

Forbudsrep Jugoslavien (31)



U.S. DEPARTMENT of STATE

312

Yugoslavia, Federal Republic of

International Religious Freedom Report 2002

Released by the Bureau of Democracy, Human Rights, and Labor

The laws of the Federal Republic of Yugoslavia, as well as its constituent republics Serbia and Montenegro, provide for freedom of religion, and Federal and Republican governments generally respected this right in practice. There is no state religion; however, the majority Serbian Orthodox Church receives some preferential consideration. The Constitutional Framework for Provisional Self-Government in Kosovo (the Constitutional Framework), adopted in May 2001, provides for freedom of religion, as does U.N. Interim Administration Mission in Kosovo (UNMIK) Regulation 1999/24 on applicable law in Kosovo, and UNMIK and the newly established provisional Kosovo Government generally respected this right in practice.

The status of respect for religious freedom by both the Federal and Republican governments improved somewhat during the period covered by this report. Police response to crimes against religious minorities improved, and the Belgrade Municipal Court agreed to try a case of the publishing of anti-Semitic hate speech. The status of religious freedom improved somewhat during the reporting period in Kosovo as well. Some members of the newly elected Provisional Institutions of Kosovo attended services of the Serbian Orthodox minority and offered to work together to rebuild churches.

There were some instances of discrimination against representatives of religious minorities. Jewish leaders reported some increase in anti-Semitism. Tensions between the Serbian Orthodox Church and the Montenegrin Orthodox Church continued. Although there has been a reduction of tensions in some areas of Kosovo, societal intolerance continued to cause security concerns in other localities.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

Section I. Religious Demography

The Federal Republic of Yugoslavia (including Kosovo) has a total area of approximately 39,500 square miles, and its population is approximately 10,662,000. Outside of Kosovo, the predominant faith in the country is Serbian Orthodoxy. Religion plays a small but growing role in public life. Approximately 65 percent of the population is Serbian Orthodox, including most ethnic Serbs and Montenegrins who profess a religion. The Muslim faith is the second largest in the country, with an estimated 19 percent of the population, including Slavic Muslims in the Sandzak, and ethnic Albanians in Kosovo and Southern Serbia. Like Serbs and Montenegrins, many Muslims in the country do not participate in organized religious practice regularly, and the term "Muslim" often is more a reference to ethnic identity than to religious belief. Roman Catholics make up approximately four percent of the Yugoslav population, mostly Hungarians in Vojvodina, ethnic Albanians, and Croats in Vojvodina and Montenegro. Protestants make up approximately one percent of the population and include Baptists, Adventists, Reformed Christians, Evangelical Christians, Evangelical Methodists, Jehovah's Witnesses, the Church of Christ, and Pentecostals. A small Jewish community is present in the country. The remaining 11 percent of the population profess other faiths or are atheists.

Kosovo has a total area of 4,211 square miles, and its population is approximately 2 million. The predominant faith, professed by most of the majority ethnic Albanian population; Bosniac, Gorani, and Turkish communities, and some in the Roma, Ashkali, and Egyptian communities is Islam, although religion is not a significant factor in public life. The ethnic Serb population, of whom approximately 100,000 reside in Kosovo and approximately 170,000 are displaced to Serbia, largely is Serbian Orthodox. Approximately 3 percent of ethnic Albanians are Roman Catholic. Protestants make up less than 1 percent of the population, but have small populations in most of Kosovo's cities.

Missionaries from a number of different groups are present in the country, including members of the Jehovah's Witnesses, and a range of evangelical Protestant Christians.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution and laws of the Federal Republic of Yugoslavia and its constituent republics of Serbia and Montenegro provide for the freedom of religion, and the Government generally respected this right in practice. There is no state religion; however, the Serbian Orthodox Church receives some preferential

treatment. The Montenegrin Republic's Constitution recognizes the existence of the Serbian Orthodox Church.

Since assuming office in 2000, Federal President Kostunica has increased the profile of the Serbian Orthodox Church in public life and has made high-profile visits to major Serbian Orthodox religious sites. He also has expressed his support for introducing religious education in schools, instituting religious services in the Yugoslav army (VJ), and returning confiscated property to the Serbian Orthodox Church. State-run television broadcasts religious coverage on major Serbian Orthodox holidays.

