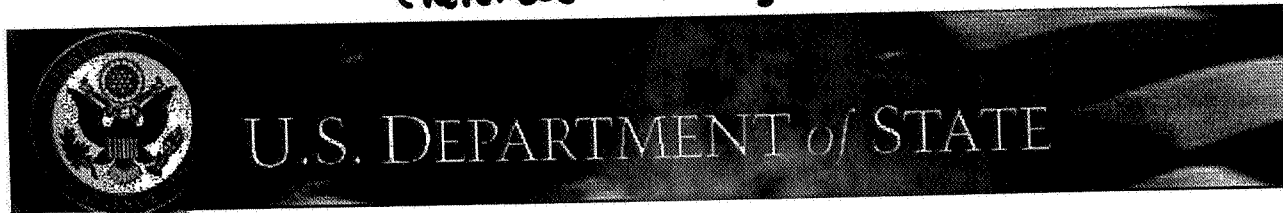


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Serbia and Montenegro

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International Religious Freedom Report 2003

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The Constitution and laws of the state union of Serbia and Montenegro and its constituent republics provide for freedom of religion, and state union and republican Governments generally respect this right in practice. There is no state religion in Serbia and Montenegro (SAM); however, the majority Serbian Orthodox Church receives some preferential consideration.

The status of respect for religious freedom by both the state union and republican Governments improved during the period covered by this report. The state union Ministry for Human and Minority Rights, established in March 2003, has set up an office dedicated to religious affairs that has made outreach to minority religious communities a top priority. Representatives of the Jehovah's Witnesses reported the elimination of restrictions on importation of religious literature during the period covered by this report.

There were some instances of discrimination against representatives of religious minorities in Serbia and Montenegro. The Jewish community reported an increase in anti-Semitic incidents, primarily involving hate speech and vandalism, during the period covered by this report. Jewish leaders and leaders of other minority religious communities often relate acts of vandalism to negative media reporting directed toward sects, known as "cults." Police and government officials have taken some positive steps in response to acts of hate speech and vandalism.

The U.S. Government discusses religious freedom issues with the state union and republican Governments in the context of its overall dialog and policy of promoting human rights. Embassy representatives meet regularly with representatives of ethnic and religious minorities as well as with government representatives to promote respect for religious freedom.

Section I. Religious Demography

The state union of Serbia and Montenegro (excluding U.N.-administered Kosovo) has a total land area of nearly 35,300 square miles and a population of approximately 8,662,000. The predominant faith in the country is Serbian Orthodoxy. Religion plays a small but growing role in public life. Approximately 78 percent of the citizens of Serbia and Montenegro are Serbian Orthodox, including most ethnic Serbs and Montenegrins who profess a religion. The Muslim faith is the second largest in Serbia and Montenegro, with approximately 5 percent of the population, including Slavic Muslims in the Sandzak, and ethnic Albanians in Montenegro and Southern Serbia. Roman Catholics make up about four percent of the population of Serbia and Montenegro, mostly Hungarians in Vojvodina, ethnic Albanians in Montenegro, and Croats in Vojvodina and Montenegro. Protestants make up about one percent of the population and include Adventists, Baptists, Reformed Christians, Evangelical Christians, Evangelical Methodists, Jehovah's Witnesses, the Church of Christ, Pentecostals, and Mormons. Serbia and Montenegro has a small and aging Jewish population numbering just a few thousand. The remainder of the population professes other faiths or considers themselves atheists.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution and laws of the state union of Serbia and Montenegro and its constituent republics provide for the freedom of religion, and the Governments generally respect this right in practice. There is no state religion in Serbia and Montenegro; however, the Montenegrin

Republic's Constitution mentions the Serbian Orthodox Church, Islamic Religious Community, and Roman Catholic Church by name. The majority Serbian Orthodox Church receives some preferential consideration.

In the Federal Republic of Yugoslavia, the predecessor of the state union of Serbia and Montenegro, religious groups were required to apply to the Federal Ministry of Religious Affairs for registration. A new Federal Law on Religious Freedom, criticized both by the Serbian Orthodox Church and by minority religious communities, was not enacted before the Federal Republic of Yugoslavia ceased to exist in February 2003. As a result, with the dissolution of the Federal Republic of Yugoslavia and the abolition of the Federal Ministry of Religious Affairs, the requirement for religious groups to register has lapsed. At the end of the period covered by this report, there were reports about a new attempt to pass a Religious Freedom Law for the Republic of Serbia; it is likely that this law would govern registration of religious groups in Serbia.

