

Congress of the United States
Washington, DC 20515

June 13, 2013

The Honorable John Kerry
Secretary of State
Independence Avenue, SW
Washington, D.C. 20591

Dear Secretary Kerry,

We write today to request that the State Department vigorously engage the Romanian government to end the travesty of justice which it has perpetuated by failing to fully restitute properties illegally confiscated from religious denominations after 1945. As you are aware, the establishment of communist governments in Central and Eastern Europe following World War II proved disastrous for religious liberty and religious institutions. Specifically, the communist government of Romania confiscated 2,140 schools, hospitals, orphanages and other charitable and civic institutions from the Roman Catholic, Hungarian Reformed, Evangelical Lutheran, and Unitarian churches, as well as 1,980 Jewish communal properties, as well as all properties, including church buildings themselves, from the Greek Catholic Church that it summarily banned.

In 2005, the United States Congress adopted H.Res 191, expressing its strong view that the Romanian government “provide fair, prompt, and equitable restitution to all religious communities,” by overcoming legislative shortcomings and creating an effective implementation process. Nearly eight years have passed since that resolution, and the fall of communism was over two decades ago. Unfortunately, the Romanian response has been a pattern of disregard, delay, obfuscation and hindrance. More recently, it began persecuting the very individuals, who, in their official capacities, are trying to serve justice and restore properties to their rightful owners. On April 17, the Romanian Parliament adopted yet another law, drafted by the government without consulting effected churches and over their express objection, that yet again merely delays and complicates restitution. Invoking a special procedure, the government rushed the bill through the legislature without debate.

Since the early 1990’s, the United States Commission on Security and Cooperation in Europe has monitored the process of returning property to these religious institutions. The World Jewish Congress has also recently called on Romania to expedite the restitution process. Unfortunately, Romania has lagged behind most other countries in the region in this regard. As the most recent State Department *Human Rights Country Report for Romania* points out, the process of property restitution remained extremely slow over the course of 2012. In fact, of the 7,568 religious property claims submitted after the seriously flawed Romanian Law 501 of 2002 cited in Congress’ resolution, only 2,400 – less than one-third - have even been decided. From 2008-2012, the Special Restitution Committee responsible for processing these claims met only *twice*.

Commission Chairman Rep. Chris Smith has cited the thousands of claims received by the European Court of Human Rights in Romanian property matters. Numerous times, the Romanian Supreme Court has reversed decisions that favored claimants after already ruling in their favor – effectively

renationalizing those properties. On June 28, 2012, the Buzău Court of Appeal reversed the original decision to return the Székely Mikó Reformed High School in Sepsiszentgyörgy/Sfantu Gheorghe to the Hungarian Reformed Church, retroactively fined the church and sentenced three members of the Romanian Property Restitution Committee to three years imprisonment solely for performing their duty while trying to serve justice.

On June 27, the Romanian Supreme Court will decide the fate of the two ethnic Hungarians--Attila Markó and Tamás Marosán—and a third defendant, Silviu Clim, an ethnic Romanian. In another blow to religious liberty, on April 23 the Romanian Parliament adopted a discriminatory law which deliberately omitted return of archival materials to religious denominations confiscated from them in 1974.

In your discussions with the Romanian government, we respectfully urge you to request that equitable, prompt and fair restitution be provided to all religious institutions whose properties were taken by the former Communist Romanian Government. We also urge you to protest the latest church property restitution law, which doubles the time period (from 5 to 10 years) that religious denominations are prevented from reoccupying their buildings after--and if at all--being restituted on paper. Archival materials should also be returned to the churches without further delay.

We further request that the United States advise the Romanian government that the U.S. intends to carefully follow developments in the case regarding ownership of the Székely Mikó Reformed High School and the legal proceedings against Attila Markó, Tamás Marosán and Silviu Clim. Finally, we would hope that, on behalf of the United States, you would continue to urge the full and timely restitution of religious properties and respect for minority religious rights. We appreciate your prompt attention to this matter and look forward to hearing of your progress on this issue.

Sincerely,



Andy Harris, M.D., Member of Congress



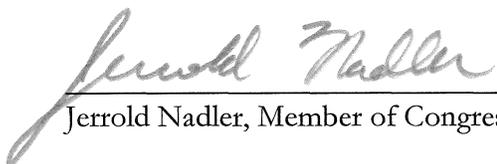
Marcy Kaptur, Member of Congress



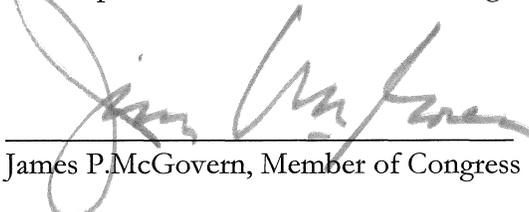
David P. Joyce, Member of Congress



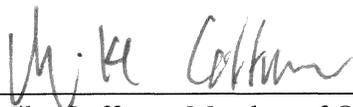
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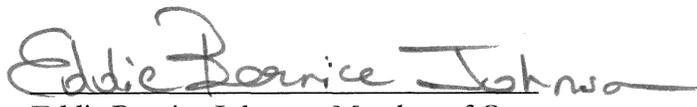
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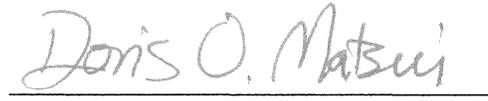


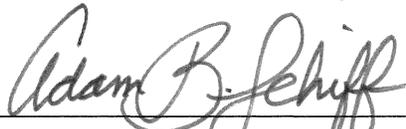
Mike Coffman, Member of Congress

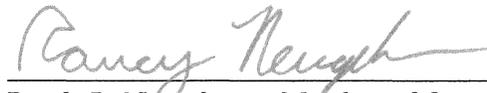


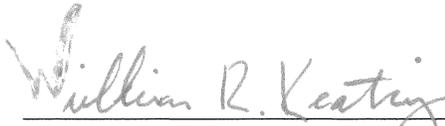
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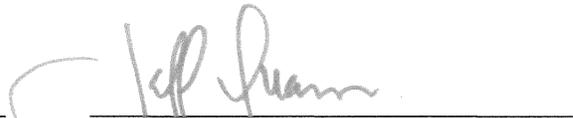

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