

# ROMANIA 2016 INTERNATIONAL RELIGIOUS FREEDOM REPORT

## Executive Summary

The constitution and other laws guarantee freedom of religion and include provisions for the protection of religious minority groups. Religious denominations recognized in law or registered as religions receive state support and access to the army, hospitals, retirement homes, penitentiaries, and orphanages. Religious groups must be recognized by law or qualify and be registered under a four-tiered system to receive benefits. Religious minorities continued to report registration requirements limited their ability to function and restricted where they could bury their dead. Registered religious groups said the government failed to enforce their right to bury their dead in cemeteries belonging to other religious groups. Parliament passed amended legislation granting priority to property restitution cases brought by Holocaust survivors and streamlining the process, but the government did not issue implementing regulations for the legislation during the year. Some members of religious minority communities cited bureaucratic obstacles to communal property restitution. The government rejected more than a thousand restitution claims for previously confiscated religious properties and approved 28. Greek Catholic priests reported courts often delayed or denied appeals of government rejections of restitution claims or ordered Greek Catholic parishes, in order to receive back churches previously given to the Romanian Orthodox Church (ROC), to pay the ROC substantial sums as compensation for investments the latter had made in the churches.

In March five people attacked two Muslim women in Bucharest. Greek Catholics reported harassment by ROC members and requested police protection for leaders exiting from previously confiscated churches that had been operated by the ROC and restituted to the Greek Catholic Church. Some religious groups reported the ROC had denied burials for their members in ROC and public cemeteries. The government reported incidents of anti-Semitic speech, including Holocaust denial, on television, electronic publications, and social media and in print. There were events commemorating former pro-Nazi leaders of the Legionnaire Movement despite legislation outlawing Holocaust denial. A memorial to seven dead soldiers, including six Israelis, was vandalized with anti-Semitic slurs, and protesters erected 500 crosses in Bucharest to protest the building of a mosque.

U.S. embassy officials continued to raise concerns with the government's property restitution authority about the low number of religious property restitutions and also met with members of the prime minister's office and education ministry to

stress the importance of full recognition of the Holocaust and improvement in Holocaust education, supporting concrete action to this end. The embassy also supported representatives from the NGO the Elie Wiesel National Institute for the Study of the Holocaust in Romania (Wiesel Institute) and the U.S. Holocaust Memorial Museum in their efforts to expand Holocaust teaching to civil servants across the government. Together with Jewish community leaders and organizations, the embassy continued to support efforts to curb anti-Semitism through participation in Holocaust commemoration events. Embassy representatives continued to meet with Greek Catholic priests to discuss ROC-Greek Catholic relations and incidents of discrimination.

### **Section I. Religious Demography**

The U.S. government estimates the population at 21.6 million (July 2016 estimate). According to a 2011 government census, ROC adherents constitute 86.5 percent of the population and Roman Catholics almost 5 percent. According to the census, there are approximately 151,000 Greek Catholics, but Greek Catholics estimate their numbers at 488,000. 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 Family Federation for World Peace and Unification (Unification Church), and the International Society of Krishna Consciousness. Atheists and nonbelievers represent less than 1 percent of the population.

According to the census, 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 40 percent of the country's Jewish population of 3,400 is in Bucharest.

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

#### **Legal Framework**

The constitution prohibits any restrictions on freedom of thought, opinion, conscience, and religious beliefs and forcing individuals to espouse a religious

belief contrary to their convictions. It stipulates all religions are independent from the state and have the freedom to organize “in accordance with their own statutes” under terms defined by the law. The constitution also states religious denominations shall be autonomous and enjoy state support, including the facilitation of religious assistance in the army, hospitals, penitentiaries, retirement homes, and orphanages. The law forbids public authorities or private legal entities from asking people to specify their religion, with the exception of the census.

The country has a four-tier system of religious classification: religions, religious associations, associations with religious activities, and religious groups/communities. The first three are legal entities, while the fourth is not. Religions and religious associations need approval from the National Secretariat for Religious Denominations and function under the law on religious freedom and religions. Associations with religious activities do not need the approval of the National Secretariat for Religious Denominations and fall under a different law, which governs the establishment of foundations, associations, and NGOs. Religious groups/communities, as defined by law, are groups of persons who share the same beliefs. They do not have to register to practice their religion; however, they are not legal entities and do not receive tax exemptions or state support.

