International Religious Freedom Report 2009
October 26, 2009

The Constitution and the 2007 Law on the Legal Status of Churches, Religious Communities, and Religious Groups provide 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; however, the lack of effective implementation of the registration portion of the 2007 legal status law severely hindered new registrants' ability to acquire legal standing.

There were few 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. During the reporting period, U.S. embassy officials advocated for effective and fair implementation of registration provisions of the 2007 legal status law.

Section I. Religious Demography

The country has an area of 9,781 square miles and a population of 2.1 million. The country's two major religions are Orthodox Christianity and Islam. Approximately 65 percent of the population is Macedonian Orthodox, and 32 percent is Muslim. Other religious groups include Roman Catholics, various Protestant denominations, and Jews.

There is a general correlation between ethnicity and religious affiliation—the majority of Orthodox believers are ethnic Macedonian, and the majority of Muslim believers are ethnic Albanian.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The Constitution and the 2007 Law on the Legal Status of Churches, Religious Communities, and Religious Groups provide for freedom of religion; other laws and policies also 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.

The 2007 law entered into force in May 2008 and liberalized the regime for registering religious groups, allowing for the registration of more than one group from each religious confession.

There is no official state religion, but five religious groups are mentioned specifically in a 2001 amendment to the Constitution: the Macedonian Orthodox Church (MOC), the Islamic Community in Macedonia, the Roman Catholic Church, the Jewish Community, and the Evangelical Methodist Church. Prior to the adoption of the amendment, the Constitution mentioned only the Macedonian Orthodox Church "and other religious communities and groups." State support for construction of places of worship favors the dominant Macedonian Orthodox Church.
The Government observes Orthodox Easter and Christmas and Ramazan Bajram (end of Ramadan) as national holidays. Other Christian, Islamic, and Jewish holidays are not national holidays, but they are government-designated religious holidays for adherents of those faiths.

The law calls for religious groups to register in order to acquire status as legal entities and states that all (registered) groups are separate from the state and equal before the law. The law details a checklist of application materials for new registrants and a process for carry-over of registrations of groups registered under previous laws by the end of 1998.

Foreigners entering the country to carry out religious work or perform religious rites must obtain approval from the State Commission for Relations with Religious Communities and Groups to receive visas. When applying for visas, such persons must submit a letter of invitation from representatives of a registered religious organization in the country to the Commission, which then issues a letter of approval to be submitted with the visa request. The Commission reported that its review process takes less than a week; there were no complaints from religious groups that the process took longer than that.

Private religious primary schools are not allowed under the law, but there are no restrictions on private religious schools at secondary levels and above, or on religious education that takes place in religious spaces such as churches and mosques. The Ministry of Education began a program of religious education for primary school students in the sixth grade during the 2008-09 school year, with students’ parents choosing between a single-faith religious doctrinal course and a secular course on history of religions. On April 15, 2009, the Constitutional Court ruled that the single-faith religious courses were inconsistent with the Constitution’s separation of church and state. The Ministry of Education complied with the decision and stopped the single-faith courses. The Constitutional Court’s decision allowed the history of religions course to continue through the end of the school year. At the end of the reporting period, the Ministry of Education announced plans to develop a course entitled “Ethics of Religion” for the 2009-10 school year, asking students/parents to choose between history of religions and ethics of religion.

Restrictions on Religious Freedom

The Government generally respected religious freedom in practice. However, failure to effectively implement new registration procedures for religious groups blocked their ability to gain legal status.