Some Protestant communities and nongovernmental organizations (NGO's) have objected to the recognition by name of some churches and not others in the preamble of a new draft Federal Law on Religious Freedom. They claim that this would represent state sponsorship or support of some religions over others and thus constitute a violation of the separation of Church and State principle in the law. Some Protestant religious leaders have expressed concern that listing some churches by name in a Religious Freedom Law could lead to the identification of churches not listed in the law as "sects" or "cults." Authors of the Draft Federal Law on Religious Freedom have attempted to address such concerns by inserting a clause into the law's preamble noting the contributions made by "other churches and religious communities."

Religious groups were required to apply to the Federal Ministry of Religious Affairs for registration. The Federal Ministry of Religious Affairs denied recognition to the Montenegrin Orthodox Church as a religion on the basis that no Orthodox body has granted recognition to the organization. However, the Montenegrin Orthodox Church was registered as an NGO in the former capital of Cetinje. There were no other reports of applications that were denied during the period covered by this report.

The new draft Federal Law on Religious Freedom would require that religious groups register with a yet unnamed Federal Administrative Body, presumably the Federal Secretariat for Religious Affairs or the Federal Ministry of Interior. Under the proposed registration law, groups of 10 or more could register by submitting their name, a list of members, the name and address of the group's leader, a description of organizational structure, by-laws, doctrine and ritual, and a description of financial means. Any negative decision on registration would be subject to court review. The seven traditional religious communities are not required to reregister under the new law.

During the period covered by this report, religious education began in Serbian primary and secondary schools based on a July 2001 regulation. According to the regulation, students are required to attend classes on one of the seven "traditional religious communities:" Serbian Orthodoxy, Islam, Roman Catholicism, the Slovak Evangelical Church, Judaism, the Reform Christian Church, and Evangelical Christian Church. As an alternative to the requirement, students may substitute a class in civic education. The vast majority of students have opted to enroll in the secular course. According to sources from the faiths that participated in organizing the religious education classes, religious leaders drafted curriculum that they then shared with representatives of other faiths to ensure that the courses would not contain objectionable material. The curriculum then were approved by the Serbian Ministry of Education and Sport. The draft Law on Religious Freedom would give religious education in schools the force of law. Some Protestant communities and NGO's have objected to the teaching of religion in schools, fearing that children whose parents opt for civic education will be stigmatized.

The draft Law on Religious Freedom states the need "to rectify the consequences of nationalization...aimed against the property of religious communities in compliance with the law," and a draft law of the Serbian Republic on Restitution of Religious Property was circulating among religious leaders for comment at the end of the period covered by this report.

In Montenegro the Constitution specifically recognizes the existence of the Serbian Orthodox Church, but not other faiths. The Montenegrin Orthodox Church is registered with the Government of Montenegro Ministry of Interior in Cetinje, the former capital, as an NGO. The Government of Montenegro has remained officially neutral in the dispute between followers of the Serbian Orthodox Church and the Montenegrin Orthodox Church. Political parties have used this issue in pursuit of their own agendas. Pro-Serbian parties strongly support the establishment of the Serbian Orthodox Church as an official state religion, while proindependence parties have supported the official recognition of the Montenegrin Orthodox Church. Members of the Montenegrin Orthodox Church worship freely, and generally worship in those churches whose memberships have elected to align themselves with the Montenegrin Orthodox Church.

Kosovo's Constitutional Framework provides for freedom of religion and prohibits discrimination based on religion and ethnicity, and UNMIK and the newly established provisional Kosovo Government generally respected this right in practice. Both UNMIK and the Organization for Security and Cooperation in Europe (OSCE) officially promote respect for religious freedom and tolerance in administering Kosovo and in carrying out programs for its reconstruction and development. There are no specific licensing regulations for religious groups; however, the requirement that NGO's register affects some religiously-based organizations. There have been some claims by Kosovar Muslim leaders that they were not consulted prior to the registration of foreign Islamic NGO's.

Protestants and foreign clergy actively practice and proselytize. There are Muslim, Orthodox, Catholic, and Protestant missionaries present in Kosovo. Some members of these groups, particularly Protestants, have reported societal discrimination (see Section III).

UNMIK recognizes as official holidays some, but not all, religious holidays of both the Muslim and

Orthodox faiths.

In May 2002, the Prime Minister of Kosovo attended Serbian Orthodox services for Easter and also met with a prominent ethnic Albanian political leader and Orthodox Bishop Artemije Radosavljevic to select three destroyed Orthodox churches for reconstruction.

