

MACEDONIA 2016 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution prohibits religious discrimination and guarantees freedom of religion and religious expression. It provides for equality before the law for all individuals regardless of religious belief. Five religious groups are cited by name in the constitution; other religious groups may register with the government to receive benefits equivalent to those of the five named groups. The court in charge of registering religious entities rejected one application, accepted another, and had not yet ruled on two more. Religious groups reported government favoritism toward the Macedonian Orthodox Church – Ohrid Archbishopric (MOC-OA). The retrial of a money laundering case involving the head of the Orthodox Archbishopric of Ohrid (OAO) started in January but was postponed twice. The OAO, which was unable to register as a religious entity, said the government was discriminating against it. The Muslim community reported the government was denying permits to construct or rebuild mosques. The country's largest Muslim group, the Islamic Religious Community in Macedonia (ICM), reiterated that the government continued to illegally wiretap its leaders.

There was a rift between the old and the new leadership of the ICM, and the Sufi Bektashi Community of Macedonia (Tetovo) again reported harassment by individuals affiliated with the ICM. There were incidents of anti-Semitic speech on social media and vandalism against religious buildings. The MOC-OA reported a dozen robberies in Orthodox churches and monasteries.

The U.S. Ambassador and other embassy officials met with representatives from government, parliament, religious communities, and civil society to discuss religious freedom issues. The Ambassador discussed interfaith tolerance, the importance of open dialogue, and countering violent extremism with senior government officials and at public appearances. The embassy sponsored a religious freedom workshop – the first of its kind in the country – in which 30 individuals participated. The embassy funded a visiting speaker who discussed interfaith tolerance and countering violent extremism. The embassy also supported Holocaust education efforts.

Section I. Religious Demography

The U.S. government estimates the total population at 2.1 million (July 2016 estimate). According to the last national census in 2002, an estimated 65 percent

of the population is Orthodox Christian and 33 percent Muslim. Other religious groups, which together constitute less than 2 percent of the population, include Roman Catholics, various Protestant denominations, Jehovah's Witnesses, and, according to the Jewish community, an estimated 200-250 Jews.

The vast majority of Muslims are Sunni, and most live in the northern and western parts of the country. The majority of Orthodox Christians live in the central and southeastern regions. There is a correlation between ethnicity and religious affiliation: the majority of Orthodox Christians are ethnic Macedonian, and most Muslims are ethnic Albanians. Additionally, most Roma, and virtually all ethnic Turks and ethnic Bosniaks are Muslim, whereas most ethnic Serbs and Vlachs are Orthodox Christian. There is also a correlation between religious and political affiliation, as political parties are largely divided along ethnic lines.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution prohibits religious discrimination and provides for equality of rights for all citizens regardless of religious belief. It guarantees freedom of religion and the right of individuals to express their faith freely and in public, individually or with others. It guarantees the religious identity of nationalities and communities in the country. The state recognizes the five religious groups specifically cited in the constitution: the Macedonian Orthodox Church, the Islamic Religious Community in Macedonia, the Catholic Church, the Evangelical Methodist Church, and the Jewish Community. The law allows other religious organizations to obtain the same legal rights and status as these five groups by applying for government recognition and registration through the courts. The constitution states the five named religious groups "and other religious communities and groups" are separate from the state, equal before the law, and free to establish schools, charities, and other social institutions. The constitution bars political parties or other associations from inciting religious hatred or intolerance.

The government has granted legal recognition to 33 religious organizations (consisting of 16 churches, nine religious communities, and eight religious groups). Once registered, a church, religious community, or religious group is exempted from taxes and is eligible to apply for property restitution for those properties nationalized during the communist era, government-funded projects, and construction permits for preservation of shrines and cultural sites. It may also establish schools. Failure to register does not prevent a religious group from

holding meetings or proselytizing, or result in legal punishment or fines, but prevents the group from engaging in certain activities, such as establishing schools or receiving donations that are tax-deductible for the donor.

