

U.S. Department of State
Annual Report on International Religious Freedom for 1999:
Croatia

Released by the Bureau for Democracy, Human Rights, and Labor
Washington, DC, September 9, 1999

CROATIA

Section I. Freedom of Religion

The Constitution provides for freedom of conscience and religion and free public profession of religious conviction, and the Government respects these rights in practice.

While there is no official state religion, the dividing line between the Roman Catholic Church and the State often was blurred, and the ruling party throughout the period covered by this report attempted to identify itself closely with the Catholic Church. However, the Church more frequently sought an independent role for itself and was at times openly critical of the prevailing political situation. The new head of the Catholic Church, Archbishop Josip Bozanic, who took office in October 1997, became more active in publicly promoting reconciliation and the return of refugees. In both January and December 1998 he delivered strong messages against corruption and promoted the need for civic virtue, dialog, and mutual respect between groups. In May 1999, Archbishop Bozanic made his strongest public challenge to the Government during his homily at a Statehood Day Mass that was attended by President Franjo Tudjman.

The approximate religious breakdown of the country is: Roman Catholic, 85 percent; Orthodox Christian, 5 percent; Muslim, 1 percent; Jewish, 1 percent; other, 4 percent; and atheist, 3 percent. This breakdown is correlated closely with the country's ethnic breakdown; the Orthodox can be found in Serb areas, including cities and former United Nations sectors, and other minority religions (as well as atheists) can be found mostly in urban areas. Most immigrants are ethnic Croats and, therefore, Roman Catholics.

No formal restrictions are imposed on religious groups, and all religious communities are free to conduct public services and to open and run social and charitable institutions. While some organizations claimed that Orthodox priests encountered difficulties in obtaining Croatian citizenship and travel documents from the Government, there is no evidence of any specific discrimination against the Orthodox clergy beyond that faced by other ethnic Serb Croatian citizen refugees abroad.

However, religion and ethnicity are so closely intertwined in the country that it is difficult to distinguish between ethnic discrimination and religious discrimination against Serbs, who are Orthodox Christian, and against Bosniak Muslims. A pattern of often open and severe discrimination continues against ethnic Serbs and, at times, other minorities in a wide number of areas, including the admini-

stration of justice, employment, housing, and freedom of movement (also see Section II). The Government often maintained a double standard of treatment based on ethnicity. The Government continued to discriminate against Muslims in the issuance of citizenship documents. The citizenship status of many Muslims in the area around Slunj continues to be unresolved, with several hundred cases still in the courts, and in some cases entire villages remain stateless. This double standard in granting citizenship led to discrimination in other areas, in particular the right to vote.

The Government's failure to act expeditiously to verify the citizenship of hundreds of thousands of ethnic Serbs who fled the country after the military actions in 1995 remained a cause for concern in 1998. In a positive step, the Government in May 1998 established procedures by which Croatian Serb refugees who had fled the country in 1995 might regulate their citizenship status and return to the country. Muslims also found it difficult to confirm their citizenship. There were several notable cases during the year of deportation proceedings against male members of mixed marriages involving Muslims.

Ethnic Serbs who successfully repatriated faced open discrimination and numerous bureaucratic hurdles in order to regain their property and the financial and health benefits to which all returnees are entitled under the law. Many also reported discrimination in employment (also see Section II), and there were persistent but isolated reports that humanitarian assistance was not distributed fairly by government agencies.

According to the preamble, citizens from minority groups are provided equality with citizens of Croatian nationality. In January 1998, the Parliament adopted amendments to the Constitution to omit Muslims, Albanians, and Slovenes from those minorities listed in the Constitution's preamble on the grounds that they are not considered indigenous groups. Muslims are currently the second largest minority group in the country after Serbs, and their elimination from the Constitution effectively denies them rights stipulated in the (albeit partially suspended) Constitutional Law on the Rights of Ethnic and National Communities or Minorities. In a potentially positive step in January 1998, a Council on National Minorities was established as an independent body for the expression of minorities' views on government proposals and recommendations concerning minority issues. However, the Council was not active in practice. On the other hand, Muslims have the right to observe their religious holidays. They are granted a paid holiday for one Bairam and have the right to observe the other as well (although they are not paid for the day).