Religious associations and religions must fulfill certain benchmark conditions to obtain their respective legal status. Religious associations are defined as groups of at least 300 citizens who share and practice the same faith and who have attained legal status through registration with the Registry of Religious Associations. To register, religious associations must submit to the government their members’ personal data (e.g. names, addresses, personal identification numbers, and signatures), which the law says may not be shared with other public institutions or used in any other way. Conversely, the minimum membership requirement for registration of nonreligious associations is three members and they also are not required to submit members’ personal data. Religious associations do not receive government funding, but do receive limited tax exemptions. There are 23 entities registered as religious associations, all of which are Christian.

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). No religious associations have become eligible to apply for religion status because the law was enacted in 2006 and the requisite 12 years have not elapsed. The law recognizes 18 religious denominations as having religion status: the 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.

Groups having the legal status of religions are eligible for state support. They have the right to 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, and apply for broadcasting licenses for their own stations. Both religions and religious associations may own or rent property, publish or import religious literature, proselytize, establish and operate schools or hospitals, own cemeteries, and receive tax exemptions on income and buildings used for religious, educational, or other social purposes.

Associations with religious activities act like secular associations and foundations, except they participate in some form of limited religious activity. They either do not qualify under the current numerical/administrative criteria (300 members) for recognition as religious associations or do not choose to apply for such recognition. As such, they function under a separate law and may engage in religious worship, but do not receive the same tax exemptions or other benefits granted to the religions and religious associations.

Under the law, state-provided funding is determined by the number of adherents of each recognized religion reported in the most recent census and "the religion's actual needs." Local authorities may also fund churches.

The law entitles religious groups in any of the four tiers 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 religions existing in that specific locality.

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, Foreign Intelligence Service, Protection and Guard Service, Special Telecommunications Service, and General Directorate for Penitentiaries. Under various other arrangements, clergy of recognized religions, and in some cases religious associations, may enter hospitals,

orphanages, and retirement homes to undertake religious activities. Recognized religions and religious associations may undertake activities in penitentiaries, subject to approval.

The law provides for the restitution of religious properties confiscated between 1940 and 1989, during World War II (WWII) and the ensuing communist regime, as long as they are in the possession of the state. These regimes confiscated the property of both individuals and religious denominations. Additionally, the Jewish community was forced to “donate” property during WWII and afterward. In addition, according to communist-era legislation on the status of religions, if believers changed their religion in a significant proportion, the properties of the church they left followed them to the new church.

The communist regime outlawed the Greek Catholic Church, forced Church members to convert to Orthodoxy, and confiscated all Church property. It transferred all places of worship and parish houses to the ROC and most other properties (land and buildings) to the state.

Under the law, if a confiscated property is being used “in the public interest,” such as for 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 and pay a capped rent. The law does not address the general return of properties currently being used as places of worship, stating that a separate law will be adopted to address this issue. The government has not adopted any such law.

A separate statute that reinstated the Greek Catholic Church regulates the restitution of properties to the Greek Catholic Church from the ROC primarily through a joint commission between the two churches and based on “the will of the believers from the communities which possess these properties.” The Greek Catholic Church may pursue court action if the attempts to obtain restitution of its properties through dialogue are unsuccessful.

The law establishes an additional points system of compensation in cases where in-kind restitution is not possible. Religious groups may only use the points to bid on other properties in auctions to be organized by a National Commission for Real Estate Compensation (NCREC). The NCREC also validates compensation decisions of other local or central authorities, including those of the Special Restitution Commission (SRC). The SRC is in charge of deciding on restitution claims filed by religious denominations and national minorities. The law establishes a 120-day deadline by which claimants must submit additional

evidence in their cases at the specific request of the entity in charge of resolving their restitution claim. If the deadline is not met, the administrative authority may reject the case. The deadline may be extended by an additional 60 days if the claimants prove they made a concerted effort to obtain the evidence (usually in the possession of other state authorities) but were unable to do so.

In May parliament passed three amendments granting priority to property restitution cases brought by Holocaust survivors. The first amendment nullified acts of forced “donations” of Jewish property during WW II and the communist era and lowered the burden of proof for the previous owners or their heirs. The second amendment designated the present-day Federation of Jewish Communities of Romania as the legitimate inheritor of forfeited communal Jewish property. The third amendment accorded priority to private claims by Holocaust survivors. Parliament originally enacted the legislation in November 2015, but the constitutional court had struck it down following a legal challenge by President Klaus Iohannis on issues unrelated to these amendments. The law does not address heirless or unclaimed property left by victims of the Holocaust.

