

# SERBIA 2022 INTERNATIONAL RELIGIOUS FREEDOM REPORT

## Executive Summary

The constitution guarantees freedom of belief and religion, including the right to change one's religion; forbids the establishment of a state religion; guarantees equality for all religious groups; and prohibits incitement of religious hatred.

Leaders of the country's two Muslim organizations continued to say that due to an ongoing dispute between their organizations, neither could represent the entire Muslim community when dealing with the government, which created difficulties in coordinating property restitution claims and selecting instructors for religion courses in public schools. A legal challenge regarding the registration of one of the Muslim organizations by the other organization remained unresolved. In July, the Federation of Jewish Communities elected Aleksandar Albahari as its new president. The Ministry of Justice, however, was unable to proceed with registering Albahari as the legal representative of the federation because of an ongoing legal case pertaining to the 2018 election of Igor Ginzberg as the federation's president. The government continued to return heirless and unclaimed properties seized during the Holocaust and to retribute religious properties confiscated in 1945 or later to religious groups, although the process remained slow. The government continued to develop a Holocaust memorial center that includes Staro Sajmiste and Topovske Supe, the sites of World War II-era concentration camps in Belgrade. Representatives of several religious groups said the government continued to favor the Serbian Orthodox Church (SOC) over other religious groups, noting the government granted funds to complete an Orthodox cathedral but did not make similar grants to other religious groups.

In June, the SOC recognized the autocephaly of the Macedonian Orthodox Church – Ohrid Archbishopric, resolving a longstanding impasse between the two churches. Jewish community leaders reported no specific antisemitic incidents during the year; in July, however, an open-air exhibition in Novi Sad that was focused on Holocaust remembrance was vandalized. Antisemitic literature continued to be available online from informal sellers. Smaller religious groups, mainly Protestant and considered “nontraditional” by the government, again stated they encountered continued public distrust and misunderstanding. They said that some websites, traditional media, and members of the public often

branded small religious groups as “sects,” a term with a strong negative connotation in Serbian.

U.S. embassy officials engaged with a variety of government ministries and offices to advocate for religious freedom and tolerance, continued interfaith dialogue, and the protection of religious sites throughout the country. The embassy continued to encourage the accurate presentation of history at the planned Holocaust memorial center in Belgrade and emphasized the importance of continued restitution of Holocaust-era heirless and unclaimed Jewish property. Embassy officials met with representatives from a wide range of religious groups, including the SOC, Roman Catholic Church, Islamic communities, Jewish community, Jehovah’s Witnesses, and Christian Baptist Church, to discuss issues of religious freedom and tolerance, the religious groups’ engagement with the government and one another, and property restitution.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 6.7 million (midyear 2022). According to the 2011 census (the most recent data available), approximately 85 percent of the population is Orthodox Christian, 5 percent Roman Catholic, 3 percent Sunni Muslim, and 1 percent Protestant. The remaining 6 percent includes other Christians, Jews, Buddhists, members of the International Society of Krishna Consciousness, Jehovah’s Witnesses, members of other religious groups, agnostics, atheists, and individuals without a declared religious affiliation. The vast majority of the population that identifies as Orthodox Christian are members of the Serbian Orthodox Church, a category not specifically listed in the census. Adherents of the Macedonian, Montenegrin, Romanian, and other Orthodox churches are included in the numbers of “Orthodox Christians” or in the “other Christian” category, depending on how they self-identify.

Roman Catholics are predominantly ethnic Hungarians and Croats residing in Vojvodina Province in the country’s north. Muslims include Bosniaks (Slavic Muslims) in the southwest Sandzak region, ethnic Albanians in the south, and some Roma located throughout the country.

