supported efforts to curb anti-Semitism. Embassy representatives attended events promoting religious tolerance sponsored by Muslim communities.

Section I. Religious Demography

The U.S. government estimates the population at 21.7 million (July 2015 estimate). According to a 2011 government census, Romanian Orthodox Church adherents constitute 86.5 percent of the population, Roman Catholics almost 5 percent, and Greek Catholics less than 1 percent. Other religious groups include Old Rite Russian Christians, Protestants, Jews, Muslims, Jehovah's Witnesses, Bahais, The Church of Jesus Christ of Latter-day Saints (Mormons), Zen Buddhists, members of the Family (God's Children), the Unification Church, and the International Society of Krishna Consciousness (Hare Krishnas). Atheists and nonbelievers represent less than 1 percent. In 2013, the Greek Catholic Church challenged the results of the 2012 census, stating they did not reflect the real size of the Greek Catholic community.

Censuses indicate Old Rite Russian Christians are mainly located in Moldavia and Dobrogea. Most Muslims live in 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 Apostolic 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 the Jewish population is in Bucharest.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution guarantees freedom of thought, opinion, conscience, and religious beliefs. It states all religions are independent from the state and have the freedom to organize "in accordance with their own statutes." The constitution also guarantees religious denominations state support, including facilitated access for religious assistance in the army, hospitals, penitentiaries, retirement homes, and orphanages. The law forbids public authorities or private legal entities from asking

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people to specify their religion, with the exception of the census, which is anonymous.

The law specifies 18 registered religious denominations: the Romanian Orthodox Church (ROC), 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 Apostolic Church, Judaism, Islam, and Jehovah's Witnesses.

For groups not recognized in the law itself, there is a three-tier system of recognition: religious groups, religious associations, and religions. Religious groups, as defined by the law, are groups of persons who share the same beliefs. They therefore do not have to register to practice their religion, but they are not legal entities and do not receive tax exemptions or support from the state.

Religious associations and religions must fulfill certain benchmark conditions to obtain official status. Religious associations are defined as groups of individuals who share and practice the same faith, but are also legal entities and must be registered as such in a religious association registry. To register, religious associations must have at least 300 citizen members and must submit these members' personal data, which the law says may not be shared with other public institutions or used in any other way. The membership requirement for registration of nonreligious associations is three members. Religious associations do not receive government funding, but do receive limited tax exemptions.

Religious associations are eligible to receive "religion" status after 12 years of continuous activity and a minimum membership of 0.1 percent of the population (approximately 19,000 persons). Since the adoption of these criteria in 2006, the number of religions recognized under the law has remained at 18.

Groups recognized as religions under the law are eligible for state support. 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 their own stations, own cemeteries, and receive tax-exempt status.

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Under the law, state-provided funding is determined by the number of adherents of each recognized religious denomination reported in the most recent census and “the religion’s actual needs.”

The law entitles the 18 recognized religious denominations to bury, without restriction, their deceased members in cemeteries belonging to other religious groups – with the exception of Jewish and Muslim cemeteries – in localities where they do not have cemeteries of their own and there is no public cemetery. Public cemeteries must have separate sections for each recognized religion, at the request of the religious denominations that exist in the specific locality.

The government allows the 18 recognized religions to engage in a wide variety of profit-making activities, which are tax free if the income generated is used in connection with the activities a religious denomination would ordinarily undertake, including the building of churches and providing social services.

The law allows clergy from recognized religions to minister to military personnel. This includes the possibility of clergy functioning within the Ministry of Defense, Ministry of Interior, Intelligence Service, Service for External Affairs, Special Telecommunications Service, and General Directorate for Penitentiaries. Religious associations may also undertake activities in penitentiaries, subject to approval. Under various other arrangements, clergy also can enter hospitals, orphanages, and retirement homes

The law provides for the restitution of religious properties confiscated between 1940 and 1989, during World War II and the ensuing communist regime. These regimes confiscated property of both individuals and religious communities. Additionally, the Jewish community was forced to “donate” property during World War II and afterward, and, in 1948, the communist state confiscated all Greek Catholic property and transferred it to the Romanian Orthodox church and deposed the country’s Greek Catholic bishops. The Jewish community benefits from a statute to return its communal property. If a property is being used “in the public interest,” such as a school, hospital, or museum, and is returned to its previous owner, the current occupants are allowed to stay in it for 10 years after the restitution decision. This law does not address the return of Greek Catholic churches, but a separate statute permits the Greek Catholic Church to pursue court action when attempts to obtain restitution of its churches through dialogue with the Romanian Orthodox Church are unsuccessful. The government passed an ordinance in June expanding the SRC to include other government ministries,

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saying this was part of an effort to improve interagency cooperation and speed up the restitution process.

