

2020 Report on International Religious Freedom: Serbia

Executive Summary

The constitution guarantees the freedom of religion, including the right to change one's religion; forbids the establishment of a state religion; guarantees equality for all religious groups; and prohibits incitement of religious hatred. On May 24, the Ministry of Justice resolved the contested leadership election of the Jewish Community of Belgrade in favor of Aleksandar Jinker. The government continued to return heirless and unclaimed properties seized during the Holocaust; it also continued restitution of religious properties confiscated in 1945 or later. The Macedonian and Montenegrin Orthodox Churches remained unregistered. Leaders of the country's two Islamic communities said the fact that, due to an internal dispute, neither had authority to deal with the government regarding the entire Muslim community created difficulty in coordinating property restitution claims and in selecting religious instructors for public school courses on religion. On February 24, parliament adopted a law establishing a Holocaust memorial site at Staro Sajmiste, a World War II-era concentration camp in Belgrade. The law also incorporated another former concentration camp in Belgrade, Topovske Supe, into the memorial. On February 26, the government adopted the International Holocaust Remembrance Alliance (IHRA) working definition of anti-Semitism. On September 4, leaders of Serbia and Kosovo signed a series of commitments in Washington, D.C., brokered at the White House, that included a pledge to domestically protect and promote freedom of religion, renew interfaith communication, protect religious sites, implement judicial decisions pertaining to the Serbian Orthodox Church (SOC), and continue restitution of Holocaust-era heirless and unclaimed Jewish property.

In February, unknown individuals wrote anti-Semitic messages and Nazi graffiti on multiple buildings in Novi Sad. In April, the nongovernmental organization (NGO) Center for Security, Investigation, and Defense warned citizens against Jehovah's Witnesses' proselytizing during the COVID-19 pandemic and characterized their proselytizing activities as sinister. Jewish leaders reported a growth in anti-Semitism online during the pandemic. Anti-Semitic literature continued to be available in some bookstores. Smaller, nontraditional groups, mainly Protestant Churches, said they encountered continued public distrust and misunderstanding and said some websites and traditional media and members of the public often branded their religious groups as "sects," a term with a strong negative connotation in the Serbian language. According to an EU Fundamental Rights Agency report released in September, there were 30 anti-Semitic incidents in the country between 2009 and 2019, 11 of which resulted in criminal charges.

U.S. embassy officials encouraged parliament to adopt the IHRA working definition of anti-Semitism. Embassy officials urged the government to continue restitution of Holocaust-era heirless and unclaimed Jewish property, promoted continued interfaith dialogue, and engaged with officials on the status of the government's relationship with religious groups. Embassy officials continued to meet with representatives from a wide range of religious groups to discuss issues of religious freedom and tolerance, cooperation with the government, interaction between traditional and nontraditional religious groups, and property restitution.

Section I. Religious Demography

The U.S. government estimates the total population at 7 million (midyear 2020 estimate). According to the 2011 census (the most recent data available), approximately 85 percent of the population is Orthodox Christian, 5 percent Roman Catholic, 3 percent Sunni Muslim, and 1 percent Protestant. The remaining 6 percent includes members of the Jewish and Buddhist faiths, members of the International Society of Krishna Consciousness, Jehovah's Witnesses, members of other religious groups, agnostics, atheists, and individuals without a declared religious affiliation. The vast majority of the population that identifies as Orthodox Christian are members of the SOC, a category not specifically listed in the census. Adherents of the Macedonian, Montenegrin, Romanian, and other Orthodox Churches may be included in the numbers of "Orthodox Christians" or in the "other Christian" category that is part of the remaining 6 percent, depending on how they self-identify.