Religious education in public schools is optional. The 18 recognized religions are entitled to hold religious classes in public schools. The classes entail the teachings of the denomination to which the student belongs. Religion teachers are government employees, but the religious group in question approves their appointment and retention.

Religious proselytizing in schools is forbidden.

Although students have the right to attend religion classes in their faith irrespective of their number, the law allows for exceptions where the right cannot be implemented “for objective reasons,” without detailing what these reasons may be. Alternatively, students who want to study religion may also do so within religious structures outside the school system, and may bring certificates from their respective denominations stating they are doing so, to receive academic credit. Under the law, parents of students under 18 years of age are required to request student participation in religious classes, while students 18 and older may request participation themselves.

The law on religious freedom provides that the religion of a child who has turned 14 may not be changed without the child’s consent, and from age 16, an individual has the right to choose her/his religion.

Legislation enacted in 2015 expands prohibitions against religiously motivated incitement to hatred and against fascist, Legionnaire, racist, or xenophobic organizations, which it defines in part as a group that promotes violence, religiously motivated hatred, and anti-Semitism. Penalties for establishing such organizations range from three to 10 years' imprisonment. Criminal liability is waived if the person involved in establishing such an organization informs the authorities before the organization begins its activity, and penalties are halved if a perpetrator helps the criminal investigation. Legislation also makes manufacturing, selling, distributing, owning with intent to distribute, and using Legionnaire symbols illegal. Penalties range from three months to three years' imprisonment.

The law bans discrimination on religious grounds in all areas of public life. It also bans religious defamation and stirring conflict on religious grounds, as well as public offenses against religious symbols. Penalties may include fines varying from 1,000 to 100,000 lei (\$232 to \$23,200) depending on whether the victim is an individual or a community.

The law allows religious workers from legally recognized religious groups to enter and remain in the country under an extended-stay visa. Visa applicants must receive approval by the State Secretariat for Religious Affairs and submit evidence they represent religious organizations legally established in the country. Such visas may be extended for up to five years.

Publicly denying, contesting, approving, justifying or minimizing, in an obvious manner, the Holocaust is punishable by six months' to three years' imprisonment or by a fine, depending on circumstances, of up to 200,000 lei (\$46,460). Publicly promoting the cult of persons convicted of genocide, crimes against humanity, or war crimes may incur fines and jail terms ranging from three months to three years and from six months to five years if done online. The same penalties apply to publicly promoting fascist, Legionnaire, racist, or xenophobic ideas, worldviews, or doctrines.

The country is a party to the International Covenant on Civil and Political Rights.

### **Government Practices**

Bahais reported registration requirements continued to limit their activities. Religious groups reported increased problems obtaining the restitution of previously confiscated properties, while the number of properties actually returned

remained extremely low. The Greek Catholic Church, in particular, was unable to obtain restitution of many of its churches and other properties. A number of religious minority groups were concerned about government implementation of laws regarding religious instruction in schools.

The government approved four applications for religious association status during the year and rejected four because of incomplete documentation. Groups whose applications were rejected could reapply once they have the necessary documents.

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. Bahais were registered as a religious association.

Many religious groups continued to state they viewed the membership requirements to be recognized as religious associations as discriminatory because these requirements were more burdensome than for other types of associations. They also criticized the four-tier system of religious registration.

Bahai leaders continued to say 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. The government stated they welcomed written proposals from all religious associations and meetings with religious association leaders.

In Sibiu in June and August 2015, police fined Jehovah's Witnesses 150 lei (\$35) for distributing leaflets in the streets, which the police 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; in a second case, a judge ruled against the Jehovah's Witnesses in May 2016. In a third case, the judge ruled in favor of the Jehovah's Witnesses in December and annulled the fine.

