

Romanian (42)



U.S. DEPARTMENT of STATE

88

Romania

International Religious Freedom Report 2002

Released by the Bureau of Democracy, Human Rights, and Labor

The Constitution provides for religious freedom; while the Government generally respects this right in practice, there are some restrictions, and several minority religious groups continued to claim credibly that low-level government officials impeded their efforts at proselytizing, as well as interfered with other religious activities.

There was no overall change in the status of respect for religious freedom during the period covered by this report. Government registration and recognition requirements still pose obstacles to minority religions. In May 2002, the Government decided to enforce a 2000 Supreme Court ruling requiring that Jehovah's Witnesses be recognized as an official religion; however, the Government did not complete this process by the end of the period covered by this report. Despite initial fears, regulations introduced in May 2001 that governed the construction of places of worship did not increase difficulties for non-Orthodox religions in obtaining construction permits. Most minority religions declared that the process was smooth, although a few encountered lengthy delays. The Government has made no further effort to adopt a new law regulating religions and there are no prospects for the submission of such a draft law to Parliament before 2003. In June 2002, Parliament passed a law restituting church property held by the State. The law does not address churches that belonged previously to the Greek Catholic Church and now are held by the Orthodox Church.

There are generally amicable relations among the different religious groups; however, the Romanian Orthodox Church has shown some hostility toward non-Orthodox religious churches and criticized the "aggressive proselytizing" of Protestant, neo-Protestant, and other religious groups, which the Church repeatedly has described as "sects." The Orthodox Church continues to oppose the return of the Greek Catholic churches it had received from the State after the dismantling of the Greek Catholic Church by the Communists in 1948.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Embassy met with the Government and religious leaders to encourage respect for religious freedom and urged the restitution of religious property seized under the Communists.

Section I. Religious Demography

The country has a total area of approximately 91,799 square miles, and its population is approximately 22.4 million.

The Romanian Orthodox Church is the predominant religion in the country. The Government officially recognizes 15 religions: the Romanian Orthodox Church, the Roman Catholic Church, the Greek Catholic Church, the Old Rite Christian Church, the Reformed (Protestant) Church, the Christian Evangelical Church, the Evangelical Augustinian Church, the Lutheran Evangelical Church-Synod Presbyterian, the Unitarian Church, the Baptist Church, the Pentecostal Church, the Seventh-Day Adventist Church, the Armenian Church, Judaism, and Islam. However, members of other faiths worship freely. The latest available official figures on the number of believers of the recognized religious denominations date from the 1992 census. A new population census was conducted in March 2002; however, the final results are not expected to be available until March 2003.

According to the 1992 census, the Romanian Orthodox Church had 19,802,389 members (86.8 percent of the population) including approximately 26,000 Serbs and 53,000 Ukrainians. The Roman Catholic Church had 1,161,942 members. The Catholic Church of Byzantine Rite (Greek Catholics or Uniates) had 223,327 members. This figure is disputed by the Greek Catholic Church, which claims that the census was taken in an atmosphere of intimidation that discouraged Greek Catholics from declaring themselves as such. The Greek Catholic Church estimated in 1999 that its adherents number close to 750,000 members. (Greek Catholics were former members of the Romanian Orthodox Church who accepted the four principles that were required for union with the Roman Catholic Church in 1697, but continue to observe Orthodox festivals and many Orthodox traditions). The Old Rite Christian Church had 28,141 members (of whom 3,711 are ethnic Romanians and 24,016 are ethnic Lippovans/Russians). The Protestant Reformed Church had 802,454 members (of whom 765,370 are ethnic Hungarians). The Christian Evangelical Church had 49,963 members. The Evangelical Augustinian Church had 39,119 members (including 3,660 Romanians and 27,313 ethnic Germans). The Lutheran Evangelical Church Synod-Presbyterian had 21,221 members (including 12,842 ethnic Hungarians). The Unitarian Church of Romania had 76,708 members. The Baptist Church had 109,462

members. The Apostolic Church of God (Pentecostal Church) had 220,824 members (400,000, according to the Pentecostals). The Seventh-Day Christian Adventist Church had 77,546 members. The Armenian Church had 2,023 members. There were 9,670 Jews, according to the 1992 census (the Jewish Community Federation states that there are approximately 12,000 members). Muslims numbered 55,928. According to the same census, the number of atheists was 10,331. There were 24,314 persons who do not have any religious affiliation and 8,137 persons who did not declare any religious affiliation.

According to the State Secretariat for Religious Denominations, most religions have followers dispersed throughout the country, although a few religious communities are concentrated in particular regions. Old Rite members (Lippovans) are located in Moldavia and Dobrogea. Most Muslims are located in the southeastern part of the country in Dobrogea (near Bulgaria and the coast). Most Greek Catholics are in Transylvania but there are also Greek Catholics in Moldavia. Protestant and Catholic believers tend to be in Transylvania, but many also are located around Bacau. Orthodox or Greek Catholic ethnic Ukrainians are mostly in the northwestern part of the country. Orthodox ethnic Serbs are in Banat. Armenians are in Moldavia and the south.