By the end of the period covered by this report, there was no formal registration of religions in both Serbia and Montenegro. However, to gain the status of juridical person necessary for real estate and other administrative transactions, religious groups may register as citizen groups with the Ministry of Interior in their home republic. During the period covered by this report, the state union Government rescinded the citizen group registration of the Society for Spiritual Science—Sanatan. According to government sources, Sanatan documents included tenets promoting criminality.

Religious education in Serbian primary and secondary schools continued during the period covered by this report. According to a 2001 Serbian government regulation, students are required either to attend classes from one of the seven "traditional religious communities:" Serbian Orthodoxy, Islam, Roman Catholicism, the Slovak Evangelical Church, Judaism, the Reform Christian Church, or the Evangelical Christian Church or can elect to substitute a class in civic education. The proportion of students registering for religious education grew during the period covered by this report, but registrations for civic education courses continued to predominate. Some protestant leaders and nongovernmental organizations (NGOs) in Serbia continued to voice their objection to the teaching of religion in public schools as well as to proposals that would classify some of Serbia's religions as traditional.

Prior to its dissolution in February 2003, the Yugoslav Federal Government organized a round table entitled "Religious Freedom in South-Eastern Europe." This round table included participants from the Government, the international community, and a broad spectrum of religious leaders, including representatives of minority religious groups. In addition to serving as an opportunity for inter-religious dialog, the meeting ended with a declaration encouraging tolerance and freedom of religion.

There was no progress noted during the period covered by this report on restitution of previously seized church property. By the end of the period covered by this report, there were indications that restitution of religious property would be addressed in Serbia by a wider law on restitution of nationalized private property. During the period covered by this report, the Republic of Montenegro abolished its Ministry of Religion.

Restrictions on Religious Freedom

Although the armed forces continue to offer only Serbian Orthodox services, the Serbia and Montenegro Ministry of Defense has prepared a regulation to introduce religious services for Catholics and Muslims in the Army and to grant leave to members of other minority faiths to attend religious services outside their barracks and to spend important religious holidays with their families. The Army is also introducing dietary considerations to meet the needs of Islamic soldiers.

Protestants and foreign clergy actively practice and proselytize. There were no reports that missionaries from the United States were denied visas for religious work, and members of the Jehovah's Witnesses have reported no problems obtaining long-term residence permits or proselytizing.

Representatives of the Islamic Community in Belgrade were wary of the potential for government interference in affairs between their community and the Islamic Community of Novi

Pazar.

The Belgrade Islamic community also reported continued difficulties in acquiring land and government approval for an Islamic cemetery near the city.

The Government of the Republic of Montenegro challenged a decision by the Ministry of Defense of the Federal Republic of Yugoslavia to transfer military property into the hands of the majority Serbian Orthodox Church. Montenegrin officials claim the transfer was an illegal attempt to prevent the Republican Government from obtaining this property when the federal state was dissolved and replaced by the state union of Serbia and Montenegro. The case was pending at the end of the period covered by this report.

Abuses of Religious Freedom

While in previous years, members of Jehovah's Witnesses have reported their members serving sentences for conscientious objection to the draft, they reported no such detainees at the end of the period covered by this report. The state union Government has begun to implement civilian service as an alternative to mandatory army service. Civilian service options will complement the non-lethal options already present for conscripts who object to military service for reasons of conscience. Some journalists question whether conscientious objector regulations will extend to adult converts, who are former conscripts who wish to leave the ready reserve.

Representatives of a human rights organization in Montenegro reported discrimination against a member of the Jehovah's Witnesses from Berane who received a 1-year sentence for use of a counterfeit banknote. These human rights activists questioned the strength of the evidence presented in the case and noted that the defendant's membership in the Jehovah's Witnesses was included in the court decision.

There were no reports of religious detainees or prisoners.

Forced Religious Conversions

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.

