

Az Egyesült Államok Külügyminisztériumának a vallásszabadságról szóló éves jelentései a Kárpát-medence országában (Szlovákia, Ukrajna, Románia és Szerbia)

összehasonlító elemzés a 2011-2015-ös évekre

Az Amerikai Egyesült Államok Külügyminisztériuma éves rendszerességgel mutat be jelentéseket az emberi jogok állásáról illetve a vallásszabadság helyzetéről a nagyvilág és Európa számos országában. Ahogyan egyik korábbi elemzésünkben [áttekintettük az elmúlt öt esztendőre vonatkozó emberi jogi jelentéseket](#), a mostani elemzés célja áttekinteni azokat a [vallásszabadságról szóló éves jelentéseket](#), amelyek a legnagyobb Kárpát-medencei magyar közösségek országaira vonatkoznak, tekintettel azok időbeli alakulására is. Mivel a legutóbbi – 2015-ös esztendőre vonatkozó – vallásszabadságról szóló éves jelentését a State Department nemrég, 2016. augusztus 10-én tette közzé, ezért a korábbihoz hasonlóan megvizsgáltuk az elmúlt öt esztendő (2011, 2012, 2013, 2014 és 2015) Szlovákiára, Ukrajnára, Szerbiára és Romániára vonatkozó jelentéseit. Az emberi jogi jelentésekhez hasonlóan, a vallásszabadságról szóló jelentések is országtól függetlenül standard formát követnek: az első rész az általános megállapításokat tartalmazza, a második a jogi háttérrel és az állam/kormánygyakorlatát mutatja be, a harmadik rész a vallásszabadság társadalmi elfogadottságáról, míg a negyedik az amerikai diplomácia ezirányú tevékenységéről szól.

Általános bevezetőként elmondható, hogy a jelentések kifejezetten magyar vonatkozású megállapításai csak ott fedezhetők fel, ahol egy adott egyházhhoz szervesen magyar közösség kapcsolódik – ilyen például Szerbia vagy még inkább Románia esete. Szlovákiában a katolikus egyház többségi egyház lévén, itt a jelentésekben nem különíthetők el azok a megállapítások vagy esetleg kritikák, amelyek vallási hovatartozásuk miatt a magyar közösséget érintik. Ilyen értelemben tehát a hitélettel és a vallásszabadsággal kapcsolatos észrevételekből sokszor nehéz, vagy kifejezetten lehetetlen kihámozni a magyar közönségre vonatkozókat.

Ettől függetlenül – ismerve a Kárpátmedence országaiban élő magyar közösségek legégetőbb ügyeit, többnyire „hozzá lehet gondolni”, hogy a jelentések egyik vagy másik megállapítása mögött milyen mértékben van jelen magyar „tartalom” is.

A vizsgált országokat érintő jelentések (négy ország és öt esztendő – összesen húsz jelentés) közös eleme a kommunista rendszer által elkobzott egyházi javak visszaszolgáltatásának kérdése. Ez a témakör elsődlegesen érdekli az amerikai diplomáciát. És a mellékletben szereplő szövegek között azért is idézzük a jelentések utolsó fejezetének egy-egy passzusát („az USA kormányának politikája” cím alatt), mert ezekből kiolvasható, hogy az amerikai diplomácia minden évben rákérdez az egyházi javak visszaszolgáltatásának alakulására.

Szlovákiára vonatkozó jelentések tekintetében lehet a legkevésbé tetten érni a magyar vonatkozású megállapításokat, mivel azok nem utalnak semmilyen formában a kisebbségi egyházak helyzetére, ráadásul az országbantöbbséget képviselő római katolikus egyházon belül sem lehet elkülöníteni esetleges, specifikus magyar katolikus egyházi problémákat. A 2011-2014 közötti jelentések természetesen megemlítik az egyházi ingatlanok visszaadásának ügyét: megállapítják, hogy még a római katolikus egyház számára is nehézséget okoz felleltározni az összes elkobzott ingatlant, ugyanakkor a már nem létező vagy más jogi formában működő egyházi szervezetek és intézmények (alapítványok, rendek) ingatlanainak visszaadására nincs mód. A négy év jelentései változatlanul megemlítik, hogy a Szlovákiai Püspökök Konferenciája becslése szerint az állam az elkobzott javak 35%-át adta vissza. A 2015-ös jelentés már nem is említi a restitúció állását, amiből azt a következtetést lehet levonni, hogy egyrészt az egyházak megelégedtek a 35%-nyi ingatlan visszajuttatásával, illetve hogy épp emiatt már az amerikai diplomácia sem nyomatékosítja az ügyet. Szlovákia vonatkozásában azonban a jelentések szemszögéből fontos témának mutatkozik az egyházak állami finanszírozása: 2015-re beindultak a tárgyalások egy új támogatási rendszer bevezetése érdekében, melynek az adóból levonható magánszemélyi támogatás is része lenne. Érdekes itt megjegyezni azonban azt is, hogy például a szlovák katolikus egyház véleménye szerint (ez a megállapítás a 2012-es évi jelentésben olvasható) az egyházi javak visszaszolgáltatása elvezethet az egyház és az állam fokozatos eltávolodásához, egyben az állami támogatások csökkenéséhez. Ebből azt a következtetést lehet levonni, hogy talán a restitúció leállása épp az állami támogatások megőrzése érdekében nem

foglalkoztatja már annyira az egyházakat. Végül még két apróbbnak tűnő megállapítás: a 2012-es jelentés szerint az állam nem járult hozzá a Hit Gyülekezete bejegyzéséhez (ennek vélhetően vannak magyar vonatkozásai is), illetve a 2015-ös jelentés megemlíti, hogy az elemi iskolákban kötelező tantárgy a vallás vagy etika – a szülők vagy a diák preferenciáinak megfelelően.

