

# CROATIA 2017 INTERNATIONAL RELIGIOUS FREEDOM REPORT

## Executive Summary

The constitution provides for freedom of religious thought and expression and prohibits incitement of religious hatred. All religious communities receive the same religious protections, and are free to worship, proselytize, own property, and import religious literature. The government has written agreements with the Roman Catholic Church that provide for state financial support and tax and other benefits; other registered religious communities with agreements with the state receive equivalent benefits. Registered religious communities without such agreements and unregistered religious groups receive fewer benefits. The ombudsman reported some health institutions denied operations to Jehovah's Witnesses who refused blood transfusions for religious reasons. The ombudsman recommended the two ministries concerned act to ensure Jehovah's Witnesses received adequate medical care. The government did not resolve outstanding property restitution cases with the Serbian Orthodox Church (SOC). Senior government officials attended an annual commemoration of victims of the World War II (WWII)-era Jasenovac death camp, which Jewish and Serb (largely Orthodox) leaders boycotted to protest placement near the camp of a private plaque bearing a salute of the fascist Ustasha organization and the lack of government action to remove the plaque. Government leaders later condemned the plaque and moved it elsewhere. The government formed a council to make recommendations on the use of totalitarian symbols and slogans used during and after WWII.

Jewish community leaders continued to report concerns about Holocaust denial, distancing, and minimization and the use by some of Ustasha symbols and slogans. Some Jewish community leaders said there were incidents of significant historical revisionism and downplaying of the country's role in the Holocaust, and expressed dissatisfaction with how the government responded to cases of anti-Semitism, such as the placement of the controversial plaque at Jasenovac. Jewish, Serb, and other groups organized separate commemorations for the victims of the Jasenovac death camp after boycotting the government's ceremony. In February a nonparliamentary political party organized a demonstration in which marchers bore Ustasha symbols, and in August a singer led pro-Ustasha chants during a concert. SOC Patriarch Irinej of Serbia called on the government and Catholic clergy to respond to crimes against Croatian Serbs and to address what he described as the desecration of SOC churches in the country.

The U.S. embassy continued to encourage the government to restitute property seized during and after WWII, particularly from the Jewish community during the Holocaust, and advocated amendments to existing legislation that would allow for restitution and compensation claims with a revised deadline for new applications. The embassy sponsored a visit by four teachers to the U.S. for a Holocaust education exchange program.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 4.3 million (July 2017 estimate.) According to the 2011 census, 86.3 percent of residents are Catholic, 4.4 percent Serbian Orthodox, and 1.5 percent Muslim. Nearly 4 percent self-identify as nonreligious or atheist. Other religious groups include Jews, Protestants, and other Christians. According to the Coordination of Jewish Communities in Croatia, there are between 2,000 and 2,500 Jews.

Religious affiliation correlates closely with ethnicity. Ethnic Serbs are predominantly members of the SOC and live primarily in cities and areas bordering Serbia, Montenegro, and Bosnia and Herzegovina. Most members of other minority religious groups reside in urban areas.

## **Section II. Status of Government Respect for Religious Freedom**

### **Legal Framework**

The constitution provides for equality of rights regardless of religion, and freedom of conscience and religious expression. It prohibits incitement of religious hatred. According to the constitution, religious communities shall be equal under the law and separate from the state; they are free to publicly conduct religious services and open and manage schools and charitable organizations under the protection and assistance of the state.

The Catholic Church receives state financial support and other benefits established in four concordats between the government and the Holy See. These agreements allow state financing for salaries and pensions of some religious officials associated with religious education through government-managed pension and health funds. These agreements also stipulate state funding for religious education in public schools. The law stipulates the same rights and benefits as those specified for the Catholic Church in the concordats with other registered religious communities that have concluded agreements with the state.