In April local authorities approved a town planning certificate that included the building of a mosque in Bucharest. A former city hall candidate, Catalin Berenghi, filed a court case to annul the government 2015 decision transferring the land to the Muslim community. The court case was pending at year's end, and construction of the mosque remained on hold. Former President Traian Basescu continued to criticize the proposed mosque, stating the number of Muslims in Bucharest did not justify the mosque, and that "part of the Islamization of Europe



is building mosques everywhere.” During campaigning for local elections in June, leading Bucharest mayoral candidates argued for a referendum on the mosque. Mayor Gabriela Firea, who won in June, supported a referendum. In April the Unified Romania Party – a newly created political party that submitted candidates for both local and national elections – organized a march for Christians to protest the building of the mosque. Fifty people participated in the march.

In 2016, the SRC reported it approved the restitution of 17 buildings to religious denominations, approved compensation in 19 cases, and rejected 1,578 other claims; in 50 cases, the filers withdrew their claims. The number of cases resolved increased 30 percent – from 1,140 in 2015 to 1,664 – but the number of positive decisions remained extremely low. Religious communities disputing these rulings continued having to go to court and incur additional costs.

Greek Catholics regained one property via restitution. According to the National Authority for Property Restitution, the SRC rejected some claims for restitution of Greek Catholic properties, including cemeteries, on the grounds they had been transferred to the ROC during communism, and thus could not be returned, as they did not belong to the state.

The government did not issue regulations for implementing new property restitution legislation granting priority to cases involving Holocaust survivors. Nevertheless, by year’s end, the SRC had received 25 applications requesting priority for Holocaust survivors and had approved priority status for all of them.

The primary NGO handling Jewish communal claims stated the SRC feared assuming responsibility for restitution and preferred passing decisions on to the courts. The community also stated the claims procedure was overly bureaucratic and the 120-day deadline for document submission was unreasonable, particularly because a large number of requests by the SRC to the Jewish claimants for additional documents often came in simultaneously. It also complained of cases where the NCREC had invalidated previous positive decisions for compensation by the SRC. This was the case of a Jewish community property in Galati, for which the NCREC denied compensation based on the fact that the street on which the property sat had changed names after the 1989 revolution, thereby not matching the original deed. The case was in court at year’s end. The Caritatea Foundation, established by the Federation of Jewish Communities and the World Jewish Restitution Organizations, an NGO, to oversee Jewish communal property claims, reported the SRC approved 12 claims – two via restitution and 10 via compensation – and rejected 86. In 58 other cases, the claims were withdrawn.

Religious groups appealed 493 decisions by the SRC in the courts during the year. The Jewish community appealed seven cases; Greek Catholics, three; the ROC, four; the ROC Fund of Burkovina, 390; the Roman Catholic Church, 19; the Evangelical Church, nine; and the Armenian Church, 16. Information concerning court decisions on these cases was unavailable.

According to Greek Catholics, courts continued to delay hearings on many restitution lawsuits filed by the Greek Catholic Church and asked the Greek Catholic Church to pay judicial fees, a requirement Greek Catholics said was not consistent with the law. The ROC continued to file appeals or change of venue requests that delayed resolution of some lawsuits. In a majority of past cases, courts ruled against the restitution of Greek Catholic churches, even when the Greek Catholic Church produced ownership deeds, on the grounds that the Greek Catholic Church had a smaller number of adherents than did the ROC. There were no reports of court decisions on Greek Catholic restitution cases during the year.

In October 2015, Greek Catholics appealed to the European Court of Human Rights (ECHR) after the High Court of Cassation and Justice issued its final ruling in favor of the ROC in a restitution lawsuit over a former Greek Catholic church in Sapanta, Maramures County. Greek Catholics said the ECHR did not act on the complaint during the year and had not issued a case number at year's end. The ROC also continued to control the Greek Catholic-established cemetery attached to the church, known as the "merry cemetery," a significant tourist attraction.

On May 5, the Alba Tribunal overturned a December 2015 ruling by a lower court rejecting a 2013 legal claim by the Satu Mare County Council for ownership of property the government and the courts had previously restored to the Greek Catholic Church in Bixad. The council's claim had blocked restoration of the properties to the Church. By overturning the lower court's decision, which had found that the council chairman did not have his council's approval to file the case, the Alba Tribunal revived the case, beginning another cycle of litigation and further delaying possible restitution. The next court date in the case was set for January 2017.

Representatives of the Greek Catholic Church filed two cases with the ECHR for restitution of churches in Bistrita and Breb in April and July, respectively. In the Bistrita church case, the community complained about courts frequently ceding Greek Catholic property to the ROC based on census data showing Greek Catholics as a minority and about the unreasonable length of the trial (nine years).