Religious organizations may apply to register as a “church,” a “religious community,” or a “religious group.” These classifications are based on group size, internal organization, and internal hierarchy. According to judicial authorities, these three categories are treated equally before the law and do not bestow different legal rights, benefits, or obligations. Skopje Basic Court II accepts registration applications and has 15 business days to determine whether a religious organization’s application meets the legal registration criteria. These criteria are: a physical administrative presence within the country, an explanation of its beliefs and practices that distinguish it from other religious organizations, and a unique name and official insignia. An applicant organization must also identify a supervisory body in charge of managing its finances and submit a breakdown of its financial assets and funding sources and minutes from its founding meeting. The law allows multiple groups of a single faith to register. Registered leaders or legal representatives of religious groups must be citizens of the country.

The court sends approved applications to the Committee on Relations between Religious Communities and Groups (CRRCG), a government body responsible for fostering cooperation and communication between the government and religious groups, which adds the organization to its registry. If the application is denied, the organization may appeal the decision to the State Appellate Court. If the State Appellate Court denies the application, the organization may file a human rights petition with the Constitutional Court on grounds of denial of religious rights. If the Constitutional Court denies the petition, the organization may appeal the case to the European Court of Human Rights (ECHR).

The law does not permit religious groups to operate primary schools, but allows them at the secondary level and above. The Ministry of Education requires sixth-grade students and above to take one of three elective courses, two of which have religious content: Introduction to Religions and Ethics in Religion. According to the ministry’s description, these courses teach religion in an academic, nondevotional manner. The courses are usually taught by priests or imams. The Ministry of Education states that all teachers of these subjects receive training from accredited higher education institutions taught by professors of philosophy or sociology. If students do not wish to take a course on religion, they may take the third option, Classical Culture in European Civilization.

All foreigners who seek to enter the country to carry out religious work or perform religious rites must obtain a work visa before arrival, a process that normally takes approximately four months. The CRRCG maintains a register of all foreign religious workers and has the authority to approve or deny them the right to conduct religious work within the country. Work visas are valid for six months, with the option to renew for an additional six months. Subsequent visa renewals are valid for one year. There is no limit to the number of visa renewals a religious worker may be issued. Clergy and religious workers from unregistered groups may be issued visas.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

According to various university professors, nongovernmental organization (NGO) leaders, and legal and political analysts, religious differences continued to play a role in criminal and civil court cases. An example was the retrial of the head of the OAO, Archbishop Jovan Vraniskovski, for money laundering, which began on January 28 but was immediately postponed until March 11, and then postponed again to allow prosecutors to interview witnesses. The court had not set a new hearing date by year's end. In May of the previous year, the Supreme Court had vacated Vraniskovski's money laundering conviction based on substantive and procedural irregularities, sending the case back for retrial. Vraniskovski had already spent three years in prison before he was paroled in February 2015. If convicted again at retrial, he would be given credit for jail time already served. OAO representatives stated the trial was politically motivated and intentionally delayed, while the Helsinki Committee for Human Rights called Vraniskovski a political prisoner. The OAO complained that the process was religious persecution and stated that the court's refusal to unblock the bank accounts of the Anastasija Association, OAO's registered civic association, impeded the OAO from functioning properly. The prosecution stated the Anastasija Association was used by Vraniskovski for illegal activity. At year's end, the case was still pending retrial before Basic Court Skopje I.

Separately, the OAO was awaiting a ruling from the ECHR regarding its application to register as a recognized religious organization, which national courts had denied on grounds that it could not substantiate the difference between its name and symbols and those of the MOC-OA.

The ECHR completed its hearing of the case but had yet to issue a verdict by year's end. Father David from the OAO, which the Serbian Orthodox Church recognized as the sole legitimate autonomous Orthodox Church in the country, stated the government had subjected the OAO to media harassment and undue monitoring due to the OAO's refusal to recognize the MOC-OA's complete independence from the Serbian Orthodox Church.

Basic Court Skopje II received four religious registration applications and approved one, from the Evangelical Protestant Church. The court rejected the application of the Bektashi Community of Kichevo. Applications from the Christian Community in Macedonia and the Community of Muslims remained pending.

The Bektashi Community of Macedonia (Tetovo), an Islamic Sufi order, continued to await an ECHR ruling on its 2013 appeal asking the ECHR to overturn the Constitutional Court's rejection of the community's appeal of the denial of its registration. The Helsinki Committee reported the ECHR had not yet ruled in the Bektashi case because it was reviewing the case with others of a similar nature before offering a ruling. The Bektashi community reported an ECHR official visited them to discuss the case during the year. The government continued to issue visas to foreign members of the Bektashi Community of Macedonia (Tetovo).

