

SLOVENIA 2017 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution guarantees freedom of religion and the right of individuals to express their religious beliefs in public and private. It declares all religious communities shall enjoy equal rights and prohibits the incitement of religious hatred or intolerance. The law does not require religious groups to register with the government to engage in religious activities, but registration is necessary to obtain status as legal entities, preferential tax treatment, and social benefits, such as social security contributions for clergy. Representatives of the World Jewish Restitution Organization (WJRO) visited the country in March and continued to engage the government regarding remaining unresolved Jewish claims for restitution. The Ministry of Culture (MOC) sponsored two interfaith dialogues, one on providing spiritual services in hospitals and the other on circumcision and the spiritual needs of Muslims in the military.

In April Bernard Brscic, an economist and former state secretary in a previous prime minister's cabinet, made inflammatory anti-Semitic and anti-Muslim remarks during a television interview, referring to the "so-called" Holocaust and "an invasion of Muslim...hordes." The state prosecutor was investigating whether he should have been prosecuted for hate speech. In January vandals defaced a Catholic chapel on Smarna Gora hill above Ljubljana with graffiti reading, "*Allahu akbar*" ("God is great" in Arabic). Police had not made any arrests in the case by year's end. Muslim and Catholic leaders condemned the act, and National Assembly Speaker Milan Brglez condemned the vandalism as an "outrageous act of intolerance against believers." Construction continued in Ljubljana on the country's first mosque, but completion was delayed due to a shortage of funds. The Muslim community anticipated opening the mosque in 2018.

U.S. embassy officers continued to meet regularly with government officials responsible for upholding religious freedom, including the MOC's Office for Religious Communities. In observance of Religious Freedom Day in January, the Ambassador hosted a luncheon for leaders of the major religious communities, including representatives from the Roman Catholic, Serbian Orthodox, evangelical Protestant, Muslim, and Jewish communities, to discuss ways to protect religious freedom and promote religious tolerance. Other issues included religious communities' response to the 2015-16 immigrant and refugee crisis, concerns about hate speech and vandalism of religious structures, and their interactions with the Office of the Ombudsman for Human Rights' Religious Dialogue Council.

Section I. Religious Demography

The U.S. government estimates the total population at 2.0 million (July 2017 estimate). According to the 2002 census, the most recent available, 57.8 percent of the population is Roman Catholic, 2.4 percent Muslim, 2.3 percent Serbian Orthodox, 0.9 percent “other Christian,” and 10.1 percent atheist. In addition, 23 percent identified as “other” or did not declare a religion, 3.5 percent declared themselves “unaffiliated,” and 10.1 percent selected no religion. The Jewish community estimates its size at approximately 300 individuals. The Orthodox and Muslim communities include a large number of immigrants from Serbia and Bosnia and Herzegovina, respectively.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution guarantees the freedom of religion and the right of individuals to express their beliefs in public and private. It declares all religious communities shall have equal rights and provides for the separation of religion and state. The constitution guarantees equal human rights and fundamental freedoms to all individuals irrespective of their religion; it also prohibits incitement of religious discrimination and inflammation of religious hatred and intolerance. The constitution recognizes the right of conscientious objection to military service for religious reasons.

The law states individuals have the right to freely select a religion; the freedom of religious expression (or rejection of expression); the right – alone or in a group, privately or publicly – to express their religious beliefs freely in “church or other religious communities,” through education, religious ceremonies, or in other ways; and the right not to be forced to become a member or to remain a member of a religious group, nor to attend (or not attend) worship services or religious ceremonies. In addition, the law guarantees the right to refuse to comply with legal duties and requirements that contradict an individual’s religious beliefs, provided such refusals do not limit the rights and freedoms of other persons.

The law requires churches and other religious communities to register with the government to obtain status as legal entities, but it does not restrict the religious activities of unregistered religious groups. According to the law, the rights of religious groups include autonomy in selecting their legal form and constituency;

freedom to define their internal organization as well as name and define the competencies of their employees; autonomy in defining the rights and obligations of their members; latitude to participate in interconfessional organizations within the country or abroad; authority to provide religious services to the military, police, prisons, hospitals, and social care institutions; and freedom to construct buildings for religious purposes. The law states religious groups have a responsibility to respect the constitution and the legal provisions on nondiscrimination.

The rights of registered religious groups as recognized legal entities include eligibility for rebates on value-added taxes, government cofinancing of social security for clergy, and authorization to request social benefits for their religious workers.

To register legally with the government, a religious group must submit an application to the MOC providing proof it has at least 10 adult members who are citizens or permanent residents; the name of the group in Latin letters, which must be clearly distinguishable from the names of other religious groups; the group's address in the country; and a copy of its official seal to be used in legal transactions; it must pay an administrative tax of 22.60 euros (\$27). The group must also provide the names of the group's representatives in the country, a description of the foundations of the group's religious beliefs, and a copy of its organizational act. If a group wishes to apply for government cosponsorship of social security for clergy members, it must show it has at least 1,000 members for every clergy member.