The law defines the legal position of religious communities and determines eligibility for government funding and tax benefits; registered religious communities are exempt from taxes on the purchase of real estate, the profit/capital gains tax, and taxes on donations. According to the law, a religious community which was previously active as a legal entity before enactment of the current law need only submit its name, the location of its headquarters, information about the office of the person authorized to represent it, and the seal and stamp it uses to register. To register as a religious community, a religious group without prior legal status must have at least 500 members and have been registered as an association for at least five years. To register as an organization, a group submits a list of its members and documentation outlining the group's activities and bylaws and describing its mission to the Ministry of Administration. Nonregistered religious groups may operate freely but without tax or other benefits. A contractual agreement with the state, which grants a registered religious community eligibility for further funding and benefits, defines the community's role and activities and provides for collaboration with the government in areas of joint interest, such as education, health, and culture.

The state recognizes marriages conducted by registered religious communities that have concluded agreements with the state, eliminating the need for civil registration. Marriages conducted by registered communities that have not concluded agreements with the state, or by nonregistered religious groups, require civil registration. Registered religious communities that have not concluded agreements with the state and nonregistered religious groups may not conduct religious education in schools or access state funds in support of religious activities, including charitable work, counseling, building costs, and clergy salaries; however, they may engage in worship, proselytize, own property, and import religious literature. Only registered religious communities, with or without agreements with the state, may provide spiritual counsel in prisons, hospitals, and the military.

There are 54 registered religious communities, including the Catholic Church, SOC, Bulgarian Orthodox Church, Christian Adventist Church, Church of Christ, Church of God, Croatian Old Catholic Church, Evangelical Church, Macedonian Orthodox Church, Pentecostal Church, Reformed Christian Church, Union of Baptist Churches, Seventh-day Adventist Reform Movement, The Church of Jesus Christ of Latter-day Saints (Mormons), Union of Pentecostal Churches of Christ, Coordination of Jewish Communities in Croatia (an umbrella group of nine distinct Jewish communities), Jewish Community of Virovitica, Bet Israel (a Jewish

group), and the Islamic Community of Croatia. Besides the Catholic Church, 19 religious communities have agreements with the state.

Public schools must offer religious education, although students may opt out without providing specific grounds. The Catholic catechism is the predominant religious text used. Other religious communities that have agreements with the state may also offer religious education classes in schools if there are seven or more students of that faith. Eligible religious communities provide the instructors and the state pays their salaries. Private religious schools are eligible for state assistance.

The law does not allow citizens whose property was confiscated during the Holocaust era to seek compensation or restitution, as it excludes the period of 1941-45 from claims. The law also does not allow noncitizens to file new property claims, since a legal deadline for such claims expired in 2003 and has not been renewed.

The ombudsman is a commissioner of the parliament responsible for the promotion and protection of human rights and freedoms, including religious freedom. The ombudsman examines citizens' complaints pertaining to the work of state bodies, local and regional self-government, and legal persons vested with public authority. The ombudsman can issue recommendations to government agencies regarding human rights and religious freedom practices, but does not have authority itself to enforce compliance with recommendations.

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

### **Government Practices**

The ombudsman reported continued obstacles encountered by Jehovah's Witnesses regarding their right to health care in accordance with their religious beliefs. The ombudsman stated that in 2016, the latest year for which figures were available, there were 22 cases in which 14 state healthcare institutions denied surgery to Jehovah's Witnesses who refused blood transfusions because of their religious beliefs. The Jehovah's Witness community reported having to use its own finances to send patients to different hospitals for procedures, including hospitals outside of the country. The ombudsman's 2016 report made recommendations for the Ministry of Health and the Ministry of Labor to improve hospital procedures and policies in order to provide adequate health care to patients in accordance with their religious beliefs.

Representatives of the SOC reported the government did not resolve any of its outstanding property restitution cases during the year, including claims for land in Osijek County and properties in Vukovar, Vinkovci, and Epharchy Osijecko-Poljska.

