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2010 Report on International Religious Freedom - Kosovo

[Covers the period from July 1, 2009, to June 30, 2010]

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The government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the government during the reporting period.

Societal violence decreased marginally, and tensions between ethnic communities eased somewhat following the creation of Ahtisaari Plan-mandated, Serb-majority municipalities in Gracanice/Gracanica, Novoberde/Novo Brdo, Ranillug/Ranilug, Partesh/Partes, and Klllokot/Klokot. Although societal discrimination and violence, when it occurred, appeared to be generally ethnically motivated, the close link between ethnicity and religion made it difficult to determine if events were motivated by ethnic or religious animosity.

The U.S. government discusses religious freedom with the government and religious representatives as part of its overall policy to promote human rights. The U.S. government intervened in specific cases to ensure that places of worship belonging to the Serbian Orthodox Church (SOC) and other patrimonial sites were protected.

Section I. Religious Demography

The country has an area of 4,211 square miles and a population of two million, although the last credible census was taken in the 1980s. Islam is the predominant faith, professed by most of the majority ethnic Albanian population; the Bosniak, Gorani, and Turkish communities; and some members of the Roma/Ashkali/Egyptian community. The ethnic Serb population, estimated at 100,000 to 120,000, is largely Serbian Orthodox. Groups that constitute less than 5 percent of the population include Roman Catholics and Protestants. Catholic communities are concentrated around Catholic churches in Prizren, Kline/Klina, Janjevo, and Gjakove/Djakovica. Protestants have small populations in most cities, with the largest concentration in Pristina.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

The law affirms the right to freedom of expression, conscience, and religion for all residents regardless of their religious convictions. It provides for the separation of religious communities from public institutions and for equal rights and obligations for all religious communities, stipulates that there is no official religion, and prohibits discrimination based on religion and ethnicity.

The government observes the following religious holidays as official holidays :the beginning of Ramadan, Eid al-Fitr, Eid al-Adha, Easter, Orthodox Easter Monday, and Orthodox and Western Christmases.

There is no legal mechanism for the registration of religious groups. Some religious communities previously registered as nongovernmental organizations (NGOs) with the Ministry of Public Services, but a June 2009 law prohibited religious communities from registering as NGOs.

The law and regulations provide for separation between religious and public spheres and prohibit public education institutions from providing religious education or other activities promoting a specific religion.

Restrictions on Religious Freedom

The government generally respected religious freedom in practice. There was no change in the government's respect for religious freedom during the reporting period.

Religious leaders complained of practical challenges resulting from the lack of a mechanism for religious groups to register and obtain legal status. Although many found alternative methods, religious groups reported challenges in owning and registering property and vehicles, opening bank accounts, and paying taxes on employees' salaries. At the end of the reporting period, the Office of the Ombudsman was preparing a formal recommendation that a legal registration system for religious communities be created.

Protestants continued to allege institutional discrimination by central and municipal governments. They complained of not being allowed to establish a Protestant cemetery, frequently resulting in Protestants being buried in Muslim graveyards, with many instances of Muslim clerics performing funeral services for Protestants. Protestants claimed that this was a violation of their right to be buried among those of their faith and an imposition of another religious tradition upon them. Protestants also complained that they had to assure municipal officials that they would not include religious symbols on external portions of buildings in order to secure permits for expansions or construction on land they owned. Protestants also reported that the lack of a tax exemption for importing donated charitable goods hindered their efforts.

Although the Office of the Ombudsperson assessed there was no legal basis to do so, the Ministry of Education, Science, and Technology issued an administrative instruction to secondary schools at the start of the 2009-2010 school year prohibiting students from wearing Islamic headscarves. School administrators selectively applied this instruction and previous instructions from the ministry to prevent teachers and students from wearing headscarves in public schools. The Office of the Ombudsperson noted it would again issue a formal opinion that the headscarf ban is not in keeping with the law, as it did in 2004.