In May 2008 Skopje Court II assumed responsibility for registering religious groups under the 2007 law. The law also sets out clear timelines for the Court to complete the registration process--15 days for review of completeness of applications and an additional eight days for entering the group into the register. The law requires that the name and official insignia of new groups be different from the names and insignia of already-registered groups, but it allows multiple groups of a single faith to register. Skopje Court II assigned the registration process to a single judge, who did not meet the timelines required by the law, leaving many applicants waiting months without information. A number of applicants believed the application guidelines were confusing after they received decisions from the court rejecting their applications for reasons not clearly set out in the law’s checklist, including requiring Macedonian citizenship of the group’s “Responsible Person,” and requiring that the group’s articles of incorporation be dated after the entry-into-force of the new law. The judge in charge and the president of the court also stated that they would seek to ensure that sources of teaching and liturgy for new registrants are different from those of existing registrants, seemingly intending to protect the autonomy of already-registered groups and contrary to the spirit of the law.

During the reporting period, the court approved two new applicants--Christian Church Word of Hope and the Seventh Day Adventist Reform Movement--and rejected or did not act on applications from 11 religious communities--the Bektashi Community of Macedonia in Tetovo, Christian Church Annunciation, Christian Church...
Oasis, Christian Movement New Hope, Church of the True Orthodox Christians in Macedonia, Evangelical Baptist Church, Ehlibejtska Bektashi Community of Macedonia, Free Evangelical Church Good News, Greek Orthodox Archbishopric of the Patriarch of Pec (application name for Jovan Vraniskovski's church, formerly called the Orthodox Archbishopric of Ohrid, since the MOC has added "Orthodox Archbishopric of Ohrid" to its registered name), Kaderiska Religious Group Jenet, and Stavropegic Monastery St. John Chrysostom.

Some restrictions related to its status as an unregistered group continued to be applied to the "Orthodox Archbishopric of Ohrid," which denies the MOC's self-declared autocephaly (also not recognized by other Orthodox churches). Led by a defrocked MOC bishop, Jovan Vraniskovski, this group is recognized by the Serbian Orthodox Church as an archbishopric. Members of the group claimed undue government monitoring or harassment based on their religious beliefs. On July 23, 2008, and February 9-10, 2009, church members reported delays at border crossings into the country and indicated that border guards told them they should take off their monastic clothes in order to facilitate border crossing.

State support for construction of houses of worship and other religious buildings favored the dominant Orthodox religious community. Despite protests by nongovernmental organizations (NGOs) and student organizations opposing its construction for both city planning and church/state separation reasons, groundbreaking for a state-funded Orthodox church on the main city square in Skopje (agreed to in a closed-door government meeting in January 2008) was scheduled to take place in June 2009. The dispute peaked in a March 28, 2009, clash between protestors opposed to and those in favor of its construction. However, plans for the groundbreaking were not delayed until the Ministry of Culture failed to approve a contract for its construction, stating that the single bid exceeded cost expectations. Late in June 2009, the Government announced that it would transfer the user rights for the land and project documentation from the Ministry of Culture to the MOC. NGOs opposed to the construction announced plans to challenge the land transfer in court. In contrast, the reconstruction of the Charsia Mosque in the city of Tetovo (funding for which was agreed to by the Government in a meeting a week after the decision to fund the Orthodox church) had not begun at the end of the reporting period, and appeals from a coalition of NGOs to allow reconstruction of the Burmali Mosque on the Skopje city square were unanswered.

Churches and mosques are often built without building permits, but the Government normally does not take action against religious groups that convert existing structures for religious use. However, by the end of the reporting period, the Administrative Court had not acted on a 2007 case filed by Jehovah's Witnesses related to the ownership and use as a meeting hall of a property near the northeastern town of Kriva Palanka.

The problem of restitution of religious properties expropriated by the former Yugoslav government was not fully resolved. Several religious communities have not regained full ownership of many of the properties expropriated by the communist regime. Ownership of almost all churches and many mosques has been restored to the appropriate religious communities but not for most other properties. Restitution or compensation claims are complicated by the fact that the seized properties often have changed hands or have been developed since they were confiscated. The Islamic Community of Macedonia (ICM) claimed it was not able to regain rightful use of several mosques that the Government had agreed to return and indicated that despite promises of full restitution, only 7 percent of its properties had been restituted. In addition, the ICM alleged that in some cases the Government delayed the process of restitution by selling or starting new construction on disputed property and by disputing the historical legal claim of the ICM to religious properties. The ICM continued to meet with government officials to seek to resolve property issues.

