

THE STATE OF HUMAN RIGHTS IN
ROMANIA

(An Update)

Prepared by the Staff

OF THE

U.S. COMMISSION ON SECURITY AND
COOPERATION IN EUROPE



DECEMBER 1988

Printed for the use of the Commission on Security and
Cooperation in Europe

U.S. GOVERNMENT PRINTING OFFICE

92-916 ±

WASHINGTON : 1989

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

STENY H. HOYER, Maryland, *Chairman*
DENNIS DECONCINI, Arizona, *Cochairman*

DANTE B. FASCELL, Florida	FRANK LAUTENBERG, New Jersey
EDWARD J. MARKEY, Massachusetts	TIMOTHY WIRTH, Colorado
BILL RICHARDSON, New Mexico	WYCHE FOWLER, Georgia
EDWARD FEIGHAN, Ohio	HARRY REID, Nevada
DON RITTER, Pennsylvania	ALFONSE M. D'AMATO, New York
CHRISTOPHER H. SMITH, New Jersey	JOHN HEINZ, Pennsylvania
JACK F. KEMP, New York	JAMES MCCLURE, Idaho
JOHN EDWARD PORTER, Illinois	MALCOLM WALLOP, Wyoming

EXECUTIVE BRANCH

HON. RICHARD SCHIFTER, *Department of State*
HON. RONALD LEHMAN, *Department of Defense*
LOUIS LAUN, *Department of Commerce*

SAMUEL G. WISE, *Staff Director*
MARY SUE HAFNER, *Deputy Staff Director and General Counsel*
JANE S. FISHER, *Senior Staff Consultant*
RICHARD COMBS, *Senior Advisor for Soviet & East European Affairs*
MIKE AMITAY, *Staff Assistant*
CATHERINE COSMAN, *Staff Assistant*
DANA L. CROSBY, *Scty/Rept*
OREST DEYCHAKIWSKY, *Staff Assistant*
JOHN FINERTY, *Staff Assistant*
ROBERT HAND, *Staff Assistant*
GINA M. HARNER, *Administrative Assistant*
JUDITH INGRAM, *Staff Assistant*
JESSE JACOBS, *Staff Assistant*
RONALD McNAMARA, *Staff Assistant*
MICHAEL OCHS, *Staff Assistant*
SPENCER OLIVER, *Consultant*
BETH RITCHIE, *Press Officer*
ERIKA SCHLAGER, *Staff Assistant*
TOM WARNER, *Printing Clerk*

Contents

	Page
Letter of Transmittal.....	1
THE CITY	4
THE COUNTRYSIDE.....	6
THE DISSENTERS	9
THE ACTIVISTS	11
THE BELIEVERS	14
THE MINORITIES.....	18
CONCLUSION	20

Letter of Transmittal

One year after worker-led disturbances erupted in Brasov and other Romanian cities, Romanian society remains tense, divided and increasingly impatient with a regime that exhibits little regard for the well-being of its citizenry. While the Romanian Party and Government have succeeded in quashing most open expressions of dissent, they have failed abysmally in garnering popular support for their programs—if such support was ever solicited or even desired. Systematically depriving its citizens of the possibility to exercise the most fundamental human rights, and robbing them of the social and economic rights it supports so heartily in words, the Romanian regime has lost any legitimacy it might once have enjoyed among its citizens.

Romanian citizens and recent emigrants from that country testify that repression has grown in the year after Brasov. While most prisoners of conscience were released under a January 1988 amnesty, dissidents continue to be surveilled, followed, called in repeatedly for questioning by the Securitate, and placed under house arrest. Telephone lines are cut and mail intercepted to increase the dissidents' sense of isolation not only from the world outside Romania, but also from contacts within the country. Censorship has become more severe, and the security apparatus maintains an even more visible presence than before. The notorious but still unpublished Decree 408, which requires Romanian citizens to report to police all meetings with foreign citizens within 24 hours, is stringently enforced.

Romania's economy continues to deteriorate. Fuel and electricity have been rationed for years. Staple foods, including milk, bread and flour, are rationed, and in many localities even these are unavailable. Meat is a rarity; soup bones only occasionally appear in stores.

Decades of financial misplanning and inefficient industrial development have led to the dire condition of the Romanian economy, making it the poorest in Europe after Albania. The Government continues to repay its foreign debts at a swift rate and modernize at the expense of the Romanian people's well-being.

Against such a background, up to 20,000 Romanian citizens—the vast majority of them ethnic Hungarians—have taken refuge in Hungary over the past year. The upsurge in the number of refugees fleeing to that country is as much a result of Hungary's recently allowing most of those who have fled from Romania to stay as it is the Romanian citizens' perception that their situation is becoming worse, indeed desperate. In the same time period a few thousand have fled to Yugoslavia, a traditional place of flight for ethnic Romanians. While some have arrived in these countries with Romanian passports and simply overstayed their visas, others

have journeyed overland across heavily guarded borders or swum the Danube at great personal risk.

Thousands of other Romanian citizens seek to emigrate legally, but they find that the simple act of applying to emigrate—or even voicing their desire to do so—can have serious repercussions. Despite a 1985 agreement between Romanian and American diplomatic representatives, according to which Romanian would-be emigrants would not be stripped of their jobs, housing, and a range of other social benefits, authorities continue to punish those who seek to leave.¹ Prospective emigrants often still find themselves demoted in their jobs, driven from their houses, and unable to obtain medical and other services. On top of the severe economic conditions faced by every Romanian citizen—for even central government offices, presumably inhabited by the more well-off members of society, are unheated in winter—the would-be emigrants are in desperate circumstances.