Both the Ombudsperson's Office and the Kosovo Islamic Community (known by its Albanian-language acronym, BIK) reported several cases in which students were expelled from public schools and teachers alleged they were fired or refused jobs for wearing headscarves. In May 2010 the ombudsperson received a complaint that a secondary school student in Ferizaj/Uroševac was expelled for wearing a headscarf. NGOs organized several protests in Pristina in support of the student's right to wear a headscarf to school, including in May and June 2010. The BIK reported that a Viti/Vitina secondary school continued to prevent a student from attending school while wearing a headscarf, despite a November 2009 ruling by a Gjilan/Gnjilane regional court in her favor following her January 2009 expulsion. The Ombudsperson's Office reported that a

woman in Gjilan/Gnjilane filed a second complaint in January 2010, alleging she had been refused a teaching job because she wore a headscarf. The Office of the Ombudsperson advised her of possible legal remedies, as it did in her similar case in September 2008.

Protestants reported that the municipality of Decan/Decani, citing negative reaction from local citizens, continued to deny them permission to build a church facility on land they had purchased. A legal case on the building permit in Decan/Decani remained before the Supreme Court at the end of the reporting period. Protestants also reported other instances in which their congregations were denied permission to build new church buildings on land owned by the church.

The Protestant community also reported that a government Web site on religious matters in society cited only the Muslim, Orthodox, and Catholic faiths as being present in the country. The Protestant community raised this with the government, asking that the language be removed.

There were no reports of religious prisoners or detainees in the country.

Forced Religious Conversion

There were no reports of forced religious conversion.

Improvements and Positive Developments in Respect for Religious Freedom

The multiethnic Reconstruction Implementation Commission (RIC) made progress on various projects, including repairing churches damaged during the 2004 riots. The SOC began taking over church properties repaired under the RIC's auspices and using several of them for religious purposes. All RIC stakeholders, including the government, agreed to new tenders for various projects and held regular meetings throughout the reporting period.

Protestant community leaders reported receiving formal Easter greetings from the president and noted these were published on the official Web site of the President's Office and transmitted to the media for the first time. The Protestant community also noted improvement in media coverage of its holiday celebrations, especially by national broadcaster Radio-Television Kosovo.

Section III. Status of Societal Respect for Religious Freedom

Societal violence decreased marginally, and tensions between ethnic communities eased somewhat following the creation of Ahtisaari Plan-mandated, Serb-majority municipalities in Graçanice/Graçanica, Novobërde/Novo Brdo, Ranillug/Ranilug, Partesh/Partes, and Klllokot/Klokot. Societal discrimination and violence, when it occurred, generally appeared to be ethnically motivated, but the close relationship between ethnicity and religion made it difficult to determine if events were motivated by ethnic or religious animosity. While most Kosovo Albanians identify themselves as Muslim, the designation has more of a cultural than religious connotation. Religion is not a significant factor in public life. Religious rhetoric was largely absent from public discourse in Muslim communities, and mosque attendance was low; however, public displays of conservative Islamic dress and culture, although still infrequent, increased. Kosovo Serbs identify themselves with the SOC, which defines, in many cases, not only their religious but also their cultural and historical perspectives.

There were several reports of assaults directed against the Serbian Orthodox community and property, including threats, thefts, and vandalism. Police confirmed various cases of desecration of Serbian Orthodox graves throughout the country: in Lipjan/Lipljan municipality four tombstones were found damaged in March 2010 with crosses removed from them; the grave of a woman buried in Gjilan/Gnjilane in February 2010 was dug up and various items stolen from the coffin; two Kosovo Serbs from Fushe Kosove/Kosovo

Polje reported damage to a relative's grave in the village of Lismir/Dobri Dub, initially in December 2009, followed by the tomb's destruction in June 2010. Police investigation of these cases continued during the reporting period.

There were reported incidents of rock throwing and other assaults against SOC clergy traveling outside their monasteries. In addition, Serbian pilgrims traveling by bus from Serbia to attend services at Decani Monastery at times had rocks thrown at their vehicles, usually by children. In the western municipalities of Peja/Pec, Decan/ Decani, Gjakove/Djakovica, Istog/Istok, Kline/Klina, and Skenderaj, and also in south Mitrovica (areas that include the monasteries of the Peja/Pec Patriarchate, Decan/Decani, Gorioc, Budisavci, and Devic), clergy requested and received escorts from the NATO-led international peacekeeping force (KFOR). Clergy stated that they could not visit church members in the west (where the most important SOC holy sites are located) without an escort, and members cited threats to their security as impediments to their ability to visit holy sites. Monks and nuns at some monasteries reportedly did not use parts of monastery property, often the land outside the monastery walls, due to safety concerns.

