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The Institute for the Investigation of Communist Crimes in Romania

Investigations Department

Activity report

(May – December 2006)



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INTRODUCTION

The Institute for the Investigation of Communist Crimes in Romania (IICCR) was set up on 21 December 2005 and acknowledged by the Romanian Government's Decree No. 1724/2005, published in the *Official Register of Laws and Regulations* no. 1195 from 30 December 2005. Along with other State institutions, the IICCR is under the obligation to undertake researches on the communist crimes and abuses. The institute is specialized in collecting evidence to prove the criminal nature of the communist regime, under all its aspects. Moreover, since the elaboration of educational programs centered on a clear-cut presentation of the communist totalitarianism became imperative, the IICCR decided to engage itself within this process. As a matter of fact, the Institute's objectives are clearly stated within its setting-up Decree, namely "to investigate and to identify the crimes, the abuses and human rights violations during the communist regime in Romania, as well as to notify the state's criminal investigation departments when such cases are discovered."

The setting-up of the IICCR also relates to the necessity of giving a public condemnation of communism, by means of a special law, as well as to the necessity of commemorating the victims of communism on national level. Furthermore, the setting up of the Institute took place in a moment when communism was being condemned all over Europe.

The Institute is an independent structure which does not substitute for the Prosecutor's Office or other investigation bodies. From the legal point of view, the Institute for the Investigation of Communist Crimes in Romania is a public institution with legal personality, under the Romanian Government's authority and under the coordination of the Prime-Minister. According to Governmental Decree No. 1724, the Institute has a 6 years' mandate with the possibility of extending it.



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The year 2006 was full of unpredictability for the IICCR. Because of bureaucratic reasons, the Institute could not begin its activity earlier than June 2006. The budget of the IICCR was granted four months after its setting-up, so employments began only in May and the renovation of the Institute's premises concluded in June. At the same time, the Institute's experts had to face the hostility of some structures which are archives-depositories, by delaying the accreditations and blocking the experts' access to various archive funds. Notwithstanding all this, the IICCR has managed to start a series of projects which will hopefully have an important impact towards changing the way in which the Romanian society relates to the totalitarian communist regime.

THE ARCHEOLOGICAL SITE OF SIGHET

The first 'on the field' campaign of the IICCR began by setting up an archeological site in the outskirts of Sighetu-Marmației Town, in partnership with The Civic Academy Foundation – The Memorial of the Victims of Communism and of the Resistance and in collaboration with the Military Prosecutor's Office.

Two archeological exploration campaigns were carried out within the period 19-21 July 2006, respectively 2-8 November 2006, in the place known as the "Cemetery of the Poor". The main goal was to analyze and examine, using specific archeological instruments and methods, whether in that cemetery situated in the outskirts of Sighet may have been buried the mortal remains of former political prisoners, that is, politicians from the interwar period, who were imprisoned and who died in the Penitentiary of Sighet. Thus, the Institute has initiated and started to develop a new research branch, namely contemporary archeology, and consequently made the first steps in this field at institutional level in post-communist Romania. The new discipline aims at bringing into the light material proofs which may demonstrate the existence of the criminal concentration regime in communist Romania. Furthermore, the Institute sights at identifying the circumstances in which the persons jailed on political, ethnic and religious grounds were exterminated.



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The excavations were assisted and coordinated by a team of archeologists from the National History Museum of Transylvania - Cluj and the History Museum of Aiud. Two archeological reports were made after the two exploration campaigns concluded. Next year, these investigations will be continued and extended to other places where common burial places are supposed to be found. The results of the investigations will be synthesized within the next report of the IICCR or will constitute a distinct volume, depending on how the researches evolve.

A relevant part of the video recorded during the excavations carried out in July on the archeological site of Sighet was made into a short documentary film that is to be broadcasted on several TV channels. This documentary was also recorded on a DVD attached to the volume *Why communism must be condemned* (Polirom Publishing House, Iași, 2006).

PUBLICATIONS

The first yearbook of the Institute for the Investigation of Communist Crimes in Romania, entitled *Why communism must be condemned*, was published by Polirom Publishing House. The series opened by this first volume has the purpose to respond the title-question by means of offering an institutional analysis of the communist regime, a description of the political police activities and the identification of the abuses and crimes perpetrated in the name of “class fight” as well as the identification of the persons who may be held responsible.