There were no developments in the suit that the Bektashi initiated against the Government in 2002 for failing to reverse the former Yugoslavia's nationalization of the Bektashi's Tetovo compound, known as the Arabati Baba Tekke. In addition, there were no developments in the 2004 suit the Bektashi filed against the ICM for the 2002 seizure of part of the Tetovo compound by armed ICM members. At the end of the reporting period, the ICM
continued to occupy the area. Tensions between the Bektashi community and ICM peaked over the June 2009 burial of a Bektashi community member on the compound grounds. The ICM called the burial illegal and threatened to remove the body. The dispute remained unresolved at the end of the reporting period.

Abuses of Religious Freedom

Imprisoned for part or all of previous reporting periods, Jovan Vraniskovski, leader of the "Orthodox Archbishopric of Ohrid," remained free after his release from prison in April 2007. However, government officials continued to refuse to return Vraniskovski's passport, and he remained abroad on his Serbian passport for the entire reporting period. Vraniskovski faced a detention order for a third retrial of a case in which he was initially acquitted by the Veles Trial Court in 2006 on charges of embezzling MOC funds while he was a bishop with the MOC. The Veles Trial Court judge requested the opinion of a panel of experts on Vraniskovski's bookkeeping, and his attorney reported that on March 23, 2009, the MOC tried to present additional evidence to the panel. At the end of the reporting period, the panel had not sent its opinion to Vraniskovski's lawyer, and a retrial had not been scheduled, since Vraniskovski had not been detained.

There were no reports of religious prisoners or detainees 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.

Improvements and Positive Developments in Respect for Religious Freedom

Construction was completed in January 2009 on a memorial home for Mother Teresa in her birthplace, Skopje, funded by the Ministry of Culture. Representatives of many religious communities joined government officials and international community representatives for the opening ceremony on January 30, 2009.

At the end of the reporting period, the Jewish Community of Macedonia and its Holocaust Memorial Fund neared completion of a Holocaust memorial and art center in Skopje, with funding of $26.3 million (€17 million) from a 2007 agreement with the Government to restitute heirless Jewish properties.

Section III. Status of Societal Respect for Religious Freedom

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

Section IV. U.S. Government Policy

The U.S. ambassador and other embassy representatives frequently met with government officials and representatives of religious communities to address religious freedom and to support ethnic and religious tolerance.

Embassy officials discussed the implementation of the 2007 legal status law with the court in charge of registrations and with government and religious leaders on numerous occasions, advocating for implementation of the law in a way that meets international standards with respect to human rights and religious freedom and meets the deadlines contained in the law. Embassy staff also worked closely with a number of religious groups and communities seeking to register, serving as a central point for information-sharing among applicants frustrated by court delays and confused by the lack of clear application procedures.
In March 2009 the Embassy sponsored an International Visitors Leadership Program on Religious Life and the Public Sphere, which included a diverse mix of religious community and NGO representatives who visited the United States to explore the interplay between religion and state and the role of religious organizations in social welfare programs through meetings with government officials, NGOs, and religious organizations.

In February 2009 embassy staff and an alumnus of an exchange program on faith and community made a presentation at the Embassy's American Corner in Tetovo entitled "Muslim Life in the U.S.," that focused on a range of religious freedom and community issues. The Embassy also hosted an iftar, bringing together a diverse group of religious, community, and political leaders in observance of Ramadan and to discuss the challenges and successes of religious freedom in the country. Embassy representatives reached out to television and newspaper audiences with interviews discussing issues of religious freedom, specifically focusing on President Obama's outreach to Islamic communities worldwide.

The Ambassador and other embassy representatives attended events to foster religious freedom, tolerance, and understanding, including Holocaust commemoration events and holiday celebrations for various religious groups.