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

## Legal Framework

The constitution guarantees freedom of belief and religion as well as the right to change one's religion. It states everyone shall have the freedom to worship and practice religion individually or with others, in private or in public, and no one shall be obliged to declare one's religion. The constitution states the freedom to express one's religion or beliefs may be restricted by law only as necessary to protect life or health, the morals of democratic society, other freedoms and rights guaranteed by the constitution, public safety and order, or to prevent incitement of religious, national, or racial hatred. The constitution forbids the establishment of a state religion, guarantees equality for religious groups, and mandates the separation of religion and state. It states that churches and religious communities shall be free to organize their internal structure, perform religious rites in public, and establish and manage religious schools and social and charity institutions in accordance with the law. The constitution prohibits religious discrimination or incitement of religious hatred, calls upon the government to promote religious diversity and tolerance, and states religious refugees have a right to asylum, the procedures for which shall be established in law.

The law bans incitement of discrimination, hatred, or violence against an individual or group on religious grounds and carries penalties ranging from one to 10 years in prison, depending on the type of offense. The constitution allows any court with legal jurisdiction to prevent the dissemination of information advocating religious hatred, discrimination, hostility, or violence. The law bans hate speech, stating, "Ideas, opinions, and information published in media must not incite discrimination, hatred, or violence against individuals or groups based on their (non) belonging to a certain faith regardless of whether their publishing constituted criminal offense."

The law grants special treatment to seven religious groups the government defines as "traditional." These are the SOC, Roman Catholic Church, Slovak Evangelical Church, Reformed Christian Church, Evangelical Christian Church, Jewish community, and Islamic community. The Islamic community is divided between the Islamic Community of Serbia, with its seat in Belgrade, and the Islamic Community in Serbia, with its seat in the city of Novi Pazar, in the southwest Sandzak region. Both Islamic communities are registered with the government and may conduct most normal business, such as receiving financial

assistance from the government, receiving healthcare and pension benefits for clergy, maintaining tax-exempt status, holding bank accounts, owning property, and employing staff. Neither group, however, has absolute authority over matters regarding the entire Islamic community. Under the law, “church” is a term reserved for Christian religious groups, while the term “religious community” refers to non-Christian groups and to some Christian entities.

The seven traditional religious groups recognized by law are automatically registered in the Register of Churches and Religious Communities. In addition to these groups, the government grants traditional status, solely in Vojvodina Province, to the Diocese of Dacia Felix of the Romanian Orthodox Church, which has its seat in Romania and an administrative seat in the city of Vrsac, in Vojvodina.

The law also grants the seven traditional religious groups, but not other registered religious groups, the right to receive value-added tax refunds on all purchases enumerated under law and to provide chaplain services to military personnel.

To obtain registration, a group must submit the following: the names, identity numbers, copies of notarized identity documents, and signatures of at least 100 citizen members; its statutes and a summary of its religious teachings, ceremonies, religious goals, and basic activities; and information on its sources of funding. The law prohibits registration if an applicant group’s name includes part of the name of an existing registered group. The Ministry of Justice maintains the Register of Churches and Religious Communities and responds to registration applications. If the Ministry of Justice rejects a registration application, the religious group may appeal the decision in court.

There are 28 “nontraditional” religious groups registered with the government, the same number as in 2021: the Seventh-day Adventist Church, Evangelical Methodist Church, The Church of Jesus Christ of Latter-day Saints (Church of Jesus Christ), Evangelical Church in Serbia, Church of Christ’s Love, Spiritual Church of Christ, Union of Christian Baptist Churches in Serbia, Nazarene Christian Religious Community (associated with the Apostolic Christian Church [Nazarene]), Church of God in Serbia, Protestant Christian Community in Serbia, Church of Christ Brethren in Serbia, Free Belgrade Church, Jehovah’s Witnesses, Zion Sacrament Church, Union of Seventh-day Adventist Reform Movement, Protestant

Evangelical Church Spiritual Center, Evangelical Church of Christ, Slovak Union of Baptist Churches, Union of Baptist Churches in Serbia, Charismatic Community of Faith in Serbia, the Buddhist Religious Community Nichiren Daishonin, the LOGOS Christian Community in Serbia, Golgotha Church in Serbia, Theravada Buddhist Community in Serbia, Biblical Center Good News, First Roma Christian Church Leskovac, Vaishnava Religious Community-International Society for Krishna Consciousness, Protestant Reformed Church of Czechs Veliko Srediste, and New Apostolic Church in Serbia. Several of these organizations are umbrella groups that oversee many individual churches, sometimes of slightly differing affiliations.

