

Makedonien (117)**Macedonia, The Former Yugoslav Republic of****International Religious Freedom Report 2004**

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The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no overall change in the status of respect for religious freedom during the period covered by this report. The continued absence of provocative actions by state and non-state actors, and focus on a unified state for all citizens, has maintained a status of respect for religious freedom. The law places some limits on religious practice by restricting the establishment of places of worship and restricting where contributions may be made.

The generally amicable relationship among the various religious communities contributed to religious freedom. However, an area of concern is the deterioration in relations within the Orthodox Church community, specifically between the Serbian and Macedonian Orthodox churches. The Government openly sided with the Macedonian Church in this ongoing dispute.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights.

Section I. Religious Demography

The country has a total area of 9,781 square miles, and its population is approximately 2 million. The country has two major religions: Orthodox Christianity and Islam. Nominally, approximately 66 percent of the population is Macedonian Orthodox, approximately 30 percent is Muslim, approximately 1 percent is Roman Catholic, and approximately 3 percent is of other faiths (largely various Protestant denominations). There is also a small Jewish community in Skopje. Religious participation tends to focus on major holidays or life cycle events.

Numerous foreign missionaries are active and represent a wide range of faiths. Many of these missionaries enter the country in connection with other work, often charitable or medical. Several Protestant missionary groups and members of Jehovah's Witnesses are active.

Section II. Status of Religious Freedom*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. However, the law places some limits on religious practices, including the establishment of places of worship and the collection of contributions.

The constitutional provision for religious freedom is refined further in the 1997 Law on Religious Communities and Religious Groups. This law designates the Macedonian Orthodox Church, the Islamic community, the Roman Catholic Church, the Jewish community, and the Methodist Church as religious communities, and all other religions as religious groups. However, there is no legal differentiation between religious communities and groups. In 1999, the Constitutional Court struck down several provisions of the 1997 law, and in practice the remaining provisions are not enforced consistently.

The Government requires that religious groups be registered. The Law on Religious

Communities and Religious Groups contained a number of specific requirements for the registration of religious groups; these were struck down by the Constitutional Court in 1999. Consequently, there was considerable confusion over which procedures still applied, and several foreign religious bodies experienced delays in their efforts to register. This law tends to favor traditional denominations, registered as "communities". Other denominations registered as religious "groups" underwent stricter scrutiny by the Republic Commission for Relations with the Religious Communities, compared to traditional religious communities or organizations. During the period covered by this report, there were no reports of any delays or difficulties. In practice, religious groups need to register to obtain permits to build churches and request visas for foreigners and other permits from the Government.

In the spring, the Republic Commission for Relations with the Religious Communities introduced a new requirement that applicants for a religious worker visa must present evidence of completion of a theological education. During 2003, there were no reports that any applications for registration or visa issuance were denied.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion; however, the Law on Religious Communities and Religious Groups places some restrictions on the establishment of places of worship and parochial schools. It provides that religious rites and religious activities "shall take place at churches, mosques, and other temples, and in gardens that are parts of those facilities, at cemeteries, and at other facilities of the religious group." Provision is made for holding services in other places, provided that a permit is obtained at least 15 days in advance. No permit or permission is required to perform religious rites in a private home. The law also states that religious activities "shall not violate the public peace and order, and shall not disrespect the religious feelings and other freedoms and rights" of persons who are not members of that particular religion. The Government does not enforce actively most of these provisions of the law, but it acts upon complaints when they are received.

In June, the trial of Bishop Jovan (Zoran Vraniskovski) for inciting religious and ethnic hatred was ongoing and being monitored by the Organization for Security and Cooperation in Europe (OSCE). Jovan also is accused of embezzling Macedonian Orthodox Church funds. Jovan led a schism within the Macedonian Orthodox Church that he and his followers refer to as "the Ohrid Archbishopric." They are closely aligned with the Serbian Orthodox Church and, like the Serbian Church, continue to reject the Macedonian Orthodox Church's 1967 claim of autocephaly, or independent status. The Public Prosecutor's Office brought the charge against Jovan following his January 11 arrest as he conducted a liturgy in his Bitola apartment. Police acted on complaints from building residents that the service had disrupted public peace and order; he was released from pretrial detention on January 30. On February 5, the United States delegation to the OSCE formally raised its objection to Jovan's inappropriate detention.

Jovan's home was vandalized on February 20, and unknown intruders forcibly cut the hair of several nuns present. Jovan claimed the attackers were state agents, but there was widespread speculation that Jovan's followers staged the attack to generate international sympathy. At the end of the period covered by this report, an investigation was ongoing.

Jovan was also arrested and detained for 5 days in July 2003 on charges of trespassing and disturbing the peace. He had attempted to baptize his niece at a Macedonian church; authorities claimed his attempt to do so constituted trespassing since he had earlier been defrocked by the Macedonian Orthodox Church, and therefore was not a member of any recognized religious group.