In the Breb case, Greek Catholics said that, after being given back the church in 1990, the court again gave the church to the ROC in 2015 on the grounds that the 2011 census showed the Greek Catholics were a minority.

The ethnically Hungarian churches in Transylvania – the Reformed, Roman Catholic, Unitarian, and Evangelical Lutheran Churches – maintained that authorities failed to take into account the complex organization of these Churches and the community services they provided before communism. They said the government had thus rejected a number of restitution claims because the entities that operated under the Churches and were registered as property owners in the land registries were not the same entities as the contemporary Churches. They said that it was because communism had confiscated and dismantled those former Church entities that they no longer existed as such, but they were in fact owned and operated by the Churches. The ethnically Hungarian Churches said they had 1,611 schools that were nationalized under communism, and thus became state property. The bishop of the Transylvania Reformed Church, the main Hungarian-minority church in the country, reported the restitution of Church properties confiscated in the past had been “blocked,” and the process was too slow.

The Roman Catholic Church contested in court the SRC’s 2015 rejection of a restitution claim for the Batthyaneum Library and an astronomical institute in Alba Iulia. The case was pending at year’s end.

Greek Catholic priests continued to state that local authorities did not grant construction permits for places of worship, even though there were no apparent legal grounds for denying them. Greek Catholics attributed the delayed issuance of permits to pressure from the ROC.

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

The mayor and majority party on the Bucharest City Council granted the ROC three million euros (\$3.2 million) from the year’s local budget for the Romanian People’s Salvation Cathedral, the patriarchal cathedral of the ROC under construction. Council members from the opposition parties criticized the decision, stating the ROC’s key revenues had never been taxed and the money could be better used for other purposes. Multiple local media outlets criticized the funding decision.

Media, parents' associations, and NGOs stated the high percentage of children from kindergarten through high school who opted for religion classes – almost 90 percent – was the result of manipulation and pressure by the ROC and by school directors who declined to offer parents any alternatives to the classes.

Religious minority 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.

Religious minority groups, including the Seventh-day Adventist Church and the Greek Catholic Church, continued to report that 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 only invited to official local events when local government leaders and/or the local ROC leaders decided they could come, and they did not officiate at these events.

Prosecution of anti-Semitic speech, including Holocaust denial, occurred rarely. The government-established Elie Wiesel Institute for the Study of the Holocaust in Romania said prosecutors were reluctant to indict. From January 1 to September 30, the police reported eight new criminal complaints. For the first half of the year (January-June), the national-level Prosecutor General's Office reported having received – from police, military prosecutors, or self-initiation – 42 cases to be resolved. Of these 42 cases, they resolved 12: one by waiver of criminal prosecution (defined as there being no public interest in prosecuting the case), while 11 cases were deemed insufficient to prosecute and were dropped. Cases were often delayed because of lengthy investigations. As of mid-September Gorj police, under the supervision of the Targu Jiu prosecutor's office, were still investigating a case raised by the NGO Center for Monitoring and Combating Anti-Semitism (MCA) in 2014, involving a lamp shade posted for sale online and advertised as being made of "Jewish skin."

In May the country's central bank released a coin bearing the image of former National Bank of Romania Governor Mihail Manoilescu, who was widely acknowledged to have promoted anti-Semitism. Manoilescu was minister of foreign affairs in the country's fascist government in 1940 and, prior to that, a financial supporter of the fascist, anti-Semitic, Iron Guard. The central bank stated the coin was part of a series honoring former bank governors and noted Manoilescu had been governor in 1931, a year of economic crisis in the country. The bank further said it did not intend to offend any community or "send a message with an offensive, xenophobic, or discriminatory nature."

Bucharest mayoral candidate Marian Munteanu of the National Liberal Party, the country's second largest party, made a statement on April 13 criticizing 2015 legislation that proscribed anti-Semitic speech and Holocaust denial as anti-Semitic because they singled out Jews. A watchdog agency on anti-Semitism and the Wiesel Institute warned that Munteanu "presents a concern," citing previous anti-Semitic statements by him, including one in which he said local Jews lied about the number of Romanian Jews killed in the Holocaust to "obtain illicit money from Romanian people through disinformation and manipulation of public opinion."

