

# ALBANIA 2018 INTERNATIONAL RELIGIOUS FREEDOM REPORT

## Executive Summary

The constitution guarantees freedom of conscience and religion. It stipulates there is no official religion and that the state is neutral in matters of belief, recognizes the equality and independence of religious groups, and prohibits discrimination based on religion. The government has agreements with the Sunni Muslim and Bektashi communities, the Catholic and Orthodox Churches, and the Evangelical Brotherhood of Albania (VUSH), a Protestant umbrella organization, pertaining to recognition, property restitution, and other arrangements. The law stipulates the government will give financial support to faith communities, but the government's agreement with the VUSH under the law does not specifically designate it to receive such funding. The VUSH reported, however, that correspondence with the State Committee on Cults included a commitment to provide financial support for evangelical Christian churches. The Orthodox Church, the Albanian Islamic Community (AIC), and the VUSH noted positively the State Committee on Cults' engagement with them, although the VUSH expressed concern the government showed indifference towards it relative to other faith communities. The government legalized 105 buildings owned by religious groups during the year, and the status of 68 additional properties was under review. In response to a Constitutional Court ruling that some provisions of the 2015 Law on Property were unconstitutional, the Council of Ministers issued two decisions during the year designed to break an impasse in reviewing claims. The Agency for the Treatment of Property (ATP) reported it rejected 17 claims for title, which allowed the claimants to take their cases to court. VUSH leaders continued to report difficulties in acquiring land to construct places of worship and problems concerning municipal government fees. The Bektashi and the AIC reported problems defending title to certain properties. The Orthodox Church reported problems obtaining ownership of monasteries and churches deemed cultural heritage sites by the government. As of year's end, the Council of Ministers had not finished adopting regulations to support implementation of a 2017 law on the rights and freedoms of national minorities, including religious freedom.

The Interreligious Council, a forum for the country's religious leaders to discuss shared concerns, held its first meeting of the year in October and voted to include the VUSH as a member. The AIC reported the Polish government presented an award on October 25 in Poland to the Interreligious Council for its efforts to encourage and preserve interfaith harmony in Albania. Separately, several

religious authorities expressed concern about foreign influence and interference in Albanian religious organizations.

U.S. embassy officers again urged government officials to accelerate the religious property claims process and return to religious group's buildings and other property confiscated from them during the communist era. The embassy sponsored the participation of the commissioner on cults to participate in an exchange program on interfaith dialogue and religious freedom. The embassy also provided technical assistance from a U.S. specialist who assisted the Ministry of Education in developing a national policy on, and drafting the outline of, a teacher's manual for teaching about religion in public and private schools. Embassy youth education programs continued to focus on respecting religious diversity. Other embassy-sponsored programs focused on promoting women's empowerment in religious communities and the compatibility of religious faith and democracy. The embassy also continued its work with religious communities to discourage the appeal of violent extremism related to religion among youth.

### **Section I. Religious Demography**

The U.S. government estimates the total population at 3.1 million (July 2018 estimate). According to the most recent census, conducted in 2011, Sunni Muslims constitute nearly 57 percent of the population, Roman Catholics 10 percent, members of the Autocephalous Orthodox Church of Albania nearly 7 percent, and members of the Bektashi Order (a form of Shia Sufism) 2 percent. Other groups include Protestant denominations, Baha'is, Jehovah's Witnesses, The Church of Jesus Christ of Latter-day Saints, and a small Jewish community. Nearly 20 percent of respondents declined to answer the optional question about religious affiliation.

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

#### **Legal Framework**

The constitution stipulates there is no official religion, all religions are equal, and the state has the duty to respect and protect religious coexistence. It declares the state's neutrality in questions of belief and recognizes the independence of religious groups. According to the constitution, relations between state and religious groups are regulated by agreements between these groups and the Council of Ministers and ratified by the parliament.

The constitution prohibits religious discrimination and guarantees freedom of conscience, religion, and free expression. It affirms the freedom of all individuals to choose or change religion or beliefs and to express them individually, collectively, in public, or in private. The constitution states individuals may not be compelled to participate or excluded from participating in a religious community or its practices, nor may they be compelled to make their beliefs or faith public or prohibited from doing so. It prohibits political parties or other organizations whose programs incite or support religious hatred. The criminal code prohibits interference in an individual's ability to practice a religion and prescribes punishments of up to three years in prison for obstructing the activities of religious organizations or for willfully destroying objects or buildings of religious value.

By law, the Office of the Commissioner for Protection from Discrimination receives and processes discrimination complaints, including those concerning religious practice. The law specifies the State Committee on Cults, under the jurisdiction of the Office of the Prime Minister, regulates relations between the government and religious groups, protects freedom of religion, and promotes interfaith cooperation and understanding. The law also directs the committee to maintain records and statistics on foreign religious groups that solicit assistance and to support foreign employees of religious groups in obtaining residence permits.