On August 17, the Ministry of Foreign and European Affairs issued a statement noting the government was engaged in dialogue with representatives of minorities and was committed to promoting tolerance, solidarity, and cooperation among minority and religious groups.

According to the Office of the Commission for Relations with Religious Communities, the Catholic Church received 299.5 million kuna (\$48.1 million) in government funding during the year for salaries, pensions, and other purposes, compared to 285.7 million kuna (\$45.9 million) in 2016. The government offered funding to other religious communities that had concluded agreements with the state, a portion of which was based on their size, in addition to funds provided to support religious education in public schools (all offered on an opt-in basis), as well as the operation of private religious schools. The government provided 20.6 million kuna (\$3.31 million) to these groups, the same amount as the previous year.

On April 23, Prime Minister (PM) Andrej Plenkovic and other government ministers attended the annual official commemoration for victims of the WWII-era Jasenovac death camp. For the second year in a row, Jewish and Serb (largely Orthodox) leaders announced they would not participate in the official ceremony, but would hold separate commemorations. The leaders cited dissatisfaction with the government's lack of response to a veterans group's placement of a plaque, in November 2016, bearing the Ustasha-era salute "Za dom spremni" ("For the Homeland, Ready," ZDS) near the site of the camp. Following the boycott, PM Plenkovic said he regretted the placement of the plaque and that it was the lasting task of the government to develop a tolerant and democratic society. In September President Kolinda Grabar-Kitarovic and PM Plenkovic both condemned the plaque, and the government relocated it to a veterans' cemetery in the nearby town of Novska; the government did not make a determination on the legality of the use of the controversial Ustasha salute.

In March PM Plenkovic announced the creation of a special council, the Council for Dealing with Consequences of the Rule of Non-Democratic Regimes. According to the PM, the council would provide the government with legal and

institutional recommendations regarding the use of symbols of totalitarian regimes during and after WWII, to include ZDS, that would be used for eventual legislation on the issue. The government directed the council, which consisted of legal experts, academics, and historians, to issue its recommendations by March 2018.

In January PM Plenkovic attended a traditional Orthodox Christmas reception organized by the Serb National Council (SNV) in Zagreb. He stated his government's policy was one of stability, tolerance, dialogue, settlement of outstanding issues, and good relations with all minorities in the country. When he visited the Yad Vashem Holocaust memorial in January, he committed to fight “any form of hatred, racism, and Holocaust denial” and said the country would continue to promote “values of mutual respect, understanding, and tolerance.”

On August 24, President Grabar-Kitarovic bestowed the Order of Ante Starcevic, a national decoration, upon the leader of the Islamic Community of Croatia, Mufti Aziz Efendi Hasanovic. Hasanovic was recognized for his contribution to the building of the contemporary state and promotion of religious liberties, tolerance, and human rights, as well as for his engagement in interreligious and intercultural cooperation. During the ceremony, the president stated Muslim citizens were included in all spheres of social life on an equal footing. The president emphasized the successful interreligious dialogue between the Christian majority and Muslim minority, commending the role of the Islamic Community of Croatia.

Members of the Islamic community reported they cooperated with the government to provide religious and cultural instruction to soldiers before they deployed to Muslim countries, particularly Afghanistan. The Mufti of Croatia, Aziz Hasanovic, accompanied President Grabar-Kitarovic on state visits to majority-Muslim countries.

The Office of the President continued to maintain a special advisor for Holocaust issues.

The country is a member of the International Holocaust Remembrance Alliance.

### **Section III. Status of Societal Respect for Religious Freedom**

Some Jewish community leaders said there were incidents of significant historical revisionism and downplaying or denial of the country's role in the Holocaust. They expressed dissatisfaction with how the government responded to cases of

anti-Semitism, such as the placement of the controversial plaque at Jasenovac and use by some of Ustasha symbols and slogans.

The Jewish community organized its own commemoration of the victims of the Jasenovac death camp after boycotting the government's ceremony. Serb and other organizations, such as the Association of Anti-Fascist Fighters and the Anti-Fascists of Croatia, also held separate commemorations.