According to published sources, the Baha'i Faith, the Family (God's Children), the Church of Jesus Christ of Latter-Day Saints (Mormons), the Unification Church; the Methodist Church, Jehovah's Witnesses, the Presbyterian Church, Transcendental Meditation, Hare Krishna, and Zen Buddhism are active denominations in the country.

According to a nationwide poll conducted in November/December 2001, 1 percent of those polled said they go to church on a daily basis; 10 percent of those polled said that they go to church several times per week; 35 percent claim to go several times per month; 38 percent attend services once a month or less; and 15 percent do not go to church at all. The same poll shows that 88 percent of citizens say that church is the institution they trust most.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for religious freedom, and the Government generally respects this right in practice; however, laws and decrees give the Government considerable potential control over religious life. Government registration and recognition requirements still pose obstacles to minority religions. Several minority religious groups continued to claim credibly that low-level government officials and the Romanian Orthodox clergy impeded their efforts at proselytizing, as well as interfered with other religious activities.

A Communist era decree, number 177 of 1948, remains the basic law governing religious denominations. It allows considerable state control over religious life. Technically almost none of the articles of this law have been abrogated formally; however, according to the State Secretariat for Religious Denominations, a large number of its articles have been nullified in practice by the Constitution and a series of governmental decrees. Although several religious denominations and religious associations confirmed that articles stipulating the State's interference with or control over religious life and activities have not been enforced, such provisions still exist in the law.

The Government requires religious groups to register. To be recognized as a religion, religious groups must register with the State Secretariat for Religious Denominations and present their statutes, organizational, leadership, and management diagrams, and the body of dogma and doctrines formally stated by a religion. The Government has refused to recognize a number of religious groups, and no religious group has received status as a religion since 1990. In March 2000, the Supreme Court ordered that Jehovah's witnesses be recognized. While the Government was slow to issue an administrative act to enforce this court order, in May 2002, it promised it would do so by June. However, during the period covered by this report, the process was not completed.

Under the provisions of Decree 177 of 1948, the Government recognized 14 religions. In addition to this, a 1989 decree reestablished the Greek Catholic Church as a recognized religion. The Greek Catholics had been forced to merge with the Romanian Orthodox Church by another Communist decree in 1948. Only the clergy of these 15 recognized religions are eligible to receive state support. Recognized religions have the right to establish schools, teach religion in public schools, receive government funds to build churches, pay clergy salaries with state funds and subsidize clergy's housing expenses, broadcast religious programming on radio and television, apply for broadcasting licenses for denominational frequencies, and enjoy tax-exempt status.

The Government registers religious groups that it does not recognize either as religious and charitable foundations or as cultural associations. The State Secretariat for Religious Denominations reported that it licensed 622 religious and charitable foundations, as well as cultural organizations, under Law 21 of 1924 on Juridical Entities, thereby entitling them to juridical status as well as to exemptions from income and customs taxes.

A government decree (26 of 2000) on associations and foundations became effective in May 2000, abrogating Law 21 of 1924. The new law eliminates, at least in theory, the bureaucratic obstacles in the registration process, which religious groups repeatedly criticized as arbitrary and time-consuming. It also removes the minimum requirement of members needed to establish religious associations and foundations. The State Secretariat for Religious Denominations reported in May 2002 that 11 new

religious associations have been registered since May 2001. However, the figure may be larger, since, according to the new law, religious associations no longer need the State Secretariat's approval in order to be registered.

The number of adherents that each religion had in the 1992 census determines the proportion of the budget each recognized religion receives. The Romanian Orthodox religion receives the largest share of governmental financial support. In addition, Orthodox religious leaders generally preside over state occasions. In 2001 the Government allocated funds amounting to almost \$1.67 million (48,581 million lei) to the Orthodox Church, approximately \$50,000 (1,455 million lei) to the Roman Catholic Church, close to \$32,000 (930 million lei) to the Greek Catholic Church, and approximately \$44,000 (1,285 million lei) to the Reformed Church, for the construction and repair of churches.

According to the State Secretariat for Religious Denominations, missionaries who enter the country as tourists may renew their residence permits without special formalities. They require only a formal letter of request from the religious group for which they work. The State Secretariat for Religious Denominations reported that approximately 2,154 missionaries received visa extensions in 2001 and that approximately 700 renewed their visas in the first 4 months of 2002. Most religious groups state that they have not had any problems other than minor bureaucratic delays in getting residence permit extensions for their missionaries. Six-month extensions are available for all categories. There are penalties for any foreigner who stays without a visa, but such penalties do not appear to be linked to religious activities.

