

ALBANIA 2019 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution guarantees freedom of conscience and religion. It stipulates there is no official religion and that the state is neutral in matters of belief, recognizes the equality and independence of religious groups, and prohibits discrimination based on religion. The government has distinct agreements with the Sunni Muslim and Bektashi communities, the Catholic and Orthodox Churches, and the Evangelical Brotherhood of Albania (VUSH), a Protestant umbrella organization, regarding recognition as one of the country's main faith communities, property restitution, and other arrangements. The law stipulates the government will give financial support to faith communities, but the government's agreement with the VUSH under the law does not specifically designate it to receive such funding. The VUSH reported, despite the State Committee on Religion's written commitments to advocate for financial support from the government for evangelical Christian churches, the government did not allocate funds. Religious communities noted positively the State Committee on Religion's engagement with them and the work of the Interreligious Council, a forum for the country's religious leaders to discuss shared concerns, although the VUSH expressed concern the government showed indifference towards it relative to other faith communities. The government legalized 135 buildings owned by religious groups during the year, compared with 105 in 2018, and the status of 11 additional properties was under review. The Agency for the Treatment of Property (ATP) reported that, through February, it rejected 150 claims for title. The law then required the ATP to send the remaining 410 pending cases to the court system. The Albanian Islamic Community (AIC) and the Bektashi community raised concerns about having to start over with their claims in the judicial system. VUSH leaders continued to report difficulties in acquiring land to construct places of worship and problems concerning municipal government fees. The Bektashi and the AIC reported problems defending title to certain properties. The AIC reported it had not received a permit, requested in early 2018, to build a new campus for Beder University, but Beder's religious studies program received accreditation for another five years in November. The State Committee on Religion and the AIC reported the government did not recognize diplomas received from foreign institutions in theology and religious studies. The Council of Ministers still had not finished adopting regulations to support implementation of a 2017 law on the rights and freedoms of national minorities, including religious freedom.

During antigovernment protests, religious leaders issued statements condemning violence and calling for calm and dialogue. The Interreligious Council held several meetings domestically and internationally. The council signed a Memorandum of Understanding with the Albanian Center for the Coordination against Violent Extremism in May to enhance cooperation on preventing violent extremism and monitoring school texts to highlight misleading statements about religion. On March 2, the AIC elected its new chairman, Bujar Spahiu, to a five-year term, a contest that attracted significant commentary from the media regarding the candidates, allegations of foreign influence, and concerns about the process. Spahiu, the former deputy chair, joined the AIC in 2006.

U.S. embassy officers again urged government officials to accelerate the religious property claims process and return to religious groups buildings and other property confiscated during the communist era. Embassy officers also urged the government to recognize diplomas granted by foreign universities. In May the Charge d'Affaires hosted an iftar for Muslim students and leaders from the AIC and Bektashi communities, stressing the value of religious dialogue and harmony. Embassy-sponsored programs focused on promoting women's empowerment in religious communities and the compatibility of religious faith and democracy. The embassy continued its work with religious communities to discourage the appeal of violent extremism related to religion among youth. In August a visiting Department of State official met with faith community leaders, the Commissioner of the State Committee on Religion, and officials from the Ministry of Education to explore the relationship between religious harmony and efforts to counter violent extremism and radicalization.

Section I. Religious Demography

The U.S. government estimates the total population at 3.1 million (midyear 2019 estimate). According to the most recent census, conducted in 2011, Sunni Muslims constitute nearly 57 percent of the population, Roman Catholics 10 percent, members of the Autocephalous Orthodox Church of Albania nearly 7 percent, and members of the Bektashi Order (a form of Shia Sufism) 2 percent. Other groups include Protestant denominations, Baha'is, Jehovah's Witnesses, The Church of Jesus Christ of Latter-day Saints, and a small Jewish community. Nearly 20 percent of respondents declined to answer the optional census question about religious affiliation.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution stipulates there is no official religion, recognizes the equality of all religious communities, and articulates the state's duty to respect and protect religious coexistence. It declares the state's neutrality in questions of belief and recognizes the independence of religious groups. According to the constitution, relations between the state and religious groups are regulated by agreements between these groups and the Council of Ministers and ratified by the parliament.