The number of legal immigrants to the United States from Romania has declined in recent years from over 4,000 in 1984 to about 2,100 in 1988. Over 1,000 family reunification cases, including over 100 involving nuclear families, remain unresolved between Romania and the United States. The Helsinki Commission maintains a list of unresolved Romanian family reunification cases that it periodically presents to Romanian officials. About 60 percent of the Commission's cases have either departed Romania or received exit permission within the last year. This rate is consistent with that of previous years.

Official Romanian representatives are increasingly unwilling to discuss human rights concerns involving Romanian citizens. Unilaterally renouncing the Most-Favored Nation trading status it held for 12 years as a protest against foreign "interference" in its domestic affairs, and shrilly objecting for many months to any furthering of existing human rights commitments at the Vienna Review Meeting of the Conference on Security and Cooperation in Europe, the Romanian leadership has sought to duck scrutiny of its human rights practices.

Romania is a nation engaged in a waiting game, each citizen seeking to outlive a regime almost universally viewed as cruel and capricious. But waiting out the present demands more than merely not sticking one's neck out; it involves compromises that are tearing Romanian society apart, setting neighbor against neighbor. The resulting societal atomization, say Romanian dissidents, is one of the primary barriers to change in the country. Echoing through conversations with them is their desire for unity inside Romania and among human rights advocates for Romania in the outside world.

In the words of dissident Doina Cornea:

We must succeed in breaking out of the isolation that they are trying to impose upon us. We must succeed in uniting all of us, in being able to raise our voices together . . . We all must fight in order to get back our elementary rights of speaking freely, thinking freely, creating freely, and living

¹According to this agreement, the Romanian Government agreed not to require applicants to liquidate their holdings in Romania until they were accepted into another country and otherwise ready to go.

freely. We all are happy to realize the solidarity uniting us, to adopt the old saying whose truth is eternal: "One for all, all for one."²

In this spirit of solidarity with Romanian citizens and the citizens of all signatory states to the Helsinki Final Act, we issue the following human rights update, based on the findings of year-round monitoring of the Romanian situation, as well as congressional and staff delegations to that country.

SINCERELY,

STENY H. HOYER
Chairman

DENNIS DeCONCINI
CoChairman

²*Radio Free Europe Romanian Situation Report 6*, 29 April 1988, p. 19.

The City

One day in the spring of 1988, bulldozers arrived in a neighborhood in historic downtown Bucharest. Unheralded by either an official announcement or a vigorous press campaign outlining the latest plans for urban development, they proceeded to cut a street through four city blocks in the space of 9 days—9 days in which the country's chief planner, President Nicolae Ceausescu, happened to be out of town. He returned to see with pleasure that another step had been taken in his drive to modernize Romania's capital.

Visitors to Bucharest 15 years from now won't remember what the city used to look like, Romanian officials proudly proclaim. They liken Ceausescu's drastic destruction and rebuilding of the city to the work of Georges-Eugene Haussmann, who remade the face of Paris over a century ago. Haussmann wasn't popular in his own day, they posit. With time, Ceausescu, too, will be remembered fondly.

Whatever the merits of Ceausescu's taste in architecture, his transformation of Bucharest almost certainly will be legendary. At a time when homes, schools, offices and even government buildings are for the most part unheated for want of fuel, and only dimly lit for want of electricity, earthmoving machines, tractors and cranes work into the night to realize Ceausescu's dream of a modern city center. He is building a monument to himself at the very high cost of thousands of churches, houses and other landmarks brought tumbling down, their residents forced to move, with no hope of proper compensation. (Owners typically are offered between 20 and 25 percent of the real value of their homes.)

The urban modernization program bears Ceausescu's personal stamp not only in the style in which it is being implemented—at break-neck speed, with little advance warning for homeowners—but also in its ideological basis. Ceausescu's personal ambition is to modernize the country, to bring it into line with his conception of the 20th century world. The program increases state control over citizens by making them, its tenants, completely dependent upon it. So physically and psychologically Ceausescu is molding the new Romania: one in which each citizen lives in close quarters with others and serves the collective rather than his or her personal interest.

Perhaps no other Romanian policy illustrates so well the helplessness and hopelessness of Romanian citizens in the stranglehold of a dictatorial ruler. The urban "renewal" program seems to enjoy no support among any stratum of the population, even the political elite. Bucharest is abuzz with critical comments, yet public protests have been few and far between. In part, this is due to the Romanian regime's effective silencing of any groups that voice common interests. Private citizens are too fearful to speak out. Until the

bulldozer reaches one's backyard, one is unlikely to rise to a neighbor's defense—especially a far-away one.

The protests that have been lodged have been almost exclusively by professionals through official channels. For example, in 1984 and 1985 historian Dinu Giurescu wrote eight memoranda and two petitions protesting the impending destruction of two historic Bucharest monuments with the Romanian Communist Party Central Committee and the Academy of Social Sciences: the 18th century Vacaresti Monastery, which some architects claim was the greatest monastic ensemble of that period in Southeastern Europe and which Romanian officials shrug off as "an old prison," and the Mihai Voda Church built by the Romanian national hero, Michael the Brave. The former was subsequently destroyed; the latter was moved and presently is undergoing restoration. Until 1985 Giurescu and a handful of other historians and architects succeeded in publishing articles in professional journals advocating the preservation and renovation of traditional Romanian architecture. In 1986 Ascanio Damian, the former rector of the Institute of Architecture in Bucharest, handed in his Romanian Communist Party membership card as a sign of protest against the urban destruction. Other prominent intellectuals have addressed open letters to Ceausescu protesting the destruction of Bucharest's historic architecture.

