

CROATIA 2021 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of religious thought and expression and prohibits incitement of religious hatred. All religious communities have the same religious protections under the law. The government has written agreements with the Roman Catholic Church that provide state financial support and specific tax and other benefits; 19 other registered religious communities have agreements with the state offering benefits not available to registered religious communities without such agreements or to unregistered religious groups. Serbian Orthodox Church (SOC) representatives again said that although some property had been returned, the restitution of property seized by the Yugoslavia government remained an outstanding issue. This was echoed by representatives of the Catholic Church. In April, media reported that an Afghan woman stated a border police officer forced her to strip naked while using religiously charged language during a search of a group of migrants on the border with Bosnia and Herzegovina (BiH) in mid-February. The European Commission urged the government to thoroughly investigate the alleged incident and the Ministry of Interior said it would do so. In February, Minister of Foreign and European Affairs Gordan Grlic-Radman attended a ceremony to reinstall a damaged *Stolperstein* (stumbling block) memorial for Holocaust victim Chief Rabbi Miroslav Salom Freiburger. According to the 2020 annual report released in March by the Office of Ombudsperson for Children, the largest number of complaints of discrimination with regard to education were related to religion and/or belief. On April 22, senior government officials, a representative from the Alliance of Anti-Fascists, and leaders of the Serbian, Roma, and Jewish communities commemorated victims of the World War II concentration camp at Jasenovac.

SOC representatives said that following the enthronement of the new head of the Church in Montenegro, Metropolitan Joanikije II, at the historic monastery in Cetinje, Montenegro on September 5, several media outlets published negative news articles against the SOC. One article appeared under the headline, “Zagreb Likes [head of the SOC] Metropolitan Porfirije; however, this does not mean that the SOC is not evil.” Members of Jewish groups reported hate speech, especially on the internet, and graffiti and other vandalism with offensive slogans. Representatives of the Jewish community expressed concerns regarding the use of *Ustasha* (pro-Nazi World War II-era government) symbols in society.

U.S. embassy officials discussed the status and treatment of religious minorities, antisemitism, and Holocaust revisionism with cabinet ministers and other senior government officials. During the year, embassy officials attended major events that emphasized the importance of Holocaust remembrance and interreligious dialogue. Embassy officials continued to encourage the government to amend legislation covering Holocaust and post Holocaust-era property restitution to allow for restitution and compensation claims with a revised deadline for new applications. Embassy officials discussed religious freedom issues, including freedom of expression and efforts to counter discrimination, with nongovernmental organizations (NGOs) and representatives from a broad spectrum of religious groups. The embassy continued a speaker series under a diversity and inclusion initiative in which embassy staff engaged representatives from different religious and secular groups to promote tolerance and discuss challenges and cooperation among religious communities. In September, the Charge d'Affaires and embassy staff visited the memorial at the Jasenovac World War II concentration camp to pay respects and learn about its history. Also in September, the embassy and several partner organizations promoted Holocaust remembrance through a youth performance of the opera *Brundibar* for hundreds of Croatian students at the Jasenovac site.

Section I. Religious Demography

The U.S. government estimates the total population at 4.2 million (midyear 2021). According to the 2011 census (the most recent available), 86.3 percent of the population is Catholic, 4.4 percent Serbian Orthodox, and 1.5 percent Muslim. Nearly 4 percent identify as nonreligious or atheist. Other religious groups include Jews, Protestants, and other Christians. According to the World Jewish Congress, there are approximately 1,700 Jews.