The Ministry of Defense employs 19 Catholic priests to take care of Catholics serving in the army. Imams were not given this opportunity. Further, Muslim soldiers do not receive meals in accordance with Muslim law and practice. A Catholic priest is present and gives a blessing at the oath-giving ceremony upon entering the army, but an imam is not allowed to attend. Similar problems exist in hospitals.

The Government requires that religious training be provided in schools, although attendance is optional. Schools are allowed to offer classes in minority religions if they fill the necessary quota of minority students. However, the lack of resources, minority students, and qualified teachers usually impeded catechism courses in minority faiths, and the Catholic catechism was the one predominantly offered. According to numerous reports, although not obligatory, students felt pressured to attend religious training.

Croatian Protestants from a number of denominations, as well as foreign clergy, actively practice and proselytize, as do representatives of Eastern religions. Missionaries from a number of different groups are present in the country, including the Church of Jesus Christ of Latter-Day Saints (Mormons), Jehovah's Witnesses, Greek-Catholics, Pentecostals, Hare Krishnas, and a wide range of evangelical Protestant Christians (including Baptists, Seventh-Day Adventists, Church of Christ, and various nondenominational organizations, such as the Campus Crusades for Christ). The Government tightened its residence permit and visa issuance policy in 1997, but this was a general policy shift and not directed at religious workers (although they were among those affected). There have been several cases in which individual missionaries had difficulty in obtaining missionary visas in 1999, but it is unclear whether this was due to religious discrimination or bureaucratic inefficiency and failure by missionaries to fulfill all of the necessary requirements. Missionaries do not operate registered schools, but the Mormon community provides free English lessons, which normally are followed by some sort of religious class. The Muslim community has a secondary school in Zagreb. Students are taught 36 subjects, among them 3 foreign languages. However, the Ministry of Education refuses to recognize the degree conferred upon graduation from this secondary school. In general, Muslim teachers are not paid by the Ministry, whereas Catholic teachers are.

The Catholic Church operates the only private national radio station, Catholic Radio, in the country. Croatian Catholic Radio is financed solely by voluntary contributions of citizens and companies. Radio Dunav--a station serving the country's ethnic Serb minority--operates locally in Vukovar. The Serb Democratic Forum, the Joint Council of Municipalities, and Radio Dunav tried to get a concession for a national broadcast network, but the Telecommunications Commission refused the request. The Muslim Community has 4.5 minutes of radio broadcast time per month within the context of religious programming offered by the state-controlled broadcaster Croatian State Radio and Television (HRT), as well as 4.5 minutes per month on Radio Zagreb. In addition, the Bairam ceremony from the Zagreb mosque is broadcast annually on television. However, local Muslim leaders believe that this broadcast time is not sufficient to inform the public about their religious activities.

With the end of the mandate for the United Nations Transitional Administration for Eastern Slavonia (UNTAES) on January 15, 1998, the Government regained full authority over the Danubian region. The Government's record on the continued peaceful reintegration of the region was mixed. While no large-scale violence or mass departure of Serb inhabitants occurred, there was a steady exodus of thousands of the country's Serb citizens throughout the period covered by this report. Housing and employment regulations were administered in a manner biased against ethnic Serbs; incidents of intimidation and harassment increased, and the administration of justice was biased in favor of ethnic Croats (see Section II). However, it is not clear that religion was the motivation for this unequal treatment.

The Government announced in March 1999 that it planned to restore a memorial at Jasenovac to the victims killed at that concentration camp during World War II. Retreating Serb forces destroyed the memorial and looted the camp museum in 1995. Premier Zlatko Matesa announced during his visit to the camp in March that the restoration of the memorial was part of the Government's "policy of reconciliation."