Other public protests have been few and far between. The Orthodox Church, which owned many of the monuments that have been destroyed, has not spoken publicly on behalf of even its own buildings. In September 1987, the 18th century Sfintu Spiridon Orthodox Church was destroyed, followed by three other historic Orthodox churches. Presently, about 70 more Orthodox churches reportedly face demolition, which if carried out would halve the number of working Orthodox churches in Bucharest.³

Bucharest is not the only Romanian city to have suffered irreparable damage to its architectural base, although it has surely suffered the most up to now. Other cities such as Sibiu and Brasov are subject to piecemeal destruction and re-building.

³Radio Free Europe Romanian Situation Report 1, 13 January 1988, p. 45.

The Countryside

No announced Romanian policy has provoked such a bitter reaction within the country and abroad as the program of rural *sistematizare*, or "restructuring." According to Romanian officials, the plan has multiple aims. One is to erase the differences between the standards of living in the countryside and city, thereby laying the groundwork for a classless society; another is to free-up arable land suitable for cultivation by some 350,000 hectares; a third is to provide better social services to people concentrated in population areas. Perhaps the most important aim for the regime is to bring all Romanian agriculture into the Socialist economy, increasing central control over agricultural production and eliminating the few remaining pockets of private enterprise in the countryside. Time and again Romanian officials have alluded to the need to "bring Romania out of the 17th century." When pressed to provide a rationale for the program, they fall back on the complaint that "everyone wants Romania to be a living museum."

The program soared into the public eye in spring of this year, when Romanian President Nicolae Ceausescu announced his intention to raze about half of Romania's almost 13,000 villages and reconstruct others into "agro-industrial centers." The idea was not new; it had been written into Communist Party directives in a less drastic form in 1972 and into law in 1974. At that time, about 3,000 villages were slated to die out gradually, while 300 to 400 villages were to be transformed into larger towns. But Ceausescu's industrial construction priorities overshadowed the rural reconstruction and resettlement program, and that program was not pursued with any vigor.

By spring of 1988 the rural *sistematizare* program once again emerged as a top priority on Ceausescu's agenda, when he announced that the program would be completed by the turn of the century. The Romanian press has outlined official plans little by little; central and local officials have offered varying accounts as to how the program will be realized. Recent official pronouncements suggest that the regime realizes it cannot fully implement the program in the time frame originally indicated; whether the program will be scaled back remains an open question. The scarcity of reliable information only increases the rural population's uncertainty over its future.

Ceausescu's plan to jerk the countryside into the 20th century is having a pronounced psychological effect on Romanian citizens, even if it is not completely new. Romanians are well used to hearing endless advertisements of their President's latest schemes, and to seeing their effects. As a result of one Presidential directive a few years ago, all Romanian buses carry tanks for methane on their roofs—even though they cannot use that gas for fuel. Often

projects will remain on paper for years, or be implemented only halfway, like the empty methane tanks. The time frame of the push for *sistematizare*, as well as the heavy-handed press campaign that has accompanied its inauguration, suggest that this time Ceausescu intends to go through with the program.

According to official blueprints, no region of the country will remain unscathed. A Helsinki Commission staff delegation tour of several villages and towns around Bucharest, Snagov and Brasov underlined that some urban-style reconstruction had already taken place in some areas in previous decades. Four and five-story apartment blocks built in the 1960's and 1970's cut through the centers of the villages of Saftica and Voluntari, near Bucharest, and Ghimbavi, near Brasov. Romanian villagers have reported that individual abandoned houses in their communities have been bulldozed for many years, but this practice seems to have been the furthest extent of implementation of the *sistematizare* program until this year.

By November 1988, plans for rural *sistematizare* were extensive on paper, yet only in the initial stages of implementation. The hardest-hit area so far, is a stretch of road between Bucharest and Snagov, the location of Ceausescu's leisure-time villa. Otopeni, once a prosperous village of large homes and fertile gardens just off the Bucharest airport road, now is the site of numerous three-story balconied apartment buildings set in a sea of mud. Behind them are Otopeni's remaining single-family houses, destined for imminent destruction. In June of this year, Romania's *Young Scintea* newspaper reported that Otopeni and neighboring villages were models for the rural *sistematizare* program, slated ultimately to house a population double their original size.

The only evidence that the village of Vladiceasca, about a 40 minute drive from Bucharest, ever existed is a series of concrete curbs and slabs over roadside ditches that presumably once drained the tiny settlement. Freshly ploughed mud peppered with pebbles and broken roots stretched along both sides of the road. Some way further along the road stood the sign for another town, followed by recently ploughed plots. Bulldozers were parked beside partially destroyed houses; elderly people were collecting wood, concrete blocks and other debris from what remained of their homes.

Three houses set back from the road appeared to be the next in line for demolition. An old man was splitting wood and tying it in bundles; a dozen chickens and geese ran back and forth, scratching in the earth, and a pig could be spied behind the houses. Several elderly, shawled women with windswept faces and gnarled hands explained that they had been told 2 months previously that their houses would be destroyed. They expected the bulldozers to arrive at their doorsteps in 2 weeks' time. They had been given some scant compensation and an apartment in a new, pre-fabricated building in a nearby town. The women cried as they described their self-sufficient village life; at most they now expected to be able to keep a few chickens in makeshift sheds behind their new home. The other animals would be slaughtered immediately.

