

SERBIA 2019 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution guarantees the freedom of 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. While religious groups are not required to register with the government in order to conduct religious services, some religious groups reported that it is difficult to conduct business, hold bank accounts, or own property without being registered. The Ministry of Justice (MOJ) did not act to resolve contested religious registration claims by different Jewish groups, which Jewish leaders said contributed to an ongoing rift in the community. The Ministry of Culture and Information assumed responsibility for establishing a memorial at the site of the World War II (WWII)-era Staro Sajmiste concentration camp in Belgrade; in October the ministry issued a draft law establishing the memorial and held public consultations on the proposed legislation. An off-duty gendarme officer in Belgrade reportedly threatened to kill a group of Jehovah's Witnesses engaged in door-to-door ministry, and there were incidents of local authorities obstructing Jehovah's Witnesses from engaging in proselytizing.

Jehovah's Witnesses also reported cases of verbal threats toward members engaged in missionary work, destruction of mobile literature carts, and inconsistent and sometimes inadequate responses to these incidents by police and prosecutors. Smaller groups, mainly Protestant churches, said they encountered public distrust and misunderstanding and said members of the public frequently branded their religious groups as "sects," which has a very strong negative connotation in the Serbian language. Anti-Semitic literature was available in some bookstores.

U.S. embassy officials urged the government to continue restitution of Holocaust-era heirless and unclaimed Jewish property and urged the Ministry of Justice to act on certification of contested elections within the Jewish community. U.S. government officials monitored progress on the draft law establishing a memorial at the WWII-era Staro Sajmiste concentration camp site, advocating that the government speed up progress on the process. Embassy officials continued to meet with representatives from a wide range of religious groups to discuss issues of religious freedom and tolerance, cooperation with the government, interaction between traditional and nontraditional religious groups, and property restitution. In March the Assistant Secretary of Educational and Cultural Affairs met with the Serbian Orthodox patriarch to highlight U.S. support for church cultural

preservation efforts. In October the Ambassador at Large for International Religious Freedom met with various religious leaders to encourage renewed interfaith communication.

Section I. Religious Demography

The U.S. government estimates the total population at 7 million (midyear 2019 estimate). According to the 2011 census, 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 Jews, Buddhists, members of the International Society of Krishna Consciousness, 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 (SOC), a category not specifically listed in the census. Adherents of the Macedonian, Montenegrin, Romanian, and other Orthodox Churches may be included in the numbers of “Orthodox Christians” or in the “other Christian” category that is part of the remaining 6 percent, depending on how they self-identify.

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

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution guarantees the freedom of belief and religion as well as the right to change one’s religion. It states that 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, freedoms and rights guaranteed by the constitution, or 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 calls for 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 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, Islamic community, and Jewish community. The law considers Islam in general a traditional religion, and the Muslim community is divided between the Islamic Community *of* Serbia (emphasis added), with its seat in Belgrade, and the Islamic Community *in* Serbia (emphasis added), with its seat in Novi Pazar. Both Islamic communities are officially 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. “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, with its seat in Romania and administrative seat in 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 and to provide chaplain services to military personnel.

There are 25 “nontraditional” religious groups registered with the government: the Seventh-day Adventist Church, Evangelical Methodist Church, The Church of Jesus Christ of Latter-day Saints, 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," and First Roma Christian Church Leskovac. 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 registered religious groups receive. 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, 17 registered groups use these benefits. The law also exempts registered groups from property and administrative taxes and from filing annual financial reports.

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 (MOJ) maintains the Register of Churches and Religious Communities and responds to registration applications. If the MOJ rejects a registration application, the religious group may appeal the decision in court.

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 order, or if it incites religious, national, or racial intolerance. It also states the Constitutional Court may ban an association that incites religious hatred.

The MOJ's 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 government's independent Office for Human and Minority Rights, which addresses policy and monitors the status of minorities, also oversees some religious issues.

The law recognizes restitution claims for religious property confiscated in 1945 or later for registered religious groups only. The law permits individual claims for properties lost by Holocaust victims during WWII under the Holocaust-Era Property Law, but religious groups may not claim property confiscated prior to 1945. Registered religious groups that had property and endowments seized after WWII may apply for their restitution.

In accordance with the Terezin Declaration on Holocaust-era assets, the 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. The Jewish community must prove the former owner of the property was a member of the community and the property was confiscated during the Holocaust. The law also stipulates financial support from the state budget for the Jewish community of 950,000 euros (\$1.07 million) per year for a 25-year period, which began with an initial payment 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 deadline for filing claims.

