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## Croatia

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### International Religious Freedom Report 2004

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The Constitution provides for freedom of conscience and religion and free public profession of religious conviction, and the Government generally respects these rights in practice. There is no official state religion; however, the Roman Catholic Church enjoys a close relationship with the State not shared by other religious groups. The legal position of most major religious communities has improved due to agreements with the State, which grant benefits similar to those enjoyed by the Catholic Church.

There was no change in the status of respect for religious freedom during the period covered by this report, and the coalition Government that took power in December 2003 has continued to contribute to the generally free practice of religion.

Religion and ethnicity are linked closely in society. Since independence in 1991, religious institutions of all faiths have been victimized by the ethnic conflicts that led to the breakup of the former Socialist Federal Republic of Yugoslavia. There were continued reports of intimidation and vandalism, particularly in the war-affected areas, directed against Serbian Orthodox clergy and property, although there was a decrease in severity and frequency of such attacks.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. U.S. Embassy officials frequently meet with representatives of religious and ethnic minority communities and with government officials.

### Section I. Religious Demography

The country has a total area of 21,831 square miles, and its population is approximately 4,437,000. The religious breakdown of the country is approximately: Roman Catholic, 85 percent; Orthodox Christian, 6 percent; Muslim, 1 percent; Jewish, less than 1 percent; other, 4 percent; and atheist, 2 percent. The statistics correlate closely with the country's ethnic makeup. The Orthodox, predominantly ethnic Serbs associated with the Serbian Orthodox Church, primarily live in cities and border areas with Bosnia and Herzegovina and Serbia and Montenegro. Members of other minority religions reside mostly in urban areas. Most immigrants are Roman Catholic ethnic Croats.

Protestants from a number of denominations and foreign clergy actively practice and proselytize, as do representatives of eastern religions. A variety of missionaries 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).

### Section II. Status of Religious Freedom

#### *Legal/Policy Framework*

The Constitution provides for freedom of conscience and religion and free public profession of religious conviction, and the Government generally respects these rights in practice. There is no official state religion; however, the Roman Catholic Church, Serbian Orthodox Church, Islamic community, and other smaller Christian denominations that have signed agreements with the

State receive some state support.

The Law on Legal Status of Religious Communities broadly defines religious communities' legal position and covers such issues as government funding, tax benefits, and religious education in schools. Other important issues, such as pensions for clergy, religious service in the military, penitentiaries and police, and recognition of religious marriages, were left to each religious community to negotiate separately with the Government. Most religious communities considered the law an improvement over the previous state of affairs. However, in 2002 some religious leaders and political parties expressed concern over instituting Catholic catechism in kindergartens established in the Concordat agreements between the Vatican and the Government. Restitution of nationalized or confiscated church property is regulated under the Law on Return of Property Expropriated or Nationalized During the Yugoslav Communist Rule, which was amended in July 2002.

In January 2003, the Government approved a regulation on the registration of religious communities, known as the "Regulation on Forms and Maintaining Records of Religious Communities in Croatia," which required all religious communities to submit registration applications within 6 months. The new regulation stipulates that to register, a religious community must have at least 500 believers and must be registered as an association for 5 years. All religious communities in the country prior to passage of the law are being registered without conditions; religious communities that are new to the country since passage of the law will need to fulfill the requirements for the minimum number of believers and time registered as an association. By May, approximately 35 religious communities had been registered. Registered religious communities are granted the status of a "legal person" and enjoy tax and other benefits under the Law on Religious Communities. Religious communities that are based abroad need to submit written permission for registration from their country of origin. No specific licensing is required for foreign missionaries.

Representatives of minority religious communities indicate that the overall climate for religious freedom has improved since the period covered by the previous report. In line with the Concordats signed with the Catholic Church and in an effort to define their rights and privileges within a legal framework, agreements have been signed with the following religious communities: the Serbian Orthodox Church and Islamic Community (December 2002); the Evangelical Church, Reformed Christian Church, Pentecostal Church, Union of Pentecostal Churches of Christ, Christian Adventist Church, Union of Baptist Churches, Church of God, Church of Christ, and the Reformed Movement of Seventh-Day Adventists (July 2003); and the Bulgarian Orthodox Church, Macedonian Orthodox Church, and Croatian Old Catholic Church (October 2003). In addition, in October 2003, the Government adopted unilaterally an agreement with the Jewish Community of Zagreb, which refused to sign the agreement due to lack of sufficient progress on property restitution issues. The Government's general approach is to negotiate agreements with individual religious communities based on a common framework rather than set uniform, nondiscriminatory standards and practices. Leaders of non-Catholic religions have expressed satisfaction with the communication and cooperation they have received from the Government, most notably with the Government Commission on Relations with Religious Communities, chaired by a Deputy Prime Minister under the former government and currently by the Minister of Culture.