Religious affiliation correlates closely with ethnicity. Ethnic Serbs are predominantly members of the SOC and live primarily in cities and areas bordering Serbia and Bosnia and Herzegovina. Most members of other minority religious groups reside in urban areas.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution provides for equality of rights regardless of religion, as well as freedom of conscience and religious expression. It prohibits incitement of

religious hatred. According to the constitution, religious communities shall be equal under the law and separate from the state; they are free to conduct religious services publicly as well as open and manage schools and charitable organizations under the protection and with the assistance of the state. The Penal Code defines a hate crime as a criminal offense committed on the grounds of race, skin color, religion, national or ethnic origin, disability, gender, sexual orientation, or gender identity. The Penal Code criminalizes public incitement to violence and hate and provides sanctions for such crimes. Hate crimes are also considered an aggravating circumstance unless a provision already provides for more severe sanctions.

Hate speech is also punishable as a misdemeanour under laws on Public Order and Peace, Act on Public Assembly, Law on Prevention of Violence at Sport Games, and the Anti-Discrimination Act.

Legislation covering electronic media (amended in 2021) stipulates that in audio and/or audiovisual media services it is forbidden to incite, encourage incitement, and spread hatred or discrimination on the grounds of race or ethnic origin or skin color, gender, language, religion, political or other belief, national or social background, property, union membership, education, social status, marital or family status, age, health, disability, genetic heritage, gender identity and expression or sexual orientation, as well as antisemitism and xenophobia, fascism, nationalism, communism, and support for other totalitarian regimes. The legislation stipulates that audiovisual and radio programs and contents in electronic publications must publish accurate information and respect human rights and fundamental freedoms.

The Roman Catholic Church receives state financial support and other benefits established by four concordats between the government and the Holy See. One of these agreements provides state financial support for some religious officials. Another agreement stipulates state funding for religious education in public schools.

The law defines the legal position of religious communities and determines eligibility for government funding and tax benefits. Registered religious communities are exempt from taxes on the purchase of real estate, the profit/capital gains tax, and taxes on donations. According to the law, a religious community previously active as a legal entity before enactment of the current law in 2002 (amended in 2013) need only submit its name, the location of its headquarters, information on the office of the person authorized to represent it, and the seal and

stamp it uses to register. To register as a religious community, a religious group without prior legal status as a religious community must have at least 500 members and have been registered as an association, with at least three members, for at least five years. To register as a religious community, a group must submit a list of its members and documentation outlining the group's activities and bylaws and describing its mission to the Ministry of Justice and Public Administration. Nonregistered religious groups may operate freely but do not receive tax benefits. They may conduct financial transactions as legal entities. A contractual agreement with the state, which grants a registered religious community eligibility for further funding and benefits, defines the community's role and activities and provides for collaboration with the government in areas of joint interest, such as education, health, and culture.

There are 55 registered religious communities, including the Roman Catholic Church, SOC, Bulgarian Orthodox Church, Christian Adventist Church, Church of Christ, Church of God, Croatian Old Catholic Church, Catholic Old Church, Evangelical Church, Macedonian Orthodox Church, Pentecostal Church, Reformed Christian Church, Union of Baptist Churches, Seventh-day Adventist Reform Movement, The Church of Jesus Christ of Latter-day Saints, Union of Pentecostal Churches of Christ, Coordination Committee of Jewish Communities in Croatia (an umbrella group of nine distinct Jewish communities), Jewish Community of Virovitica, Bet Israel (a Jewish group), and the Islamic Community of Croatia. In addition to the Roman Catholic Church, 19 of the registered religious communities have formal agreements with the state that more clearly define activities and cooperation, such as in the areas of marriage and religious education in public schools. These groups may access state funds for religious activities.

The state recognizes marriages conducted by registered religious communities that have concluded agreements with the state, eliminating the need for civil registration. Marriages conducted by registered communities that have not concluded agreements with the state, or by nonregistered religious groups, require civil registration.

Registered religious communities that have not concluded agreements with the state and nonregistered religious groups may not conduct religious education in public schools. Nonregistered religious groups have no access to state funds in support of religious activities, including charitable work, counseling, and building costs. Registered religious communities that have not concluded agreements with the state and nonregistered religious groups may engage in worship, proselytize, own property, and import religious literature. Only registered religious

communities, with or without agreements with the state, may provide spiritual counsel in prisons, hospitals, and the military.