The constitution prohibits religious discrimination and guarantees freedom of conscience, religion, and free expression. It affirms the freedom of all individuals to choose or change religion or beliefs and to express them individually, collectively, in public, or in private. The constitution states individuals may not be compelled to participate in or be excluded from participating in a religious community or its practices, nor may they be compelled to make their beliefs or faith public or be prohibited from doing so. It prohibits political parties and other organizations whose programs incite or support religious hatred. The criminal code prohibits interference in an individual's ability to practice a religion and prescribes punishments of up to three years in prison for obstructing the activities of religious organizations or for willfully destroying objects or buildings of religious value.

By law, the Office of the Commissioner for Protection from Discrimination receives and processes discrimination complaints, including those concerning religious practice. The law specifies the State Committee on Religion, under the jurisdiction of the Office of the Prime Minister, regulates relations between the government and religious groups, protects freedom of religion, and promotes interfaith cooperation and understanding. The law also directs the committee to maintain records and statistics on foreign religious groups that solicit assistance and to support foreign employees of religious groups in obtaining residence permits.

The government does not require registration or licensing of religious groups, but a religious group must register with the district court as a nonprofit association to qualify for certain benefits, including opening a bank account, owning property, and exemption from certain taxes. The registration process entails submission of information on the form and scope of the organization, its activities, identities of its founders and legal representatives, nature of its interactions with other stakeholders (e.g., government ministries and civil society organizations), address of the organization, and a registration fee of 1,000 leks (\$9). A judge is randomly

assigned within three to four days of submission to adjudicate an application, and the decision process usually concludes within one session that typically starts and finishes on the same day.

The government has agreements with the Sunni Muslim and Bektashi communities, the Catholic and Orthodox Churches, and the VUSH. These bilateral agreements codify arrangements pertaining to official recognition, property restitution, tax exemptions on income, donations and religious property, and exemption from submitting accounting records for religious activities. A legal provision enacted in 2009 directs the government to provide financial support to the four religious communities with which it had agreements at the time. This provision of the law does not include the VUSH, whose agreement with the government dates from 2011. There is no provision of the law to provide VUSH with financial support from the government.

The 2016 law that established the ATP imposed a three-year deadline for the agency to address claims by all claimants, including religious groups, for properties confiscated during the communist era. As of February, ATP's jurisdiction in these cases ceased and the law requires the ATP to forward open cases to the court system for judicial review. Religious communities must take their cases to court for judicial review, as must all other claimants.

The law allows religious communities to run educational institutions as well as build and manage religious cemeteries on land the communities own.

Public schools are secular, and the law prohibits instruction in the tenets of a specific religion, but not the teaching of the history of religion or comparative religions as part of a humanities curriculum. Private schools may offer religious instruction. Religious communities manage 114 educational institutions, including universities, primary and secondary schools, preschools, kindergartens, vocational schools, and orphanages. By law, the Ministry of Education, Youth, and Sport must license these institutions, and nonreligious curricula must comply with national education standards. Catholic, Muslim, Orthodox, and VUSH communities operate numerous state-licensed kindergartens, schools, and universities. Most of these do not have mandatory religion classes but offer them as an elective. The AIC runs six madrassahs that teach religion in addition to the state-sponsored curriculum.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

The government continued the process of legalizing unofficial mosques, Catholic and Orthodox churches, and *tekkes* (Bektashi centers of worship) built after the 1990s. The Agency for the Legalization, Urbanization, and Integration of Informal Construction (ALUIZNI) reported that through September it legalized 135 religious buildings, including four Catholic churches, 71 mosques, 12 Orthodox churches, and 48 *tekkes*. There were some discrepancies between the figures reported by ALUIZNI and those of the religious communities. The AIC reported it obtained legalization papers for 245 legalized mosques out of 850 applications remaining. The Orthodox Church reported that during this year ALUIZNI considered 13 of its requests for objects in Tirana and legalized two of them.

