

ALBANIA 2020 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution guarantees freedom of conscience and religion. It stipulates there is no official religion and 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. The agreements recognize each group as one of the country's main faith communities and address property restitution and other arrangements. The law stipulates the government will give financial support to faith communities, but the government's agreement with VUSH under the law does not specifically designate it to receive such funding. VUSH reported the government continued not to allocate funds to evangelical Christian churches, despite the State Committee on Religion's advocacy on their behalf for financial support. The government legalized 92 buildings owned by religious groups during the year, compared with 164 in 2019, while the status of 32 additional properties remained under review. Corruption, lack of knowledge of competencies and jurisdiction on property cases, and large caseloads in the court system hampered religious communities' ability to claim their property, according to numerous civil society sources. The AMC, Bektashi community, and the Orthodox Church continued to express concerns about property restitution, including provisions in the law that required them to resubmit their claims in a new forum. VUSH leaders reported continued difficulties in acquiring permission to construct places of worship as well as problems concerning municipal government fees. The Bektashi community and the Albanian Muslim Community (AMC, formerly translated as the Albanian Islamic Community) reported problems defending the title to certain properties. The AMC reported the government denied its application for a permit to build a new campus for Beder University, requested in early 2018. Prior to its October 28 online forum against anti-Semitism, parliament unanimously adopted the International Holocaust Remembrance Alliance's definition of anti-Semitism.

Religious leaders expressed support for the government's COVID-19 preventive measures, canceling gatherings, including for worship, for two months. The Interreligious Council, a forum for the country's religious leaders to discuss shared concerns, held several online and in-person meetings domestically and internationally.

The U.S. embassy urged government officials to accelerate the property claims process and to return religious groups' buildings and other property confiscated during the communist era. The COVID-19 pandemic slowed embassy-sponsored programs focused on developing community inclusivity, promoting women's empowerment in religious communities, and emphasizing the compatibility of religious faith and democracy. The embassy continued its work with religious communities to discourage the appeal of violent extremism among young people. On November 5, the AMC launched another round of an embassy-sponsored project to develop critical thinking skills among young people and to encourage them to think about the relationship between democracy, society, and faith.

Section I. Religious Demography

The U.S. Government estimates the total population at 3.1 million (midyear 2020 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 an optional census question about religious affiliation.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution states 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 or 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 it 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 that the State Committee on Religion, under the authority 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 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, the identities of its founders and legal representatives, the nature of its interactions with other stakeholders (e.g., government ministries and civil society organizations), and the address of the organization as well as a registration fee of 1,000 leks (\$10). A judge is randomly assigned within four days of submission to adjudicate an application and typically starts and finishes the adjudication in one day.

The government has agreements with the Sunni Muslim and Bektashi communities, the Catholic and Orthodox Churches, and 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 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.

Religious communities must take claims for restitution of and compensation for property confiscated by the communist government to court, as must all other claimants.

The law allows religious communities to operate 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. The law allows 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 113 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 operated numerous state-licensed kindergartens, schools, and universities. Most of these do not have mandatory religion classes but offer them as an elective. The AMC runs four 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 fall of communism in the early 1990s. The newly established State Agency of the Cadaster – the official register showing quantity, value, and ownership of real estate – reported that during the year, it legalized 92 religious buildings, including 22 Catholic churches and other buildings of the Catholic church, 58 mosques and other buildings of the Muslim community, four Orthodox churches, and seven tekkes. Thirty-two other buildings remained under review. There were some discrepancies between the figures reported by the Cadaster and those of the religious communities. The AMC reported it obtained legalization papers for 27 mosques out of 353 applications remaining. The Orthodox Church reported the Cadaster legalized four of 15 buildings during the year for which the Church had petitioned. The AMC reported it received 1.26 million leks (\$12,600) in compensation for unlawful buildings constructed on its property.

Religious communities expressed concern over the Cadaster, stating the bureaucratic process for legalizing property produced delays, including numerous requests for documents and statements from the Cadaster that it could not locate files.

The AMC again expressed concern that the Cadaster gave it title only to buildings and not to the land on which they were built.

In 2019, the Agency for the Treatment of Property, which adjudicated claims for restitution for property confiscated by the communist government, ceded jurisdiction on outstanding cases to the court system, as required by law. At that time, 401 cases related to religious communities were pending. The shift in jurisdiction required petitioners, including religious communities, to pursue their claims in court. The AMC, the Bektashi community, and the Orthodox Church continued to express concerns about court proceedings, which required them to begin their claims again in a new forum.

According to numerous civil society and other sources, corruption, lack of knowledge of competencies and jurisdiction over property cases, and large caseloads in the court system hampered religious communities' ability to advance claims to their property. Thousands of cases were with the Supreme Court, which was replenishing its quorum with judges who passed a comprehensive vetting process; lacking a quorum, the Supreme Court was unable to decide cases. The Orthodox Church reported it had outstanding claims on 890 properties. The AMC reported that since 2016, it had submitted approximately 500 applications dealing with approximately 23,000 hectares (57,000 acres) of property and was pursuing 15 legal cases. The AMC reported there were four judgments in its favor providing compensation that had not yet been paid. The Catholic Church reported four cases, two of which had not yet had a first hearing.

The AMC reported the Municipality of Tirana rejected a permit to build a main campus building for Beder University, for which it had applied in early 2018 to save funds spent on renting the university's current facilities. The municipality concluded the construction would block the view of oncoming traffic.

The Orthodox Church reported the government continued to oppose some of the Church's claims on monasteries and churches. According to the Church, the government stated the properties were cultural monuments that fell under the purview of the state. The Church reported, despite numerous requests, the government had not returned sacred objects, relics, icons, and archives confiscated during the communist regime.