Public schools at both the primary and secondary levels must offer religious education, although students may opt out without providing specific grounds. The Catholic catechism is the predominant religious text used. Other religious communities that have agreements with the state may also offer religious education classes in schools if there are seven or more students of that faith. Eligible religious communities provide the instructors, and the state pays their salaries. Private religious schools are eligible for state assistance and follow a national curriculum. Registered religious communities may have their own schools. Unregistered religious groups may not have their own schools.

Education regarding the Holocaust is mandatory in the final year of elementary school (eighth grade) and during the final year of high school.

The law allows foreign citizens whose property was confiscated during and after the Holocaust era to seek compensation or restitution if the applicant's country has a bilateral restitution treaty with the state; however, no such bilateral treaties currently exist. Two court cases have held that such treaties are not required; however, the law has not changed. The law does not allow new property claims because the deadline expired in 2003.

The ombudsperson is a commissioner appointed by parliament responsible for promoting and protecting human rights and freedoms, including religious freedom. The ombudsperson examines citizens' complaints pertaining to the work of state bodies, local and regional self-governments, and legal persons vested with public authority. The ombudsperson may issue recommendations to government agencies regarding human rights and religious freedom practices but does not have authority to enforce compliance with his or her recommendations.

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

Government Practices

International media reported in April that an Afghan woman stated that a border police officer on February 15 held her at knifepoint and forced her to strip during a search of a group of migrants on the border with BiH. *The Guardian* newspaper later reported the woman told police officers she was a Muslim and said it was *haram* (forbidden) to strip and he slapped her over the head and responded, "If you

are Muslim, why did you come to Croatia – why didn't you stay in Bosnia with Muslims?" The European Commission described the incident in the report as a "serious alleged criminal action" and urged the Croatian authorities "to thoroughly investigate all allegations and follow up with relevant actions." According to the Danish Refugee Council, the incident occurred on the night of February 15, a few kilometers from the city of Velika Kladusa in BiH. The Ministry of Interior said the police would investigate the allegations but that based on preliminary checks, there were no recorded dealings with "females from the population of illegal migrants" on the day in question. It stated, "The persistent portrayal of the Croatian police as a brutal and inhumane group prone to robberies and abuse of illegal migrants has now become commonplace, without a single piece of evidence."

The government's measures to limit the spread of COVID-19 applied to all religious groups and representatives of religious groups stated that they did not perceive them as having a discriminatory effect. Leaders from several religious groups cooperated with the government in respecting COVID-19 related guidelines related to their religious practices, which included modifications as circumstances changed.

Representatives of different minority groups advocated the criminalization of the Ustasha salute, *Za Dom Spremni* (For the Homeland, Ready). On August 26, Prime Minister Andrej Plenkovic told reporters that the use of salute already was not allowed and no one could question that, but that potential amendments of the Penal Code would be discussed. Scholars and judges were reported to be divided on the question of whether the use of the salute is a criminal act, misdemeanor, or permissible for the use of commemorative purposes under existing law.

On September 20, Croatian state television (HRT) aired a 12-part documentary entitled "NDH" that featured approximately 30 members of the academic community and historians who discussed the period when Croatia was controlled by the Ustasha. Media reported that the creator, historian Hrvoje Klasic, said the documentary should have been aired much sooner; HRT rejected claims that it deliberately delayed the broadcast. Both Klasic and HRT said publicly that this project was long-awaited.

SOC representatives said their community still had outstanding restitution issues with the government, mainly properties and residential buildings the government appropriated during the Yugoslav period. The government reported that since 1999, the state had resolved 344 property claims related to the Orthodox Church

that included the right to compensation in bonds. The Church stated several outstanding claims remained, especially in the southern and eastern part of the country. Catholic Church representatives also said there remained a significant number of outstanding claims for Catholic properties appropriated during the Yugoslav period.