The 18 recognized religions are entitled to hold religion classes in public schools. By law, students have the right to attend religion classes in their faith irrespective of their number. For students under 18 years of age, parents must request particular religious instruction. Starting at the age of 18, students are able to request the religious instruction of their choice. Following a November 2014 constitutional court ruling declared unconstitutional the requirement that students submit a written application to opt out of religion classes; parliament changed the law in June. As of May, parents need to request religion classes for their children in writing, starting with the 2015-2016 school year. The constitution and the law also allow the establishment of state-subsidized educational institutions administered by recognized religions.

Legislation bans anti-Semitism and denial of the Holocaust, as well as certain symbols of anti-Semitic movements, and makes them punishable by fines or prison sentences of six months to five years.

The law provides for visas allowing persons conducting religious activities to remain in the country under an extended-stay visa. Visa requirements include approval by the State Secretariat for Religious Affairs and submission of evidence showing the applicants represent religious organizations legally established in the country. Such visas can be extended up to five years.

Government Practices

Religious groups reported registration requirements limited operation of minority religious groups. Religious groups also reported problems obtaining the restitution of previously confiscated properties. The Greek Catholic Church, in particular, was unable to obtain restitution of many of its churches and other properties. A number of minority religious groups were concerned about government implementation of laws regarding religious instruction in schools.

The government neither approved nor denied any applications for religious association status during the year. Since the implementation of the religion law in 2006, the State Secretariat for Religious Affairs approved the applications of 23 religious groups to register as religious associations. The government said no

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religious association had petitioned for recognition as a religion since the implementation of the law.

Many religious groups stated they viewed the membership requirements for a religious association as discriminatory because these requirements were more burdensome than for other types of associations. Religious organizations without religion status, such as the Bahais, continued to criticize as discriminatory the minimum membership requirement for acquiring religion status, as well as the three-tier system.

Bahai representatives said the number of adherents of some recognized religions was much lower than the 0.1 percent of the population required by the law and advocated amending this provision of the religion law so the required minimum number of members would be equal to that of the recognized religion with the lowest number of members. Bahai leaders stated that, because the Bahai Faith did not have formal religion status, the State Secretariat for Religious Affairs did not notify its leadership about the secretariat's consultations with recognized religions regarding proposed amendments to legislation affecting religious affairs.

In Sibiu in June and August, police fined Jehovah's Witnesses 150 lei (\$36) for distributing leaflets in the streets, which they classified as unauthorized street vending and advertising. The group challenged the fines in court; in one case, the court cancelled the fine and decided to give an admonition; two others were still pending at the end of the year.

Non-Orthodox religious groups continued to face difficulty in accessing cemeteries and in obtaining land to establish cemeteries. In Pesceana, authorities and local Romanian Orthodox priests continued to deny access to the local public cemetery to Greek Catholic priests and community members despite a 2006 court ruling allowing them access. The Orthodox Church, seeking to become the owner of the cemetery, initiated a local lawsuit in 2012. The lawsuit is ongoing. Local authorities and the Orthodox Church continued to deny the Greek Catholic Church access to the Romanian Orthodox cemetery in Sapanta. Bahai leaders emphasized the need to amend the religion law to include provisions for the burial of those who do not belong to one of the recognized religions.

Politicians, including former president Traian Basescu, criticized the government's May decision to allocate an 11,000-square-meter piece of land in Bucharest to the Muslim community for the construction of a mosque. The former president called

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the mosque “a risk to national security,” and nationalist organizations (e.g., the New Right) sponsored street protests. Media reported some criticism from these nationalist organizations came from suspicion of the motives of Turkey, which was financing the mosque and had been underwriting similar construction and renovation throughout the region.

In November parliament passed legislation granting priority to property restitution cases brought by Holocaust survivors, lowered the burden of proof for owners who were forced to “donate” their properties during World War II and the communist era and, in order to maintain continuity of ownership, recognizes existing Jewish federations as rightful “inheritors” of communal property forfeited during the Holocaust and afterward. In December the constitutional court struck down the new legislation due to a legal challenge by the president over other, unrelated parts of the legislation. The government was pursuing reintroducing the measure.