The regulations issued by the Government in May 2001 for the organization and operation of the commission in charge of granting approvals for the construction of places of worship defines these as "buildings such as churches, houses of prayer, temples, mosques, synagogues, houses of assembly, etc., used by religious denominations, religious associations and foundations for their specific religious services." However, there are other provisions in these regulations that could make it more difficult for minority (non-Orthodox, whether recognized or unrecognized) religious groups to get such approvals. The commission that approves such permits consists of 11 permanent members. Of the 15 recognized religions, only the Orthodox Church has members on this commission, which also includes government officials and technical experts. In addition, to the technical aspects of building a church, the commission is entitled to decide on the "opportune-ness" of building the place of worship, and whether the construction is in line with the specific dogma, doctrines, and statutes of the religion in question. There were no reports that the commission denied any applications; however, there were reports of lengthy delays.

In February 2001, the Government circulated for comment to the 15 recognized religions an old draft law on religious denominations, which had been withdrawn in 2000 by the previous government under domestic and international pressure for being undemocratic and overly restrictive of the freedom of religion. The draft law would have imposed tough conditions on the registration of religious denominations and religious groups (including a membership of 1/2 of 1 percent of the country's population—over 100,000 persons), strengthened the powers of the State Secretary for Religious Denominations, and declared the Orthodox Church to be the national church. Following renewed criticism, the draft law was put on hold. The State Secretariat for Religious Denominations is analyzing comments from the 15 recognized religions on the draft law. The Government plans to distribute a new draft law, incorporating these comments, back to religious denominations for more comment at the end of 2002 or the beginning of 2003. The Government also plans to have the draft reviewed by international organizations such as the Council of Europe. Government officials expect the bill to be submitted to Parliament some time in spring or summer 2003. However, minority religions are less optimistic due to the ongoing Greek Catholic-Orthodox tensions and pressure by the Orthodox Church to be declared the national church.

Minority religious groups assert that they have found central government and parliamentary officials more cooperative than local officials. They specifically reported that relations with the State Secretariat for Religious Denominations have continued to improve.

The State Secretariat for Religious Denominations has been moved from the Prime Minister's office to the Ministry of Culture; independent observers believe the move indicates a reduction in the Secretariat's influence. There have been no complaints regarding the reestablishment of the position of local Inspector for Culture and Religious Denominations in the counties.

Following a 1999 Supreme Court ruling, the Ministry of Education no longer requires Adventist students to come to school or take exams on Saturdays. However, according to Adventist reports, this is not observed universally; for example, Adventist students still have been called to exams on Saturdays at the Police Officer Academy.

The Baptist and Roman Catholic Churches raised concerns that the Government wanted to transfer "irrevocably and for good" the church property used to endow private church-run universities to the national education system. At the end of June 2002, the lower chamber of Parliament amended decrees of October 2001 establishing the Catholic and Baptist universities to make it clear that the property would be returned to the churches if the religious universities closed for any reason. As the Senate had adopted the decrees without amendment, a conference committee is expected to adopt these amendments for final passage in the fall session of Parliament.

During the period covered by this report, the State Secretariat for Religious Denominations, along with religious denominations and local authorities, sponsored approximately 10 seminars and symposia on the role of religious denominations in assisting child protection (in Bucharest, in July 2001), on

ecumenism (in Calarasi County), on the relationship between the state and religious denominations (in 8 counties), and an international seminar on the state and religious denominations (in Cluj, in May 2002). In addition, the State Secretariat for Religious Denominations organized and played the role of mediator in a meeting of the Orthodox and Greek Catholic Churches in Bucharest on April 5, 2002.

Christmas and the Orthodox Easter are national holidays, but this does not appear to affect any of the other religious groups. Members of the other recognized religions that celebrate Easter are entitled by law to have an additional holiday. Religious leaders occasionally play a role in politics. In particular, many Orthodox leaders make public appearances alongside prominent political figures on various occasions.

Most mainstream politicians have criticized anti-Semitism, racism, and xenophobia publicly. At an international symposium on this issue, President Ion Iliescu, Prime Minister Adrian Nastase, and several members of the cabinet (the Minister of Foreign Affairs, the Minister of Culture and Religious Denominations, and others) made public statements on various occasions against extremism, anti-Semitism, and xenophobia and criticized attempts to deny the Holocaust in the country and to rehabilitate WWII dictator and executed war criminal Marshal Ion Antonescu. In March 2002, a course in the history of the Holocaust was included among subjects to be studied at the National War College. During the same month, the Government issued two decrees aimed at anti-Semitism. On March 13, the Government issued Decree 31 which bans fascist, racist, or xenophobic organizations and symbols and prohibits fostering the cult of personality of war criminals. Decree 36, which was issued on March 21, protects Jewish cemeteries and synagogues. In accordance with ordinance 31, three statues of Antonescu located on public land (in Piatra Neamt, Slobozia and Letcani) were taken down at the end of March and in the first half of April. A Marshal Ion Antonescu square in Piatra Neamt was renamed at the end of April. The Minister of Culture and Religious Denominations announced that the Government planned to inaugurate a memorial of the Holocaust in Targu; however, this had not occurred by the end of the period covered by this report.