Smaller religious organizations not listed in the constitution, such as the Jehovah's Witnesses, the Evangelical Church, the Bektashi Community (Tetovo), and the OAO said that, although they were registered, the government did not treat them as equals with the five religious organizations recognized in the constitution. For example, they stated the government excluded them from official events such as official holiday celebration events or government building ground-breaking ceremonies, and did not grant them the same level of access to government officials for requested meetings. Additionally, the ICM, one of the five officially recognized religious groups in the constitution, stated the government favored the MOC-OA by granting it unique privileges, such as providing it with public properties free of charge, funding for the construction of new Orthodox churches, and exclusive invitations for its representatives to attend government functions. The MOC-OA denied any affiliation with the government and stated it did not involve itself in politics.

A Muslim doctor from Gostivar reported border police continued to subject him to harassment and undue scrutiny because of his long beard and short pants he wore

for religious reasons, which delayed his border crossings whenever he entered and exited the country.

The ICM stated the government continued to prevent construction of a mosque in the ethnically mixed village of Lazhec by denying a construction permit because of pressure from local residents opposed to the mosque. The ICM reported the government also continued to block reconstruction of the mosque in Prilep, which burned down during armed conflict in 2001. According to the ICM, the government denied a permit to rebuild the mosque on the grounds that the Prilep site was a monument of religious culture.

Religious groups, including the Muslim and Catholic communities, reported that restitution of property previously confiscated by the state was a problem. For example, by year's end, the ICM was still seeking ownership rights to the Yeni Mosque in Bitola, which the state declared a monument of religious culture and had taken ownership of in 1950. The Catholic Church also called on the government to denationalize a property seized before the communist era in the southern village of Paliurci, where it wanted to build a church and a monastery. The dispute over the Paliurci property had been ongoing in the courts for 10 years.

Responding to a 2015 request from the ombudsman's office, the Ministry of Education Inspectorate investigated and determined that a student march a public school organized in Bitola in celebration of what the media called "good Orthodox holidays" was not a planned activity. The inspectorate reprimanded four elementary schools and their teaching staff.

ICM leadership continued to report that it believed its leaders' telephones were being tapped illegally.

Civil society groups, such as the Helsinki Committee, and smaller religious communities, including the Protestant Evangelical Church and the Bektashi, stated the government interfered in religious matters and often politicized religion. For example, on February 15, government officials, including Prime Minister Emil Dimitriev, ministers, mayors, and members of parliament of the ruling Internal Macedonian Revolutionary Organization – Democratic Party for Macedonian National Unity party (VMRO-DPMNE), participated in a cornerstone-laying ceremony for a large, Russian-style MOC-OA church and complex of related buildings in the Zelezara neighborhood of Skopje. Central and local government officials had previously facilitated the construction and the MOC-OA's acquisition of land and permits.

On February 28, police intervened to prevent a clash between MOC-OA members and Muslim opponents of the construction of a 180-foot cross in Butel, an ethnically mixed Albanian and Macedonian municipality of Skopje. The head of the CRRCG called on citizens to avoid confrontations and Organization for Security and Cooperation in Europe (OSCE) monitors helped broker an agreement that halted the construction of the cross. In September the Constitutional Court rejected an initiative by the political party Movement for Reforms – Albanian Democratic Party (LR-PDSH) to assess the legality and constitutionality of the cross construction, stating lack of jurisdiction.

The Ministry of Justice Department for Criminal and Civil Legislation, with assistance from the OSCE, worked on a draft of new hate crimes legislation that included religiously motivated acts. At year's end, the draft legislation was still not completed.

The CRRCG reported it issued letters of consent to all foreign missionaries and clerics who submitted requests for religious work during the year.

Section III. Status of Societal Respect for Religious Freedom

In April the former secretary general of the ICM and the former mufti of Skopje filed charges against the current ICM leadership, alleging their illegal dismissal in 2015. In November and December the Criminal Court in Skopje dismissed the charges against the current ICM leadership.

In a separate case related to those dismissals, the ICM requested the government prosecute 27 individuals for involvement in a 2015 armed attack and 13-day occupation of ICM premises. On November 4, the Criminal Court in Skopje found 23 individuals guilty and sentenced them to three months of probation. The defendants appealed the ruling which was pending at year's end. The ICM stated that the punishment was too lenient.

