

KOSOVO

The Constitutional Framework for the Provisional Institutions of Self-Government in Kosovo provides for freedom of religion, as does the new Law on Freedom of Religion in Kosovo; the U.N. Interim Administrative Mission in Kosovo (UNMIK) and the Provisional Institutions of Self-Government (PISG) generally respected this right in practice.

Respect for religious freedom by the Government improved during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

Societal violence decreased marginally, but tensions between communities remained high. Although societal discrimination and violence appeared to be generally ethnically motivated, the close link between ethnicity and religion made it difficult to determine if events were motivated by ethnic or religious animosity.

The U.S. Government discusses religious freedom issues with UNMIK, the PISG, and religious representatives as part of its overall policy to promote human rights. The U.S. Government intervened in specific cases to ensure that damage to Serbian Orthodox churches and other patrimonial sites was repaired. UNMIK, the NATO-led international peacekeeping force (KFOR), and the Kosovo Police Service (KPS) provided security and protection arrangements for churches and patrimonial sites.

Section I. Religious Demography

Kosovo has an area of approximately 4,211 square miles and a population of 2 million, although the last credible census was taken in the 1980s. Islam is the predominant faith, professed by most of the majority ethnic Albanian population; the Bosniak, Gorani, and Turkish communities; and some of the Roma/Ashkali/Egyptian community, although religion is not a significant factor in public life. Religious rhetoric was largely absent from public discourse in Muslim communities, mosque attendance was low, and public displays of conservative Islamic dress and culture were minimal. The Serb population, estimated at 100,000 to 120,000 persons, is largely Serbian Orthodox. Approximately 3 percent of ethnic Albanians are Roman Catholic. Catholic communities are concentrated around Catholic churches in Prizren, Klina, and Gjakova. Protestants make up less than 1 percent of the population and have small populations in most cities, with the

largest concentration located in Pristina. There are no synagogues or Jewish institutions; there are reportedly two families whose members have Jewish roots. The number of atheists or those who do not practice any religion are difficult to determine, and estimates are largely unreliable.

Missionaries are present. In May 2007 the Ministry of Public Services reported that 101 faith-based or religious organizations, whose goals included providing humanitarian assistance or faith-based outreach, worked in Kosovo.

Section II. Status of Religious Freedom

Legal/Policy Framework

Kosovo continued to be administered under the civil authority of UNMIK, pursuant to U.N. Security Council Resolution 1244. In 2001 UNMIK promulgated the Constitutional Framework for Provisional Self-Government in Kosovo, which incorporates international human rights conventions and treaties, including those provisions that protect religious freedom and prohibit discrimination based on religion and ethnicity; UNMIK and the PISG generally respected this right in practice. UNMIK, the Organization for Security and Cooperation in Europe, and the PISG officially promoted respect for religious freedom and tolerance in administering Kosovo and in carrying out programs for its reconstruction and development. UNMIK, as the final administrative decision-maker, sought to protect religious freedom in full.

In July 2006 the Assembly passed the Law on Religious Freedom, which the Special Representative of the U.N. Secretary-General (SRSG) promulgated in August 2006. The law affirms the right to freedom of expression, conscience, and religion to all residents regardless of their religious convictions. It provides for the separation of religious communities from public institutions and for equal rights and obligations to all religious communities, and it stipulates that there is no official religion. The law also defines unique legal provisions that provide equal rights and obligations to all religious communities.

UNMIK recognizes as official holidays some but not all Orthodox, Islamic, and Catholic holy days, including Eid-al-Adha, Orthodox Easter Monday, the beginning of Ramadan, Eid al-Fitr, Orthodox Assumption Day, Orthodox Christmas, and Western Christmas.

There are no mandatory registration regulations for religious groups; however, to purchase property or receive funding from UNMIK or other international organizations, religious groups must register with the Ministry of Public Services as nongovernmental organizations (NGOs). Religious leaders have complained that they should have special status apart from that of NGOs.

