

Title	2011 Report on International Religious Freedom - Romania
Publisher	United States Department of State
Country	Romania
Publication Date	30 July 2012
Cite as	United States Department of State, <i>2011 Report on International Religious Freedom - Romania</i> , 30 July 2012, available at: http://www.unhcr.org/refworld/docid/5021058f4b.html [accessed 24 October 2012]
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2011 Report on International Religious Freedom - Romania

Bureau of Democracy, Human Rights, and Labor
July 30, 2012

[Covers calendar year from 1 January 2011 to 31 December 2011]

Executive Summary

The constitution and other laws and policies protect religious freedom and, in practice, the government generally respected religious freedom. The government did not demonstrate a trend toward either improvement or deterioration in respect for and protection of the right to religious freedom. Local authorities at times failed to respond to reports of infringements on religious freedom, and the lack of restitution of Greek Catholic properties seized by the government under previous regimes remained a significant problem.

There were reports of societal abuses or 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. embassy continued to raise concerns with officials about the failure of the government to ensure the full restitution of religious properties seized by former Fascist and Communist regimes. Members of the U. S. embassy also encouraged the Orthodox and Greek Catholic Churches to resume dialogue leading to reconciliation, and continued to support the government's efforts to recognize fully the Holocaust that occurred in the country.

Section I. Religious Demography

According to the 2002 census, Orthodox adherents (including the Orthodox Serb Bishopric of Timisoara) constitute approximately 87 percent of the population, Roman Catholics approximately 5 percent, and Greek Catholics less than 1 percent. While the government stated the census was accurate, the Greek Catholic Church claimed the official census undercounted its membership and estimated that its adherents constitute 3.6 percent of the population. Other religious groups present in the country include: Old Rite Russian Christian (Orthodox) Church, Protestant Reformed Church, Christian Evangelical Church, Romanian Evangelical Church, Evangelical Augustinian Church,

Lutheran Evangelical Church, Unitarian Church of Romania, Baptist Church, Apostolic Church of God (Pentecostal Church), Seventh-day Adventist Church, Armenian Church, Judaism, Islam, Jehovah's Witnesses, 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, the Presbyterian Church, Transcendental Meditation, Society for Krishna Consciousness, and Zen Buddhism.

Most religious groups are dispersed throughout the country, although a few religious communities are concentrated in particular regions. Old Rite members are located in Moldavia and Dobrogea. Most Muslims are located in the southeast. Most Greek Catholics reside in Transylvania, but there are also Greek Catholics in Bucharest and in the Banat and Crisana regions. Protestant and Roman Catholic believers reside primarily in Transylvania, but many are located around Bacau. Orthodox and Greek Catholic ethnic Ukrainians live mostly in the northwest. Orthodox ethnic Serbs are primarily in Banat. Armenians 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 country's Jewish population lives in Bucharest, while the other half is dispersed across the country.

According to a survey conducted by the Soros Foundation in June, approximately 50 percent of respondents attend church at least once a month and one-third of that number state they attend church at least once a week. Approximately 90 percent of Protestants stated they go to church at least once a week, and over 75 percent of Greek Catholics and Roman Catholics go to church at least once a month. In the case of the Orthodox believers, approximately 50 percent go to church at least once a month, and 40 percent attend church only for important religious celebrations.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution and other laws and policies protect religious freedom. The government, however, continues to differentiate between recognized and unrecognized religious groups, and registration and recognition requirements continue to pose obstacles to minority religious groups.

Under the law, the government implements 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. 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, one of which was approved during the year.

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 has engendered some confusion, since it confers tax exemptions "according to the fiscal code." However, the fiscal code does not address the issue of tax exemptions for religious associations.

The government does not permit unrecognized groups to engage in profit-making activities. 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 if they have 12 years of continuous activity and a minimum membership of 0.1 percent of the population (approximately 20,000 persons).

The law recognizes 18 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 where they have a sufficient number of adherents, 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, have cemeteries, and enjoy tax-exempt status.

Under the religion law, the state-provided budget is determined by the number of adherents of each recognized religious community reported in the most recent census and "the religion's actual needs." The majority of the funds go to the Romanian Orthodox Church. Some minority religious groups, such as Greek Catholics, claim the census significantly undercounted members of their community, lowering the amount of state funding.