According to the 2020 annual report released in March by the Office of Ombudsperson for Children, the largest number of complaints of discrimination with regard to education were related to religion and/or belief. Parents complained about difficulties for children who did not attend elective religious education classes; complaints involved the timing for such classes and the lack of appropriate facilities to meet during prescribed times. The report cited these issues as especially problematic in the lower grades of primary school because children whose parents did not want them enrolled in religious education classes would sit in the hallway, walk around the school or, in the absence of a suitable solution, be required to remain in the religious education class. The report stated that due to the inadequate organization of activities for opt-out students during this “free” hour, some parents would enroll their children in religious education for their protection and safety, even though they did not wish to do so. In 2020, parents reported that teachers required children who did not attend religious education at school to stay with other students in religious classes due to COVID-related epidemiological measures.

The Office of the Ombudsperson for Children reiterated to the Ministry of Science and Education its recommendations that elective religious instruction should take place at the beginning or end of the daily schedule, and in the case such scheduling was not possible, that schools provide an alternative plan. The introduction of such an alternative plan was supported by the National Strategy for the Rights of the Child for the period 2014-2020, which emphasized the right to education, its acceptability and that “quality education that should be without discrimination, relevant and culturally appropriate for all students,” and that students “should not be expected to adapt to any religion or ideology.”

Atheist, Jewish, and Serbian Orthodox organizations continued to state that although the law allowed students to opt out of religious education, in practice, most public primary schools did not offer any alternatives to Catholic catechism.

Atheist groups continued to complain that Catholic symbols remained prevalent in government buildings such as courtrooms, prisons, and public hospitals. They said

they believed this practice was inconsistent with the constitution, which states religious communities shall be separate from the state.

During the year, the government did not take action to adopt amendments to legislation providing for restitution of private property from the Holocaust and post-Holocaust-eras for foreign claimants or reopen the deadline for potential new claims.

According to the Office of the Commission for Relations with Religious Communities, the government budgeted 325.9 million kuna (\$50.53 million) during the year to the Catholic Church for salaries, pensions, and other purposes, compared with 293.1 million kuna (\$45.44 million) in 2020. The government provided funding to other religious communities that had concluded agreements with the state, a portion of which was based on their size, in addition to funds provided to support religious education in public schools and the operation of private religious schools. The government budgeted 23.9 million kuna (\$3.71 million) to these groups, compared with 22.7 million kuna (\$3.52 million) in 2020. Atheist groups again criticized the government for allocating more to the Catholic Church than to other groups; although the funding was generally proportional to the Catholic share of the population, analysts stated the criticism reflected the atheist groups' concern about what they perceive as the outsized role of the Church in society.

Some minority religious and secular groups, including atheists, continued to say the Catholic Church enjoyed a special status in relation to other religious communities, in part because of its concordats with the government, which provided the Church with significant financial support, and in part because of its far-reaching cultural, educational, and political influence as the majority religion.

According to the ombudsperson's annual report released in February, apart from the specific challenges related to the restrictions due to the COVID-19 pandemic, 2020 was marked by a smaller number of complaints of religious discrimination. The office reported on the positive impact of the amendment to the law governing holidays and time off that entered into force in January 2020. Specifically, the law stipulates that Muslims who celebrated Eid al-Fitr and Eid al-Adha and Jews who celebrated Yom Kippur and Rosh Hashanah had the right not to work one day of their choice for each of these holidays with full salary compensation, while Orthodox Christians who celebrated Easter according to the Julian calendar had the right not to work on Easter Monday, also with the right to full salary. The office had received complaints in previous years about the unequal treatment of members

of certain religious communities in the workplace when using days off during religious holidays but said there were no such complaints in 2020.