Restrictions on Religious Freedom

UNMIK, PISG, and KFOR policy and practice contributed to the generally free practice of religion. However, Protestants continued to report that they experienced discrimination in media access, particularly by the public Radio and Television Kosovo (RTK). Protestants also reported that Decani Municipality denied them permission to build a church facility on privately owned land they had purchased, citing negative reaction from local citizens, and that the Ministry of Environment and Spatial Planning upheld the decision. The legal case over issuance of the building permit was before the Supreme Court at the end of the period covered by this report. Protestants also reported that the lack of a tax exemption for importing donated charitable goods hindered their efforts.

Education legislation and regulations provide for a separation between religious and public spheres. Pursuant to a 2002 law requiring public education institutions to refrain from religious instruction or other activities promoting any specific religion, the Ministry of Education prohibited the wearing of headscarves. The Ministry continued to enforce this prohibition, particularly at schools with obligatory uniforms, despite a 2004 opinion issued by the Ombudsperson that the rule should apply only to teachers and school officials, not students. Following mediation by the Ombudsperson, a primary school student dismissed from class in April 2005 for wearing a veil completed her education through correspondence classes and received her diploma during the period covered by this report. The Ombudsperson reported that no new complaints of violations of religious rights were received during the year.

There were no reports of religious prisoners or detainees in Kosovo.

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

In September 2006 UNMIK and UNESCO signed an umbrella Memorandum of Understanding (MOU) on reconstruction and conservation of cultural heritage sites, including religious sites. In January 2007 SRSG Joachim Ruecker and UNESCO signed the first of several supplemental agreements under the MOU to allow UNESCO to go forward with the reconstruction and conservation of seven cultural heritage sites. The sites include the Church of the Presentation of the Virgin in Lipjan/Lipljan, the St. Sava Church in Mitrovica, the Hadum Mosque in Gjakove/Djakovica, the Church of St. Archangel Michael in Shtime/Stimlje, the Budisavci Monastery in Kline/Klina, the mosque in Decan/Decani, and the "hamam" (Turkish bath) in Mitrovica.

In March 2007 the European Agency for Reconstruction signed a contract for the reconstruction of Bishop Artemije's official residence--the Episcopal Residence of Prizren--and the adjacent Orthodox Seminary. Construction began shortly thereafter and was expected to last approximately 12 months.

Throughout the period covered by this report, Kosovo officials and Serbian Orthodox Church (SOC) religious leaders actively participated in status negotiations led by UN Special Envoy Ahtisaari. The negotiations related to the protection of Kosovo's cultural and religious heritage were considered to be among the most productive.

The multiethnic Reconstruction Implementation Commission (RIC) for Orthodox Religious Sites in Kosovo, funded by the PISG and chaired by the Council of Europe, continued to reconstruct religious sites damaged during riots in 2004. The RIC, considered one of the best examples of effective multiethnic cooperation in Kosovo, includes representatives from the SOC; the Kosovo Ministry of Culture, Youth, and Sport; Serbia's Institute for the Protection of Cultural Monuments (IPM); and Kosovo's Institute for the Protection of Monuments. Having completed "emergency interventions" on 31 sites in 2005, the RIC's 2006 work program included extensive renovations on 8 sites identified as priority sites by the Serbian IPM. The PISG provided \$2.9 million (€2.2 million) for these efforts. During the period covered by this report, the RIC completed extensive renovations on 8 of the 35 religious sites damaged in 2004, including reconstruction work at the Episcopal Church of St. George in Prizren and a perimeter wall around the destroyed Church of the Assumption of the Holy Virgin Mary in Gjakova/Djakovica. The RIC planned to conduct extensive renovations on an additional 18 sites through 2007,

including the reconstruction of at least 1 iconostasis, although its efforts were slowed by changes and disputes within the Serbian Government.

