# Religion and Education in Romania: Social Mobilization and the “Shadow” of the European Court of Human Rights

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# Appendix

Table 1. List of interviews

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| **No.** | **Interview date** | **Interviewees’ organizational belonging** | **Organizational mobilization themes (not exhaustive)** |
| 1 | 5 May 2015 | *Association for the Defense of Human Rights in Romania – Helsinki Committee* (Asociația pentru Apărarea Drepturilor Omului în România – Comitetul Helsinki, APADOR-CH) | Religious minority rights, separation of church and state, reproductive rights, rights of detainees |
| 2 | 6 May 2015 | *Institute of Education Sciences* (Institutul deŞtiințe ale Educației) | --- |
| 4 | 8 May 2015 | *Centre for Legal Resources* (Centrul de Resurse Juridice, CRJ) | Rights of institutionalized persons, religious minority rights |
| 512 | 13 May 20153 Jul 2015 | *Romanian Orthodox Church (Patriarchate)* | Religious education, religious symbols in public schools, constitutional definition of “marriage” |
| 6 | 14 May 2015 | *Centre for Legal Resources* (Centrul de Resurse Juridice, CRJ) | *See above* |
| 8 | 19 May 2015 | *Association for the Defense of Human Rights in Romania – Helsinki Committee* (Asociația pentru Apărarea Drepturilor Omului în România – Comitetul Helsinki, APADOR-CH) | *See above* |
| 910 | 21 May 201529 Jun 2015 | *Pro Democracy Association* (Asociația Pro Democrația) | Electoral system, good governance, separation of state and church |
| 11 | 30 Jun 2015 | *National Council Combating Discrimination* (Consiliul Național pentru Combaterea Discriminării) | --- |

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| **No.** | **Interview date** | **Interviewees’ organizational belonging** | **Organizational mobilization themes (not exhaustive)** |
| 13 | 8 Jul 2015 | *Alliance of Christian Baptist Churches in Romania* (Uniunea Bisericilor Creștine Baptiste din România) | Religious minority rights, constitutional definition of “marriage” |
| 14 | 24 Jul 2015 | *ACCEPT* | LGBT rights, reproductive rights, sex education, separation of church and state |
| 16 | 26 Aug 2015 | *Asociația Comunităților Baha’i din România* (The Association of Baha’i Communities from Romania) | --- |
| 18 | 4 Sep 2015 | *ActiveWatch* | Freedom of speech, separation of church and state |
| 19 | 10 Sep 2015 | *Seventh-day Adventist Church from Romania* (Biserica Adventistă de Ziua a Șaptea din România) | Religious minority rights, constitutional definition of “marriage” |
| 20 | 15 Sep 2015 | *Association Solidarity for Freedom of Conscience* (Asociația Solidaritatea pentru Libertatea de Conștiință) | Presence of religion in education, separation of church and state, religious minority rights |
| 22 | 7 Oct 2015 | *Association PRO VITA for the Born and the Unborn – Bucharest* (Asociația PRO VITA pentru Născuți și Nenăscuți – filiala București) | Right to life, presence of religion in education, sex education, constitutional definition of “marriage” |
| 23 | 13 Oct 2015 | *Secular Humanist Association from Romania* (Asociația Secular-Umanistă din România, ASUR) | Separation of church and state, presence of religion in education, presence of science in education, sex education |
| 24 | 14 Oct 2015 | *Association Solidarity for Freedom of Conscience* (Asociația Solidaritatea pentru Libertatea de Conștiință) | *See above* |
| 25 | 15 Oct 2015 | *ACCEPT* | *See above* |

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| **No.** | **Interview date** | **Interviewees’ organizational belonging** | **Organizational mobilization themes (not exhaustive)** |
| 27 | 6 Nov 2015 | *Association ‘Parents for the Religion Class’* (Asociatia Părinți pentru Ora de Religie, APOR) | Religious education, sex education, constitutional definition of “marriage” |
| 29 | 20 Nov 2015 | *Alliance of Families from Romania* (AlianțaFamiliilor din România, AFR) | Constitutional definition of “marriage”, sex education |
| 30 | 16 Dec 2015 | *Alliance of Christian Gospel Churches in Romania* (Uniunea Bisericilor Creștine după Evanghelie din România) | Religious minority rights, constitutional definition of “marriage” |
| 37 | 10 Jun 2016 | *ACCEPT* | *See above* |
| 38 | 1 Nov 2016 | *Asociația Comunităților Baha’i din România* (The Association of Baha’i Communities from Romania) | --- |
| 46 | 27 Jan 2017 | *Euroregional Center for Public Initiatives*(Centrul Euroregional pentru Inițiative Publice) | Reproductive rights, separation of church and state |