The government does not require registration or licensing of religious groups, but a religious group must register with the district court as a nonprofit association to qualify for certain benefits, including opening a bank account, owning property, and exemption from certain taxes. The registration process entails submission of information on the form and scope of the organization, its activities, identities of its founders and legal representatives, nature of its interactions with other stakeholders (e.g., government ministries and civil society organizations), address of the organization, and a registration fee of 1,000 lek (\$9). A judge is randomly assigned within three to four days of submission to adjudicate an application, and the decision process usually concludes within one session.

The government has agreements with the Sunni Muslim and Bektashi communities, the Catholic and Orthodox Churches, and the VUSH. These bilateral agreements codify arrangements pertaining to official recognition, property restitution, tax exemptions on income, donations and religious property, and exemption from submitting accounting records for religious activities. A legal provision enacted in 2009 directs the government to provide financial support to the four religious communities with which it had agreements at the time. This

provision of the law does not include the VUSH, whose agreement with the government dates from 2011. There is no provision of the law to provide VUSH with financial support from the government.

The law requires the ATP to address claims by religious groups for properties confiscated during the communist era.

The law allows religious communities to run educational institutions as well as build and manage religious cemeteries on land the communities own.

Public schools are secular, and the law prohibits religious instruction, but not the teaching of religion as part of a humanities curriculum. Private schools may offer religious instruction. Religious communities manage 114 educational institutions, including universities, primary and secondary schools, preschools, kindergartens, vocational schools, and orphanages. By law, the Ministry of Education, Youth, and Sport must license these institutions, and nonreligious curricula must comply with national education standards. Catholic, Muslim, and Orthodox groups operate numerous state-licensed kindergartens, schools, and universities. Most of these do not have mandatory religion classes but offer them as an elective. For instance, Beder University offers undergraduate and graduate programs in Islamic Studies. The AIC runs six madrassahs that teach religion in addition to the state-sponsored curriculum.

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

### **Government Practices**

The Catholic, Sunni Muslim, Orthodox, and Bektashi communities reported their total government financial support remained at 109 million lek (\$1.02 million), the same as in 2017 and the previous year. The Sunni Muslim community continued to receive approximately 28 percent of the funding, while the remaining three each continued to receive 24 percent. The communities continued to use the funds to cover part of the salaries for administrative and educational staff. The Bektashi community, which had fewer staff members than the others, continued to use part of these funds for new places of worship.

The government implemented an April 2017 decision to subsidize the price of electricity and water for places of worship as a means of indirect financial support for religious communities. Leaders of the five main religious communities confirmed they were paying a lower price for electricity and water.

The VUSH reported that, although there was still no formal written agreement with the government on receiving financial support, the State Committee on Cults provided a written commitment to extend financial support to evangelical Christian churches. The Cults Committee stated it submitted VUSH's request for financial support to the government. The VUSH, the Orthodox Church, and the AIC expressed appreciation for the State Committee on Cults' engagement with them. The VUSH, however, also expressed concern that the government and some media outlets had shown indifference towards it in comparison with other faith communities.

The government continued the process of legalizing unofficial mosques, Catholic and Orthodox churches, and *tekkes* (Bektashi centers of worship) built during the 1990s. The Agency for the Legalization, Urbanization, and Integration of Informal Construction (ALUIZNI) reported that from 2014 through September it legalized 330 religious buildings, including 104 Catholic churches, 153 mosques, and 47 *tekkes*. The Orthodox Church reported ALUIZNI approved only two full and two partial legalizations out of the Church's 23 requests.

The ATP acknowledged the slow pace in adjudicating claims, attributing it to the large volume of files – 551 cases – under review. The ATP reported it rejected 17 claims during the year, which claimants may challenge in court. The law grants 10 years to execute a compensation order from the ATP – awarding the property in dispute, monetary compensation, or different property – from the date the order is finalized. In response to a Constitutional Court declaration that some provisions of the 2015 Law on Property were unconstitutional, the Council of Ministers issued two decisions during the year designed to break an impasse in reviewing claims. ALUIZNI reported that, between 2012 and 2018, it compensated the Catholic Church, Orthodox Church, AIC, and Bektashi for land illegally occupied by builders.

The Orthodox Church reported the ATP had reviewed only 10 percent of the 890 properties for which the Church had submitted claims. The Church expressed its concern about delayed court proceedings and said the State Advocate, an institution in the Ministry of Justice that provides government institutions with legal counsel and representation, appealed the few court rulings that favored the Church.