In October 2006 and April 2007, UNMIK renewed the Special Zoning Area (SZA) around Decani Monastery, which prohibits certain land uses, including commercial development and road construction. In December 2006 a nearby restaurant expanded its facilities in direct violation of SZA provisions. The owner eventually acquiesced to the dismantling of the new construction, but only after numerous direct interventions by international liaison offices with Kosovo Albanian central government and municipal leaders. In June 2007 the PISG, SOC leaders, and Decani municipality authorities agreed to ensure that a planned road to Montenegro near Decani Monastery would not pass directly through the Decani SZA or destroy the monastery's natural surroundings.

Section III. Societal Abuses and Discrimination

Societal violence continued but decreased marginally from the previous reporting period, although tension between communities remained high. On April 20, 2007, UNMIK reported that the number of potentially ethnically motivated cases remained low compared to the total number of cases. General crime statistics reported by UNMIK on March 9, 2007, revealed a 70-percent decline in potentially ethnically motivated crimes since April 2004.

Societal discrimination and violence appeared to be generally ethnically motivated, but the close link between ethnicity and religion made it difficult to determine if events were motivated by ethnic or religious animosity. While most Kosovo Albanians identify themselves as Muslim, the designation has a cultural more than religious connotation. Kosovo Serbs identify themselves with the SOC, which defines not only their religious but also their cultural and historical perspectives. Orthodox Christian and Catholic Kosovo Albanians faced no discrimination from their fellow Kosovo Albanians.

KFOR continued to protect Serbian Orthodox churches and other religious symbols. KFOR halted the process of transferring this responsibility to U.N. international police (CIVPOL) and KPS immediately following the 2004 riots and increased the number of checkpoints near Serbian Orthodox churches, monasteries, and patrimonial sites. However, the transfer process resumed in 2005 and continued during the reporting period, with KPS conducting periodic mobile patrols around some sites. KPS officials noted that they had not assumed responsibility for the checkpoints primarily due to their lack of manpower and

resources. Only three fixed KFOR checkpoints remained at Serb cultural sites, although security measures at Decani Monastery were increased after a shoulder-fired antitank weapon attack on the monastery on March 29, 2007. The Comprehensive Proposal for the Kosovo Status Settlement of U.N. Special Envoy Martti Ahtisaari provides that responsibility for ensuring the safety of Kosovo's religious and cultural heritage shall belong to the Kosovo law enforcement agencies but adds that an International Military Presence will provide security for nine specific Serbian Orthodox sites, including Decani, in the post-status period.

There was a significant increase in the number of persons attending celebrations held at monasteries, with persons coming from throughout Kosovo and Serbia. However, security concerns continued to affect the Serb community and its freedom to worship. Some Kosovo Serbs asserted that they were not able to travel freely to practice their faith. For example, in November 2006 Kosovo Albanians prevented Kosovo Serbs from visiting a Serb cemetery on a Serbian Orthodox holy day. According to police reports, a Kosovo Albanian used a tractor to prevent a bus carrying 50 internally displaced Serbs from Kosovo from entering the village of Leshane. According to the report, the tractor was eventually removed, but by then 60 to 70 villagers had gathered and would not allow the bus to proceed to the cemetery. Police later reported that the person who placed the tractor was detained and released pending charges.

Unlike in the previous reporting period, there were no reported incidents of rock-throwing and other assaults against Serbian Orthodox clergy traveling outside of their monasteries. In the eastern region and from Zociste and Orahovac towards Istok, clergy traveled freely without an escort. However, in the western municipalities of Peja, Decani, Djakovica, Istok, Klina, and Skenderaj and also in south Mitrovica (areas that include the monasteries of the Peja/Pec Patriarchate, Decani, Gorioc, Budisavci, and Devic), clergy requested and received KFOR escort. Clergy stated that they could not visit church members in the west (where the most important Serbian Orthodox holy sites are located) without an escort, and members cited threats to their security as impediments to their ability to visit holy sites. Monks and nuns at some monasteries reportedly did not use parts of monastery property--often the land outside the monastery walls--due to safety concerns.