Restrictions on Religious Freedom

Although protected by law, several minority religious groups, which include both recognized and unrecognized religions, made credible complaints that low-level government officials and Romanian Orthodox clergy impeded their efforts to proselytize, interfered in religious activities, and otherwise discriminated against them during the period covered by this report. Due to its substantial influence, few politicians sponsor bills and measures that would oppose the Orthodox Church. Local officials tend to be tolerant but often are pressured and intimidated by the Orthodox clergy. According to one official of the State Secretariat for Religious Denominations, such cases are caused by personal feuds at the local level and overly aggressive attitudes by minority religious groups toward the Orthodox Church. In some instances, local police and administrative authorities tacitly supported, at times violent, societal campaigns against proselytizing (see Section III). There is no law against proselytizing, nor is there a clear understanding by the authorities of what activities constitute proselytizing.

The Government has not granted any religious group status as a religion since 1990. Representatives of religious groups that sought recognition after 1990 allege that the registration process was arbitrary and unduly influenced by the Romanian Orthodox Church, and that they did not receive clear instructions concerning the requirements. The Organization of the Orthodox Believers of Old Rite, Jehovah's Witnesses, the Adventist Movement for Reform, the Baha'i Faith, and the (Mormons) are some of the religious groups that have tried unsuccessfully to register as religions. The Baha'i Faith stated that it has never received an answer to its repeated requests to be registered as a religious denomination. Despite a Supreme Court Ruling in March 2000 calling on the State Secretariat for Religious Denominations to issue an administrative document recognizing Jehovah's Witnesses, this religious group consistently has been denied religion status. On May 14, 2002, the State Secretary for Religious Denominations told members of Jehovah's Witnesses that the Ministry of Culture and Religious Denominations was drafting the administrative document in question and that the process would be completed by the end of June; however, it had not yet been completed by the end of the period covered by this report.

One explanation given by the State Secretariat for Religious Denominations for a failure to register new religions was that recognition requires a decree issued by the Presidium of the Grand National Assembly, a Communist era institution that no longer exists. Since no new legislation has been passed in this regard, the State Secretariat stated that the registration of any new religion is not possible. While this appears to have been overtaken by the Supreme Court's demand that Jehovah's Witnesses be recognized, the confusing set of laws governing recognition appears to have impeded the process.

Unrecognized religions receive no financial support from the State, other than limited tax and import duty exemptions, and are not permitted to engage in profit-making activities. As of May 2001, religious groups registered as foundations or charitable organizations are allowed to rent or build office space only; they were not permitted to build churches or other buildings designated as houses of worship.

Representatives of minority religious groups dispute the 1992 census results and claimed that census takers in some cases simply assigned an affiliation without inquiring about religious affiliation. Religious minorities also made credible complaints about irregularities during the 2002 census, including failures by census-takers to ask for religious affiliation; census-takers who did not know or refused to write down the appropriate code for a minority religion, who suggested the answer to the question on religious affiliation, and who tried to influence the answers. The Greek Catholic Church, the Catholic Church, and the Baha'i Faith complained about such irregularities.

In addition, representatives of several minority religious groups complain that allocation of off-budget funds (special funds maintained by the Government for use in cases of emergency) is biased towards the Romanian Orthodox Church. For example, minority religious groups complained that Orthodox churches were built in areas without Orthodox believers. In 2001 off-budget funds amounting to approximately \$3,380 million (98,284 million lei) were granted to the Orthodox Church by government decisions. Except for the Roman-Catholic Church, which received some \$69,000 (2,000 million lei), none of the other religious denominations received any off-budget funds in 2001. According to the State Secretariat for Religious Denominations, off-budget funds are distributed depending on the needs of the various religious denominations.

In May 2001, the Government instituted new regulations for the commission. While these new regulations no longer differentiate between recognized religions and unrecognized religions in terms of the types of places of worship that can be built, they include provisions that could make approvals more difficult to obtain. For example, the commission is entitled to decide on the "opportuneness" of building the place of worship. While most minority religions reported that they had received permits to build places of worship without any difficulty, some of them made credible complaints that these regulations generated delays in the process. According to Baptist reports, although this Church's requests for permits were approved at central level, its intention to build places of prayer have been obstructed at the local level in Slobozia-Arges County, Bucharest, and Sighetu Marmatiei-Maramures County.

In 2001 the Commission approved 259 applications for the construction of places of worship, rejected 62 such applications, and asked 20 other applicants for additional data to document their cases. Of the 259 permits, 157 were granted to the Orthodox Church, 7 to the Catholic Church, 28 to the Greek Catholic Church, 1 to the Reformed Church, 22 to the Baptist Church, 15 to the Pentecostal Church, 8 to the Seventh-Day Adventist Church, 5 to Jehovah's Witnesses, and the rest to other religions.

The law does not prohibit or punish assembly for peaceful religious activities. However, several different minority religious groups complained that on various occasions, local authorities and Orthodox priests prevented religious activities from taking place, even when the groups had been issued permits. The Evangelical Alliance reported difficulties in getting approvals to use public halls for religious activities following negative press campaigns terming them "neo-Protestant religious sects." Even when the Church could obtain permission, Orthodox priests incited the local population against activities sponsored by the Adventist Church (in Probata-Iasi County) and by the Evangelical Alliance (in Niculitel-Tulcea County). In Probata the intervention of local authorities resolved the issue. After the incident in Niculitel, the local press accused the Evangelical Alliance of involvement in the desecration of the local Orthodox cemetery. There was no report of the Alliance's call for a police investigation to identify the actual perpetrators. The Evangelical Alliance also believes that, after the incident in Niculitel, local authorities were ordered not to rent public halls to this religious group.

