

ALBANIA 2023 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of conscience and religion. It stipulates there is no official religion and the state is neutral in matters of belief, recognizes the equality and independence of religious groups, and prohibits discrimination based on religion. The government has agreements with the Sunni Albanian Muslim Community (AMC), Bektashi Muslim community, Roman Catholic Church, Albanian Autocephalous Orthodox Church (AOC), and the Evangelical Brotherhood of Albania (VUSH), an evangelical Protestant umbrella organization, that recognize these groups as the country's main faith communities and address property restitution and other arrangements. By law, the government gives financial support to four of these faith communities, but not to VUSH or other religious groups. In December 2022, the Assembly (parliament) amended legislation for the restitution of property, including religious groups' property that was confiscated by the former Communist government. The legislation requires groups to petition the Agency for the Treatment of Property (ATP) or the courts for restitution, establishes compensation guidelines for property that could not be restituted, and sets a deadline of December 31, 2024, for the ATP to determine and distribute proper compensation.

The Jehovah's Witnesses' 2022 appeal of a lower court ruling that the government was not obligated to enter into an agreement similar to those obtained by the five main faith communities remained pending at year's end; the lower court decision left the group subject to some fees and taxes. In May, a court ruled that an evangelical Christian pastor was not guilty of

hate speech for comments he had made in 2021 against proposed amendments to the family code that would change “father and mother” to “parent 1 and parent 2,” which he stated went against biblical teachings. The government continued the process of legalizing buildings constructed by religious groups without government approval, legalizing 47 such buildings during the year, compared with 97 in 2022. The State Agency of the Cadaster (SAC), courts, and the ATP continued to process property claims for restitution, compensation, and registration of property seized under the former Communist regime, but the five main religious communities continued to express concern over delays by these institutions, citing ATP’s slow processing times, changing legislation, and delayed court proceedings. In September, the AMC challenged the December 2022 property legislation amendment in the Constitutional Court, citing concerns with the compensation formula and the inability of owners to exercise the right to property or just compensation. In November, the ATP paused implementation of the law pending a ruling from the Constitutional Court on the AMC’s lawsuit. The AOC again said that despite numerous requests, the government had not returned all sacred objects, relics, icons, and archives confiscated during the Communist regime.

A June report by a Council of Europe advisory body cited Albania’s tradition of interreligious tolerance but stated that a lack of data made it difficult for authorities to design targeted measures to assist national minorities. Jehovah’s Witnesses pointed to negative media coverage of the group, which they said stemmed from its lack of status as an officially recognized religious organization. According to Jehovah’s Witnesses, criminal and civil defamation cases they filed against four media companies in 2021 remained pending in court. The Interfaith Council, a forum for leaders from the five main religious communities, held several meetings and hosted events to

promote interfaith dialogue and combat radicalization and violent extremism related to religion.

The U.S. embassy urged government officials to accelerate the handling of property claims and to return religious groups' buildings and other property confiscated during the Communist era. Embassy officials met with representatives of religious communities to discuss interfaith and governmental relations and the problems they faced regarding property legalization and restitution. Embassy-sponsored programs, including those that engaged youth from minority religious communities, focused on developing community inclusivity and cohesiveness, promoting women's empowerment in religious communities, and emphasizing the compatibility of religious faith and democracy.

Section I. Religious Demography

The U.S. government estimates the total population at 3.1 million (midyear 2023). According to the most recent census, conducted in 2011, Sunni Muslims constitute nearly 57 percent of the population, Roman Catholics 10 percent, members of the AOC 7 percent, and members of the Bektashi Order (an Islamic Sufi order) 2 percent. Other groups include Protestant denominations, the Baha'i Faith, Jehovah's Witnesses, The Church of Jesus Christ of Latter-day Saints, and Jews. Nearly 20 percent of respondents declined to answer an optional census question about religious affiliation. According to Boston University's 2020 World Religion Database, Muslims constitute approximately 59 percent of the population, Christians 38 percent, atheists or agnostics 2.5 percent, and Baha'is 0.6 percent. The World Jewish Congress estimates there are 40-50 Jews.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution states there is no official religion, recognizes the equality of all religious communities, and articulates the state's duty to respect and protect religious coexistence. It declares the state's neutrality in questions of belief and recognizes the independence of religious groups and their status as legal entities. According to the constitution, relations between the state and religious groups are regulated by agreements between these groups and the Council of Ministers and ratified by the parliament.

