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U.S. DEPARTMENT of STATE

Kosovo

International Religious Freedom Report 2008

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The Constitution, which came into force on June 15, 2008, provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

The Government generally respected religious freedom in practice. There was no significant change in the status of respect for religious freedom by the Government during the period covered by this report.

Societal violence decreased marginally, but tensions between communities remained high, especially following the country's declaration of independence on February 17, 2008. Although societal discrimination and violence appeared to be generally ethnically motivated, the close link between ethnicity and religion made it difficult to determine if events were motivated by ethnic or religious animosity.

The U.S. Government discusses religious freedom with the Government, the U.N. Interim Administration Mission in Kosovo (UNMIK), and religious representatives as part of its overall policy to promote human rights. The U.S. Government intervened in specific cases to ensure that damage to places of worship belonging to the Serbian Orthodox Church (SOC) and other patrimonial sites was repaired and that the sites were protected.

Section I. Religious Demography

The country has an area of 4,211 square miles and a population of two million, although the last credible census was taken in the 1980s. Islam is the predominant faith, professed by most of the majority ethnic Albanian population; the Bosniak, Gorani, and Turkish communities; and some members of the Roma/Ashkali/Egyptian community; however, religion is not a significant factor in public life. Religious rhetoric was largely absent from public discourse in Muslim communities, mosque attendance was low, and public displays of conservative Islamic dress and culture were minimal. The Serb population in the country, estimated at 100,000 to 120,000, is largely Serbian Orthodox. Groups that constitute less than 5 percent of the population include Roman Catholics and Protestants. Catholic communities are concentrated around Catholic churches in Prizren, Klina, and Gjakova. Protestants have small populations in most cities, with the largest concentration located in Pristina.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution, which became effective on June 15, 2008, incorporates international human rights conventions and treaties, including provisions that protect religious freedom and prohibit discrimination based on religion and ethnicity. During most of the period covered by this report, the country continued to be administered under the civil authority of UNMIK, pursuant to U.N. Security Council Resolution 1244. The Government, however, gradually assumed authority and responsibilities in most areas when the Constitution became effective. The Government and UNMIK promoted respect for religious freedom and tolerance in administering the country and carrying out programs for its reconstruction and development.

The 2006 Law on Religious Freedom affirms the right to freedom of expression, conscience, and religion to all residents regardless of their religious convictions. It provides for the separation of religious communities from public institutions and for equal rights and obligations to all religious communities, and it stipulates that there is no official religion. The law also defines unique legal provisions that provide equal rights and obligations to all religious communities.

The national assembly passed a law on national holidays that came into effect on June 15, 2008. According to the law, the Government recognizes as official holidays some but not all Orthodox, Islamic, and Catholic holy days, including Eid al-Adha, Orthodox Easter Monday, the beginning of Ramadan, Eid al-Fitr, Orthodox Assumption Day, Orthodox Christmas, and Western Christmas.

There are no mandatory registration regulations for religious groups; however, to purchase property or receive funding from UNMIK or other international organizations, religious groups must register with the Ministry of Public Services as

nongovernmental organizations (NGOs). Religious leaders complained that they should have a special status apart from that of NGOs.

Restrictions on Religious Freedom

The Government, UNMIK, and the NATO-led international peacekeeping force (KFOR) generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the Government during the period covered by this report. However, Protestants continued to report that they experienced discrimination in media access, particularly by the public Radio and Television Kosovo (RTK). Protestants also reported that the municipality of Decan/Decani, citing negative reaction from local citizens, denied them permission to build a church facility on privately owned land they had purchased and that the Ministry of Environment and Spatial Planning upheld the decision. The legal case over issuance of the building permit remained before the Supreme Court at the end of the period covered by this report.

Protestants also reported that the lack of a tax exemption for importing donated charitable goods hindered their efforts. Protestants stated that the RTK television station specifically declined to report on the Protestant religion. In addition, Protestants alleged institutional discrimination by central and municipal governments. For example, they complained of not being allowed to register property in the name of their church and not being able to establish a Protestant cemetery.

