



Croatia

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

International Religious Freedom Report 2009

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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, particularly in the war-affected areas, directed against Serbian Orthodox Church (SPC) property.

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. 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. The Serbian Orthodox, predominantly ethnic Serbs associated with the SPC, 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. The law at all levels protects this right in full against abuse, either by governmental or private actors.

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. 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.

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 (CCJC) continued to seek a similar agreement with the state. In May 2008 the Government offered a joint agreement to the CCJC and Bet Israel. Bet Israel signed the agreement on October 24, 2008. However, the CCJC declined the Government's offer, insisting on an independent agreement. The CCJC also objected to the distribution of government funding to the communities, arguing that the smaller Bet Israel received disproportionately more funding than the larger CCJC. The CCJC's refusal to sign the agreement did not affect the funding provided to Bet Israel.

The Government observes Epiphany, Easter Monday, Corpus Christi Day, Assumption Day, All Saints' Day, Christmas, and St. Stephen's Day (Boxing Day) as national holidays.

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, however, 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 alleged they did not meet the legal criteria. The Croatian Helsinki Committee and several smaller religious groups that were registered but unable to sign an agreement with the state criticized 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 on Foreigners, which came into effect in January 2008, limits foreign citizens to a maximum six-month stay, which then must be followed by six months outside the country. Many categories of citizens are exempt from the six-month maximum stay, but clergy initially were not a part of this group. In 2008 SPC representatives expressed concern that the law could potentially affect as many as half of their priests. A dozen of the 54 Muslim imams in the country were affected as well. Five other religious communities, including the Islamic Community, joined the SPC in March 2008 to propose amendments to the law, suggesting a separate status for clergy, an extension of temporary stay, and a streamlined procedure for obtaining temporary and permanent residence permits. On March 31, 2009, Parliament passed amendments to the Law on Foreigners 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 believed it was too early to tell whether the amendments would be properly implemented, although neither community reported problems with renewing residency permits during

the reporting period.

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. 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 complained in 2008 that primary and secondary schools were issued enrollment questionnaires in 2007 asking students if they were interested in attending religious classes; however, the questionnaires allegedly mentioned only Catholic classes. SPC representatives requested that their faith be mentioned as an option as well. SPC officials reported that the Ministry of Education subsequently sent a letter to schools instructing them to offer other options; however, implementation varied, and many schools failed to offer other options to students enrolling in September 2008.

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. However, the Eparchy of Dalmatia reported problems with two primary schools in Knin that limited the number of religious classes for Serb Orthodox children.

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.

At the end of the reporting period, no national agreement or unified policy regarding an interim arrangement for maintenance of Jewish graves in Zagreb had been created. No change to the practice whereby heirless graves can be disinterred after 30 years had been made. In the first half of 2008, government officials agreed to pursue solutions to the two issues.

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 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, despite the fact that a 2007 SPC appeal before the European Court of Human Rights remained pending.

The SPC also 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 during the reporting period 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 five lawsuits to reclaim five properties located near Koprivnica and in Graberje near Zagreb. No progress was made on the five cases during the reporting period; however, additional cases were found, bringing the total number of such cases to ten.

Reconstruction of a number of Serbian Orthodox churches continued, but progress was slow.

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.

Several Jewish property claims, including some buildings in Zagreb, remained pending during the reporting period.

The Islamic Community had no property claims. Construction was initially scheduled to start on a mosque in Rijeka in mid-2008, but plans were delayed, and construction was postponed to October 2009. Plans existed to build a mosque in Osijek, but administrative procedures for rezoning the land delayed construction. The Community also bought land to construct a mosque in Sisak but was waiting for administrative issues to be resolved before beginning construction. The Community complained about difficulties with local authorities in Rijeka and the wider area of Istria regarding the allocation of space at city cemeteries for Muslim graves. The lack of proper burial spaces meant the deceased were often taken to Bosnia and Herzegovina for burial.

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 detainees or prisoners in the country.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States or who had not been allowed to be returned to the United States.