The volume consists of articles referring to the functioning of the repressive bodies of the communist state, to the repressive legislation of the time and to case studies which illustrate the relationship between the Party and the Securitate, on one hand, and the various social groups subjected to repression, on the other. The book comes with a DVD which contains two documentary films: *Testimonies of Suffering – A story that one*



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doesn't learn about at school – a thirty-minute selection from the TV series under the same title – and *The dead*, a short documentary about the archeological explorations undertaken in the “Cemetery of the Poor” in Sighet. From the articles comprised in the yearbook one could mention *State Terrorism in Communist Romania; The Securitate Apparatus; The Cadres' Department of the Communist Party; The Physiognomy of Nomenclature ; The Pitești Phenomenon; The Writers and the Securitate; The Conversion of Communist Elites; Public Figures under the Incidence of Lustration.*

The TV series *Testimonies of Suffering - A story that one doesn't learn about at school* made by Lucia Hossu Longin, the Secretary General of the Institute, will be edited as well by the IICCR. Thus, the documentary which has shown the entire world, since 1991, the horrors and the abuses of the communist regime will be shortly available both on electronic support (DVD) and within a collection of volumes which will be published by Humanitas Publishing House. The 120 episodes of the *Testimonies of Suffering* series were greatly appreciated both in Romania and abroad. The documentary is centered on presenting crucial facts about the concentration regime in communist Romania, and includes, as well, famous interviews and archive photographs.

CONFERENCES AND SEMINARS

Within the interval June-December 2006, the IICCR's experts attended the following conferences and seminars held in Romania and abroad:

The international seminar “Oral Regional History Project 2006- Evaluation Seminar”, organized by the Institute for International Cooperation of the German Adult Education



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Association, 28 September – 1 October, Ohrid, Macedonia. Participants and presented papers:

- Cosmin Budeancă – expert, Archives Research Office, *Research Directions in the Oral History on Romanian Communism*

The international conference “Memoire du Goulag”, organized by the Memoire du Goulag Foundation in cooperation with Université Catholique de Roches sur Yon, 7 November 2006. Participants and presented papers:

- Andrei Muraru – Head of Archives Research Office, *Romania, 1956: Revolutionaries without a Revolution*
- Raluca Grosescu – Head of Documentation Office, *Transitional Justice in Post-Communist Romania. The Story of a Failure*

The national conference *The Social Mobility of Romanian Elites in the 20th century*, organized by the Romanian Institute of Political Studies, Bucharest, 12-13 June 2006. Participants and presented papers:

- Raluca Grosescu – Head of Documentation Office, *The Conversion of Communist Elites in Transitional Romania*

The 6th International Symposium PERT, Pitești, 2006 – *The Pitești Experiment. Torture as Reeducation Means*, organized by the Memoria Foundation, 22-24 September 2006

Participants and presented papers:

- Marius Stan – expert, Archives Research Office, *On the Failure of the Making of the New Man. The Pitești Phenomenon*
- Dumitru Lăcătușu – expert, Documentation Office, *The Educational Policy of the Romanian Communist Party /Romanian Workers’ Party in the Interval 1944-1965*



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The national conference *The Anti-Communist Resistance in Romania in the Interval 1945 – 1989*, organized by the Timiș Branch of the Association of Former Political Prisoners, in collaboration with the Polytechnic University of Timișoara. Participants and presented papers:

- Cristina Roman – expert, Documentation Office, *The Effects of the Student Manifestations of 1956 on the Repressive Legislation in Romania*

The national symposium entitled *The Parliamentary Elections from 19 November 1946. From Collective Memory to Historical Research*, organized by the Memorial of the Victims of Communism and of the Resistance, Sighetu-Marmației, 17-18 November 2006.

Participants and presented papers:

- Andrei Muraru – Head of Archives Research Office, *The Elections of November 1946 within the Archives of the Cadres' Department of the Romanian Communist Party's Committee of Iași*
- Cristina Roman – expert, Documentation Office, *The Political Climate on the Eve of the Elections of 1946*
- Cosmin Budeancă – expert, Archives Research Office, *The Elections of 19 November 1946 in the Huedin Area within Collective Memory*



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ONGOING RESEARCH PROJECTS

In the second half of 2006 four collective projects were initiated. These projects are to be finalized in 2007. Considering these initiatives, the Board of the IICCR has validated the proposition of editing three volumes which will analyze, from various points of view, the concentration system in communist Romania. The fourth volume of the series aims at analyzing transitional justice policies in post-communist Romania.

