

2013 Report on International Religious Freedom - Serbia

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Executive Summary

The constitution provides for freedom of religion, but some laws and policies place restrictions on religious freedom. These restrictions stem from the law's special treatment of the seven "traditional" religious groups. In practice the government generally respected religious freedom; however, the government imposed some restrictions affecting members of minority religious groups. The Serbian Orthodox Church received preferential consideration. The government continued to reject applications for registration from "nontraditional" religious groups. As in the past, police response to vandalism and other acts of societal intolerance against minority religious groups rarely resulted in arrests or indictments. Restitution of properties seized by previous governments continued.

There were reports of societal discrimination based on religious affiliation, belief, or practice. Members of minority religious groups in particular experienced societal intolerance, including a few instances of physical violence, and their places of worship and cemeteries were vandalized.

U.S. embassy representatives continued to meet with government officials to advocate for changes in the law on religious registration. Embassy officials met with representatives of all religious groups to discuss religious freedom and promote interfaith cooperation. Embassy representatives also reached out to the divided Islamic community to encourage a resolution of differences.

Section I. Religious Demography

The U.S. government estimates the population at 7.2 million (July 2013 estimate). Approximately 85 percent of the population is Serbian Orthodox, 5 percent Roman Catholic, 3 percent Muslim, and 1 percent Protestant. The remaining 6 percent includes Jews, members of Eastern religions, agnostics, atheists, "others," and individuals without a declared religious affiliation. Roman Catholics are predominantly ethnic Hungarians and Croats in Vojvodina. Muslims include Bosniaks (Slavic Muslims) in Sandzak, ethnic Albanians in the south, and Roma located throughout the country. Approximately 94 percent of the population belongs to seven religious groups defined as "traditional" by the government: the Serbian Orthodox Church, the Roman Catholic Church, the Slovak Evangelical Church, the Reformed Christian Church, the Evangelical Christian Church, the Islamic community, and the Jewish community.

The Islamic community operates under two separate authorities: the Islamic Community of Serbia, with its seat in Belgrade, and the Islamic Community in Serbia, with its seat in Novi Pazar.

Approximately 100 imams from both Islamic communities have organized themselves in an alternative group to advocate for unification of the two communities.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution provides for freedom of religion, but some laws and policies place restrictions on religious freedom. These restrictions generally stem from the law's special treatment of the seven "traditional" religious groups. Government bylaws on religious education, property ownership, and social welfare also distinguish between traditional and non-traditional religious groups and their members.

There is no state religion. Because the law recognizes seven traditional religious groups, these appear automatically in the Register of Churches and Religious Communities. In addition to these groups, the government also grants traditional status to the Diocese of the Romanian Orthodox Church Dacia Felix, with its seat in Romania and administrative seat in Vrsac in Vojvodina.

Although registration is not mandatory for religious groups, unregistered groups encounter considerable difficulty in opening bank accounts, purchasing or selling property, and publishing literature. The law grants value-added tax refunds and property tax exemptions only to registered religious groups. Registered religious groups are also exempt from paying administrative taxes and filing annual financial reports.

Registration requirements include submission of: members' names, identity numbers, and signatures; proof the religious group has at least 100 members; the group's statutes and a summary of its religious teachings, ceremonies, religious goals, and basic activities; and information on sources of funding. The law prohibits registration if an applicant group's name includes part of the name of an existing registered group. The Ministry of Justice maintains the Register of Churches and Religious Communities and responds to registration applications. The Office for Religions handles other procedural issues and conducts outreach to religious groups.

The government subsidizes the salaries of Serbian Orthodox clergy working in other countries. The government also provides state coverage of minimal pension and health care payments for clergy of registered religious groups.

Students in primary and secondary schools are required to attend classes on one of the seven traditional religions or an alternative civic education class.

The law recognizes restitution claims for religious property confiscated in 1945 or later for registered religious groups only. A private property restitution law passed in 2011 permits individual claims for properties lost by Holocaust victims during World War II, but religious groups may not claim property confiscated prior to 1945.

The law bans speech inciting discrimination, hatred, or violence against an individual or group on grounds of religion. Criminal offenses for inciting religious hatred carry penalties of one to 10 years in prison, depending on the offense and the severity.

Government Practices

The government imposed restrictions that affected members of some minority religious groups, while it gave preferential consideration to the Serbian Orthodox Church. The government rejected an application for registration from at least one "nontraditional" religious group, according to a nongovernment source. Police responses to vandalism and other acts of societal intolerance against religious groups continued to be ineffective; they rarely resulted in arrests or indictments. The police responded appropriately to a violent incident against foreign members of a minority religious community. Restitution of properties seized by previous governments continued.

Protestant churches continued to call on the government to abrogate the parts of the law that categorize religions as either "traditional" or "nontraditional." They also continued to advocate removal of the prohibition on registering religious groups whose names include parts of names of already registered groups.