Restrictions on Religious Freedom

In March 2001, VJ announced its intention to introduce Serbian Orthodox chaplains into its military units. The VJ had not yet decided whether Catholic priests and Muslim imams also would be represented in the Army Chaplaincy. According to the Keston Institute, some representatives of minority religious groups and NGO's expressed concern that by favoring the majority religion the VJ is not protecting equal religious rights for all soldiers. The new draft law requires chaplains be provided for public institutions from different religious communities, and discussions with the Roman Catholic Church for Catholic VJ Chaplains were ongoing at the end of the period covered by this report.

During the period covered by this report, Jehovah's Witnesses and the Church of Jesus Christ of Latter-Day Saints (Mormons) reported difficulties in obtaining long-term visas for missionaries. Jehovah's Witnesses reported that authorities were limiting the amount of literature that they were allowed to import into the country. They argued that the amount they were permitted to import was insufficient for the needs of the 8,000 members and friends of the community.

Several groups reported difficulties in obtaining land for religious purposes during the period covered by this report. Jehovah's Witnesses reported difficulties in acquiring land and approval for church construction, and representatives of Belgrade's Islamic Community reported difficulty in acquiring land and government approval for an Islamic cemetery near the city. Representatives of the Church of Christ claimed that Protestants had experienced difficulty in purchasing a building to be used for a soup kitchen.

Despite public statements made by Federal President Kostunica supporting the restitution of confiscated property, no formerly-seized property was restituted during the period covered by this report.

Abuses of Religious Freedom

Jehovah's Witnesses reported that one of its members, Sahiti Mirsad, is serving a 5-month sentence for conscientious objection to the draft. While there are non-lethal options in which conscripts can serve in the VJ, there is no civilian option for fulfilling one's military service requirement. There were no reports of religious prisoners or detainees in Kosovo.

Forced Religious Conversions

There were no reports either in Yugoslavia or in U.N.-administered Kosovo of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

While religious leaders often have criticized the lack of police response to crimes against religious minorities, leaders of Jehovah's Witnesses reported police had contacted the group proactively and met with its leaders to plan the 2002 Jehovah's Witness convention in Belgrade.

The Federation of Jewish Communities reported that Belgrade Municipal Court agreed to try a case of the publishing of anti-Semitic hate speech. In addition the Serbian Orthodox Church took action against anti-Semitic claims made by one of its retired clergy, Archpriest Dr. Zarko Gavrilovic. The Holy Synod, the highest body of the Serbian Orthodox Church, "energetically rejected and condemned" Gavrilovic's anti-Semitic statements, and Gavrilovic subsequently was suspended from his priestly duties.

Under the Milosevic regime, Bosniak Muslims in the Sandzak region alleged discrimination in housing, employment, health care, commerce, and education. However, Muamer Zukorlic, Mufti of Sandzak, stated that the situation has improved as a result of new laws on national minorities and local self-government, as well as the decision to allow religious education in schools. Yugoslav Minister of National Minorities Rasim Ljajic, Novi Pazar-based "List for Sandzak" Party leader Suleiman Ugljanin, and Sandzak head of the Helsinki Committee Sefko Alomerovic also noted that the situation has improved for Muslims, and that they were not subject to systematic discrimination in the Sandzak.

The withdrawal of Serbian troops from Kosovo in 1999 and establishment of UNMIK resulted in an improved situation for the majority, largely Muslim, ethnic Albanian population, and a cessation of attacks on their mosques and religious sites. KFOR and UNMIK international police, with the increasing participation of the Kosovo Police Service, were able to reduce significantly crimes against Orthodox persons and sites during the period covered by this report. The newly appointed Prime Minister and some political leaders have reached out to Serbian Orthodox officials and have expressed a public commitment to assist in the reconstruction of some damaged or destroyed churches. Catholic leaders reported that Muslim Albanian Kosovars had assisted them to rebuild Catholic churches damaged by

time or by the former Serb regime prior to 1999, in places such as Malisevo/Malisheve, Pristina, Prizren, Gnjilane/Gjilan, and the Rugova gorge, near Pec/Peje.

Section III. Societal Attitudes

While relations between members of different religious groups, particularly in Serbia, are good, there were some instances of discrimination against representatives of religious minorities in the country. Religion and ethnicity are entwined closely throughout the country. In many cases, it is difficult to identify discriminatory acts as primarily religious or primarily ethnic in origin. However, many of the incidents of religious discrimination or harassment that occurred in the period covered in this report appear to have been based more on ethnicity than on religion.