Improvements and Positive Developments in Respect for Religious Freedom

With the establishment of the state union of Serbia and Montenegro, the Federal Secretariat for Religious Affairs was disbanded. In addition to including freedom of conscience and religious practice in its founding documents, the state union of Serbia and Montenegro set up an office of religious affairs as part of its Ministry of Human and Minority Rights. According to sources within this ministry, the office views some of its main tasks as outreach to smaller religious communities and coordination between these groups and other government entities, such as the police. Representatives of minority religious communities reported good relations with this office.

Due to the passage of new legislation on public information in Serbia in April 2003, members of the Jehovah's Witnesses report experiencing no problems importing their religious literature. The Jehovah's Witnesses also report improved police and fire department response to vandalism against their religious objects.

In 2002 Serbian courts began proceedings in the Savic case, in which an author of anti-Semitic literature was tried for spreading racial or national hatred through the printed word. According to sources in the Jewish community of Serbia and Montenegro, a number of continuances have been issued in this trial; the case was ongoing at the end of the period covered by this report. The latest continuance was granted to allow for a psychiatric examination of the defendant.

Section III. Societal Attitudes

While relations between members of different religious groups, particularly in Serbia, are good, there were some instances of discrimination against representatives of religious minorities in the country. Religion and ethnicity are intertwined closely throughout Serbia and Montenegro, and

in many cases it is difficult to identify discriminatory acts as primarily religious or primarily ethnic in origin. A number of the incidents of religious discrimination or harassment that occurred during the period covered by this report appear to have been based more on ethnicity than on religion.

In April 2003, Josip Tikvicki, an Adventist pastor in Zrenjanin, Serbia, was severely beaten after responding to the breaking of church windows. According to church sources, the Adventist Church in Zrenjanin had been the scene of a number of attacks in 2002, but the vandals were never apprehended. Following this latest attack, a representative of the Serbia and Montenegro Ministry of Human and Minority Rights visited the hospitalized cleric and publicly criticized the incident. Three persons were apprehended for the attack, were tried and given sentences of several months each. No progress was made in the case of a Hare Krishna adherent who was stabbed in Jagodina in Fall 2001.

A representative of Belgrade's Islamic community claimed that two murders in March were related to their victims' Islamic identity. One of the victims was the grandson of a former Imam in Belgrade; at the end of the murder trial, the defendant reportedly made an anti-Islamic slur. In the other incident, inmates in prison in Pozarevac reportedly killed a Muslim Roma inmate. During attempts to confirm these reports with other contacts in the Islamic and Roma communities, alternative motives for these crimes were given, other than religious identity.

On December 24, 2002, a group of Orthodox protestors prevented Anglican worshippers from entering the Serbian Orthodox Patriarchate in Belgrade where they traditionally have celebrated Christmas midnight mass. This act was severely criticized by then Yugoslav President Vojislav Kostunica as well as by the nation's human rights community.

Minority religious communities report continued problems with vandalism of church buildings, cemeteries and other religious premises. According to the Forum 18 News Service, approximately 30 attacks occurred during the period covered by this report, including a Molotov cocktail being thrown at a Sanatan residence outside Belgrade. Many of the attacks involved spray-painted graffiti, rock throwing, or the defacing of tombstones but a number of cases involved much more extensive damage. There were about ten incidents in which gravestones were desecrated, including those in Jewish, Islamic, and Lutheran cemeteries.

Jewish leaders reported a continued increase in anti-Semitism both in the media and in acts of vandalism like the destruction of gravestones. According to representatives of the Union of Jewish Communities of Serbia and Montenegro, anti-Semitic hate speech often appears in small-circulation books. The release of new books (or reprints of translations of anti-Semitic foreign literature) often leads to a spike in hate mail and other expressions of anti-Semitism. These same sources associated anti-Semitism to anti-western and anti-globalization sentiments as well as nationalism.

Journalists and religious leaders noted the continuation of anti-sect propaganda in the Serbian press. Minority Christian churches, like Baptists, Adventists, Jehovah's Witnesses, and others often are given the sect moniker in the press in Serbia and Montenegro. Religious leaders have noted that instances of vandalism often occur soon after press reports on sects. According to some sources, the fact that one of Serbia's leading experts on sects is a police captain whose works are used in military and police academies further complicates this situation.