The law does not require religious groups to register, but it treats unregistered religious organizations as informal groups that do not receive any of the legal benefits afforded registered religious groups. Only registered religious groups may build new places of worship, own property, apply for property restitution, or receive state funding for their activities. Registration is also required to open bank accounts and hire staff. Registered clerics of registered groups are entitled to government support for social and health insurance and a retirement plan. According to government sources, 2,408 clergy from 19 registered groups used these benefits, which account for approximately 40 percent of the budget of the Directorate for Cooperation with Churches and Religious Communities of the Ministry of Justice. The law also exempts registered groups from property and administrative taxes and from filing annual financial reports.

According to the constitution, the Constitutional Court may ban a religious community for activities infringing on the right to life or health, the rights of the child, the right to personal and family integrity, public safety, and public order, or if it incites religious, national, or racial intolerance. The constitution also states the Constitutional Court may ban an association that incites religious hatred.

The Directorate for Cooperation with Churches and Religious Communities manages all matters pertaining to the cooperation of the state with churches and religious communities. These include assistance to national minorities in protecting the religious traditions integral to their cultural and ethnic identity, cooperation between the state and SOC dioceses abroad, support for religious education, and support for and protection of the legal standing of churches and religious communities. The Ministry for Human and Minority Rights and Social Dialogue is tasked with combating misperception and hate, including against

religious communities, through organizing roundtables, discussions, and other forms of dialogue, public messaging, and assessing related legislation.

The constitution states parents and legal guardians shall have the right to ensure the religious education of their children in conformity with their own convictions. The law provides for religious education in public schools, and students in primary and secondary schools must attend either religious or civic education class. Parents choose which option is appropriate for their child. Religious education is available only for members of the seven traditional churches/religious communities. The curriculum taught in the religion classes varies regionally, reflecting the number of adherents of a given religion in a specific community. The Ministry of Education (MOE) requires a minimum of 15 students for a school to offer any elective course, including religion classes. In rural areas that minimum is five students. When individual schools do not meet the above minimum number, the MOE attempts to combine students into regional classes for religious instruction. According to MOE information from July, 448,925 students in elementary and high schools attended religious education classes during the 2021-22 school year. There were 2,100 religious teachers in the system.

The Commission for Religious Education approves religious education programs, textbooks, and other teaching materials and appoints religious education instructors from lists of qualified candidates supplied by each religious group. The commission comprises representatives from each traditional religious group, the Ministry of Justice's Directorate for Cooperation with Churches and Religious Communities, the Ministry of Education, and the Ministry of Science and Technological Development. The Minister of Education approves the list of religious teachers recommended by their respective religious community, while religious communities decide in which specific schools the approved teachers will work.

The constitution recognizes the right of conscientious objection based on religious beliefs. It states no person shall be obliged to perform military or any other service involving the use of weapons if this is inconsistent with his or her religion or beliefs, but a conscientious objector may be called upon to fulfill military duty not involving carrying weapons. By law, all men must register for military service when they turn 18, but there is no mandatory military service.