A szlovákiai helyzethez képest **Ukrajna** egyházi élete a jelentések szerint sokkal intenzívebbnek bizonyul. Ennek oka egyrészt az, hogy az állam 35 000-re becsüli a vallási szervezetek számát, amelyek 55 felekezethez tartoznak, továbbá az, hogy az ukrán-orosz fegyveres konfliktus jelentősen kiemelte az egyházak szerepét is (tekintettel arra is, hogy például az ortodox hívők is megosztottak a Kijevi és a Moszkvai Patriarkátus között). Akárcsak az emberi jogi éves jelentések esetében, a 2014-es évtől kezdődően itt is külön jelentés foglalkozik a Krím helyzetével. A jelentések itt sem térnek ki tételesen magyar vonatkozású kérdésekre, ám a „nyugati vallásokra” vonatkozó megállapítások között sok esetben tetten érhető a magyar egyházi élet is. Ukrajna tekintetében is kiemelt kérdés az egyházi javak visszaadása, ebben a témában nagy szerep hárul az Összukrajnai Egyházak és Vallási Szervezetek Tanácsára, amely egyházi ügyekben az ukrán kormány legfontosabb partnere. Ez a Tanács kezdeményezte a restitúciót, és ugyancsak ez a Tanács szólította fel a kormányt, hogy akadályozza meg az egykori egyházi ingatlanok bevonását a privatizációs folyamatba (2012-2015-ös évek jelentései szerint). Szintén ez a Tanács szorgalmazta azt is, hogy a kormány tegye lehetővé egyházi magániskolák működését (2012-2014-es évek jelentései) – erre a 2015-ös évi jelentés szerint a kormány rá is bólintott.

Az egyetlen konkrétan észlelhető magyar vonatkozású üggyről a 2013-as évi jelentés tesz említést: a Kárpátaljai Állami Adminisztráció egy templom épületét adta vissza a munkácsi római katolikus egyháznak.

Ukrajna esetében a jelentések nagy hangsúlyt fektetnek arra, hogy kiemeljék az egyházak szerepét az orosz-ukrán fegyveres konfliktus békés kezelésében, ezért megemlítik azt is, hogy John Kerry külügyminiszter ukrainai látogatása során külön találkozott az Összukrajnai Egyházak és Vallási Szervezetek Tanácsával, amelyen külön kiemelte ennek fontosságát.

A **Szerbiára** vonatkozó jelentésekben már sokkal jobban tetten érhetők a magyar vonatkozású ügyek. Akárcsak Románia esetében, itt is vallásilag és területileg is jól elkülöníthető a magyar közösség és a magyar történelmi egyházak, az arányok is a romániai arányokhoz hasonlóak: a lakosság 84%-a ortodox. Ráadásul a szerb törvény is a „hagyományos” vallások közé sorolja a magyar egyházakat. Az öt elemzett éves jelentés itt is kiemelten foglalkozik az egyházi ingatlanok visszaszolgáltatásával. Megállapítja, hogy a törvény értelmében a „hagyományos” egyházak visszaigényelhetik az 1945 után elkobzott ingatlanukat. A 2011-es jelentés megállapítja, hogy az egyházak összesen 3049 kérelmet nyújtottak be, ebből a szerb ortodox egyház a kérelmeinek 44%-át, míg a római katolikus egyház (zömmel magyar egyház, és részben horvát) a kérelmek 11%-át kapta vissza. A 2012-es jelentés már nem különíti el az egyes egyházak adatait: itt már az szerepel, hogy a Restitúciós Igazgatóság a kérelmek 36%-át bírálta el. Ezt követően a restitúciós folyamat lelassulni látszik, a 2013-2015-ös jelentések már nem tartalmazznak adatokat a visszaszolgáltatott ingatlanok számát illetően, csak megállapítják, hogy „az egyházak visszakaptak földeket és más ingatlanokat Szerbia különböző területein”. A 2015-ös évi jelentés már csupán egyetlen földterület visszaadását említi abban az esztendőben. A jelentés megemlíti azt is, hogy azokban az esetekben, amikor nem maga az egyház volt egy adott ingatlan tulajdonosa, hanem valamilyen egyházzal kapcsolódó jogi személy, akkor az egyházat tájékoztatták egy külön restitúciós eljárásról, amely a jogi személyek ingatlanainak visszaadására vonatkozik. Amennyiben az adott jogi személy létezik, akkor az visszakérheti, és ettől még az egyház gyakorolhatja haszonélvezői vagy használói jogkörét.

A 2011-es és a 2012-es évi jelentések több olyan atrocitást említenek, amelyek célpontjai különböző (meg nem nevezett) kisebbségi egyházak. Egyházi vezetők több vandalizmusról, gyűlöletbeszédéről számoltak be, amelyek az adott egyház hívőivel szemben nyilvánultak meg. A jelentések szerint, mivel igen gyakran a vallási hovatartozás szorosan összefügg az etnikai hovatartozással, ezért ezekben az esetekben nem lehet egyértelműen megállapítani, hogy azok mozgatórugója a vallásellenesség vagy a kisebbségellenesség.

A 2012-2014 közötti jelentések külön kitérnek a táborigényesek, köztük római katolikus lelkesek kinevezésére is.

Romániát, akárcsak az emberi jogi jelentések esetében, ezen a téren is számtalan kritika illeti, az ország a vallásszabadság érvényesülése terén is sokkal súlyosabb problémákat mutat a térség többi országához viszonyítva. A jelentések a vizsgált öt évben kivétel nélkül foglalkoznak az egyházi ingatlanok visszaszolgáltatásának kérdésével, az egyházak finanszírozásának kérdésével és az állami oktatáson belüli vallásórák ügyével.