The Government permits, but does not require, religious instruction in public schools. Attendance at the classes is optional. Only the 15 recognized religions are entitled to hold religion classes in public schools. While the law permits instruction according to the faith of students' parents, minority recognized religious groups complain that they have been unable to have classes offered in their faith in public schools. According to minority religious groups, this happens mostly because the local inspectors for religion classes are Orthodox priests who deny accreditation to teachers of other religions. The Baptist Church reported that it has been denied access to teach religion in some schools, including in Grozesti-Mehedinti County. Religious teachers are permitted to instruct only students of the same religious faith. However, minority religious groups credibly asserted that there were cases of children pressured to attend classes of Orthodox religion. The Jehovah's Witnesses Association reported one case in Hunedoara (Hunedoara County) where a child member was subject to the threat of not graduating unless she attended the Orthodox religion classes.

Only the 15 recognized religions are entitled to give religious assistance to prisoners. Minority recognized religious groups complained that Orthodox priests denied them access to some penitentiaries. Since the State Secretariat for Religious Denominations has failed to issue an administrative decree to grant the Jehovah's Witnesses recognized status, they also have been denied access to prisons.

Law 195 of November 2000 entitles the 15 recognized religions to have military clergy trained to render religious assistance to conscripts. However, according to minority religions, with the exception of two representatives of the Catholic Church and the Evangelical Alliance, the military clergy is comprised only of Orthodox priests. As a non-recognized religion, ordained ministers of Jehovah's Witnesses are not exempted from alternate military service, as ordained ministers from recognized religions are. Furthermore, according to the group's doctrine, all members are considered to be ordained ministers. Fourteen such ministers have received suspended court sentences in the past. Despite a Supreme Court ruling of October 2001 that in essence decreed that not serving alternate military service is not a crime, the fourteen ministers still have criminal records. They have asked the Prosecutor General to recognize the Supreme Court ruling, a normal legal procedure, and clear their records. This had not happened by the end of the period covered by this report. Members of Jehovah's Witnesses also have difficulty burying their dead in some areas where there are only denominational cemeteries, in Homorod and Horghiz (Brasov County).

In June 2002, the Parliament passed a law restituting large numbers of religious properties confiscated by the Communist regime. Some religious or communal property had already been returned to former owners as a result of government decrees, or with the agreement of local religious leaders. The center-right government in office between 1996 and 2000 issued 4 decrees and a government decision, which

resulted in the restitution of 100 buildings to religious and national minorities. An October 2000 government decree created a commission to consider a list of properties submitted by churches under Decree 94 of 2000. According to this decree, both the Hungarian churches and the Greek Catholic Church would have received buildings. However, following the election of a new Government in 2000, implementation of this decree was halted, and no properties actually have been restituted under the provisions of Decree 94 of 2000. Decree 94/2000 subsequently became the basis of legislation that did return church property.

In many cases religious minorities have not succeeded in regaining actual possession of the properties despite restitution by these decrees. Many properties returned by decree house state offices, schools, hospitals, or cultural institutions that would require relocation, and lawsuits and protests by current possessors have delayed restitution of the property to the rightful owners.

Law 10 of 2001 on nationalized buildings, passed in January 2001, specified that a different law was to address the restitution of communal property. According to a protocol of cooperation signed by the Social Democratic Party with unofficial coalition partner the Hungarian based Democratic Union of Romanian Magyars, a law on the restitution of religious property was to be drafted by April 30, 2002. After some discussion, the two parties agreed that instead of drafting a new bill, they would expedite the process by amending Decree 94/2000, which was being debated in Parliament. Decrees are law until ratified, amended, or nullified by Parliament. Decree 94/2000 has passed the lower house of the legislature, the Chamber of Deputies. The Senate amended 94/2000, and a conference committee accepted the Senate's amendments. Both houses adopted the conference report at the end of June. The final version is expected to reconstitute all church properties. The buildings used by public institutions (such as museums, schools, and hospitals) are to remain in their hands for a period of 5 years, during which time they are to pay rent to the churches. The majority of church properties belong to this category. However, this law does not address the distinctive and sensitive issue of the Greek Catholic churches.

In February 2002, the Orthodox Patriarch in a letter to the Minister of Justice described court rulings in favor of returning Greek Catholic Churches now in the hands of the Orthodox Church as "illegal and abusive" and stated that decisions on such cases should be made only by the joint Orthodox-Greek Catholic committee. The Minister of Justice distributed the letter to all Courts of Appeal asking for its careful consideration.