On January 27, President Zoran Milanovic, Speaker of Parliament Gordan Jandrokovic, Deputy Prime Minister for Social Affairs and Human Rights Boris Milosevic, and Minister of Culture and Media Nina Obuljen-Korzinek marked International Holocaust Remembrance Day by laying a wreath in the Jewish section of Zagreb's Mirogoj Cemetery. The government issued a statement on that day strongly opposing any form of discrimination, exclusiveness, or intolerance, and stressing the importance of Holocaust education. Civil society organizations, including the Croatian Antifascist League and the Serb National Council (SNV), issued a statement on January 27 demanding that the law be changed to ban and criminally prosecute the use of Ustasha insignia, the denial of the existence of World War II concentration camps, and the glorification of pro-Nazi Ustasha war criminals.

On February 5, Minister of Foreign and European Affairs Gordan Grlic-Radman attended a ceremony to reinstall a damaged memorial *Stolperstein* ("stumbling block" that denotes the last location of residency or work before Holocaust victims were apprehended) honoring Holocaust victim Chief Rabbi Miroslav Salom Freiburger, organized by the Centre for the Promotion of Tolerance and Holocaust Remembrance, in partnership with the Bet Israel community and the Spuren (Traces)-Gunter Demnig Foundation. Grlic-Radman expressed regret that the monument was damaged and spoke on behalf of the government about the importance of preserving the collective memory, declaring that no crime should be minimized and each victim deserved to be remembered and respected. He said that Croatia would chair the International Holocaust Remembrance Alliance (IHRA) in 2023.

On April 22, President Milanovic, Prime Minister Plenkovic, Speaker of Parliament Jandrokovic, several ministers, and representatives of victims' groups (Jews, Roma, Serbs, and antifascists) commemorated the victims of the Jasenovac World War II concentration camp and condemned the World War II Nazi-affiliated Independent State of Croatia (NDH). Prime Minister Plenkovic called the atrocities committed under the NDH "the most tragic period in Croatian history" and stated that patriotism could not be contrary to the tolerance of others. President Milanovic told the press, "This was an Ustasha-run camp, and the Ustasha were Croats, and since I am a Croat, I cannot say that it does not concern me." For four years, from 2016 to 2019, representatives of the Jewish and Serbian communities, as well as antifascists, boycotted the official commemoration, stating

that the government had not taken real measures to stop or even limit revisionist denials of the Holocaust.

Section III. Status of Societal Respect for Religious Freedom

Because religion and ethnicity are often closely linked, it was difficult to categorize many incidents as being solely based on religious identity.

SOC representatives reported that following the inauguration of Metropolitan Joanikije II on September 5 in a historic monastery in Cetinje, Montenegro, several negative media articles about the Church appeared. One article appeared under the headline, “Zagreb Likes Patriarch Porfirije; however, this does not mean that the SOC is not evil.” Commenting on the situation on September 13, Porfirije said, “The Church is not a political organization and has no political goals.” He added that he had always spoken “affirmative[ly] of Croatia, even though sometimes there were reasons not to do so.” He expressed regret for the negative messaging but said he was not surprised by the “fallacy of arguments” coming from Montenegro to Croatia. He stated, “Croatia, together with its leadership and majority of its citizens, has a democratic capacity that leaves everyone a space to live in individual ethnic freedom and to freely declare feelings, regardless to which God he or she is praying.”

In April, the association In the Name of the Family published a “Report on Intolerance and Attacks on the Catholic Church and Catholic Believers in Croatia” that detailed incidents occurring during 2020. The report stated there was an increasing number of incidents against the Catholic Church and Church members. They included expression of hatred and intolerance, false accusations by the media, and dissemination of fake news and claims based on prejudice about priests, religious brothers and sisters, bishops, and the faithful. The report also noted that individuals disputed the obligation and the right of bishops, priests, and monks to publicly express the views of the Catholic Church on social issues, and they also criticized Catholic teaching. The report described burglaries of churches and desecration of church buildings and property. The organization said the aim of the report was to shed light on the difference between constructive criticism and the spread of intolerance and discrimination.

