



## Macedonia

### International Religious Freedom Report 2008

Released by the Bureau of Democracy, Human Rights, and Labor

The Constitution and a new 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. The new law on religion removes previous restrictions on the registration of religious organizations, enhancing respect for religious freedom by the Government during the period covered by this report.

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

#### Section II. Status of Religious Freedom

##### *Legal/Policy Framework*

The Constitution and a new Law on the Legal Status of Churches, Religious Communities, and Religious Groups provide for freedom of religion; 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.

The 1997 Law on Religious Communities and Religious Groups was in effect for most of the period covered by this report. On September 5, 2007, Parliament passed a new law on religious freedom, which became effective on May 1, 2008. The new law strengthens religious freedom provisions and eliminates previous legal restrictions on the registration of religious communities and organizations. It requires religious entities to register to attain legal status but does not require registration to practice religious beliefs in private or in public. The registration requirements are in line with international standards, a departure from the 1997 law, which prohibited the registration of more than one organization from each religious confession.

The new law states that "the freedom to express one's religion or belief can be limited by law only if such limitation is indispensable to the interests of public safety, public order, health or morals, or for the protection of the rights and freedoms of others." It also removes previous restrictions on the establishment of places of worship, collection of contributions, and locations where religious ceremonies may be held. In addition to listing traditional venues for religious services, it indicates that "a religious ritual may also be performed in other public and private premises and places." The 1997 law required religious groups to obtain a permit from

the State Commission for Relations with Religious Communities and Groups at least 15 days in advance to conduct religious ceremonies outside of religious facilities, a restriction removed by the new law.

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 groups.

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 a visa. When applying for visas, such persons must submit a letter of invitation from representatives of a 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.

Education laws restrict the establishment of all private primary schools, including parochial schools, and do not allow parents to homeschool their children. Restrictions on private religious primary schools also are included in the new law on religion, which states that "a church, religious community, or religious group has the right to establish religious schools for all levels of education, except for primary education." However, there are no restrictions placed on religious education that takes place in religious spaces such as churches and mosques. The new law removes a previous restriction that children below the age of 10 years may not receive religious instruction without the permission of their parents or legal guardians.

The new law supports April 2007 amendments to the Law on Education calling for religious education in public schools, stating that "religious instruction may be carried out as an optional subject at educational institutions." The Law on Education calls for optional religious education courses starting in the sixth year of primary school, when students are typically 12 years old.

Religious instruction is not mandatory under the amendments to the Law on Education. The new curriculum allows parents or legal guardians to decide whether their children take a single-faith course, a course on the history of religions, or a foreign language course in lieu of either of the first two options.

Implementation of the amended Law on Education was expected for the 2008-9 school year. However, at the end of the period covered by this report, the Constitutional Court was reviewing the amendments, and it was unclear whether the case would be resolved in time for implementation of the new curriculum by fall 2008. This marks the second effort to offer religious education to public schools; the first program, in 1998, was not implemented due to a challenge brought in the Constitutional Court.

#### *Restrictions on Religious Freedom*

The Government generally respected religious freedom in practice. The status of respect for religious freedom by the Government improved with the passage of the new Law on the Legal Status of Churches, Religious Communities, and Religious Groups, which greatly liberalizes the process of registration of religious groups and communities.

Until May 1, 2008, when the new law took effect, the legal framework for religious life remained the 1997 Law on Religious Communities and Religious Groups. During the period covered by this report, the Government selectively and minimally enforced restrictions on religious freedom contained in the 1997 law.

Some restrictions related to its status as an unregistered group continued to be applied to the "Orthodox Archbishopric of Ohrid," which denies the Macedonian Orthodox Church (MOC)'s self-declared autocephaly (also not recognized by other Orthodox churches). Led by a defrocked MOC bishop, Jovan Vraniskovski, this schismatic 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 March 25, 2008, a nun of the group reported that she was delayed at the border crossing at Bogoridica, where an agent told her that her affiliation with "Vraniskovski's church" was the reason for that action. She eventually was allowed to enter the country. On January 10, 2008, and again on March 3, bishops of the group were subject to border delays of 25 minutes and 1 hour, respectively, for "additional controls." They claimed they were targeted for

additional processing at border crossings due to their religious affiliation.

The courts took no action on the appeal of the Reformist Movement of Adventists related to the rejection of their application for registration. The Reformist Movement of Adventists planned to reapply for registration under the new law.

Churches and mosques often are built without the appropriate building permits, but the Government normally does not take action against religious groups that build such structures without permits. However, members of Jehovah's Witnesses faced a municipal-level challenge related to the ownership and use of a property near Kriva Palanka, where an individual intended to sell his property to the community for use as a meeting place. The individual could not obtain the title deed necessary to complete the sale and instead offered the community the space for meetings on a rental basis. The owner was fined for not obtaining municipal permission to use the property as a meeting hall. Jehovah's Witnesses believed the community's bias against the religious group resulted in the challenges to obtaining the title and in the resulting fine. An appeals court upheld the fine, and the owner paid it. At the end of the reporting period, Jehovah's Witnesses were renting the property, without interference, as a meeting space while they continued to seek to obtain the title deed for purchase of the property.

The problem of restitution of religious properties expropriated by the former Yugoslav government was not fully resolved. Many 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 that was not the case for most of the 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. 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 and the MOC cited greater difficulty in obtaining ownership of previously owned property if the property was located in a desirable location for investors or business owners, often in urban areas. The ICM continued to meet with government officials to seek to resolve property issues.