In February the extra-parliamentary Autonomous Croatian Party of Rights (A-HSP), described widely in both media reports and academic analyses as far right, staged a march in Zagreb during which party members waved flags bearing an unofficial coat of arms associated with the fascist Ustasha movement. The procession of approximately 30 participants also flew an A-HSP party flag emblazoned with the ZDS Ustasha salute. According to PM Plenkovic, the actions were intended to "incite fear and intolerance in society." Police arrested A-HSP leader Drazen Kleminec during the rally for disturbing the peace.

In August singer Marko "Thompson" Perkovic led pro-Ustasha chants during a concert in Slunj commemorating the country's Victory and Homeland Day. Police filed misdemeanor charges against him for violating public peace and order.

On January 23, during an interview with daily newspaper *Jutarnji list*, SOC Patriarch Irinej of Serbia called upon government officials and Catholic clergy to respond to continuing crimes against the Croatian Serb population and to address desecration of SOC churches reported during previous years. He also stated that when visiting the Jasenovac camp in 2016, he had noticed pro-Ustasha graffiti on the memorial walls.

SOC representatives reported to authorities approximately 10 burglaries during the year at religious properties in Knin and Drnis.

The country continued to host a center for Halal Quality Certification. The center provided halal certifications to businesses producing halal products for domestic consumption and export, as well as education, scientific, research, and marketing services related to halal products. Since its opening in 2010, the center certified 66 food producers, 18 hotels, seven travel agencies, a catering company, and a public school.

In July the Constitutional Court ruled that inclusion of the phrase "So help me God" in the oath taken by newly elected presidents of the country did not violate

the secularity of the republic and that the oath was in accordance with the constitution. The court found that taking the oath was “essentially just a ceremonial act,” and the phrase “So help me God” was not “linked to any religious position,” and did not “represent a theistic and religious conviction,” or “impose a particular religious commitment upon the president.” Three individuals had separately challenged the constitutionality of including the phrase in the oath in motions they filed in 2009, 2013, and 2014. Two judges dissented from the majority opinion, opining the phrase violated the principles of equality of religious communities and of separation of religion from the state.

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

The U.S. Ambassador and embassy staff regularly discussed religious freedom issues, including concerns related to the status and treatment of religious minorities, with representatives of the Ministries of Foreign Affairs and Justice, Office of the Chief State Prosecutor, ombudsman, and other officials. In March and September the Ambassador, embassy staff, and the U.S. Special Envoy for Holocaust Issues met with Justice Minister Drazen Bosnjakovic, then-Justice Minister Ante Sprlje, Culture Minister Nina Obuljen Korzinek, officials from the foreign ministry and the PM’s office, and members of parliament. They encouraged them to adopt amendments to existing legislation to provide for restitution of private and communal or religious property seized during and after WWII, including provisions that would unequivocally allow for foreign claims and that would also reopen the deadline for potential new claims. Embassy engagement also focused on the restitution of Jewish communal properties such as cultural centers, synagogues, and cemeteries, as well as private property, and creation of a claims process for victims.

The embassy discussed religious freedom issues, including concerns related to freedom of expression and efforts to counter discrimination, with the NGO Society for Promotion of Religious Freedom and other civil society organizations, such as Human Rights House, Documenta, and Freedom House, as well as representatives from Catholic, Serbian Orthodox, Protestant, Jewish, Muslim, and other religious groups.

In cooperation with the Ministry of Science, Education, and Sports, the embassy funded Holocaust education training in the U.S. for two high school and two primary school teachers, who later applied the training in the classroom. The annual program was organized by the Department of State, the Association of Holocaust Organizations in New York, and the U.S. Holocaust Memorial Museum.

The program imparted new teaching methods and techniques, facilitated an exchange of ideas and experiences, and provided resources and materials for classroom instruction.