In Montenegro, Catholic, Muslim, and Orthodox Communities coexist within the same towns and often use the same municipally owned properties to conduct worship services. Tensions exist between the Serbian Orthodox Church and the Montenegrin Orthodox Church, but these tensions are largely political, stemming from Montenegro's on-again, off-again drive for independence that started in 1997. Nevertheless, the Montenegrin Orthodox Church remains schismatic in the eyes of official Orthodoxy, and tensions between the two churches continued. One focus of controversy continued to be the Berane Yule Log ceremony. This year Montenegrin Orthodox believers burned their Yule Log in a village a small distance from Berane, thereby avoiding a confrontation with Serbian Orthodox believers. The two churches continue to contend for adherents and to make conflicting property claims, but this contention has not been marked by previous incidents of violence. However, NGO representatives reported concern at the level of nationalism and hate speech in Montenegro. Members of minority religious communities in Montenegro also reported being labeled "sects" and receiving threatening phone calls as a result.

Section IV. U.S. Government Policy

The U.S. Government continues to promote ethnic and religious tolerance throughout Serbia and Montenegro. Embassy officials meet regularly with the leaders of religious and ethnic minorities, as well as with representatives of the Serbian Orthodox Church and the Government (including ministers and deputy ministers) to promote the respect of religious freedom and human rights. In support of tolerance and respect for religious minorities in the armed forces, Embassy officials coordinated the participation of a representative of the Armed Forces of Serbia and Montenegro in a Marshall Center conference on the role of religion in the military.

KOSOVO

Kosovo continued to be administered under the civil authority of the U.N. Interim Administrative Mission in Kosovo (UNMIK), pursuant to U.N. Security Council Resolution (UNSCR) 1244. This resolution called for "substantial autonomy and meaningful self-administration" for the persons of Kosovo "within the Federal Republic of Yugoslavia." UNMIK and its chief administrator, the Special Representative of the Secretary General (SRSG), established a civil administration in 1999, following the conclusion of the NATO military campaign that forced the withdrawal of Yugoslav and Serbian forces from Kosovo. Since that time, the SRSG and UNMIK, with the assistance of the international community, have worked with local leaders to build the institutions and expertise necessary for self-government under UNSCR 1244.

The UNMIK-promulgated Constitutional Framework provides for freedom of religion, as does UNMIK Regulation 1999/24 on applicable law in Kosovo; UNMIK and the provisional institutions of self-government (PISG) generally respected this right in practice. The number of attacks by Kosovo Albanians against Orthodox Kosovo Serbs, which peaked following the NATO campaign in 1999, decreased markedly during the period covered by this report.

The status of respect for religious freedom improved somewhat during the period covered by this report. By the end of the reporting period, there was some movement by Kosovo leaders to reach out to the Serbian Orthodox minority, including discussion in the Kosovo Government concerning allocation of a portion of the Kosovo Consolidated Budget surplus to support the return of internally displaced persons (IDPs) to Kosovo.

Ethnic tensions between Kosovo's Albanians and Serb populations remained noticeable. Most of these tensions were largely rooted in ethnic, rather than religious, bias. Some Orthodox Churches were attacked, presumably by ethnic Albanian extremists, but the number of such attacks decreased. Protection of Serbian Orthodox Churches and other religious symbols continues to be transferred from the NATO-led Kosovo Force (KFOR) to U.N. international police and the Kosovo Police Service (KPS).

The U.S. government discusses religious freedom issues with UNMIK, the PISG, and religious representatives in Kosovo in the context of its overall dialog and policy of promoting human rights. The U.S. Government also supports UNMIK and KFOR in their security and protection arrangements for churches and patrimonial sites.

Section I. Religious Demography

Kosovo has a total land area of approximately 4,211 square miles and has a population of approximately 2 million. The predominant faith, professed by most of the majority ethnic Albanian population, the Bosniak, Gorani, and Turkish communities, and some in the Roma/Ashkali/Egyptian community, is Islam, although religion is not a significant factor in public life. The Kosovo Serb population, of who about 100,000 reside in Kosovo and 225,000 in Serbia and Montenegro, are largely Serbian Orthodox. Approximately three percent of ethnic Albanians are Roman Catholic. Protestants make up less than one percent of the population, but have small populations in most of Kosovo's cities.