There were no developments in the 2001 case of assailants who attacked a Jewish community lawyer in Vojvodina or the 2000 case of young men who attacked three members of a Romani Pentecostal Church in Leskovac; however, neither attack appeared to be based on religious beliefs.

There continued to be reports of societal harassment and discrimination against the Catholic minority in Vojvodina.

Minority religious communities, including Jews, Roman Catholics, Jehovah's Witnesses, and the Church of Christ, reported that incidents of vandalism continued, such as the throwing of rocks at places of worship and spray-painting of nationalist or anti-Semitic slogans in Belgrade, Novi Sad, Sremska Mitrovica, and other cities in Serbia. The human rights organization Human Rights Without Frontiers (HRWF) reported a number of such attacks in the period covered by this report, including the July 2001 stoning of an Evangelical-Methodist Church in Vrbas, Vojvodina; the October 2001 stoning of the home of a Adventist preacher in Cacak; and the October 2001 attacks in Backa Palanka, Vojvodina directed at the home of a Pentecostal pastor and at the facade of an Adventist Church. The HRWF also reported that in August 2001, nationalists disrupted a forum on anti-Semitism in Cacak. In addition to acts of vandalism, representatives of the Church of Christ and Jehovah's Witnesses reported the harassment of believers in Serbia and Montenegro. Church of Christ leaders noted that acts of vandalism often took place soon after television programs reported on the work of "sects," in which minority Protestant faiths often are grouped together with satanic cults. For example, one newspaper from the southern city of Nis published an article that described religious sects as a threat to Orthodox clergy and stated, "The godless know what we think about them, all the same whether we are talking about Transcendental Meditationists, Jehovah's Witnesses, or Satanists."

Jewish leaders reported some increase in anti-Semitism, both in the media and in acts of vandalism, such as the use of anti-Semitic stickers with swastikas. Jewish leaders were pleased that Belgrade Municipal Court agreed to try a case of the publishing of anti-Semitic hate speech, and that the Orthodox Church had repudiated publicly the anti-Semitic statements of one of its priests (see Section II). In early 2002, a Catholic Church in the Vojvodina town of Sremska Mitrovica was pelted with stones and spray painted with nationalist slogans and swastikas.

Relations between religious communities generally are peaceful in Montenegro. Catholic, Muslim, and Orthodox Communities coexist within the same towns and often use the same municipally-owned properties to conduct worship services. However, tensions continued between the Serbian Orthodox Church and the Montenegrin Orthodox Church, which has not been recognized by the Constantinople Patriarchate and therefore remains schismatic.

In early 2002, there were a few incidents between the Serbian Orthodox Church and the Montenegrin Orthodox Church. In one incident, Serbian Orthodox Church followers clashed with Montenegrin Orthodox at the latter's Yule Log ceremony in Berane. While the two churches contend for adherents and make conflicting property claims, such contention was not marked by the level of violence that has occurred in the past. However, NGO representatives reported concern at the level of nationalism and hate-speech that they encountered in Montenegro.

Seventh-Day Adventists and members of Jehovah's Witnesses officially are registered religions in Montenegro, and Jehovah's Witnesses regularly proselytize without incident. Unlike the period covered by the previous report, there were no reported problems with the Serbian Orthodox Church regarding the construction and renovation of Jehovah's Witnesses' or Seventh-Day Adventists' church buildings.

On November 5, 2001, vandals threw rocks and broke the windows of a historic mosque in Pljevlja. This is the first such incident reported in this Muslim inhabited area of Montenegro.

Ethnicity and religion also are entwined closely in Kosovo. Muslim Kosovars generally are not religious. Kosovars Serbs identify themselves with the Serbian Orthodox Church, which defines not only their religious but also their cultural and historical perspectives. During and after the conflict, some Serbian Orthodox leaders played a moderating political role, but most since have withdrawn from political life while secular Serb leaders have stepped forward, especially following the November 2001 elections and subsequent establishment of Kosovo's Provisional Institutions.