In order to accomplish its mission, the Institute concluded a protocol with the National Administration Center for Penitentiaries (ANP) on the grounds of which the IICCR's experts gained access to the penitentiary system archives. A partnership protocol with the Association of Former Political Prisoners in Romania (AFDPR) is to be signed as well. The protocol aims at recuperating and preserving specific documents and testimonials of the victims of communism. Thus, two major results of this protocol would be the archiving of these testimonials and the editing of a series of studies and oral history books.

The experts of the Investigations Department have initiated and developed, at the same time, their individual research projects. Most of them are investigating the funds of the National Historical Archives and the funds of the County Departments of the National Archives, on themes such as The Cadres' Department of the Central Committee of the Romanian Communist Party / Romanian Workers' Party, The Nomenclature of the Central Committee of the Romanian Communist Party / Romanian Workers' Party, The Show-Trials during the Gheorghiu-Dej regime, Political Repression against Writers, The 'Dunărea' Foreign Trade Enterprise, Communist Education and the Making of the New Man, Forced Labor in Romania, The Conversion of Communist Elites in Romania in the aftermath of 1989. These individual projects will be accomplished in 2007 and edited within distinct volumes or within the reports of the IICCR.



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***THE HISTORY OF PENITENTIARIES IN ROMANIA DURING THE
COMMUNIST REGIME (1945 – 1967)
RESEARCH PROJECT***

Coordinator: Clara Mares

Project summary

The history of the penitentiary system in Romania proposes a historical presentation of all penitentiaries which were operational on the Romanian territory between 1945 and 1967. The Institute will elaborate the first historical presentation of penitentiaries, considering the available archive documents, specialized literature and testimonies. An introductory study on the legislation regarding the penitentiary system and the functioning of prisons and work colonies will precede the presentation of penitentiaries. Each selected prison of the 60 detention centers which have been identified so far will be discussed upon within texts whose length will vary from half a page to ten pages, depending on the importance of the respective prisons. The penitentiaries will be presented in alphabetical order. A mini photo-album illustrating life in prison will also be attached to the volume.

Motivations and methodology

The studies and the papers which have approached the subject of the communist penitentiary system in Romania may be divided in three main categories. The first category is concerned with analyzing the legislation on which the functioning of the General Management of Penitentiaries was based. Still, the few studies that were written on this subject approached the theme from a juridical point of view and usually left aside the



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documents issued by the management of penitentiaries, their internal regulations or classified reports. The second category concentrates on case studies or monographs focused on the history of a few particular penitentiaries. These studies, which are generally based on memorial accounts, have not yet managed to reveal the real dimension of the Romanian Gulag. The third category is represented by memoirs, which have a highly subjective or even fictional character, and these traits make them questionable from a scientific point of view.

In this context, the present study aims to present a monograph of the communist penitentiary system in Romania, considering both the legal perspective which regulated its functioning and the specific characteristics of various penitentiary units. A survey of all detention units has not been accomplished yet in Romania. Therefore, the present study aims at introducing new elements within the analysis of Romanian communism and the dimension of its Gulag. It will be based on two types of sources: the documents issued by various state institutions and penitentiaries, on one hand, and the representations given to the penitentiary system within the memoirs, on the other.

The choice of the above-mentioned period, that is, 1945 – 1967, is based on two major reasons. The first refers to the fact that after 1967 the amplitude of the Romanian Gulag diminished, since communist authorities preferred other methods of repression instead of massive imprisonment within penitentiaries or confinement within work colonies. The second is mainly based on methodological reasons, namely the lack of documents regarding the following period (1967-1989). Furthermore, the considerable volume of work invested in the process of photocopying and processing the documents under discussion did not allow us to extend our researches.

The main documentary sources that we are referring to in order to accomplish the present project are the documents deposited within the Archives of the National Administration Center for Penitentiaries, namely the Secretarial Fund and the Guard and Prison Regulations Fund. Thus, a few hundred documents, representing approximately 5,000 pages, have already been selected, photographed and printed. At the same time, the archives of those penitentiaries which still hold relevant documents for our study will be



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accessed as well. Gherla, Suceava, Poarta Albă, Aiud or Rahova are some of the penitentiaries whose archive funds may still preserve significant documents of that period. Testimonial literature will also be taken into account as a complementary source of information on the basis of which we will be able to reconstitute the main characteristics of various penitentiaries.