Catholics are predominantly ethnic Hungarians and Croats residing in Vojvodina Province in the north. Muslims include Bosniaks (Slavic Muslims) in the southwest Sandzak region, ethnic Albanians in the south, and some Roma located throughout the country.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution guarantees freedom of belief and religion as well as the right to change one's religion. It states everyone shall have the freedom to worship and practice religion individually or with others, in private or in public, and no one shall be obliged to declare one's religion. The constitution states the freedom to express one's religion or beliefs may be restricted by law only as necessary to protect life or health, the morals of democratic society, other freedoms and rights guaranteed by the constitution, public safety and order, or to prevent incitement of religious, national, or racial hatred. The constitution forbids the establishment of a state religion, guarantees equality for religious groups, and calls for separation of religion and state. It states that churches and religious communities shall be free to organize their internal structure, perform religious rites in public, and establish and manage religious schools and social and charity institutions in accordance with the law. The constitution prohibits religious discrimination or incitement of religious hatred, calls upon the government to promote religious diversity and tolerance, and states religious refugees have a right to asylum, the procedures for which shall be established in law.

The law bans incitement of discrimination, hatred, or violence against an individual or group on religious grounds and carries penalties ranging from one to 10 years in prison, depending on the type of offense. The constitution allows any court with legal jurisdiction to prevent the dissemination of information advocating religious hatred, discrimination, hostility, or violence.

The law grants special treatment to seven religious groups the government defines as "traditional." These are the SOC, Roman Catholic Church, Slovak Evangelical Church, Reformed Christian Church, Evangelical Christian Church, Jewish community, and Islamic community. The Islamic community is divided between the Islamic Community of Serbia, with its seat in Belgrade, and the Islamic Community in Serbia, with its seat in Novi Pazar. Both Islamic communities are registered with the government and may conduct most normal business, such as receiving financial assistance from the government, receiving healthcare and pension benefits for clergy, maintaining tax-exempt status, holding bank accounts, owning property, and employing staff. Neither group, however, has absolute authority over matters regarding the entire Islamic community. "Church" is a term reserved for Christian religious groups, while the term "religious community" refers to non-Christian groups and to some Christian entities.

The seven traditional religious groups recognized by law are automatically registered in the Register of Churches and Religious Communities. In addition to these groups, the government grants traditional status, solely in Vojvodina Province, to the Diocese of Dacia Felix of the Romanian Orthodox Church, which has its seat in Romania and administrative seat in Vrsac in Vojvodina.

The law also grants the seven traditional religious groups, but not other registered religious groups, the right to receive value-added tax refunds on all purchases enumerated under law and to provide chaplain services to military personnel.

To obtain registration, a group must submit the following: the names, identity numbers, copies of notarized identity documents, and signatures of at least 100 citizen members; its statutes and a summary of its religious teachings, ceremonies, religious goals, and basic activities; and information on its sources of funding. The law prohibits registration if an applicant group's name includes part of the name of an existing registered group. The Ministry of Justice maintains the Register of Churches and Religious Communities and responds to registration applications. If the Ministry of Justice rejects a registration application, the religious group may appeal the decision in court.

There are 27 "nontraditional" religious groups registered with the government, compared with 25 in 2019: the Seventh-day Adventist Church, Evangelical Methodist Church, The Church of Jesus Christ of Latter-day Saints, Evangelical Church in Serbia, Church of Christ's Love, Spiritual Church of Christ, Union of Christian Baptist Churches in Serbia, Nazarene Christian Religious Community (associated with the Apostolic Christian Church [Nazarene]), Church of God in Serbia, Protestant Christian Community in Serbia, Church of Christ Brethren in Serbia, Free Belgrade Church, Jehovah's Witnesses, Zion Sacrament Church, Union of Seventh-day Adventist Reform Movement, Protestant Evangelical Church Spiritual Center, Evangelical Church of Christ, Slovak Union of Baptist Churches, Union of Baptist Churches in Serbia, Charismatic Community of Faith in Serbia, the Buddhist Religious Community Nichiren Daishonin, the LOGOS Christian Community in Serbia, Golgotha Church in Serbia, Theravada Buddhist Community in Serbia, Biblical Center Good News, First Roma Christian Church Leskovac, Vaishnava Religious Community-International Society for Krishna

Consciousness, and Protestant Reformed Church of Czechs Veliko Srediste. The latter two were newly registered during the year. Several of these organizations are umbrella groups that oversee many individual churches, sometimes of slightly differing affiliations.