The AIC expressed concern that ALUIZNI only gave it title to the buildings and not to the land. ALUIZNI reported that it compensated the AIC with 231.6 square meters (2,500 square feet) and the Bektashi community with 1,320.7 square meters (14,200 square feet) of new land in exchange for land illegally occupied by unpermitted construction. In addition, ALUIZNI issued titles for religious buildings constructed on government or third-party land. ALUIZNI also issued titles, thereby legalizing ownership, for 1,569.7 square meters (16,900 square feet) of land to the AIC, 1,303 square meters (14,000 square feet) of land to the Bektashi, and 227.7 square meters (2,450 square feet) of land to the Orthodox Church.

The ATP reported that it rejected 150 claims for title to land and compensation through February. The ATP typically rejected claims because material documents were missing from the claimant's file or due to competing claims for the same property, over which the courts rather than the ATP have jurisdiction. The ATP ceded jurisdiction on the remaining 401 cases to the court system, as required by law. Religious communities brought court actions on 71 of those 401 cases. The AIC, Bektashi, and the Orthodox Church expressed concerns about court proceedings, which required them to begin their claims again in a new forum.

The AIC reported it had applied in early 2018 for a permit to build a campus for Beder University to save funds spent on renting the university's current facilities, but the government has not issued the permit or explained the delay.

The Orthodox Church reported that the government opposed some of the Church's claims on monasteries and churches and alleged these properties were cultural monuments that fell under the purview of the state. The Church reported that,

despite numerous requests, the government did not return sacred objects, relics, icons, and archives confiscated during the communist regime.

Bektashi leaders reported construction continued on two places of worship in Gjirokaster, one in Permet, and one in Elbasan, and the government legalized four *tekkes* and other Bektashi facilities in Elbasan. The Bektashi community reported it continued to have problems with local registration offices in Gjirokaster regarding one property, stating the registration process was slow, bureaucratic, and vulnerable to corruption. The Bektashi community expressed concerns that ALUIZNI had legalized nonreligious buildings on Bektashi property. The Ministry of Finance, according to the Bektashi community, did not reimburse it for the value-added tax paid for the 2016 construction of a multipurpose center at the World Bektashi Headquarters in Tirana, even though they said the law required the reimbursement. The Orthodox Church also raised concern about paying approximately 25 million leks (\$31,000) in value-added tax as well as paying other taxes and fees, and stated those payments violated the agreement with the government.

The Bektashi community stated the State Advocate unfairly challenged title to properties in Berdanesh and Ksamil. The community received a favorable ruling on title for the property in Berdanesh, while the claim for the Ksamil property remained in the court system at year's end.

The VUSH reported it had asked the government in March 2017 for land to build a main church similar to the main cathedrals and mosques of other faith communities but had not received an answer.

The VUSH reported it continued to have problems registering the property of one of its churches with the local registration office in Korca. The VUSH also stated the Tirana municipal government unlawfully issued a permit for construction of residential and commercial buildings on VUSH land.

Leaders of the five main religious groups expressed concern with a pilot project curriculum for teaching religion as part of the humanities curriculum for sixth and 10th grade students, which started in 2016 but stalled. They stated they were concerned because they did not participate in the drafting and were never informed about the results of the piloting stage or the postpilot plans for the project.

The State Committee on Religion and the AIC expressed concern that the government continued not to recognize diplomas received from foreign institutions

in theology and religious studies. The AIC reported the government in November accredited the religious studies program of the AIC's Beder University, the only university in the country offering degrees in Islamic studies, for another five years.

VUSH leaders stated the central government continued to exempt the organization from property taxes on its churches, but local authorities imposed fees they said were not taxes. The VUSH continued to dispute the municipalities' position.

The Catholic, Sunni Muslim, Orthodox, and Bektashi communities reported their total government financial support was 109 million leks (\$1.01 million), the same level since at least 2015. The Sunni Muslim community continued to receive approximately 29 percent of the funding, while the remaining three each continued to receive 23.6 percent. The communities continued to use the funds to cover part of the salaries for administrative and educational staff. The Bektashi community, which had fewer staff members than the others, continued to use part of these funds for new places of worship.