Study Structure

The first part of the study consists of an analysis on the evolution of the legislation and the regulations regarding the functioning of the Romanian penitentiary system between 1945 and 1965.

The second part consists of a survey on various penitentiary units which were functional at that time.

The third part of the study is intended to present a classification of penitentiaries, according to their defining characteristics.

Work Stages and Estimated Deadlines

1. Collecting documents from the archives of Jilava – 15 August-30 November 2006
2. Processing and summing up the documents from the archives of Jilava – 31 January 2007
3. Completing the survey on legislation – 31 January 2007
4. Collecting and summing up the documents from other archives of the General Management of Penitentiaries – 28 February 2007
5. Readings on testimonial literature – 30 March 2007
6. Making of standard charts based on the available documentary material – 5 April 2007
7. Intermediate research report – 31 May 2007



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8. Writing and handing over the texts – 30 June 2007
9. Writing an introductory study on the subject – 31 July 2007
10. Final report – 31 July 2007

Researchers involved in the project:

Clara Mareş, expert, Archives Research Office – project coordinator

Cristina Roman, expert, Documentation Office

Sorin Cucerai, expert, Archives Research Office

Dumitru Lăcătuşu, expert, Documentation Office

Andrei Muraru, Head of the Archives Research Office

Constantin Petre, expert, Archives Research Office

Marius Stan, expert, Archives Research Office



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***THE DICTIONARY OF PENITENTIARY COMMANDERS IN
COMMUNIST ROMANIA:
1945 – 1989
RESEARCH PROJECT***

Coordinator: Marius Stan

Project summary

This study constitutes itself as a monograph of penitentiary commanders in communist Romania, that is, chief wardens, deputies and political officers. The study is to be written on the basis of the cadres' files available within the archives of the General Management of Penitentiaries and the Ministry of Internal Affairs. The study aims to elaborate a biographical dictionary of the 790 commanders of penitentiaries who activated between 1945 and 1989 and thus to determine the socio-professional and career profiles of those who held management positions within the National Administration Center for Penitentiaries during the communist regime.

Motivations and methodology

The existing biographical dictionaries of the tormentors and of the persons who may be held responsible for the communist repression are incomplete. Moreover, these works are mainly based on the memorial accounts given by former political prisoners. Consequently, they usually refer only to some of the persons who held significant positions within the General Management of Penitentiaries, often mixing those responsible for the communist repression with former political prisoners who became, at some point, tormentors, and even with the victims of the regime. In these circumstances, the existing



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dictionaries elude mentioning the documents issued by the Communist Party, the biographies comprised within the cadres' files or within the personal files drawn up by the Securitate. Moreover, they lack a general analysis of the recruitment, promotion and dismissal criteria of the elites of the Romanian penitentiary system under the communist regime.

In this context, the present study aims to reconstitute the biographies of the 790 commanders of penitentiaries in communist Romania and to analyze the recruitment system of these elites, as well as their career profiles. A database including the names, birthdates and penitentiaries where the 790 commanders activated has already been concluded. The IICCR's experts used several documentary sources, that is, lists found within the archives of the Justice Department or within the archives of the General Management of Penitentiaries. There are also lists of names that were extracted from the cadres' files. The biographies will be completed by adding relevant information from the existing funds within the Cadres' Department of the General Management of Penitentiaries, the National Council for Studying the Securitate Archives and the Cadres' Department of the Ministry of Internal Affairs.

The main leadership positions under investigation are: 1. commander; 2. tasks management deputy; 3. deputy guard; 4. political officer. The files-reading process, as well as the structuring of materials, will concentrate on these persons' names, dates and places of birth, social extraction, civil and military studies and political preparation. The study will also consider their affiliation to mass organizations, political and/or communal organizations, their family status, their assets and political activity, as well as their participations to military campaigns. All disciplinary measures taken against them will also be taken into account. The autobiographies, references and reports written by the cadres' inspectors, all career profiles (transfer details, reasons for promotion or relegation), civil and military distinctions, inquiries they were subjected to as well as any disreputable data registered within the cadres' departments will be analyzed too. The abuses for which these persons may be held responsible are to be furthermore identified on the basis of the facts



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presented within the files held by the National Council for Studying the Securitate Archives.

Study Structure

The first part of the study will consist of a survey on the recruitment criteria of the leadership of the penitentiary system under the communist regime, as well as the socio-professional and career profiles of those who held decision positions within the General Management of Penitentiaries between 1945 and 1989.