Table 2. List of Court cases relevant for religion-and-education issues and additional cases referenced in the article (arranged in chronological order)

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| **Case name and year** | **Relevant ECHR article** | **Short description** |
| *Kjeldsen, Busk Madsen and Pedersen v.**Denmark* (1976) | Art. 2 ofProtocol no. 1 | Applicants complained about the obligation of their children to attend, despite parents’ strong religious convictions, compulsory sex education classes in the state school. The Court found that mandatory sex education in public schools does not violate parental freedom as long as the information is conveyed objectively and the curriculum does not seek to indoctrinate. |

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| **Case name and year** | **Relevant ECHR article** | **Short description** |
| *Dahlab v. Switzerland* (2001) | Art. 9 | A school teacher complained of the school authorities’ infringement of religious freedom by prohibiting her to wear a headscarf while teaching, even in the absence of a request from parents. The application was rejected as ‘manifestly ill- founded’, in light of the age of the primary school students, when they are particularly impressionable and hence exposed to indoctrination. |
| *Refah Partisi v. Turkey* (2003) | Art. 11 | The Turkish Welfare Party (*Refah Partisi*) was disestablished by the Constitutional Court due to its being an anti-secularist organization that threatened Turkey’s secular order, and its leaders were prohibited from exercising some of their political rights for a limited period of time. The Grand Chamber considered that the Party’s commitment to imposing sharia law in Turkey represented a danger to Turkish democracy, and that the Constitutional Court acted legitimately in response to a “pressing social need”. |
| *Karner v. Austria* (2003) | Art. 8Art. 14 | The surviving partner from a same-sex couple complained about the Austrian state’s failure to grant him a tenancy right to the partners’ home. In recognizing an infringement of the plaintiff’s rights, the Court noted that the margin of appreciation is narrow in cases of differential treatment based on sexual orientation; and that the state had failed to show that the denial of tenancy was proportionate to the public interest. Still, the Court explicitly failed to consider whether the case fell within the scope of ‘family life’. |
| *Şahin v. Turkey*(2005) | Art. 9Art. 2 ofProtocol no. 1 | A devout medical student in Istanbul was denied attendance to lectures and exams if wearing a headscarf. She complained of a violation of her right to education. The Grand Chamber found no violation of Article 9 and Article 2 Protocol no. 1, arguing that the restriction of the applicant’s exercise of her religious freedom was justified by the government’s aim to promote Turkey’s secular order. |
| *Hasan and Eylem Zengin v. Turkey* (2007) | Art. 2 ofProtocol no. 1 | Applicants of the minority Alevi faith were unable to secure an exemption from a course in allegedly Sunni-biased Islamic religious education. The Court ruled the case a violation of Article 2 of Protocol no. 1, specifically noting the prominent role of Islam in the curriculum and the fact that exemption was available only to specific faith groups (Christian and Jewish). |

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| **Case name and year** | **Relevant ECHR article** | **Short description** |
| *Folgerø and Others v.**Norway* (2007) | Art. 2 ofProtocol no. 1 | A change in the Norwegian school curriculum replaced religious education and ethics classes with a unified subject, from which the applicants failed to exempt their children despite an alleged excessive focus on Christianity. The Grand Chamber determined a violation of Article 2 of Protocol no. 1 on the right to education, recognizing the emphasis on Christianity and pointing to the rather cumbersome exemption procedures. |
| *Dogru v. France; Kervanci v. France* (2008) | Art. 9 | Muslim children were expelled from school after repeatedly refusing to remove headscarves during physical education classes. The Court found no violation of Article 9, among others invoking the reasonable nature of restrictions during sports classes for reasons of safety. |
| *Grzelak v. Poland* (2010) | Art. 9Art. 14 | The child of agnostic parents did not attend religious education classes but, despite parents’ request, did not receive an alternative class either. The lack of a grade was visible on the child’s school records. The Court found a violation of Article 14 in conjunction with Article 9, among others by referring to the absence of a grade as stigmatizing for the child. |
| *Lautsi v. Italy*(2011) | Art. 9Art. 2 ofProtocol no. 1 | Applicants complained about the presence of crucifixes in state school classrooms attended by their children. Specifically, requests to remove these crucifixes mandated under state regulations were rejected. The Grand Chamber of the Court reversed an initial Chamber decision, pointing out that the state acted within the margin of appreciation because the crucifixes did not amount to a form of indoctrination. |
| *Oliari and Others v. Italy* (2015) | Art. 8 | Several same-sex couples in Italy complained about being discriminated against due to the lack of an option, under Italian law, enabling them to enter into either marriage or another form of civil union. The Court found a violation of Article 8 of the ECHR, considering that the legal arrangements in Italy failed to provide adequate protection for stable couples such as those of the applicants, even despite calls to that effect by the Italian Constitutional Court. |