



REPORT on
Group Dissemination of
Information about the ECtHR:
ROMANIA

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Note:

- The report below is based on an unsystematic inquiry into online venues ('portals', publications, official websites of organizations etc.) we have come across in the course of our work.
- The criterion for including these portals was that they contain a 'critical mass' (assessed subjectively) of references to the ECtHR, enough to render a regular visitor of these venues relatively familiar with the Court and (aspects of) its work. We did not include portals which do not reach this subjectively evaluated level of coverage.
- The fact that an organization's online portal does not include a critical mass of information on the ECtHR should not be taken to imply that the organization is unaware of the Court's case, does not work with it systematically, or does not disseminate the Court's work through widely circulated reports etc. Sometimes, relevant organizations (e.g., gay's rights group ACCEPT) maintain a minimal website but issue periodic reports or regular analyses engaging in depth the relevant ECtHR case law. Others (e.g., the Alliance of Romanian Families) publish periodic newsletters in which they cover other courts (e.g., the US Supreme Court) and, to a lesser extent, the ECtHR or the European Court of Justice.
- The list below does not include the mainstream online media, which has been the subject of another report/analysis generated within the GM project.

I. RELIGIOUS DENOMINATIONS & ASSOCIATIONS

including (semi-)official news portals

1. **A. The Jehovah's Witnesses**

Official Romanian-language portal (*Organizatia Religioasa Martorii lui Iehova*) at www.jw.org/ro/

B. How regularly do they disseminate information about the ECtHR?

The coverage appears to be relatively systematic – though according to a limited set of criteria (see below).

C. What type of information do they disseminate?

The JW Romanian-language portal has a news section that publishes somewhat regularly news and other types of relevant information on the worldwide organization. This includes reports on developments in courts from other countries. The European Court's jurisprudence is well-represented – but almost exclusively in the form of cases brought by Jehovah's Witnesses or dealing with issues directly relevant to the JW.

D. How would you describe the tone and nature of the dissemination?

The coverage is informative, but brief. While not neutral, it is certainly not opinionated. Usually, the general position of the group with respect to the issue in question, or the group's expectations, are summarily reported.

E. Anything else of interest to add?

Articles on the JW website are not signed (i.e., no name attached to the report).

2. **A. The Romanian Orthodox Church (news agency)**

Official news agency at basilica.ro

B. How regularly do they disseminate information about the ECtHR?

The coverage of ECtHR decisions appears to be unsystematic, but it is less sporadic than similar news sources (e.g., the corresponding 'official' Catholic portal, which, as far as we know, has a very small staff).

C. What type of information do they disseminate?

Primarily, the website publishes pieces about directly relevant decisions – covering issues of immediate interest for the Romanian Church (e.g., “The European Court of Human Rights prohibits the crucifix in Italian schools”); or involving sister churches (“Turkey attacked at the European Court of Human Rights by the Orthodox Church of Cyprus”). Even so, the coverage does not appear to be systematic, and from perusing the website itself it is not clear how editorial decisions about ECtHR case laws are made.

D. How would you describe the tone and nature of the dissemination?

Coverage is relatively brief. The positions of the Orthodox Church or of sister Orthodox Churches are presented.

3. **A. The Romanian Orthodox Church (official newspaper)**

Official newspaper of the ROC at ziarullumina.ro

B. How regularly do they disseminate information about the ECtHR?

Unsystematic coverage of ECtHR decisions.

C. What type of information do they disseminate?

The journal, which also has a printed edition, covers all sorts of ECtHR-related topics relevant to religious matters, but also social issues (esp. Romania's various condemnations in Strasbourg, for example on conditions in prisons). There seems to be a predilection for some areas of interest, such as education. This being said, absent a systematic analysis it is difficult to say whether this focus is dictated by circumstance (i.e., periods when one topic is widely debated in the society around) or by a systematic concern for these issues.

D. How would you describe the tone and nature of the dissemination?

Articles are varied in length and style, from brief reports to longer opinion pieces. Sometimes, the latter include analyses. Usually, the position of the Church is expressed clearly.

II. RELIGIOUS NGOs & PUBLICATIONS

including some affiliated to religious communities

4. **A. Semnele timpului (The Signs of the Times)**

Online edition of a periodical affiliated to the Adventist Church, at semneletimpului.ro

B. How regularly do they disseminate information about the ECtHR?

Coverage is unsystematic, but relatively ample, at least comparatively speaking.

C. What type of information do they disseminate?

The online portal – there is a printed magazine as well – publishes news items involving the ECtHR (questions of religious freedom and practice), including news about cases; editorials where Court case law is discussed or just referenced; and analyses of decisions (e.g., “The ECtHR makes it obligatory for European states to recognize gay marriage”).

D. How would you describe the tone and nature of the dissemination?

The tone is balanced. The news items are neutrally worded. The opinion pieces and the analyses often do their best to be even-handed and sensitive to detail. Explanations are provided (for a non-expert audience), and the positions of various religious groups (e.g., the ROC) and other parties (such as secularist NGOs) are presented.