The second part will comprise the biographies of the 790 penitentiary commanders who activated in the period under discussion.

A material including standard documents within a cadres' file, such as the Military Oath, the Personal Commitment Card, the Cadres' Card, the Card of Distinctions or the Grading Card, will also be added to the present study.

Work Stages and Estimated Deadlines

1. Database configuration: 16-30 October 2006
2. Collecting the necessary documents within the archives of the National Administration Center for Penitentiaries – 30 October 2006 - 28 February 2007
3. Intermediate report – February 2007
4. Collecting the documents within the archives of the Ministry of Internal Affairs and the National Council for Studying the Securitate Archives – March-May 2007
5. Intermediate report – 31 May 2007
6. Processing of collected materials and the writing of the texts proper – 31 August 2007
7. Writing the introductory study – 30 September 2007
8. Final report – 30 October 2007



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Researchers involved in the project:

Marius Stan, expert, Archives Research Office - project coordinator

Mihai Burcea, expert, Documentation Office

Mihail Bumbes, expert, Documentation Office

Sorin Cucera, expert, Archives Research Office

THE IMPOSSIBLE-TO-FORGET DETENTION DAY RESEARCH PROJECT

Coordinator: Dumitru Lăcătușu

Project summary

The present project, which is to be started and completed in 2007, will be grounded on a protocol concluded with the Association of Former Political Prisoners in Romania. Based on the interviews taken from former political prisoners, the study aims at reconstituting the most impressive memories of the people who were incarcerated in the political prisons of communist Romania. *The Impossible-to-Forget Detention Day* will be a volume of testimonies which will remind the reader the abuses, the tortures and the violent treatments enforced on the “class and political enemies” of the communist regime.



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200 questionnaires are to be completed by the former political prisoners who are still alive and 40 semi-directed interviews are also to be taken. They will concentrate on the reasons and the description of the ways in which the arrests, inquiries and trials were taking place at the time. Special attention will be given to the *impossible-to-forget detention day*.

Work Stages and Estimated Deadlines

The project will start in the middle of January 2007.

1. Completing the questionnaires: 15 January – 28 February 2007
2. Taking the interviews: 1 – 30 March 2007
3. Intermediate report: 30 March 2007
4. Transcription, processing and interpretation of data: April – May 2007
5. Writing the study proper: June – July 2007
6. Final report – 31 July 2007

Researchers involved in the project:

Dumitru Lăcătușu, expert, Documentation Office - project coordinator

Cosmin Budeancă, expert, Archives Research Office

Constantin Petre, expert, Archives Research Office



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TRANSITIONAL JUSTICE IN POST-COMMUNIST ROMANIA RESEARCH PROJECT

Coordinator: Stejărel Olaru

Research objectives

Since the end of the Second World War, all societies which directed their steps towards democracy have tried to solve, one way or another, the issues regarding their authoritative past and to identify the persons responsible for the abuses and the crimes perpetrated under the respective regime. However, in all countries where the violent measures enforced by the state made numerous victims and where the persons responsible for the abuses were also numerous and usually held leadership positions, thus securing a certain degree of “legitimacy”, the exercise of post-dictatorial justice became an extremely difficult one, considering it was interpreted whether as an enforcement of the condemnations established by the courts of law or as a means of history re-writing, based on the consequences of these trials. Therefore, a series of paradoxical questions came to the researchers’ attention, namely: How can one punish a large category of the national community, without creating a climate of hate and animosity between the various social groups within the respective community? How can one declare the illegitimacy of a state, when the continuity of its administrative and security apparatuses condition, as it seems, the survival of the political community? How can one punish the guilty when, in most cases, the separation of the former elites from state institutions and their voluntary withdrawal from public life do not normally happen? How can one pronounce on the criminal nature of a regime when this means that justice must decide on the degree of guilt of an institution of which it was a part? Last but not least, taking into account that the task of democratic governments is to inspire citizens with respect for the lawful state and for the



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letter of the law, another issue arises: What kind of punishment policies can one choose, so that one can meet the victims' requests without violating human rights and the principles of the lawful state?

When confronted with solving these issues, justice often faces the impossibility of offering completely satisfactory answers. "There is no perfectly fair solution to this problem" – researchers conclude. In this context, the present study aims to analyze the policies of transitional justice in post-communist Romania and to identify the difficulties encountered by their initiators between 1990 and 2006. We will attempt to answer the following questions: Which specific factors determined the choice of the strategies that were chosen in order to administrate our reference to the past? Who were the main players that initiated or opposed these strategies? How did these strategies evolve? Did they fulfill both their punitive and history re-writing purposes?