The town of Ghermanesti, visited by the staff delegation, is one of the 558 planned agro-industrial centers at the core of Ceausescu's rural *sistematizare* program. The new apartment buildings

there, stood on the edge of the town across from some recently cleared lots. For several months their new residents lived without plumbing; by autumn of 1988 running water and a sewage system had been installed and were operational. Inhabitants had gathered and stored firewood in sheds behind the apartment buildings, and a few sheds, presumably for animals, were visible as well. Eight foot-square garden plots were marked out between the buildings and the road through town.

While the grave threat *sistematizare* poses to Romania's cultural legacy has been the focus of much of the criticism of the project both abroad and in some segments of Romanian society, clearly the economic repercussions are more pressing to those whose villages face the onslaught of bulldozers in the future. The countryside has remained an essential supplemental food source, not only for Romania's rural population, but also for the inhabitants of its cities. On weekends, city-dwellers could visit friends and relatives in the villages, collecting food and fuel-wood. If the *sistematizare* program goes forward, Romanian citizens' self-sufficiency will be further eroded as a result of Ceasescu's moves to gain greater control over agricultural production--and claim the products for the state.

The Dissenters

Intellectual life in Romania has been hit hard by repeated assaults by the Ceausescu regime. Many Romanian intellectuals have emigrated; others have remained in the country where they seek to carve out an independent cultural life. Increasingly they are becoming disaffected, and a few of them—including Party members—are beginning to act on that disappointment and disillusionment. Such is the case with writer Aurel Dragos Munteanu.

On September 30, 1988, Munteanu, a 20-year veteran of the Party, submitted his resignation to the head of the Party cell at the literary weekly *Luceafarul*, where he worked. In his letter of resignation, Munteanu cited three reasons for his decision: the renewed Party assault on religion, the *sistematizare* program, and censorship. He wrote,

I consider unacceptable the position that equates religious attitudes with nationalism and chauvinism . . .

Second, I cannot accept the moral responsibility of supporting the program of destruction of rural localities. It would threaten the very national being, the Romanian people, as well as the co-existence of national minorities . . .

. . . (A)ny form of intellectual censorship and of the weakening of the liberty of expression is profoundly damaging to our society. The absence of a minimum of moral solidarity also disappoints me (as does) the insensitivity of the Party organization toward a writer subjected to political slander and repression.

Munteanu's story is of a journey from Party supporter to Party outcast. The story began on August 21, 1968, when he and a number of other intellectuals enlisted in the Romanian Communist Party. Their goal was to demonstrate solidarity and support behind President Ceausescu's decision not to send troops into Czechoslovakia during the Soviet-led Warsaw Pact invasion of that country. Twenty years later, Munteanu was fired from his job for his political convictions.

Many Romanian intellectuals trace the beginning of the Party's downturn to 1971, when Ceausescu launched his version of a cultural revolution with a set of ideological theses published in *Scinteia*. As the years went by, fewer and fewer enclaves existed for independent intellectual work, and even as many writers and scholars strove increasingly to confine their work to "neutral," apolitical pieces, their discontent with present policies inevitably crept in. The Party's xenophobia grew steadily, and intellectuals, many of whom considered themselves patriots as well as internationalists, chafed under the growing constraints on Romanians' access to the works of foreign cultures.

Perhaps most disturbing to intellectuals was the Party's full-scale effort to co-opt culture for its own ends while systematically destroying the country's cultural foundation. Certainly this was the basis for a planned memorandum on the intellectual and cultural

crisis in the country drafted by independent-minded intellectuals this past fall. That memorandum never saw the light of day, for when authorities learned of its existence, they called in the prospective signatories one by one and urged them not to engage in such a public display of protest. They were encouraged instead to come directly to the authorities if they had any complaints, and those would be taken care of. The petition fell prey to the Romanian official policy of "divide and conquer" which has silenced public protest so successfully in that country.

Munteanu's letter of resignation from the Party closed with a citation from Lincoln:

I don't have to be victorious, but I must speak the truth. I don't have to win, but I must live according to my beliefs. I have to be on the side of right, so long as it is right, and should I part with the right, then I walk along an incorrect path.

These lines could be taken as the credo for a number of Romanian intellectuals who have felt compelled to challenge the system or leave it in recent years.

Physicist Gabriel Andreescu, who was detained for over a month in December 1987-January 1988 for his critical writings on the Romanian situation and freed according to the terms of the January amnesty (but still under heavy surveillance), sent his own prescription for action to the August 1988 Krakow Independent Human Rights Conference. In what he termed a "lesson of dignity," he wrote that citizens should never ignore signs of good will on the part of authorities, and that protest must always be peaceful and constructive. In this spirit, he proposed,

... (W)e should appeal to elementary dignity: peacefully refraining from following the negative requirements of the authorities, refusing to take part in ... so many organizations playing out the scenario of power-[these acts] are nothing more than the expression of a normal life ...

Andreescu appealed to the conference participants to use the dignity derived from living an honest life—unmarred by demeaning official requirements—as a starting point for their human rights activism.

But one Romanian dissident intellectual painted the dilemma facing Romanian intellectuals and other citizens whose hearts and minds tell them they must act, and whose circumstances dictate that they should not:

You can choose not to vote; this show of honesty doesn't send you automatically to prison. But at the moment when you say something to others, then the reaction is brutal and so fast that you don't have an opportunity to do anything. A very large number of Romanian intellectuals don't do anything because they can't.

