

SERBIA 2014 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution forbids establishment of a state religion, guarantees equality of all religious groups, and prohibits incitement of religious hatred. Many laws provide special treatment for the seven “traditional” religious groups. Some nontraditional religious groups stated the implementation of laws by state authorities was discriminatory. The Serbian Orthodox Church, in particular, continued to receive preferential treatment from the government, while many minority religious groups encountered difficulty registering. The government continued restitution of religious properties seized in 1945 or later, returning land in Novi Sad, Subotica, Sremska Mitrovica, and elsewhere.

Minority religious groups reported incidents of hate speech, negative media reporting, and physical violence. Nongovernmental organizations (NGOs) continued to criticize the authorities for slow or inadequate response to incidents of vandalism of places of worship and cemeteries of minority religious groups. Extremist youth groups and internet forums continued to promote anti-Semitism.

U.S. embassy representatives met with members of the government to advocate changes to the discriminatory portions of the law on registration of religious groups. Embassy representatives met with representatives of the Serbian Orthodox Church, the Jewish community, Protestant organizations, leaders of the Muslim communities, and a wide range of religious minority groups to discuss the concerns of “nontraditional” and minority religious groups and to encourage interfaith dialogue. Embassy officials reached out to representatives of the divided Islamic community to encourage a resolution of its differences.

Section I. Religious Demography

The U.S. government estimates the population at 7.2 million (July 2014 estimate). 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 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.

SERBIA

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution forbids establishment of a state religion, guarantees equality of religious groups, and calls for separation of church and state. It also prohibits incitement of religious hatred, calls upon the government to promote religious diversity and tolerance, and establishes a provision for asylum for religious refugees. The law banning incitement of discrimination, hatred, or violence against an individual or group on grounds of religion carries penalties ranging from one to 10 years in prison, depending on the type of offense.

There are laws granting special treatment to seven religious groups defined as “traditional” by the government. These are the Serbian Orthodox Church, the Roman Catholic Church, the Slovak Evangelical Church, the Reformed Christian Church, the Evangelical Christian Church, the Islamic community, and the Jewish community. Government bylaws on religious education, property ownership, and social welfare distinguish between traditional and nontraditional religious groups and their members.

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

The law does not require registration of religious groups, but only grants value-added tax refunds and property tax exemptions to registered groups. Registered religious groups are also exempt from paying administrative taxes and filing annual financial reports.

Registration requirements include submission of members’ names, identity numbers, and signatures; proof the religious group has at least 100 members; making available 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 Ministry of Justice maintains the Register of Churches and Religious Communities and responds to registration

SERBIA

applications. The Directorate for Cooperation with Churches and Religious Communities handles other procedural issues and conducts outreach to religious groups.

There are 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 of Seventh-day Adventist Reform Movement, the Protestant Evangelical Church Spiritual Center, and the Evangelical Church of Christ.

Students in primary and secondary schools are required to attend classes on one of the seven traditional religions or an alternative 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 region.

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

Government Practices

Minority religious groups stated the government’s application of the law on registration made it difficult for nontraditional groups to register, and placed burdensome restrictions on non-registered groups, including difficulties in opening bank accounts, purchasing or selling property, and publishing literature. Protestant churches and civil society organizations continued to call on the government to abrogate the parts of the law categorizing religious groups as either “traditional” or “nontraditional.” They also continued to advocate removal of the prohibition on registering new religious groups whose names include parts of the names of previously registered groups.

SERBIA

The Protestant Evangelical Church and Christian Baptist Church submitted additional information pertaining to both churches' registration and their status as legal entities to the European Court of Human Rights in support of their 2013 complaint that the Law on Churches and Religious Communities violated the rights and freedoms safeguarded by the European Convention on Human Rights. The documents submitted show that both churches had registered under the 1953 and 1977 laws and at that time were granted status as legal entities.

During the year, the Ministry of Justice rejected the registration applications of four religious communities: the Diocese of Serbia of the True Orthodox Christians of Greece, the Charismatic Church of Faith, the Golgotha Christian Church, and the Orthodox – Old Catholic Churches of Serbia. According to the ministry, the primary reason for rejection was either a failure to submit complete documentation as prescribed by law or failure to address deficiencies in the application by submitting amended documentation. The Hazarerbe religious community also submitted an application for registration for which the ministry had not completed its review by year's end. The Ministry of Justice approved registration applications for three additional branches of the Evangelical Church in Serbia: the Zrenjanin Church of the Holy Spirit, the Door of Life of Novi Sad, and the Ruma Evangelical Church.

Nontraditional groups stated that, in implementing the registration law, government authorities were placing additional requirements – not specifically called for in the law – on those religious groups. For example during the year the Ministry of Justice started requiring applicants to submit certified copies of their members' identity cards beyond the legal requirement for groups to provide the identification numbers of their founders. Applicants said this imposed an additional logistical and financial hurdle for groups in less urban areas. Also, some groups of churches were required to submit a new registry for each local church they had established to satisfy the government's interpretation that each local church was a "new entity." Other groups complained that although they were registered under previous versions of the registration law, following the 2006 update to the law their original registrations were not recognized and they were unable to reregister.

