

# **SERBIA 2012 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **Executive Summary**

The constitution and other laws and policies place some restrictions on religious freedom. These restrictions stem from the law's special treatment of the seven "traditional" religious groups. In practice the government generally respected religious freedom; however, the government imposed some restrictions affecting members of minority religious groups. The Serbian Orthodox Church received preferential consideration. The government rejected applications for registration from several "nontraditional" religious groups. Police response to vandalism and other acts of societal intolerance against minority religious groups rarely resulted in arrests or indictments. Restitution of properties seized by previous governments continued. The trend in the government's respect for religious freedom did not change significantly during the year.

There were reports of societal discrimination based on religious affiliation, belief, or practice. Members of minority religious groups in particular experienced societal intolerance, and their places of worship were vandalized.

U.S. embassy representatives continued to meet with government officials to advocate for changes in the law on religious registration. Embassy officials met with representatives of all religious groups to discuss religious freedom and promote interfaith cooperation. Embassy representatives also reached out to the divided Islamic community to encourage resolution of differences.

## **Section I. Religious Demography**

According to the 2011 census, the population is 7.2 million. Approximately 85 percent of the population is Serbian Orthodox, 5 percent Roman Catholic, 3 percent Muslim, and 1 percent Protestant. The remaining 6 percent includes 578 Jews, members of Eastern religions, agnostics, atheists, "others," and individuals without a declared religious affiliation. Roman Catholics are predominantly ethnic Hungarians and Croats in Vojvodina. Muslims include Bosniaks (Slavic Muslims) in Sandzak, ethnic Albanians in the south, and Roma located throughout the country. Approximately 94 percent of the population belongs to seven religious groups defined as "traditional" by the government: the Serbian Orthodox Church, Roman Catholic Church, Slovak Evangelical Church, Reformed Christian Church, Evangelical Christian Church, Islamic community, and Jewish community.

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The Islamic community operates under two separate authorities: the Islamic Community of Serbia, with its seat in Belgrade, and the Islamic Community in Serbia, with its seat in Novi Pazar.

### **Section II. Status of Government Respect for Religious Freedom**

#### **Legal/Policy Framework**

The constitution and other laws and policies place some restrictions on religious freedom. These restrictions generally stem from the law's special treatment of the seven "traditional" religious groups.

There is no state religion. The law recognizes seven "traditional" religious groups which appear automatically in the Register of Churches and Religious Communities. In addition to these groups, the government also grants "traditional" status to the Diocese of the Romanian Orthodox Church Dacia Felix, with its seat in Romania and administrative seat in Vrsac in Vojvodina.

Although registration is not mandatory for religious groups, unregistered groups encounter considerable difficulty in opening bank accounts, purchasing or selling property, or publishing literature. The law grants value-added tax refunds and property tax exemptions only to registered religious groups.

Registration requirements include submission of members' names, identity numbers, and signatures; proof that the religious group has at least 100 members; the group's statutes and a summary of its religious teachings, ceremonies, religious goals, and basic activities; and information on sources of funding. The law prohibits registration if an applicant group's name includes part of the name of an existing registered group.

The government subsidizes the salaries of Serbian Orthodox clergy working in other countries.

A government decree adopted May 4 provides for state coverage of minimal pension and health care payments for clergy of registered religious groups. The decree replaces previous individual arrangements between the state and some religious groups to provide clergy with such benefits.

The government constituted after May parliamentary elections abolished the Ministry of Diaspora and Religion and established an Office for Religions. The

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Ministry of Justice maintains the Register of Churches and Religious Communities and responds to registration applications. The Office for Religions handles other procedural issues and conducts outreach to religious groups.

Students in primary and secondary schools are required to attend classes on one of the seven “traditional” religions or an alternative civic education class. According to representatives from the former religion ministry, the law permits registered “nontraditional” religious groups to offer classes, but none has attempted to do so. Civil servants from the former religion ministry and representatives of the seven “traditional” religious groups make up the Committee for Religious Education in Elementary and Secondary Schools, which appoints teachers for religious education classes. The Belgrade-based Islamic Community has sole authority to appoint teachers of Islam in public schools.

The law recognizes restitution claims for religious property confiscated in 1945 or later for registered religious groups only. A private property restitution law passed in 2011 permits individual claims for properties lost by Holocaust victims during World War II, but religious groups may not claim property confiscated prior to 1945.

The law bans speech that incites discrimination, hatred, or violence against an individual or group on grounds of religion. Criminal offenses inciting religious hatred carry penalties of one to 10 years in prison, depending on the offense and the severity.