Bektashi leaders reported construction continued on two places of worship in Gjirokaster, three in Permet, and one in Elbasan. The government reportedly

legalized 31 *tekkes* during the year. The Bektashi community said it continued to have problems with the local registration offices in Gjirokaster regarding one property, noting the registration process was slow, bureaucratic, and vulnerable to corruption.

The Bektashi stated the State Advocate unfairly challenged title over the course of several years for numerous properties that the Bektashi said they obtained through a court ruling. The Bektashi community said it brought a complaint to the Ministry of Justice and Office of the Prime Minister, but had not received a response.

The AIC reported the unlawful expropriation of some of its land, citing corruption in the judiciary as the cause. For example, the AIC claims it owned land near the Trade Chamber building in Tirana but said it was transferred in a corrupt judicial holding to another entity. The other entity exchanged the land claimed by the AIC for two parking garages, further alienating title from the AIC.

VUSH members continued to report difficulties in acquiring land on which to construct places of worship due to local government tax assessments and regulations. They said they continued to rent existing buildings instead.

The VUSH reported it continued to have problems registering its property with the local registration office in Korca, and the registration office in Tirana did not provide one of the VUSH's organizations with a foundation blue print. The VUSH filed a complaint challenging the Tirana refusal, but said the city had not responded by year's end.

VUSH leaders stated the central government continued to exempt the organization from property taxes on its churches, but local authorities imposed fees they said were not taxes. The VUSH continued to dispute the municipalities' position. The AIC paid the locally imposed fees for its entities located in Tirana.

Leaders of the five main religious groups expressed concern with a new, cross-thematic curriculum for teaching religion as part of the humanities curriculum for sixth and 10th grade students. They stated they were concerned because they did not participate in the drafting, and the teachers slated to provide the instruction did not have training in theology.

As of year's end, the Council of Ministers had not adopted regulations to implement a 2017 law providing additional protection for minority rights, including freedom of religion.

A State Committee on Cults census of religious organizations conducted during the year counted 611 groups, including 248 foundations, 323 religiously related NGOs, and 40 centers. The AIC has one foundation, while the Orthodox Church has three. The Catholic Church does have any associated NGOs, foundations, or centers, while the VUSH has 158.

In April Prime Minister Edi Rama warned in a speech that Russia was intent on radicalizing Muslims in the country and urged the European Union not “leave a space for other countries to fill.” (The country is seeking EU accession.) He criticized European politicians for stirring anti-Muslim sentiment.

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

On October 11, the Interreligious Council, established as a forum for leaders of the Catholic, Sunni Muslim, Orthodox, and Bektashi communities to discuss shared concerns, held its first meeting of the year. It inducted the VUSH into the Council as its fifth member, named Archbishop Anastasios Yannoulatos (head of the Orthodox Church) as the council’s chairperson, and addressed various administrative matters.

In July the Orthodox Academy in Shen Vlash-Durres became part of Logos University, a private institution funded by the Orthodox Church.

In May an international conference on interfaith dialogue in Tirana discussed topics that included interreligious harmony as a factor of social stability and policies for managing religious diversity.

On October 25, the Polish government presented an award to the Interreligious Council for its efforts to encourage and preserve interfaith harmony.

Several religious authorities expressed concern about foreign influence and interference in religious organizations.

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

In meetings with the State Committee on Cults and the ATP, embassy officers continued to urge the government to accelerate its handling of religious property claims and to restore to religious groups their property confiscated during the communist era. The embassy sponsored the participation of the commissioner on

cults in an exchange program in the United States on interfaith dialogue and religious freedom. The embassy also hosted a U.S. specialist who, during a three-week visit, met with members of religious communities and helped the Ministry of Education develop a national policy on, and draft the outline of a manual for, teaching about religion in public and private schools.

Embassy officials promoted religious tolerance in meetings with the Sunni Muslim, Bektashi, Catholic, Orthodox, and Protestant communities, and in visits to churches, mosques, and other religious sites. The Ambassador hosted an iftar for Muslim youth from Tirana's Lanabregas neighborhood to encourage the integration of and tolerance for the recently established Roma community; the Ambassador stressed the value of religious dialogue and tolerance during the event.

The embassy continued its youth education programs and work with religious communities to decrease the potential appeal of violent religious extremism. As part of these programs, students at Islamic, Catholic, and Orthodox religious schools and students from public schools planned and carried out projects highlighting religious diversity and tolerance, focusing on youth activism and common civic values. Other embassy-sponsored programs in Cerrik and Peqin helped establish "schools as community centers," which promoted tolerance through partnerships with local schools, regional education directorates, municipalities, and law enforcement. The Ambassador met with students from Catholic, Orthodox, and Muslim higher education institutions at Beder University and discussed advancing interfaith dialogue among youth. The embassy continued to sponsor seminars with key religious figures and leaders in government and academia focused on the compatibility of religious faith and democracy.