On July 19, the Protestant Evangelical Church filed an application before the European Court of Human Rights describing violations of the rights and freedoms safeguarded by the European Convention on Human Rights under the 2006 Law on Churches and Religious Communities, after the Constitutional Court, on January 16, rejected the same plaintiff's application to assess the constitutionality of specific articles of the Serbian law.

There were 17 "nontraditional" religious groups registered in 2013: the Seventh-day Adventist Church, the Evangelical Methodist Church, The Church of Jesus Christ of Latter-day Saints (Mormons), the Evangelical Church in Serbia, the Church of Christ's Love, the Spiritual Church of Christ, the Union of Christian Baptist Churches in Serbia, the Nazarene Christian Religious Community, the Church of God in Serbia, the Protestant Christian Community in Serbia, the Church of Christ Brethren in Serbia, the Free Belgrade Church, the Jehovah's Witnesses Christian Religious Community, the Zion Sacrament Church, the Union of Seventh-day Adventist Reform Movement, the Protestant Evangelical Church Spiritual Center, and the Evangelical Church of Christ.

The Ministry of Justice rejected at least one application for registration, from the Buddhist Community of Serbia. Updated official information was unavailable at year's end.

The Macedonian and Montenegrin Orthodox churches, whose autocephaly the Serbian Orthodox Church does not recognize, also remained unregistered. Officials of the former religion ministry previously stated they would not become involved in an "internal schism" within the Serbian Orthodox Church by registering the two groups. The government continued to recognize the Romanian Orthodox Church solely in Vojvodina; members of the church elsewhere in the country were able to hold public services only at the discretion of individual bishops of the Serbian Orthodox Church. The co-chair of the Serbian-Romanian inter-governmental commission on national minorities said the issue remains unresolved, but the Serbian government would continue to encourage dialogue between the two Orthodox churches regarding religious services and building construction. Government officials continued to hold that these unresolved issues are governed by the canons of the Orthodox Church rather than secular authorities.

Although the Greek and Russian Orthodox churches were not registered, they continued to operate freely.

Nongovernmental organizations (NGOs) criticized the authorities for slow or inadequate response to incidents of vandalism and other societal acts, including violence, against religious groups. Arrests, indictments, or other resolutions of incidents continued to be rare. Leaders of minority religious groups stated their continued reluctance to report incidents because they did not expect an adequate official response. When the authorities made arrests, they usually charged offenders with destruction of property rather than incitement of religious hatred, which carries much higher penalties.

In March anti-Semitic posters appeared in downtown Belgrade. They depicted World War II-era bombers bearing Stars of David and images of buildings and bridges damaged in the 1999 NATO air campaign. An obscure extremist group, Blood and Honor, signed the posters, which read "Fourteen years after NATO bombing and their terror still continues." Government officials condemned the incidents and First Deputy Prime Minister Aleksandar Vucic promised that all those who disgraced Serbia with anti-Jewish posters and graffiti would be arrested and prosecuted. The Federation of Jewish Communities noted it had issued warnings about the public expression of anti-Semitism in speech, press, and internet postings in Serbia, but in vain. No investigations were opened, nor was anyone held to account for inciting racial, national, and religious intolerance, which is punishable by law.

Protestant leaders and NGOs continued to object to the teaching of religion in public schools, and some leaders of "nontraditional" religious groups expressed dissatisfaction at not being permitted to offer religious classes in public schools. Children belonging to "nontraditional" religious groups generally opted to attend civic education classes.

The Committee for Religious Education in Elementary and Secondary Schools, which had monitored the organization and implementation of religious education and appointed teachers for religious education classes, was not reestablished after the August 2013 government reshuffle abolished the former religion ministry.

The government continued restitution of religious properties seized in 1945 or later. By the 2008 deadline the Office for Restitution of Communal and Religious Property had received 3,049 restitution requests filed by the Serbian Orthodox Church, the Roman Catholic Church, the Jewish community, the Romanian Orthodox Church, the Reformed Christian Church, the Islamic Community, the Evangelical Christian Church, and the Union of Christian Baptist Churches in Serbia. By the end of September the government had returned land and real estate to these churches in Novi Sad, Subotica, Sremska Mitrovica, and elsewhere in Serbia. For cases in which restitution claims were rejected because the religious community filing the claim was not the initial founder, but rather the beneficiary or administrator of an endowment, the government informed churches and religious communities about a separate procedure. Legally registered endowments could apply for restitution while religious communities would continue to enjoy all the same benefits from the endowments.

Media drew attention to Jewish representatives' complaints that official World War II commemorations often were scheduled on Saturdays, precluding religious Jews from participating in government ceremonies honoring victims of the war, among whom Jewish victims often figured prominently.