The report of the ombudsperson described generally positive relations with the Muslim community in 2020; there was, however, an incident in which insulting messages appeared at the Zagreb Mosque and the perpetrator(s) was/were not identified. The Office of the Ombudsperson also investigated an incident related to

the alleged dissatisfaction of local citizens with the planned construction of an Islamic Center in the city of Pula but found nothing significant and closed the case.

Following complaints by a minority Christian religious group, the Office of the Ombudsperson issued a recommendation to the HRT to include more content intended for minority religious communities when designing and planning media programs.

As in recent years, some members of Jewish groups expressed concern over the public use of the Ustasha salute, *Za Dom Spremni*, associated with the World War II-era Independent State of Croatia.

Section IV. U.S. Government Policy and Engagement

The Charge d'Affaires and embassy staff regularly discussed religious freedom issues, including the status and treatment of religious minorities, antisemitism, and Holocaust revisionism, with representatives of the Ministries of Foreign and European Affairs, Justice and Public Administration, and Culture and Media, the ombudsperson, representatives of parliament, youth representing different religious groups, and other officials.

The Charge d'Affaires held meetings with the Ministers of Justice and Administration, Foreign and European Affairs, Culture and Media, and leaders of Jewish organizations, which covered a wide range of issues, including restitution of private and communal properties from the Holocaust and post Holocaust-era, restitution of art, and Holocaust education and remembrance. U.S. officials continued to encourage the government to adopt amendments to legislation to provide for restitution of private property, including provisions that would unequivocally allow for foreign claims and reopen the deadline for potential new claims. Embassy engagement also focused on the restitution of Jewish communal properties, including resorts, land, cultural centers, synagogues, and cemeteries.

During the year, embassy officials attended major events that emphasized the importance of Holocaust remembrance and interreligious dialogue. On February 5, the Charge d'Affaires and embassy officials, along with city and national government officials, other foreign diplomats, and Jewish group members, attended the reinstalment of the memorial *Stolperstein* honoring Chief Rabbi Freiburger. During the event, embassy officials discussed with participants the importance of the Holocaust remembrance activities. The embassy's diversity and

inclusion program deepened engagement on religious freedom issues through a speaker series with members of different faith groups.

In September, the Charge d’Affaires and embassy staff visited the memorial at the World War II-era Jasenovac concentration camp to pay respects and learn about its history. Also in September, the embassy partnered with the Jewish Film Festival of Zagreb, the Center for the Promotion of Tolerance and Holocaust Remembrance, and the Jasenovac Memorial Center to commemorate Holocaust remembrance through a youth performance of the opera *Brundibar* for hundreds of Croatian students at the Jasenovac site. The event drew substantive media coverage, including from neighboring Serbian outlets. In November, the Charge d’Affaires and embassy staff visited Zagreb’s mosque to show support for the Islamic community and promote dialogue and tolerance.

Embassy officials discussed religious freedom issues, including freedom of expression and efforts to counter discrimination, with NGOs such as Human Rights House, Documenta, and Protogora, academics and historians, as well as with representatives from Catholic, Serbian Orthodox, Baptist, Jewish, Muslim, and other religious groups. The embassy provided grants to local NGOs and cultural institutions for the advancement of education on Holocaust issues, with the goal of creating a regional network of teachers to address the topic through conferences, commemorations, and cultural events. For these programs, the embassy engaged leaders such as Deputy Prime Minister for Social Affairs and Human Rights Boris Milosevic, representatives from the Ministry of Science and Education, the ombudsperson’s office, and the President of the Coordination Committee of Jewish Communities, as well as other government and local officials.

In partnership with an NGO that promotes tolerance, the embassy funded a unique opera for children at a memorial site for Holocaust victims for an audience of Croatian school children. The embassy used social media platforms to highlight a range of religious freedom issues, including support for Holocaust commemorations and a pluralistic view of faith and religion, particularly among youth in the country.