The government may only refuse the registration of a religious group if the group does not provide the required application materials in full or if the MOC determines the group is a "hate group" – an organization engaging in hate crimes as defined by the penal code.

By law MOC's Office for Religious Communities monitors and maintains records on registered religious communities and provides legal expertise and assistance to religious organizations. The MOC establishes and manages the procedures for registration, issues documents related to the legal status of registered communities, distributes funds allocated in the government's budget for religious activities, organizes discussions and gatherings of religious communities to address religious freedom concerns, and provides information to religious groups about the legal provisions and regulations related to their activities.

In accordance with the law, citizens may apply for the return of property nationalized between 1945 and 1963. The state may provide monetary compensation to former owners who cannot receive payment in kind; for example, the state may authorize monetary compensation if government institutions are using the property for an official state purpose or public service such as education or healthcare.

According to the constitution, parents have the right to provide their children with a religious upbringing in accordance with the parents' beliefs. The government requires all public schools to include education on world religions in their curricula, with instruction provided by school teachers. The government allows churches and religious groups to provide religious education in their faiths in both private and public schools and preschools, on a voluntary basis outside of school hours.

The law mandates Holocaust education in schools. This instruction focuses on the history of the Holocaust inside and outside of the country. Schools use a booklet published by the Ministry of Foreign Affairs as part of the Holocaust education curriculum to create awareness of the history of Jews and anti-Semitism in Europe before World War II (WWII) and of the atrocities committed during the Holocaust. The booklet emphasizes the responsibility of everyone to remember the victims of the Holocaust.

The constitution provides for an independent Office of the Ombudsman for the Protection of Human Rights to investigate and report on alleged human rights violations by the government. The national assembly appoints the ombudsman and allocates the office's budget, but otherwise the ombudsman operates independently of the government. Individuals have the right to file complaints with the ombudsman to seek administrative relief regarding abuses of religious freedom committed by national or local authorities. The ombudsman's office may forward these complaints to the state prosecutor's office, which may then issue an indictment, call for further investigation, or submit the claim directly to a court, whereupon the complaints become formal. The ombudsman also submits an annual human rights report to the national assembly and provides recommendations and expert advice to the government.

The Ombudsman for the Protection of Human Rights has issued an opinion that, based on the constitution and the law, "circumcision for nonmedical reasons is not permissible and constitutes unlawful interference with the child's body, thereby violating his rights."

The law requires that animals be stunned prior to slaughter, which effectively bans Jewish and Muslim ritual slaughter.

The penal code's definition of hate crimes includes publicly provoking religious hatred and diminishing the significance of the Holocaust. Punishment for these offenses is imprisonment of up to two years, or, if the crime involves coercion or endangerment of security – defined as a serious threat to life and limb, desecration, or damage to property – imprisonment for up to five years. If an official abusing the power of his or her position commits these offenses, he or she may be subject to imprisonment of up to five years. Members of groups that engage in these activities in an organized and premeditated fashion – hate groups, according to the law – may also receive a punishment of up to five years in prison.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

Representatives from the WJRO visited the country in March for continued talks on property restitution issues involving the Jewish community. The Ministry of Justice (MOJ) and the WJRO discussed carrying out a research project to determine the scope of heirless and unclaimed Jewish-owned property, and negotiations were continuing at year's end. Restitution efforts for property seized during the Holocaust were complicated by the timeframe (1945-63) covered by the law on property nationalization claims, which excluded property seized from Jewish families prior to 1945.

The Constitutional Court continued its review of a case the Slovene Muslim Community filed in 2014 that alleged a 2012 law prohibiting the slaughter of animals without prior stunning violated religious freedom. The Slovene Muslim Community was not affiliated with the larger Islamic Community of Slovenia. The Jewish community had reportedly also raised concerns over the prohibition. The government defended the law as necessary to comply with EU regulations to prevent “unnecessary suffering” to animals.

In a January 27 speech to parliament commemorating International Holocaust Remembrance Day, Speaker of the National Assembly Brglez told parliamentarians they must never forget the Holocaust and said the inalienable rights to religious freedom enshrined in international conventions and the country's constitution were intended to protect against such horrors in the future.

The Council of the Government of the Republic for Dialogue on Religious Freedom conducted two interfaith dialogue meetings with representatives of the country's largest religious communities. The government established the council under the auspices of the MOC's Office for Religious Communities to promote transparency between religious groups and the government, while encouraging dialogue on issues of concern among the country's religious communities. Although the dialogues were closed to the media and general public, the Office for Religious Communities subsequently published transcripts online.

In January the council organized a dialogue on providing spiritual care in hospitals. While many hospitals had Roman Catholic chapels, members of other faiths had more limited opportunities to attend religious services while hospitalized. Council participants agreed clergy and members of other religious faiths should be free to use the Roman Catholic chapels for worship and religious services. The October meeting focused on providing spiritual care for Muslims in the military. The armed forces (SAF) employed full-time Roman Catholic and Protestant clergy to provide religious services, but no Muslim imams. While Muslims in the SAF had access to their local religious communities while serving domestically, such access could be limited during foreign missions or training abroad. The council came to no conclusion on this issue but stated it would continue the search for possible solutions in future dialogues. The SAF also did not employ Orthodox Christian or Jewish clergy.