E. Anything else of interest to add?

In view of its profile, this appears to be a liberal publication, with many thoughtful pieces on topics that are, for a Christian community, delicate (e.g., homosexuality).

5. A. Cuvantul ortodox (The Orthodox Word)

A popular online Orthodox publication, affiliation unclear, at www.cuvantul-ortodox.ro

B. How regularly do they disseminate information about the ECtHR?

The coverage of ECtHR cases certainly does not appear to be systematic, but the Court is referenced relatively frequently. The interest in the Court's decisions on some topics (e.g., gay's rights, sexuality-related issues) is evident.

C. What type of information do they disseminate?

The online portal covers ECtHR cases on a number of relevant issues, from sexuality generally to gay's rights, same-sex unions, abortion, sex education, the right to life and so on. As other Orthodox portals (see above), *Cuvantul ortodox* (C.O.) also shows an interest in the conditions in Romanian penitentiaries, a question that has led to many Strasbourg cases.

Perhaps interestingly, the portal appears to mostly ignore Greek-Catholic successes at the Court against the ROC (on property restitution issues).

D. How would you describe the tone and nature of the dissemination?

The C.O. is outspoken, militant, opinionated, generally very critical of the Court. It engages with some frequency secularist NGOs and their campaigns, and provides space for the counter-secularist campaigns against gay's rights or sexual education in public schools.

E. Anything else of interest to add?

Most regular pieces are militant even graphically speaking: they feature many types of emphasis – bold letters, yellow highlighting, red font etc.

Also, the *About* page of the portal leads nowhere, leaving unanswered questions about the nature of the C.O. project, particularly its possible affiliation.

6. A. Cultura vietii (The Culture of Life)

Independent online project bringing together a number of religious NGOs and activists, maintained by the leader of Pro Vita Bucuresti, at www.culturavietii.ro

B. How regularly do they disseminate information about the ECtHR?

Cultura vietii (C.V.) offers systematic coverage of the Court's case law. Some of the analyses are also disseminated via other relatively well-known right-leaning or conservative online publications, such as *In linie dreapta* (*The right line*, inlinedreapta.net), which also host C.V. collaborators such as legal expert Andreea Popescu. Another example of a popular, established web portal that disseminates C.V. materials is the Orthodox (or 'Christian-right') magazine ROST (www.rostonline.ro).

C. What type of information do they disseminate?

C.V. covers ECtHR cases on topics such as abortion, bioethics, euthanasia, assisted suicide, cloning, sexuality in general, family, gay's rights and same-sex unions, and others. It publishes news pieces, but also in-depth analyses of case law or of the 'international regime' of some issues of interest, via domestic and international experts (e.g., ADF International's).

It appears – based on our relatively frequent interaction with the portal, as well as on interaction in an interview – that its publishers systematically monitor events at the Court on the subjects mentioned above.

Many pieces on the ECtHR and its decisions provide references to literature or analyses, as well as links to the Court's decisions and to 'responses' by scholars such as those around the ECLJ or similar organizations.

D. How would you describe the tone and nature of the dissemination?

The C.V. has a clear Christian-conservative agenda. It writes critically or very critically (occasionally sarcastically) of the Court concerning subjects in relation to which the latter is perceived as siding with the 'secularizing' agenda. It also tends to be sensitive to decisions which can be interpreted in ways that advance the C.V.'s own views (e.g., "ECtHR: There is no 'right to divorce' under the European Convention of Human Rights", "The ECtHR confirms the non-existence of a 'right' to marriage between same-sex persons").

E. Anything else of interest to add?

Pro Vita Bucuresti, the organization at the core of the *Cultura vietii* project, also offers legal advice, writes *amici curiae*, and has taken part in a number of domestically prominent cases on religious issues.

III. SECULARIST & HUMAN RIGHTS NGOs

including some affiliated to religious communities

7. A. APADOR-CH (Association for the Defense of Human Rights in Romania – The Helsinki Committee)

Official website, at www.apador.org

B. How regularly do they disseminate information about the ECtHR?

At least on the web portal, the coverage of the Court's case law is unsystematic. (Note, however, that APADOR-CH has traditionally published regular reports on many issues of interest, and references to the ECtHR are frequent in those publications.)

C. What type of information do they disseminate?

The website covers ECtHR cases on family violence, police abuse, conditions in prisons, Greek-Catholic property – including cases litigated by the association and its affiliated lawyers. The portal also offers expert opinion on current issues via, for example, communiqués published online (e.g., on issues such as mandatory vaccination and its status under the Court's jurisprudence). Some of the Association's regular reports are also available via the website.

D. How would you describe the tone and nature of the dissemination?

Human rights militancy is evident.

E. Anything else of interest to add?

APADOR-CH is probably the country's first (chronologically speaking) major human rights organization, and has long been involved in strategic litigation, incl. at the ECtHR. Among established human rights organizations, it is perhaps the one with the most prominent interest in religious issues.

8. A. Centrul pentru Resurse Juridice (The Center for Legal Resources)

Official website, at www.crj.ro

B. How regularly do they disseminate information about the ECtHR?

The coverage of the Court's case law appears unsystematic, mainly through brief pieces of news and analyses.