The Study Structure

In the aftermath of 1989, several punitive strategies against the persons responsible for the crimes and the abuses perpetrated during the former dictatorial regime were adopted in Romania. These strategies were adopted as it follows: firstly, there were *the criminal trials*, which took place within the Courts of Law of Romania; secondly, *the screening laws*, which made public lists of persons who collaborated with the political police of the regime, without taking, however, any punitive measures against these persons; thirdly, the attempts to adopt a *lustration law*, by means of which to forbid some of the politicians, the officials and the military of the former regime to candidate or to be nominated for public offices in the aftermath of 1989. These strategies will be analyzed by comparison with those implemented in other countries of the former Soviet block.

Within the study, **Raluca Ursachi** will also make a comparative analysis of the various strategies adopted in the field of transitional justice immediately after the Second World War and until the establishment of democracy in Eastern Europe. The three main transitional waves which came after 1945 will be discussed upon as well, considering the



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following study cases: Post-Nazi Germany; Southern Europe, namely Spain, Greece and Portugal; South America, namely Argentina, Chile, Bolivia and Uruguay; South Africa; Eastern Europe; Eastern Germany; Czechoslovakia; Poland; Hungary; The Baltic Countries.

Stejărel Olaru will examine the various legislative initiatives proposed in order to create a lustration-favorable climate in post-communist Romania, taking into account all related political, historical and legal issues and focusing on the analysis of the factors which hampered this law from being adopted. Furthermore, Stejărel Olaru will examine the context in which the National Council for Studying the Securitate Archives (CNSAS) was set up, the evolution of the legislative projects which grounded its establishment and functioning as well as the factors which prompted the institutional semi-failure of the Council, considering the three main competences which the Council was meant to undertake, according to its establishment law, that is, disclosing the former Securitate, facilitating access to personal files and writing historical studies and analyses.

Taking up the analysis of the penal trials referring to the persons who are responsible for the crimes perpetrated by the communist repressive apparatus in Romania, **Raluca Grosescu** will attempt to answer two major questions within the third part of the study. To what extent did these trials succeed in fulfilling their punitive task and in offering a coherent image of the communist repression in Romania? To what degree did these trials help establish respect for law, considering they took place after the fall of a regime which systematically violated legitimacy? The study will consist of two parts. The first part will outline the conceptual frame of the difficulties and the advantages of penal approach as a fundamental element of transitional justice. The second part of the study will focus on the trials entered against former politicians, military men and Securitate officers who are responsible for the abuses, crimes and infringements of human rights they perpetrated before 1989. All these trials will be scrutinized, starting with the trial of Ceaușescu and ending with the “Autobuzul” and Gheorghe Ursu trials.



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Methodology and Resources

The first part of the study will primarily rely on synthesizing and interpreting the secondary sources, that is, specialized books and articles which analyze the issues under discussion since Nuremberg until present day. It is important to mention that these materials have not been translated into Romanian yet.

The evaluation of lustration policies will employ the qualitative analysis towards the interpretation of the following types of sources: texts of legislative drafts, Parliamentary debates, authorizations given to these texts by the Government and the Legislative Council, semi-directed interviews with politicians and representatives of the civil society, articles of the post-communist press. The same sources will be employed as well towards the analysis of the functioning of the National Council for Studying the Securitate Archives (CNSAS). In addition to the above-mentioned sources, the activity reports of the Council and the public speeches delivered by the members of the Council will be taken into account. The interpretation of the political context and of its effects on various lustration projects or initiatives amending the functioning of the CNSAS will constitute an important part within the paper. Secondary sources, such as specialized books and articles, will also be used.

The evaluation of the role played by the penal trials brought against the former communist dignitaries in the aftermath of 1989 will be based on the qualitative analysis of the documents presented during these trials, that is, indictments, sentences, appeals, as well as on the qualitative analysis of the semi-directed interviews given by law experts such as defense lawyers, prosecutors and judges who were involved in these trials, by the accused, the damaged parties and the politicians. Post-communist press represents, as well, another important resource towards the accomplishment of this study. Secondary sources such as specialized books and articles will also be employed in order to structure and write the theoretical part of the study, which focuses on penal trials as fundamental elements of transitional justice.



