

ALBANIA 2021 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of conscience and religion. It stipulates there is no official religion and 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 Albanian Muslim Community (AMC), Bektashi Muslim community, Catholic Church, Albanian Autocephalous Orthodox Church (AOC), and Evangelical Brotherhood of Albania (VUSH), an evangelical Protestant umbrella organization. These agreements recognize these groups as the country's main faith communities and address property restitution and other arrangements. By law, the government gives financial support to four of these faith communities, but not to VUSH or other religious groups; VUSH continued to seek changes to the law that would allow it to receive financial support from the government. The government legalized 62 buildings owned by religious groups during the year that had been built without construction permits, compared with 92 in 2020; 25 additional properties remained under review. The five religious communities with agreements with the government continued to express concerns about restitution of property seized under the former communist regime, stating that corruption, government lack of knowledge of competencies and jurisdiction on property cases, and large caseloads in the court system hampered their claims. The State Agency of the Cadaster (SAC), the official register established in 2020 to show quantity, value, and ownership of real estate, reported challenges in returning property being used by other parties, providing physical compensation by means of other property, or paying cash compensation. VUSH leaders reported continued difficulties in acquiring permission to construct places of worship. The Bektashi community and the AMC again reported problems defending their titles to certain properties. The five main religious communities continued to ask the government to exempt them from paying certain state taxes, per the bilateral agreements between these communities and the government. Although they said they supported the government's COVID-19 prevention measures, religious leaders complained the government had not responded to their requests for financial assistance to cope with the impact of the pandemic, and that restrictions on public gatherings, which also applied to secular venues, hindered their fundraising ability. In September, the government and the Albanian American Development Fund opened the bidding process for building a museum in Vlora dedicated to the country's efforts to protect Jews during World War II.

In April, a man attacked worshippers at a mosque in Tirana, wounding five. Prosecutors asked that the attacker, a convert to Islam, be hospitalized due to a history of mental illness. According to an International Republican Institute (IRI) report, most media in the country referencing Jews focused on Holocaust remembrance and the country's good relations with Israel, although there were some stories propagating conspiracy theories about Jews. The Interfaith Council, a forum for leaders from the five religious communities with agreements with the government to discuss shared concerns, held several online and in-person meetings domestically and internationally on faith-related and other issues.

The U.S. embassy urged government officials to accelerate its handling of property claims and to return religious groups' buildings and other property confiscated during the communist era. Embassy officials met with representatives of religious communities to discuss interfaith and governmental relations, the challenges they faced regarding property legalization and restitution, and financial challenges caused by COVID-19 restrictions. Embassy-sponsored programs, including youth programs, focused on developing community inclusivity, promoting women's empowerment in religious communities, and emphasizing the compatibility of religious faith and democracy.

Section I. Religious Demography

The U.S. government estimates the total population at 3.1 million (midyear 2021). 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 AOC 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 Jews. Nearly 20 percent of respondents declined to answer an optional census question about religious affiliation. According to Boston University's 2020 World Religion Database, there are approximately 1.71 million Muslims (59 percent of the population), 1.01 million Christians (38 percent), 73,000 atheists or agnostics (2.5 percent), and 16,000 Baha'is. The World Jewish Congress estimates there are 40-50 Jews.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution states there is no official religion, recognizes the equality of all religious communities, and articulates the state's duty to respect and protect religious coexistence. It declares the state's neutrality in questions of belief and recognizes the independence of religious groups and their status as legal entities. According to the constitution, relations between the state and religious groups are regulated by agreements between these groups and the Council of Ministers and ratified by parliament.

The constitution prohibits religious discrimination and guarantees freedom of conscience, religion, and expression. It affirms the freedom of all individuals to choose or change religion or beliefs and to express them individually or collectively, in public or in private, and it explicitly recognizes the right of persons belonging to national minorities to freely express their religion without prohibition or compulsion. The constitution states individuals may not be compelled to participate in or be excluded from participating in a religious community or its practices, nor may they be compelled to make their beliefs or faith public or be prohibited from doing so. It prohibits political parties and other organizations whose programs incite or support religious hatred.