The government observes the following religious holidays as national holidays: Orthodox Good Friday, Orthodox Easter, and Orthodox Christmas. Orthodox employees are also entitled to time off in observance of the family saint’s day (slava), while members of other religious groups are entitled to time off for observance of religious holidays such as Christmas, Good Friday, Easter, Kurban and Ramadan Bajram, and Yom Kippur.

### Government Practices

There were no reports of abuses of religious freedom; however, the government imposed some restrictions affecting members of minority religious groups. The Serbian Orthodox Church generally received preferential consideration. The government rejected applications for registration from several “nontraditional” religious groups. Police responses to vandalism and other acts of societal intolerance against religious groups rarely resulted in arrests or indictments.

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Restitution of properties seized by previous governments continued. Orthodox clergy at times received special treatment from authorities.

Protestant churches called on the government to abrogate parts of the law that categorize religions as either “traditional” or “nontraditional.” They also advocated removal of the prohibition on registering religious groups whose names include parts of names of already registered groups. Despite this prohibition, the former religion ministry in the past registered several “nontraditional” churches and religious communities bearing the words “Protestant” and “evangelical” in their names. Ministry officials explained that this was the result of efforts to “creatively interpret” the law to permit registration of “noncontroversial” groups as long as similarities between the names would not cause public confusion or provoke legal challenges. However, other religious groups continued to be unable to register due to the name prohibition.

At year’s end there were 17 “nontraditional” religious groups registered: the Seventh-day Adventist Church, the Evangelical Methodist Church, The Church of Jesus Christ of Latter-day Saints (Mormons), the Evangelical Church in Serbia, the Church of Christ’s Love, the Spiritual Church of Christ, the Union of Christian Baptist Churches in Serbia, the Nazarene Christian Religious Community, the Church of God in Serbia, the Protestant Christian Community in Serbia, the Church of Christ Brethren in Serbia, the Free Belgrade Church, the Jehovah’s Witnesses Christian Religious Community, the Zion Sacrament Church, the Union Reform Movement Seventh-day Adventist Church, the Protestant Evangelical Church Spiritual Center, and the Evangelical Church of Christ.

The Ministry of Justice rejected new applications for registration on procedural grounds for the New Apostolic Church, the Protestant evangelical “Community of Roma Under the Tent,” and the Church of Golgotha.

The Macedonian and Montenegrin Orthodox churches, whose autocephaly the Serbian Orthodox Church does not recognize, also remained unregistered. Officials of the former religion ministry previously stated they would not become involved in an “internal schism” within the Serbian Orthodox Church by registering the two groups. The government also continued to recognize the Romanian Orthodox Church solely in Vojvodina; members of the church elsewhere in the country were able to hold public services only at the discretion of individual bishops of the Serbian Orthodox Church. Government officials have stated these Orthodox groups could not be registered because the word “Orthodox” had already been used in the name of a previously registered church.

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Although the Greek and Russian Orthodox churches were not registered, they operated freely.

Nongovernmental organizations (NGOs) criticized the authorities for slow or inadequate response to incidents of vandalism and other societal acts against religious groups; arrests, indictments, or other resolutions of incidents were rare. Leaders of minority religious groups stated they often declined to report incidents because they did not expect an adequate official response. When the authorities made arrests, they usually charged offenders with destruction of property rather than incitement of religious hatred, which carries much higher penalties.

Protestant leaders and NGOs continued to object to the teaching of religion in public schools, and some leaders of “nontraditional” religious groups expressed dissatisfaction at not being permitted to offer religious classes in public schools. Children belonging to “nontraditional” religious groups generally opted to attend civic education classes. Islamic religious leaders from Sandzak (ethnic Bosniak) and South Serbia (ethnic Albanian) contested the appointments of some religious teachers for schools in their regions. Religious education for students from smaller religious groups was often unavailable due to their low density in public schools. For that reason, the Roman Catholic Church offered religious education in churches instead of schools.

Students and the dean of the Faculty of Islamic Studies in Novi Pazar continued to protest the former religion ministry’s exclusion of the university from its yearly competition for student stipends. They stated that the terms of the competition provided preferential treatment to ethnic Serb students from Serbia, from Republika Srpska in Bosnia and Herzegovina, and from other neighboring countries.