The Wiesel Institute reported streets, organizations, schools, or libraries continued to be named after persons convicted of war crimes or crimes against humanity and that authorities continued to allow exhibitions containing material that promoted the Legionnaire Movement. The institute cited as an example an exhibition in May entitled "Ion Gavrilă Ogoranu – Present!" Ogoranu was an anticommunist resistance fighter in the first years of communism, but previously was a member of the Legionnaire Movement. Exhibition organizers cited this membership as part of what they said was an "exemplary biography." Despite letters from the Wiesel Institute to local authorities saying legislation banned such presentations, the exhibition took place as scheduled in the central University Square of Bucharest and in the Alba Iulia National Museum.

In April a retired intelligence officer published a book called *The Holocaust – the Diabolical Scarecrow – Money Extortion for the Holocaust*. In a media interview, the author stated that, while working for the intelligence service, he was tasked in the 1990s with writing and publishing articles under a pseudonym against "propaganda and actions" of Jewish community leaders, who were speaking out against anti-Semitism in the country, with the purpose of denigrating such leaders. The MCA filed a complaint and requested prosecution of the book's author for Holocaust denial. As of mid-October the case was pending with the prosecutor's

office of Bucharest District 3, assigned to the lower level court. The Wiesel Institute also sent a letter to the Romanian Intelligence Service (SRI), noting the book's author appeared on the cover dressed in military uniform. SRI replied that, since he was a retired officer, it could not impose any sanction.

The MCA stated online that it wanted to draw attention to what it called the indifference of authorities to anti-Semitism and their tendency to delay procedures to implement legislation to combat anti-Semitism, Holocaust denial, and discrimination in general.

The government continued to implement the recommendations of the 2004 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 September the Wiesel Institute and the USHMM signed cooperation agreements with multiple political parties and governmental institutions concerning Holocaust education for their members. The two largest parties – the Social Democratic Party and the National Liberal Party – as well as the ethnically Hungarian party, the Democratic Alliance of Hungarians in Romania, were parties to such agreements, as was the National School of Political Science and Public Administration, a Bucharest-based university. Other institutions that had signed the agreement as of October were the National Intelligence Academy of the Intelligence Service and the Institute for Defense Political Studies and Military History under the Ministry of National Defense.

On August 31, the government approved a staff increase of three positions for the Wiesel Institute to coordinate the creation of a museum of Romanian Jewry. On September 29, the Bucharest General Council approved the transfer of a building in central Bucharest to the Wiesel Institute for the museum. The government commemorated National Holocaust Remembrance Day in October with a series of events, including a wreath-laying ceremony at the Holocaust Memorial in Bucharest. On that same day, the Bucharest general mayor's office inaugurated the naming of a square after Elie Wiesel.

The government continued to include the Holocaust in history courses in the seventh, eighth, 10th, and 12th grades. During the 2016-2017 school year, 2,984 students in more than 100 classes from 75 schools nationwide enrolled in the optional course entitled History of the Jews – The Holocaust.

In January at an International Holocaust Remembrance Day event, Foreign Minister Lazar Comanescu stated the Foreign Ministry would continue to

contribute to strengthening legal and institutional instruments that could prevent and penalize anti-Semitism.

The country is a member of the International Holocaust Remembrance Alliance (IHRA) and began its chairmanship of the organization in March. The government held two IHRA alliance plenary meetings, one in Bucharest in May and the other in Iasi in November. Under the auspices of its IHRA chairmanship, the country held a number of events throughout the year, including: training sessions on combatting anti-Semitism, racism, xenophobia, and Holocaust denial for magistrates, law enforcement, and diplomats; a national “Memory of the Holocaust” contest for middle and high school students; teacher training courses on Holocaust education in Romania and Israel; and multiple events commemorating the Holocaust.

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

In March three men and two women attacked two young Muslim women in Bucharest. The attackers tore the victim’s veils, pulled their hair, and caused them minor injuries. Members of the Muslim and Orthodox communities, including the chairman of the Islamic cultural center, condemned the attacks. Prosecutors opened an investigation and the case was ongoing at year’s end.

