



[Home](#) » [Under Secretary for Democracy and Global Affairs](#) » [Bureau of Democracy, Human Rights, and Labor](#) » [Releases](#) » [International Religious Freedom](#) » [July-December, 2010 International Religious Freedom Report](#) » [Europe and Eurasia](#) » Croatia

## Croatia

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

### **July-December, 2010 International Religious Freedom Report**

Report

**September 13, 2011**

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The government generally respected religious freedom in law and in practice. There was no change in the status of respect for religious freedom by the government during the reporting period.

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights.

#### Section I. Religious Demography

The country has an area of 21,831 square miles and a population of 4.5 million. Approximately 85 percent of the population is Roman Catholic, and 6 percent is Serbian Orthodox Christian (SPC). Groups that constitute less than 5 percent of the population include Muslims, Jews, and followers of other religions. Religious affiliation correlates closely with the country's ethnic makeup. SPC followers, predominantly ethnic Serbs, live primarily in cities and areas bordering Bosnia and Herzegovina, Serbia, and Montenegro. Most members of other minority religious groups reside in urban areas. Most immigrants are Roman Catholic ethnic Croats from Bosnia.

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

##### Legal/Policy Framework

Please refer to Appendix C in the *Country Reports on Human Rights Practices* for the status of the government's acceptance of international legal standards <http://www.state.gov/g/drl/rls/hrrpt/2010/appendices/index.htm>.

The constitution and other laws and policies protect religious freedom and, in practice, the government generally enforced these protections.

There is no official state religion; however, the Roman Catholic Church receives state financial support and other benefits established in concordats between the government and the Vatican. In line with the concordats signed with the Roman Catholic Church and in an effort to define further their rights and privileges within a legal framework, the government has additional agreements with the following 15 religious communities: the SPC, Islamic Community of Croatia, Evangelical Church, Reformed Christian Church, Pentecostal Church, Union of Pentecostal Churches of Christ, Christian Adventist Church, Union of Baptist Churches, Church of God, Church of Christ, Seventh Day Adventist Reform Movement, Bulgarian Orthodox Church, Macedonian Orthodox Church, Croatian Old Catholic Church, and Bet Israel Jewish Community. On October 3, the Coordination Committee of Jewish Communities in Croatia signed a similar agreement with the state. However, the government had not completed the administrative procedures necessary to implement the agreement by year's end.

The concordats and other government agreements with non-Roman Catholic religious communities allow state financing for some religious officials' salaries and pensions through government-managed pension and health funds. Marriages conducted by the religious communities having agreements with the state are officially recognized, eliminating the need to register the marriages in the civil registry office. The concordats and agreements also regulate public school catechisms and military chaplains.

The law requires a group to have at least 500 members and to have been registered as an association for at least five years to be registered as a religious community. Registered communities have legal personality and enjoy tax and other benefits. Religious communities existing in the country prior to the law's passage in 2003 do not have to meet these criteria.

The law broadly defines religious communities' legal positions and covers such matters as government funding, tax benefits, and religious education in schools. Matters such as pensions for clergy; religious service in the military, penitentiaries, and police; and recognition of religious marriages are left to each religious community to negotiate separately with the government.

The government observes the following religious holidays as national holidays: Epiphany, Easter Monday, Corpus Christi Day, Assumption Day, All Saints' Day, Christmas, and Saint Stephen's Day (Boxing Day).

#### Restrictions on Religious Freedom

The government generally respected religious freedom in law and in practice. There was no change in the status of respect for religious freedom by the government during the reporting period.

At the end of the reporting period, there were 42 registered religious communities; requests for registration of another 18 have been pending for years because authorities alleged they did not meet the legal criteria. The Croatian Helsinki Committee and several smaller religious groups that were registered but unable to sign agreements with the state criticized the criteria for signing such agreements and claimed that authorities applied them inconsistently. On December 9, the European Court for Human Rights (ECHR) ruled that Croatia discriminated against three Christian religious communities by not affording them some of the rights to which they would be entitled if qualified for an agreement with the state. These included the right to religious education in state schools and the recognition of marriages conducted within the faith. The ECHR ruled that the state should compensate each of the three communities with 9,000 euro (\$12,000) for breaches of the European Convention on Human Rights. Barring an appeal, the verdict was scheduled to become final on March 9, 2011.

Restitution of property nationalized or confiscated by the Yugoslav communist regime remained a problem. Many religious communities identified property return as their top priority and complained of the lack of progress. Restitution of all nationalized or confiscated property is regulated under a 1996 law, amended in 2002.

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The SPC noted that there has been minimal progress in property restitution over the past decade. The SPC continued to press for changes to the 1996 law, which they alleged opened the possibility for the government to resell previously nationalized property to new private owners, making restitution more difficult.

SPC officials remained particularly concerned about the lack of progress in the restitution of several valuable business and residential buildings in downtown Zagreb, most notably the Zagreb Cinema building. In 2008 the building was demolished, and construction of a shopping mall and car park began. In May, after two-and-one-half years of deliberation, the Constitutional Court rejected an SPC request to ban construction at the site pending an agreement between the SPC and the state on restitution. The SPC earlier filed a lawsuit before the ECHR for unduly lengthy procedure. This case remained pending at year's end. The Orthodox Church in Dalmatia eparchy also reported no progress on their main claim – the return of a building adjacent to their seat in Sibenik, housing a radio station and the local newspaper *Sibenski list*.

The SPC continued legal action initiated in 2004 against the owners of 40 previously SPC-owned (and later nationalized) apartments in Zagreb to prevent further sale of the units. The SPC also claimed land in the north of Zagreb. There was no progress on these claims. There was some progress on the return of properties belonging to monasteries; notably land in Borovo Naselje in eastern Croatia was returned on May 25 and part of a forest was returned to the Orahovica monastery in eastern Croatia on October 19. In early 2008 the SPC discovered that the state erroneously registered several church properties located near Koprivnica and Graberje in the land registry books during the mid-1990s as its own. In November the SPC noted that all of these properties had either already been reregistered or were about to be reregistered as church property.

Government funded reconstruction of a number of Serbian Orthodox churches continued, but progress was slow. SPC officials considered the pace satisfactory given the economic recession in the country.

Catholic Church officials stated that the restitution process was satisfactory and within the government's capabilities. In larger dioceses with more claims, such as Zagreb and Djakovo, restitution of some properties was pending.

Several Jewish property claims, including some buildings in Zagreb, remained pending; the Jewish community complained that restitution had been at a standstill for years. The Jewish community still did not possess title to a holiday resort property previously returned to the community by the government.

With respect to the restitution of private property, only persons who obtained citizenship by October 1996 may file claims under the law. With regard to the period covered by the law, government officials stated that a 1999 Constitutional Court decision has the effect of allowing claims relating to confiscations during the previously excluded period of World War II to be considered under the law's provisions. Noncitizens, including those who fled the country and lost their citizenship, are not allowed to file claims under the law and related regulations. On June 26, the Supreme Court ruled in one private property restitution case that the claimant was entitled to the return of, or payment of compensation for, her property although she was not a citizen when she filed a claim. Under the country's civil law system, this decision did not invalidate the current restitution law, but opened the possibility for amendments to the law.

SPC officials reported that they had access to hospitals and prisons to provide pastoral care; unlike in past reporting periods, they were able to assess the need for religious care in military and police structures.

Muslim community representatives reported that no progress was made during the reporting period in the allocation of space at city cemeteries in Rijeka and the wider area of Istria for Muslim graves. In the city of Umag, local authorities continued to delay issuing a building permit for a Muslim community center on land allocated six years ago; they cited the lack of a zoning plan as the reason for postponement.

The Muslim community reported that some women continued to face obstacles when attempting to obtain identity cards with photographs in which they were wearing a headscarf. In November the Muslim community cited two such cases from the coastal city of Pula. In one case a student was not allowed to wear a headscarf for her identity card photo, and in another case a teacher was not allowed to wear a headscarf for the photo and instead wore a wig to cover her hair. The law allows local police to determine their own policies on details related to identity card issuance.

There continued to be no national agreement or unified policy regarding an interim arrangement for maintenance of Jewish graves in Zagreb. No change had been made to the practice whereby heirless graves can be disinterred after 30 years. The Jewish community had an interim agreement with the Zagreb cemetery wherein the cemetery agreed not sell the grave plots or exhume bodies from them. Similar agreements were in force in Varazdin and Cakovec in the northern part of the country.

The government requires that religious training be provided in public schools, although attendance is optional. The Roman Catholic catechism is the predominant religious teaching offered in public schools.

SPC officials continued to report that many schoolchildren and their parents, particularly in cities where Serbian Orthodox believers do not live in compact communities, remained reluctant to identify themselves as Serbian Orthodox to avoid being noticed by others. Nevertheless, SPC officials continued to report a stable situation and an increase in the number of students attending religious classes in areas with Serb majorities or in areas where classes were already well established.

There were no reports of abuses, including religious prisoners or detainees, in the country.

### Section III. Status of Societal Actions Affecting Enjoyment of Religious Freedom

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Religion and ethnicity are closely linked in society, and religion often was used historically to identify non-Croats and target them for discriminatory practices.

Nongovernmental human rights organizations and religious leaders noted that overall, ethnic and religious relations remained stable.

SPC officials from the Dalmatian eparchy reported the continuation of verbal abuse against Orthodox clergy and theological school students, particularly in the Knin area. Church officials criticized the police for inefficiency, as their investigations were rarely successful and culprits were seldom brought to justice.

There were a number of incidents of vandalism directed against various religious communities.

Between August 14 and 17, six tombs and wooden crosses were damaged at the Serb Orthodox cemetery in Benkovac in the coastal interior of the country. Benkovac Mayor Branko Kutija visited the site and said the incident was a case of vandalism and not interethnic hatred. However, Deputy Prime Minister Slobodan Uzelac condemned the incident. On September 6, police completed an investigation and charged a 50-year old man with the desecration; at the end of the reporting period, the case was pending in the Benkovac municipal court.

On August 15, a number of vehicles were vandalized with pro-Serb graffiti in the village of Aljmas in the eastern part of the country. The vandalism took place during a Catholic Mass. Police did not identify any suspects.

On November 18, the Serb Orthodox church reported anti-Serb graffiti sprayed on the walls of the Zagreb Orthodox Cathedral during the month of October. No suspects were identified.

SPC officials reported that graffiti defacing the Stefan Decanski Orthodox Church in May was removed, and no further incidents occurred after the installation of a surveillance system. No perpetrators were identified.

Acts of anti-Semitism were rare.

On August 14, a photograph appeared on the social networking Web site Facebook of a man making a Nazi salute and a woman wearing a Hitler mask, taken in front of the of the Jewish Community building in Osijek. The suspected perpetrators were identified, but authorities could not provide information about further legal action.

On November 17, anti-Semitic graffiti appeared near the site of a planned golf course in Dubrovnik that had created public opposition. The director of the company in charge of the course said the act was a "gross provocation against the investors, most of whom are Israeli citizens and Jews." The mayor of Dubrovnik condemned the act and called on police to find the perpetrators. Many persons were questioned, but no perpetrators identified at year's end.

#### Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights.

[Back to Top](#)