Societal violence against Serbs in Kosovo continued to decrease over the period covered by this report, although this trend was marred periodically by incidents of ethnically motivated violence, harassment, and intimidation. Serbian Orthodox clergy sometimes have encountered rock-throwing while traveling and in the vicinity of some religious sites. Monks and nuns at some monasteries also reportedly were

unable to use parts of the monasteries' properties due to safety concerns. Security concerns had a chilling effect on the Serb community and their freedom of movement, which also affected their freedom to worship. Serb families with relatives living in both Kosovo and Serbia are restricted by security concerns from traveling to join their relatives for religious holidays or ceremonies, including weddings and funerals. UNMIK police and KFOR have designed several mechanisms to provide security to improve mobility.

Attacks on Serbian Orthodox religious sites in Kosovo, presumably by ethnic Albanian extremists, continued during the period covered by this report, although such incidents decreased significantly. In August 2001, unknown persons threw a hand grenade into the yard of a Serb couple living just behind the local church; damage to the church may have been intended. In November 2001, a chapel in the cemetery in Staro Gracko, near Lipjan/Lipjan, was bombed; the chapel was damaged, as were nearby gravestones. In May 2002, unknown persons desecrated a Serb cemetery in Gjakova/Djakovica.

Propaganda and anti-Orthodox expressions continued during the period covered by this report. In early September 2001, more than one newspaper published a letter from an alleged local human rights activist in Decani/Decan, falsely asserting that the monks at the Decan Monastery had assisted in Serb paramilitary activities during the conflict. In the absence of a formal complaint, Kosovo's Temporary Media Commissioner took no action. The letter may have been the result of local tensions over land title.

In light of societal violence in Kosovo against Serbian Orthodox religious symbols and properties owned by the Serbian Orthodox Church, UNMIK authorities continued to provide special security measures to protect religious sites and to ensure that members of all religious groups could worship safely. KFOR deployed security contingents at religious sites throughout the province to protect them from further destruction, such as that which had occurred immediately after KFOR's intervention in June 1999. However, Bishop Artemije Radosavljevic, the leading cleric of the Serbian Orthodox Church in Kosovo, remained at a monastery in Gracanica, near Pristina, rather than at his diocesan seat in Prizren.

Due to improving security conditions and decreasing interethnic tensions in some areas, KFOR removed static checkpoints from some churches and religious sites during the period covered by this report, instead relying on patrols by the indigenous Kosovo Police Service (KPS). In most cases, such relaxations in security measures did not result in a change in the level of safety of, or access to, the religious sites. However, religious leaders claim that the Gjakova/Djakovica desecration took place shortly after a fixed checkpoint near the cemetery had been removed.

Protestants also have suffered some violence and discrimination in Kosovo. Some Protestant leaders have been threatened and even attacked; in one incident in south Mitrovica, a Protestant leader left Kosovo after unknown perpetrators fired shots at his house. Some Protestants have suggested that non-Kosovar Muslims either were responsible or incited the attack. In another incident, masked persons held an ethnic Albanian Protestant pastor at gunpoint and robbed him before releasing him.

Protestants report acceptance by the majority Muslim community. However, some have observed that they were not included in some interfaith initiatives by Islamic leadership on the grounds that they do not comprise a "traditional" religion in Kosovo. On one occasion, a local mufti interrupted Protestant services in Malisheve/Malisevo.

Islamic, Orthodox, and Catholic religious leaders have attempted to encourage tolerance and peace in Kosovo, in both the religious and political spheres. During the period covered by this report, Kosovar political leaders, including Kosovo Government officials and political party leaders, increasingly have been active in publicly calling for tolerance.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. U.S. Embassy officials meet regularly with the leaders of religious and ethnic minorities, as well as with representatives of the Federal and Republican Governments and the Serbian Orthodox Church, to promote the respect of religious freedom and human rights.

U.S. officials in Pristina have maintained close contacts with religious leaders to promote ethnic and religious tolerance in Kosovo.

Since 2000 the U.S. has provided significant funding to Radio KIM (Radio Caglavica), based at Gracanica Monastery. Serbian Orthodox Bishop Artemije's clerical staff runs the station, which broadcasts news, music, interviews, and cultural programs.

U.S. KFOR peacekeeping troops have worked to prevent ethnic and religious violence in Kosovo and have guarded religious sites. The United States is involved actively in UNMIK, the interim administration mission in Kosovo, which is aimed at securing peace, facilitating refugee return and reconstruction, laying the foundations for democratic self-government in the province, and fostering respect for human rights regardless of ethnicity or religion.

Released on October 7, 2002

[International Religious Freedom Report Home Page](#)