

**COMMISSION ON
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IN EUROPE**

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December 19, 2006

His Excellency Traian Băsescu
President of Romania
Palatul Cotroceni,
Strada Geniului nr. 1-3, Sector 5
Bucharest, Romania

Dear President Băsescu:

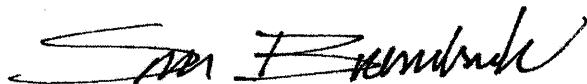
We urge you to return the draft *Law on Religious Freedom and Status of Religious Denominations* to the parliament for further refinement. As Members of Congress and the Commission on Security and Cooperation in Europe (U.S. Helsinki Commission), we are concerned by serious shortcomings in the draft recently approved by the House of Deputies. Many of its provisions are incompatible with Romania's OSCE religious freedom commitments, and we believe these flaws are serious enough that the draft ought not to become law.

The draft law's shortcomings include the creation of a tiered system of recognition which privileges some religions over others; the establishment of a high numerical threshold that a religious group must surmount in order to receive the most preferential legal status; and the establishment of a 12-year waiting period a religious group must undergo before receiving "religion" status. Returning the legislation to the parliament would allow deputies to reconsider the draft law in light of the assessments made by the Council of Europe's Venice Commission and the OSCE/ODIHR Panel of Experts on Freedom of Religion or Belief. Deputies would also have additional time to consider the concerns of Romanian religious communities.

Mr. President, throughout the drafting process we have engaged your government and various Romanian parliamentary bodies about provisions of the draft law that are irreconcilable with Romania's OSCE commitments on religious freedom. If the *Law on Religious Freedom and Status of Religious Denominations* were to pass in its current form, it would give Romania the dubious distinction of having the most burdensome religious registration system in the entire 56-nation OSCE region.

In closing, we congratulate Romania on its imminent accession to the European Union. Yet we are troubled that on the eve of such an historic event the parliament may pass a law so inconsistent with Romania's human rights commitments. We therefore respectfully urge you to return the draft law to the parliament for revision.

Sincerely,



Sam Brownback, U.S.S.
Chairman



Christopher H. Smith, M.C.
Co-Chairman