The law does not require religious groups to register, but it treats unregistered religious organizations as informal groups that do not receive any of the legal benefits that registered religious groups receive. Only registered religious groups may build new places of worship, own property, apply for property restitution, or receive state funding for their activities. Registration is also required to open bank accounts and hire staff. Registered clerics of registered groups are entitled to government support for social and health insurance and a retirement plan. According to government sources, 2,270 clergy from 17 registered groups used these benefits. The law also exempts registered groups from property and administrative taxes and from filing annual financial reports.

According to the constitution, the Constitutional Court may ban a religious community for activities infringing on the right to life or health, the rights of the child, the right to personal and family integrity, public safety, and order, or if it incites religious, national, or racial intolerance. It also states the Constitutional Court may ban an association that incites religious hatred.

The Ministry of Justice's Directorate for Cooperation with Churches and Religious Communities manages all matters pertaining to the cooperation of the state with churches and religious communities. These include assistance to national minorities in protecting the religious traditions integral to their cultural and ethnic identity, cooperation between the state and SOC dioceses abroad, support for religious education, and support for and protection of the legal standing of churches and religious communities. The newly established Ministry for Human and Minority Rights and Social Dialogue is tasked with combating misperceptions and hate.

The Law on Restitution of Property to Churches and Religious Communities regulates restitution claims for religious property and endowments confiscated in 1945 or later, but only for registered religious groups. The Holocaust-era Heirless and Unclaimed Property Law permits individual claims for properties lost by Holocaust victims, but religious groups may not claim property confiscated prior to 1945. In accordance with the Terezin Declaration on Holocaust-era assets, the Holocaust-era Heirless and Unclaimed Property Law provides for the restitution of heirless and unclaimed Jewish property seized during the Holocaust, allowing the Jewish community to file restitution claims based on these seizures, while still permitting future claimants to come forward. The law defines "heirless property" as any property not the subject of a legitimate claim for restitution. This law governs personal property taken from members of the Jewish community during the Holocaust, primarily consisting of nonreligious residential and business property and agricultural land. The Jewish community must prove the former owner of the property was a member of the community and that the property was confiscated during the Holocaust. The law also stipulates financial support from the state budget for the Jewish community of 950,000 euros (\$1.17 million) per year for a 25-year period, which began with an initial payment in 2017. The law requires the appointment of a supervisory board with representatives from the country's Jewish community, the World Jewish Restitution Organization, and a government-appointed chairperson to oversee implementation of the restitution law's provisions. The law established a February 28, 2019 deadline for filing claims.

The constitution states parents and legal guardians shall have the right to ensure the religious education of their children in conformity with their own convictions. The law provides for religious education in public schools. Representatives of the Office for Cooperation with Churches and Religious Communities have stated that religious education in public schools may be provided for any registered religious community, but no parents have requested education for any religion other than the seven traditional groups. Students in primary and secondary schools must attend either religious or civic education class. Parents choose which option is appropriate for their child. The curriculum taught in the religion classes varies regionally, reflecting the number of adherents of a given religion in a specific community. According to Ministry of Education (MOE) instructions, a minimum of 15 students is needed for a school to offer any elective course, including religion classes. In areas where individual schools do not meet the minimum number, the MOE attempts to combine students into regional classes for religious instruction.

The Commission for Religious Education approves religious education programs, textbooks, and other teaching materials and appoints religious education instructors from lists of qualified candidates supplied by each religious group. The commission is comprised of representatives from each traditional religious group, the Ministry of Justice's Directorate for Cooperation with Churches and Religious Communities, the Ministry of Education, and the Ministry of Science and Technological Development.

The constitution recognizes the right of conscientious objection based on religious beliefs. It states no person shall be obliged to perform military or any other service involving the use of weapons if this is inconsistent with his or her religion or beliefs, but a conscientious objector may be called upon

to fulfill military duty not involving carrying weapons. By law, all men must register for military service when they turn 18, but there is no mandatory military service.