An agreement between the Catholic Church and the state-run Croatian State Radio and Television (HRT) provides regular, extensive coverage of Catholic events (as many as 10 hours per month). Other religious communities receive approximately 10 minutes broadcast time per month or less. The Catholic Church operates one of the country's private national radio stations, Catholic Radio, which is financed by private contributions. The Jewish community reports no restrictions on religious broadcasting. Topics of interest to major non-Catholic religious groups are covered regularly on weekly religious programming on HRT. In April, representatives of minority religious communities met with HRT to discuss the timing and content of religious programming and agreed on broad principles for media presentation of minority faiths. The Islamic community's Bairam ceremony, usually attended by high-level government officials, is telecast live annually from the Zagreb Mosque. The Islamic community credits the monthly TV broadcast "Ekumena" for contributing significantly to an atmosphere of greater tolerance.

Missionaries do not operate registered schools, but the Mormon community provides free English lessons, which normally are offered in conjunction with education on the Mormon religion. The Ministry of Education recognizes the diploma conferred by the Muslim community's secondary school in Zagreb.

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).

There is no government-sponsored ecumenical activity.

#### *Restrictions on Religious Freedom*

The Government imposes no formal restrictions on religious groups, and all religious communities are free to conduct public services and to open and run social and charitable institutions.

There is no official state religion; however, the Roman Catholic Church receives some state support and other benefits established in concordats between the Government and the Vatican. The concordats and the other agreements with non-Catholic religious communities allow state financing for some salaries and pensions for priests and nuns through government-managed pension and health funds.

The concordats also regulate recognition of marriages, public school catechisms, and military chaplains. The Ministry of Defense employs 15 full-time and 4 part-time Catholic priests and chaplains. After the Government signed an agreement with the Serbian Orthodox Church, five Orthodox priests began service in prisons and penitentiaries; the Islamic Community has deployed one imam in the same service.

Marriages conducted by the 15 religious communities that have agreements with the State are officially recognized, eliminating the need to register the marriages in the civil registry office.

Facilitating the return of refugees (primarily ethnic Serbs) is a challenge for the Government, which has made progress in a number of areas relating to returns. However, many ethnic Serbs who wish to return to Croatia, including Serbian Orthodox clergy, continue to encounter difficulties recovering their prewar property and reconstructing damaged or destroyed houses. Serbian Orthodox officials report that in the aftermath of the 1991-1995 war, the number of clergy had been reduced to 30 out of the approximately 200 clergy who resided in the country prior to the war. An additional 30 clergy have returned, leading to a total of approximately 60 Serbian Orthodox clergy in the country by May. While religion and ethnicity are closely linked in society, the majority of incidents of discrimination are motivated by ethnicity rather than religion or religious doctrine. A pattern of often open and severe discrimination continues against ethnic Serbs, and, at times, other minorities in a number of areas, including the administration of justice, employment, and housing.

The Government requires that religious training be provided in public schools, although attendance is optional. Given that 85 percent of the population is Roman Catholic, the Catholic catechism is the predominant one offered in public schools. Schools that meet the necessary quota of seven students of a minority faith per class offered separate religion classes for the students. In cases where there are not sufficient numbers of students of a minority faith to warrant separate classes, students may exercise the option to receive religious instruction through their religious community. In 2003, government officials estimated that 4,500 primary and secondary school children in 37 schools attended Serbian Orthodox religion classes, the majority of which are in Eastern Slavonia, Rijeka, and Gorski Kotar. However, local authorities in Knin have successfully resisted efforts to establish Serbian Orthodox religion classes for the approximately 500 primary and secondary school children who would be eligible to attend. Similar resistance by local authorities to establishing Serbian Orthodox religion classes in schools has been reported in Imotski and other Dalmatian towns. Serbian Orthodox officials report that due to intimidation, many school children and their parents are reluctant to identify themselves as Serbian Orthodox.

There has been almost no textbook or curriculum reform since the independence of Croatia in 1991. Members of the Jewish community have remarked that basic information about Judaism provided to students was inaccurate. In September 2003, the Jewish Community of Zagreb opened the first private Jewish elementary school in Croatia. In early 2004, the Government and the Jewish Community cooperated on two different training sessions for teachers and school officials on human rights, tolerance, and the Holocaust. On January 27, schools for the first time recognized Holocaust Remembrance Day with seminars and other events.