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. Representatives of the Office for Cooperation with Churches and Religious Communities have stated that religious education in public schools may be provided for any registered religious community, but no parents have requested education for any religion except the seven traditional groups. Students in primary and secondary schools must attend either religious or civic education class. Parents choose which option is appropriate for their child. The curriculum taught in the religion classes varies regionally, reflecting the number of adherents of a given religion in a specific

community. Typically, five interested students is the minimum needed to offer instruction in a religion. In areas where individual schools do not meet the minimum number, the Ministry of Education attempts to combine students into regional classes for religious instruction.

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 is comprised of representatives from each traditional religious group, the Directorate for Cooperation with Churches and Religious Communities, and the Ministries of Education and of Science and Technological Development. Representatives of the Islamic Community in Serbia have not participated in the work of the commission. Instead, they have submitted their list of religious teachers directly to the education ministry for approval. According to the Islamic Community in Serbia, appointment of their religious teachers in schools throughout the Sandzak region has depended on local authorities rather than the education ministry. The Islamic Community of Serbia participates in the commission.

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 currently is no mandatory military service.

The constitution allows any court with legal jurisdiction to prevent the dissemination of information advocating religious hatred, discrimination, hostility, or violence.

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

Government Practices

According to Jehovah's Witnesses, police did not respond adequately to some incidents involving threats or assault against members of the group but took appropriate action in other cases.

On September 15, in Belgrade, an off-duty member of the gendarmerie reportedly threatened to kill a group of Jehovah's Witnesses engaged in door-to-door

ministry. He then reportedly chased the group away with his car. The Jehovah's Witnesses said the police questioned the assailant and sent the case to the public prosecutor. The prosecutor's office did not provide an update to the Jehovah's Witnesses on the case.

On October 10, in Kragujevac, a police officer cited and fined a group of Jehovah's Witnesses engaged in door-to-door missionary work, saying that they needed a permit. The Jehovah's Witnesses noted the law does not require a permit for proselytizing.

On September 28, in Klenak, police officers ordered a group of Jehovah's Witness to stop their door-to-door ministry and to leave the locality. The Jehovah's Witnesses said the local chief of police showed little understanding of their legal rights.

The Ministry of Justice did not act to certify or reject an application to change the legal leadership of the Federation of Jewish Communities in Serbia stemming from a contested election in July 2018, or an application to change legal leadership of the Jewish Community of Belgrade resulting from a contested March 2019 election. Ministry officials said delays in making decisions on the two applications were due to ongoing investigations of both elections and pending legal actions taken by opposing Jewish groups. Jewish leaders said government inaction on the paperwork contributed to tensions within the Jewish community.

The Federation of Jewish Communities said the government's Agency for Restitution favored some Jewish groups over others in processing claims under the Holocaust-era Heirless and Unclaimed Property Law. Representatives of the agency stated it acted impartially and noted that it returned at least some property to most communities and continued to actively process claims. They also noted that some types of claims were easier to substantiate and complete, for example apartments and business property in Belgrade, where WWII-era records were good with regards to Jewish property confiscation. More rural Jewish communities tended to have a greater number of agricultural claims, which were more difficult to process. Additionally, the agency said that regions in the semiautonomous province of Vojvodina had generally poorer records of Jewish property confiscation during WWII. Most Jewish communities reported general satisfaction with their ability to file claims. The Restitution Agency reported 1,683 claims were filed by the February 28 deadline.

In accordance with the law on Holocaust-era heirless and unclaimed property, the government continued to return heirless and unclaimed property taken during WWII to the Jewish community and to individuals. 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 government began processing claims under the law in 2016 and, as of December 31, 2018, reported it had returned a total of 59,712 hectares (147,552 acres) of land of which 27,349 hectares (67,581 acres) was agricultural land; 32,268 hectares (79,736 acres) was forests and forest land; and 188 hectares (464 acres) was construction land. Ownership rights to more than 91,887 square meters (989,000 square feet) of buildings were restored as well as one painting by artist Uros Predic.

The Christian Baptist Church of Belgrade reported that it was unable to open a bank account during the year after its bank closed its account in December 2018 for failure to provide registration-related documents. The church did not file for registration under the 2006 law, stating that the law was discriminatory, and that the law recognized legal status obtained under the previous legal framework; this meant that reregistration was not required, and any consequences of not reregistering were discriminatory.