The Law on Restitution of Property to Churches and Religious Communities regulates restitution claims for religious property and endowments confiscated in 1945 or later, but only for registered religious groups. The Holocaust-era Heirless and Unclaimed Property Law permits individual claims for properties lost by Holocaust victims, but religious groups may not claim property confiscated prior to 1945. In accordance with the Terezin Declaration on Holocaust-era assets, the Holocaust-era Heirless and Unclaimed Property Law provides for the restitution of heirless and unclaimed Jewish property seized during the Holocaust, allowing the Jewish community to file restitution claims based on these seizures, while still permitting future claimants to come forward. The law defines heirless property as any property not the subject of a legitimate claim for restitution. This law governs personal property taken from members of the Jewish community during the Holocaust, primarily consisting of nonreligious residential and business property and agricultural land. The Jewish community must prove the former owner of the property was a member of the community and that the property was confiscated during the Holocaust. The law also stipulates financial support from the state budget for the Jewish community of €950,000 (\$1.08 million) per year for a 25-year period, which began in 2017. The law requires the appointment of a supervisory board with representatives from the country's Jewish community, the World Jewish Restitution Organization, and a government-appointed chairperson to oversee implementation of the restitution law's provisions. The law established a February 28, 2019, deadline for filing claims.

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

### **Government Practices**

The two Islamic organizations remain divided since their separation in 2007. In January 2021, the Islamic Community of Serbia, which has its seat in Belgrade and was registered in 2006, filed a lawsuit against the government before the European Court of Human Rights for its 2007 decision to register the separate Islamic Community in Serbia, with its seat in Novi Pazar. This lawsuit remained in progress at year's end. The Islamic Community of Serbia stated the Islamic Community in Serbia's name was too closely linked to its own and therefore, per its interpretation of Serbian law, should not have been registered.

In June, the SOC recognized the autocephaly of the Macedonian Orthodox Church – Ohrid Archbishopric (MOC-OA), resolving a longstanding impasse between the two churches and thus potentially cleared the way for the MOC-OA to apply for registration. The Macedonian and Montenegrin Orthodox Churches, which are based in North Macedonia and Montenegro, respectively, and have no official presence in Serbia, have not attempted to register with the government in more than 10 years.

In July, the Federation of Jewish Communities elected Aleksandar Albahari as its new president. The Ministry of Justice, however, stated it was unable to proceed with registering Albahari as the legal representative of the federation because of an ongoing legal case pertaining to the 2018 election of Igor Ginzberg as the federation's president. Sources stated that the ministry would still be able to officially cooperate with the federation while engaging with Albahari in an unofficial capacity.

In accordance with the Holocaust-era Heirless and Unclaimed Property Law, the government continued to return to the Jewish community heirless and unclaimed properties seized during World War II. The Restitution Agency reports that 734 of 1,671 claims filed by the February 2019 deadline have been resolved. During the year, the agency reported that under those claims, it returned more than 418.4 hectares (1035 acres) of agricultural land and 479 square meters (5160 square feet) of unbuilt land, as well as 24 properties totaling 1385 square meters (14,900 square feet). Since implementation of the law began, the government said it has restituted 13,896 square meters (150,000 square feet) in properties and 3,146 hectares (7775 acres) of agricultural land and 1,955 square meters (21,050 square feet) of undeveloped land to Jewish communities in the country. The agency estimated the overall value of the property and land returned under the law was more than €40 million (\$45.5 million). By law, Jewish communities were responsible for transferring property to individual heirs.

The government continued restitution of religious properties confiscated in 1945 or later under the Law on the Restitution of Property to Churches and Religious Communities. During the year, it returned 61,885 hectares (153,000 acres) of land, of which 29,389 hectares (73,000 acres) were agricultural, 32,389 hectares (80,000 acres) were forests and forest land, and 107 hectares (265 acres) was construction land; and 97,018 square meters (1,044,000 square feet) in various



objects and buildings, as well as an artwork by prominent painter Uros Predic. The government either returned the properties themselves or substituted other property of equivalent value to groups that included the SOC, the Roman Catholic Church, and the Slovak Evangelical Church.

The Restitution Agency continued to process religious restitution claims by the Jewish and Muslim communities, although it returned no properties to either during the year under the Law on the Restitution of Property to Churches and Religious Communities. According to Muslim leaders, the unresolved dispute between the Islamic Community *of* Serbia and the Islamic Community *in* Serbia complicated efforts by Muslim individuals and organizations to pursue restitution claims with the government.