C. What type of information do they disseminate?

The web portal covers ECtHR cases on a range of human rights issues: property, imprisonment, discrimination against various minorities etc. It includes the C.R.J.'s annual reports in electronic version.

D. How would you describe the tone and nature of the dissemination?

Human rights militancy is evident.

E. Anything else of interest to add?

The C.R.J. is by now an old, well-established human rights organization, a large part of whose activity involves offering legal assistance to discriminated individuals. Often, their approach to selecting cases is strategic. Over the year, it has maintained a sporadic interest in religious issues.

9. A. Romania curata (Clean Romania)

A project associated with the Romanian Academic Society (SAR), at www.romaniacurata.ro

B. How regularly do they disseminate information about the ECtHR?

The coverage of the Court (very rarely of its case law in depth) is unsystematic, mostly through brief pieces of news and in editorials. The project also has a widely disseminated newsletter.

C. What type of information do they disseminate?

Romaniacurata.ro covers ECtHR cases briefly, on a range of policy-related issues such as free speech, penitentiary conditions, free movement, privacy of persons and others.

D. How would you describe the tone and nature of the dissemination?

Human rights militancy is evident. Most articles are opinion pieces and editorials.

E. Anything else of interest to add?

The Romanian Academic Society (SAR) is an organization offering counselling and public policy analysis in a number of fields (e.g., corruption, health). The *Romania Curata* blog is fairly popular, and its newsletter is disseminated widely via e-mail.

IV. PUBLIC AGENCIES, PUBLICLY MAINTAINED LEGAL PORTALS

10. A. Consiliul National pentru Combaterea Discriminarii, C.N.C.D. (National Council Combating Discrimination)

Online portal with database covering the agency's jurisprudence so far, at nediscriminare.ro/jurisprudenta_ro

B. How regularly do they disseminate information about the ECtHR?

The coverage of ECtHR case law is indirect – through the C.N.C.D.'s decisions.

C. What type of information do they disseminate?

The database covers ECtHR jurisprudence as (regularly) featured in CNCD decisions on discriminations cases. The resource is organized according to discrimination criteria (e.g., religion, age) and field of access (e.g., education, employment); as well as file number, petition number, and text search.

The database is important because the C.N.C.D. has systematically heard discrimination cases based on ECtHR case law. Although religion is hardly among the most important criteria in the C.N.C.D.'s work, it is significant nonetheless, and has resulted in a few major – and very publicized – cases.

D. How would you describe the tone and nature of the dissemination?

The form of dissemination is through the Council's decisions.

E. Anything else of interest to add?

The Council is Romania's anti-discrimination body, a 'discrimination court' directly accountable to the Parliament. It has worked very closely with ECtHR case law since its inception more than a decade ago.

The online database is a very recent project, which went online only in 2017.

11. A. High Court of Cassation and Justice (formerly the Supreme Court of Justice)

Online database, at www.scj.ro

B. How regularly do they disseminate information about the ECtHR?

The High Court's (I.C.C.J.) database features a few hundred translated ECtHR cases against Romania.

C. What type of information do they disseminate?

The resource covers ECtHR decisions against Romania – but not all of them. Naturally, the ECtHR also features in numerous High Court decisions, also available online. As such, the database is an important resource for those interested in the use of ECtHR case law in the Romanian legal system.

D. How would you describe the tone and nature of the dissemination?

The form of dissemination is through translated ECtHR decisions; and through the High Court's own judgments.

E. Anything else of interest to add?

The I.C.C.J. is Romania's highest appellate court.

12. A. Institutul European din Romania (The European Institute in Romania)

Official website of the I.E.R.; ECtHR database at

www.ier.ro/traduceri.html?category=cedo

B. How regularly do they disseminate information about the ECtHR?

The resource provides coverage of ECtHR case law through translated decisions.

C. What type of information do they disseminate?

The database covers ECtHR jurisprudence 'v. Romania' translated in Romanian language.

D. How would you describe the tone and nature of the dissemination?

The form of dissemination is via translated ECtHR decisions.

E. Anything else of interest to add?

The I.E.R. is a public organization whose main mission is to provide expertise on European affairs to the public administration and beyond, through reports, courses, conferences etc.

13. A. Juris Clasor CEDO

Official website of the Juris Clasor CEDO project, at www.hotararicedo.ro

B. How regularly do they disseminate information about the ECtHR?

The database offers systematic coverage of ECtHR case law through translated decisions.

C. What type of information do they disseminate?

The ECtHR's jurisprudence 'v. Romania' is translated in Romanian. A yearly online journal, part of the same project, offers analyses of the relevant jurisprudence. (As of 2017, their latest issue was published in 2015.)

D. How would you describe the tone and nature of the dissemination?

The form of dissemination is via a database of translated decisions; and through technical analyses published over several years in the online journal.

E. Anything else of interest to add?

The project is a joint enterprise bringing together, among others, a publishing house (Editura Universitara), professional associations, the Bucharest Court of Appeals, the National Institute of Magistracy, the Higher Council of Magistracy and a few other organizations. It is not clear if the project is still regularly maintained (the online journal seems to have missed some two years of publication).