Bektashi leaders reported continued problems with local property registration offices. For example, the community reported the government was building apartments for individuals who lost their homes during a 2019 earthquake on

Bektashi property without the community's permission. The Bektashi community also expressed concerns that ALUIZNI, the entity that managed legalization of property before the establishment of the Cadaster, had legalized nonreligious buildings on Bektashi property in Kruja. In addition, the Bektashi community reported the former Agency for the Treatment of Property did not recognize its claims to property concerning tekkes in Frasher, Alipostivan, Permet, and Turan-Tepelene. The Bektashi community and the Orthodox Church raised concerns about paying the value-added tax as well as paying other taxes and fees, and stated those payments violated their agreements with the government. The Orthodox Church reported it paid the government 113 million leks (\$1.13 million) in taxes and social and health insurance but had not been reimbursed.

The Bektashi community stated the State Advocate, which represents the government in court, unfairly challenged title to property in Ksamil. The claim for the Ksamil property has been in the court system since 2015.

VUSH reported it 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 the government had not responded by year's end.

VUSH reported it continued to have problems registering the property of one of its churches with the local registration office in Korca. VUSH also stated the Tirana municipal government unlawfully issued a permit for construction of residential and commercial buildings on VUSH land but did not issue permission to VUSH to build on its own land. VUSH also reported one of its churches in Tirana that was damaged by the 2019 earthquake would be demolished. The local government informed the church it would not be able to occupy space in the new building because the government could not subsidize churches.

Leaders of the five main religious groups continued to express concern over a pilot project curriculum for teaching religion as part of the humanities curriculum for sixth and 10th grade students, which was introduced in 2016 but put on hold. The groups stated they did not participate in the drafting and were never informed about the results of the piloting stage or post-pilot plans for the project. State authorities explained that religious communities would be able to provide input before the project resumes.

The State Committee on Religion and the AMC expressed concern the government continued not to recognize diplomas in theology and religious studies received from foreign institutions.

The Catholic, Sunni Muslim, Orthodox, and Bektashi communities reported their total government financial support was 109 million leks (\$1.09 million), a sum that has not changed since 2015. The Sunni Muslim community received approximately 32 million leks (\$319,000), while the remaining three communities each continued to receive approximately 26 million leks (\$259,000). The communities continued to use the funds to cover part of the salaries for administrative and educational staff. The Bektashi community used part of the funds to pay part of the wages of its staff. It used the rest to build the Grand Tekke of Elbasan and for raising awareness of the Bektashi community overseas.

VUSH reported it had not obtained a formal written agreement with the government on receiving financial support, although in 2018, the State Committee on Religion had provided a written commitment to advocate for extending financial support to VUSH.

Religious communities faced financial problems during the year due to COVID-19 containment measures, which they urged members of their communities to follow. They reported the government did not respond to individual or collective requests through the Interreligious Council regarding additional financial support during the lockdown, which lasted from March 11 to June 11.

The Council of Ministers did not finish adopting regulations to implement a 2017 law providing additional protection for minority rights, including freedom of religion. The Orthodox Church raised its concerns over the missing regulations, particularly in the south of the country, home to many members of the Orthodox faith.

A State Committee on Religion census of religious organizations conducted in 2017 and updated continuously thereafter counted 195 organizations, 174 of which were evangelical organizations. The AMC has one organization, the Orthodox Church has four, and the Catholic Church has 16. The government postponed the 2020 population census to 2021 due to the COVID-19 pandemic. Religious communities said the government consulted them in the initial phase of drafting census legislation but not during the final stages of refining the law. They expressed concern that this would reduce their groups' reported numerical strength within the country, with a corresponding reduction in representation and government support.

As the Chairperson-in-Office of the Organization for Security and Cooperation in Europe (OSCE) in 2020, Prime Minister Edi Rama hosted a conference on combating anti-Semitism on February 4-5 in Tirana. On October 28, parliament held an online forum on combating anti-Semitism. Prior to the forum, parliament unanimously adopted the International Holocaust Remembrance Alliance's definition of anti-Semitism.

Section III. Status of Societal Respect for Religious Freedom

Due to financial constraints, including a drop in donations as a result of the closure of religious services during the pandemic, the AMC closed two madrassahs.

Religious leaders expressed support for the government's COVID-19 preventive measures. In March, when the government implemented a lockdown, religious communities cancelled gatherings, including religious services, for two months. The Interreligious Council held several online and in person meetings domestically and internationally.

On November 5, the AMC launched the fourth version of a project to promote critical thinking in young people and discuss the relationships between democracy, faith, and society. The project focused on communities that had sent individuals to fight in Syria.

The Interreligious Council provided books and other donations to children living in areas affected by the 2019 earthquake.

Section IV. U.S. Government Policy and Engagement

The Secretary of State provided a video message during parliament's October online forum against anti-Semitism. The Special Envoy to Monitor and Combat Anti-Semitism, embassy officials, and officials from the U.S. Mission to the OSCE attended a February conference in Tirana on combating anti-Semitism.

In meetings with the State Committee on Religion, 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.

The COVID-19 pandemic slowed embassy-sponsored programs focused on developing community inclusivity, promoting women's empowerment in religious communities, and emphasizing the compatibility of religious faith and democracy.

The embassy, however, continued its youth education programs and work with religious communities to decrease the appeal of violent 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. Another embassy program focusing on schools as community centers expanded into six additional communities, promoting tolerance through partnerships with local schools, regional education directorates, municipalities, and law enforcement bodies. The success of the program's two pilot locations led to its expansion into the six additional ones.

On November 5, the AMC launched another round of an embassy-sponsored project to develop critical thinking skills among young people and to encourage them to think about the relationship between democracy, society, and faith.