The constitution prohibits religious discrimination and guarantees freedom of conscience, religion, and expression. It affirms the freedom of all individuals to choose or change religion or beliefs and to express them individually or collectively, in public or in private, and it explicitly recognizes the right of persons belonging to national minorities to freely express their religion without prohibition or compulsion. The constitution states individuals may not be compelled to participate in or be excluded from participating in a religious community or its practices, nor may they be compelled to make their beliefs or faith public or be prohibited from doing so. It prohibits political parties and other organizations whose programs incite or support religious hatred.

The criminal code prohibits interference in an individual's ability to practice a religion, and it prescribes punishments of up to three years in prison for obstructing the activities of religious organizations or for willfully destroying objects or buildings of religious value. It imposes imprisonment of up to one

year for obstructing participation in religious ceremonies or impeding the free expression of religious beliefs.

By law, the Office of the Commissioner for Protection from Discrimination receives and processes discrimination complaints, including those concerning religious practice. The commissioner may issue decisions and impose fines, which the affected parties may appeal in court.

The law specifies that the State Committee on Religion, under the authority of the Office of the Prime Minister, is charged with regulating relations between the government and religious groups, protecting freedom of religion, and promoting interfaith cooperation and understanding.

The government does not require registration or licensing of religious groups, but a religious group must register with the Tirana District Court as a nonprofit association to qualify for certain benefits, including the right to open a bank account or own property and exemption from certain taxes. To register, a group must submit information on the form and scope of the organization, its activities, the identities of its founders and legal representatives, the nature of its interactions with other stakeholders (e.g., government ministries and civil society organizations), and the address of the organization, as well as a registration fee of 2,000 lek (\$21). A judge is randomly assigned to adjudicate an application within four days of submission and typically completes the adjudication in one day.

The government has agreements with the AMC, Bektashi community, Catholic Church, AOC, and VUSH. The agreements codify arrangements pertaining to official recognition, property restitution, tax exemptions on income, donations, and religious property, and exemption from submitting accounting records for religious activities. The law directs the government

to provide financial support to the four religious communities with which it had agreements at the time – the AMC and Bektashi communities, the Catholic Church, and the AOC. This law does not apply to VUSH, whose agreement with the government dates from 2011. There is no provision in the law to provide VUSH with government financial support.

The law does not specifically address property restitution to religious communities. In December 2022, the parliament amended the law allowing religious communities and all other claimants to file claims in court for restitution of property confiscated by the former Communist government or to transfer petitions pending in court to the ATP for property title recognition or compensation. Religious communities that are successful at reclaiming property must, like all property owners, first obtain ownership title from the court and then register the properties with the SAC in the official register established in 2020 to show quantity, value, and ownership of real estate. By law, bailiff offices must execute court rulings in property cases. If the property cannot be restituted because it is occupied, in use by the government, or otherwise unavailable, the community may, upon demonstrating ownership title, petition the ATP for financial compensation. The 2022 amendment established compensation formula guidelines, as required by a 2021 Constitutional Court ruling.

The amendment also reestablished the ATP's case jurisdiction, which had lapsed in 2019, and set a deadline of December 31, 2024 for determining claims' compensation value. Claimants may challenge the ATP's valuation at the Administrative Court of Appeals within 30 days of the date of the publication of the valuation. The ATP retains jurisdiction over properties that cannot be restituted because they are occupied with "informal" buildings constructed without permits and subsequently legalized by the government.

The law allows the five religious communities with agreements with the government to operate educational institutions as well as build and manage religious cemeteries on land owned by the communities.

Religious groups, including religious communities, foundations, and missions, must have building permits to construct new houses of worship. The law allows the government post facto to legalize informal buildings constructed prior to 2014 without permits.

