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The right to believe, to worship and witness
The right to change one's belief or religion
The right to join together and express one's belief

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MACEDONIA: Sentence reduction sees Serbian bishop freed

By Drasko Djenovic, Forum 18

The 28 February reduction of the sentence imposed on the head of the Serbian Orthodox Church in Macedonia, Archbishop Jovan (Vranisskovski), saw him freed from prison in Idrizovo several days later. But it remains unclear how much freedom the Church – which faces strong pressure from the government and the rival Macedonian Orthodox Church – will have. Father David (Ninov) told Forum 18 News Service he hopes charges against other monks and nuns for "performing unauthorised activities" will now be dropped, but complained of the government's continuing refusal to grant the Church registration. Archbishop Jovan's lawyer Vasko Georgiev told Forum 18 he is optimistic that the proposed new religion law will explicitly guarantee freedom to hold worship services on private property "since this is the European standard". Serbian Orthodox, Protestants and others complain that under unwritten rules, no non-Macedonian Orthodox places of worship can currently be built.

On 28 February, Macedonia's Supreme Court reduced the prison term imposed on the head of the Serbian Orthodox Church in the country after 217 days' imprisonment. Jovan (Vranisskovski), Archbishop of Ohrid and Metropolitan of Skopje – who marked his fortieth birthday that day - saw his total sentence reduced from two years and four months' imprisonment to eight months' imprisonment. This effectively meant that he would be freed immediately, though confusion surrounded his release. He was allowed out of Idrizovo prison on 3 March on "weekend leave" but was told he would have to return to prison on 6 March unless court papers arrived from Skopje by the end of the day confirming the sentence reduction. Jovan's lawyer Vasko Georgiev confirmed to Forum 18 News Service on 6 March that the court papers have arrived and that his client does not have to return to prison.

The Macedonian authorities have obstructed the work of the Serbian Orthodox Church in their country, preferring to back the rival and much larger Macedonian Orthodox Church, which enjoys government backing. The Serbian Church's Ohrid Archdiocese has faced repeated harassment, including arbitrary denial of legal status, raids on services, interrogation of church members and the demolition of newly-built places of worship (see F18News 4 February 2005 http://www.forum18.org/Archive.php?article_id=505).

Father David (Ninov) of the Ohrid Archdiocese reported a mixed picture for the Serbian Church in Macedonia since Archbishop Jovan began his jail sentence on 26 June 2005. "Some of our monks and nuns were initially acquitted of the charge of 'performing unauthorised activities', but the appeal court has sent back these cases for new hearings," he told Forum 18 on 2 March. "But with the Archbishop being released, I don't think any of our monks and nuns will now be charged for this."

However, Father David complained that the Serbian Church's Ohrid Archdiocese still does not have registration because of the law which bans the registration of more than one religious organisation of the same confession. "But the government has already broken this rule since it has registered two Islamic communities and two Seventh-day Adventist churches," he told Forum 18, although two other small Protestant churches, the Church of Christ and the Christian Meeting House, have also reportedly been denied registration on similar grounds.

Archbishop Jovan has recently reaffirmed his Church's desire to receive state registration in Macedonia, which has already been rejected. "We have presented a declaration from the Holy Synod of the Serbian Orthodox Church that we do not have the same confession as the Macedonian Orthodox Church," he told the Belgrade newspaper Vecernje novosti of 21 February from his prison cell.

Bishop Marko (Kimev), who led the Ohrid Archdiocese during Jovan's imprisonment, told Forum 18 on 3 March that the Church's challenge to the denial of registration has been in the Supreme Court for a year and a half, but the Church has received no response. "The European Union requires that the religion law be changed so that everyone can register."

Father David hopes that the proposed new Religion Law the government is preparing will end problems for his Church, pointing out that experts from the Organisation for Security and Cooperation in Europe visited Macedonia in February to discuss the proposed text with officials. Archbishop Jovan's lawyer Georgiev is optimistic that the new Law will explicitly guarantee freedom to hold worship services on private property "since this is the European standard".

Macedonia's current religion law – which was adopted in July 1997 – still contains many restrictions on free religious practice, despite Constitutional Court decisions in 1998 and 1999 which removed the most restrictive provisions. It remains unclear when the

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new Law will be adopted.

Father David insists that although in law church members can meet for worship on private property (despite the penalties outlined in the Religion Law), "in some villages the secret police still threaten believers who attend Serbian Orthodox services". He paid tribute to the Macedonian Helsinki Committee for Human Rights. "They advise our people who have been invited by the state to an 'information interview' that they need first to receive a written invitation and that they have the right to go there with their lawyer."

Archbishop Jovan was sentenced in October 2003 to one year's imprisonment, suspended for two years, for the criminal offence of "performing unauthorised activities" for entering a church belonging to the Macedonian Orthodox Church to baptise his sister's grandchild three months earlier (an accusation he does not deny). The Court of Appeal in Bitola sentenced him to eighteen months' imprisonment in 2005 on charges of "inciting ethnic and religious hatred, discord and intolerance". Once he had been sentenced for the second time, the suspension of the first sentence was lifted and the two sentences were added together (eight months was added to take account of time spent in prison).

Georgiev told Forum 18 that the defence team had applied for Archbishop Jovan's sentence to be reduced after the Supreme Court rejected two of the three grounds for prosecution for "inciting ethnic and religious hatred, discord and intolerance" in September 2005. On 28 February the Supreme Court reduced Archbishop Jovan's sentence for "incitement of ethnic and religious hatred, discord and intolerance" from 18 to 8 months.

The government's Committee for Relations with Religious Communities and Religious Groups told Forum 18 on 2 March that it had made no announcement about the decision to release Archbishop Jovan. Officials told Forum 18 that only the committee head, Cane Mojanovski, was authorised to comment and that he would not be in the office until 7 March.

The Helsinki Committee lodged a case about Archbishop Jovan's imprisonment on charges of inspiring religious hatred to the European Court of Human Rights in Strasbourg. The Committee head, Mirjana Najchevska, told Forum 18 that her group objects vigorously to any form of restriction of the freedom of belief and religion and to the denial of the right of any person to practice the religion or the belief of his or her choice publicly or privately, alone or together with others. "The state has failed to protect the freedom of belief of all citizens of the Republic of Macedonia equally over the recent period," she told Forum 18 from Skopje on 2 March, "and it has demonstrated a clear preference towards one religious community – the Macedonian Orthodox Church."

Meanwhile, Archbishop Jovan has faced various hearings on charges of embezzling money, accusations he vigorously denies. One case is continuing in the town of Veles south-east of Skopje on accusations that he embezzled some 350,000 Euros while he was the Macedonian Orthodox bishop between 1992 and 2003.

Ivan Grozdanov, a Skopje-based Baptist pastor, told Forum 18 on 6 March that he is not aware that any Protestants have been punished recently for holding worship services in private homes. But like many in religious minority communities, he complains of the denial of permission to build new places of worship.

A wide range of Macedonia's religious communities – including Baptists, other Protestant Evangelicals, Seventh-day Adventists, Jehovah's Witnesses and Muslims - have complained to Forum 18 that the authorities routinely refuse to give them permission to build new places of worship or extend existing ones. "As a basic problem we see that the state doesn't respect all religious communities equally," Afrim Alija, head of the office of the Reis ul Ulema (the Islamic Community) in Skopje, told Forum 18 last December. "Some are more respected than others, especially when it comes to the question of denationalisation" (see F18News 12 December 2005 http://www.forum18.org/Archive.php?article_id=703).

A printer-friendly map of Macedonia is available from http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=europe&Rootmap=macedo

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