In May the European Court of Human Rights rejected a 2013 complaint by the Christian Baptist Church and the Protestant Evangelical Church alleging the law violated the European Convention on Human Rights because it required the groups to apply for registration under the current law, despite having already been granted legal status under previous laws and previous governments.

Director of the Directorate for Cooperation with Churches and Religious Communities Mileta Radojevic said the directorate focused its expenditures on traditional religious groups because they represented the vast majority of the population. He said the directorate provided financial support for books or printed materials, some reconstruction projects, and scholarships, but only for members of religious groups with a formal, university-level religious institution within the country. Prospective clergy from smaller denominations who relied on seminaries outside the country were ineligible for such scholarships.

The Macedonian and Montenegrin Orthodox Churches remained unregistered. The government continued to recognize only the SOC and continued its policy of deferring to the SOC for approval of any other Orthodox church body to operate in the country. The SOC continued not to recognize the autocephaly of the

Macedonian or Montenegrin Orthodox Churches, and government officials stated that secular authorities should not try to resolve issues among individual Orthodox churches.

Jehovah's Witnesses reported that while some state hospital workers "improved their attitudes" toward their religious beliefs, the state medical system as a whole remained the biggest impediment to their religious freedom, with many doctors unwilling to provide care without blood transfusions.

One Buddhist group, the Theravada Buddhist Community in Serbia, said it successfully registered in May after the Ministry of Justice provided detailed guidance on correcting errors in previous registration applications. Community leaders also reported that local government officials in Indjija paved the road leading to the group's new monastery.

Despite incidents involving members engaged in door-to-door outreach, the Jehovah's Witnesses reported generally satisfactory engagement with the government, in particular the Ministry of Justice, which helped the group navigate administrative issues.

Early in the year the Ministry of Culture and Information took over responsibility for establishing a memorial at the site of the WWII-era Staro Sajmiste concentration and extermination camp in Belgrade from a nongovernmental commission. In October the ministry issued a draft law that would protect the site and establish the memorial, and also held three public consultations on the draft legislation. Public comments received included comments on proposed names for the memorial, the definition of genocide, and the inclusion in the memorial of other camps in Belgrade and in Croatia.

The government continued restitution of religious properties confiscated in 1945 or later, returning 773 hectares (1,910 acres) of land, of which 722 hectares (1,784 acres) was agricultural land; 41 hectares (101 acres) of forests and forest land; 22 acres of construction land; and 985 square meters (10,600 square feet) of office space to churches and religious communities either the properties themselves or by substitution – including the Serbian Orthodox Church, Roman Catholic Church, Romanian Orthodox Church, Slovak Evangelical Church, Reformed Christian Church, Evangelical Christian Church, Jewish Community and Seventh-day Adventist Church. The government estimated it had returned approximately 78 percent of land and 38 percent of buildings claimed by churches and religious communities.

The two Islamic communities said they had each submitted claims on the same set of properties. In explaining the lack of progress on other claims, the restitution agency said that, in general, the claims were poorly substantiated and required extra resources to process. Muslim leaders said the fact that neither of the two Islamic groups had authority over matters regarding the entire Muslim community created difficulty in coordinating property restitution cases and in selecting religious instructors for public school courses on religion.

The national television service, Radio Television of Serbia, continued to broadcast a daily 10-minute *Religious Calendar* program about major holidays celebrated by monotheistic religions.

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

Section III. Status of Societal Respect for Religious Freedom

The Jehovah's Witnesses reported one physical assault and three incidents of threats against members engaged in field ministry.

On April 23, in Kragujevac, an unknown man approached two Jehovah's Witnesses and attacked their property, overturning and damaging their mobile literature cart, and discarding the accompanying materials. The group stated it reported the incident to police, who did not follow up.

On February 9, in Belgrade, a man threatened to assault a group of Jehovah's Witnesses. Police questioned the man and sent the case to the public prosecutor. The prosecutor's office did not provide an update on the status of the case by year's end.

On January 11, in Batajnica, an unknown driver taunted two Jehovah's Witnesses who were preaching near a road. The two reported the car model and license plate number to police but said the police did not follow up.

On February 7, in Uzice, a man threatened two Jehovah's Witnesses engaged in public preaching and attacked their mobile literature cart. The Jehovah's Witnesses reported the incident to the police, and a senior police official provided his personal phone number to facilitate communication in case the victims encountered the assailant again.