Public schools are secular, and the law prohibits instruction in the tenets of a specific religion. The law allows the teaching of the history of religion or comparative religions as part of a humanities curriculum in public schools. Private schools may offer religious instruction. According to the Committee on Religion, the Catholic, Muslim, AOC, and VUSH religious communities manage 109 educational institutions, including universities, primary and secondary schools, preschools, kindergartens, vocational schools, and orphanages. By law, the Ministry of Education and Sport must license these institutions, and nonreligious curricula must comply with national education standards. Most of these do not have mandatory religion classes but offer them as an elective. The AMC runs four madrassahs that teach religion in addition to the state-sponsored curriculum, while the AOC runs one religious high school in Gjirokaster and the Resurrection of Christ theological academy.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

Jehovah's Witnesses again reported the government did not respond to repeated requests for an agreement similar to those established with other faith communities. This left the group subject to certain fees and taxes. The group's appeal of a 2022 lower court ruling that the law does not require the government to enter into an agreement with Jehovah's Witnesses remained pending with the Tirana Administrative Court of Appeal at year's end.

On May 26, Akil Pano, pastor of the evangelical Gospel of Christ Church and a philosophy professor at the State University of Tirana, announced on social media that the First Instance Administrative Court of Tirana had overruled the 2021 decision of the commissioner for protection from discrimination that Pano had engaged in hate speech against LGBTQI+ individuals. During a television debate Pano made comments objecting to a proposal to change "father and mother" in the family code to "parent 1 and parent 2," stating the change would lead to nontraditional forms of marriage and that his views were based on biblical teachings.

The government continued the process of legalizing buildings constructed by religious groups – primarily Sunni mosques, Catholic and AOC churches, and Bektashi *tekkes* (centers of worship) – built without government approval after the fall of communism in the early 1990s. The SAC reported that it legalized 47 such buildings during the year (compared with 97 in 2022 and 104 in 2021): 42 mosques or other buildings of the AMC, two churches or other buildings of the AOC, one tekke, and two additional buildings used for religious purposes. There were discrepancies between the figures reported by the SAC and those of the religious communities. The AMC reported it obtained legalization papers for 50 mosques during the year, compared with 92 in 2022, with 273 applications outstanding. The AOC reported no new legalizations during the year. The Catholic Church did not report any property legalizations during the year. Neither the SAC nor the faith

communities reported a slowdown in the legalization process during the year, however.

The Interfaith Council stated the property restitution process was slowed by lack of political will to resolve the situation. The ATP said some applicants did not follow up to apply for compensation and, for those who did, restitution was delayed by slow responses from applicants and other state institutions. An EU progress report on the country, released in July, assessed as “unresolved” the restitution of religious properties confiscated by the state during communism. The report stated, “The dependence of some religious groups on financial support from third parties can create vulnerabilities, as this can be a means for exerting influence.”

In light of the legislation passed in December 2022 to provide a new formula for the ATP to use for property compensation, as of October, the ATP was reviewing seven compensation cases and 153 claims to recognize legal property title on behalf of religious communities. In November, however, the ATP paused implementation of the law pending a Constitutional Court ruling on a lawsuit brought by the AMC challenging the compensation formula.

The ATP stated that it processed 13 requests of the AMC and the Bektashi for compensation for buildings built by others on land belonging to the religious community and was processing 23 additional requests as of year’s end concerning informal buildings, mainly from the Bektashi and the AMC. The ATP said it had completed six compensation decisions for the religious communities using the 2022 compensation formula, but none had applied to receive the funding as of the end of the year.

The AOC reported the government restituted a 9,290 square-meter (100,000 square foot) property in Golem, Lushnje, but that several dozen additional property compensation requests remained with the ATP. The Bektashi community reported it had received 31 million lek (\$333,000) in compensation as of October and received approval but not compensation for 51 properties occupied with informal buildings from 2020-22. The Bektashi submitted complaints to the Ministry of Justice, the Prime Minister, and the State Supreme Audit, an independent government institution, concerning the lack of payment, but did not receive a response.

The Catholic Church and the AOC again stated that the government had not implemented its agreements with these communities to return religious objects and properties. The Catholic Church said the government should pass targeted legislation enabling restitution of properties to the religious communities. The AOC said the government lacked the will to facilitate final resolution of property restitution and compensation for the religious communities. The AOC again suggested the government establish a special agency and adopt special legislation to address religious communities' property.