Since the implementation of the Law on Religious Restitution began in 2006 and up to the end of the year, the government estimated it returned approximately 87.66 percent of the land and 39.89 percent of the buildings claimed by churches and religious communities, including 30.7 hectares (76 acres) of various parcels of land and 8,719 square meters (64,000 square feet) in buildings to the Jewish Community. According to the Restitution Agency, it has resolved 100 percent of claims for restitution of land and 100 percent of building claims filed by the Christian Adventist Church; 93.5 percent of land claims and 44.6 percent of building claims filed by the Evangelical Christian Church; 92 percent of land claims and 80.59 percent of building claims filed by the Jewish Community; 39.7 percent of building claims filed by the Muslim community; 90.27 percent of land claims and 95 percent of building claims filed by the Reformed Christian Church in Serbia; 89.6 percent of land claims and 36.1 percent of building claims filed by the Serbian Orthodox Church; 81.8 percent of land claims and 31.1 percent of building claims filed by the Roman Catholic Church; 76.19 percent of land claims and 74.4 percent of building claims filed by the Romanian Orthodox Church; and 62.8 percent of land claims and 83.5 percent of building claims filed by the Greek Catholic Church. The agency also reported it resolved 100 percent of building claims filed by the Christian Baptist Church and the Nazarene Christian Religious Community.

In July, the government granted 600 million dinars (\$5.6 million) to the SOC for completion of the Temple of St. Sava in Belgrade. Representatives of other

churches and religious communities said the funding was preferential treatment for the SOC.

The Commission for Religious Education did not meet in person during the year. Members of the commission from religious communities provided their lists of religious teachers, and these were approved.

Muslim leaders said selecting religious instructors for public school courses on religion remained difficult because neither of the two Islamic organizations had authority over matters regarding the entire community, resulting in protracted selection processes in some instances. Both organizations had religious teachers on the MOE-approved list for the 2022-23 school year. According to both Islamic organizations, the appointment of religious teachers in schools throughout the southern Sandzak region continued to depend on local school directors, who selected instructors from the MOE-approved list.

According to Vladimir Roganovic, head of the Directorate for Cooperation with Churches and Religious Communities, support for the preservation of religious communities' identity and culture and religious education were key priorities. The directorate's budget is roughly divided among four lines of activities: 40 percent for religious officials, including contributions for health insurance and pensions, 25 percent to high school and university theological education, 20 percent to reconstruction and construction of religious objects, and 10 percent to activities that aim to promote religious culture. The directorate supported reconstruction, restoration, and construction work on various groups' religious sites, including the renovation of the Roman Catholic Monastery of the Marianum Cathedral and the Roman Catholic Church of Our Lady of Snows, the reconstruction of a Romanian Orthodox church in Lokve, repairs to a Slovak Evangelical church in Bajsa, and the construction of a mosque in Jaliye, Novi Pazar. The directorate also provided stipends for high school and university students studying religion.

There were instances of government officials using pejorative language to describe ethnic Albanians, who are overwhelmingly Muslim. Former Minister of Interior Aleksandar Vulin repeatedly employed such language while serving in this position.

The national television service, Radio Television of Serbia, continued to broadcast a daily, 10-minute *Religious Calendar* program about the teachings, history, and spiritual and material heritage of the major monotheistic religions.

The government continued to develop a Holocaust memorial center at Staro Sajmiste, the site of a World War II-era German-run concentration camp in Belgrade. The center will incorporate the site of another former concentration camp in Belgrade, Topovske Supe. In July, the government held a groundbreaking ceremony for the reconstruction of the memorial center's main building, which was the administrative center of the concentration camp. Representatives of the Jewish community, the Patriarch of the Serbian Orthodox Church, and representatives of the Islamic Community of Serbia and the Roman Catholic Church attended the ceremony. In December, an exhibition on the concentration camp was opened at the National Museum in Belgrade.