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

Government Practices

On May 24, the Ministry of Justice ruled in favor of an application to change the legal leadership of the Jewish Community of Belgrade in favor of Aleksandar Jinker. The ruling resolved a contested leadership election that took place in March 2019, which Jewish leaders said had contributed to tensions within their community.

In accordance with the Holocaust-era Heirless and Unclaimed Property Law, the government continued to return to the Jewish community heirless and unclaimed properties seized during World War II by German occupying forces and the then quisling Serbian government in power at the time. The Restitution Agency reported 1,683 claims were filed by the February 28, 2019, deadline. The government began processing claims under the law in 2016. It reported that during the year, it returned more than 2,225 acres of agricultural land and 18,417 square feet of residential properties, such as buildings, business premises, apartments, and garages. Since implementation of the law, the government has returned 106,530 square feet of residential property, 4,646 acres of agricultural land, and 4,757 square feet of undeveloped land suitable for construction to Jewish communities in the country. By law, Jewish communities were then responsible for transferring property to individual heirs. On December 27, the Federation of Jewish Communities presented a certificate of appreciation to the Agency Director for his work on adoption and efficient implementation of the Holocaust-era Heirless and Unclaimed Property Law.

The Macedonian and Montenegrin Orthodox Churches remained unregistered. The government continued to recognize only the SOC and continued its policy of deferring to the SOC for approval of any other Orthodox Church body to operate in the country. Government officials stated that secular authorities should refrain from resolving issues among individual Orthodox Churches.

Despite some incidents involving members conducting door-to-door outreach, the Jehovah's Witnesses reported generally satisfactory engagement with the government, in particular the Ministry of Justice, which helped the group navigate administrative issues. Jehovah's Witnesses stated that courts usually treated violent incidents committed against the group's members as minor offenses instead of crimes under the law banning incitement of discrimination, hatred, or violence against an individual or group on religious grounds.

In July, the government granted 1.2 billion Serbian dinars (\$12.53 million) from budgetary reserves to the SOC for completion of the Cathedral of St. Sava in Belgrade.

The government continued restitution of religious properties confiscated in 1945 or later under the Law on the Restitution of Property to Churches and Religious Communities. During the year, it returned 337 hectares (832 acres) of land (compared with 773 hectares or 1,190 acres in 2019), of which 336 hectares (830 acres) was agricultural land; one acre was forests and forest land; one acre was construction land; and 330 square meters (3,552 square feet) was office space to churches and religious communities. The government returned either the properties themselves or substituted other property of equivalent value to groups that included the SOC, Roman Catholic Church, Evangelical Christian Church, and Islamic Community in Serbia. The government estimated it had returned approximately 74 percent of land and 24 percent of buildings claimed by churches and religious communities. According to the Restitution Agency, no religious property was returned to the Jewish community during the year under this law. The agency, however, continued to process the Jewish community's ongoing property restitution claims. At the end of the year, the agency had restituted 92 percent of the Jewish community's land claims and almost 80 percent of its building claims.

According to Muslim leaders, the fact that neither the Islamic Community of Serbia nor the Islamic Community in Serbia had authority over matters regarding the entire Muslim community complicated efforts to pursue restitution claims with the government. Restitution claims by the Islamic communities continued to be processed, leading to one property being restored to the Islamic Community in Serbia during the year.

Muslim leaders said selecting religious instructors for public school courses on religion remained difficult because neither of the two Islamic groups had authority over matters regarding the entire community. Both Islamic communities had religious teachers on the MOE-approved list for the 2020-21 school year. According to the Islamic Community in Serbia, appointment of its religious teachers in schools throughout the Sandzak region continued to depend on local authorities rather than the MOE.

The director of the Ministry of Justice's Directorate for Cooperation with Churches and Religious Communities, Mileta Radojevic, said the directorate focused its expenditures on traditional religious groups because they represented the vast majority of the population. The directorate also funded key construction and renovation projects for a variety of smaller religious groups. The directorate provided financial support for books and other printed materials, some reconstruction projects, and educational scholarships for clergy, but only for members of religious groups with a formal, university-level religious institution within the country. Prospective clergy from smaller denominations who relied on seminaries outside the country were ineligible for such scholarships.