The law entitles religious communities to bury, without restriction, their deceased in cemeteries belonging to other religious groups in localities where some religious groups do not have cemeteries of their own and there is no public cemetery. Local permits are required to build places of worship, as is the case with secular buildings.

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 forbid any interference by the management of penitentiaries with religious programs and forbid the presence of officials at meetings between representatives of religious groups and prisoners. The government does not restrict distribution of religious publications by recognized religions and religious associations. By statute, prison representatives in charge of religious assistance may not be priests or representatives of any religious community.

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

A 2006 law to combat anti-Semitism bans fascist, racist, and xenophobic organizations and includes the persecution of Roma in addition to Jews in its definition of the Holocaust.

The government permits, but does not require, religious instruction in public schools. Attendance in religion classes is optional. 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. According to a new education law adopted in January, students are entitled to receive religion classes in their faith irrespective of their number. The law permits instruction according to the religious affiliation of the students' parents. The constitution and the 2006 religion law allow the establishment of state subsidized confessional schools.

The law provides for long-stay visas for persons conducting religious activities. Visa requirements include approval by the State Secretariat for Religious Affairs, submission of evidence that applicants represent legally established religious organizations, certification of medical insurance, and a criminal record review. The law provides for up to five years of visa extensions. Penalties for foreigners who stay without a visa do not appear to be linked to religious activities.

The law provides for the restitution of all buildings belonging to ethnic communities that the government confiscated between 1940 and 1989 (including the period between 1940 and 1944, when the pro-Nazi government seized a large number of Jewish properties). The law, however, does not address the return of Greek Catholic churches that the

Communist government confiscated and transferred to the Orthodox Church in 1948. A separate law permits the Greek Catholic Church to pursue court action when its attempts to obtain restitution of its properties from the Orthodox Church are unsuccessful, but effective implementation of resulting court decisions has been problematic.

The government observes the following religious holidays as national holidays: Christmas (December 25), Orthodox Easter, Pentecost Monday, and the Assumption of Mary (August 15). Members of other recognized Christian religious groups that celebrate Easter on a different date are entitled to have an additional holiday.

Government Practices

There were no reports of abuses of religious freedom.

Some minority religious groups continued to report local authorities opposed granting them construction permits for places of worship for unlawful reasons. The Greek Catholic Church complained that local authorities consistently opposed granting a construction permit for a new church in Sapinta (Maramures County) due to pressure by the Orthodox Church.

Members of the Greek Catholic Church reported they encountered difficulties in teaching Greek Catholic religion classes in some localities, such as Ocna-Mures.

Members of smaller religious groups reported that some local police and administrative officials were subject to threats and intimidation by Orthodox clergy, and therefore the officials did not take sufficient action to stop or prevent attacks by Orthodox clergy on members of minority religious groups. The Greek Catholic Church indicated state authorities did not respond adequately to complaints regarding restitution of properties or about discriminatory acts committed by local officials.

In many cases, religious minorities 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 from the Orthodox Church as well as by the transfer of the cases to different courts.

In 2005 the government established a fund to compensate claimants with shares of stock for properties that could not be returned in kind, but the government disbursed all of its shares, and the fund no longer is a viable source of restitution. There were complaints that local authorities at times 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 provided restitution of 1,512 properties. However, the SRC returned only 133 of the 6,723 properties claimed by the Greek Catholic church, and in some cases those returns occurred only on paper.

In June the Greek Catholic Archbishop Major addressed a letter to the president, prime minister, minister of the interior, and the Mures County prefect expressing his dismay that local authorities failed to enforce a 2010 final court ruling providing restitution of a Greek Catholic church in Casva.

In Pesceana, a Greek Catholic community established in 2005 reported ongoing discrimination and harassment. Community members stated that authorities and local Orthodox priests denied 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.

Falun Dafa Romania reported that officials cancelled several of its cultural activities

despite having received prior official approval. Falun Dafa alleged the cancellations were a result of pressure from the Chinese embassy on authorities.

Members of the Adventist Church stated that some public school teachers, for example in Codlea, refused to make accommodations for students who observed the Sabbath on Friday evenings.