The VUSH continued to state that, although the organization still was unable to obtain a formal written agreement with the government on receiving financial support, in 2018 the State Committee on Religion provided a written commitment to advocate for extending financial support to evangelical Christian churches. Although the committee submitted a request for financial support to the government in 2018, the VUSH reported it had not received any funds.

The five religious communities expressed appreciation for the State Committee on Religion's engagement with them. The VUSH, however, also expressed concern that the government and some media outlets showed indifference towards it in comparison with other faith communities, stating the government sent officials to attend iftars during election years but did not attend non-Islamic holy day ceremonies.

The Council of Ministers again did not finish adopting regulations to implement a 2017 law providing additional protection for minority rights, including freedom of religion.

A State Committee on Religion census of religious organizations conducted during the year counted 611 groups, including 248 foundations, 323 religiously related nongovernmental organizations (NGOs), and 40 centers. The AIC has one foundation, while the Orthodox Church has three. The Catholic Church has 16 foundations and NGOs, while the VUSH has 160.

In June the Office of the President and the Embassy of the Netherlands held an international conference on interfaith dialogue in Tirana that addressed interreligious harmony as a factor in social stability and policies for managing religious diversity. In his opening remarks, President Ilir Meta said that he was proud that his country was “based on the coexistence and harmony of religious communities.”

On November 18 and 19, the Office of the President held a regional conference on advancing religious freedom, following through on a commitment to hold a follow-on, regional event after the July Ministerial to Advance Religious Freedom.

Section III. Status of Societal Respect for Religious Freedom

During antigovernment protests in the spring and summer, religious leaders from all five groups issued statements jointly and separately condemning violence and calling for calm and dialogue.

On October 11, the Interreligious Council, established as a forum for leaders of the Catholic, Sunni Muslim, Orthodox, VUSH, and Bektashi communities to discuss shared concerns, held its first meeting of the year, during which it established a section of the council focused on women and another on youth.

The AIC elected its new chairman, Bujar Spahiu, to a five-year term on March 2. Spahiu, the former deputy chair, earned a degree in theology from Al-Azhar University in Egypt and joined the AIC in 2006. He declared in his acceptance address his priority would be to preserve and strengthen interfaith harmony in the country. Observers and media deemed the election free and fair and Spahiu’s election as a victory for the continuation of the AIC’s moderate and cooperative approach to interfaith relations. The run-up to the election spurred speculation in the media that third countries sought to sway the outcome. Some members of the political opposition stated the government sought to manipulate the election. International representatives, including from the Organization for Security and Cooperation in Europe, observed the election.

Section IV. U.S. Government Policy and Engagement

In meetings with the State Committee on Religion and the ATP, embassy officers continued to urge the government to accelerate its handling of religious property claims and to restore to religious groups their property confiscated during the

communist era. In August a visiting Department of State official met with the commissioner of the State Committee on Religion, officials from the Ministry of Education, and faith community leaders to explore the relationship between religious harmony and efforts to counter violent extremism and radicalization. Embassy officers also engaged with the State Committee on Religion to press for recognition of diplomas granted by foreign universities, including in theology and religious studies.

At the November regional conference on advancing religious freedom, the U.S. Ambassador at Large for International Religious Freedom addressed the audience on religion as a means of reconciliation, gave interviews on the importance of religious freedom in Albania, and visited religious sites in the northern part of the country together with leaders of the country's faith communities.

Embassy officials promoted religious tolerance in meetings with the Sunni Muslim, Bektashi, Catholic, Orthodox, and Protestant communities, and in visits to religious sites. In May the Charge d'Affaires hosted an iftar for Muslim students and leaders from the AIC and Bektashi community; the Charge stressed the value of religious dialogue and tolerance during the event.

The embassy continued its youth education programs and work with religious communities to decrease the potential appeal of violent religious extremism. As part of these programs, students at Islamic, Catholic, and Orthodox religious schools and students from public schools planned and carried out projects highlighting religious diversity and tolerance, focusing on youth activism and common civic values. Other embassy-sponsored programs in Cerrik and Peqin helped establish "schools as community centers," which promoted tolerance through partnerships with local schools, regional education directorates, municipalities, and law enforcement. The success of the program led to its expansion into six additional municipalities by the end of the year.