The criminal code prohibits interference in an individual's ability to practice a religion, and it 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 commissioner may issue decisions and impose fines, which the affected parties may appeal in court.

The law specifies that the State Committee on Religion, under the authority of the Office of the Prime Minister, is charged with regulating relations between the government and religious groups, protecting freedom of religion, and promoting interfaith cooperation and understanding.

The government does not require registration or licensing of religious groups, but a religious group must register with the Tirana District Court as a nonprofit association to qualify for certain benefits, including opening a bank account, owning property, and exemption from certain taxes. To register, a group must submit information on the form and scope of the organization, its activities, the identities of its founders and legal representatives, the nature of its interactions

with other stakeholders (e.g., government ministries and civil society organizations), and the address of the organization as well as a registration fee of 2,000 leks (\$19). A judge is randomly assigned within four days of submission to adjudicate an application and typically starts and finishes the adjudication in one day.

The government has agreements with the AMC, Bektashi community, Catholic Church, AOC, and 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 2009 law directs the government to provide financial support to the four religious communities with which it had agreements at the time – the AMC and Bektashi communities, Catholic Church, and AOC. This law does not include VUSH, whose agreement with the government dates from 2011. There is no provision in the law to provide VUSH with financial support from the government.

Although the government's agreements with the five religious communities stipulated the government would return religious objects and property, subsequent legislation delegated this role to the courts. Religious communities must file claims in court for restitution of, and compensation for, property confiscated by the former communist government, as must all other claimants. To reclaim property, the religious community must first obtain ownership title from the court, and then register the properties with the SAC, the official register established in 2020 to show quantity, value, and ownership of real estate. By law, bailiff offices must execute court rulings in property cases. If the property cannot be restituted because it is occupied, in use by the government, or otherwise unavailable, the community may, upon demonstrating ownership title, petition the Agency for the Treatment of Properties for financial compensation, which, until February, the government paid based on a legislatively determined formula. A February Constitutional Court ruling abrogated the formula, requiring a legislative amendment to re-establish the compensation formula.

The law allows the five religious communities with agreements with the government to operate educational institutions, as well as to build and manage religious cemeteries on land the communities own.

Religious groups, including religious communities, foundations, and missions, must have building permits to construct new houses of worship. The law allows

the government post facto to legalize “informal” buildings constructed prior to 2014 without permits.

Public schools are secular, and the law prohibits instruction in the tenets of a specific religion. The law allows the teaching of the history of religion or comparative religions as part of a humanities curriculum. Private schools may offer religious instruction. Religious communities manage 113 educational institutions, including universities, primary and secondary schools, preschools, kindergartens, vocational schools, and orphanages. By law, the Ministry of Education and Sport must license these institutions, and nonreligious curricula must comply with national education standards. Catholic, Muslim, AOC, and VUSH communities operated numerous state-licensed kindergartens, schools, and universities. Most of these do not have mandatory religion classes but offer them as an elective. The AMC runs four 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 government continued the process of legalizing buildings built by religious groups, primarily Sunni mosques, Catholic and AOC churches, and Bektashi *tekkes* (centers of worship) built without government approval after the fall of communism in the early 1990s. The SAC reported that during the year, it legalized 62 such buildings (compared with 92 in 2020): six Catholic churches and other buildings of the Catholic church, 46 mosques and other buildings of the AMC, two Orthodox churches, four tekkes, and four buildings used for religious purposes – a Catholic church belonging to the International Association for Solidarity, an addition to a mosque belonging to the nongovernmental organization (NGO) Qatar Charity, a privately owned worship space, and a church of the Protestant NGO Little Family. Twenty-five other buildings, mainly belonging to the AMC, remained under review. There were some discrepancies between the figures reported by the SAC and those of the religious communities. The AMC reported it obtained legalization papers for 32 mosques during the year, with 368 applications remaining. The Orthodox Church reported no new legalizations during the year.

Among the six Catholic Church properties legalized during the year were the Church of Koplik and the Franciscan Albanian Province Zonja Nunciature’s Museum against Genocide, both located in the northwest of the country. On December 25, SAC General Director Artan Lame presented the certificates of

legalization for the two properties to Catholic Archbishop of Shkoder-Pult Angelo Massafra. According to Lame, “It is absurd that the Albanian state has not been able to provide permits before the construction of at least religious buildings, making us face the need for legalization for houses of God.”