The secondary school operated by the Islamic Community for religious training is at full capacity (100 students); the community plans to convert the school gradually into a more general secondary school while at the same time developing an institution of higher education specifically for religious training. Given the lack of trained teachers and the fact that the small Islamic community is relatively dispersed throughout the country, the Islamic community is considering introducing religious education at the kindergarten level only at the mosque in Zagreb. Authorities representing the Islamic community reported good cooperation and dialogue with the Government on issues of religion and education.

Restitution of property nationalized or confiscated by the Yugoslav Communist regime remains a problem. Major religious communities, including the Catholic Church, identify property return as their top priority and complain about the lack of progress. A 1998 concordat with the Vatican provided for the return of all Catholic Church property confiscated by the Communist regime after 1945. The agreement stipulates that the Government would return seized properties or compensate the Church where return is impossible. Some progress was made with some returnable properties being restituted; however, there has been no compensation to date for non returnable properties. In April 2003, the Catholic Church submitted a list of priority properties for restitution to the Government that included large commercial buildings, recreational property, and several properties already in use by the Church, such as monasteries, dormitories, and residences for children with disabilities. However, as of May, Catholic Church officials reported that only a couple of properties have been returned over the last year, and in total only 15 to 16 percent of all Church properties have been returned.

Other than the Law on Return of Property Expropriated or Nationalized During Yugoslav Communist Rule, there are no specific property restitution agreements between the Government and non-Catholic religious groups. The Serbian Orthodox community has filed several requests for the return of seized properties, and a few cases involving buildings in urban centers such as Zagreb and Rijeka have been resolved successfully. However, several buildings in downtown Zagreb have not been returned, nor have properties that belonged to monasteries, such as arable land and forests. Serbian Orthodox authorities report that in Pakrac and other war-affected areas of Dalmatia and Eastern Slavonia there has been almost no property returned; overall they estimate that only 10 percent of all property has been returned and that progress has halted in the past year. In addition, religious artifacts and historical items belonging to the Serbian Orthodox Church that were taken by Croatian authorities from churches and monasteries during the war have not been returned.

Several Jewish properties, including some Zagreb buildings, have not been returned. The process of returning nationalized property to the Jewish community in Zagreb is at a near-standstill. There has been no progress on the restitution of the Chevra Kadisha building in Zagreb previously owned by the Jewish Community. The World War II Jasenovac concentration camp, site of a memorial and museum, was damaged severely during the 1991-95 conflict and renovation remained ongoing. The Jewish community of Osijek reports some progress on the return of property in Osijek and Vukovar; in particular, part of the property on which the former synagogue of Vukovar stood is in the final stages of return.

In May 2003, local authorities in Rijeka approved the design for a mosque that the Muslim community has been trying to build since 1982. A location permit was first issued in 1991, but local opposition to the mosque and bureaucratic and financial obstacles combined over the years to delay the project. Officials within the Islamic community report a supportive attitude on the part of local authorities, but construction has been delayed due to problems with the design and architectural team.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports 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.

#### *Persecution by Terrorist Organizations*

There were no reported abuses targeted at specific religions by terrorist organizations during

the period covered by this report.

### **Section III. Societal Attitudes**

Religion and ethnicity are closely linked in society, and religion often was used historically to identify non-Croats and single them out for discriminatory practices. This link led to the ethnic conflicts of the 1990s and to the perpetration of violence and intimidation against religious persons, institutions, and symbols of all faiths. Such incidents still occur, primarily directed against Serbian Orthodox clergy and property, although there was a decrease in severity and frequency.

During the period covered by this report, both international observers and religious leaders noted that overall ethnic and religious relations improved. However, incidents involving harassment of clergy and desecration and vandalism of Serbian Orthodox Church property continued to occur. In Dalmatia, Serbian Orthodox officials reported numerous incidents of verbal threats and physical attacks against clergy and property. Serbian Orthodox officials complain that local police seldom take action against alleged perpetrators, even when they are well known in the community. In September 2003, verbal abuse was directed against the Metropolitan and another member of the Serbian Orthodox clergy.

In two separate incidents in September 2003, windows were broken at the Serbian Orthodox Church in Ogulin. The church is located across the street from the police station, and local police were described as uncooperative. Also in September 2003 in Kistanje, vandals punctured the tires and attempted to set on fire a car belonging to the local Serbian Orthodox priest. In November 2003, a Serbian Orthodox cemetery in the Gospic region was vandalized in what appeared by international observers to be a coordinated effort by multiple perpetrators.