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Work Stages and Estimated Deadlines

1. Drawing up the study regarding the history of transitional justice policies since Nuremberg until the establishment of democracy in Eastern Europe – October 2006 - 31 January 2007
2. Collecting the documents referring to lustration policies, the functioning of the CNSAS and the penal trials brought against the former communist dignitaries – October 2006 - 31 January 2007
3. Reading of relevant press articles – 1-28 February 2007
4. Taking, transcribing and interpreting the interviews – 1 February 2007 - 30 March 2007
5. Intermediate report – 31 March 2007
6. Writing of the studies proper – April - May 2007
7. Final report – June 2007

MUSEUM PROJECTS

One of the most important projects of the Institute for the Investigation of Communist Crimes in Romania is the turning of the former Prison of Jilava (Fort no.13) into the Jilava Memorial Museum, which is to focus on communist repression in Romania and its victims. The Institute's partners in this project are the Association of Former Political Prisoners in Romania, The Memoria Cultural Foundation, The Civic Academy Foundation and the Group for Social Dialogue. After having signed a collaboration protocol concluded at the end of October 2006, the initiators are waiting for the rightful owner of the building, namely the Ministry of Justice, to complete the legal formalities so



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that the IICCR may take on the administration of the building. The building will be renovated and fitted out according to the latest standards in interior/exterior architecture and museum design from the funds of the Institute for the Investigation of Communist Crimes in Romania. Data, testimonies, documents, objects, audio/video recordings and photographs related to the communist repression in Romania will be collected in the new edifice situated in the outskirts of Bucharest. The IICCR's partners in this project will make complementary efforts in order to organize a series of debates and media events in order to make the Museum known to the large public and thus to increase interest towards communist repression in Romania.

The former Prison of Râmnicu Sărat, a detention center where the political leaders of the interwar period were incarcerated and exterminated, is also going to be turned into a museum of communist repression. The Ministry of Culture and Cults gave its consent so that the IICCR may take on the administration of the former prison. Still, the Institute has got to obtain the approval of the Ministry of Finance. The building will be most probably administered by the IICCR starting with the spring of 2007. The renovation and the fitting out of the building will begin the same year. All restoration operations will benefit by foreign technical assistance and specialized expertise. Partnerships with similar institutions from Europe, the United States of America and Israel, which have already developed such projects, will be concluded as well.

CENTER FOR COMMUNIST AND POST-COMMUNIST STUDIES

One of the most important projects of the Institute refers to education, namely to the academic examination of the communist regime and its consequences. The Institute for the Investigation of Communist Crimes in Romania and the Faculty of History within the **Al. I. Cuza** University of Iași concluded a collaboration protocol in November 2006 in order to set the basis of the Center for Communist and Post-Communist Studies. The



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reasons that led to the necessity of the setting-up of this educational center are complex. Sixteen years after the collapse of the communist totalitarian regime, the ideology, the institutions and the ways communism acted are not properly examined within Romanian universities. Furthermore, the effects of communism on the process of transition have not been scrutinized or interpreted so far. In Romania, there are neither libraries that could offer the reader large collections of books on communism and post-communism nor any national academic curricula or master's degree programs on this subject.

The Center for Communist and Post-Communist Studies will function under the aegis of the Institute for the Investigation of Communist Crimes in Romania and the Faculty of History within the **Al. I. Cuza** University of Iași, the first university of Romania. The first project of the Center is the setting up of a master's degree focused on the history of communism and post-communism. Well-known historians and political analysts, professors, members of the Institute's management, European and North-American professors specialized in the study of communism will give lectures at the Center for Communist and Post-Communist Studies. The themes approached within the master's degree program will comprise various subjects such as Communism during the Interwar Period, the Collectivization of Agriculture, Cults in Communist Romania, the Gulag, Education in Communist Romania, Mass Organizations, the Regime's Repressive Institutions, Transitional Justice, etc.

The IICCR and the Faculty of History will equip the Center with data, testimonies, audio/video recordings and photographs referring to communist repression in Romania. The two institutions will support the Center in organizing debates / media events in order to make it known to the large public and thus to increase interest towards communist repression in Romania.

The students who will chose to study within the Center for Communist and Post-Communist Studies will write research papers on communism and post-communism. These papers will be published within the IICCR's Yearbook. The students will also receive support in order to take up documentation stages in Romania and abroad.