In early June, 2002, the Pope called for the restitution of the Catholic Church properties during a meeting with the Romanian Ambassador to the Vatican. The authorities interpreted the appeal as not referring to the Greek Catholic Church. In order to clarify this issue, on June 14, 2003 the Greek Catholic Archbishop addressed an open letter to the Romanian President, emphasizing that the Pope, by mentioning the "joint committee of dialogue," obviously had meant the Greek Catholic Church. The letter called for a law to reconstitute the churches of this denomination.

The Greek Catholic Church was the second largest denomination (approximately 1.5 million adherents out of a population of approximately 15 million) in 1948 when Communist authorities outlawed it and dictated its forced merger with the Romanian Orthodox Church. At the time of its banning, the Greek Catholic Church owned over 2,600 churches, which were confiscated by the State and then given to the Orthodox Church, along with other facilities. Other properties of the Greek Catholic Church, such as buildings and agricultural land, became state property.

According to the State Secretariat for Religious Denominations, the Greek Catholic Church has received 150 of the churches transferred by the Communists to the Orthodox Church; the Greek Catholics claim that they have received only 143 such properties. The Greek Catholic Church has very few places of worship. Many followers still are compelled to hold services in public places (approximately 285 cases, according to Greek Catholic reports) or in parks (4 cases, in Baia Mare, Satu Mare, Sangeorzul Nou, and Rosia Montana, according to the same reports.) In 1992 the Government adopted a decree that listed 80 properties owned by the Greek Catholic Church to be returned. Between 60 and 65 of them had been returned by the end of the period covered by this report. In some cases, Orthodox priests whose families had been Greek Catholics converted back to Greek Catholicism and brought their parishes and churches back with them to the Greek Catholic Church. In several counties, in particular in Transylvania, local Orthodox leaders have given up smaller country churches voluntarily. For example, in the Diocese of Lugoj in the southwestern part of the country, local Orthodox Church representatives have reached agreement on the return of an estimated 160 churches; however, for the most part Orthodox leaders have refused to return to the Greek Catholics those churches that they acquired during the Communist era. Since July 2001, the Greek Catholic Church has recovered only two or three churches. Since 1990 the Greek Catholic Church has received back an estimated 8.5 percent of its churches, 2.4 percent of the parish houses, 3.9 percent of other confiscated buildings, 2.4 percent of the agricultural land, and 12.3 percent of the forestland. Orthodox Archbishop of Timisoara, Nicolae Comeanu, was responsible for returning approximately 50 churches, including the cathedral in Lugoj, to the Greek Catholic Church. However, due to his actions, the Orthodox Holy Synod marginalized Archbishop Comeanu, and his fellow clergymen criticized him.

A 1990 government decree called for the creation of a joint Orthodox and Greek Catholic committee at the national level to decide the fate of churches that had belonged to the Greek Catholic Church before 1948. However, the Government has not enforced this decree, and the Orthodox Church consistently has resisted efforts to resolve the issue in that forum. The committee did not meet until 1998, had three meetings in 1999, met once in 2000, and one more time in 2001. The courts generally refuse to consider Greek Catholic lawsuits seeking restitution, citing the 1990 decree establishing the joint committee to resolve the issue. From the initial property list of 2,600 seized properties, the Greek Catholic Church has reduced the number of churches that it is asking to be returned to fewer than 300. Only six churches

have been restituted as the result of the joint committee's meetings. Restitution of the existing churches is important to both sides because local residents are likely to attend the church whether it is Greek Catholic or Orthodox. Thus the number of members and share of the state budget allocation for religions is at stake. At the most recent meeting of the joint committee on September 27, 2001, the Orthodox Church called on the Greek Catholic Church to give up all lawsuits on restitution claims in order to resolve them by dialog. The Greek Catholic Church in turn has reiterated its core claim: The restitution of its former cathedrals and district churches, and the return of one church in localities where there are two churches and one of them had belonged to the Greek Catholics (or at least to hold the religious service in turns). The next meeting of the national joint committee is scheduled for September 2002. Despite the stated desire for dialog, the Orthodox Church has demolished Greek Catholic churches under various pretexts. For example, Greek Catholic churches (some of them being historical monuments) were demolished in Vadu Izei (Maramures County), Baisoara (Cluj County), Smig (Sibiu County), Trittenii de Jos (Cluj County), and Craiova (Dolj County). Other churches are threatened with demolition in Ungheni (Mures County) and Urca (Cluj County). The church of a famous Greek Catholic Monastery of Nicula (Cluj County) is in a similar situation. Following increasing tensions in some localities, the Ministry of Culture and Religious Denominations called and mediated a meeting of the two churches on April 5, 2002. The Minister of Culture announced at the meeting the Government's intention to help the Greek Catholic Church build 50 wooden churches, a solution that does not fully satisfy Greek Catholic Church claims.

In February 2002, the Orthodox Patriarch in a letter to the Minister of Justice described court rulings in favor of the Greek Catholic Church as "illegal" and "abusive" and stated that decisions on such cases should be made only by the joint Orthodox-Greek Catholic committee. The Minister of Justice distributed the letter to all Courts of Appeal and asked for its careful consideration.