In many cases, minority religious groups such as the Greek Catholics were unable to gain restitution of confiscated properties – primarily churches and some schools – in accordance with the law. Claimants said some local authorities opposed restitution or consistently delayed providing information about claimed properties to the Special Restitution Commission (SRC) of the National Authority for Property Restitution, thereby obstructing the restitution process despite laws stipulating fines for such delays. From January 1 to September 30, the SRC approved the restitution of eight buildings to religious denominations, and rejected 604 other claims. In six cases, the SRC approved the allocation of financial compensation.

According to Greek-Catholic sources, courts delayed hearings on many restitution lawsuits filed by the Greek Catholic Church and asked the Greek Catholic Church to pay judicial fees, a requirement they said was not consistent with the law. The Orthodox Church filed appeals or change of venue requests that delayed resolution of some lawsuits. In a number of cases, courts ruled against the restitution of Greek Catholic churches, although the Greek Catholic Church had produced ownership deeds, on the grounds the Greek Catholic Church had a smaller number of adherents than did the Orthodox Church.

In May the Greek Catholic Church resumed the use of a church in the village of Crucisor, Satu Mare County, after winning a multi-year lawsuit for the right to use it.

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In June the High Court of Cassation and Justice made its final ruling in favor of the Orthodox Church in a 2009 restitution lawsuit regarding a former Greek Catholic church in Sapanta, Maramures County, on the grounds of the small number of Greek Catholic believers who would use the church. The court said the majority religion should determine the church's denomination.

Representatives of the Greek Catholic Church stated local officials continued to support the Romanian Orthodox Church in restitution cases and discriminated against the Greek Catholic Church. In Bixad, Satu Mare County, the Greek Catholic Church was unable to enforce an earlier government decision from 1992, and a final court ruling that restored to it buildings and land belonging to a former Greek-Catholic monastery there which, during communism, had been in the possession of the state. This resistance continued despite the fact that in other counties when the Greek Catholics had requested, and been granted, a change of jurisdiction in order to receive fair hearings, tribunals rejected the Orthodox Church's challenge to the ruling. The resistance included a subsequent 2013 lawsuit from the Satu Mare County Council also claiming ownership of the buildings. On December 8, a court ruled against the county council, saying the council chairman did not have the council's authorization to file the suit. The suit remains pending.

On September 16, the SRC rejected the restitution of a building housing the Batthyaneum Library and an astronomical institute to the ethnically Hungarian Roman Catholic Church in Alba Iulia, despite a 16-year-old government emergency order returning the building and a 2012 ruling by ECHR ordering the government to remedy the situation. The government said it denied the restitution request because the library was not owned by the ethnically Hungarian Roman Catholic Church at the time of the original takeover.

In May the Reformed Church filed a complaint with the ECHR regarding a November 2014 ruling of the Ploiesti Court of Appeals to renationalize a school the Church received in 2002. The Ploiesti Court also sentenced three members of the Restitution Commission to three-year suspended sentences for aggravated abuse of office against the public interest. The ruling stated the school did not belong to the Reformed Church, despite communist confiscation documents citing the Church as the owner.

The Greek Catholic Church stated local authorities did not grant construction permits for places of worship, even though there were no apparent legal grounds

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for denying them. The Greek Catholic Church attributed the delayed issuance of permits to pressure from the Orthodox Church.

Local authorities also failed to enforce court rulings restoring land to the Greek Catholic Church in Valcau de Jos, Sapanta, Poieni, Morlaca, Bologa, Salonta, and other localities. In Cordos, the local authorities did not respond to the Greek Catholic Church's request for the restitution of land.

Media alleged that the high percentage of children who opted for religion classes – more than 90 percent in the 2015-2016 school year – was the result of manipulation and pressure by the Orthodox Church and by school directors who declined to offer parents any alternatives to the classes.

Minority religious groups said the ROC was treated as the national church, although it did not formally have this status. In public speeches, some politicians and the media equated Romanian Orthodoxy with national identity, suggesting followers of other religions lacked patriotism.

According to several religious groups, all military chaplains continued to be ROC priests with the exception of one Roman Catholic priest and one pastor from the Evangelical Alliance.