While religious communities faced challenges regarding restitution of religious properties, the Government, in a closed-door meeting on January 22, 2008, agreed to fund construction of an Orthodox church in the main city square of Skopje. A group of 38 Islamic civil associations and nongovernmental organizations (NGOs) requested that the construction be complemented by the reconstruction of the Burmali mosque, also in the city square. One week after the decision to construct the church in the Skopje city square, the Government agreed to fund reconstruction of the Charsia mosque in the nearby city of Tetovo, rather than the Burmali mosque as initially requested.

The ethnic Albanian NGO Wake Up protested the construction of the city square church, noting the proposed location was the site of the childhood home of Mother Teresa, and proposed that a memorial home be constructed there. At the end of the period covered by this report, construction had not begun on the church, but reconstruction of the mosque in Tetovo had commenced. Some parliamentarians and senior government officials expressed their opposition to the state-funded construction of churches and mosques.

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 period covered by this report, the ICM continued to occupy the area.

#### *Abuses of Religious Freedom*

Previously imprisoned for part or all of the past several reporting periods, Jovan Vraniskovski, leader of the "Orthodox Archbishopric of Ohrid," was free during the period covered by this report. However, government officials continued to refuse to return Vraniskovski's passport. Vraniskovski faced a detainment order for a third retrial of a separate case in which he was initially acquitted by the Veles Trial Court in April 2006 on charges of embezzling \$410,000 (€324,000) from MOC funds while he was a bishop with the MOC. The case was

returned to the Veles Trial Court for retrial by the Court of Appeals in Skopje, and he was acquitted for a second time in April 2007. On November 14, 2007, the Court of Appeals in Skopje returned this case to the Veles Trial Court for a third trial. Vraniskovski's attorney claimed that neither he nor Vraniskovski was asked to appear in court to testify in the case. On March 17, 2008, the Veles court issued a detention order for Vraniskovski for failing to appear in court. A retrial could not be scheduled until Vraniskovski was detained, but members of his church reported that Vraniskovski was abroad.

In contrast with the previous report, Jehovah's Witnesses reported that the community had no problems with police and commended the State Commission for its support and assistance.

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 of the refusal to allow such citizens to be returned to the United States.

#### Improvements and Positive Developments in Respect for Religious Freedom

On September 5, 2007, Parliament adopted a new Law on the Legal Status of Churches, Religious Communities, and Religious Groups. The law significantly strengthens religious freedom provisions, most notably by removing the restriction on registration of more than one organization from each religious confession and by enhancing freedoms to practice religion in public and in private.

On May 5, 2008, at a ceremony attended by government leaders, rabbis from throughout Europe, and representatives of the international community, the first Macedonian rabbi since 1943 received his rabbinical diploma following his studies at the Sephardic School Yeshiva in Jerusalem. He was expected to serve as Supreme Rabbi of Macedonia.

The Jewish community completed arrangements with the Government for the full restitution of private property confiscated by the former Yugoslav government. (All properties/religious facilities that belonged to the Jewish community were restituted in 2002.) In a groundbreaking agreement concluded in December 2007, the Government completed the process of restitution of all heirless Jewish property in the country. The Jewish community planned to use the \$26.3 million (€17 million) agreed as restitution to complete a Holocaust memorial and art center in Skopje. The transfer of funds from the Government to the Jewish community was delayed due to a technicality related to the Law on Bonds. At the end of the period covered by this report, it was not clear when the funds would be transferred.

The Government increased efforts to reach out to different religious communities and took proactive steps to address challenges to religious freedom at the local level, especially related to restrictions on property use. Several religious communities, including Jehovah's Witnesses, praised the State Commission on Relations with Religious Communities and Groups for its willingness to intervene with local authorities on behalf of religious communities.

The Ministry of Culture, in cooperation with the State Commission on Relations with Religious Communities and Groups, organized a World Conference on Dialogue among Religions and Civilizations, held October 26-28, 2007, in Ohrid. Delegations from more than 40 countries and international organizations participated in the conference and drafted a declaration supporting religious freedom principles and calling for action in international organizations to support religious freedom and dialogue among religious groups.

### **Section III. Societal Abuses and Discrimination**

There were isolated reports of societal abuses or discrimination based on religious affiliation, belief, or practice. However, unlike in the previous reporting period, there were no reports of vandalism of religious sites.

On March 28, 2008, a pamphlet purporting to have been authored by the Prespa-Pelagonia Eparchate of the Macedonian Orthodox Church was delivered to an unknown number of homes in Bitola telling residents to ignore or threaten Jehovah's Witnesses who knocked on their doors.

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

The U.S. Ambassador and other embassy representatives frequently met with government officials and representatives of the various religious communities to address religious freedom and to support ethnic and religious tolerance. Embassy officials discussed the implementation of the new Law on the Legal Status of Churches, Religious Communities, and Religious Groups with government and religious leaders on numerous occasions and urged all parties to implement the law in a way that meets international standards with respect to human rights and religious freedom.

The Ambassador and other embassy representatives continued to follow developments in the "Orthodox Archbishopric of Ohrid" case and discussed the matter with government officials and representatives of the "Orthodox Archbishopric of Ohrid." Embassy officials urged respect for religious freedom and the rule of law as well as moderation in language on both sides.

The Ambassador and other embassy representatives attended events to foster religious freedom, tolerance, and understanding, including Holocaust commemoration events.

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