

7 August 2009

MACEDONIA: Official discrimination continues

By Drasko Djenovic, Forum 18

Officials continue to put into practice the Macedonian Religion Law's hostility to some religious communities, Forum 18 News Service has found. Discrimination continues against the Serbian Orthodox Church and Bektashi Muslim community, and in favour of the two "state faith communities" - the Macedonian Orthodox Church and Islamic Community of Macedonia. Smaller religious communities' main problems are the continuing official obstacles against them acquiring, regaining, expanding and using places of worship. Urban plans are often used as excuses to deny or give inadequate planning permission to religious communities, one Protestant pastor commenting to Forum 18 that "this is an excuse, but what can we do?" Controversy continues over the state's promotion of what the Macedonian Helsinki Committee describes as the two "state faith communities". This particularly focuses on the use of state funds to build high-profile places of worship for these communities, and attempts to introduce compulsory school religious instruction despite a Constitutional Court ruling against this.

Since the Macedonian Religion Law came into force in May 2008, officials have continued to put into practice the Law's hostility to some of the country's religious communities, Forum 18 News Service has found. Discrimination against the Serbian Orthodox Church and Bektashi Muslim community, and in favour of the state-supported Macedonian Orthodox Church and Islamic Community of Macedonia, continues. Other religious communities appear to have mainly escaped official hostility, with the exception of ongoing problems with acquiring, regaining, expanding and using places of worship.

Which communities are registered?

The Religion Law divides religious communities into three different categories – a church, a religious community and a religious group – without defining what these mean (see F18News 31 March 2008 http://www.forum18.org/Archive.php?article_id=1107). Neither officials nor religious communities have been able to explain to Forum 18 what the differences between these categories mean, and in practice it appears that the distinctions make no difference to the communities' religious activity. Unregistered communities are able to carry out religious activities, but not to carry out activities such as running bank accounts which require legal status.

A copy of the Official Register seen by Forum 18 on 6 August reveals that the Catholic Church, many Protestant communities, Jewish communities, the Jehovah's Witnesses, the Hare Krishna community and a number of other communities wide range of Protestant churches have been given official status. Even communities with similar names or using almost identical titles, that under the Law should apparently have been refused registration, have been registered.

However, the state will only register one of the Methodist churches present in Macedonia under that name. This is because the Macedonian Constitution recognises five churches and religious communities including the United Methodist Church. A Methodist church from Strumica in eastern Macedonia, which is part of the Fellowship of Independent Methodist Churches from the north of Ireland, were not allowed to register as the Independent Methodist Church. "We needed to change our name and register as the 'Independent Church of Christ'," Pastor Kosta Rabrovaliev told Forum 18 on 3 August.

Other communities continue to apply for registration, mainly without difficulty. There is a certain amount of confusion about registration, as the Hare Krishna community told Forum 18 on 4 August that they had not been registered, but the Register states they have been. Conversely, a small Protestant community told Forum 18 that they have been registered, but their name is not recorded in the Register.

The two large state-disfavoured communities

Of the two large state-disfavoured communities, the Bektashi Muslim community, which claims some 50,000 followers in the country, is applying for registration and hopes to receive this in September 2009. In sharp contrast to this, the Serbian Orthodox Church was refused registration on 28 July. The Church's Ohrid Archdiocese, which covers Macedonia, is led by Archbishop Jovan Vraniskovski. Owing to long-running and bitter legal disputes with the state, which has included his being jailed, he has been unable to be in Macedonia since June 2008 as an arrest warrant has been issued for him (see Forum 18's Macedonia religious freedom survey at http://www.forum18.org/Archive.php?article_id=1094).

Other pressure also continues against the Church. Bishop David (Ninov), who is responsible for legal matters, told Forum 18 on 5 August that "Bishop Joakim is regularly visited by police. We still do not know why except to put pressure on him." On 4 August the Church had a guest from the Moscow Patriarchate but, Bishop David continued, "Bishop Joakim had to call us to say that he was unable to receive our guest in his residence as the police had come again." The police also attend the celebration of the Divine Liturgy in Kumanovo and the capital Skopje which, Bishop David said, causes some believers to fear the consequences of police observation. Harassment, for example of attempts to lead services in graveyards, also takes place.

The Interior Ministry offices in Kumanovo and Skopje did not answer their telephones when Forum 18 tried to contact them.

Bishop David told Forum 18 that they were refused registration under the name Greek Orthodox Ohrid Archdiocese of Pec Patriarchate. The Macedonian court which heard the case refused registration, the reason given being the opposition of the Macedonian Orthodox Church. This Church – which is not recognised by other Orthodox churches - claimed that the Serbian Church was a "foreigner church" and has no jurisdiction in Macedonia, and so cannot be registered. Forum 18 has been unable to gain any comment from Judge Margarita Tosanova – who made the judgement - as to why the views of one religious community should influence legal decisions on another religious community.

In 2004 the Macedonian Orthodox Church registered the name "Ohrid Archdiocese" as a trademark with the State Office of Industrial Property, although this is not part of this Church's formal name.

