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USDOS – US Department of State

2018 Report on International Religious Freedom: Croatia

Executive Summary

The constitution provides for freedom of religious thought and expression and prohibits incitement of religious hatred. All religious communities have the same religious protections under the law, and are free to worship, proselytize, own property, and import religious literature. The government has written agreements with the Roman Catholic Church that provide state financial support and favorable tax and other treatment; 53 other registered religious communities that have agreements with the state receive equivalent treatment that registered religious communities without such agreements and unregistered religious groups do not receive.

Nongovernmental organizations (NGOs) and international organizations reported instances of border police subjecting migrants to treatment inconsistent with their religious beliefs. The government denied these reports. The ombudsperson covering human rights reported some health institutions denied operations to Jehovah's Witnesses who refused blood transfusions for religious reasons, despite the ombudsperson having issued a recommendation that public hospitals provide treatment in such cases. Jewish leaders said the government did not take concrete steps to restitute private or communal Jewish properties seized during the Holocaust. According to observers, the government made no significant progress on such issues during the year. Atheists and Jewish organizations said non-Catholic children were discriminated against in public schools. Senior government officials attended an annual commemoration for victims of the World War II (WWII)-era Jasenovac concentration camp. Jewish and Serb leaders, the latter largely Orthodox, boycotted the commemoration for the third year in a row, the former stating the government failed to address anti-Semitism. Leaders of the Islamic community reported overall good relations with the government.

Jewish community leaders continued to report Holocaust revisionism and public use of Ustasha (WWII pro-Nazi regime) symbols and slogans. The Council of Europe and the national ombudsperson reported an increase in religious intolerance, particularly online. The ombudsperson's report said comments on various online portals accused Jews of undermining democracy, freedom, and financial institutions.

The U.S. embassy continued to encourage the government to restitute property seized during and after WWII, particularly from the Jewish community during the Holocaust, and advocated amendments to existing legislation that would allow for restitution and compensation claims with a revised deadline for new applications. The embassy sponsored a visit by two teachers to the United States for a Holocaust education exchange program and sponsored the visit to the United States of the director of the Jasenovac Concentration Camp Memorial Site on a leadership study program.

Section I. Religious Demography

The U.S. government estimates the total population at 4.3 million (July 2018 estimate). According to the 2011 census, 86.3 percent of the population is Catholic, 4.4 percent Serbian Orthodox, and 1.5 percent Muslim. Nearly 4 percent self-identify as nonreligious or atheist. Other religious

groups include Jews, Protestants, and other Christians. According to the Coordination of Jewish Communities in Croatia, there are between 2,000 and 2,500 Jews.

Religious affiliation correlates closely with ethnicity. Ethnic Serbs are predominantly members of the Serbian Orthodox Church (SOC) and live primarily in cities and areas bordering Serbia and Bosnia and Herzegovina. Most members of other minority religious groups reside in urban areas.

Section II. Status of Government Respect for Religious Freedom

LEGAL FRAMEWORK

The constitution provides for equality of rights regardless of religion, as well as freedom of conscience and religious expression. It prohibits incitement of religious hatred. According to the constitution, religious communities shall be equal under the law and separate from the state; they are free to publicly conduct religious services as well as open and manage schools and charitable organizations under the protection and assistance of the state.

The Catholic Church receives state financial support and other benefits established by four concordats between the government and the Holy See. These agreements provide for state financing for salaries and pensions of some religious officials associated with religious education through government-managed pension and health funds. These agreements also stipulate state funding for religious education in public schools.

The law defines the legal position of religious communities and determines eligibility for government funding and tax benefits. Registered religious communities are exempt from taxes on the purchase of real estate, the profit/capital gains tax, and taxes on donations. According to the law, a religious community previously active as a legal entity before enactment of the current law need only submit its name, the location of its headquarters, information on the office of the person authorized to represent it, and the seal and stamp it uses to register. To register as a religious community, a religious group without prior legal status must have at least 500 members and have been registered as an association, with at least three members for at least five years. To register as a religious community, a group submits a list of its members and documentation outlining the group's activities and bylaws and describing its mission to the Ministry of Administration. Nonregistered religious groups may operate freely but do not receive tax benefits. They may conduct financial transactions as legal entities. A contractual agreement with the state, which grants a registered religious community eligibility for further funding and benefits, defines the community's role and activities and provides for collaboration with the government in areas of joint interest, such as education, health, and culture.

There are 54 registered religious communities, including the Catholic Church, SOC, Bulgarian Orthodox Church, Christian Adventist Church, Church of Christ, Church of God, Croatian Old Catholic Church, Evangelical Church, Macedonian Orthodox Church, Pentecostal Church, Reformed Christian Church, Union of Baptist Churches, Seventh-day Adventist Reform Movement, The Church of Jesus Christ of Latter-day Saints, Union of Pentecostal Churches of Christ, Coordination of Jewish Communities in Croatia (an umbrella group of nine distinct Jewish communities), Jewish Community of Virovitica, Bet Israel (a Jewish group), and the Islamic Community of Croatia. Besides the Catholic Church, 19 religious communities have agreements with the state.