The government subsidized a range of events to commemorate the 17th centenary of the Edict of Milan, which proclaimed lasting tolerance of Christianity in the Roman Empire. High-level government officials frequently participated in religious and other celebrations of the jubilee, together with religious leaders, in particular in the hierarchy of the Serbian Orthodox Church, but also with Roman Catholic, Islamic, and other "traditional" religious leaders. Some commentators noted, however, the main Orthodox and Roman Catholic religious events took place almost a month apart, and thus the main religious celebration in October lacked ecumenical character. "Non-traditional" religious leaders, furthermore, expressed regret at being excluded from the events. The government routinely maintained the distinction among "traditional" and other groups, for example in extending public greetings on major religious holidays.

On February 27, the first halal shop in Belgrade opened, the result of a public-private partnership between food processors in southwest Serbia, USAID, the Government of Serbia, and the Serbian Halal Agency.

On June 21, the Higher Court in Sabac reached a first instance verdict in the case of a Serbian Orthodox priest, Branislav Peranovic, who was charged with the 2012 murder of a patient at a church-affiliated rehabilitation center. Peranovic was found guilty and sentenced to 20 years in prison pending appeal.

On July 17, the First Basic Court in Belgrade acquitted all nine individuals accused of setting fire to the Bajrakli Mosque in downtown Belgrade -- the capital's historic and only mosque -- during the March 2004 riots which followed mass violence against Serbs and Serbian religious institutions in Kosovo. Three of the accused, however, including the notorious leader of a major Serbian football fan club, received four months in prison for participating in the riots and attacking police.

On August 1, 10 chaplains were appointed to serve in the military -- eight Orthodox priests, one Muslim imam, and one Roman Catholic chaplain. One of each will serve with the Army headquarters, one Orthodox priest each will serve at the Military Academy and the Military Medical Academy, while the remaining five Orthodox priests will serve in different military units.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal discrimination based on religious affiliation, belief, or practice. Religious groups, especially minority religious groups, continued to experience vandalism of church buildings, cemeteries, and other religious sites. Most incidents involved spray-painted graffiti; thrown rocks, bricks, or bottles; or vandalized tombstones. They continued to report hate speech, negative media reporting, and physical violence. Because ethnicity and religion often were inextricably linked, it was difficult to categorize many incidents specifically as ethnic or religious intolerance.

On January 16, unknown perpetrators vandalized two gravestones in a Serbian village in ethnic Albanian-majority Bujanovac municipality. Vandals also broke a nearby church's windows and wrote offensive messages on the church wall.

On May 4, five masked individuals attacked the halal food restaurant near Belgrade's Bajrakli Mosque with baseball bats, injuring two people. The Islamic Community of Serbia reported the

perpetrators had been identified and were in police custody. The Islamic Community of Serbia declined to press criminal charges against the youthful suspects.

On two occasions in June unknown perpetrators threw stones and broke windows at the Evangelical Church in Pozarevac. The pastor characterized the incident as motivated by religious intolerance and called for police action to prevent further similar acts.

On July 10, 39 tombstones were demolished at the Jewish cemetery in Subotica, in Vojvodina. Police arrested three teenagers on suspicion of committing the act.

On July 26, in Backo Novo Selo, the local imam was threatened and physically attacked by an unknown assailant. Vojvodina political and Islamic religious leaders condemned the attack.

Representatives of a minority religious community reported an incident of physical violence resulting in injuries to two foreign members of their community. The victims chose to depart the country rather than to press charges. This attack may have been motivated by religious prejudice.

The Serbian Orthodox graveyard in Novi Sad was vandalized on several occasions. The most recent incident, on the night of October 3-4, was the most serious and extensive, with more than 25 tombstones and some 50 wooden crosses demolished. Police were investigating at year's end.

Some extremist youth groups, including Obraz, Serbian National Movement 1389, and Nasi, continued openly to denounce "sects."

The press, mostly tabloid media, continued to publish propaganda against groups they considered to be "sects."

Despite the ban on hate speech, translations of anti-Semitic literature continued to be available from ultranationalist groups and small publishing houses. The Federation of Jewish Communities reported extremist and anti-Semitic groups were growing. Extremist youth groups and internet forums continued to promote anti-Semitism and use hate speech against the Jewish community.

Section IV. U.S. Government Policy

U.S. embassy officials advocated for changes in the law on religious registration to eliminate discriminatory elements. Embassy representatives met regularly with government officials, representatives of the Serbian Orthodox Church, and leaders of a wide range of religious minority groups to promote respect for religious freedom and encourage interfaith activities. The embassy hosted an interfaith iftar to demonstrate support for the country's multifaith society, and reached out to the divided Islamic community to encourage resolution of differences. The embassy also assisted and supported the opening of the first halal shop in Belgrade.