Protestants reported continued concerns about violence and discrimination during the reporting period. Protestants reported a violent attack in Prizren on a member of the Kosovo Protestant Evangelical Church in May 2010. The Protestant community alleged that adherents of radical Islam beat the community member for distributing Bibles. The BIK publicly condemned the assault. Police investigators indicated they did not believe the attack was religiously motivated and reported that no arrests were made in the case.

The Protestant community reported that a Pristina church was vandalized five times during the reporting period, most seriously in March 2010, with a number of windows broken by rocks.

Protestant representatives reported continued concerns that a list of the names of Protestant ministers and missionaries, including Kosovo Albanians and foreign missionaries, along with family names, addresses, telephone numbers, and the names of their respective churches or organizations, remained available on approximately 100 private Web sites. The information was originally published in 2007 on the Web site of the Gjakove/Djakovica branch of the Kosovo Islamic Community.

There were some incidents of violence directed against the Muslim community, mostly stemming from conflicts between Islamic groups.

The BIK continued to report concerns about radical Islamic groups they alleged were operating from private homes and led by persons from outside of the country. BIK leaders reported regaining control of a mosque in the Glogovac/Glogovac area, where it reported that adherents of radical Islam had been preaching. In 2009 the Islamic Community office reportedly requested that the municipal government take action to prevent Islamic religious activities taking place without BIK approval, citing security concerns.

The BIK reported that in January 2010 a group of persons beat an imam in Mitrovica/Mitrovica. Police arrested four suspects but did not find conclusively that the attack was religiously motivated.

The operating procedures adopted by the police in 2009 to provide greater protection for Serb religious and cultural sites remained in effect. The police continued to provide enhanced protection of the most vulnerable Serbian Orthodox sites, as defined by SOC officials. Police continued a 24-hour guard at the St. Nicholas Church in Pristina, where the SOC resumed services in March 2010 and where the SOC reportedly was preparing to house two priests. Police also reported that they were patrolling near other Serb cultural sites. KFOR reported that it was guarding the Peje/Pec, Decan/Decani, Budisavci, Gorioc, Devic, Zociste, Gračanica, and Archangel monasteries. Amid public discussions that KFOR would withdraw from some SOC sites, SOC leaders stated publicly that they wanted a permanent KFOR presence at sites to provide safety and security for personnel and visitors. The SOC appealed to KFOR to remain at SOC sites.

Leaders of religious communities reported generally good relations with religious leaders from other faiths. Catholic leaders reported that they had good relations with the Muslim community but little bilateral contact with the SOC leadership. In April 2010 Serbian Orthodox Bishop Teodosije Sibalic invited his Catholic counterpart to join in celebrating Orthodox Easter in the rebuilt St. George Church in Prizren. The BIK also reported good relations with the Catholic and Protestant leadership as well as with some Orthodox leaders, and that it made regular visits to monasteries.

Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government and religious representatives as part of its overall policy to promote ethnic and religious tolerance. Many high-level U.S. civilian and military officials continued to meet with political and religious leaders to urge reconciliation and progress toward a more tolerant multiethnic society.

U.S. officials also maintained close contacts and met regularly with religious leaders of the SOC, Muslim, Catholic, and Protestant communities to discuss their concerns and promote interfaith dialogue. U.S. officials urged dialogue between SOC members and ethnic Albanian members of the government. The U.S. government continued to support the government and the Council of Europe in rebuilding religious buildings damaged in the 2004 interethnic riots and to intervene with government officials on behalf of SOC interests when SOC rights were threatened or violated. U.S. peacekeeping troops in KFOR worked to prevent ethnic and religious violence and guarded religious sites.

The U.S. government continued to fund 80 U.S. police officer positions, four judges and prosecutors, and two political officers assigned to the European Union-led rule of law mission in the country, and it provided substantial support to the police, both of which were entities designed to prevent ethnic and religious violence, among other goals. U.S. diplomats worked with U.S. military personnel assigned to KFOR to protect religious sites in the U.S. military's area of responsibility and promoted efforts to reconstruct damaged or vandalized churches. U.S. government representatives intervened to protect the integrity of the Decan/Decani special protective zone. Restoration work continued on seven reconstruction projects funded under a one million dollar U.S. government grant as part of UNESCO's effort to preserve the country's religious and cultural heritage.