Section III. Status of Societal Respect for Religious Freedom

Violence and threats against religious persons, institutions, and symbols of all religious groups occurred sporadically. 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 an increase in verbal abuse against Orthodox clergy, particularly in Sibenik, the seat of the eparchy. On April 18, 2009, unidentified persons smashed the glass in the front door and window of the Serb Cultural Society in Knin. On October 14, 2008, unknown perpetrators sprayed swastikas and Ustasha symbols on the gates of the eparchy seat in Sibenik. On September 28, 2008, a large group of unidentified persons disturbed residents of a neighborhood by singing and shouting abuse against Serbs and the SPC. The

Orthodox bishop of Dalmatia complained that these incidents were not a "guarantee of freedom of people and cultural institutions." Police investigated but made no arrests in any of the incidents. SPC officials noted that police in the area were inefficient and rarely reported their findings to the Church. Church officials also complained that local authorities were uncooperative and occasionally hostile towards the SPC.

In April 2009 the media reported that unknown persons broke into the Islamic space of worship in Split, where they wrote an insulting message and damaged an appliance. In October 2008, also in Split, windows were smashed in the Islamic Community building. Muslim religious leaders stated that the acts were isolated and described the overall position of their community in Split as favorable.

Acts of anti-Semitism were rare, but acts with anti-Semitic overtones occurred. On May 30, 2009, popular nationalist singer Marko "Thompson" Perkovic performed on Zagreb's main square, and a small group of audience members were seen giving Nazi salutes and displaying pro-Ustasha (an ultranational and fascist movement) symbols and singing Ustasha songs. Police arrested three persons for wearing Ustasha insignia and another three for violence. Unlike in the past, this concert was not cofunded by the City of Zagreb.

In April 2009 the CCJC reported that a Jewish cemetery in Vrbovic was destroyed; the date of the vandalism was not determined.

The CCJC reported that swastikas were painted on their building in Zagreb in March 2009. Police painted over the marks but made no arrests or further investigations.

On January 27, 2009, International Holocaust Remembrance Day, a visit by school children to the premises of Bet Israel was interrupted by a bomb threat. Police investigated but made no arrests.

On January 30, 2009, local media reported that a list of the most prominent Jews in Croatia had been published on a right-wing ultranationalist website. Parts of the list were later republished in the media and on other websites. The list was meant to illustrate that Jews "were all around" in positions of influence and were found "wherever there is political power and money." The media said the list was evocative of Nazi-era "hit lists."

On January 26, 2009, local television station NOVA TV broadcast a news show on the conflict in the Gaza Strip. Guest commentator Vedrana Rudan compared the situation in Gaza to that of the Holocaust. Rudan was criticized by Jewish leaders and by some members of the government and media, although others defended her right to free speech. NOVA TV issued an apology, temporarily suspended the editor of the news show, and stated that Rudan would not be a guest in future broadcasts. Rudan claimed that the only reason she was not invited to return was because the owner of NOVA TV was president of the World Jewish Congress. Jewish leaders complained that NOVA TV continued to show repeats of the same segment despite issuing an apology.

Both the CCJC and Bet Israel reported several letters, e-mails, and telephone calls mostly criticizing Israeli policy towards Palestinians but also containing elements of anti-Semitic hate speech. The CCJC also reported that a member of their community had found flyers in a local tram urging citizens to boycott Israeli companies in protest of "Israeli aggression."

On July 20, 2008, Dinko Sakic, the former commander of the World War II Ustasha-run concentration camp Jasenovac, died in a prison hospital while serving a 20-year sentence and reportedly was buried in his Ustasha uniform in Zagreb. The president of the Simon Wiesenthal Center, Efraim Zuroff, wrote President Stipe Mesic in August 2008 to protest that the priest presiding over the burial praised Sakic as a model for all citizens. The President's Office responded that it "expected responsible institutions to take the necessary steps to prevent Dinko Sakic's funeral from damaging the country's reputation or inflicting long-term damaging effects on a disoriented

young population." State prosecutors investigated the case but did not find sufficient evidence to press charges, since any display of the uniform had been in private.

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.