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The Center for Communist and Post-Communist Studies will develop research projects with similar institutions from Eastern Europe as well.

MEDIA PARTNERSHIPS

In September 2006, the IICCR and Radio France Internationale concluded a collaboration partnership so that a series of radio shows on Romanian communism may be broadcasted. The aim of this partnership is to inform the public with regard to the ways in which the communist state functioned, as well as with regard to the political crimes and the systematic violation of the human rights in Romania between 1945 and 1989. The main themes approached so far and the participants of these radio debates are as follows:

Broadcast of 5 September 2006: *From Collective Memory to History Writing: The Role of the Institute for the Investigation of Communist Crimes in Romania*. Participant: Stejărel Olaru, Director General of the IICCR

Broadcast of 5 October 2006: *Decommunization Policies. The Necessity of a Lustration Law in Post-Communist Romania*. Participants: Mihai Burcea, expert, Documentation Office; Marius Stan, expert, Archives Research Office

Broadcast of 23 November 2006: *The Role of Workers' Opposition Actions within Communist Regimes. Braşov, November 1987*. Participants: Andrei Muraru, Head of Archives Research Office; Cosmin Budeancă, expert, Archives Research Office

Broadcast of 4 December 2006: *The Annual Report of the Institute for the Investigation of Communist Crimes in Romania*. Participants: Raluca Grosescu, Head of Documentation Office; Andrei Muraru, Head of Archives Research Office



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PETITIONERS' COUNSELLING SERVICE

A number of forty petitions addressing various issues referring to human rights violations during the communist regime were registered at the Institute for the Investigation of Communist Crimes in Romania. Answering these petitions in a most competent and responsible manner represented one of the priorities of the Institute's experts. In addition to the above-mentioned petitions, a series of documents, studies, books, collaboration proposals, testimonies, open letters or congratulation letters also arrived from the public interested in the IICCR's activity. At the same time, fourteen audience requests were solved. The audiences were held at the Institute's premises, according to a previously established list of appointments. There were also persons who came to the Institute, without appointment, in order to solicit specialized information or to draw the attention of the IICCR's experts to a number of abuses perpetrated during the communist regime. These persons were listened to and counseled by the Institute's experts, according to the legal framework that regulates the functioning of the IICCR and in conformity with the legislation in force.

Taking into account the vast range of issues and requests comprised within the petitions, we have decided to divide them into a few fundamental categories.

- There are petitions by means of which financial compensations are solicited, as a reparatory measure for the abuses perpetrated during the communist regime (the cases of Mărgineanu, Fernea, Guțu, Feodorov). The petitioners were notified that the payment of such damages surpasses the IICCR's field of competence, their petitions being consequently sent to the **Commission for the Acknowledgement of Anti-Communist Resistance Fighters**, which functions within the Ministry of Justice, on the grounds of Ordinance no. 214/1999 of the Romanian Government.



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This act refers to the acknowledgement of all persons condemned for offences perpetrated out of political reasons, as well as of all persons against whom abusive administrative measures had been taken, as anti-communist resistance fighters. The above-mentioned Ordinance was modified and completed by Law no. 173/2006.

- There are also petitions by means of which the delivery of certain documents or the notification of the qualified institutions is requested. In these cases, the experts of the IICCR supplied the necessary documents, when they were able to find them within the archives. Otherwise, the respective petitions were sent to the qualified institutions, on the grounds of article 6¹ of Law no. 233/2002 which authorizes Ordinance no.27/2002 regarding the solving of petitions.
- In other cases, petitioners are soliciting information referring to the arrest or the disappearance of friends or relatives, once the communist regime was established. The petitioners were answered that the respective facts will be carefully analyzed by the IICCR's experts so that the final solution is also in agreement with the Institute's field of competence. The IICCR's experts have already started investigations in these cases by consulting various archive funds and reconstituting the facts on the basis of available testimonies.
- There are also petitions by means of which abusive house or land dispossessions are referred to. Furthermore, the steps the petitioners made in order to regain their properties are presented as well. In these cases, the petitioners were answered that retrocession issues do not fall within the IICCR's field of competence and advised to address justice departments.

A series of studies, documents, testimonies, collaboration offers and proposals were also registered with the Petitioners' Counseling Service.

All petitioners currently engaged in trials or requesting the Institute's intervention in order to obtain a resolution of their case more rapidly were answered that the IICCR cannot interfere in the development of trials or upon a Court of Law's sentence.