The Bektashi continued to report harassment by ICM-affiliated occupants of the Harabati Baba *teqe* (shrine) compound in Tetovo. Bektashi representatives reported they and visitors to the complex were often verbally harassed, stating that ICM “thugs” told them to leave the compound.

There were instances of anti-Semitic speech on social media. Milenko Nedelkovski, a journalist, twice posted disparaging comments about the Jewish

community. He stated Ashkenazi Jews controlled much of the world and depicted them as “ideologues, financiers and organizers of the Holocaust,” and as “creators of the perception that the Jews were the biggest victims of the Nazi.” The Jewish community did not publically respond to the postings, reporting that they did not want to draw additional attention to Nedelkovski’s writings.

In a statement in response to the Brussels terrorist attacks, the ICM condemned any manipulation and criminal behavior in the name of Islam. The ICM called on all Muslim believers to “ally themselves with Western countries and coordinate all actions against all terrorists.”

The Holocaust Fund of the Jews from Macedonia, an NGO, continued to work with the Ministry of Education to implement Holocaust and Jewish history programs and to promote interfaith cooperation. This project provided teachers with tools to teach secondary school students about the Holocaust and Jewish history.

There were reports of vandalism at religious sites. In May unknown vandals looted two mosques in Tetovo. The ICM said it did not want to give small-scale incidents too much publicity in an effort not to fuel extremism or invite more trouble. In February unknown perpetrators stole icons from a MOC-OA church in Delchevo, and in April unknown individuals damaged the premises of an old MOC-OA church in Debar, while, according to MOC-OA and media reports, apparently digging for gold.

The MOC-OA reported a dozen robberies in Orthodox churches and monasteries throughout the country. These robberies were primarily of money collected from donations and a small number of cultural heritage items such as icons. Police made several arrests related to church robberies in February and October. Additionally, in May authorities arrested a Serbian citizen suspected of thefts from a church while attempting to cross the border with Serbia.

Section IV. U.S. Government Policy

The U.S. Ambassador met with then-Minister of Justice Adnan Jashari in March and embassy officials met with Minister of Justice Valdet Xhaferi in September to discuss the new draft legislation on hate speech and hate crimes, which included hate speech and crimes against religious targets. The Ambassador also discussed interfaith tolerance, the importance of open dialogue, and countering violent extremism with senior government officials, including Minister of Interior Oliver

Spasovski and Director of the Ministry of Foreign Affairs Institute Abdulkader Memedi, and at public appearances, including a conference on the Middle East and North Africa – Transnational Threats to Security.

The Ambassador met with the head of the ICM in February and June to discuss religious freedom issues, such as political interference and favoritism, and combatting violent extremism. An embassy official met with representatives from smaller religious communities, such as the Bektashi, Christian Evangelical, and The Church of Jesus Christ of Latter-day Saints (Mormons), and civil society, including the Helsinki Committee and Balkans Institute for Faith and Culture, to discuss religious freedom.

In September the embassy and several U.S. government agencies cosponsored a three-day religious freedom workshop. Attendees included religious leaders, judges, prosecutors, elected officials, and civil society representatives. The Ambassador spoke at the opening of the workshop, highlighting the importance of religious tolerance and encouraging attendees to advocate for tolerance in their respective spheres of influence. The workshop focused on how religious groups and NGOs could advocate for religious freedom and tolerance with government interlocutors, and how to prevent religiously motivated violence. Many participants expressed appreciation for the training and lamented that other forums facilitating open dialogue on religious tolerance among stakeholders did not exist in the country. The embassy also funded a public awareness campaign and a school program to increase religious tolerance, understanding, and respect among ethnic Albanians (mostly Muslim) and ethnic Macedonians (mostly Christian Orthodox). The program provided diversity appreciation training to teachers and incentives to schools for incorporating interethnic integration into extracurricular activities.

In November the embassy hosted a U.S. expert on countering violent extremism and religious tolerance. He discussed with government leaders, political party leaders, the media, and the ICM (both leaders and imams), the importance of dialogue and religious tolerance in order to combat violent extremism.

The embassy supported the Holocaust Fund of the Jews of Macedonia with a small grant which funded a seminar for teachers on Sephardic Jewish history and the Holocaust, and covered the costs for three participants to attend a summer academy focused on the Holocaust in Vienna, Prague, and Berlin.