The historical Hungarian churches, including the Roman Catholic as well as the Protestant churches (Reformed, Evangelical, and Unitarian), have received a small number of their properties back from the Government. Churches from these denominations were closed but not seized by the Communist regimes. However, the Communist regimes confiscated many of these groups' secular properties, which still are used for public schools, museums, libraries, post offices, and student dormitories.

Approximately 80 percent of the buildings confiscated from the Hungarian churches are used "in public interest." Of the 1,791 buildings reclaimed by the Hungarian churches, 113 buildings were restituted by government decrees. Of these 113, 80 should have been restituted according to government Decree 94 of 2000. Of the remaining 33, the Hungarian churches could take full or at least partial possession of only 18 buildings. Restitution of the remainder has been delayed due to lawsuits or opposition from current possessors. For example, restitution under Decree 13 of 1998 of the Roman-Catholic Bishop's Palace in Oradea and the Batthyanaeum Library (which had also belonged to the Roman Catholic Church) has been delayed by lawsuits. In addition, the Minister of Culture and Religious Denominations has stated that he is opposed to their restitution, irrespective of the court rulings on these lawsuits. Following Party of Social Democracy-Hungarian Democratic Federation of Romania (PSD-UDMR) discussions, at the beginning of May, steps were made toward speeding up the actual restitution of 13 buildings (9 of them belonging to the Hungarian churches) returned by previous decrees.

The Jewish community has received 42 buildings by government decree. Of these, the community has completed the paperwork for the restitution of only 15, and lawsuits are in progress for 7 of these 15 properties. The Jewish community has been able to reclaim land only in Iasi, where it received 15 pieces of land (of former synagogues and schools) between 1999 and 2000.

Another problem with restitution is often a simple refusal by the possessor to return a property or pay rent for occupancy. The nominal owner still can be held liable for payment of property taxes in such cases. For example, the former Reformed College was restituted to the Reformed Church in Cluj by government decree in 1999. The building currently is used as a high school, which does not pay any rent, and the Reformed Church has had to pay property taxes but has not been able to occupy the property.

According to Law 1 of 2000, religious denominations are entitled to claim between 25 to 250 acres of farmland (depending on the type of religious unit—parish, eparchy, bishopric, etc.)—and up to 75 acres of forest land from properties seized by the Communists. This is the first law that establishes a systematic procedure for churches to claim land. The enforcement of this law has been slow, largely due to Government desires to further amend the law. This process was almost completed at the end of the period covered by this report. The amendments do not affect restitution to religious denominations.

The Hungarian churches repeatedly have expressed dissatisfaction with the Government's failure to allow by law the establishment of confessional schools subsidized by the State.

There were no reports of religious detainees or prisoners.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Section III. Societal Attitudes

There are generally amicable relations among the different religious groups. However, the Romanian Orthodox Church repeatedly has criticized strongly the "aggressive proselytizing" of Protestant, neo-Protestant, and other religious groups, which the Church has repeatedly described as "sects." There is no law against proselytizing, or clear understanding of what activities constitute proselytizing. Proselytizing that involves denigrating established churches is perceived as provocative. This has led to conflicts in some cases. The press reported several cases in which adherents of minority religions were prevented by others from practicing their faith, and local law enforcement authorities did not protect them. For example, in August 2001, members of the "New Right" (Noua Dreapta) organization (a small, right-extreme group with nationalistic, xenophobic views) harassed Mormon missionaries in Sibiu on the street and allegedly attacked two of them. A couple of windows of the Mormon headquarters in Sibiu were broken with bricks, allegedly by the same harassers. In 2001 Jehovah's Witnesses filed a complaint with the European Court of Human Rights (ECHR) regarding the sentencing of six of its members from Mizil to pay fines on charges of insult and assault in a trial initiated by persons linked with the Orthodox Church in 2000. The ECHR's decision was pending at the end of the period covered by this report.

The centuries-long domination of the Orthodox Church, and its status as the majority religion, has resulted in the Orthodox Church's reluctance (in particular at the local level and with the support of low-level officials) to accept the existence of other religions. Consequently, actions by other religious groups to attract members are perceived by the Orthodox Church as attempts to diminish the number of its members. Due to its substantial influence, few politicians dare to sponsor bills and measures that would oppose the Orthodox Church. According to minority religious groups, the population is receptive to minority Christian confessions, and local officials in many cases tend to be tolerant but often are pressured and intimidated by the Orthodox clergy. Minority religious groups allege that the Orthodox clergy have provoked isolated mob incidents. The Adventist Church reported such incidents in Botosani, Buzau, and Galati counties.

Members of Jehovah's Witnesses complain that the number of cases in which their ministers have been abused verbally and physically by persons incited by Orthodox priests (who often took an active part in these actions) increased in 2002. Such cases were reported in Sutesti and Dragasani (Valcea County) and Budesti (Bistrita Nasaud County).

Representatives of minority religions credibly complain that only Orthodox priests grant religious assistance in hospitals, children's homes, and shelters for the elderly. Charitable activities carried out by other churches in children's homes and shelters often have been interpreted as proselytizing.