On November 4, in Novi Pazar, the Islamic Community in Serbia said it received a threatening letter with a bullet enclosed. The Community reported the letter to police but did not receive a substantive response, according to community representatives. The Islamic Community of Serbia also reported receiving threatening correspondence during the year.

Anti-Semitic works, including the forged *Protocols of the Elders of Zion*, were available online, or for purchase from informal sellers or online bookshops. Right-wing groups maintained several websites and individuals hosted chat rooms that openly promoted anti-Semitic ideas and literature.

Many smaller or nontraditional religious groups reported some public bias and discrimination against their members, but without citing specific examples. Several Protestant groups noted their impression that the general public still mistrusted and misunderstood Protestantism, and that individuals sometimes referred to some Protestant denominations as “sects,” which has a strong negative connotation of “secrecy and mystifying rituals” in the Serbian language, according to anthropologist of religion Aleksandra Djuric Milovanovic. A representative of Christ Evangelical Church said use of the word sect seemed to be resurgent in media reports. The pastor at Lighthouse Evangelical Church also said that society looked down on his religious community as a sect.

Several smaller religious groups said that interfaith education and dialogue were needed among the broader religious community, not just among the seven traditional groups. Members of the Roman Catholic Church, First Baptist Church, Jewish community, and Muslim community attending an interfaith event all agreed that interfaith communication needed to be improved. Multiple smaller groups, including Christ Evangelical Church, the Anglican Church, and the Theravada Buddhist Community, reported good cooperation with local SOC officials.

The registered Romanian Orthodox Church (ROC) Diocese of Dacia Felix operated in the Banat region of Vojvodina Province in an agreement with the SOC. In a May press release following the annual assembly of all SOC Bishops, SOC leaders criticized “the uncanonical intrusions of bishops and clergy of the Romanian Orthodox Church in the Dioceses of the Serbian Orthodox Church in Eastern Serbia.”

Section IV. U.S. Government Policy and Engagement

The Ambassador and embassy staff continued to engage with government officials, local religious leaders, and international Jewish organizations to encourage resolution of the conflict within the Jewish community. The Ambassador on several occasions urged the Minister of Justice to make decisions on religious registration related to disputed elections within the Jewish Federation and the Belgrade Jewish Community. The embassy worked with Jewish organizations and the Israeli embassy to encourage progress on this issue.

The embassy continued to work with the Agency for Restitution and other members of government in the application of the Holocaust-era heirless and unclaimed Jewish property law.

Embassy officials continued to engage with the government on plans for a memorial at the World War II-era Staro Sajmiste concentration camp site. In January representatives from the U.S. Holocaust Memorial Museum and embassy officials urged the Minister of Labor, Employment, Veteran, and Social Policy, who had legacy jurisdiction over the memorial process, and the Minister of Culture, who assumed control over the process, to move forward with a draft law to authorize the memorial complex. Embassy officials continued to meet with Ministry of Culture officials throughout the year to discuss the draft law and to urge further action to establish the memorial.

In March the Assistant Secretary of Educational and Cultural Affairs met with the Serbian Orthodox Patriarch to highlight U.S. support for church cultural preservation efforts.

In November the Ambassador at Large for International Religious Freedom engaged with a wide variety of religious leaders in Belgrade, including the Patriarch of the SOC, representatives from the Roman Catholic Church, Muslim and Jewish communities, and Baptist Church. During his visit, the Ambassador advocated for renewed and institutional interfaith discussions.

In April as part of an ongoing Ohio National Guard military-to-military partnership with the Serbian army, military chaplains from different faiths visited their Ohio counterparts to share best practices and deepen cooperation. The program featured an interfaith dialogue and highlighted the role of military chaplains working with all service members regardless of their religious affiliation or lack thereof.

In May the embassy sponsored a visit by a U.S. gospel vocal group for a series of concerts and appearances around the country that highlighted religious diversity.

During concerts for interfaith audiences and discussions with musicians from religious communities, the performers shared their personal experiences of growing up in faith communities.

In October the embassy posted a series of social media posts highlighting global threats to religious freedom, as well as America's religious diversity, history of religious experimentation, and deep commitment to religious freedoms in honor of International Religious Freedom Day.

Embassy officials met with and discussed the status of religious freedom 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, Directorate for Cooperation with Churches and Religious Communities, Lighthouse Evangelical Church, Christ Evangelical Church, and the NGO Centar9.