Education legislation and regulations provide for a separation between religious and public spheres. Pursuant to a 2002 law requiring public education institutions to refrain from religious instruction or other activities promoting any specific religion, the Ministry of Education prohibited the wearing of headscarves. The Ministry continued to enforce this prohibition, particularly at schools with obligatory uniforms, despite a 2004 opinion issued by the Ombudsperson that the rule should apply only to teachers and school officials, not students. On February 26, 2008, the Ombudsperson received a complaint from a student in a secondary school in the municipality of Viti/Vitina that her principal ordered her not to attend school with her headscarf. The Ombudsperson requested that the Ministry of Education allow her to attend with a headscarf and that such cases not be repeated in the future but by the end of the reporting period had not received a reply. In a separate incident, two women in Prizren complained that they applied for teaching positions in secondary schools but were not hired based on their religious convictions and the fact that they wore headscarves. In both cases, the Ombudsperson advised the complainants to follow the legal complaint process.

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

On March 6, 2008, as part of its commitment to the Comprehensive Proposal for the Kosovo Status Settlement, known as the "Ahtisaari Plan," the national assembly passed a law establishing protective special zoning areas (SZAs) around 47 religious and cultural sites in the country, almost all of which were SOC churches, including the Visoki Decani Monastery, whose SZA was previously established by UNMIK.

The multiethnic Reconstruction Implementation Commission (RIC) completed extensive renovations on 8 of 35 religious sites damaged in 2004. This work included additional construction at several previously identified sites as well as some new sites, including the Church of St. Andrew at Podujevo and the Church of Saints Peter and Paul in Istok/Istog. The RIC planned to complete most of its major reconstruction work by the end of 2008, although its efforts continued to be slowed by changes within and disputes emanating from the Serbian Government.

Section III. Societal Abuses and Discrimination

Societal violence decreased marginally, but tensions between communities remained high, especially following the country's declaration of independence on February 17, 2008. Societal discrimination and violence generally appeared to be ethnically motivated, but the close link between ethnicity and religion made it difficult to determine if events were motivated by ethnic or religious animosity. While most Kosovo Albanians identify themselves as Muslim, the designation has more of a cultural than religious connotation. Kosovo Serbs identify themselves with the SOC, which defines not only their religious but also their cultural and historical perspectives. Orthodox Christian and Catholic Kosovo Albanians faced no discrimination from their fellow Muslim Kosovo Albanians.

Numerous incidents were reportedly directed against the Serbian Orthodox community and property, including threats, thefts, and vandalism. According to Kosovo Police Service (KPS) reports, on October 19, 2007, three armed men threatened a Kosovo Albanian guard at a SOC church in Gjakova. On July 29, 2007, a Kosovo Albanian man verbally threatened a SOC nun at the Sokolica Monastery and threatened a Greek KFOR soldier with an axe. Police detained

the suspect, but the local prosecutor ordered him released pending trial. At the end of the reporting period, no date had been set for the trial.

In contrast with the previous report, there were no reported incidents of rock-throwing and other assaults against SOC clergy traveling outside of their monasteries. However, Serbian pilgrims traveling by bus from Serbia to attend services at Decani Monastery often had rocks thrown at their vehicles, usually by children. In the western municipalities of Peja, Decani, Gjakova/Djakovica, Istok, Klina, and Skenderaj and also in south Mitrovica (areas that include the monasteries of the Peja/Pec Patriarchate, Decani, Gorioc, Budisavci, and Devic), clergy requested and received KFOR escort. Clergy stated that they could not visit church members in the west (where the most important SOC holy sites are located) without an escort, and members cited threats to their security as impediments to their ability to visit holy sites. Monks and nuns at some monasteries reportedly did not use parts of monastery property-- often the land outside the monastery walls-- due to safety concerns.

Problems at SOC religious sites continued, although in some instances it was difficult to determine whether an incident was motivated by ethnic tensions or criminal theft and greed. On October 25, 2007, it was discovered that thieves had stolen lead roofing valued at \$15,600 (€10,400) from the Church of Saint Kyriake and the Church of the Holy Virgin Ljeviska, both in Prizren. The RIC continued reconstruction on both churches; the Government condemned the thefts and funded repairs. On August 18, 2007, unidentified persons painted a cross in a Gjilan SOC church black and spray-painted anti-Serb graffiti on the church walls.

Although Protestants previously reported a slight improvement in their overall situation, they reported suffering more violence and discrimination during the reporting period. In November 2007, the website of the Gjakova/Djakovica branch of the Islamic Community of Kosovo published a list of the names of Protestant ministers and missionaries, including Kosovo Albanians and foreign missionaries. The list included family names, addresses, telephone numbers, and the names of their respective churches or missionary organizations. After the international community protested, the Islamic Community removed the site's content.