Religious communities expressed concerns regarding the hundreds of pending cases caused by the ATP's slow processing times, changing legislation, and delayed court proceedings. The AMC reported that since 2016, it had submitted approximately 500 applications for the return of properties or compensation for non-informal buildings encompassing approximately 23,000 hectares (57,000 acres) of property the AMC estimated to be worth approximately six billion euros (\$6.6 billion). The AMC said it would pursue approximately 50 cases in court and transfer approximately 400 to the ATP per the amended property legislation. In September, however, the AMC challenged the December 2022 property

legislation amendment in the Constitutional Court, citing concerns with the compensation formula and the inability of owners to exercise the right to property or just compensation. The AMC's filing argued that the amendments to the property legislation related to the compensation formula infringed on property holders' rights to legal certainty, fair reward, and equality before the law. According to the AMC, the legislation and its formula were unclear and would prevent exercise of the right to property or just compensation.

The AOC again said that despite numerous requests, the government had not returned all sacred objects, relics, icons, and archives confiscated during the Communist regime, highlighting the monasteries of Ardenica in Lushnje, Zvernec in Vlora, Saint Johan Vladimir in Elbasan, Saint John the Baptist in Voskopoja, and Saint George in Saranda. Authorities allowed reconstruction of the Saint Procopius Church in Tirana to begin, although the AOC stated the government donated the land rather than returning it via established ATP procedures.

The Ministry of Culture stated that, although the law allowed religious communities to possess title to religious property listed as cultural heritage or a cultural monument, in some cases such property would remain property of the state, due to its national importance. According to the Ministry of Culture, in some cases, religious communities did not seek title to the property because the law on cultural heritage places the burden of restoration, rehabilitation, and maintenance primarily on the owner, with potential financial penalties if the work is not completed as prescribed by law.

The Bektashi community and the AOC again objected to paying the value-added tax (VAT), as well as other taxes and fees, stating the payments

violated their agreements with the government. The AOC reported it received 26.4 million lek (\$283,000) in government funding but paid approximately 37.6 million lek (\$403,000) in VAT, in addition to social and health insurance, which had not been reimbursed as called for in its agreement with the government. The AOC stated the government had not responded to its requests for reimbursement. The Bektashi community again said it had held meetings with the government regarding disputed VAT payments for past and ongoing building construction but had not yet reached a resolution.

VUSH stated that during the year, the government stopped a construction company from building on VUSH land in Tirana and issued permission to VUSH to build a church on the disputed property. The government issued VUSH six construction permits in 2022 to build churches in different cities in the country, although it did not grant permission for the organization to rebuild or compensate it for a church damaged by an earthquake in 2019.

The commissioner for protection from discrimination reported six complaints of discrimination based on religious grounds but ruled that there was no discrimination in three of them. In one of the other three cases accepted, Jehovah's Witnesses said an evangelical Christian pastor used discriminatory language that stigmatized the group and infringed on their right to exercise their faith. That case and the two others remained under review at year's end.

In its annual report, the Jehovah's Witnesses Office of Public Information stated that the government had not responded to its request to resume providing religious services to adherents in prison, which authorities suspended due to the COVID-19 pandemic. The report stated the government approved the group's request that foreign Jehovah's Witness

volunteers be considered “religious missionaries,” despite the group’s lack of official status as a recognized religious organization.

The State Committee on Religion reported the number of religious organizations remained unchanged from 2022. It counted 195 organizations, 174 of which were evangelical Christian. The AMC had one organization, the AOC four, and the Catholic Church 16. The government’s national population census was ongoing at year’s end, with results expected in 2024. Questions on religious affiliation and ethnic background were optional and respondents could self-declare. The five main religious communities expressed skepticism the census would accurately reflect the country’s religious demographics, in part because answering the question was optional and, in some instances, surveyors might fail to ask it. The antidiscrimination commissioner reported that his institution was not consulted about the census process and said the public lacked information and awareness of the process, which could also impact whether respondents answered all questions.

During the year, the government provided a total of 113 million lek (\$1.2 million) to the Catholic, AMC, AOC, and Bektashi communities, the same amount as in 2022. The AMC received 33.84 million lek (\$363,000), an increase of approximately 240,000 lek (\$2,600) over 2022, while the Catholic Church and AOC each received 26.4 million lek (\$283,000), compared with 26.5 million lek (\$284,000) in 2022, and the Bektashi community received 26.36 million lek (\$282,000), compared with 26.4 million lek (\$283,000) in 2022. The communities continued to use the funds to cover part of the salaries of administrative and educational staff, as stipulated by the government. The Bektashi community stated it used some of the funds to build the Shtufi Tekke of Gjirokaster and to raise awareness of the Bektashi community domestically and internationally. The government did not

indicate the basis on which it allocated funds among the four communities. The Catholic Church said the government funds were insufficient to cover its staffing.