Problems at Serbian Orthodox religious sites continued, although in some instances it was difficult to determine whether an incident was motivated by ethnic tensions or criminal theft and greed. On June 6, 2007, the RIC reported that the lead roofing from St. Kyriaki Church in Prizren had been removed and that five minors

had been detained as suspects. The RIC also delayed some final work on the Church of St. Nicholas in Pristina, which was vandalized in January 2007, until security on the site improved.

On March 29, 2007, unidentified assailants fired a rocket-propelled grenade at Decani Monastery. Although it failed to detonate, it damaged the exterior wall separating the monastery grounds from surrounding fields. After the attack the leader of a local Kosovo Albanian war veterans association published a letter blaming the Decani monks for the attack and describing the SOC as "a known pillar of the Serbian state." The mayor of Decani and government officials condemned the attack and visited the monastery to express their support. The Ministry of Interior offered a \$12,000 (€9,000) reward for information leading to apprehension of the perpetrators. On May 4, 2007, KPS named a suspect in the incident, provided a physical description, and requested public assistance in apprehending him; however, KPS had not arrested anyone by the end of the period covered by this report.

On March 28, 2007, KPS representatives at the cultural heritage standards meeting reported 17 incidents of suspected vandalism at cultural heritage sites in the first quarter of 2007.

KPS reported that on March 18, 2007, three unidentified masked men robbed the Catholic church in Binqe/Binca Village, Vitina/Viti Municipality. Two Kosovo Albanian priests were assaulted in the robbery, one of whom sustained facial injuries after being hit with a gun. The Government issued a statement deploring the incident and appealed for citizens to help the authorities apprehend the perpetrators and bring them to justice.

On March 5, 2007, unknown perpetrators burglarized and vandalized the Church of St. John, also in Peja. After inquiries by the international community, the municipality agreed to repair the church and also to work with KPS to stop further vandalism and speak out publicly against the crime.

Also in March 2007, municipal authorities attempted to halt the construction of an outer gate and security wall at the Peja/Pec Patriarchate in the west, citing the lack of a construction permit. After extensive intervention by central government authorities and foreign diplomats, an agreement was reached whereby the patriarchate, listed as a UNESCO world heritage site, would submit a construction permit to UNMIK, which would in turn send it to Peja municipal authorities for approval. At the end of the period covered by this report, approval was pending.

The Peja mayor continued to make statements to the press threatening unilateral action to stop construction of the wall. In contrast, Mufti Ternava, leader of the Kosovo Islamic Community, responded by traveling to Peja's Kursumli Mosque in early June 2007 to make a special address, emphasizing the importance of practicing interreligious and interethnic tolerance even under difficult circumstances.

On September 20, 2006, an assailant threw fuel near the entrance of the Serbian Orthodox cemetery in a multiethnic village near Gniljane. On August 16, 2006, a Kosovo Albanian teenager was arrested while stealing copper roofing materials from the Orthodox church in Ferizaj/Urosevac. On August 6, 2006, thieves broke into the Orthodox church in Babin Most, Obilic Municipality, stole several icons, and damaged the interior of the church.

The unfinished Orthodox Church of Christ the Savior remained empty on University of Pristina grounds. No new plans to finish construction were announced during the reporting period.

The RIC sought donors to fund additional security measures at 15 high-risk reconstructed churches, including the installation of video surveillance equipment and/or security guards. The RIC coordinated the proposal for additional security measures with KPS, who agreed to monitor the video footage 24 hours per day. The proposal states that although security efforts had been successful to that point, "in the increasingly difficult political climate, cooperation is becoming more fragile" and ongoing security incidents at reconstructed sites would give those who oppose the process "opportunities to withhold participation."

KFOR deployed security contingents to religious sites throughout the region. In areas of improving security conditions and decreasing interethnic tensions, KFOR removed static checkpoints from many churches and religious sites and relied instead on CIVPOL and KPS patrols. In most cases such changes in security measures did not result in a decrease in the level of safety of, or access to, the religious sites.