Az egyházi restitúció kérdésében érdemes lenne visszamenni korábbi évek jelentéseire is, amelyek fokozatosan nyomon követik a 2002-es egyházi restitúciós törvény alkalmazását, majd a 2005-ös tulajdonreform-csomag egyházi vonatkozásait. A 2011-es évi jelentés már gyakorlatilag a lelassuló restitúciós folyamatot éri tetten, kiemelve a kárpótlásra szánt Tulajdonalap kimerülését, illetve azt, hogy számos esetben a helyi önkormányzatok a megfelelő dokumentumok benyújtásának késleltetésével akadályozzák a restitúciós bizottság működését. Hogy az egyházi ingatlanok visszaadása milyen mértékben lassult le a 2012-2015-ös évekre, arra elegendő csak a jelentésekben foglalt számokat ismertetni: a bizottság 2003-as létrehozása és 2010 között 1474 ingatlant adott vissza természetben az egyházaknak (2010-es jelentés). A 2011-es jelentés szerint további 38-at (összesen 1512), a 2012-es szerint 42-öt (összesen 1554), a 2013-as jelentés szerint a bizottság már csak évi 4 ülést tartott, ezeken összesen 12 ingatlant adtak vissza, a 2014-es jelentés szerint ismét csak öt bizottsági ülésen 27 ingatlant, végül a 2015-ös jelentés szerint mindössze nyolc ingatlan került vissza az egyházakhoz. Egy gyors számítással kiderül, hogy a vizsgált öt éves időszakban mindössze 127 ingatlan visszaadásáról született döntés, szemben a korábbi hét év 1474 ingatlanával. A vizsgált jelentések minden évben megjegyzik az utolsó fejezetben azt is, hogy az amerikai nagykövetség rendszeresen felhívja a román kormány figyelmét az egyházi restitúció lassúságára, különösen a görög-katolikus és a magyar egyházak esetében.

A 2012-es jelentés már beszámol a Batthyáneum ügyében az Emberi Jogok Európai Bírósága által hozott döntésről, amelyben 25000 euró büntetést ró ki Romániára, mert 14 éve nem hajtotta végre a visszaszolgáltatást kimondó kormányrendeletet. A Batthyáneum ügye visszatér a 2013-as és a 2014-es évi jelentésekben is olymódon, hogy Románia változatlanul nem hajlandó végrehajtani az EJEK döntését. Végül a 2015-ös jelentés megállapítja, hogy a restitúciós bizottság

elutasította a Gyulafehérvái Római Katolikus Érsekségnek a Batthyáneum visszaszolgáltatására vonatkozó kérelmét, a 16 éve elfogadott kormányrendelet és az emberi jogi bíróság döntése ellenére.

A Székely Mikó Kollégium ügyét a 2014-es és a 2015-ös évi jelentésekben is megtaláljuk. 2014-ben a jelentés megállapítja, hogy a Ploiesti-i Táblabíróság visszaállamosította az ingatlant és a visszaszolgáltatáskori bizottság három tagját 3-3 év felfüggesztett börtönbüntetésre ítélte, és hozzáteszi: „annak ellenére, hogy a kommunista rendszer államosítási dokumentumaiban a református egyház szerepel tulajdonosként”. A 2015-ös évi jelentés visszatér a Székely Mikó Kollégium ügyére és megjegyzi, hogy az egyház az Emberi Jogok Európai Bíróságához fordult jogorvoslatért.

A jelentésekben foglalt másik fontos témakör az egyházi oktatás kérdése, ezek érintik mind a közoktatás vallásóráinak kérdését, mind a felekezeti oktatás ügyét. A vallásórák kapcsán a 2014-es évi jelentés megemlíti az Alkotmánybíróság döntését a választható vallásórák lemondása ügyében, miszerint alkotmányos ugyan, hogy egy diák számára kötelezően választható tárgy legyen a vallásóra, de minden másra (így a lemondásra is) további törvényi rendelkezés szükséges.

A jelentések visszatérő eleme az ortodox egyház államilag tolerált (és burkoltan támogatott) expanzív magatartásának kritikája is. A jelentések sorra megállapítják, hogy bár törvény szerint nem létezik államvallás, a valóságban mind a kormány, mind pedig maga az ortodox egyház úgy viselkedik, mintha létezne. Az ortodox egyház egyfajta román nemzeti öntudat megtestesítőjeként lép fel a társadalomban – azaz ha nem vagy ortodox, akkor nem is vagy igazi hazafi. Az ortodox egyház expanziója a jelentések szerint megnyilvánul abban is, hogy például a tábori lelkészek között is csak egyetlen római katolikus és egy evangélikus lelkészt találunk.

Összefoglalva a négy ország összesen húsz jelentésében foglaltakat megállapítható, hogy az amerikai diplomácia változatlanul fogékony a különböző érzékeny egyházi kérdésekre, mint például az egyházi ingatlanok visszaadása vagy a felekezetek közötti egyenlőség. Ugyanakkor azt is megállapíthatjuk, hogy egyes témák azért kerülnek be hangsúlyosabban az amerikai jelentésekbe, mert azok igen erős kommunikációs és lobbisatornákkal rendelkeznek. Ilyen téma a zsidó hitközség sajátos problémái, vagy például a romániai görög-katolikus egyház ügyei. Éppen ezért, akárcsak



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az emberi jogi éves jelentések esetében, nagyon fontos az, hogy a magyar közösség problémái – legyenek azok emberi jogi vagy vallási kérdések – megfelelő súllyal megtalálják az amerikai diplomácia érdeklődési körét. Például nem kerülte el a romániai jelentés figyelmét az, hogy a konstancai polgármester náci ruhában lépett fel egy divatbemutatónak szánt rendezvényen, ám minden bizonnyal legalább ennyire fontos lenne számunkra, ha az amerikai diplomaták kellő hangsúllyal tudomást szereznének és említésre méltónak tartanák a moldvai csángó közösség magyar nyelvű misézésre vonatkozó és évtizedek óta megoldatlan kérését is. Tehát a legfontosabb tanulság mindezekből a jelentésekből az, hogy maga a magyar közösség – társadalmi, politikai, közéleti vagy vallási képviselői révén – megfelelő rendszerességgel és nyomatékkal tájékoztassák az amerikai külképviselet munkatársait a számukra fontos kérdésekről.