The Baptist Church reported that, in May 2002, an Orthodox priest disrupted a Baptist burial ceremony in Cruset (Dolj County). The Church also reported a series of peaceful assemblies that were disrupted by noisy groups, allegedly incited by Orthodox clergy, including incidents in Ivrinezu Mare, Oltina, Harsova (Constanta County) and in Braila and Galati Counties (Balabanesti, Balasesti, Bordei Verde, Gropeni, Traian, Unirea, Tudor Vladimirescu, and others).

In addition, the dialog between the Orthodox and the Greek Catholic churches has not eliminated disputes at the local level and has led to little real progress in solving the problem of the restitution of the Greek Catholic assets (see Section II).

The disputes between Greek Catholics and Orthodox believers over church possession have increased in number during the period covered by this report. In many cases the Greek Catholics decided to build new churches, following lack of progress in obtaining their properties either by dialog with the Orthodox Church or in court. However, tensions continue to exist in localities where the Orthodox Church refused to enforce court rulings ordering alternate service in former Greek Catholic churches (for example, Chiuesti in Cluj County) or restitution of churches to the Greek Catholic Church. In mid-March 2002, in Ocna Mures (Alba County), the Orthodox priest along with a group of believers occupied by force, at night, with the help of the police, a church restituted by court ruling to the Greek Catholic Church. In Prunis (Cluj County), where most of the residents belong to the Greek Catholic Church, tensions continue due to a longstanding lawsuit. The Greek Catholic priest and the believers from Mihail (Alba County) sponsored a series of protests in Alba Iulia and Bucharest following the Orthodox Church's refusal to return their church and the priest's house. At the Orthodox Church's request, the Greek Catholic Church previously had dropped the lawsuits in this locality.

In Decea (Alba County), tensions increased in 2001 when the Orthodox priest locked the church so that the Greek Catholics could not use it. In April 2002, the Orthodox Church agreed to give its old church to the Greek Catholics and to use the Greek Catholic one itself. Churches also are kept locked in Chinteni (Cluj County), Rodna (Bistrita Nasaud County) and Singeorzul Nou (Bistrita Nasaud County).

Between February and April, 2002, in Racovita, the local Orthodox priest's refusal to implement Orthodox Archbishop Comeanu's decision to restore a church to the Greek Catholics led to tension.

In Bicsad (Satu Mare County), where the Greek Catholics obtained a government decision restituting a former Greek Catholic monastery, the Greek Catholic Church still could not take possession of the monastery because of the opposition of the local Orthodox clergy. Local authorities have not supported the enforcement of the Government's decision.

In Dumbraveni the Orthodox Church continues to refuse to enforce a previous court ruling to share a

local church with the Greek Catholic Church. Short-term prospects for the return of the Greek Catholic church are dim, since restitution is contingent on construction of a new Orthodox church, which is scheduled to take many years.

The fringe press continued to publish anti-Semitic articles. The Legionnaires (also called the Iron Guard, an extreme nationalist, anti-Semitic, pro-Nazi group that existed in Romania in the inter-war period) continued to publish books from the inter-war period. Religious services to commemorate legionnaire leaders continue to be held in Orthodox churches. A legionnaire commemorative meeting took place in Bucharest at the end of June 2002. Also at the end of June, the local police confiscated 2,000 copies of an anti-Semitic book, "The History of Moldova," published in Arad by a U.S.-based Iron Guard member.

Three textbooks on religious groups and ecumenism, authored by an Orthodox deacon for use in state-funded theological institutions, art high schools, teacher, and vocational schools, contained anti-Semitic, pro-Facist, and antiecumenical ideas. In August 2001, a member of the extreme-right "Greater Romania" Party (PRM) published a book called the "Nationalist," which included xenophobic and chauvinistic ideas. The book was criticized widely by the national media and leadership, and the PRM leadership disowned the book.

During the period covered by the report, Jewish cemeteries were desecrated in six localities: Timisoara, Bucharest, Deva, Barlad, Radauti, and Carei. The perpetrators could not be identified, but are believed to have been local youths, rather than members of an organized anti-Semitic movement. Three synagogues (in Buhusi, Focsani, and Dej) were desecrated during the same period. On May 18, 2002, a synagogue was desecrated in Falticeni. A torah roll was stolen and anti-Semitic graffiti were written on the walls. Police started an investigation but simultaneously criticized obliquely the Jewish community for not having protected the synagogue with an alarm system.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The Embassy also maintains close contact with a broad range of religious groups in the country. Embassy staff, including the human rights officer, political counselor, and the Ambassador, met with religious leaders and government officials who work on religious affairs in Bucharest and in other cities.

In addition, embassy staff members are in frequent contact with numerous NGO's that monitor developments in the country's religious life. U.S. officials have lobbied consistently in government circles for fair treatment on property restitution issues, including religious and communal properties. The Embassy has a core group of officials who focus on fostering good ethnic relations, including relations between religious groups.

Released on October 7, 2002

[International Religious Freedom Report Home Page](#)

