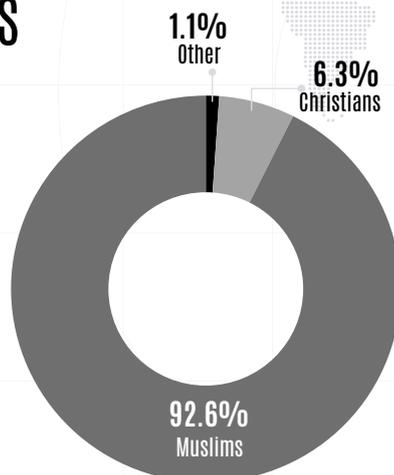




# KOSOVO

## RELIGIONS



Population

**2,096,100**

GDP per capita

**30,908 US\$**

Area

**10,908 Km<sup>2</sup>**

GINI INDEX\*

**29**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Republic of Kosovo is, according to the country's constitution,<sup>1</sup> "a secular state and is neutral in matters of religious belief" (Article 8). It is worth noting that the original text of the constitution refers to the secular model, *shtet laik*, based on French and Turkish texts.<sup>2</sup> The constitution also protects and guarantees freedom of religion. Article 9 of the Constitution states that the republic "ensures the preservation and protection of its cultural and religious heritage". Article 24 guarantees the equality of all and prohibits discrimination on the grounds of religion. Article 38 guarantees freedom of belief, conscience and religion. That "includes the right to accept and manifest religion, the right to express personal beliefs and the right to accept or refuse membership in a religious community or group". Article 39 enshrines the protection of "religious autonomy and religious monuments within its territory. Religious denominations are free to independently regulate their internal organisation, religious activities and religious ceremonies. Religious denominations have the right to establish religious schools and charity institutions following this Constitution and the Law".<sup>3</sup>

The fundamental Law on Freedom of Religion in Kosovo came into force on 1st April 2007.<sup>4</sup> Interestingly, the legislation was not prepared by Kosovo authorities but by the United Nations Interim Administration Mission in Kosovo (UNMIK), two years before the country's declaration of independence. The Law only makes provisions for the most fundamental issues and recognises five religious communities: the Islamic Community of Kosovo, the Serbian Orthodox Church, the Catholic Church, the Hebrew Belief Community, and the Evangelist Church (Article 5, 4). The Law has been heavily criticised by both religious communities and international organisations. The lack of clear regulations on registration and financing as well as on the construction of religious sites and the maintenance of graveyards are of significant concern to religious communities. Despite many attempts to amend the Law (starting in 2011) and comments from the Venice Commission,<sup>5</sup> no solutions have been adopted so far. The Kosovo Protestant Evangelical Church and the Serbian Orthodox Church<sup>6</sup> are particularly critical of the lack of action. The Council of Europe's Venice Commission published its views on amending the Law on Freedom of Religion, outlining the need for several improvements. These include expanding the list of religious communities that "constitute the historical, cultural and social heritage of the

country” from five groups to include all other established religious communities.

The latest proposal<sup>7</sup> suggests including a sixth religious community – the Tarikate Community of Kosovo (Article 4A), as well as the possibility of forming new religious communities with at least 50 adult citizens of Kosovo (7B).

## INCIDENTS AND DEVELOPMENTS

The tiny community of Catholics in Kosovo, estimated at 60,000, is mostly concentrated in Gjakova, Prizren, Klina, Janjevo and a few villages near Peć and Vitina. There is great pride that Mother Teresa, Saint Teresa of Calcutta, was an ethnic Albanian. The main boulevard in Pristina and the city’s Catholic cathedral are named after the nun who heard her calling to join the mission in the church of Letnica, in south-east Kosovo. Saint Teresa’s canonisation by Pope Francis in 2016 was celebrated by Albanians all over the Balkans. For a long time before this, Catholic and Muslim Albanians promote upheld Saint Teresa as Mother of all Albanians.