The SAC reported challenges in returning property to religious communities seized under the former communist regime, providing physical compensation by means of other property, or paying cash compensation. According to the SAC, these challenges included refusal by current owners (including private owners and the government) to relinquish property, necessitating time-consuming litigation, and lack of government funds to pay compensation in cases where the government had transformed the properties into space that was no longer useable for religious purposes.

As of year’s end, the legislature had not acted to re-establish a formula for property compensation, as required by a February Constitutional Court ruling. According to the AMC, the Agency for the Treatment of Properties, which was responsible for paying compensation, stopped processing new applications once the Constitutional Court made its ruling and would not begin again until the legislature set a new formula.

Religious communities criticized the SAC’s approach to legalizing property, stating the process was bureaucratic, produced delays, and was hampered by the SAC’s inability to locate relevant documents in state archives. The AOC said the SAC’s refusals of applications were perfunctory and lacked documentary explanation or supporting arguments, making further pursuit of property registration in court difficult. Religious groups said that even in cases where the SAC approved applications, it often failed to provide the groups with supporting documentation, making it difficult for the groups to register the property or protect their rights in the future.

The AMC again expressed concern that the SAC gave it title only to buildings and not to the land on which they were built.

The AMC, the Bektashi community, and the AOC continued to state there were lengthy delays in court proceedings that could make it difficult to enforce an eventual restitution ruling before the 10-year statutory limit on the execution of civil judgments expired. The AOC said it won some property cases in court, but Church representatives stated outside influence on bailiff offices by interested parties, including businesses, private individuals, or government officials, was

slowing the bailiffs' execution of court rulings and that such influence often involved corruption. Bektashi representatives reported that at least four cases of property restitution and compensation between the Bektashi and the government or individuals were still pending in court at year's end, while the AMC reported it had 67 property cases pending in court.

The Catholic Church and the AOC stated that the government had not implemented its agreements with these communities to return religious objects and properties. The Catholic Church said the government had not created the ad hoc commission stipulated in the agreement to handle restitution of objects and property, nor had it returned properties. The AOC reported it was still seeking restitution for several properties formerly owned by the Church but currently owned by different government ministries. The AOC informally proposed to the government and the Interfaith Council that special legislation be created to handle religious communities' properties confiscated by the former communist regime, and that a special structure be created within the SAC to implement that legislation.

According to some government officials, officials in the human rights NGO Albanian Helsinki Committee, as well as media reports, corruption, lack of government knowledge of competencies and jurisdiction over property cases and large caseloads in the court system hampered religious communities' ability to advance claims to their property or compensation. Thousands of cases were with the Supreme Court, which was still in the process of replenishing its quorum with judges who passed a comprehensive vetting process. Lacking a quorum, the Supreme Court was unable to decide cases for most of the year. The AMC reported that since 2016, it had submitted approximately 500 applications for restitution or claims for compensation encompassing approximately 23,000 hectares (57,000 acres) of property worth what AMC estimated to be approximately six billion euros (\$6.8 billion). The AMC reported the government had not yet paid compensation on four judgments in its favor from 2020. The Bektashi community reported that during the year, the government paid it 146 million leks (\$1.38 million) in compensation for "informal" (not legally recognized) properties others had built on Bektashi land. The community used the compensation to build new tekkes in Elbasan and Gjirokaster and to buy shares of the Continental Hospital, previously owned by a former member of the AMC. The SAC, however, reported the government had paid the AMC 13.88 million leks (\$131,000) in compensation for land with an area of 510 square meters (5,490 square feet), and the Bektashi 12.33 million leks (\$116,000) as compensation for land with an area of 2,534 square meters (27,276 square feet).