The Macedonian and Montenegrin Orthodox Churches, whose autocephaly the Serbian Orthodox Church has not recognized, also remained unregistered. Government officials stated they would not become involved in an "internal schism" within the Serbian Orthodox Church by registering the two groups. The

SERBIA

government 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 continued to say these unresolved issues were governed by the canons of the Orthodox Church rather than secular authorities.

Although the Greek and Russian Orthodox churches were not registered, they continued to operate freely.

The government subsidized the salaries of Serbian Orthodox clergy working in other countries. It provided state coverage of minimal pension and health care payments for clergy of registered religious groups.

NGOs continued to criticize the authorities for slow or inadequate response to incidents of vandalism and other societal acts, including violence, against religious groups, saying arrests, indictments, or other resolutions of incidents continued to be rare. Leaders of minority religious groups stated they continued to be reluctant 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 with incitement of religious hatred, which carried 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 religion classes in public schools. Children belonging to nontraditional religious groups generally opted to attend civic education classes.

The government continued restitution of religious properties seized in 1945 or later. By the end of September the government had returned land and real estate in Novi Sad, Subotica, Sremska Mitrovica, and elsewhere to the Serbian Orthodox Church, the Roman Catholic Church, the Jewish community, the Romanian Orthodox Church, the Reformed Christian Church, the Islamic community, the Evangelical Christian Church, and the Union of Christian Baptist Churches in Serbia. For cases in which restitution claims were rejected because the religious community filing the claim was not the initial owner, but rather the beneficiary or administrator of an endowment, the government informed churches and religious communities about a separate procedure. Legally registered endowments could

SERBIA

apply for restitution while religious communities would continue to have all the same benefits from the endowments.

On January 24, the appellate court in Belgrade confirmed the verdict of the higher court in Sabac, which sentenced a Serbian Orthodox priest to 20 years in prison for aggravated murder. The same priest had previously been implicated in cases of violence against participants in a church-run rehabilitation center. The priest was serving the sentence as of the end of the year.

The government designated 17 places of worship on military premises – 13 for Orthodox believers and two each for Catholic and Muslim believers. By September, 11 of the designated places of worship were functional – eight for Orthodox, two for Muslim, and one for Catholic believers. The government did not provide access to religious services for members of the armed forces who did not belong to one of these three traditional religious communities.

Section III. Status of Societal Respect for Religious Freedom

Religious groups, especially minority religious groups, continued to experience vandalism of church buildings, cemeteries, and other religious sites. Most incidents involved spray-painted graffiti; thrown rocks, bricks, or bottles; or vandalized tombstones. Minority religious groups continued to report hate speech, negative media reporting, and physical violence. Because religion and ethnicity are often closely linked, it is difficult to categorize many incidents as being solely based on religious identity.

On the night between April 21 and 22, unknown perpetrators attempted to set fire to a Protestant Evangelical church (located on private property and not having any external religious insignia) in the village of Bosnjace. Most of the members of this church are ethnic Roma. On April 23, authorities arrested three young men from the nearby town of Lebane in conjunction with the case. They were convicted of causing a general danger, and sentenced to 30 days in jail.

On the night between October 18 and 19, unknown perpetrators tried to set fire to the doors of the Muhajir mosque in Subotica. Police began an investigation of the incident and brought in several individuals for questioning.

Translations of anti-Semitic literature continued to be available from ultranationalist groups and small publishing houses. The Federation of Jewish

SERBIA

Communities reported extremist and anti-Semitic groups were growing. Extremist youth groups and internet forums continued to promote anti-Semitism and use hate speech against the Jewish community.

Some youth groups, including Obraz, the Serbian National Movement, Nasi, and their related web portals continued openly to denounce minority religions, which they referred to as “sects.”

The press, mostly the tabloid media, continued to publish articles against some minority religious groups, also referring to them as “sects.”

The Islamic community operated 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. Approximately 100 imams from both Islamic communities have organized themselves in an alternative group to advocate for unification of the two communities.

Section IV. U.S. Government Policy

U.S. embassy officials continued to advocate changes to the law on religious registration to eliminate discriminatory elements and engage with the Directorate for Cooperation with Churches and Religious Communities on the concerns of minority religious groups. Throughout the year embassy representatives met regularly with government officials, representatives of the Serbian Orthodox Church, the Jewish community, Protestant organizations, leaders of the Muslim communities, and a wide range of religious minority groups. During these meetings embassy officials discussed the concerns of nontraditional and minority religious groups, as well as how the groups themselves could foster increased interfaith dialogue.

The Ambassador hosted an interfaith iftar, which was attended by the leaders of a wide variety of religious communities and facilitated discussions on how their communities could foster improved interfaith dialogue in Serbia.

Embassy officials reached out regularly to the Novi Pazar-based Islamic Community in Serbia and the Islamic Community of Serbia to encourage resolution of their differences. The embassy supported activities and programs carried out by Centropa, an organization working with teachers on Holocaust

SERBIA

education, and also with ethnic groups in the Balkans (which tend to coincide with religious groups) to promote greater understanding among them.