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Melléklet - a jelentések magyar vonatkozású részletei az elmúlt öt évben (2011-2015)

SZLOVÁKIA

2011

Section II (government practices)

Some property restitution cases remained unresolved. Religious organizations applied for the return of their property confiscated by the former communist government under the 1993 law on the restitution of communal property, which specified a filing deadline of December 31, 1994. The government, municipalities, state legal entities, and under certain conditions private persons, returned property in its existing condition. Some of the churches, synagogues, and cemeteries that were returned were in poor condition. The law did not provide compensation for the damage done to these properties under the communists, and religious groups often lacked the funds to restore these properties to a usable state.

Some restitution cases remained pending with various courts, but the Ministry of Culture stated it was difficult even for the Roman Catholic Church to estimate the exact number of confiscated properties because the cases involved a large number of legal entities, including, for example, thousands of parishes or religious orders. The Slovak Bishops' Conference estimated the state had returned approximately 35 percent of Catholic Church property. The Catholic Church is not eligible to reacquire lands originally registered to church foundations that no longer exist or operate in the country, including groups such as the Benedictines.

Section IV (US government policy)

The U.S. embassy continued to follow developments regarding the religious registration law and the proposed changes to the funding of churches and religious groups. Embassy officials met with religious figures and civil society to discuss religious freedom issues throughout the year.

2012

Section II (government practices)

The government continued discussions with stakeholders about property restitution and changes in the funding of churches and religious groups. In January Culture Ministry officials met with representatives of religious groups to discuss a future mechanism for funding, after an "expert commission" produced a new model of state funding for registered groups. Registered religious groups, especially the Catholic Church, continued to identify property restitution as a precondition to transitioning toward greater separation between church and state, including diminution of state funding.

Religious groups continued to apply for the return of property confiscated by the former communist government under a 1993 restitution law that specified a filing deadline of December 31, 1994. The government, municipalities, state legal entities, and, under certain conditions, private persons, returned property in its existing condition. Some of the properties returned were in poor condition. The law did not provide compensation for the damage done to

these properties under the communist regime, and religious groups often lacked the funds to restore these properties to a usable state.

According to the Culture Ministry, it was difficult to estimate the number of confiscated properties not yet returned because the cases involved a large number of legal entities, including thousands of parishes or religious orders. The Slovak Bishops' Conference estimated the state had returned approximately 35 percent of Catholic Church property. In December the expert commission agreed to compile a list of unresolved property cases. (...)

In September the Supreme Court rejected the Church of Faith's appeal of the denial of its registration, which was rejected by the Culture Ministry in 2011. In May the prosecutor dismissed the criminal complaint filed by the ministry after it concluded that the majority of the 21,500 signatures in the application were forged and that the Church of Faith was a front for the Christian Fellowship.

Section IV (US government policy)

Embassy representatives discussed with Ministry of Culture officials developments regarding the religious registration law and proposed changes to the funding of churches and religious groups. Embassy officials met with religious figures and civil society to discuss religious freedom issues throughout the year.

2013

Section II (government practices)

The government continued discussions with stakeholders about property restitution and changes in the funding of churches and religious groups and convened two sessions of the so-called Expert Commission to address these issues during the year. The group continued to discuss challenges associated with identifying property ownership and maintenance costs associated with older properties and problems with alternative models for funding religious groups, but failed to progress towards greater fiscal separation of church and state. According to the culture ministry, it was difficult to estimate the number of confiscated properties not yet returned because the cases involved a large number of legal entities, including thousands of parishes or religious orders. The Slovak Bishops' Conference estimated the state had returned approximately 35 percent of Catholic Church property.

Section IV (US government policy)

Embassy representatives continued to discuss with Ministry of Culture officials developments regarding the religious registration law and proposed changes to the funding of churches and religious groups. Embassy officials met with religious figures and civil society groups to discuss religious freedom issues throughout the year.

2014

Section II (government practices)

The government continued discussions with stakeholders about changes in the funding of churches and religious groups and convened two sessions of an expert commission to address

this and other issues. During the June session, the Ministry of Culture discussed with stakeholders possible new models of government funding for registered religious organizations. These options included allowing individuals to allocate a certain percentage of their taxes to a particular registered religious group or providing government contributions to registered religious groups based on the number of adherents rather than the number of clergy.

The expert commission continued discussions with stakeholders about property restitution. The group discussed challenges associated with identifying property ownership and maintenance costs associated with older properties. According to the culture ministry, it was difficult to estimate the number of confiscated properties not yet returned because the cases involved a large number of legal entities, including thousands of parishes or religious orders. The Slovak Bishops Conference estimated the state had returned approximately 35 percent of Catholic Church property. (...)

Section IV (US government policy)

Embassy representatives continued to discuss with Ministry of Culture officials developments regarding the religious registration law and proposed changes to the funding of churches and religious groups. The Ambassador and other embassy officials regularly talked with religious leaders. (...)

2015

Section II (legal framework)

All public elementary school students must take a religion or an ethics class, depending on personal or parental preferences. Religion class curricula do not mention unregistered groups or some of the smaller registered groups, and unregistered groups are not allowed to teach their faith at schools. (...)

Section II (government practices)

The 18 registered religious groups received approximately 38 million euros (\$41.3 million) in annual state subsidies. The government continued discussions with stakeholders about changes in the funding of religious groups and convened two sessions of an expert commission to address this and other issues. During the April session, the Ministry of Culture continued to discuss possible new models of government funding for registered religious groups with stakeholders and tasked religious groups with submitting their evaluations of the proposed models by November. These models included allowing individuals to allocate a certain percentage of their taxes to a particular registered religious group or providing government contributions to registered religious groups based on the number of adherents rather than the number of clergy, as is currently the case. Some religious groups criticized the tax allocation model, stating they would have to start competing with other civil society organizations, which already benefit from a percentage of taxes assigned to them by taxpayers. (...)

Section IV (US government policy)

Embassy representatives continued to discuss developments regarding the religious registration law and proposed changes to the funding of churches and religious groups with

Ministry of Culture officials. The Ambassador and other embassy officials regularly met with government officials to discuss religious freedom issues, including the treatment of minority religious groups and anti-Muslim sentiment.