The state recognizes marriages conducted by registered religious communities that have concluded agreements with the state, eliminating the need for civil registration. Marriages conducted by registered communities that have not concluded agreements with the state, or by

nonregistered religious groups, require civil registration.

Registered religious communities that have not concluded agreements with the state and nonregistered religious groups may not conduct religious education in public schools or access state funds in support of religious activities, including charitable work, counseling, building costs, and clergy salaries; however, they may engage in worship, proselytize, own property, and import religious literature. Only registered religious communities, with or without agreements with the state, may provide spiritual counsel in prisons, hospitals, and the military.

Public schools must offer religious education, although students may opt out without providing specific grounds. The Catholic catechism is the predominant religious text used. Other religious communities that have agreements with the state may also offer religious education classes in schools if there are seven or more students of that faith. Eligible religious communities provide the instructors and the state pays their salaries. Private religious schools are eligible for state assistance and follow a national curriculum. Registered religious communities may have their own schools. Unregistered religious groups may not have their own schools.

Education about the Holocaust is mandatory in the seventh and eighth grades of elementary school and during four years of high school education.

The law does not unequivocally allow foreign citizens whose property was confiscated during and after the Holocaust era to seek compensation or restitution. According to law, an applicant's country must have a bilateral restitution treaty with Croatia, but no such bilateral treaties currently exist. Two court cases have held such treaties are not required; however, the law has not changed. The law does not allow new property claims, because the deadline expired in 2003.

The ombudsperson is a commissioner of the parliament responsible for the promotion and protection of human rights and freedoms, including religious freedom. The ombudsperson examines citizens' complaints pertaining to the work of state bodies; local and regional self-government; and legal persons vested with public authority. The ombudsperson may issue recommendations to government agencies regarding human rights and religious freedom practices but does not have authority to enforce compliance with his or her recommendations.

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

GOVERNMENT PRACTICES

According to the Office of the Commission for Relations with Religious Communities, the government budgeted 288.2 million kuna (\$45.67 million) during the year for the Catholic Church for salaries, pensions, and other purposes, compared with 299.5 million kuna (\$47.46 million) in 2017. The government offered funding to other religious communities that had concluded agreements with the state, a portion of which was based on their size, in addition to funds provided to support religious education in public schools, as well as the operation of private religious schools. The government provided 21.4 million kuna (\$3.39 million) to these groups.

Some minority groups said the Catholic Church continued to enjoy a special status in relation to other religious communities, in part because of its concordats with the government and in part because of its cultural and political influence as the majority religion.

Atheist, Jewish, and Serbian Orthodox organizations said that although the law allows students to opt out of religious education, in practice most public schools did not offer viable alternatives to Catholic catechism. They also said public schools did not take adequate steps to prevent bullying of nonparticipating children. The press covered several specific instances of such bullying during the year. Atheist groups said Catholic symbols remained prevalent in government buildings such as courtrooms, prisons, and public hospitals. They said they believed this practice was inconsistent with the constitution, which states religious communities shall be separate from the state. The courts have not ruled on this question to date.

NGOs and international organizations reported incidents of border police using religious epithets in interactions with migrants and subjecting migrants to situations that conflicted with their religious values. For example, one NGO said border police conducted a strip search of a Muslim woman in the presence of Muslim men. Ministry of Interior authorities denied all such reports.

The ombudsperson reported continued obstacles encountered by Jehovah’s Witnesses regarding their right to health care in accordance with their religious beliefs. During the year, the ombudsperson stated that in 2017, the latest year for which figures were available, there were 24 cases in which state healthcare institutions denied surgery to Jehovah’s Witnesses who refused blood transfusions because of their religious beliefs. Of the 24 cases, 15 patients eventually received adequate medical care in private hospitals in the country. The Jehovah’s Witnesses community reported again having to use its own finances to send patients to different hospitals for procedures, including hospitals outside of the country. The ombudsperson’s report on 2017 recommended the Ministry of Health and the Ministry of Labor and Pension System improve hospital procedures and policies to provide adequate health care to patients in accordance with their religious beliefs.

The ombudsperson’s 2017 report said Jews faced frequent online hate speech, threats, and accusations, e.g., that Jews undermined Croatian society, democracy, and financial institutions; Jews should leave the country; and the extermination of the Jewish people during WWII should have been completed. Jewish groups said the government did not take adequate steps to prevent or punish such speech.

Following a September meeting with Prime Minister Andrej Plenkovic, Mufti Aziz Hasanovic, leader of the Islamic Community of Croatia, publicly described cooperation between his community and the government as excellent and a positive example for other countries in Europe. Hasanovic cited as an example his cooperation with the government to provide religious and cultural instruction to soldiers before they deployed to Muslim countries, particularly Afghanistan. The mufti accompanied President Kolinda Grabar-Kitarovic on state visits to majority-Muslim countries.

Following an April meeting with Prime Minister Plenkovic, Metropolitan Porfirije Peric, leader of the SOC, publicly stated he was satisfied with the legal status of the Church.