Individual Protestants alleged verbal discrimination directed against them. While several Protestant churches were broken into and robbed during the reporting period, community leaders did not consider these incidents to be motivated by religious discrimination.

Numerous incidents were reportedly directed against the Muslim community, including thefts, vandalism, and threats. On April 22, 2008, KPS officers on a routine patrol in Gjilan reported that they discovered that an estimated 30 Muslim gravestones in a local cemetery had been damaged. On February 5, 2008, the imam of Prizren's Sejdi Beg Mosque reported to the KPS that unknown suspects stole six 300-year-old candle holders during the afternoon prayer. A police investigation was underway at the end of the reporting period. On September 28, 2007, the KPS reported that a citizen informed them of a masked man with a strap in his hand who assaulted two men in the mosque in the village of Jashanice and Uite in Klina during evening prayers. The suspect was not apprehended. According to the KPS, the imam and some villagers believed the intent was to scare young persons away from Islam.

Catholic leaders reported that they had good relations with the Muslim community but little bilateral contact with the SOC leadership. Catholic and SOC leaders believed each other to be highly politicized. The Muslim community also reported good relations with the Catholic leadership but limited interaction with the Orthodox community. A planned follow-on to a 2006 interfaith conference hosted by Norwegian Church Aid continued to be stalled in the planning phase due to the reluctance of the SOC leadership to participate.

In early 2008, the KPS adopted new operating procedures to provide greater protection for Serb religious and cultural sites. As part of this effort, the Government approved \$75,000 (€50,000) to fund expansion and enhancement of KPS protection, including security cameras and lighting, at some of the most vulnerable Serbian Orthodox sites, as defined by SOC officials. KPS officials declared that they had posted a 24-hour guard at the St. Nicholas Church in Pristina. They also reported that they were patrolling near other Serb cultural sites. KFOR reported that it was guarding the Pec, Decani, Budisavci, Gorioc, Devic, Archangel, and Zociste monasteries.

On February 25, 2008, Jeton Mulaj, suspected of firing a rocket-propelled grenade at Decani Monastery in March 2007, surrendered voluntarily to the police. On March 19, 2008, the Special Prosecutor filed an indictment with the Peje/Pec District Court. At the end of the period covered by this report, Mulaj remained in detention awaiting trial.

Muslim, Catholic, and some local Orthodox leaders attempted to encourage tolerance and peace in the religious and political spheres.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom with the Government, UNMIK, and religious representatives as part of its policy to promote ethnic and religious tolerance. Religious freedom was a critical issue in the resolution of the country's final status, both for the long-term viability of the Serb community as well as for the security of SOC religious sites. Many high-level U.S. government and military officials continued to visit the country in conjunction with the final status process and met with political and religious leaders to assess the situation and urge reconstruction and

progress toward a multiethnic society.

U.S. officials also maintained close contacts and met regularly with religious leaders of the SOC, Muslim, Catholic, and Protestant communities to discuss their concerns and promote interfaith dialogue. U.S. officials urged dialogue between SOC members and ethnic Albanian members of the Government. The U.S. Government continued to support the Government and UNMIK in rebuilding religious buildings damaged in the 2004 interethnic riots and to intervene actively with government officials on behalf of SOC interests when SOC rights were threatened or violated. U.S. peacekeeping troops in KFOR worked to prevent ethnic and religious violence and guarded religious sites.

The U.S. Government continued to fund 220 U.S. police officers assigned to UNMIK's civilian police contingent and provided substantial support to the KPS, both of which worked to prevent ethnic and religious violence. U.S. diplomats worked with U.S. military personnel assigned to KFOR to protect religious sites in the U.S. military's area of responsibility and actively promoted efforts to reconstruct damaged or vandalized churches. U.S. government representatives intervened to protect the integrity of the Decani SZA and encourage repair of St. John's Church in Peja/Pec. Restoration work continued on seven projects being reconstructed under a one million-dollar U.S. government grant, part of UNESCO's large-scale effort to preserve the country's cultural heritage. For the period from September 2007 to August 2008, the Department of State committed \$3.1 million to fund programs for returning Orthodox Serbs, Muslim and Orthodox Roma, Muslim Bosnians, and other minority communities who fled ethnic violence in the aftermath of the 1998-99 conflict. The U.S. Embassy in Pristina, along with the U.S. Embassy in Belgrade, donated \$65,000 in the summer of 2007 for a new iconostasis in the Church of St. Nicholas in Pristina.

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