UKRAJNA

2011

Section II (government practices)

In October the Ministry of Culture established the Department for Nationalities and Religions; however, the transformation of the defunct State Committee on Nationalities and Religions (SCNR) at times caused delays in registering.

Restitution of communal property confiscated by the Soviet regime remained a problem. The slow pace of restitution was partly a reflection of the country's budgetary constraints, which limited funds available to relocate occupants of seized religious property. In addition, restitution claims for the Christian, Jewish, and Muslim communities were complicated by intercommunity competition for particular properties. Prior to its abolition, the SCNR declared that the majority of buildings and objects already had been returned to religious organizations and that restitution of many remaining confiscated properties was complicated by the fact that they were occupied by state institutions, were historic landmarks, or had been transferred to private ownership. The SCNR cited a lack of government funding to help relocate the organizations occupying these buildings. The SCNR also noted that restitution claims frequently fell under the jurisdiction of local governments. All major religious organizations called on the government to establish a transparent legal process to address restitution claims. (...)

Section IV (US government policy)

The U.S. ambassador, embassy officers, and other U.S. government officials maintained steady dialogue with government and religious leaders and stayed in close contact with clerics, lay religious leaders, and NGOs that promoted religious freedom. (...)

Throughout the year, the ambassador raised the broader topics of communal property restitution and cultural heritage preservation in meetings and correspondence with government officials at the highest levels.

2012

Section II (government practices)

Restitution of communal property confiscated by the Communist regime remained slow, stemming in part from inadequate budgetary outlays. Restitution claims for Christian, Jewish, and Muslim properties were complicated by intercommunity competition for particular properties, by their use by state institutions, their designation as historic landmarks, local government jurisdictional issues, or by previous transfer to private ownership. Prior to its abolition, the SCNR declared that the majority of buildings and objects had already been returned to religious organizations but cited a lack of government funding to help relocate the organizations occupying these buildings.

All major religious organizations continued to call on the national government to establish a transparent legal process to address restitution claims, and most organizations reported problems and delays in the restitution process to reclaim previously seized property. Local officials at times took sides in disputes pertaining to property restitution. (...)

The All-Ukraine Council of Churches and Religious Organizations (AUCCRO), bringing together Orthodox, Greek Catholic, Roman Catholic, Protestant, Jewish, and Muslim leaders, continued to call on parliament to impose a moratorium on the privatization of previously confiscated religious buildings in state and communal ownership. The AUCCRO also asked the government to allow religious groups to own and operate private educational institutions where students would have the opportunity for religious instruction. (...)

Section IV (US government policy)

The U.S. ambassador, embassy officers, and other U.S. government officials maintained a dialogue with government and religious leaders and stayed in close contact with clerics, lay religious leaders, and NGOs that promoted religious freedom. (...)

Throughout the year, the ambassador raised the broader topics of communal property restitution and cultural heritage preservation in meetings and correspondence with government officials at the highest levels. (...)

2013

Section II (legal framework)

As amended in December 2012, the law requires religious groups to register with the State Registration Service (governed by the Ministry of Justice) and with regional government authorities. To be eligible for registration, a religious group must have at least 10 adult members. (...) Without legal entity status, a religious group cannot own property, conduct banking activities, or publish materials. Nationwide religious organizations cannot be registered or recognized as legal entities and therefore cannot own property or conduct other business activities, although their registered constituent units can.

Only registered religious groups may seek restitution of communal property confiscated by the Communist regime. Religious groups must apply to regional authorities for property restitution. While the law states that consideration of a restitution claim should be completed within a month, it frequently takes much longer. (...)

Section II (government practices)

All major religious organizations continued to call on the national government to establish a transparent legal process to address restitution claims. Most organizations reported problems and delays in the restitution process to reclaim property seized by the Communist regime. Several factors complicated restitution claims for Christian, Jewish, and Muslim properties, including intercommunity competition for particular properties, current use by state institutions, designation as historic landmarks, local government jurisdictional issues, and previous transfer to private ownership. Local officials at times took sides in disputes pertaining to property restitution. (...)

The AUCCRO called on parliament to impose a moratorium on the privatization of previously confiscated religious buildings in state and communal ownership. The AUCCRO also urged the government to grant state accreditation to the religious schools that provide theological education. The AUCCRO asked the government to allow religious groups to own and operate private educational institutions where, in addition to the secular curriculum, students would be taught according to the religious values of the founding religious organization.

On July 29, the Transcarpathian Oblast State Administration returned a church building in Mukacheve to the Roman Catholic Church. (...)

Section IV (US government policy)

The U.S. Ambassador, embassy officers, and other U.S. government officials maintained a dialogue with government and religious leaders and stayed in close contact with clerics, lay religious leaders, and NGOs that promoted religious freedom. (...)

Throughout the year, the Ambassador raised the broader topics of communal property restitution and cultural heritage preservation in meetings and correspondence with government officials at the highest levels. (...)

2014

Section II (government practices)

All major religious organizations continued to urge the government to establish a transparent legal process to address restitution claims. Most organizations reported problems and delays in the restitution process to reclaim property seized by the Communist regime, with the consideration of a claim frequently taking longer than the month prescribed by law. Complications for Christian, Jewish, and Muslim properties included intercommunity competition for particular properties, current use by state institutions, designation of some properties as historic landmarks, local government jurisdictional issues, and previous transfer to private ownership. At times, local officials took sides in disputes pertaining to property restitution. (...)

The AUCCRO called on parliament to impose a moratorium on the privatization of previously confiscated religious buildings. (...)

The AUCCRO urged the government to grant state accreditation to the religious schools that provide theological education. The AUCCRO asked the government to allow religious groups to own and operate private educational institutions where, in addition to the secular curriculum, students would be taught according to the religious values of the founding religious organization. (...)

Section IV (US government policy)

The Ambassador, embassy officers, and other U.S. government officials raised concerns over religious freedom and anti-Semitism with the presidential administration, Ministry of Interior, Ministry of Justice, Ministry of Foreign Affairs, members of parliament, political parties, and local officials. The Ambassador raised the broader topics of communal property restitution and

cultural heritage preservation in meetings and correspondence with government officials at the highest levels. (...)