The tombstones at a Serbian Orthodox cemetery in Vukovar, where many who fought in the 1991-1995 conflict are buried, is regularly vandalized and desecrated. Also in Vukovar, the Serbian Orthodox Church of St. Petka was subjected to several attacks during the year. Church windows were broken and damaged, money and relics were stolen, and doors and walls were desecrated with fascist "Ustasha" symbols. In March, a Serbian Orthodox cross marking the sight of a future church and parish house in Borovo Naselje was cut down and demolished. In the week before Easter in April, several monuments at the Serbian Orthodox cemetery in Vinkovci were damaged and desecrated with fascist "Ustasha" symbols. Serbian Orthodox leaders report that in Knin the Church of St. Pokrov is frequently desecrated with fascist "Ustasha" symbols.

The Muslim and Jewish communities have reported no major incidents of violence or harassment toward religious persons or sites during the period covered by this report.

Relations between the Government and the Jewish community have steadily improved over the past several years. In July 2003, Israeli President Moshe Katsav visited the country for 3 days on an official visit. Since the election of a new Government in November 2003, the Minister of Science, Education, and Sport, Minister of Agriculture, and the Minister of Foreign Affairs visited Israel; the Foreign Minister laid a wreath at the Yad Vashem memorial center in March. In April, Vladimir Seks, President of the Parliament, gave the keynote address at a commemoration ceremony at the Jasenovac concentration camp that was attended by government officials and leaders of ethnic and religious minority communities. As with other smaller religious communities, the primary issue for the Jewish community is the return of property either confiscated or nationalized by the Communist regime of the Former Republic of Yugoslavia, of which the restitution of even part would significantly affect the community's financial well-being.

Conservative elements within the Catholic hierarchy have expressed dissatisfaction with government policies on war legacy issues, including refugee return and reintegration, cooperation with the International Criminal Tribunal for Yugoslavia, and concern for citizens indicted for war crimes. For example, in April during a parliamentary committee discussion about Bosnian Croat settlers who are illegally occupying houses owned by ethnic Serbs even though they possess alternative accommodation, the Catholic Church representative on the committee implied that the Government should not endeavor to correct the situation because Bosnian Croats were helping with the "demographic renewal" of the country. The statement was neither retracted nor denied, and its implications, which received significant press coverage, were widely perceived as unhelpful to the process of return of refugees and interethnic

reconciliation.

In addition, the Catholic Church exercises considerable influence over the Government's social policies. For example, after the Catholic Church protested that the Government's effort to make yoga classes available to teachers as a health and stress reduction benefit was an attempt to introduce Buddhist practices in primary schools under the guise of exercise, participation fell by 50 percent. Similarly, school participation dropped from 100 to 60 percent in an internationally supported government education and prevention program on HIV/AIDS after the Croatian Conference of Bishops (HBK) and Catholic associations protested in January that the program, a small part of which covers the use of condoms, was "unacceptable" and "against Christian ethics." In late 2003 Caritas, the largest Catholic Church charity in the country, campaigned for legislation based on the church/state concordats that would ban most retail stores from opening on Sundays. A law restricting business activities on Sundays was enacted in January; however, the Constitutional Court overturned the law in April after major retailers appealed the law citing financial losses. The entire initiative was viewed by many elements of civil society as an inappropriate effort by the Catholic Church to impose conservative values on society.

Since Cardinal Josip Bozanic took office as Archbishop of Zagreb in 1997 and became head of the HBK, the Catholic Church leadership has sought a more proactive role in advocating reconciliation. In a June 2003 visit to the country, Pope John Paul II met with members of the Serbian Orthodox, Protestant, Jewish, and Islamic communities and called for ethnic reconciliation and peaceful coexistence. Catholic Radio conducts a monthly program on ecumenism that invites speakers from other religious communities. Ecumenical efforts among the religious communities have developed in an atmosphere of mutual understanding. For example, religious leaders meet frequently to discuss issues of mutual interest and to cooperate and coordinate with the Government Commission for Relations with Religious Communities.

#### **Section IV. U.S. Government Policy**

The U.S. Government discusses religious freedom and actively works to encourage the Government to respect religious freedom in practice. U.S. Embassy officials meet frequently at all levels with representatives of religious communities and are engaged in the promotion of human rights, including the religious rights of these groups. The Embassy plays a leading role among diplomatic missions on issues of ethnic and religious reconciliation, and human rights.

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