Greek Catholic priests continued to report that in many localities, particularly in rural areas, ROC priests harassed and intimidated Greek Catholics and encouraged ROC members to threaten them in order to prevent people from joining the Greek Catholic Church. For example, they said ROC priests banned access to cemeteries, and Greek Catholic leaders requested police escorts while leaving their churches after ROC followers learned the churches had been given back to the Greek Catholics.

Non-Orthodox religious groups, particularly the Greek Catholic Church and the Seventh-day Adventist Church, continued to report ROC priests would not allow or otherwise restricted the burial of their dead in ROC or public cemeteries. Refusals ranged from blanket refusals, to requiring burials to take place in isolated sections of the cemetery, or to reliance on Orthodox religious ritual during the funeral service. According to these groups, they informed authorities, such as the State Secretariat for Religious Affairs, of the problem but the latter did not intervene to enforce the law and remedy the abuses. Non-Orthodox religious groups also reported continued difficulty in obtaining land to establish cemeteries.

Local authorities and the ROC continued to deny the Greek Catholic Church access to the ROC cemetery in Sapanta, which had previously belonged to the Greek Catholic Church. Seventh-day Adventist Church representatives said ROC priests refused the burial of non-Orthodox next to Orthodox believers, even where they were part of the same family and had bought the burial places. In the locality of Capataneni, in Maracineni commune, a Seventh-day Adventist was refused burial next to his wife and was buried on the outskirts of the cemetery. In February in Tiur-Blaj community, the local priest refused the burial in the ROC-owned cemetery of a family member of a Greek Catholic priest. The person was buried outside the cemetery.

In many rural localities with two churches, where at least one of them had been Greek Catholic before communist-era confiscation, Greek Catholic priests reported the ROC did not allow the Greek Catholic Church to use either place of worship.

Greek Catholic priests stated that, as a matter of policy, the ROC refused them access to buildings in which to hold services. For example, in localities such as Filea de Jos, Morlaca, Valisoara, and Csaba in Cluj County, Greek Catholic communities held their services in spaces such as schools or even a building of a former communist farm, since the former Greek Catholic churches had not been returned and the ROC refused to allow them use of ROC-controlled buildings.

The Seventh-day Adventist Church said certain school exams continued to be scheduled on Saturday without providing the option for Seventh-day Adventist students – for whom Saturday is the Sabbath – to take the exam on another day.

According to a 2015 poll with a 3 percent margin of error commissioned by the Wiesel Institute, 73 percent of citizens had heard of the Holocaust, but only 34 percent accepted that the Holocaust had happened in the country. Only 19 percent considered the WW II-era Antonescu government to be responsible for the Holocaust in the country, while 54 percent considered Antonescu to be a hero. According to a 2016 report on monitoring hate speech on social media, 59 percent of the hate speech incidents recorded targeted Jews; 2 percent of the monitored hate speech concerned longstanding canards against Jews, such as terming the Talmud a “satanic Bible” or characterizing Jews as being part of a plot to bring the anti-Christ to earth.

The MCA and the Wiesel Institute noted instances of participants on television talk shows and in internet discussions expressing anti-Semitic views and attitudes, or promoting personalities with a Legionnaire past, and hiding this past or presenting



it in an uncritical manner. In March guests on the talk show *Jocuri de putere* on commercial network Realitatea TV strongly criticized a group of Jewish intellectuals who had protested the appointment of the journalist Oana Stanciulescu, who worked for Realitatea TV, to the national television board. Stanciulescu previously had expressed doubts about the Holocaust and admiration for anti-Semitic ideologues. She had also called poet Radu Gyr, author of the Legionnaire's hymn, one of her "moral landmarks," and stated everyone should have such moral landmarks.

The MCA and the Wiesel Institute continued to urge authorities to enforce existing legislation against anti-Semitism. Some print and online publications, blogs, and personal websites continued to publish anti-Semitic articles. On December 14, Professor Ion Coja of the University of Bucharest published an article entitled, "Gassing of the Jews – A Hoax?" in which he stated Jews were never gassed but died from other causes such as forced labor and lack of food. The New Right organization, known for its nationalist views and speaking out against non-Orthodox religious groups, and similar organizations promoted the ideas of the Iron Guard in the media and on the internet. On October 23, the organization published an article titled "How the Judeo-Masonic Elite Destroys the Romanian Nation." The use of social media to promote anti-Semitism increased during the year, according to the Wiesel Institute.