2015

Section II (government practices)

All major religious organizations continued to urge the government to establish a transparent legal process to address restitution claims. Most organizations reported problems and delays in the restitution process to reclaim property seized by the Communist regime, with the consideration of a claim frequently taking longer than the month prescribed by law. Complications for Christian, Jewish, and Muslim properties included intercommunity competition for particular properties, current use by state institutions, designation of some properties as historic landmarks, local government jurisdictional issues, and previous transfer to private ownership. At times, local officials took sides in disputes pertaining to property restitution. The Roman Catholic Church urged authorities to return former Church properties in the western part of the country and elsewhere. (...)

The AUCCRO continued to call on parliament to impose a moratorium on the privatization of previously confiscated religious buildings. (...)

On June 2, the parliament passed legislation allowing registered religious organizations to establish private educational institutions where students, in addition to a secular curriculum, would be educated according to the religious values of the organization. (...)

Section IV (US government policy)

The Ambassador, embassy officers, and other U.S. government officials raised concerns over religious freedom and anti-Semitism with the presidential administration, Ministry of Interior, Ministry of Justice, MFA, members of parliament, political parties, and local officials. The Ambassador raised the broader topics of communal property restitution and cultural heritage preservation in meetings and correspondence with government officials at the highest levels.

SZERBIA

2011

Section II (legal framework)

The Law on Religion recognizes seven “traditional” religious communities: the Serbian Orthodox Church, Roman Catholic Church, Slovak Evangelical Church, Reformed Christian Church, Evangelical Christian Church, Islamic Community, and Jewish community. The religion ministry’s Web site contains links only to these “traditional” communities. There is no state religion; however, the Serbian Orthodox Church received preferential treatment. The government continued to subsidize salaries of Serbian Orthodox clergy working in other countries. Other benefits, such as health care and pensions, were provided by the government to clergies of various churches on the basis of individual arrangements with the state, but these benefits were not universal.

In addition to the seven “traditional” communities explicitly listed in the law (thereby conferring automatic entry in the Register of Churches and Religious Communities), the religion ministry has given this status to the Diocese of the Romanian Orthodox Church Dacia Felix, with its seat in Romania and administrative seat in Vrsac (Vojvodina). (...)

Students in primary and secondary schools are required to attend classes on one of the seven “traditional” religions or on civic education. Representatives from the Ministry of Religion stated that the law also permits registered, nontraditional religious groups to offer classes, but none has attempted to do so.

The 2006 Law on Restitution to Churches and Religious Communities recognizes claims for religious property confiscated in 1945 or later. In 2009, the law was challenged in the Constitutional Court on the grounds of discrimination, since it provided for restitution solely of religious property and ignored private restitution claims. On April 20 the court dismissed the challenge, ruling that the law did not violate the principles of legal equality and non-discrimination envisaged by the constitution and the European Convention for the Protection of Human Rights and Fundamental Freedoms. However, in September, parliament approved a private property restitution law that embodies different principles of compensation than the 2006 religious property law. (...)

Section II (government practices)

Under the law passed during the year, individuals can now seek restitution of private property, but the law still does not allow for the restitution of properties that previously belonged to unregistered religious communities.

Progress slowed but continued on the restitution of religious properties seized in 1945 or later. The Directorate for Restitution of Communal and Religious Property continued to process 3,049 restitution requests filed from 2006 to 2008 by the Serbian Orthodox Church, Catholic Church, Jewish community, Romanian Orthodox Church, Reformation Church, Islamic Community, Evangelical Church, and Association of Christian Baptist Churches. According to the directorate, it has returned 283,160 square kilometers of land, which is 40 percent of the 821,974 square kilometers that have been claimed. The Serbian Orthodox Church accounts for the vast majority of claims, and has received 44 percent of its claimed property. The Catholic Church has received 11 percent of its claimed property, while the Jewish community has received 0.5 percent of its claimed property, and the Islamic Community has received none of the property that it claimed. (...)

Section III (societal respect)

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Leaders of minority religious communities continued to report physical attacks, vandalism, hate speech, and negative media reporting. Police response to vandalism and other societal acts against religious groups rarely resulted in arrests, indictments, or other resolution of incidents. Because ethnicity and religion are often inextricably linked, it is difficult to categorize many incidents specifically as ethnic or religious intolerance. (...)

Some right-wing youth groups continued to openly denounce “sects.” In addition, the press, mostly tabloid media, continued to publish “antisect” propaganda that labeled smaller, multiethnic Christian churches, including Baptists, Seventh-day Adventists, Jehovah’s Witnesses, and other smaller religious groups, as “sects” and claimed they were dangerous.

Section IV (US government policy)

U.S. embassy officials continued to advocate for changes in the religion and restitution laws that would eliminate discriminatory elements. Embassy officials met regularly with government officials, representatives of the Serbian Orthodox Church, and leaders of a wide range of religious and ethnic minorities to promote respect for religious freedom and human rights and to encourage interfaith activities. (...)

2012

Section II (government practices)

The government continued restitution of religious properties seized in 1945 or later. The Directorate for Restitution of Communal and Religious Property received 3,049 restitution requests filed by the Serbian Orthodox Church, Roman Catholic Church, Jewish community, Romanian Orthodox Church, Reformed Christian Church, Islamic Community, Evangelical Christian Church, and Union of Christian Baptist Churches in Serbia. By year’s end, the Directorate for Restitution had completed 36 percent of the requested property restitutions, restoring land and other real estate (buildings, businesses, apartments) primarily to the Serbian Orthodox Church, Roman Catholic Church, Evangelical Christian Church, and Jewish community, among others. Some religious groups, particularly the Jewish and Muslim communities whose land was confiscated before 1945, opposed the 1945 benchmark to determine the eligibility of restitution claims by religious groups.