The national television service, Radio Television of Serbia, continued to broadcast a daily, 10-minute *Religious Calendar* program about major holidays celebrated by monotheistic religions.

On February 24, parliament adopted a law establishing the Memorial Center Staro Sajmiste, a Holocaust memorial site at Staro Sajmiste, a World War II-era concentration camp in Belgrade. According to the law, the memorial will compile and exhibit material from archives and museums "to ensure lasting memory of the victims of the Holocaust." The law also incorporated Topovske Supe, another former concentration camp in Belgrade, as a part of the Staro Sajmiste memorial. According to the Simon Wiesenthal Center's director for Eastern European affairs, Efrain Zuroff, the law "marked the final stage of the preparations of many years to turn the site of Staro Sajmiste into a memorial center, which will finally properly honor the memory of the numerous victims of the camp."

The government is a member of the IHRA, and on February 26, it adopted the IHRA's working definition of anti-Semitism.

On September 4, Serbia and Kosovo signed a series of commitments in Washington, D.C., in which the government of Serbia pledged to protect and promote freedom of religion, including renewed interfaith communication, protection of religious sites, and implementation of judicial decisions pertaining to the SOC, and to continue restitution of Holocaust-era heirless and unclaimed Jewish property.

Section III. Status of Societal Respect for Religious Freedom

Media reported two separate anti-Semitic graffiti incidents in Novi Sad in December. In the first incident, unknown individuals spray-painted a building not associated with the Jewish community with a crossed-out Star of David and the words "Back to the Furnace." In the second incident, unidentified individuals spray-painted a billboard displaying a photo of a synagogue and the message "Visit Novi Sad" with a crossed-out Star of David and the words "*Juden Frei*," a term used by the Nazis to denote areas cleansed of Jews during World War II. In February, unknown individuals wrote anti-Semitic messages and Nazi graffiti on buildings in Novi Sad. The spray-painted graffiti included a crossed-out Star of David, the words "*Juden Frei*," the SS insignia, and the number 88, which neo-Nazis sometimes use instead of the words "Heil Hitler." In February, the Novi Sad-based website *021.rs* also noted several instances of neo-Nazi messages written on the University of Novi Sad campus and at the Quay of the Victims of the Raid memorial that commemorates the mass killing of Serbs, Jews, and other civilians by Hungarian occupying forces in 1942.

In April, the NGO Center for Security, Investigation, and Defense warned citizens against Jehovah's Witnesses' proselytizing during the COVID-19 pandemic and criticized their proselytizing activities as sinister and "non-collegial" to other religious communities that did not engage in the same activities. The government reportedly took no action in response.

Jewish leaders said there had been an increase in online anti-Semitic stereotypes and statements since the beginning of the COVID-19 pandemic. Jewish community leaders stated that anti-Semitic works, including the *Protocols of the Elders of Zion*, continued to be available for purchase from informal sellers or online bookshops. Self-defined "patriotic" groups continued to maintain several websites, and individuals hosted chat rooms that openly promoted anti-Semitic ideas and literature. There were no reported police prosecutions of these incidents.

Some traditional and online media, as well as other websites, continued to use the term "sect" for smaller Christian denominations and nontraditional groups, which has a strong negative connotation of "secrecy and mystifying rituals" in the Serbian language, according to anthropologist of religion Aleksandra Djuric Milovanovic, a research fellow at the Institute of Balkan Studies of the Serbian Academy of Sciences and Arts. Many smaller or nontraditional religious groups reported some public bias and discrimination against their members. Several Protestant groups continued to state that they believed the general public still mistrusted and misunderstood Protestantism and that individuals sometimes referred to some Protestant denominations as "sects." The Christian Baptist Church reported that on September 1, the show *150 Minutes on TV Prva* identified Baptists as a "sect" that individuals should avoid and consider dangerous.