During a March 10 interview with the newspaper *Adevarul*, former Mayor of Cluj Gheorge Funar made several anti-Semitic comments. He stated the Jews killed the famous national poet Mihai Eminescu, organized the deadly 2015 fire at the Bucharest nightclub Colectiv, and plotted the Holocaust. Funar also questioned the Jewish origin of all recent presidents.

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 Legionnaire Movement leaders such as Horia Sima and Corneliu Zelea Codreanu. For example, on November 26, the George Manu Foundation organized a religious memorial service to commemorate the death of Corneliu Zelea Codreanu.

A monument commemorating the death of seven military men, including six Israelis who died in a helicopter training exercise in July 2010, was defaced with swastikas, a pig, and an anti-Semitic slur in July. Police learned about it when questioned by the Israeli embassy, and began an investigation in August.

In April a number of individuals, who in 2015 had protested the construction of a mosque in Bucharest by burying frozen piglets on the proposed construction site, assumed responsibility for placing 500 two-meter crosses on the streets of Bucharest in protest of the mosque. The crosses had the message, “Christians do not want a megamosque” written on them. The police did not make any arrests.

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

U.S. embassy officials continued to raise concerns with the government, including the president of the property restitution authority and the state secretary in the prime minister’s office, about the slow pace of religious property restitution, particularly properties belonging to Holocaust survivors and the Greek Catholic and ethnic Hungarian churches. Embassy representatives, the U.S. Special Envoy for Holocaust Issues, and representatives from the U.S. Holocaust Memorial Museum continued to discuss with government officials, including ministers, officials in the education ministry, and the heads of the major political parties, the importance of full official recognition of the Holocaust in the country, improvements in and expansion of Holocaust education for both students and civil servants, and complete implementation of the 2004 recommendations of the Wiesel Commission.

In May and November, the U.S. Special Envoy for Holocaust Issues raised with the president of the Chamber of Deputies, the General Mayor of Bucharest, and government officials in the property restitution authority and prime minister’s office the issue of restitution of Jewish communal property and the prioritization of claims related to the properties of Holocaust survivors. The president of the property restitution authority confirmed Holocaust survivors’ were being prioritized, but declined to codify the process by which he was validating their survivor status, thereby calling into question what would happen if a new president were to take over. Following the government’s decision to expand Holocaust survivor compensation to victims no longer living in the country, embassy representatives worked with a labor ministry state secretary on the logistical specifics and documentary requirements to smooth the processing of victims’ claims.

Embassy representatives met with regional leaders of the Greek Catholic Church from around the country to discuss ROC-Greek Catholic relations, incidents of local discrimination, and relations with the national and local governments. Embassy representatives also met with religious leaders of the ethnic Hungarian

churches to discuss property restitution issues. Embassy officials, including the Ambassador, met with Muslim and Jewish community leaders to discuss ways of promoting religious diversity and curbing religious discrimination.

In April a senior embassy representative spoke at a religious freedom event organized by the Seventh-day Adventist Church on the importance of religious diversity in the country.

The embassy, in a public statement, called the central bank's releasing of a coin bearing the image of former National Bank of Romania Governor Mihail Manoilescu “disappointing,” stating that he was “an active promoter of and contributor to fascist ideology and anti-Semitic sentiment.” The bank sent a vice governor to meet with USHMM officials in Washington about the coin, while the Ambassador and USHMM representatives later met with the central bank governor in Bucharest to discuss the coin and U.S. concerns.

The embassy continued to support the activities of the USHMM in its efforts to access the country’s national archives, to further Holocaust education with political parties and government agencies, and to initiate the establishment of the Museum on the History of the Romanian Jewry and the Holocaust, by facilitating meetings with officials in the prime minister’s office, key ministries, law enforcement and security services, and representatives of the major political parties. In the case of the museum, embassy and USHMM officials engaged frequently with the mayor of Bucharest, who ended up donating a building for the project.

In late June the Ambassador traveled to Iasi to participate in the 75th anniversary commemoration of the Jewish pogrom there, giving a speech on U.S. support for ensuring the Holocaust is remembered in the country and laying wreaths at multiple cemeteries holding mass graves. In October the Ambassador spoke at the dedication of a square honoring Romanian Holocaust survivor and author Elie Wiesel in Bucharest. In his speech, the Ambassador addressed the importance of memory and fundamental humanity in confronting intolerance.