Following a 2011 government decision to establish a chaplaincy service in the military, in September the Ministry of Defense called for applications to fill 15 chaplain positions. Of these, 13 were designated for Orthodox Christian priests, one for a Roman Catholic priest, and one for an imam. Military members belonging to “nontraditional” religious groups did not have their own chaplains. (...)

Section III (societal respect)

There were reports of societal discrimination based on religious affiliation, belief, or practice. Leaders of minority religious groups continued to report vandalism, hate speech, and negative media reporting. Because ethnicity and religion were often inextricably linked, it was difficult to categorize many incidents specifically as ethnic or religious intolerance. (...)

Section IV (US government policy)

U.S. embassy officials advocated for changes in the law on religious registration to eliminate discriminatory elements. Embassy representatives met regularly with government officials, representatives of the Serbian Orthodox Church, and leaders of a wide range of religious minority groups to promote respect for religious freedom and encourage interfaith activities. (...)

2013

Section II (government practices)

The Committee for Religious Education in Elementary and Secondary Schools, which had monitored the organization and implementation of religious education and appointed teachers for religious education classes, was not reestablished after the August 2013 government reshuffle abolished the former religion ministry.

The government continued restitution of religious properties seized in 1945 or later. By the 2008 deadline the Office for Restitution of Communal and Religious Property had received 3,049 restitution requests filed by the Serbian Orthodox Church, the Roman Catholic Church, the Jewish community, the Romanian Orthodox Church, the Reformed Christian Church, the Islamic Community, the Evangelical Christian Church, and the Union of Christian Baptist Churches in Serbia. By the end of September the government had returned land and real estate to these churches in Novi Sad, Subotica, Sremska Mitrovica, and elsewhere in Serbia. For cases in which restitution claims were rejected because the religious community filing the claim was not the initial founder, but rather the beneficiary or administrator of an endowment, the government informed churches and religious communities about a separate procedure. Legally registered endowments could apply for restitution while religious communities would continue to enjoy all the same benefits from the endowments. (...)

On August 1, 10 chaplains were appointed to serve in the military – eight Orthodox priests, one Muslim imam, and one Roman Catholic chaplain. One of each will serve with the Army headquarters, one Orthodox priest each will serve at the Military Academy and the Military Medical Academy, while the remaining five Orthodox priests will serve in different military units. (...)

Section IV (US government policy)

U.S. embassy officials advocated for changes in the law on religious registration to eliminate discriminatory elements. Embassy representatives met regularly with government officials, representatives of the Serbian Orthodox Church, and leaders of a wide range of religious minority groups to promote respect for religious freedom and encourage interfaith activities.

2014

Section II (government practices)

The government continued restitution of religious properties seized in 1945 or later. By the end of September the government had returned land and real estate in Novi Sad, Subotica, Sremska Mitrovica, and elsewhere to the Serbian Orthodox Church, the Roman Catholic Church, the Jewish community, the Romanian Orthodox Church, the Reformed Christian Church, the Islamic community, the Evangelical Christian Church, and the Union of Christian Baptist Churches in Serbia. For cases in which restitution claims were rejected because the religious community filing the claim was not the initial owner, but rather the beneficiary or administrator of an endowment, the government informed churches and religious communities about a separate

procedure. Legally registered endowments could apply for restitution while religious communities would continue to have all the same benefits from the endowments. (...)

The government designated 17 places of worship on military premises – 13 for Orthodox believers and two each for Catholic and Muslim believers. By September, 11 of the designated places of worship were functional – eight for Orthodox, two for Muslim, and one for Catholic believers. The government did not provide access to religious services for members of the armed forces who did not belong to one of these three traditional religious communities. (...)

Section IV (US government policy)

U.S. embassy officials continued to advocate changes to the law on religious registration to eliminate discriminatory elements and engage with the Directorate for Cooperation with Churches and Religious Communities on the concerns of minority religious groups. Throughout the year embassy representatives met regularly with government officials, representatives of the Serbian Orthodox Church, the Jewish community, Protestant organizations, leaders of the Muslim communities, and a wide range of religious minority groups. During these meetings embassy officials discussed the concerns of nontraditional and minority religious groups, as well as how the groups themselves could foster increased interfaith dialogue.

2015

Section II (government practices)

The government continued restitution of religious properties seized in 1945 or later. By the end of the year the government had returned land in Palic to a religious community. For cases in which restitution claims were rejected because the religious community filing the claim was not the initial owner, but rather the beneficiary or administrator of an endowment, the government informed churches and religious communities about the separate benefit restitution application procedures. (...)

Section IV (US government policy)

U.S. embassy officials continued to advocate with the director of the Office for Cooperation with Churches and Religious Communities and the Office for Human and Minority Rights to eliminate discriminatory elements in the law on religious registration and its application and to convey the concerns of minority religious groups. Embassy representatives met regularly with representatives of the SOC, the Jewish community, Protestant organizations, leaders of the Muslim communities, and a wide range of religious minority groups. During these meetings, embassy officials discussed the concerns of nontraditional and minority religious groups, as well as how the groups themselves could foster increased interfaith dialogue. (...)

ROMÁNIA

2011

Section II (legal framework)

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 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. (...)

Section II (government practices)

In many cases, religious minorities were unable to gain restitution of confiscated properties in accordance with the law. (...)

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. (...)

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). (...)

Section IV (US 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. (...)

2012

Section II (legal framework)

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

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

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

Section II (government practices)

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

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

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

Section IV (US government policy)

The ambassador and other embassy representatives regularly met with government officials and religious leaders to discuss issues of religious freedom. (...)

2013

Section II (legal framework)

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, receive government funds to build places of worship, partially pay clergy salaries with state funds, broadcast religious programming on radio and television, apply for broadcasting licenses for denominational frequencies, own cemeteries, and receive tax-exempt status.

Under the religion law, state-provided funding is determined by the number of adherents of each recognized religious community reported in the most recent census and "the religion's actual needs," which is left undefined. The Romanian Orthodox Church receives the majority of these funds. (...)