In January the prosecutor's office for the Constanta Court of Appeals reopened, for the third time, a case against Constanta Mayor Radu Mazare for marching onto a public stage in Mamaia in 2009 dressed as a Nazi officer. On March 23, the prosecutors closed the case once again, exonerating Mazare.

Also in January the mayor and an Orthodox priest assaulted a group of Jehovah's Witnesses who were on a door-to-door mission in the village of Slatioara in Olt County. The assailants were fined.

Members of the Adventist Church reported that they faced difficulties in some localities, for example in Topoloveni, when they tried to rent public spaces.

According to several religious groups, only Orthodox priests continued to serve as military chaplains with the exception of one Roman Catholic representative and one from the Evangelical Alliance (Baptist).

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

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

The Church of Jesus Christ of Latter-day Saints (Mormons) expressed concern about the cumbersome, labor-intensive, and expensive processes the government required for obtaining visa extensions for missionaries, who must come in person to Bucharest to register. Mormons also expressed dismay over the lengthy parliamentary voting process that must be completed to name heads of religious associations. During the year, this process significantly delayed the ability of the president of the Romania/Moldova mission from acting on behalf of the organization. Mormons also criticized the high level of taxation on association properties and the government requirement that missionaries buy government health insurance even though they do not use the state health care system.

Members of the Adventist Church stated that authorities in Transylvania tended to allocate funds for places of worship mainly to the majority church (usually Orthodox) and not according to the needs of religious groups.

Most mainstream politicians continued to publicly denounce anti-Semitism, racism, xenophobia, and attempts to deny the Holocaust in the country.

The government continued efforts 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 its efforts to teach the history of the Holocaust, and a number of relevant courses were included in the public school curriculum. The government also provided teachers in Bacau, Cluj, Bucharest, Iasi, and Craiova with training on how to teach about the Holocaust. The Ministry of Education provided written materials and maintained a Web site with a guide designed to assist teachers

nationwide with teaching courses about the Holocaust. The ministry also sponsored national and international seminars on the teaching of Holocaust history and provided additional educational resources to help combat anti-Semitism.

Improvements and Positive Developments in Respect for Religious Freedom

Although they continued to experience some difficulties, the Jehovah's Witnesses noted that, when they issued complaints (which often centered on problems with Orthodox priests or local authorities), the police were much more responsive to their concerns than they had been in previous years.

The Adventist Church noted, in comparison to previous years, both state-owned and private universities demonstrated greater willingness to move exams scheduled for Saturdays to weekdays to accommodate Adventist students. In addition, the Timis County School inspectorate agreed to sign a protocol with the Adventist Church allowing it to teach religion classes in the county schools.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice, but prominent societal leaders took positive steps to promote religious freedom.

Mormon missionaries reported several incidents including physical threats, slashed tires, forced detention in an apartment, street assaults, and rape at knifepoint. They stated that local residents advised them to refrain from reporting such incidents to the police because the police would not take action, and if they filed a report it could make the situation worse.

Participants in talk shows broadcast by private and public television stations and in Internet discussions expressed anti-Semitic views and attitudes.

Contemporary groups that espoused views similar to those of the pre-World War II fascist Legionnaire Movement republished material propagating anti-Semitism, primarily online. In Bucharest and Piatra Neamt, some groups held public events with anti-Semitic themes and sponsored religious services, symposia, and marches commemorating leaders of the Legionnaires. Such events took place in Bucharest and Piatra Neamt, where posters with former Legionnaire leader Corneliu Zelea Codreanu were displayed in the streets.

Publications of the nationalist Greater Romania Party continued to carry statements and articles containing anti-Semitic statements. For example, Ion Coja, a former professor, continued to deny in Greater Romania Party publications and on the Internet that the Holocaust occurred or that the country's leader during World War II participated in Holocaust atrocities in territory administered by the country.

The Greek Catholic Church reported in many localities its members were subjected to harassment and intimidation by Orthodox priests. For example, in Borod, Bihor County, an Orthodox priest reportedly threatened and intimidated families of school students taking Greek Catholic religion classes. In rural areas, Greek Catholics reported Orthodox priests used threats and other forms of intimidation to prevent people from joining the Greek Catholic Church.