The Activists

Very few Romanian intellectuals or other citizens have succeeded in moving from living quietly in dignity to speaking out; fewer still have joined their voices with others and sought to work as a group. But a small core of brave activists has done just that against incredible odds. By and large they have used the traditional tool of open appeals on specific issues to Romania's leader. The rural *sistematizare* campaign has also provoked a steady stream of appeals.

The best-known among these is the poignant appeal by a former university French instructor from Cluj, Doina Cornea, and five other original signatories (followed by several others who associated themselves with the letter after its appearance) to Ceausescu protesting rural *sistematizare*.

The letter began,

We would be unworthy of the people to which we belong if we were not to set ourselves apart, by this letter of protest alongside the hundreds of thousands of peasant families forced to depart if you execute this so-called plan . . . which involves the demolition of thousands of peasant houses and of villages and consequently the destruction of the traditional way of life . .

It went on to outline the damage that would be done to Romanian peasantry and the Romanian nation if the plan were to be implemented. It outlined three actions the Government could take in order to improve the peasantry's standard of living, if this were indeed one of the aims of the program: the Government could give the peasants land, thus allowing the return of the family farm, the means to obtain modern equipment and the right to sell their produce freely both inside the country and abroad and without the crippling taxes and regulatory fees presently levied on them. The letter pointed out,

A community is based on individuals and not founded on constraint and fear . . .

We . . . consider that you do not have the right--this would be to commit a grave abuse of power--to demolish thousands of villages without the consent of the population concerned, without the agreement even of the whole nation.

The open letter to Ceausescu was followed by an appeal on the same theme by Cornea and 21 other signatories to the Krakow Human Rights Conference. That appeal demanded that Romanian society be informed in detail of the *sistematizare* plans and that a nationwide referendum be held on the program.

Cornea and her co-signatories went beyond a defense of their own interests and values to a broader defense of Romanian national interests and those of the peasantry, in particular. Not only intellectuals, but also workers signed the two appeals. Cornea, in her sixties, has been under continual house arrest since late summer.

In the summer of 1988, seven former prisoners of conscience interned in the Aiud Prison—Julius Filip, Radu Filipescu, Gheorghe Nastasescu, Carol Olteanu, Victor Totu, Marian Iancu and Constantin Purcaru—issued a human rights appeal to the Vienna Follow-up Meeting of the Conference on Security and Cooperation in Europe. In the area of workers' rights, it called for such reforms as: an end to severe wage cuts tied to enterprises' inability to fulfill their quotas under the state plan (the unexpected implementation of this practice, on top of worsening food supplies, was the immediate impetus to the unrest in Brasov last autumn); an 8-hour working day; freedom of movement for Romanian workers (including the right to change jobs); and the rights to strike and form independent trade unions. For peasants, the Vienna Appeal advocated significant increases in the size of private plots, the right to keep up to one-half of their produce from collective plots, the abolition of mandatory state contracts and the freedom to sell produce freely. It advocated respect for and guarantees of minority rights, freedom of movement into and out of the country, and access to foreign media. The appeal also called for official recognition of the right to form human rights defense groups and an end to censorship. In short, the former prisoners of conscience urged Romanian leaders to follow through on their commitments embodied in the Helsinki Final Act.⁴

The number of political prisoners currently incarcerated in Romania is unknown. These prisoners include individuals who have protested the authorities' denial of permission for them to leave the country. They also include people who have attempted to leave Romania without following the officially decreed and very arduous emigration procedures.

A limited amnesty was declared on October 26, 1987 in celebration of Socialist Romania's 40th anniversary. A more far-reaching amnesty in January 1988 freed a much higher number of people, including: Victor Opris, a Pentecostal pastor sentenced to 9 years imprisonment on charges of bribery; Ion Bugan, sentenced in 1983 to a 10-year prison term for driving through Bucharest with a portrait of Ceausescu and an accompanying caption calling for his resignation; and Gheorghe Nastasescu, convicted in 1982 for making a speech and leafleting to encourage Romanian citizens to voice their dissatisfaction with official policies.

An undetermined number of people—variously estimated from several hundred to 2,000—was detained after the riots in Brasov in November 1987. It is not known how long they were detained or whether any still remain in custody. Rumors persist that a number of people died or suffered severe injuries during their detention; these have not been confirmed to date. Moreover, some participants in the Brasov uprising were rumored to have disappeared.

A list of currently incarcerated prisoners of conscience known by name to the Helsinki Commission follows:

Ion Fistioc—architect, Party member and former ministerial official jailed since July 1988 for reform proposals sent to the Romanian Party leadership and Soviet leader Mikhail Gorbachev

⁴Radio Free Europe Romanian Situation Report 9, 20 July 1988, p. 28.

