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International Religious Freedom Report 2008

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The Constitution provides for freedom of religion; however, the law places limits on religious practice by discriminating among religious groups and denies some groups legal status. There is no state religion, but the majority Serbian Orthodox Church and other "traditional" religious communities received some preferential consideration.

The Government's respect for religious freedom remained problematic because of the religion law and the Religion Ministry's arbitrary execution of the law. Police investigations of acts of hate speech and vandalism tended to be slow and inconclusive. Some officials made public, negative statements against minority religious groups.

There were reports of societal abuse or discrimination based on religious affiliation, belief, or practice. Leaders of minority religious communities reported acts of vandalism, hate speech, physical attacks, and negative media reports.

U.S. embassy representatives continued to advocate for changes in the laws on religion and restitution that would rectify the discriminatory aspects of the legislation. Embassy officials met with representatives of all religious groups and encouraged interfaith cooperation. Embassy representatives discussed religious freedom with members of the divided Islamic community and conducted outreach activities.

Section I. Religious Demography

The country has an area of 30,000 square miles and a population of 7.5 million. Approximately 84 percent of citizens are Serbian Orthodox, and 5 percent are Muslim. The Muslim community includes Slavic Muslims in the Sandzak, who represent 2 percent of the total population, ethnic Albanians in the south, and Roma located throughout the country. Roman Catholics comprise 5 percent of the population and are predominantly ethnic Hungarians and Croats in Vojvodina. Protestants make up 1.5 percent of the population. There is a Jewish population numbering between 2,000 and 2,400.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion; however, the religion law discriminates among religious groups and requires minority groups, including those that were previously recognized, to reregister through an invasive and burdensome procedure to attain or retain their status as recognized religious groups. Many of the groups required to reregister had been recognized officially for more than 50 years and present in the country for as long as 150 years.

The registration requirements include submission of members' names, identity numbers, and signatures; proof that the religious group has at least 100 members (0.001 percent of the population, including the population of Kosovo); the group's statute and summary of its religious teachings, ceremonies, religious goals, and basic activities; and information on sources of funding. The law also provides that no religious community can be registered if its name includes part of the name of an existing registered group. For example, no group including the word "Orthodox" or "Evangelical" in its title could be registered, since those terms are already found in the names of the "traditional" churches.

Although registration is not mandatory for religious communities, those who do not register cannot open a bank account, purchase or sell property, or publish their literature. The 2006 tax law grants property and value-added tax exemptions only to registered communities. A case challenging the law was pending in the Constitutional Court at the end of the reporting period.

There is no state religion; however, the law on religion recognizes seven "traditional" religious communities: the Serbian Orthodox Church, Roman Catholic Church, Slovak Evangelical Church, Reformed Christian Church, Evangelical Christian Church, Islamic community, and Jewish community.

The Orthodox Church received preferential treatment. The Government continued to collect money from postal charges for construction of a new Serbian Orthodox cathedral and to subsidize salaries for Serbian Orthodox clergy working in other countries.

The Government observes Orthodox Christmas, Orthodox Good Friday, and Orthodox Easter as national holidays.

Students in primary and secondary schools are required to attend classes on either one of the seven "traditional" religious communities or in civic education. Protestant leaders and nongovernmental organizations (NGOs) continued to voice their objection to the teaching of religion in public schools.

Restrictions on Religious Freedom

The Government's respect for religious freedom remained problematic because of the religion law and the Religion Ministry's arbitrary execution of the law. Many minority religious groups reported confusion and irregularities after attempting to register with the Ministry. The Ministry sometimes failed to respond within the legal 60-day limit, and it advised some groups that they should register instead as "citizen associations" with the Ministry of State Administration and Local Self-Government. The latter Ministry then advised the communities to register with the Ministry of Religion.

The Ministry of Religion continued to deny registration to the League of Baptists, Jehovah's Witnesses, Hare Krishna Movement, Pentecostal Church, Protestant Evangelical Church of Leskovac, Protestant Evangelical Church of Subotica, and Seventh Day Adventist Reform Movement. The League of Baptists, Seventh Day Adventist Reform Movement, and Protestant Evangelical Church of Leskovac had cases pending in the Supreme Court to appeal the Ministry's decision to deny registration. The League of Baptists and the Evangelical Church of Leskovac also had pending cases before the Constitutional Court. On May 29, 2008, the Supreme Court rejected two complaints from Jehovah's Witnesses due to technical insufficiencies in one of the complaints. Lawyers for Jehovah's Witnesses said the group would appeal to the Supreme Court to rule on the merits of its second complaint on the grounds that the technical error did not apply to that case.

Although the Greek and Russian Orthodox Churches were not registered, they were recognized by the Government and operated freely. However, the Government has not recognized other Orthodox churches, despite attempts by the break-away Macedonian and Montenegrin Orthodox Churches to gain recognition. Religion ministry officials stated that those groups could not be registered because "Orthodox" is included in the name of a previously recognized church. Ministry officials stated that the attempts of the Macedonian and Montenegrin Orthodox Churches to register separately from the Serbian Orthodox Church, which does not recognize either church, were the result of an internal schism in which the state could not become involved. In the Ministry's rejection letter to the Montenegrin Orthodox Church, it stated that the Montenegrin Orthodox Church was a civic organization and as such could not be registered as a religious community.