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

Religious groups reported a decrease in violent incidents compared to the previous year. The Jewish community did not report any antisemitic incidents or attacks during the year that were explicitly aimed at Jews; however, in July, two open air exhibitions in Novi Sad, one of which focused on Holocaust remembrance, were vandalized: several panels were destroyed and covered with neo-Nazi and pro-Russia symbols. Jewish community leaders stated antisemitism continued online and noted antisemitic works, including the *Protocols of the Elders of Zion*, continued to be available for purchase online. Self-defined patriotic groups continued to maintain several websites that promoted antisemitic views, and individuals hosted chat rooms that promoted antisemitic ideas and literature. Content included efforts to restore the reputation of those who perpetrated the Holocaust and allegations of malign influence by prominent Jewish individuals, including the funding of individuals and groups that would purportedly destroy national identity and values.

Nationalist groups used social media to spread anti-migrant and anti-Muslim messages. Expressions of anti-Muslim sentiment, such as the painting of graffiti and murals glorifying convicted war criminal Ratko Mladic and the use of pejorative language to describe ethnic Albanians, occurred throughout the country.

Some traditional and online media, as well as other websites, continued to use the term “sect” for smaller Christian denominations and nontraditional groups, which carried a strong negative connotation of “secrecy and mystifying rituals.” There were at least two articles in tabloid newspapers that specifically characterized Jehovah’s Witnesses as a sect. Many smaller or nontraditional religious groups reported some public bias and discrimination against their members. Several Protestant groups continued to state that they believed the general public still mistrusted and misunderstood Protestantism and that individuals sometimes referred to some Protestant denominations as “sects.”

Smaller religious groups continued to emphasize the importance of interfaith education and dialogue among the broader religious community, and not only among the seven traditional groups.

In October, SOC Patriarch Porfirije was ceremonially enthroned at Pec Patriarchate in Kosovo, where all SOC Patriarchs have been enthroned since 1920. The Archbishop of Belgrade was present at the ceremony, while representatives of the Macedonian Orthodox Church – Ohrid Archbishopric and the Russian Orthodox Church participated in the enthronement service. In his remarks, Patriarch Porfirije urged Serbs and ethnic Albanians in Kosovo to live peacefully together.

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

The U.S. Ambassador and embassy staff engaged regularly on issues regarding religious freedom with government officials, including from the Office of the President, the Ministry of Justice’s Directorate for Cooperation with Churches and Religious Communities, the Ministry for Human and Minority Rights and Social Dialogue, and the Ministry of Foreign Affairs. The Ambassador and embassy staff emphasized the importance of government efforts to increase interfaith dialogue, both between and among traditional and nontraditional religious groups, religious tolerance for all communities regardless of size or belief, and protection of religious sites throughout the country. The embassy continued to urge the Agency for Restitution to continue to implement the Holocaust-era Heirless and Unclaimed Property Law. The Ambassador and embassy staff continued to engage with government officials, members of the Jewish community, and others on the development of the Holocaust memorial center in Belgrade. The

Ambassador visited the site in October and met with the director of the project to discuss the ongoing restoration and other work.

Embassy officials engaged local religious leaders, both in Belgrade and throughout the country, to promote religious tolerance and advocate interfaith dialogue. Embassy officials met with and discussed the status of religious freedom and interfaith dialogue as well as relations between the government and religious groups, with national and local government officials and with members of the SOC, Roman Catholic Church, Islamic Community *in* Serbia, Islamic Community *of* Serbia, Jewish community, Christian Baptist Church, Jehovah's Witnesses, Anglican Church, the Theravada Buddhist Community in Serbia, Faculty of Orthodox Theology, Lighthouse Evangelical Church, and Christ Evangelical Church.

Embassy officials continued to use social media and other public outreach tools to advocate religious freedom and tolerance, including by engaging with religious minorities on key holidays. In July, following the groundbreaking for the Holocaust memorial center in Belgrade, the embassy tweeted in support of the project and the importance of accurately presenting the history of the Holocaust.