Council participants at the October dialogue also discussed religious objections to the human rights ombudsman's 2012 opinion that "ritual circumcision of boys for religious reasons...is unacceptable for legal and ethical reasons and doctors should not perform it." The ombudsman, who reviewed the issue in 2012 at the request of the country's medical ethics committee, told the council participants new legislation would be necessary to make religious circumcision legal and regulate how the procedure would be carried out in the public health system. The government, however, did not make any changes to the law or the constitution pertaining to circumcision. As a result, many Muslims had the procedure performed in Austria. There were no reports that the prosecutor's office had received any complaints or prosecuted any cases regarding illegal circumcision.

The Office of the Ombudsman for Human Rights received one formal complaint pertaining to religious freedom concerning an incident in September in which local school administrators invited two Roman Catholic clergy to offer a religious blessing for a new primary school building near Grosuplje. The complaint alleged

the blessing, in which the clergy read from religious scriptures and invited the audience to join in prayer, violated the law prohibiting organized religious ceremonies and confessional activities in public schools. The ombudsman's office chose not to forward the complaint to prosecutors pending an investigation by the Ministry of Education, Science, and Sport.

In May authorities in the country's second-largest city, Maribor, banned performances by Croatian singer Perkovic Thompson, citing security risks. The mayor of Maribor, Andrej Fistravec, said Thompson's concert, scheduled for May 20, should not take place, because the singer promoted fascism, which the mayor could not condone. Fistravec cited Thompson's use of the Croatian WWII Ustasa fascist chant "Za dom spremni" ("Ready for the Home (land)") and his use of the names of Ustasa concentration camps in his songs. Several other mayors, including Ljubljana Mayor Zoran Jankovic, said they agreed with Fistravec, and more than 800 citizens signed an online petition stating Thompson's concert breached the constitution and the criminal code by "glorifying fascism, Nazism, and intolerance."

The government is a member of the International Holocaust Remembrance Alliance.

Section III. Status of Societal Respect for Religious Freedom

During an April interview on a Nova24 television news program, Bernard Brscic, an economist who served as a state secretary in the cabinet of a former prime minister, described Europe's 2015-16 immigration crisis as an "invasion of Muslim and Negro hordes" and referred to the "so-called" Holocaust as "a perfidious way for the Jews to create collective guilt...and establish a multicultural dystopia." The country's media reported widely on and criticized Brscic's comments, and the director of the Jewish Cultural Center threatened to press charges under the country's Holocaust denial law. The local prosecutor's office declined to prosecute after an investigation, concluding that Brscic was expressing an opinion on whether contemporary Germans bore responsibility for the Holocaust rather than denying the Holocaust itself. In July the general state prosecutor ordered an internal investigation, which remained in progress at year's end, as to why the local prosecutor's office had dropped the case against Brscic.

In January police received a report that individuals had defaced a Catholic chapel on Smarna Gora hill above Ljubljana with graffiti in the Latin alphabet reading, "*Allahu akbar*" ("God is great" in Arabic) and "sharia." The Slovenian Bishops'

Conference and the Islamic Community in Slovenia both condemned the vandalism, as did National Assembly Speaker Brglez, who described the incident as “an outrageous act of intolerance against believers.” According to press reports, former Defense Minister Ales Hojs wondered why police had not responded more vigorously to the incident.

Construction continued in Ljubljana on the country’s first mosque, which was reportedly delayed because of insufficient funds to complete the project. Most of the funding for the mosque had come from Qatar. The Islamic community said it expected the mosque to open in 2018.

Section IV. U.S. Government Policy and Engagement

U.S. embassy officials continued to meet regularly with government officials responsible for upholding the constitutional commitment to religious freedom, including the MOC’s Office for Religious Communities, to discuss issues such as interfaith dialogue, the status of the Constitutional Court case pertaining to the prohibition of animal slaughter without prior stunning, and the Islamic community’s efforts to complete construction of the Ljubljana mosque.

In March the State Department Special Envoy for Holocaust Issues, along with his Israeli counterpart, visited the country to participate in talks with the WJRO and the government on how to resolve the remaining property restitution issues involving the Jewish community.

Embassy officers continued to meet regularly with representatives of all major religious groups to discuss protection of the rights of religious groups. In January in observance of Religious Freedom Day, the Ambassador hosted representatives of the Roman Catholic, Serbian Orthodox, evangelical Protestant, Muslim, and Jewish communities to discuss ways to protect religious freedom and promote religious tolerance. Other issues included religious community response to the 2015-16 immigrant and refugee crisis, concerns about hate speech and vandalism of religious structures, and their interactions with the Office of the Ombudsman for Human Rights’ Religious Dialogue Council.