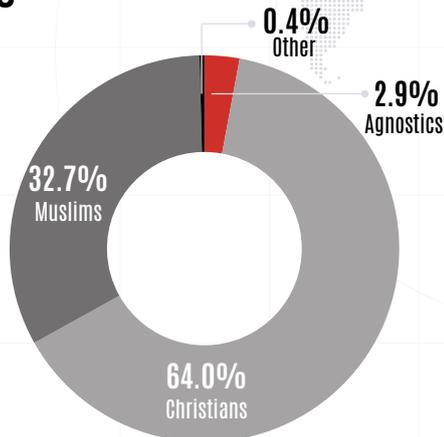




NORTH MACEDONIA

RELIGIONS



LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The 1991 Constitution of the Republic of North Macedonia, amended in 2019 to reflect the name change from the Republic of Macedonia,¹ guarantees equality to its citizens regardless of religious beliefs.² Article 16 protects freedom of conscience, thought and expression, and Article 19 upholds freedom of religion, and the right to freely and publicly express one's faith.

Encouraging or inciting religious hatred or intolerance is prohibited (Article 20) and the religious identity of communities of all nationalities is protected (Article 48). Freedom of belief, conscience, thought, and religious confession may not be restricted (Article 54). The Constitutional Court of North Macedonia protects the rights and freedoms recognised in the constitution (Article 110).

Amendment VII (1, 2) to the constitution states that the Macedonian Orthodox Church, the Islamic Religious Community in Macedonia, the Catholic Church, the Evangelical Methodist Church, and the Jewish Community, as well as "other Religious communities and groups" are separate from the state and equal before the law. The amendment

also provides for the establishment of religious educational institutions, social and charitable organisations.

Registered groups are: exempt from taxes, may apply for government funding, and can establish schools.³ To register, groups must file an application and provide information about their creation, their physical presence in the country, a description of their basic religious teachings, proof of citizenship of their founders, and information about their financial assets and funding sources.⁴ Once approved, groups are registered with the Commission for Relations with Religious Communities and Groups.⁵ The Commission classifies religious organisations into registered churches, religious communities and religious groups. The law does not make any distinction in the legal status of these categories.⁶

Registered churches include 18 Christian religious groups, both traditional and newly founded, and the Church of Scientology. The second category includes nine religious communities: the Islamic Community, the Jewish Community, Jehovah's Witnesses, and six others. The third category, religious groups, includes 11 associations.⁷

Religious primary schools are not allowed, but religious organisations may run secondary schools. Religious secondary schools are not subject to the Ministry of Educa-

tion's certification. Their students are not permitted, however, to take the national baccalaureate exam, and are thus precluded from enrolling in universities.⁸ Sixth grade students are required to enrol in one of two elective religious courses or take an alternative course, namely Classical Culture in European Civilisation.⁹ In June 2018, the Ministry of Education fined a public elementary school for holding Muslim religious services during Ramadan.¹⁰

North Macedonians may submit complaints of religion-based discrimination, hate speech, "loudness of prayers", or violations of the "principle of secularity" to the Commission for Relations with Religious Communities and Groups.¹¹

The European Commission's 2020 report on North Macedonia noted that while "the legal framework on the protection of fundamental rights is largely in line with European standards", the "Constitutional Court's decision to repeal the Law on Prevention and Protection against Discrimination on procedural grounds means that the country currently lacks a comprehensive legal framework on non-discrimination and an equality body". It recommended that this "serious gap" be addressed by the new legislature.¹²

The Commission also noted that "the country still needs to implement the April 2018 ruling by the European Court of Human Rights on the refusal to renew the registration of the Bektashi [Tetovo] Community".¹³ The US Department of State reported that although the government paid the community court-ordered damages, the registration application remained pending.¹⁴ Both the Bektashi (Tetovo) community and the Orthodox Archbishopric of Ohrid (OAO) reported "discrimination and intimidation" as well as police harassment.¹⁵

The government made its final payment in June 2018 to the Holocaust Fund in compensation for properties seized from Jews during the Second World War and the Soviet occupation.¹⁶ The Holocaust Memorial Center officially opened in March 2019, offering educational programmes.¹⁷

In March 2020, the European Council agreed to open accession negotiations with North Macedonia, but in November of the same year, Bulgaria blocked an agreement on a negotiating framework due to unresolved disputes over language and history.¹⁸ In December 2020, EU leaders urged an end to the delay, warning Bulgaria that "it risks undermining security in the Balkans – and wider Europe".¹⁹

INCIDENTS AND DEVELOPMENTS

According to the Turkey-based Foundation for Political, Economic and Social Research (SETA), compared to previous years "when ethnic and religious hatred and incidents were far more present," there were no major incidents in 2019. The think tank noted that when reporting Islamophobia in the country, "it is very difficult to make a distinction between ethnic and religious hatred . . . because the two [often] go hand in hand."²⁰ SETA reported one anti-Muslim incident in 2019: "a professional soldier praised the perpetrator of a mass shooting of Muslims in a post on social media."²¹ In 2018, SETA reported that a historic mosque was set on fire in October.²²

The US Department of State reported that the founder of the Religious Community of Orthodox Albanians was attacked in front of his home in September 2019 and that he had been previously targeted and attacked "because he had publicly declared himself an Orthodox Albanian."²³

The Macedonian Helsinki Committee for Human Rights and OSCE Mission to Skopje reported three property crimes committed against Christian sites in 2019: the burglary of a church, destruction of tombstones in a cemetery around Orthodox Easter in an "ethnically diverse area," and a vandalised gravestone in an Orthodox cemetery where previous incidents had occurred.²⁴

On 1st September 2020, police arrested three men suspected of planning terrorist attacks, seizing firearms, ammunition, tactical vests, along with an Islamic State flag.²⁵

The Islamic Religious Community condemned a November 2020 Islamic State-inspired terrorist attack near a church in Vienna, Austria, committed by a man with dual Austrian and North Macedonian citizenship.²⁶

During the 2020 coronavirus pandemic, the government instituted a curfew and imposed restrictions on gatherings during Easter and Ramadan, but permitted the Orthodox Church to open its houses of worship on Maundy Thursday and Good Friday so priests could give communion to believers.²⁷ Religious groups accused one another of violating health restrictions²⁸ and after an enormous Orthodox Christian procession in Struga in violation of government recommendations, the Islamic Religious Community decided to open its own houses of prayer as well.²⁹

Pope Francis visited North Macedonia in May 2019, the first-ever papal visit to the country. The Pope visited the Mother Theresa Memorial and celebrated a Mass attend-

ed by an estimated 15,000 people. The pontiff praised the country's "multi-ethnic and multi-faith culture," noting that it showed "peaceful coexistence can exist in a country rich with diversity."³⁰

PROSPECTS FOR FREEDOM OF RELIGION

After several years of instability, North Macedonia has received favourable reports about its reforms from the European Union and is poised to enter accession negotiations. There were fewer reports of religiously motivated incidents and inter-ethnic conflicts. The fight against Islamist extremism, the establishment of a legal framework on non-discrimination, and the creation of an equality agency, along with the recognition of religious minorities, as requested by the European Court of Human Rights, will greatly contribute to continued stability.

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