On September 10, the EU Agency for Fundamental Rights released a report providing an overview of data on anti-Semitic incidents recorded in EU member states between 2009 and 2019. The report also provided information on North Macedonia and Serbia due to their observer status within the agency. According to the report, the Ministry of Interior and Public Prosecutor's Office registered 30 anti-Semitic incidents in the country during the period. Of these, 11 incidents resulted in criminal charges. These included seven charges of inciting national, racial, and religious hatred and intolerance, and four charges of destruction and damage to property. The number of incidents was further divided into incidents involving anonymous threats (two), graffiti (24), and damage to Jewish community buildings (four).

Several smaller religious groups said interfaith education and dialogue were needed among the broader religious community, not only among the seven traditional groups. They also reported that formal interfaith dialogue was minimal and sporadic; however, it did occur on an informal, person-to-person basis. Members of the Roman Catholic Church, First Baptist Church, Jewish community, and Muslim community attended the first virtual Western Balkans Interreligious Dialogue interfaith event in November. All agreed that interfaith communication needed to be improved. Multiple smaller groups, including the Christ Evangelical Church, the Anglican Church, and the Theravada Buddhist Community, reported good cooperation with local SOC officials.

Section IV. U.S. Government Policy and Engagement

The Ambassador and embassy staff continued to engage regularly with government officials to promote religious freedom. They highlighted the importance of increased interfaith dialogue, religious tolerance, and protection of religious sites and engaged the government on the status of its relations with traditional and nontraditional religious communities. Embassy officials encouraged parliament to adopt the IHRA working definition of anti-Semitism. The embassy continued to urge the Agency for Restitution and other members of government to continue implementing the Holocaust-era Heirless and Unclaimed Property Law. Embassy officials continued to encourage sustained efforts regarding the construction of the Holocaust memorial site at the World War II-era Staro Sajmiste concentration camp and offered assistance, including connecting Serbian officials with experienced U.S. institutions.

On November 23, the U.S. Ambassador at Large for International Religious Freedom hosted the first virtual Western Balkans Interreligious Dialogue, which gathered leaders from multiple Western Balkan religious communities to facilitate constructive discussion in a moderated dialogue aimed at developing local reconciliation initiatives.

Embassy officials continued to engage local religious leaders to promote religious freedom and continue interfaith dialogue. Embassy officials met with and discussed the status of religious freedom with members of the SOC, Roman Catholic Church, Islamic Community in Serbia, Islamic Community of Serbia, Jewish community, Christian Baptist Church, Jehovah's Witnesses, Anglican Church, the Theravada Buddhist Community in Serbia, Faculty of Orthodox Theology, Lighthouse Evangelical Church, Christ Evangelical Church, the Ministry of Justice's Directorate for Cooperation with Churches and Religious Communities, and the NGO Center 9. In September, the Ambassador traveled to the southwestern part of the country to meet with representatives from the SOC and Islamic communities to discuss local conditions and challenges, including the COVID-19 pandemic, the socioeconomic status of community members, and joint engagement of religious communities on issues of common interest.

Embassy officials continued to use social media and other public outreach tools to advocate for religious freedom and tolerance as well for the freedoms of expression, assembly, and association. In May, the embassy posted a video to its Twitter account of the Ambassador's visit to the Bajrakli Mosque in Belgrade to mark Eid al-Fitr. In July, the embassy website highlighted the leadership demonstrated by the country in resolving Holocaust restitution issues.

ecoi.net summary:

Annual report on religious freedom (covering 2020)



Country:

Serbia

Source:

[USDOS – US Department of State](#)

Original link:

<https://www.state.gov/reports/2020-report-on-international->

Document type:
Periodical Report

Language:
English

Published:
12 May 2021

Document ID:
2051700

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ecoi.net is run by the Austrian Red Cross (department ACCORD) in cooperation with Informationsverbund Asyl & Migration. ecoi.net is funded by the Asylum, Migration and Integration Fund, the Austrian Ministry of the Interior and Caritas Austria. ecoi.net is supported by ECRE & UNHCR.

