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SERBIA-MONTENEGRO

Federal and republic law provide for freedom of religion; however, in practice both the Government of the Federal Republic of Yugoslavia (FRY) and the constituent Republic of Serbia and their legal systems provide little protection for the religious rights of minority groups. The Republic of Montenegro, in contrast, does attempt to ensure and protect religious rights. In Kosovo the withdrawal of Serbian forces and establishment of the U.N. Interim Administration Mission (UNMIK), resulted in an improved situation for the largely Muslim ethnic Albanian population that was a victim of the massive human rights abuses committed by FRY forces in 1999. However, retributions against the minority Serbs have continued. UNMIK has worked since June 1999 to secure peace and foster respect for human rights regardless of ethnicity or religion.

There was no change in the overall status of respect for religious freedom during the period covered by this report in those areas subject to the Serbian Government's control.

Religion and ethnicity are closely intertwined in Serbia-Montenegro, and it is often difficult to clearly identify discriminatory acts as primarily religious in origin rather than ethnic. However, views on ethnic groups in the region historically have been strongly influenced by religion, and most instances of ethnic discrimination have at least some religious roots.

Both the Federal Republic of Yugoslavia (FRY) Government and Government of Serbia continued to suppress ethnic and religious minorities, using intolerance as a tool to maintain FRY President Slobodan Milosevic's grip on power. Both Governments provided preferential treatment to the Serbian Orthodox Church, and societal discrimination against minorities remained widespread throughout areas of the FRY under the Serbian Government's control. In Kosovo where the effects of the regime's ethnic cleansing campaign linger, societal tensions were particularly noticeable. In Montenegro tensions between the unofficial Montenegrin Orthodox Church and the Serbian Orthodox Church worsened and were politicized by opposing political factions, despite the Montenegrin Government's attempts to moderate the situation.

The U.S. Government seeks to promote ethnic and religious tolerance in the FRY through public admonitions, support of the U.N. Interim Administration Mission in Kosovo, support for the democratic

opposition in Serbia, and support of the reform-oriented government of Montenegro.

Section I. Government Policies on Religious Freedom

Legal/Policy Framework

The law in the Federal Republic of Yugoslavia, as well as in the constituent republics of Serbia and Montenegro, provides for freedom of religion; however, in practice, the Government and the legal system provide very little protection for the religious rights of minority groups in those areas under the Serbian Government's administration. There is no state religion, but the regime of President Milosevic gives preferential treatment, including access to state-run television for major religious events, to the Serbian Orthodox Church.

In Montenegro, the Constitution specifically recognizes the existence of the Serbian Orthodox Church, but not other faiths. The Montenegrin Orthodox Church was autocephalous when Montenegro was an independent principality. However, when Montenegro became part of the Kingdom of Serbs, Croats, and Slovenes after the First World War, the Montenegrin Orthodox Church lost its independence and became part of the Serbian Orthodox Church. The re-established Montenegrin Orthodox Church is registered with the Government of Montenegro Ministry of Interior in Cetinje, the former capital, as a nongovernmental organization (NGO). The Government of Montenegro has been careful to remain neutral in the dispute between followers of the Serbian Orthodox Church and Montenegrin Orthodox Church, but political parties have used this issue in pursuit of their own agendas. Pro-Serbian parties strongly support moves for the establishment of an official state religion, while pro-independence parties have pushed for the official recognition of the Montenegrin Orthodox Church.

Religious Demography

The predominant faith in the FRY, outside of Kosovo, is Serbian Orthodoxy, although religion is not a significant factor in public life. Serbs, who are predominantly Serbian Orthodox if they follow any religion, make up approximately 65 percent of the population. Montenegrins, who constitute about 6 percent of the total population and live mainly in Montenegro, also primarily follow Serbian Orthodoxy. The Muslim population, composed mostly of Slavic Muslims who live predominantly in the Sandzak region bordering Serbia and Montenegro, and ethnic Albanians located primarily in Kosovo, constitutes about 19 percent of the total population. Like Serbs and Montenegrins, many FRY Muslims are not in fact religious, and "Muslim" is often more a form of ethnic identity than of belief. About 4 percent of the population are Roman Catholic, and consist of ethnic Hungarians, who live primarily in Vojvodina, ethnic Albanians, and Croats who live in Vojvodina and scattered communities in Montenegro. About 1 percent of the population is Protestant. Other minority religious groups make up another 12 percent of the population.