The AOC again said that despite numerous requests, the government had not returned all sacred objects, relics, icons, and archives confiscated during the communist regime. The AOC said that on April 12, the Ministry of Culture returned the remains of Saint John Vladimir to the Monastery of Shijon in Elbasan, and in October 2020, the ministry returned the land in Tirana on which Saint Procopius Church stands. AOC representatives said the government continued to oppose some of the Church's claims on monasteries and churches, stating the properties were cultural monuments that fell under the purview of the state. The Ministry of Culture stated that although the law allowed religious communities to possess title to religious property listed as cultural heritage or a cultural monument, in some cases such property would remain property of the state, due to its national importance. According to the Ministry of Culture, in some cases, religious communities did not seek property title because the law on cultural heritage places the burden of restoration, rehabilitation, and maintenance primarily on the owner, with potential for additional financial penalties if not fulfilled as prescribed by law.

Bektashi leaders reported continued problems dealing with local property registration offices. The community again reported the government had not responded to its complaints at the central and local level that the government, without the community's permission, built apartments for individuals who lost their homes during a 2019 earthquake on Bektashi property. In addition, the Bektashi community reported that four cases it had filed contesting a decision by the Agency for the Treatment of Property not to recognize the community's property claims on tekkes in Frasher, Alipostivan, Permet, and Turan-Tepelene continued to work their way through the court system.

The Bektashi community and the AOC again objected to paying the value-added tax, as well as other taxes and fees, stating those payments violated their agreements with the government. The AOC reported it paid the government 113 million leks (\$1.07 million) in annual taxes and social and health insurance but had not been reimbursed as called for in its agreement with the government. The Bektashi community reported it had held meetings with the government on the value-added tax (VAT) paid for its buildings but had not yet reached a resolution. It reported that in previous years it had paid 124 million leks (\$1.17 million) in VAT on construction of the Odeon, a multipurpose center at the World Bektashi Headquarters in Tirana, and that it also had VAT disputes over the ongoing construction of the Grand Tekke of Elbasan and the tekke of Shtuf in Gjirokaster. Religious communities said public services and support received in return were not commensurate with the taxes paid.

VUSH stated the government again failed to respond to a request it submitted in 2017 for land on which to build a main church similar to the main cathedrals and mosques of other faith communities.

VUSH reported it remained unable to register its ownership of most of the property of one of its churches with the local registration office in Korca. VUSH's case against the Tirana municipal government for issuing construction permits for others to build residential and commercial buildings on VUSH land after refusing permits for VUSH to build on its own land remained pending in the Tirana District Court. VUSH also filed a case in Tirana District Court against the construction company that built on its land, which was also pending at year's end.

In March, the Ministry of Education and Sports approved the establishment of a bachelor's degree program in Islamic studies in English, a master's program in Islamic Sciences in Albanian, and a master's degree program in Religious Studies in English at AMC-affiliated Beder University College. The programs began during the year. The master's degree program offered degrees in Interreligious Dialogue, Religious Leadership, and Religious Education. The government continued not to recognize diplomas in theology and religious studies issued by foreign institutions.

The Commissioner for Protection from Discrimination reported one case of discrimination based on religious grounds in which the director of a school in Laprake, Tirana, asked a girl to leave the school because she wore a hijab, which the director said violated the dress code. The commissioner worked with the school and the family to enable the girl to continue attending school and took no action against the director.

Religious communities said they continued to face financial problems during the year due to COVID-19 containment measures that they had urged members of their communities to follow. They stated they felt discriminated against because the government did not respond to individual or collective requests through the Interfaith Council for additional financial support to pay religious workers during COVID-19 restrictions, such as lockdowns. They also said the limits on the size of gatherings, which applied to secular venues as well, inhibited their fundraising capabilities.

The Catholic Church complained of discrimination to the chair of the Technical Experts Committee on COVID-19 after the government, without consulting with

the Church, decreed a COVID-19-related curfew at the last minute on Christmas Eve in 2020 that interfered with midnight Mass, but the Church received no response. The government's anti-COVID-19 curfew remained in place throughout 2021, including on Christmas Eve, which passed without comment by faith communities.

The Council of Ministers again failed to adopt regulations to implement a 2017 law providing additional protection for minority rights, including freedom of religion. The AOC again raised concerns over the missing regulations, particularly in the south of the country, home to many members of the Orthodox faith.