Judge Tosanova hears all cases involving registration applications, and also refused registration to the Christian Church of the Good News on 5 January 2009. The Church told Forum 18 on 5 August that the Judge refused to give reasons for the refusal, and refused a request for a meeting.

Continuing official obstacles to places of worship

Religious communities of all faiths have told Forum 18 that the biggest problems they involve buildings, such as long-running denials of permission to build, extend or establish legal ownership over places of worship. Urban plans are often used as excuses to deny planning permission to religious communities. In addition, the authorities have also demolished "illegal" Serbian Orthodox places of worship (see F18News 31 March 2008 http://www.forum18.org/Archive.php?article_id=1108).

"We are registered, but it is still not easy to obtain building permission," Vase Azmanov of the Evangelical Congregation Church told Forum 18 on 4 August. "It is easier than five to six years ago, but we would still like to buy a private house and rebuild it for church use," he went on. "It is impossible under the Urban Plan for us to buy a building plot for a church." Azmanov commented that "This is an excuse, but what can we do?"

In a similar situation is the registered Good News Baptist Church in the capital Skopje, which is in a long-running struggle with the authorities to expand its premises (see F18News 25 August 2006 http://www.forum18.org/Archive.php?article_id=836). "There is nothing significantly new on our building situation," Pastor Ivan Grozdanov told Forum 18 on 4 August. "We have been told we can only enlarge our building by 2 metres [6 feet] – even though there is a plot of land we could use to enlarge our church far more beside us." As Pastor Grozdanov commented, "it is irrational to put all that effort into enlarging our building by just 2 metres."

Serious building problems are faced by the Islamic Bektashi community. Fatmir Kadriju told Forum 18 on 3 August that "our big problem is the legal attempt to get back our main building in Macedonia, the Harabati Babe Teke (Monastery)." This was confiscated in communist times and in 2002 the state gave the mosque in the complex to the state-favoured Islamic Community of Macedonia. The remainder of the complex was sold by the state to a state owned company, Tetex, and the Bektashi community is taking legal action to try to recover all of the complex.

Kadriju told Forum 18 that the Bektashi community "has not yet received any confiscated property back from the state, but we expect to get some property back in the Tetovo area."

Promoting "state faith communities"

In early 2008, the government of Prime Minister Nikola Gruevski decided that the state would build a church for the Macedonian Orthodox Church in the centre of Skopje. This was a highly controversial move, and has led to calls for a mosque to be built close to the planned church and that a mosque in Tetovo be built by the state. Latterly, the state has claimed that the church building project has been transferred to the Macedonian Orthodox Church, whereas a mosque in Skopje is not envisaged within the Skopje Urban Plan. A Constitutional Court challenge to the use of state funds for this purpose has been mounted.

Forum 18 has been unable to gain any comment on this from state officials.

As Ana Stojkovic of the Helsinki Committee for Human Rights of Macedonia observed to Forum 18 on 6 August, "no official explanation has been given why the state and not the faith community is building this religious facility." Similarly, the Helsinki

Committee noted that "this decision promotes 'state religion' or more precisely 'state faith communities' in the shape of the Macedonian Orthodox Church and the Islamic Community of Macedonia. The United Nations Special Rapporteur on freedom of religion or belief, Asma Jahangir, noted at the end of her April 2009 visit to Macedonia that many in the country think "that the two major religious communities in the country wield considerable political influence and are eroding the division between religion and State."

A controversy is also continuing over government plans to make religious instruction compulsory in primary schools, after the Constitutional Court cancelled a law allowing this. Prime Minister Gruevski's party has strongly attacked the Constitutional Court over this. UN Special Rapporteur Asma Jahangir said she "was astonished by the outrage expressed publicly by certain religious leaders and politicians" at the Court's decision, and noted that "it is vital that the independence of the judiciary is fully respected, particularly when making decisions regarding religious issues." Stojkovic of the Helsinki Committee told Forum 18 that the Ministry of Education and Science is now trying to introduce a new subject, religious ethics. "This," the Helsinki Committee stated, "is probably introducing religious instruction by small steps after Constitutional Court decision, but there is not enough information on what is intended."

Ljupco Spasovski, who is responsible for primary and secondary school education in the Ministry, told Forum 18 on 7 August that it is intended to introduce a religious ethics subject in schools from September 2009. However, he stated that he is not authorised to say what will be studied in this subject.

Initiatives on religious education which respect everyone's freedom of religion or belief, such as the Organisation for Security and Co-operation in Europe's (OSCE) "Toledo Guiding Principles on Teaching about Religions and Beliefs in Public Schools" (see <http://www.osce.org/odihr/29154>), do not appear to have been taken up in Macedonia. (END)

For background information see Forum 18's Macedonia religious freedom survey at http://www.forum18.org/Archive.php?article_id=1094.

More reports on freedom of thought, conscience and belief in Macedonia can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=50>.

A printer-friendly map of Macedonia - whose official name is the "Former Yugoslav Republic of Macedonia" - is available from <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=europe&Rootmap=macedo>.

If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY