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Croatia

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

International Religious Freedom Report 2010

November 17, 2010

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

The government generally respected religious freedom 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 sporadic vandalism and threats, particularly in war-affected areas, 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

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

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. The Coordinating Committee of Jewish Communities continued to seek a similar agreement with the state.

The concordats and other government agreements with non-Roman Catholic religious communities allow state financing for some salaries and pensions for religious officials 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 government observes the following religious holidays as national holidays: Epiphany, Easter Monday, Corpus Christi Day, Assumption Day, All Saints' Day, Christmas, and St. Stephen's Day (Boxing Day).

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 passage of the law in 2003 did not have to meet these criteria. A total of 42 religious communities were registered, while requests for registration of another 18 have been pending for years because authorities allege they do 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.

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.

Restrictions on Religious Freedom

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

SPC officials reported that they had access to hospitals and prisons to provide pastoral care but continued to complain of difficulties assessing the level of need for Serbian Orthodox religious care in both the military and the police structures.

The law limits foreign citizens to a maximum six-month stay, which then must be followed by six months outside the country. Many categories of foreign citizens are exempt from the six-month maximum stay, but clergy initially were not a part of this group. In March 2009 parliament passed amendments to the law listing clergy among the favored category, granting them the right of temporary residence and more favorable conditions for renewing permits. Both the SPC and the Islamic Community reported in May 2010 that they were satisfied with the application of the amendments and that their clergy were able to work without impediments.

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. In April 2010 the Constitutional Court refused to rule on the constitutionality of an agreement between the government and the Vatican related to the provision of catechism in elementary and high schools. The court stated that it lacked jurisdiction in the matter since it was unable to rule on the merits of international treaties. The decision was in response to a suit filed in 2000 claiming that the agreement violated the equal rights of all citizens. The suit claimed that those who did not attend catechism were not provided with classes in either their own faith or on ethics.

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Schools that met the necessary quota of seven students of a minority religious group per school allowed separate religion classes for the students. The SPC continued to complain that school enrollment questionnaires did not list the Serbian Orthodox faith as an option for religious instruction in some 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 singled out. Nevertheless, SPC officials continued to report a stable situation and an increase of students attending such classes in areas with Serb majorities or in areas where classes were already well established. Previous reports from the eparchy of Dalmatia regarding difficulties in the provision of religious classes for Serb Orthodox children were not repeated during the reporting period.

The Islamic Community reported that some women continued to face obstacles when attempting to obtain identity cards with photographs in which they were wearing a headscarf. The law allows local police to determine their own policies on details related to identity card issuance.

On March 12, 2010, a religious group named the Croatian Orthodox Association announced plans to request registration as a religious community. A community with that same name existed briefly under the fascist Ustasha government during WWII. Eparch Fotije, head of the Serb Orthodox eparchy of Dalmatia, wrote President Josipovic asking him to deny the registration of the new community, which he labeled "ominous." The president responded that the registration was an "invitation to intolerance." On March 15, the government's Commission for Relations with Religious Communities, led by the minister of culture, stated that it did not support any associations or organizations advocating the ideology of the Ustasha regime and that the commission did not support the registration of the new association.

In March 2010 the media reported that candidates applying for a position in the Karlovac city administration were asked their opinion on the possibility of a mosque being built there. City officials confirmed that they intended to test how respondents reacted to "shock questions." The head of the Muslim "Party of Democratic Action," Semso Tankovic, commented that structures still existed in state administration that were intolerant towards minorities, and in this case towards the Bosniak minority.

There continued to be no national agreement or unified policy regarding an interim arrangement for maintenance of Jewish graves in Zagreb. No change to the practice whereby heirless graves can be disinterred after 30 years had been made. The Jewish community had an interim agreement with the Zagreb cemetery wherein the cemetery will not sell or exhume bodies from the grave plots. Similar agreements were in force in Varazdin and Cakovec, in the northern part of the country. In Virovitica local authorities secured funds to repair the Jewish cemetery located there. The Jewish community also reported that the Karlovac cemetery had leveled approximately 50 old graves over the past eight years, violating an agreement with the Jewish community from 1990 that obliged it to preserve Jewish graves in exchange for land at the cemetery owned by the Jewish community.

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.

The SPC noted that the pace of property restitution continued for the past decade to be minimal at best. The SPC continued to press for changes to the 1996 law, which the SPC 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 November 2008 the building was demolished and construction of a shopping mall and car park began. In May 2010, 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 European Human Rights Court for unduly lengthy procedure. SPC officials complained that the speed of procedure showed that the courts were biased in favor of the state and the developer because the SPC waited for more than a decade to have its court claims addressed, while the investor was able to receive all the necessary permits to build within three years. The Orthodox Church in Dalmatia eparchy also reported no progress in return of their main claim, a building adjacent to their seat in Sibenik housing the Sibenik 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. No progress was made on these claims or on the return of properties that belonged to monasteries, such as arable land and forests. In early 2008 the SPC discovered that the state allegedly erroneously registered several church properties in the land registry books during the mid-1990s as its own. The SPC filed lawsuits to reclaim 10 properties located near Koprivnica and in Graberje near Zagreb. No progress was made on the 10 cases during the reporting period.

Reconstruction of a number of Serbian Orthodox churches continued, but progress was slow. On May 10, 2010, the foundation stone for a new Serb Orthodox high school was laid in Zagreb.

The Catholic Church was able to regain most of its major properties, apart from significant amounts of land in the southern part of Zagreb, where large residential settlements were built, and a Jesuit monastery in Varazdin. The monastery housed an information technology faculty and was to be restituted pending completion of a new university campus in the city. Church officials reported that the government was willing to settle any outstanding claims and noted that in the majority of smaller dioceses, most property claims had been settled, but in larger dioceses with more claims, such as Zagreb and Djakovo, restitution of some properties was pending. Church officials stated that the restitution process was satisfactory and within the government's capabilities. On December 3, 2009, the Catholic Church and the government signed an agreement whereby the church agreed to renounce claims on some land in Zagreb that was not able to be restituted in exchange for a building in the center of Bjelovar to serve as a seat for the newly established Bjelovar-Krizevci diocese. The state paid an additional \$1.1 million (5.5 million kuna) for the difference in the properties' value.

Several Jewish property claims, including some buildings in Zagreb, remained pending; the Jewish community complained that restitution had been at a standstill for years. Additionally, the Jewish community complained about a Ministry of Justice decision in March 2010 that denied the community the right to the title to property that had been previously restituted.

In March 2010 construction of a mosque in Rijeka, the third mosque in the country, began after two years of administrative delays. 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 stalled issuance of a building permit for an Islamic community center on a plot of land allocated six years ago, citing the lack of a zoning plan as the reason for postponement.

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. Efforts to amend the law were not successful.

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

Forced Religious Conversion

There were no reports of forced religious conversion.

Section III. Status of Societal Respect for Religious Freedom

There were reports of sporadic violence and threats against religious persons, institutions, and symbols of all religious groups. Religion and ethnicity are closely linked in society, and religion often was used historically to identify non-Croats and target them for discriminatory practices.

Human rights nongovernmental organizations and religious leaders noted that overall ethnic and religious relations remained stable, although members of the Jewish and Serb Orthodox communities believed the situation was worsening.

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

On May 24, 2010, the exterior of the Stefan Decanski Orthodox Church in Vukovar was defaced, only weeks after the completion of the city-funded construction of the church and priest's quarters. On two occasions in early May 2010, unidentified persons broke into the St. George Church in Knin, both times vandalizing the interior. The Orthodox priests believed these incidents were aimed at intimidating ethnic Serbs from attending religious services and discouraging Serb refugees from returning to the area. On April 17, 2010, profascist graffiti appeared on St. Peter and Paul Church in Sinj, in the Dalmatian hinterland. In November 2009 and again on February 14, 2010, similar graffiti appeared at the entrance of St. Elias Church in Zadar. Police investigated but did not find culprits in any of the incidents.

Acts of anti-Semitism were rare, but acts with anti-Semitic overtones occurred. On April 27, 2010, unknown persons damaged 12 tombstones at the Jewish cemetery in Osijek. The head of the Jewish community in Osijek attributed the act to young delinquents who probably acted out of mischief. Prime Minister Jadranka Kosor condemned the act and called for an urgent investigation, which continued at the end of the reporting period.

On September 24, 2009, Cardinal Josip Bozanic, head of the Roman Catholic Church in Croatia, visited Jasenovac, site of the largest concentration camp in the country during WWII, where thousands of Serbs, Roma, and Jews were killed.

Bozanic, the highest church official to visit the site, acknowledged that some members of the church were involved in the crimes of Jasenovac but denied the involvement of the church as an organization. While some saw his visit as an overdue gesture toward reconciliation, Serb and Jewish leaders criticized Bozanic for failing to offer a direct apology to victims and for using the occasion to equate the victims of communism with those of the Holocaust.

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. During the reporting period, U.S. embassy officials encouraged the government to respect religious freedom in practice. In addition, embassy officials met frequently at all levels with representatives of religious communities and minority groups to address human rights and religious freedom matters.

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