The State Committee on Religion census of religious organizations counted 195 organizations, 174 of which were evangelical Christian. The AMC had one organization, the AOC four, and the Catholic Church 16. The then committee chair said responding to the census was not required by law but that the committee hoped through the initiative to gain better understanding of the religious communities.

The government postponed the 2020 population census to 2022 due to the COVID-19 pandemic. Religious communities again expressed concern that the postponement would reduce their groups' reported numerical strength, with a corresponding reduction in government support. The communities stated they had sought to participate in focus groups to help explain the religion questions in the census, but the government had not responded to their request. For the first time, AOC Archbishop Anastasios in a Mass in October instructed Orthodox parishioners publicly to confirm their religion during the 2022 census.

The Catholic, AMC, AOC, and Bektashi communities reported receiving government financial support totaling 113 million leks (\$1.07 million), four million leks (\$37,800) more than the previous year and the first increase since 2015. The AMC received 33.12 million leks (\$313,000), an increase of more than one million leks (\$9,400) over 2021, while the other remaining communities received 26.64 million leks (\$251,000), a slight increase from the previous year. The communities continued to use the funds to cover part of the salaries for administrative and educational staff, as stipulated by a Council of Ministers' decision in April. The Bektashi community used some of the funds to pay part of the wages of its staff; it used the rest to continue building the Grand Tekke of Elbasan and raise awareness of the Bektashi community domestically and internationally. The communities stated that the government should provide

financial support according to the size of each community. The government did not indicate the basis on which it allocated the funds among the four communities.

VUSH continued to seek changes to the law that would allow it to receive financial support from the government.

On International Holocaust Remembrance Day on January 27, the Ministry of Culture, the Albanian American Development Fund, and the Municipality of Vlora committed to building a museum in Vlora dedicated to the country's efforts to protect persecuted Jews during World War II. The government and the Albanian American Development Fund opened the bidding process for the project in September but had not announced a winner by year's end.

On March 22, President Ilir Meta awarded the Interfaith Council with an Honor of the Nation medal "in appreciation of the comprehensive contribution to preserving and promoting the spirit of harmony, understanding, and coexistence between religions in Albania."

Section III. Status of Societal Respect for Religious Freedom

Religious communities said interfaith relations were excellent.

Authorities reported that on April 19, Rudolf Nikollaj attacked individuals at the Dine Hoxha Mosque in Tirana with a knife following afternoon prayers, wounding five persons before police arrested him. Nikollaj, whose father is Catholic and mother is Muslim, had converted to Islam, according to his father, but was often prevented from entering mosques by worshippers who told him he was Christian. Nikollaj's father told media his son had been depressed. In July, the Tirana prosecutor asked the Tirana District Court to put Nikollaj in a medical institution due to his history of mental health problems. In November the court accepted the prosecution's recommendation.

According to an IRI report entitled *Antisemitic Discourse in the Western Balkans* released during the year, antisemitic statements in domestic media were rare, although there were some conspiracy theories regarding a Jewish American businessman's role in influencing domestic politics and Jews controlling the world order and economy. Of 457 online media items studied between January 2019 and May 20, 2020, 17 (3.7 percent) contained what IRI determined was antisemitic content. Most media focused on Holocaust remembrance and the country's good relations with Israel.

The Interfaith Council held several online and in-person meetings domestically and internationally on faith-related issues, such as a discussion on the country's communist past and religion, as well as other topics, including the role of religious groups in combating trafficking in persons and countering violent extremism.

Together as the Interfaith Council and individually, religious communities provided books, food, and other donations to support institutions such as hospitals and families in need during the COVID-19 pandemic.

Section IV. U.S. Government Policy and Engagement

In meetings with the State Committee on Religion, 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.

Embassy officials met with representatives of religious communities, including the AOC, AMC, Bektashi community, Catholic Church, and VUSH, to discuss interfaith and governmental relations, the challenges they faced regarding property legalization and restitution, and financial challenges caused by COVID-19 restrictions.

The embassy funded local organizations through grants to implement programs focused on developing community inclusivity, promoting women's empowerment in religious communities, and emphasizing the compatibility of religious faith and democracy. The embassy continued its programs and engagement with youth and religious communities to promote religious tolerance and harmony. As part of these programs, students at Islamic and AOC 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.