Lucian Iancu-theater director, in Aiud Prison for attempting to flee Romania

Dumitru Iuga-television technician, arrested in 1984 for involvement in a Bucharest student group supporting human rights

Nicolae Litoiu-locksmith, arrested in September 1981 and sentenced to a 15-year term for spreading "propaganda" by distributing leaflets and burning books containing Ceausescu's works

Alexandru Mateescu-helmsman, in Iasi Prison for attempting to flee Romania

Mihai Pavelescu-imprisoned since April for granting interview to foreign journalists

Valer Sabau-arrested in 1988, reportedly in Satu Mare Prison, for passing out leaflets criticizing Ceausescu and other Communist Party leaders

Florentin Scaleschi-captain, in Galati Prison for attempting to flee Romania

Former political prisoners remain under close surveillance, and are often detained and called in for questioning. A number of Romanian citizens were arrested and held for varying periods over the past year for granting interviews to foreign journalists. In addition to Mihai Pavelescu, Dan Petrescu and Nicolae Stancescu were detained for this reason. National Peasant Party member Ion Puiu has been in and out of detention constantly for his critical open letters and appeals to Ceausescu and Gorbachev. Human rights campaigner Mariana Celac Botez has been under house arrest intermittently over the past several months.

Radio Free Europe reports that a clandestine independent group emerged in Romania in 1986. At long intervals it issues thoughtful studies of problems facing the country. Calling itself Romanian Democratic Action, its mandate is to reawaken democratic traditions. In 1987 it put out a 12-point program outlining its aims, including: a return to parliamentary democracy and free enterprise, the separation of church and state, the promotion of minority rights and environmental protection.⁵

⁵Radio Free Europe Background Report 228, p. 21 and Radio Free Europe Background Report 34, 2 March 1988, pp. 1-3.

The Believers

Article 30 of the Romanian Constitution theoretically guarantees Romanian citizens the freedom "to share or not to share a religious belief." However, the same article makes clear that religious groups will be regulated by the state. Each of the 14 officially-recognized religious denominations functions according to a state-approved charter, and the Catholic Church, which lacks such a charter, enjoys the same formal relations with state authorities as other legal denominations.⁶ The church with the largest membership by far is the Romanian Orthodox Church, which includes 16 to 18 million of Romania's 23 million citizens as members. That church is exclusively ethnic Romanian. The Catholic Church is ethnically mixed, although the overwhelming majority of its members are Hungarian or German; many of its ethnic Romanian adherents are actually Eastern Rite Catholics who are not permitted their own church in Romania. The Neo-Protestant churches also are of mixed ethnic composition, although they appear to be predominantly Romanian. The Reformed, Unitarian and Presbyterian Churches are exclusively Hungarian, and the Evangelical-Lutheran Church is German.

The small evangelical Protestant sects are the chief targets of harassment by Romanian authorities. Members of officially recognized denominations, including Baptists, Seventh-Day Adventists and Pentecostals, are as susceptible to official persecution as are members of such banned denominations as Jehovah's Witnesses, Christian Scientists, Eastern Rite Catholics (Uniates) and Nazarenes, all of which are nonetheless active in Romania. Pentecostals, Evangelical Brethren and unofficial Baptists are perceived as a particular threat to the state because of their insistence on the primacy of religious belief over state authority in moral matters.

Freedom of religion in Romania is closely bound to freedom of assembly. Romanian citizens must obtain official permission to organize or assemble; by and large believers are not permitted to extend their religious life beyond church walls. Consequently, they cannot engage in social work and other services performed by church ministries elsewhere in the world. Attempts to gather independently for worship by members of officially recognized faiths are treated as "illegal assemblies," with participants sometimes arrested, fined and evicted from their homes. Unrecognized groups

⁶In 1948 the Romanian Government revoked a concordat concluded with the Vatican in 1927, reduced the number of Catholic dioceses from six to two and sought to force the Catholic Church in Romania to sever its ties with Rome. Since that time the Romanian Government and the Vatican have been unable to come to agreement on a wide range of questions, particularly that of the Eastern Rite Catholic Church, which is illegal in Romania. Hence, the Catholic Church in Romania today lacks the charter required by the Government to confer legal status on a Church. See Janice A. Broun, "Catholics in Rumania: A History of Survival," *America*, 12 May 1984, pp. 357-361.

are forced underground by laws and extra-legal sanctions against unauthorized assembly.

The Romanian State Department of Cults controls religious affairs in the county. It controls the importation or printing of religious materials, including Bibles, subsidizes clerical salaries, approves permits for church construction or renovation, establishes the number of admissions to seminaries, and in general ensures the churches' "respect of legality." All of these are areas of friction between believers and the state.

The Department of Cults is also in charge of licensing pastors. The shortage of Baptist pastors who have completed the seminary training approved by the Department of Cults has created pressure on congregations to engage pastors who have not gone through formal seminary training. Lack of seminary training is a further, technical excuse for the Department of Cults to refuse to license clergymen whom it deems suspect.

Lay minister Doru Popa was removed from his job at Romania's second largest Baptist church, Arad's Speranta Baptist Church, and expelled by the Romanian Baptist Union in October 1987. Popa is one of a growing number of lay ministers seeking to fill the vacuum left by dwindling numbers of Baptist seminary graduates due to very restrictive official admissions practices. Earlier in the year the Romanian Department of Religious Affairs had declared it would not accept his appointment to lead the congregation, which had appointed him its pastor in February 1987.⁷ In November 1988 Popa was readmitted to the denomination but he has not been permitted to resume his pastor's position.

Churches and other religious buildings still risk destruction as President Ceausescu's *sistematizare* campaign continues. In past years churches have been bulldozed in the process of urban renewal. More than 25 historically significant, working Orthodox churches have been destroyed in Bucharest alone since 1977, and some 60 to 70 more are threatened with demolition.⁸ Village churches also face the threat of destruction, along with the villages themselves.