Although Protestants previously reported a slight improvement in their situation, they reported suffering more violence and discrimination during the reporting period. They alleged discrimination through verbal attacks and exclusion from interfaith initiatives by the religious leadership, who defended their actions on the grounds that Protestants are not considered a "traditional" religion in Kosovo. Protestants also stated that the public television station RTK did not specifically

report on the Protestant religion. Protestants reported improvement in the attitude of some school officials towards Protestant students. Additionally, they reported no break-ins at churches or opposition to showing a Christian movie in villages. However, individual adherents reportedly experienced harassment.

Catholic leaders reported that they had good relations with the Muslim community but little bilateral contact with the SOC leadership. Catholic and SOC leaders believed each other to be highly politicized. The Muslim community also reported good relations with the Catholic leadership but limited interaction with the Orthodox community. A planned follow-on to the May 2006 interfaith conference hosted by Norwegian Church Aid was stalled in the planning phase due to the reluctance of the SOC leadership to participate.

There were a few incidents directed against the majority largely Muslim, ethnic Albanian population. KPS reported that a hand grenade was found in the Han-i-Elezit mosque on February 22, 2007. Its fuse was partially burned, but it failed to detonate. Police reported that conservative Muslims angry about the president of the Islamic Community's decision to rent out space in the mosque to local shopkeepers may have been responsible. On October 23, 2006, Kosovo Albanians visiting the Muharem Mitrovica city cemetery in Peja on the first day of the Fiter Bajrami feast found an explosive device on one of the graves. KPS also reported an explosion on August 17, 2006, in a Kosovo Albanian graveyard that damaged a grave and nearby property.

Muslim, Catholic, and some local Orthodox leaders attempted to encourage tolerance and peace in the religious and political spheres.

Section IV. U.S. Government Policy

The U.S. Government discussed religious freedom issues with the U.N. Special Envoy for the Kosovo status talks, UNMIK, the PISG, and religious representatives and sought to promote ethnic and religious tolerance. Religious freedom continued to be a critical issue in the resolution of Kosovo's final status, both for the long-term viability of the Serb community as well as for the security of Serbian Orthodox religious sites. U.S. officials also maintained close contacts and met regularly with religious leaders of the Serbian Orthodox, Muslim, Catholic, and Protestant communities to discuss their concerns and to promote interfaith dialogue. Mufti Ternava, leader of the Kosovo Islamic Community, visited the United States on a Voluntary Visitors program in April 2007.

U.S. officials continued to urge dialogue between members of the Serbian Orthodox Church in Kosovo and ethnic Albanian members of the PISG. The U.S. Government continued to support UNMIK and the PISG in rebuilding religious buildings damaged in the 2004 interethnic riots and to intervene actively with PISG officials on behalf of SOC interests when SOC rights were threatened or violated. U.S. KFOR peacekeeping troops worked to prevent ethnic and religious violence in Kosovo and guarded religious sites.

The U.S. Government remained actively engaged with UNMIK, whose goal is to secure peace, facilitate the return of the displaced, lay the foundations for democratic self-government, and foster respect for human rights regardless of ethnicity or religion. The U.S. Department of State continued to fund 220 American police officers assigned to UNMIK's civilian police contingent and provided substantial support to KPS, both of which worked to prevent ethnic and religious violence. U.S. diplomats worked with U.S. military personnel assigned to KFOR to protect religious sites in the U.S. military's area of responsibility and actively promoted efforts to reconstruct damaged or vandalized churches. U.S. government representatives intervened to protect the integrity of the Decani SZA and encourage repair of St. John's Church in Peja. The U.S. Government granted one million dollars to UNESCO's large-scale effort to preserve cultural heritage in Kosovo. For the period from September 2006 to August 2007, the Department of State committed \$3.8 million in funding for programs for returning Muslim and Orthodox Roma, Orthodox Serbs, Muslim Bosnians, and other minority communities who fled ethnic violence in the aftermath of the 1998-99 conflict.

Many high-level U.S. government and military officials continued to visit in conjunction with the final status process and met with political and religious leaders to assess the situation and urge reconstruction and progress toward a multiethnic Kosovo.