Minority religious groups, including the Seventh-day Adventist Church and the Greek Catholic Church, continued to report authorities generally allowed only the ROC an active role in annual opening ceremonies at schools and other community events and, in most cases, did not invite other religious groups to attend such ceremonies. Greek Catholic priests from Transylvania continued to report they were never invited to official local events.

The Bucharest Court of Appeals, on May 4, upheld a Bucharest Tribunal Court ruling disbanding the All for the Country political party, reportedly because of its pro-fascist doctrine and its use of symbols from the Legionnaire Movement, an ultra-nationalist, anti-Semitic movement that was in power in 1940-41 and a major participant in the killings of Romanian Jews. The ruling was final.

The government continued to implement the recommendations of the International Commission on the Holocaust in Romania (Wiesel Commission) Report and to cooperate with the United States Holocaust Memorial Museum (USHMM) in promoting Holocaust education in school curricula. The Ministry of Education

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provided written materials and maintained a website with a guide for teaching about the Holocaust. The government commemorated National Holocaust Remembrance Day in October with a series of events organized by the government-established Elie Wiesel National Institute for the Study of the Holocaust in Romania (Wiesel Institute), including a wreath-laying ceremony at the Holocaust Memorial in Bucharest. Participants and speakers included the president, the president of the parliament's chamber of deputies, and the president of the Knesset. Some schools nationwide also commemorated National Holocaust Remembrance Day.

The government included teaching about the Holocaust in history courses in the seventh, eighth, 10th, and 12th grades. During the 2015-16 school year, 110 high school classes – out of a total of 1,576 throughout the country – opted for the optional course History of the Jews – The Holocaust. The Ministry of Education sponsored national and international seminars on teaching Holocaust history, as well as a national school competition on The Memory of the Holocaust, and provided additional educational resources to combat anti-Semitism. On February 13 and 14, the Wiesel Institute and the teaching staff in Bacau sponsored a training course on teaching the Holocaust in schools. In October the Wiesel Institute and the Friedrich Ebert Foundation sponsored a seminar, “Toward an Active Democracy – Against Right-Wing Extremism,” in Predeal.

In June parliament amended the law banning Holocaust denial and anti-Semitism to prohibit symbols of the Legionnaire Movement, or its paramilitary arm, the Iron Guard.

The government is a member of the International Holocaust Remembrance Alliance.

In January President Klaus Iohannis awarded the National Order of Faithful Service to seven Holocaust survivors from Romania for their suffering in the Nazi camps at Auschwitz-Birkenau.

Section III. Status of Societal Respect for Religious Freedom

The Greek Catholic Church continued to report that in many localities, particularly in rural areas, ROC priests harassed and intimidated its members and encouraged ROC members to threaten them in order to prevent people from joining the Greek Catholic Church. For example, Orthodox priests banned access to cemeteries, and

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Greek Catholic leaders requested police escorts while leaving their churches after Orthodox followers learned the churches had been given back to the Catholics.

Although the law allowed religious groups access to cemeteries belonging to other churches, members of some minority religious groups, including the Greek Catholic Church and the Seventh-day Adventist Church, reported Orthodox priests would not allow the burial of non-Orthodox deceased in denominational or public cemeteries unless the burials took place in isolated sections of the cemetery or Orthodox religious services were used in the burials. In October a Greek Catholic was buried in the garden of her house, following an Orthodox priest's refusal to allow the burial in the public cemetery in the village of Garceiu unless the family paid a 1,000 lei (\$240) fee.

In many rural localities with two churches, where at least one of them had been Greek Catholic before communist era confiscation, Greek Catholics reported the Orthodox Church did not allow the Greek Catholic Church to use either place of worship. Lack of access to Greek Catholics was also a problem in Corus, Cluj County, and Starciu, Salaj County.

Greek Catholic priests said the Orthodox Church continued to destroy, or modify for ROC use, former Greek Catholic churches the government had given to it in the late 1940s, including in Sapanta, Salonta, and Somcuta Mare. For example, in Somcuta Mare in March, according to the Greek Catholic Church, while saying it was renovating a former Greek Catholic church, the Orthodox Church destroyed all its Greek Catholic features. The ownership of these churches was still under dispute at the time the modifications were made.

In the village of Vintere, Bihor County, Orthodox and Greek Catholic priests alternated religious services in the former Greek Catholic church. Greek Catholics reported tensions between the two communities had decreased.

According to members of the Greek Catholic Church, Orthodox priests did not allow church bells to toll for deceased Greek Catholics.