On April 22, the government held its official annual commemoration of victims killed by the WWII-era Ustasha regime at Jasenovac concentration camp. The Jewish community, along with the Serb National Council and the Alliance of Anti-Fascist Fighters, boycotted the official commemoration for the third year in a row, instead holding their own commemorations. Members of Jewish groups said the boycott was necessary to condemn what they said was the government’s lack of response to Holocaust revisionism and failure to address Holocaust-era property restitution. Observers said the government made no significant progress on such issues during the year.

Representatives of the SOC reported the government resolved three outstanding property restitution cases related to the breakup of the former Yugoslavia, although several others remained unresolved.

On the same day the government commemorated victims of Jasenovac, and again on May 6, police prevented members of the extra-parliamentary Autonomous Croatian Party of Rights (A-HSP), described widely in both media reports and academic analyses as far right, from entering Jasenovac Concentration Camp Memorial Site to hold a meeting. Prior to both attempts, A-HSP President Drazen Keleminec sent the media an online invitation that included the WWII-era Ustasha salute “*Za Dom Spremni*” (“For the Homeland Ready”).

In June Jasenovac Memorial Site released a statement criticizing state-owned television (HRT) for airing an interview with Igor Vukic, author of a book published during the year minimizing the crimes committed at Jasenovac during the Holocaust. The officials said taxpayer-funded state-owned television should not be a platform for what they termed Holocaust revisionism.

Jewish community leaders said some government officials made statements downplaying the country’s role in the Holocaust. For example, they highlighted as problematic President Grabar-Kitarovic’s March statement in Buenos Aires that, “After World War II, many Croats found a space of freedom in Argentina where they could testify to their patriotism,” saying that some Croats who settled there after the war were Ustasha fleeing prosecution for war crimes.

On February 28, a special government-appointed council tasked with examining the use of totalitarian symbols made a nonbinding recommendation to legalize limited use of such symbols for commemorative or ceremonial purposes. Many civil society organizations criticized this recommendation, believing it would allow for continued use of symbols from the country’s WWII-era Ustasha regime by some veterans groups and nationalist political organizations who minimize the country’s role in the Holocaust.

The Office of the President continued to maintain a special advisor for Holocaust issues, who was involved in developing and implementing religious freedom projects, including a film festival on religious tolerance and a competition to choose an architect for a new Holocaust memorial in downtown Zagreb.

The country is a member of the International Holocaust Remembrance Alliance.

Section III. Status of Societal Respect for Religious Freedom

In May the Council of Europe released a report saying religious intolerance, including pro-Ustasha graffiti and online speech, were on the rise in the country. Minority religious communities reported occasional instances of verbal harassment and physical assault, including of religious workers. One NGO said that in Zagreb in September, volunteers in the process of removing graffitied swastikas from a building were beaten by unknown assailants and hospitalized, one with severe injuries. Although police initiated an investigation, the volunteers ultimately declined to press charges, stating concern for potential social repercussions.

SOC representatives reported fewer incidents of targeted crime compared with the previous year. For example, they reported to police two burglaries (compared with 10 in 2017) of SOC religious properties. SOC representatives reported frequent verbal attacks on Metropolitan Peric in public spaces in Zagreb; however, they said Peric did not file police reports.

Section IV. U.S. Government Policy and Engagement

The U.S. Ambassador and embassy staff regularly discussed religious freedom issues, including the status and treatment of religious minorities, property restitution, anti-Semitism, and Holocaust revisionism with representatives of the Ministries of Foreign Affairs, Justice, and Culture; the ombudsperson; representatives of parliament; and other officials. The embassy also discussed the religious freedom of migrants and asylum-seekers with officials from the Ministry of Interior.

In March the Ambassador, embassy staff, and the U.S. Special Envoy for Holocaust Issues met with the minister of justice, the minister of culture, officials from the Ministry of Foreign Affairs, members of parliament, leaders of Jewish organizations, and a panel of Holocaust survivors. The U.S. officials encouraged the government to adopt amendments to existing legislation to provide for restitution of private and communal or religious property seized during and after WWII, including provisions that would unequivocally allow for foreign claims and that would reopen the deadline for potential new claims. Embassy engagement also focused on the restitution of Jewish communal properties such as cultural centers, synagogues, and cemeteries, as well as private property, and creation of a claims process for victims.

Embassy officials discussed religious freedom issues, including freedom of expression and efforts to counter discrimination, with NGOs such as the Society for Promotion of Religious Freedom, Human Rights House, Documenta, Protagora, and Zagreb Pride, as well as with representatives from Catholic, Serbian Orthodox, Protestant, Jewish, Muslim, and other religious groups.

In cooperation with the Ministry of Science and Education, the embassy again funded Holocaust education training in the United States for two high school teachers, who later applied the training in the classroom. The Department of State, Association of Holocaust Organizations in New York, and the U.S. Holocaust Memorial Museum organized the annual program. The program continued to focus on new teaching methods and techniques, facilitated an exchange of ideas and experiences, and provided resources and materials for classroom instruction.

The embassy sponsored the participation of the director of Jasenovac Memorial Site in a program in the United States focused on religious freedom and human rights.

The embassy posted a range of religious freedom issues on social media platforms, including support for Holocaust commemorations.

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