Governmental Restrictions on Religious Freedom

The Serbian Government made no progress in the restitution of property that belonged to the Jewish community prior to World War II, despite President Milosevic's past promises to resolve the disputes. The Orthodox and Catholic Churches have had similar difficulties with the restitution of their property confiscated by the Communist regime (1944-89).

When it suits its political aims, the Milosevic regime does not hesitate to attack verbally the Serbian Orthodox Church, which was more outspoken in its criticism of the regime during the period covered by this report. The Church called openly for Milosevic to step down in 1999 as a result of his campaign of ethnic cleansing.

There was no change in the overall status of respect for religious freedom during the period covered by this report in those areas subject to the Serbian Government's control.

Governmental Abuses of Religious Freedom

Since 1992 the Milosevic regime has attempted to suppress all of its enemies in the FRY, Serb and non-Serb alike. To achieve his primary political aim of continued rule of Serbia, Milosevic has exploited ethnic, religious, and political divisions through his control of the media and the organs of state security. The focus of this suppression has been primarily along ethnic lines, and in general encompasses religion only as a component of ethnicity.

Prior to their expulsion from Kosovo in June 1999, Serbian Interior Ministry troops, police, and paramilitary formations committed widespread and severe abuses against Kosovo's ethnic Albanian population. The regime attempted to rid the province of almost its entire ethnic Albanian population, killing thousands of ethnic Albanians and forcing nearly one million to become refugees. This ethnic cleansing was distinct from religiously motivated violence; however, because most Kosovar Albanians are Muslim, the Serbian campaign also resulted in deliberate destruction of mosques and other Islamic landmarks.

For similar reasons, during the period of this report, police repression continued against ethnic and religious minorities elsewhere in Serbia. Repression was reported against Muslims in the Sandzak region along the border between Serbia and Montenegro. Reports of harassment in the Sandzak region indicated that it was carried out mostly by federal Yugoslav army troops.

Serbian police often selectively applied certain laws only against minorities and used force with relative impunity. In the Sandzak region, Serb authorities harassed the Slavic Muslim minority. Police use of arbitrary arrest and detention continued in the region.

In Kosovo the withdrawal of Serbian troops and establishment of UNMIK resulted in an improved situation for the majority, largely Muslim ethnic Albanian population. One of the most serious challenges facing the international community in its administration of Kosovo has been to ensure the protection of the minority Serbian community from retribution by the Albanian community for the abuses they suffered at the hands of Serbian forces.

Forced Religious Conversion of Minor U.S. Citizens

There were no reports of the forced religious conversion of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

Section II. Societal Attitudes

Religion and ethnicity in the FRY are so closely intertwined as to be inseparable. Increased societal violence against the Catholic minority in Vojvodina, largely consisting of ethnic Hungarians and Croats, also was reported. In addition, Catholic churches frequented by the Croat minority were attacked, although there have been few reports of this type of activity during the period covered by this report.

Ethnic and religious minorities in Kosovo, the Sandzak region, and Vojvodina face discrimination in housing and employment. In Kosovo, ethnic Serbs have experienced societal discrimination since the expulsion of FRY security forces. Slavic Muslims in Sandzak face severe discrimination in health care, commerce, and education. There were credible reports that ethnic Albanians and Muslims in Serbia continued to be driven from their homes or fired from their jobs on the basis of religion or ethnicity. Other ethnic minorities, including ethnic Hungarians in Vojvodina who are predominantly Catholic (if religious), also allege discrimination. However, these forms of discrimination are primarily based on ethnicity rather than religion.

In light of societal violence in Kosovo against properties owned by the Serbian Orthodox Church and Serbian Orthodox religious symbols, UNMIK authorities took extra steps following the Kosovo conflict to protect religious sites and to ensure that members of all religious groups could worship safely. Kosovo Force (KFOR) deployed security contingents at religious sites throughout the province to protect them from further destruction, as had occurred immediately after KFOR's intervention in June 1999.