The Law on Religious Communities and Religious Groups specifically allows for foreign citizens to carry out religious activities, but only at the request of a registered religious body. During the period covered by this report, several individuals were able to obtain religious worker or other worker visas. On July 22, 2003, U.S. citizen Serbian Archbishop Jovan Mladenovski was delayed at the Macedonia-Serbia border while authorities verified that he did not intend to perform religious work in the country in transit to Greece. He was permitted to resume his journey after a brief delay.

Churches and mosques often are built without the appropriate building permits; however, the Government has not taken any actions against religious buildings that lack proper construction

permits. In the past, several Protestant groups have been unable to obtain building permits for new church facilities due to bureaucratic complications that affect all new construction. During the period covered by this report, there were no reports of complications and a registered Protestant group completed construction of a new church in Skopje.

The Law on Religious Communities and Religious Groups also places some limitations on the collection of contributions by restricting them only to places where religious rites and activities are conducted; however, in practice these provisions of the law are not enforced.

Children below the age of 10 years may not receive religious instruction without the permission of their parents or guardians. A law provides for religious education in the schools on a voluntary basis; however, the Government has not introduced implementation guidelines.

The issue of restitution of religious properties expropriated by the former Yugoslav Government still has not been resolved fully. Some progress was made in restitution of previously state-owned religious property. Many churches and mosques had extensive grounds or other properties that were expropriated by the communist regime. Virtually all churches and mosques have been returned to the ownership of the appropriate religious community, but that is not the case for many of the other properties. Often restitution or compensation claims are complicated by the fact that the seized properties have changed hands many times or have been developed. In view of the country's very limited financial resources, it is unlikely that religious communities will gain restitution of many of the expropriated properties.

In November 2003, the Jewish community met with the U.S. Ambassador to raise the issue of a recent incident in which despite the 1997 law on property restitution prohibiting the sale or transfer of any "Jewish" property, a parcel of land with a small structure on it in the center of Skopje had been transferred. According to the 1997 law, this transfer should be reversible. The Jewish community representatives indicated that they had notified the Prime Minister as well as the Minister of Finance, who responded with statements of support. They added that the transaction was approved by the Ministry of Transportation. In April, the Jewish community announced the restitution of six properties but expressed some frustration with the slow pace of developments.

Abuses of Religious Freedom

As of June, a judge was considering the Bektashi religious sect's suit against the Government for not reversing the former Yugoslavia's nationalization of the Bektashis' Tetovo compound, the Arabati Baba Tekke. The Bektashi also have filed suit against the Macedonian Islamic Community, armed members of which seized the complex in August 2002 and continue to occupy it.

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.

Abuses 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

The generally amicable relationship among religions in society contributed to religious freedom; however, Bishop Jovan and the Serbian Orthodox Church's public rejection of and activism against the Macedonian Orthodox Church's independence provoked angry responses by the public, press, and government. Parliament's unanimous January 23 vote supporting the Macedonian Church's independence reflected public sentiment. The Government at times sided with the Macedonian Church by applying the law against Jovan and Macedonian Church clergy

who declared loyalty to the Serbian church.

The religious communities in the country often reflect an ethnic identity. Specifically, most Muslims are ethnic Albanians. However, there are a number of ethnic Macedonians who are Muslim. Ethnic Macedonians contend that they often are associated with the policies of ethnic Albanian Muslims, which they do not always support. In addition some ethnic Macedonian Muslims contended that the state sometimes confused them with ethnic Albanians and ethnic Turks because of Muslim surnames and mixed marriages and, in some instances, assigned their children to Albanian language classes. However, societal discrimination is more likely to be based upon ethnic bias than upon religious prejudice.

During the period covered by this report, there were reports of vandalism of religious properties. In February, two explosions occurred in Bitola: one at a furniture store owned by an ethnic Macedonian Muslim and the other at the Asan Baba mosque. In March during the period of unrest in Kosovo, unknown attackers threw several Molotov cocktails at a mosque in Kumanovo. None of the Molotov cocktails exploded, and there was only minor damage to the mosque. Later during the period covered by this report, it was reported that two churches in the Tetovo region had been vandalized following Easter services. A collection box was stolen, but damage was minor, leading some to assert that the act was criminal in nature and not necessarily religious. There were no reports of destruction of places of worship.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights.

During the period covered by this report, the Ambassador and Embassy staff met with leaders and representatives of the various religious communities, as well as with government officials, to address religious freedom issues and support the new Government's policy of ethnic and religious tolerance.

The Ambassador and other Embassy representatives have met with the Archbishop of the Macedonian Orthodox Church, the defrocked Bishop Jovan, and the Minister of Interior in connection with the dispute between the Macedonian and Serbian Orthodox churches. On each occasion, the Embassy has urged respect for religious freedom and the rule of law.

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