In December 1998, the Government indicted Dinko Sakic, commander of the Jasenovac concentration camp in 1944, for crimes against humanity in the deaths of more than 2,000 persons. Sakic was extradited to the country in June 1998 from Argentina. The trial continued as of June 30, 1999.

There is no government-sponsored ecumenical activity, nor is there funding for such efforts. Ecumenical activity, when it takes place, is initiated by the religious leaders themselves (see Section II).

The Government has implemented property restitution in a discriminatory fashion: the Government signed a Concordat with the Vatican on October 9, 1998 (a law confirming the agreement entered into force on December 30, 1998), which provided for the return of all Catholic Church property confiscated by the Communist regime after 1945. The Agreement stipulates that "seized properties will be returned, and if property cannot be returned, the Church will be compensated." There have been no such agreements between the Government and any other religious group. The Serb Orthodox community has filed a series of requests for the return of seized properties. A number of these cases have been resolved successfully. Some buildings, mainly in urban centers, have been returned. However, properties that belonged to monasteries, such as arable land and forest, have not been returned to date. This uneven progress may be the result of a slow and overburdened judicial system rather than a systematic effort to deny restitution of Orthodox properties. The Muslim community had a mosque in downtown Zagreb that was confiscated after World War II whose minarets were torn down. Today the building houses a museum. The community has not filed a request for return. The Government also agreed in December 1998 to grant state pensions to Roman Catholic priests. The Roman Catholic Church receives state financing to support pensions for priests and nuns through the government-managed pension and health funds. Other religious communities still do not have an agreement with the State, nor is there a law that regulates these issues. Orthodox priests and imams have been paying their contributions to the health and pension funds from their own resources, in order to be covered by a pension plan. In addition, a regulation is to be implemented that provides for recognition of Catholic marriages by the State, thereby eliminating the requirement that they be registered in the civil registry office as well as in the church. The Muslim community has sought similar status, but the Government has been slow to respond.

Despite the October 1997 ruling by the Constitutional Court that several elements of the Law on the Temporary Takeover of Specified Property (LTP) were unconstitutional, the vast majority of Serb property owners displaced by that legislation in favor of ethnic Croat refugees remained unable to access their property. In June 1998, the Government adopted a program for return, which included mechanisms for property restitution. However, the establishment of these mechanisms was slow.

There was no change in the status of respect for religious freedom during the period covered by this report.

There were no reports of religious detainees or prisoners.

There were no reports of the forced religious conversion of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

Section II. Societal Attitudes

Religion as a reflection of ethnicity frequently was used to identify non-Croats and as another way of singling them out for discriminatory practices. This close identification of religion with ethnicity caused religious institutions to be targets of violence. In Eastern Slavonia, an Orthodox cross was destroyed in July 1998, however, since the cross was a monument to Serb soldiers, it is not clear that there was a religious motivation for this incident. Two individuals were convicted of petty crime in the case and received fines of about \$30 (200 kuna). Churches of both Catholic and Orthodox denominations came under attack by vandals in the Danubian region. In April 1998, in a war-damaged Catholic church in Vukovar, vandals removed a skull from a crypt and left it out in the open with an anti-Ustasha (Croatian Fascist) note attached. No arrests have been made in the case as of June 30, 1999. A leading human rights organization also documented incidents throughout the country of the damage and defacement of Serbian Orthodox tombstones and graveyards but in much smaller numbers than in previous years. Organization for Security and Cooperation in Europe (OSCE) monitors are unaware of any governmental action on the occasional damage and defacement of Serb cemeteries.