The Romanian Government has yet to allow a large Bucharest Adventist congregation to move into new, permanent quarters after the August 1986 razing of its church. The Adventists have proposed a number of sites, all of which the authorities have rejected. However, Bucharest's Cuibal Cu Barza Church has been transferred to another location instead of being demolished. During the past year, a Timisoara Baptist congregation received permission to buy a new, larger building to replace its current one, which is slated for destruction.

Standoffs between congregations and authorities continue in many localities. The Oradea Second Baptist Church has not received official permission for renovation and expansion, although its present building with room for 1,000 congregants is not nearly large enough for its needs. The Pentecostal congregation in Bistrita continues the struggle to save its church, threatened with demolition after church leaders—having tried repeatedly and unsuccessfully to garner official permission—attempted to expand it without of-

⁷Keston News Service No. 285, 8 October 1987, p. 13.

⁸Radio Free Europe Situation Report, 13 January, 1988, p. 45.

ficial clearance in July 1987. Congregants have staged an extended occupation to prevent bulldozers from advancing. In September 1988 church leaders presented a bold petition for positive resolution of the Bistrita case to central authorities which included 1,000 signatures along with the signatory-congregants' clearly printed names and addresses.

Obtaining religious texts, especially for members of churches other than the Orthodox Church, continues to be a problem in Romania. After protracted negotiations, 5,000 Bibles for use by Baptists were printed and distributed in 1987. However, neither the Romanian Government nor the Orthodox Church has satisfied the Romanian Baptist General Union's request for 5,000 additional Bibles, despite the earlier agreement's provision that more Cornilescu (Baptist) Bibles would be printed as necessary. This year eight people were reported to have been arrested for distributing Bibles outside official channels. The Orthodox Church has continued to print a large number of Orthodox Bibles.

Some believers, especially those outside the Orthodox Church, suffer discrimination, intimidation and other harassment as a result of their religious activity. Religious activists will, on occasion, lose their jobs or social benefits such as access to medical and other state-provided services. A source in the Hungarian Reformed Church noted that doctors and lawyers in general can be active in church affairs while teachers—because of their role in molding young minds—cannot worship openly until they reach retirement age. A negative official press campaign on religion has intensified in the last few years.

Nestor-Corneliu Popescu's difficulties with Romanian authorities started out normally enough for that country. His employers at the Anima film studios decided that he spoke too freely of his religious and political convictions, and thus demoted him. The rest of his story reads like an all too typical Romanian tale of the evolution from religious believer to politically conscious citizen to would-be activist to political prisoner—except that Popescu's prison happens to be a mental hospital, and his sentence there is for an unknown length of time, without any hope of an amnesty.

Popescu became a Baptist in 1986. Through his faith he became convinced that he must speak only the truth, and that this principle should extend to his work. In July 1987, he was fired for spreading religious propaganda at his workplace and "denigrat(ing) the cultural policies" of the Communist Party.⁹

Popescu was interned in October 1987 after attempting in August to deliver to the Swiss Embassy in Bucharest an appeal to Romanian intellectuals to take responsibility for the state of their country. He was arrested and charged falsely with disturbing the public order and hitting an employee of the Embassy. Police confiscated a large volume of Popescu's writings, as well as religious texts and all his family photographs during a subsequent house-search.

Popescu has appeared several times before medical commissions and tribunals. After the initial 6 months of hospitalization, a commission of doctors found him mentally fit. But a tribunal in July

⁹ *Keston News Service No. 285*, 8 October 1987, p. 13

subsequently refused his request for discharge. In August, another tribunal ordered Popescu's release from the hospital, but 3 days later Popescu's wife was informed that his appeal had been rejected. This pattern confirms that Popescu is being held for political reasons rather than for his mental state.

Popescu remains confined to the psychiatric hospital, where he is in a strict-regime ward. It has been reported that he is being treated with neuroleptics, hypnosis, and electric treatments. Popescu is ill with diabetes, and has been on several hunger-strikes. He fears that the food he is given at the hospital is sometimes drugged.

Popescu's lawyer was Baptist activist Nelu Prodan. Prodan and his wife Virginia had worked in the Public Defenders' office. The Prodans described their evolution into activists as a result of disillusionment with the Romanian system and simultaneous spiritual awakening. About 8 years ago they started to attend church services, and became ardent Baptists. They adopted the Biblical teaching, "Know the law and you will be free," as the basis for their work.

Nelu Prodan's first human rights case involved Petr Dugulescu, a pastor from Timisoara, in 1985. He was a Christian poet brought up on civil charges which the authorities sought to change to a penal case. Prodan defended him successfully by pointing out inconsistencies in the Government's case which contradicted the law. Prodan also defended several congregations seeking to prevent demolition of their churches or obtain building and repair permits.

Prodan continually wrestled with the dilemma of being a lawyer in a system where the law, in fact, means very little. He said that he conducted himself as if the Constitution really did guarantee all the freedoms it promised. While he won very few cases in practical terms, he claimed, "I win when I mention the laws. I win when I have a trial at all, because I can pose problems before the judges."

Prodan said that his aim was to bring Christians together, and this is why he posed such a threat to authorities. The regime was interested in isolating people according to their own interests, nationalities and denominations, Prodan pointed out.

Two summers ago Nelu Prodan compared life as a human rights campaigner in Romania to sitting on a keg of gunpowder. Four months later, in December 1987, he was arrested on trumped-up charges of accepting bribes. He remained in custody for 10 days. In January, the charges against him were dropped as a result of the general amnesty proclaimed in that month. Prior and subsequent to his imprisonment, the Prodans' prerogatives as lawyers were steadily whittled away until they could no longer adequately defend believers' rights through the Romanian legal system. In November, 1988 the Prodans emigrated to the United States, where they currently are living.