The government continued restitution of religious properties seized in 1945 or later. The Directorate for Restitution of Communal and Religious Property received 3,049 restitution requests filed by the Serbian Orthodox Church, Roman Catholic Church, Jewish community, Romanian Orthodox Church, Reformed Christian Church, Islamic Community, Evangelical Christian Church, and Union of Christian Baptist Churches in Serbia. By year’s end, the Directorate for Restitution had completed 36 percent of the requested property restitutions, restoring land and other real estate (buildings, businesses, apartments) primarily to the Serbian Orthodox Church, Roman Catholic Church, Evangelical Christian Church, and Jewish community, among others. Some religious groups,

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particularly the Jewish and Muslim communities whose land was confiscated before 1945, opposed the 1945 benchmark to determine the eligibility of restitution claims by religious groups.

Following a 2011 government decision to establish a chaplaincy service in the military, in September the Ministry of Defense called for applications to fill 15 chaplain positions. Of these, 13 were designated for Orthodox Christian priests, one for a Roman Catholic priest, and one for an imam. Military members belonging to “nontraditional” religious groups did not have their own chaplains.

Orthodox clergy at times received special treatment from authorities. In August a Greek Orthodox priest caused a traffic accident that killed two people. Serbian Patriarch Irinej appealed to the Basic Court and Basic Prosecutor’s Office in Nis to allow the priest to stay in a nearby monastery during the investigation instead of being held in detention. The patriarch gave his and Bishop of Nis Jovan’s guarantees that the Greek Orthodox priest would remain in the monastery. Both the court and prosecution accepted the patriarch’s offer.

In August authorities charged Serbian Orthodox priest Branislav Peranovic with killing a patient at a drug abuse rehabilitation center near Loznica. Peranovic had been charged in 2009 with beating a patient to death at another drug rehabilitation center. His aides, who were charged with sexual abuse, received sentences below the minimum prescribed for the offense. The 2009 case against Peranovic for abuse and torture was still underway at the time he allegedly committed the second murder. Throughout this period, Peranovic continued to treat patients without objections from the Serbian Orthodox Church or the authorities.

The Roman Catholic Church continued to call for “Western Christmas” to be observed as a national holiday on December 25.

### **Section III. Status of Societal Respect for Religious Freedom**

There were reports of societal discrimination based on religious affiliation, belief, or practice. Leaders of minority religious groups continued to report vandalism, hate speech, and negative media reporting. Because ethnicity and religion were often inextricably linked, it was difficult to categorize many incidents specifically as ethnic or religious intolerance.

Religious groups, especially minority religious groups, continued to experience vandalism of church buildings, cemeteries, and other religious sites. Most

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incidents involved spray-painted graffiti; thrown rocks, bricks, or bottles; or vandalized tombstones. On March 31, a vandal broke the windows of the Reformed Christian church and Evangelical Christian church, both in Vojlovica near Pancevo in Vojvodina. Authorities apprehended a minor who was drunk when vandalizing the churches and charged him with damage and destruction of property; they found no political motive behind the acts. On April 6, a vandal broke the glass door of the Nazarene Christian community in Stari Banovci.

Some segments of society remained suspicious of religious minority groups. A poll conducted by the Belgrade Center for Security Policy indicated that 31 percent of respondents felt very threatened or somewhat threatened by smaller religious groups. At the same time, 79 percent of respondents were very concerned or somewhat concerned about attacks on the churches and other religious sites of minority religious groups.

Some right-wing youth groups, including Obraz, Serbian National Movement 1389, and Nasi, continued to openly denounce “sects.” In June the Constitutional Court banned Obraz because its “actions threatened principles of democracy and resulted in discriminatory actions--hate speech, intimidation, and humiliation--against some citizens.” In November the Constitutional Court decided there were no grounds to ban Serbian National Movement 1389 and Nasi.

The press, mostly tabloid media, continued to publish “anti-sect” propaganda labeling some Christian churches, including Baptists, Seventh-day Adventists, Jehovah’s Witnesses, and others, as “sects” and claiming they were dangerous.

Despite the ban on hate speech, translations of anti-Semitic literature were available from ultranationalist groups and small publishing houses. The Federation of Jewish Communities’ Committee to Monitor Anti-Semitism reported that extremist, right-wing, and anti-Semitic groups were growing. Right-wing youth groups and Internet fora continued to promote anti-Semitism and use hate speech against the Jewish community.

### **Section IV. U.S. Government Policy**

U.S. embassy officials advocated for changes in the law on religious registration to eliminate discriminatory elements. Embassy representatives met regularly with government officials, representatives of the Serbian Orthodox Church, and leaders of a wide range of religious minority groups to promote respect for religious freedom and encourage interfaith activities. The embassy hosted an interfaith iftar

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to demonstrate support for the country's multifaith society, and reached out to the divided Islamic community to encourage resolution of differences.