Property destruction and other forms of harassment usually arose from disputes between home occupiers of one ethnicity and returning homeowners of another. Ethnically motivated incidents included verbal and legal harassment, forcible evictions, and beatings. However, religion was not necessarily a motivation for the incidents. According to the OSCE monitoring mission, reports of the harassment of ethnic Serbs in Eastern Slavonia continue to be numerous, and incidents have become increasingly violent (although most are intended to intimidate rather than injure). In cases throughout the country, regardless of ethnicity, incidents of looting by persons occupying homes upon their departures were common. In the Danubian region, the majority of the reported incidents were related to disputes over housing. Incidents of beatings of Serbs also were reported, albeit less frequently than in previous years. In the first half of 1999, these incidents were isolated, but persistent. While there was an overall decrease in physical assaults countrywide, harassment in the form of intimidation and forced evictions increased sharply in the Danubian region.

According to the Croatian Helsinki Committee, at least 24 ethnic Serbs died as a result of ethnically motivated violence between 1996 and 1999.

While estimates vary, international organizations generally agree that some 47,000 ethnic Serbs left the country between 1996 and 1998, with some 20,000 departing in 1998 alone. Anecdotal evidence from various sources indicates that Serb emigration continued at a steady pace in the first half of 1999. While many left for economic reasons, most also reported that the level of harassment and discrimination and, most significantly, pressure put upon them by the imminent return of ethnic Croat owners of the homes to which they had been displaced in the former UNTAES region, led them to the conclusion that they had no future in the country. Ethnically motivated incidents included verbal and legal harassment, forcible evictions, and beatings. The U.N. Police Support Group, which monitors police behavior in the region, reported an average of 54 incidents per week in May 1998. That number jumped to nearly 70 by July 1998, with many more incidents going unreported.

Throughout 1998 and the first half of 1999, a rightwing political party, the Croatian Party of Rights (HSP), mounted an aggressive campaign to mobilize public opinion against the return of Serbs. In February 1998, this party held a rally in Beli Manastir that incited anti-Serb violence and caused general chaos in the surrounding area. The police response to this very public incident was swift, and 40 arrests were made for disturbing the peace.

Minorities also suffer economic discrimination. Many ethnic Serbs reported discrimination in employment. Unemployment among Serbs continues to be significantly higher than the national average, and a disproportionate number of layoffs and firings involve ethnic Serbs. In the Danubian region, international organizations and NGO's reported that ethnic Serbs were being offered less favorable contracts of a shorter duration than returning ethnic Croat displaced persons.

Churches have taken steps to promote greater reconciliation between their congregations. There was a meeting between Catholic and Orthodox bishops and priests in Dalj, Eastern Slavonia, on February 4, 1999. In March 1999, Patriarch Pavle of the Serbian Orthodox Church made his first visit to the country since the war began with Serbia in 1991. He met with Archbishop Bozanic and President Tudjman in March 1999. With the installation of the new Archbishop of Zagreb in October 1997, the Catholic Church sought a more proactive role in advocating reconciliation. According to the Catholic Information Agency, Bishop Marin Srakic from Djakovo and Bishop Antun Skvorcevic from Pozega (Slavonia) have had numerous meetings with their Orthodox counterparts to discuss reconciliation and problems in the region.

Section III. U.S. Government Policy

U.S. Government actions have been directed largely at supporting the efforts of the Catholic Church leadership to bring about a more constructive and conciliatory attitude in postwar society. The Secretary of State met with the Archbishop on August 30, 1998 and sent him several letters of encouragement and appreciation for his efforts during the period covered by this report.

Embassy officials have frequent meetings at all levels with representatives of the ethnic Serb (Orthodox) community and are engaged in the preservation of rights, including the religious rights, of this group. The Embassy also has followed closely the ongoing trial of World War II concentration camp commander Dinko Sakic, who is charged with crimes against humanity in the deaths of more than 2,000 persons (see Section I), and has been in frequent discussions, at all levels, with government officials to urge that the trial be conducted fairly. Embassy officers repeatedly have raised the subject of discrimination against Serbs and Muslims in cases of citizenship, and the Embassy's consular section intervenes in cases where missionaries have difficulties with customs and visa procedures.

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