The Minorities

Ceausescu's brand of extreme nationalism is taking a toll on the Hungarians, Germans and other national minorities in Romania. On top of the severe economic hardship and indignities suffered by virtually all Romanian citizens, minority members face diminishing opportunities to be educated in their own language and maintain a culture separate from Romanian culture. Ethnic Hungarian and ethnic Romanian refugees interviewed in Hungary by Helsinki Commission staff in November, 1988 stated that worsening economic difficulties have pitted Romanian citizens against each other both on an individual, and on a group, scale. Even those who would not admit to historical animosity between the 2 nationalities claimed that tensions had risen, especially in the past two years.

Family and cultural contacts across the Romanian-Hungarian border have been hampered for some years—although the flow has not been cutoff—and Hungarian visitors to Transylvania are harassed routinely. As a rule only ethnic Germans under retirement age are permitted to visit the German Democratic Republic; only those of retirement age or older are allowed to travel to the Federal Republic of Germany.

Official control over Romanian citizens' freedom of movement has resulted in minority members being transferred—through job assignments, for example—to predominantly Romanian areas, while Romanians are placed in what once were homogeneous minority areas. While this assimilation policy has been in effect for several decades, minority representatives note that it has accelerated in the 1980's. In effect, the cities of Brasov, Cluj and Tirgu Mures, traditionally mixed enclaves, have been closed to in-migration by Hungarians.¹⁰ Transylvanian Hungarians told Commission staff in September 1987 that Romanians receive positive incentives to move into such cities—15,000 lei and guaranteed housing—while Hungarians get no such incentives. Moreover, according to some ethnic Hungarian residents, Hungarian students have been required to pass very competitive examinations in order to be assigned a job in the area where their families live.

As a result of these administrative strictures, institutions which once had a mandate to provide cultural, educational and other services to minority communities are being watered down. Their functions are shifting to serve an ethnic Romanian population. Romanian administrators now dominate once heavily Hungarian institutions such as the Medical and Pharmacological Institute in

¹⁰According to official Romanian censuses, the percentage of Hungarians in the overall population of Brasov, Cluj and Tirgu Mures fell by 5 percent, 15 percent and 11 percent, respectively between 1956 and 1977 alone; Hungarians testify that Romanian in-migration has accelerated since 1975. See *Report on the Situation of the Hungarian Minority in Rumania* prepared for the Hungarian Democratic Forum (Budapest, 1988), pp. 32-33.

Tirgu Mures. Minority-language theaters, newspapers and publishing houses have been shutdown or merged with Romanian-language ones. Hungarians charge that those that have survived are subject to sharper budget cuts than their Romanian counterparts. For instance, reportedly the budget allocation for theater props for the Romanian theater was 10 times the allocation for the corresponding Hungarian theater in the town.¹¹ Hungarian Catholic prelates and believers are struggling in some localities such as increasingly mixed Tirgu Mures to maintain Hungarian-language worship services.

Strict ceilings cap the number of minority students permitted to enroll in universities that once served minority communities, such as the one-time Hungarian university in Cluj. The proportion of both ethnic Hungarian students and faculty to their ethnic Romanian counterparts has decreased, reflecting national assimilation not only in minority pockets in Romania but also of minority members into overwhelmingly Romanian areas.¹²

By law, a minimum of 26 students is necessary to form an elementary school class being taught in the minority language, while 36 are required for such a class in secondary school. But because of Romania's official assimilation policies, teachers proficient in minority languages are in short supply in the areas where the minorities are concentrated. Because the Government assigns graduates places of work and residence, Hungarian- and German-speaking teachers often find themselves teaching in overwhelmingly Romanian areas, where Romanian is the language of teaching. Between 1984 and 1987, reportedly half of the ethnic Hungarian school principals were replaced with ethnic Romanians. An oral directive of 1985-1986 by the Romanian Ministry of Education required schools in overwhelmingly Hungarian Covasna and Harghita counties to accept a large number of ethnic Romanian teachers who had no knowledge of the Hungarian language.¹³ German communities have had comparatively more success in maintaining German-language schooling than have Hungarian communities.

As relations between Romania and Hungary have deteriorated, a vicious anti-Hungarian press campaign has heightened the ethnic Hungarians' sense of being besieged in Romania. They justifiably fear that the rural *sistematizare* program will further accelerate their assimilation from a culture of "cohabiting nationalities" to a purely Romanian culture, and erase the Hungarian cultural patrimony that existed in Romania.

¹¹Report on the Situation of the Hungarian Minority in Rumania, prepared for the Hungarian Democratic Forum, Budapest, 1988, p. 103.

¹²Ibid pp. 92-93.

¹³Ibid p. 39 & 89.

Conclusion

Prospects for improvement in the Romanian human rights record are dim. While patterns of repression shift—from imprisonment of dissenters to repeated detentions and house arrest, for example—their essence remains the denial of fundamental rights to the citizens of Romania. The recently revived *sistematizare* program would appear to be a new form of assault on individual rights, yet its premise is the Romanian regime's decades-old practice of using administrative means such as residence permits to regulate the movement of population groups around the country.

The persistence of Romanian human rights advocates in getting their message to the world is the only bright light on the Romanian scene today. Their determination to live in dignity, even as they despair over the poor prospects for improvement today, is the best example they can provide to their fellow citizens and the next generation.