However, reflecting the severity of security concerns, Bishop Artemije, head of the Serbian Orthodox Church in Kosovo, declared soon after KFOR entered the province in June 1999, that the city of Prizren was no longer safe and announced that he, 9 priests, and 200 Serb civilians would leave for Pristina. Approximately 60 Serb families from Pristina already had taken refuge with Artemije in a monastery outside the city.

As of December 1999, Bishop Artemije reported that more than 80 Orthodox churches had been destroyed, damaged, or desecrated. Serbian Orthodox priests also were intimidated by Albanian Kosovars, with reports of attacks on priests accused in the Albanian press of collaborating with Serb forces. However, targeting of Orthodox churches and priests was based primarily on ethnic rather than religious grounds.

The small Albanian Roman Catholic community, largely centered in the southern and western part of Kosovo, complained during the summer of 1999 that Kosovo Liberation Army (KLA) members or others acting in the name of the KLA harassed Catholics and hindered religious activities on the pretext that Catholics collaborated with the Serbs during the conflict.

Although there were few reported instances of abuses based on religion in the Republic of Montenegro, there were numerous acts of societal violence against ethnic minorities in Serbia, especially in the Sandzak region and Vojvodina. Serbs primarily have shown intolerance toward predominantly Muslim ethnic Albanians in Kosovo and toward the Slavic Muslims in the region of Sandzak. These abuses stem both from religious intolerance and ethnic prejudice.

In Montenegro, relations between religious communities are generally peaceful. Catholic, Muslim, and Orthodox communities coexist within the same communities and often use the same municipally owned properties to conduct worship services. However, during the period covered by this report, there was a rise in tensions between the Serbian Orthodox Church and the self-proclaimed Montenegrin Orthodox Church. There were several incidents of violence between the supporters of these two competing Orthodox churches. The Montenegrin Orthodox Church has claimed holdings of the Serbian Orthodox Church in Montenegro. The Serbian Orthodox Church remains the most significant faith in Montenegro and has rejected the property claims.

Violence is alleged to have broken out between members of the Montenegrin Orthodox Church and of the Serbian Orthodox Church in late 1999 when on November 21 Father Dragan Stanisic of the Serbian Orthodox Church reportedly hit Montenegrin Orthodox Metropolitan Mihajlo in the face during a confrontation on a road near Cetinje. According to press reports, Father Stanisic's followers then attacked Metropolitan Mihajlo's car, although Stanisic denies that the incident ever occurred. Approximately 250 persons demonstrated to protest the incident in Cetinje, and authorities summoned riot police and reinforcements to prevent further incidents.

The rift between the churches was highlighted again in January 2000 when a Serbian Orthodox priest delayed the traditional Christmas celebration by calling on the audience to leave the hall because Montenegrin Orthodox Metropolitan Mihailo was present. Police reportedly had prevented a parallel Montenegrin Orthodox celebration

from taking place in a separate location in the town on the same day. The Serbian Orthodox Church then publicly protested the Government's tolerance of the Montenegrin Orthodox Church.

Seventh-Day Adventists and Jehovah's Witnesses are officially registered religions in Montenegro. However, their followers report that their efforts to build and renovate churches have been impaired by persons they believe to be loyal to the local Serbian Orthodox Church.

The Jewish population in the FRY has also expressed concern about ultra-nationalist political figures and their anti-Semitic rhetoric.

Section III. U.S. Government Policy

The U.S. Government has sought to promote ethnic and religious tolerance in the FRY. The break in diplomatic relations has limited severely the U.S. Government's ability to engage directly with religious representatives. However, in the summer of 1999 and again in February 2000, Secretary of State Madeleine Albright met with Bishop Artemije, head of the Serbian Orthodox Church in Kosovo, who expressed concern about the safety of the Serbs still living in Kosovo. During visits to Kosovo in July and November 1999, Secretary Albright delivered strong messages concerning ethnic tolerance in Kosovo. President Clinton also appealed for tolerance in the region on his visit in November 1999. U.S. KFOR peacekeeping troops have worked to prevent ethnic and religious violence in Kosovo and have guarded some 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 in the province, and fostering respect for human rights regardless of ethnicity or religion.

In September 1999, the Secretary of State identified the Federal Government of Serbia-Montenegro for particularly severe violations of religious freedom.

In Montenegro the U.S. Government has provided significant support and assistance to the reform-oriented republic government, which also seeks to ensure respect for human rights, including religious freedom.

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