The Seventh-day Adventist Church stated universities such as the Technical University in Iasi, the Lower Danube University in Galati, and the Pharmacy Faculty in Iasi, scheduled exams on Saturday without providing the option for Seventh-day students – for whom Saturday is the Sabbath – to take the exam on another day.

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Extreme-right and pro-Legionnaire organizations heavily criticized the new law banning pro-Legionnaire symbols. The law was contested in more mainstream circles as well.

The NGO Center for Monitoring and Combating Anti-Semitism in Romania and the Wiesel Institute noted instances of participants in television talk shows and in internet discussions expressing anti-Semitic views and attitudes. They continued to urge authorities to enforce existing legislation against anti-Semitism. Printed and online publications linked to organizations such as the Greater Romania Party, published anti-Semitic articles. The New Right organization and similar organizations and associations promoted the ideas of the Iron Guard in the media and on the internet. These ideas included: statements that the country was being transformed into a Jewish-American military base via plans by the Jewish community, an American financier, and Prince Charles; statements that the Holocaust never existed; and condemnations of the father of the Wiesel Institute's director for being a "Stalinist ideologue."

Organizations such as the New Right organization, the Professor George Manu Foundation, the Legionnaire Movement, and the All for the Country Party, held public events with anti-Semitic themes and continued to sponsor religious services, symposia, and marches commemorating leaders of the Legionnaire Movement such as Horia Sima and Corneliu Zelea Codreanu. Such events took place in Tiganesti, Tancabesti, Predeal, Targu Ocna, Aiud, Fetea, Bucharest, and other localities. Participation was limited.

State and private media reports often mentioned the minority religious affiliations of people who had committed criminal acts.

According to Seventh-day Adventist Church reports, unidentified individuals vandalized Adventist graves in the village of Bucsesti in August. Adventist sources also stated the Orthodox priest in the locality of Iacobeni incited the population and the police against the Adventist Church's Bible school that same month.

The teens reportedly admitted to the vandalism. According to Jewish community sources, their possible involvement was under investigation. Neither case had been resolved as of year's end.

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In August an individual buried two frozen piglets on the grounds of a future mosque in Bucharest and later released six piglets painted in the red-blue-yellow of the Romanian flag to graze on the same site. In September a group of people, including Orthodox priests, planted a cross, then 100 crosses, and later 500 crosses on the same site. The country's mufti expressed disappointment at the acts and the head of the ROC condemned them. Police questioned some of the protestors but made no arrests, stating they could not do anything, as no formal complaint had been filed.

Section IV. U.S. Government Policy

U.S. embassy officials continued to raise concerns with the government about the slow pace of religious property restitution, particularly properties belonging to Holocaust survivors and the Greek Catholic and ethnic Hungarian Roman Catholic Churches. Embassy representatives and visiting U.S. government officials continued to discuss with government officials – including the president of the Chamber of Deputies, the prime minister's advisor, and the head of the country's property restitution agency – 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.

Embassy representatives and visiting State Department officials met regularly with leaders of the Greek Catholic Church to discuss ROC-Greek Catholic relations, incidents of local discrimination, and relations with the national and local governments. Embassy officials met regularly with Muslim and Jewish community leaders to discuss ways of promoting tolerance and curbing anti-religious sentiment.

The Special Envoy for Holocaust Issues raised with government officials the issue of restitution of Jewish communal property in general and the restitution of properties of Holocaust survivors in particular. In an interview with the *Romania Libera* daily, the Special Envoy highlighted the slow pace of property restitution, particularly regarding property of the Greek Catholic Church.

In January the embassy provided a grant for the Bucharest Holocaust Film Festival to commemorate International Holocaust Remembrance Day. On February 13, an embassy official led a training course in Bacau regarding the teaching of the Holocaust in schools with a presentation on the "History of Anti-Semitism in the United States."

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An embassy official delivered a presentation on anti-Semitism at a program organized by the Wiesel Institute and other international bodies in Surduc. To celebrate the tenth anniversary of the Wiesel Institute on November 12 and 13, the embassy funded a roundtable and a debate on the impact of educational programs focusing on discrimination and intolerance, including anti-Semitism, during the previous decade.

The embassy supported the activities of the U.S. Holocaust Memorial Museum in its efforts to access the Romanian National Archives and to further Holocaust education by making arrangements for the meetings of museum representatives with government officials.