In March, the Ministry of Culture announced it would create the “Besa Museum” in Tirana to commemorate the history of Jews in the country and the actions of Muslim and Christian citizens who sheltered and saved them during World War II. The ministry announced an open design competition for architecture design proposals, funded by an Israeli philanthropist. Then Culture Minister Elva Margariti said, “The rescue of the Jews during World War II is one of the most beautiful pages in the history of the Albanians. Christians and Muslims sacrificed everything to protect them. The Besa Museum will be a bridge of communication between generations, a dialogue space for sharing the best values of our peoples.”

Section III. Status of Societal Respect for Religious Freedom

In June, the Council of Europe Advisory Committee on the Framework Convention for the Protection of the National Minorities issued its fifth opinion on Albania, stating the atmosphere for national minorities was “characterized by mutual respect and intercultural dialogue, especially interreligious tolerance.” The committee stated, however, that the lack of data on group size and hate speech or hate crimes made it “difficult for authorities to design targeted measures to address the needs and interests of persons belonging to national minorities.”

Jehovah’s Witnesses pointed to negative media coverage of the group that they said was stemming from its lack of status as an officially recognized religious organization. The group cited a May 28 interview on Euronews

Albania in which evangelical Christian pastor Paulin Vilajeti said the Jehovah's Witnesses were a dangerous sect that incited hatred and induced members to commit suicide. Jehovah's Witnesses requested Euronews Albania to issue a corrective statement, which it reportedly did not. Jehovah's Witnesses filed a complaint with the antidiscrimination commissioner, which remained under review at year's end.

In September, the Tirana District Court suspended a civil defamation case brought by the Jehovah's Witnesses against three media outlets in 2021, pending a final decision on the related criminal defamation case against a fourth media company. All the cases pertained to media reports in 2020 about a double suicide among members of a family in Tirana. The reports, according to Jehovah's Witnesses, falsely stated that the family were Jehovah's Witnesses and portrayed the religious group as a dangerous sect.

The Interfaith Council held several meetings domestically and abroad to promote interfaith dialogue and combat radicalization and violent extremism. In September, the council organized an international forum in Tirana with the interfaith councils from other European countries. Luigi de Salvia, head of the European delegation, noted interreligious cooperation in Albania served as a model for other European countries. Participants also toured an exhibition titled, "Interfaith Harmony in Albania" at Beder University. In May, universities associated with the AMC, Catholic Church, and the AOC organized the twelfth interfaith forum, entitled "Hope in the afterlife and the life in this world." The forum brought together domestic and foreign lecturers and students of three universities to discuss the concept of belief in the afterlife according to Christian and Muslim theological views.

Section IV. U.S. Government Policy and Engagement

In meetings with government officials, U.S. embassy officers continued to urge resolution to long-standing religious property claims and the restoration to religious groups of their property confiscated during the Communist era. Embassy officials had regular interaction with local government officials on issues of religious freedom and tolerance, particularly in relation to support of community youth programs that promoted these goals.

Embassy officials met with representatives of the AMC, AOC, Catholic, Bektashi, VUSH, and Jehovah's Witnesses communities to discuss interfaith and governmental relations and urged faith communities to propose joint solutions to the problems they faced regarding property legalization and restitution.

The embassy funded grants to local organizations to implement programs that promoted peaceful coexistence by engaging youth from minority religious communities, helped develop community inclusivity and cohesiveness, contributed to women's empowerment in religious communities, and emphasized the compatibility of religious faith and democracy. These projects, carried out in 30 out of the 61 municipalities, helped build community resilience and promoted moderate voices within the Muslim community. Through a continuing program implemented by the Institute for Democracy and Mediation, a local NGO, the embassy funded engagement with youth and religious communities to promote religious tolerance, harmony, and civic participation. As part of these initiatives, more than 2,200 students at Islamic and AOC religious schools, as well as students from public schools, planned and carried out projects highlighting religious diversity and tolerance, focusing on youth activism and common civic values.