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

Section II (government practices)

In many cases minority religious groups were unable to gain restitution of confiscated properties in accordance with the law. Claimants complained that some local authorities opposed restitution or consistently delayed providing information about claimed properties to the Special Restitution Commission (SRC) of the National Authority for Property Restitution (ANRP), thereby obstructing the restitution process despite laws stipulating fines for such delays. Since 2003 the ANRP received 14,814 applications for property restitution from recognized religious groups and restituted 1,554 of them as of the end of 2012, of which only 135 properties belonged to the Greek Catholic Church. In some cases local authorities delayed enforcement or did not enforce decisions. The ANRP continued the restitution of religious property at a very slow pace, restituting only 12 properties to religious denominations during the year.

Section II (government inaction)

For the 15th year, the government refused to enforce a prior government emergency order restoring to the Roman Catholic Church a building that housed the Batthyaneum library and an astronomical institute, despite a 2012 ruling by the ECHR ordering the government to pay compensatory damages and trial expenses totaling 25,000 euros (\$34,435) to the Roman Catholic Archdiocese of Alba Iulia, and to put an end to the violation of Article 1 of Protocol 1 of the European Convention of Human Rights. (...)

Section IV (US government policy)

Embassy officials continued to raise concerns with government officials about the slow pace of religious property restitution, particularly properties belonging to the Greek Catholic and Hungarian churches. (...)

2014

Section II (legal framework)

Public schools conduct religious instruction. The 18 recognized religions are entitled to hold religion classes in public schools. The law entitles students to attend religion classes in their faith irrespective of their number. For students under 18 years of age, parents must request particular religious instruction, and starting at the age of 18, students are able to request the religious instruction of their choice. If parents or students do not make specific requests for particular religious instruction, all students are automatically enrolled in Orthodox religious classes. To opt out of religion classes, students must submit requests in writing. There is no defined alternative for students who opt out of religion classes. The constitution and the law also allow the establishment of state-subsidized educational institutions administered by recognized religions.(...)

Section II (government practices)

In many cases, minority religious groups were unable to gain restitution of confiscated properties in accordance with the law. Claimants said some local authorities opposed restitution or consistently delayed providing information about claimed properties to the Special Restitution Commission (SRC) of the National Authority for Property Restitution (ANRP), thereby obstructing the restitution process despite laws stipulating fines for such delays. The ANRP had received 14,814 applications for property restitution from recognized religious

groups during the filing period and had approved or rejected 5,026 of them, as of the end of August. Through the end of the year, the SRC had held only five meetings, approved the restitution of 27 buildings to religious denominations, and rejected 88 other claims.(...)

The government continued to refuse to return to the Hungarian Roman Catholic Church a building housing the Batthyaneum Library and an astronomical institute, despite a 16-year-old government emergency order restituting the building and a 2012 ruling by the European Court of Human Rights (ECHR) ordering the government to remedy the situation.

On November 26, the Ploiesti Court of Appeal ruled to renationalize a school previously restituted to the Hungarian Reformed Church in 2002, and sentenced three members of the restitution commission to three-year suspended sentences for aggravated abuse of office against the public interest. The ruling stated the school had not belonged to the Reformed Church, despite Communist confiscation documents citing the church as the owner.(...)

According to several religious groups, all military chaplains were Orthodox priests with the exception of one Roman Catholic priest and one pastor from the Evangelical Alliance.(...)

In February the Secular Humanist Association (ASUR) reported that even when parents or students opted out of religion class, in practice students were forced to attend the class because schools provided no alternative, despite the provisions of the law. The ASUR also stated it had received reports of harassment of children who opted out of Orthodox religion classes by religion teachers and local school authorities. (...)

In May eleven nongovernmental organizations (NGOs) addressed an open letter to the Ministry of National Education (MEN) requesting civil society participation in assessing the content of school textbooks, with particular attention to religion textbooks. They said the involvement of only some religious denominations in the assessment process raised questions about its transparency. The NGOs said religious textbooks produced in this manner promoted discriminatory attitudes and incited hatred, such as teaching children they should not play with children who were of a different faith or of no faith. Later in May the MEN adopted a new set of criteria for the assessment of religion textbooks, including a provision forbidding statements discriminating against other denominations or advocating religious hostility. The NGOs praised this provision, but added it was insufficient.

On November 12, the Constitutional Court ruled unconstitutional the requirement for students to opt out of mandatory religion classes by submitting a written application. The court's decision said students should be required to opt into religion classes, but per the constitution, left further action to change the law up to the parliament. As of the end of the year, awaiting the official publication of the court's decision, the parliament had taken no action.(...)

Section III (societal respect)

Minority religious groups said the Orthodox Church 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 Romanian national identity, suggesting followers of other religions lacked patriotism. (...)

Media reports often mentioned the minority religious affiliation of people who had committed criminal acts. (...)

Section IV (US government policy)

U.S. embassy officials continued to raise concerns with the government about the slow pace of religious property restitution, particularly properties belonging to the Greek Catholic and historical Hungarian Churches.(...)

2015

Section II (legal framework)

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

Section II (government practices)

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

Claimants said some local authorities opposed restitution or consistently delayed providing information about claimed properties to the Special Restitution Commission (SRC) of the National Authority for Property Restitution, thereby obstructing the restitution process despite laws stipulating fines for such delays. From January 1 to September 30, the SRC approved the restitution of eight buildings to religious denominations, and rejected 604 other claims. In six cases, the SRC approved the allocation of financial compensation. (...)

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

In May the Reformed Church filed a complaint with the ECHR regarding a November 2014 ruling of the Ploiesti Court of Appeals to renationalize a school the Church received in 2002. The Ploiesti Court also sentenced three members of the Restitution Commission to three-year suspended sentences for aggravated abuse of office against the public interest. The ruling stated

the school did not belong to the Reformed Church, despite communist confiscation documents citing the Church as the owner. (...)

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

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

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

Section IV (US government policy)

U.S. embassy officials continued to raise concerns with the government about the slow pace of religious property restitution, particularly properties belonging to Holocaust survivors and the Greek Catholic and ethnic Hungarian Roman Catholic Churches. (...)