Foreign clergy actively practice and proselytize. There are Muslim, Orthodox, Catholic, and Protestant missionaries active in Kosovo. There are 64 faith-based or religious organizations registered with UNMIK who list their goals as the provision of humanitarian assistance or faith-based outreach.

Section II. Status of Religious Freedom

Legal/Policy Framework

In May 2001, UNMIK promulgated the Constitutional Framework for Provisional Self-Government in Kosovo (the "Constitutional Framework"), which established the PISG and replaced the UNMIK-imposed Joint Interim Administrative Structure. Following November 2001 central elections, the 120-member Kosovo Assembly held its inaugural session in December 2001. In March 2002, the Assembly selected Kosovo's President, Prime Minister, and Government. Since that time, UNMIK has transferred certain authorities to the PISG, while retaining authority in such areas as security and protection of communities.

Kosovo's Constitutional Framework incorporates international human rights conventions and treaties, including those provisions that protect religious freedom and prohibit discrimination based on religion and ethnicity; UNMIK and PSIG generally respect this right in practice. UNMIK, the Organization for Security and Cooperation in Europe (OSCE), and the PISG officially promote respect for religious freedom and tolerance in administering Kosovo and in carrying out programs for its reconstruction and development.

There are no specific licensing regulations with regard to religious groups; however, in order to purchase property or receive funding from UNMIK or other international organizations, religious organizations must register with UNMIK as a nongovernmental organization (NGO). There have been some complaints by Kosovar Muslim leaders that they are not consulted prior to registration of foreign Islamic NGOs.

UNMIK recognizes as official holidays some, but not all, religious holidays of both the Muslim and Orthodox faiths.

Restrictions on Religious Freedom

UNMIK, the PISG, and KFOR policy and practice contributed to the generally free practice of religion.

There were no reports of religious detainees or prisoners.

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 government authorities' refusal to allow such citizens to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

The number of attacks on Serbian Orthodox churches continued to decrease during the period covered by this report. Members of the PISG and some political leaders have reached out to Serbian Orthodox officials and expressed a public commitment to assist in the reconstruction of some damaged or destroyed churches. Catholic leaders reported that Muslim Albanian Kosovars had assisted in the repair and reconstruction of Catholic churches damaged by time or by the FRY/Serbian regime prior to 1999, in places such as Malisevo/Malisheve, Pristina, Prizren, Gnjilane/Gjilan, and the Rugova gorge, near Pec/Peje.

The withdrawal of FRY and Serbian troops from Kosovo in 1999 and establishment of UNMIK resulted in an improved situation for the majority, largely Muslim, ethnic Albanian population, and a cessation of attacks on their mosques and religious sites. One of the most serious challenges facing the international community in its administration of Kosovo has been to stop ethnically-motivated attacks on Serb Orthodox churches and shrines and on the Orthodox population of Kosovo. KFOR and UNMIK international police, with increasing participation of the Kosovo Police Service, were able to significantly reduce crimes against Orthodox persons and sites.

Section III. Societal Attitudes

Ethnicity and religion are closely entwined in Kosovo. While most Kosovo Albanians identify

themselves as Muslim, the designation has more of a cultural than religious connotation. Kosovo Serbs identify themselves with the Serbian Orthodox Church, which defines not only their religious but also their cultural and historical perspectives. During and after the conflict, some Serbian Orthodox leaders played a moderating political role, but most have since withdrawn from political life as secular Serb leaders have stepped forward, especially following the November 2001 elections and subsequent establishment of Kosovo's Provisional Institutions.

Societal violence continued to decrease steadily during the period covered by this report, although the incidence of violence against Serbs remained steady. Of 72 murders in Kosovo during the reporting period, there were 10 Serb victims, although none of these murders are believed to have been religiously motivated. There were no reported incidents of rock-throwing or other assaults against Serbian Orthodox clergy, but monks and nuns at some monasteries reportedly remain unable to use parts of the monasteries' properties due to concerns about safety.