Although more than 20 years have passed since the Kosovo conflict (1998-1999), its legacy casts a long shadow over relations between Kosovo’s ethnic and religious communities. According to the 2017 report on Kosovo by the International Commission for Missing Persons, out of 4,500 people who disappeared during the war, the remains of more than 1,600 are still missing.<sup>8</sup> Meanwhile, interethnic tensions between Kosovo Albanians and Serbs continue.

It is estimated that around 400 Kosovo citizens have travelled to war zones in Syria and Iraq which makes the small Balkan nation Europe’s most significant contributor of foreign fighters to the Islamic State (IS) group in relation to the population.<sup>9</sup> In April 2019 after the collapse of the self-proclaimed Islamic caliphate in Syria and Iraq, 110 Kosovars returned to Kosovo,<sup>10</sup> including 24 women who were arrested on suspicion of participating in a terrorist group.<sup>11</sup> The Pristina Basic Court convicted six defendants for planning terrorist attacks in Kosovo, Albania, Belgium, France, and North Macedonia, including planned suicide bombings in Kosovo against KFOR troops, nightclubs, and Serb Orthodox churches between December 2017 and June 2018.<sup>12</sup>

In May 2018, a group of about 60 Albanian Kosovar protesters blocked the road to a Serbian Orthodox church in Petrič, where 50 Serbs were visiting for a ceremony. One man was assaulted during the incident.<sup>13</sup> On 31st May 2018 the Serbian Orthodox Diocese of Raška-Prizren issued a statement strongly condemning the series of incidents that highlight the serious deterioration of the security situation for Serbs and the Orthodox Church in Kosovo and Metohija. The diocese also noted the systematic passivity of the police in such incidents.<sup>14</sup>

In August 2018, a Kosovar group protested near the Serbian Orthodox Monastery in Gjakov/Đakovica against the announced visit of Serbian pilgrims and displaced persons.<sup>15</sup>

On 21st October 2018, two buses carrying Serbian pilgrims, including displaced people from Kosovo, were stoned on their way to the remains of the Serbian Orthodox church at the abandoned Bogorodica Hvostanska Monastery in Studenicë/Studenica, Istog/Istok municipality.<sup>16</sup>

In February 2019, a Muslim woman’s application to join the Kosovo Security Force was rejected because she wore a hijab.<sup>17</sup>

In May 2019 the Mayor of Decan municipality stated that he would not cede contested land to a UNESCO-listed Serbian Orthodox monastery despite a 2016 decision by Kosovo’s constitutional court and pressure from the European Union. As a result of multiple attacks over the years, the monastery is protected by NATO troops.<sup>18</sup>

In July 2019, unknown vandals demolished 20 Serbian graves at the Orthodox cemetery in Lipljan.<sup>19</sup> In December 2019 another nine graves were vandalised.<sup>20</sup>

Regarding the COVID-19 pandemic, there have been a relatively low number of cases and deaths in Kosovo at the time of writing. The handling of the measures by the government provoked some cabinet changes in March 2020, including the dismissal of the Minister of the Interior because he expressed support to establish a state of emergency, which the Prime Minister opposed because “it would cause unnecessary panic”.<sup>21</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

The promotion and protection of all human rights in Kosovo is fragile and the prospect dire. Religious freedom tries to develop in a country where many ethnic and religious communities have co-existed for centuries under considerable tensions, and is currently under a harsher threat. Extreme poverty, high unemployment, the influx of money from Saudi Arabia and the pandemic are seriously threatening to turn a European-oriented, tolerant Muslim society into a haven for Islamic extremism. The self-proclaimed protector of Islam in the Balkans,<sup>22</sup> Turkey's President Recep Erdoğan, is becoming increasingly interested in spreading his political and Islamist agenda in Kosovo. Millions of Turkish lira are being used to build dozens of new mosques.<sup>23</sup> What is more, Ankara has demanded the revision of Kosovo history textbooks to present Ottoman rule in a more positive light. Increasingly, accusations against the President of Kosovo Hashim Thaçi in connection with war crimes against Serbs committed during the Kosovo war further raise concerns about escalating religious and ethnic tensions.<sup>24</sup>

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