Members of the Greek Catholic Church also expressed dismay that the Orthodox Church continued to reconsecrate former Greek Catholic churches, including an important cathedral in Baia Mare, which was under a court's consideration as a result of a restitution lawsuit initiated by the Greek Catholic Church.

In April the Orthodox Church began to erect a new church on the site of an old Greek Catholic cemetery in Decea, Alba County.

In November the Orthodox Archbishopric of Ramnic posted a warning on its Web site to inform Orthodox believers and priests about the "danger" of Greek Catholic proselytizing in Valcea County. The communique likened the Greek Catholic Church to a "bleeding wound" and instructed his followers to defend their country and religion.

Members of the Greek Catholic and Adventist churches reported Orthodox priests would not allow the burial of non-Orthodox decedents in confessional or public cemeteries (often treated as confessional 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.

Although the law provides religious groups with access to cemeteries belonging to other churches, Orthodox priests denied minority religious groups access to cemeteries in some places. For example, in Budesti, Orthodox priests denied members of the Greek Catholic Church access to a cemetery even after they obtained a court ruling permitting them access. Such incidents occurred mainly in rural areas, but with less frequency than in previous years.

In July the burial of a Greek Catholic in Pesceana generated communal tensions because it resulted in the re-interment of remains of Orthodox ancestors under Greek Catholic rites. An Orthodox priest claimed the re-interment of Orthodox remains in this situation was blasphemous and he, along with some local authorities, reportedly harassed and threatened the family of the deceased Greek Catholic.

Relations between the Greek Catholic Church and the Orthodox Archbishopric of Timisoara were amicable and cooperative, with the latter providing restitution of almost all seized Greek Catholic churches. In general, however, Orthodox leaders opposed and delayed returning churches to Greek Catholics, arguing that places of worship belonged to the congregations using them and not to the religious denomination that founded them.

Tensions continued in localities where the Orthodox Church refused to comply with court-ordered restitutions, such as in Casva and Bocsita where local authorities did not enforce the courts' final rulings. Tensions also rose in localities where the Greek Catholic Church initiated lawsuits for restitution.

Jehovah's Witnesses reported Orthodox priests, together with individuals from the local community, disrupted their door-to-door activities by assaulting them in places such as in Mogosesti, Targu Neamt, and Costi. In the first two cases, the assailants were punished according to the law. The third case remained under investigation at year's end.

The Adventist Church noted in some areas of Transylvania private companies were reluctant to hire people who were unable to work on Saturdays because of Sabbath observances.

Section IV. U.S. Government Policy

The U.S. embassy maintained active public outreach efforts to help promote religious freedom, and its members kept close contact with a broad range of religious groups and non-governmental organizations to monitor and discuss religious freedom. The U.S. ambassador and other embassy representatives regularly met with religious leaders and government officials who worked on religious affairs to discuss issues of religious freedom.

The ambassador hosted an iftar (evening meal during Ramadan), inviting representatives from more than a dozen faiths. In addition, embassy officials attended various events celebrating the country's varied religions traditions.

Embassy officials repeatedly raised concerns with government officials about the slow restitution of properties belonging to religious groups, particularly of Greek Catholic

churches. Members of the U.S. embassy continually encouraged the Orthodox and Greek Catholic Churches to resume dialogue aimed at reconciliation and the resolution of outstanding property disputes. The U.S. ambassador coordinated with eight other ambassadors to request that the Orthodox Church accept Greek Catholic preconditions for resuming negotiations. U.S. officials continued to advocate to the government that there be fair and equal treatment of all parties in property restitution matters, and for the equal treatment of all religious groups on all matters. Embassy officials visited a number of religious communities with histories of religious tension and discussed strategies for mitigating the ongoing Orthodox-Greek Catholic disputes.

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. U.S. embassy officials participated in the commemoration of National Holocaust Day in October. The U.S. embassy also supported the activities of the U.S. Holocaust Memorial Museum and its efforts to further Holocaust education, including embassy co-sponsorship of a seminar on "Remembering the Past: Training Teacher Trainers in Holocaust History."