On June 10, 2008, the Supreme Court decided that the Religion Ministry had violated procedure in its November 2007 rejection of the Montenegrin Orthodox Church's application for registration and ordered the Ministry to reconsider the application.

NGOs claimed that the Government's refusal to register minority religious groups signaled that it would tolerate attacks on those groups. In some cases police responded to attacks against houses of worship only after confirming that the group was registered under the religion law. Police response to vandalism and other societal acts against religious groups rarely resulted in arrests, indictments, or other resolution of incidents. In addition, government actions made it difficult for Orthodox churches that were not recognized by the Serbian Orthodox Church to operate. There were reports that police interrupted Romanian-language services at Romanian Orthodox churches in the eastern region of the country.

Some government officials continued to criticize minority religious groups by referring to them as "sects," "satanists," and "deviants." During a lecture series in September 2007, the senior police inspector in Belgrade, Zoran Lukovic, made several public statements equating Protestant churches with "satanic sects."

The Belgrade Islamic community reported continued difficulties in acquiring land and government approval for an Islamic cemetery near the city. Authorities sometimes denied unregistered communities building permits and refused to recognize their official documents. The League of Baptists in Belgrade, which conducted its services and other activities in an old building it purchased to use as a church, reported that municipal authorities continued to refuse, without explanation, a permit to renovate the building. The Romanian Orthodox Church continued to receive no response to its permit request to build a monastery in Vojvodina.

The law on restitution of communal and religious property recognizes claims for religious property confiscated in 1945 or later. Some religious groups--particularly the Jewish and Islamic communities, who lost land prior to 1945--expressed opposition to this benchmark. Unregistered religious communities were ineligible to seek property restitution.

There were no reports of religious prisoners or detainees in the country.

Forced Religious Conversion

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

Improvements and Positive Developments in Respect for Religious Freedom

The Religion Ministry registered three "nontraditional" religious groups during the reporting period: the Church of God, Christian Nazarene Religious Community, and Association of Christian Baptist Churches.

There was progress on restitution of religious property seized in 1945 or later. According to reports, the Directorate for Restitution of Communal and Religious Property, formed in early 2007, received 1,048 restitution requests from religious groups: 790 from the Serbian Orthodox Church, 110 from the Roman Catholic Church, 79 from the Jewish Community, 22 from the Romanian Orthodox Church, 17 from the Reformation Church, 15 from the Islamic Community, 15 from the Evangelical Church, and 1 from the Association of Christian Baptist Churches. According to the Directorate, by the end of the reporting period, 367 requests were being processed, 25 had been completed (but results were not yet public), and the remainder required further documentation.

Section III. Societal Abuses and Discrimination

There were reports of societal abuse or discrimination based on religious affiliation, belief, or practice. Leaders of minority religious communities reported acts of vandalism, hate speech, physical attacks, and negative media reports. Because ethnicity and religion are often inextricably linked, in some cases it is difficult to identify discriminatory acts as primarily religious or primarily ethnic in origin.

NGOs reported an increasing number of religious attacks. Religious communities, especially minority religious communities, continued to experience vandalism of church buildings, cemeteries, and other religious premises. Most attacks involved spray-painted graffiti; thrown rocks, bricks, or bottles; or vandalized tombstones.

On March 22, 2008, individuals who had petitioned local authorities to prevent the services of Jehovah's Witnesses in Bajina Basta attacked the group's house of worship. Neighbors and local police dispersed the attackers. At the end of the reporting period, police were questioning ten suspects.

The press continued to publish "antisect" propaganda that labeled smaller, multiethnic Christian churches--including Baptists, Adventists, and Jehovah's Witnesses--and other smaller religious groups as "sects" and claimed they were dangerous. Religious leaders noted that instances of vandalism often occurred soon after the publication of press reports characterizing some religious groups as sects.

Anti-Semitic literature was displayed at a nationalist bookstore's stall October 23-28, 2007, at the Belgrade Book Fair. The fair's director denounced the display of literature encouraging hatred and ethnic bigotry and demanded that the books be removed from the stalls.

The law bans hate speech, but translations of anti-Semitic literature were available from ultranationalist groups.

During the reporting period, the Islamic community split into two groups supported by competing political parties, causing tensions between the groups that resulted in brawls and shootings at religious buildings in Sandzak. Observers noted that both groups were positioning themselves for any eventual restitution of Islamic community properties in the Sandzak region.

Section IV. U.S. Government Policy

The U.S. Government continued to promote ethnic and religious tolerance throughout the country. U.S. embassy officials continued to advocate for changes in the religion law that would eliminate the discriminatory elements. Embassy representatives continued to urge senior government officials to speak out against incidents targeting ethnic minorities (including their places of worship and cemeteries) and to find and punish the perpetrators.

Embassy officials met regularly with government officials, representatives of the Serbian Orthodox Church, and leaders of religious and ethnic minorities to promote respect for religious freedom and human rights and to encourage interfaith activities. The Embassy reached out to the divided Islamic community and held two iftars in 2007 to demonstrate U.S. support for the country's multiconfessional society. Embassy officials met regularly with Islamic leaders to encourage peaceful resolution of their differences. The Embassy also counseled religious groups to report all incidents against their property or adherents to senior government officials as a way to counter the often lackluster response by local police.

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