Security concerns had a chilling effect on the Serb community and their freedom of movement, which also affected their freedom to worship. Serb families with relatives living in both Kosovo and Serbia are restricted by security concerns from traveling to join them for religious holidays or ceremonies, including weddings and funerals. Due to such concerns, Bishop Artemije Radosavljevic, the head of the Serbian Orthodox Church in Kosovo, remains in a monastery in the Serbian enclave of Gracanica rather than return to the diocesan seat in Prizren. UNMIK police and KFOR have designed several mechanisms to provide security to improve mobility, and the OSCE reported some improvement in freedom of movement, particularly in the eastern region.

Attacks on Serbian Orthodox religious sites, presumably by ethnic Albanian extremists, continued during the period covered by this report, although these incidents continued to decrease significantly. There were incidents of vandalism at religious sites, including a fire set in the remains of the Zociste Monastery in Orahovac/Rahovec municipality (which was destroyed in the aftermath of the conflict); damage to the Orthodox cemetery in Decani/Decane; and explosions in November 2002 that seriously damaged two Orthodox churches in Istog. Anti-Orthodox expressions continued during the period covered by this report. In April the Student Union leader at Pristina University called for the removal of the Serbian Church located on University grounds. The Education Ministry later requested that the Pristina municipality authorities fence off university grounds and indicated that all non-university buildings—including the church—should be removed; by the end of the reporting period, there was no action taken against the church. In Djakovica/Gjakova, a dispute arose between the municipality mayor and KFOR regarding the mayor's decision to build a memorial on the site of a Serbian Church destroyed days after the cessation of hostilities in 1999; no action was taken by the end of the reporting period.

In light of societal violence in Kosovo against properties owned by the Serbian Orthodox Church and Serbian Orthodox religious symbols, UNMIK authorities continued to provide special security measures to protect religious sites and to ensure that members of all religious groups could worship safely. KFOR deployed security contingents at religious sites throughout Kosovo to protect them from further destruction, such as that which had occurred immediately after KFOR's intervention in 1999. Due to improving security conditions and decreasing interethnic tensions in some areas, KFOR removed static checkpoints from most churches and religious sites during the period covered by this report, relying instead on patrols by the indigenous Kosovo Police Service (KPS). In most cases, such changes in security measures did not result in a change in the level of safety of, or access to, the religious sites, although the head priest at the Pristina Orthodox Church reported that the situation deteriorated and stone attacks increased after the November 2002 security transfer from KFOR to mobile KPS patrols.

Protestants also report suffering some violence and discrimination. They have alleged mistreatment by "Islamic fundamentalists," who they claim attend Protestant services in order to identify participants for later harassment. One such attack occurred in Gjilan/Gnjilane in May, when a member of a Protestant Evangelical Church was badly beaten on his way home from church. Religious leaders claim that the police failed to conduct a proper investigation to avoid uncovering a possibly divisive religious motive. Protestants also have complained of vandalism of churches and theft of church property. They reported discrimination in relation to media access, particularly by the public Radio and Television Kosovo (RTK).

Protestants report acceptance by the majority Muslim community. However, some have observed that they are not included in some interfaith initiatives by Islamic leadership on the grounds that they do not comprise a "traditional" religion in Kosovo. For example, the Working Group established by the Kosovo Government to draft a law governing the legal status of religious communities failed to include Protestants.

Islamic, Orthodox, and Catholic religious leaders have attempted to encourage tolerance and peace in Kosovo, in both the religious and political spheres. Kosovar political leaders—including Kosovo Government officials and political party leaders—have been increasingly active in publicly calling for tolerance.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues and has sought to promote ethnic and religious tolerance in Kosovo. U.S. Office officials have also maintained close contacts with religious leaders.

Since December 2000, the U.S. Government has provided significant funding to Radio KIM (Radio Caglavica), based at Gracanica Monastery, which broadcasts in both Serbian and the Roma language. Serbian Orthodox Bishop Artemije's clerical staff runs the station, and it broadcasts news, music, interviews, and cultural programs. U.S. KFOR peacekeeping troops have worked to prevent ethnic and religious violence in Kosovo and have guarded religious sites. The U.S. is involved actively in UNMIK, the interim administration mission in Kosovo, which is aimed at securing peace, facilitating refugee return and reconstruction, laying the foundations for democratic self-government, and fostering respect for human rights regardless of ethnicity or religion. During the period covered by this report, the U.S. Government funded a partial survey of Islamic manuscripts in Kosovo, in order to help the local Islamic community preserve their religious heritage.

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