

Country Profile

Bosnia and Herzegovina

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This Country Profile provides a brief overview of religious diversity and its governance in the above-named state. It is one of 23 such profiles produced by GREASE, an EU-funded research project investigating religious diversity, state-religion relations and religiously inspired radicalisation on four continents. More detailed assessments are available in our multi-part Country Reports and Country Cases.

Countries covered in this series:

Albania, Australia, Belgium, Bosnia and Herzegovina, Bulgaria, Egypt, France, Germany, Greece, Italy, Hungary, India, Indonesia, Lebanon, Lithuania, Malaysia, Morocco, Russia, Slovakia, Spain, Tunisia, Turkey and the United Kingdom.

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Total population: 3.5 million

Religious affiliation (percent)

Islamic	50.70
Catholic	15.10
Orthodox	30.70
Agnostic	0.33
Atheist	0.82
Not declared	0.94
Other	1.16
No answer	0.20

Source: Agency for Statistics of BiH, 2016

Role of religion in state and government

For the past nine centuries the society of Bosnia and Herzegovina (BiH) has exhibited religious multiplicity. As the political arena was dominated by different religious communities throughout the state's history, the relationships among the communities, as well as between the communities and the state, have morphed with the changes in regimes and political structures. For instance, during the Austro-Hungarian regime (1878-1919) Catholicism was privileged, while the Kingdom of Yugoslavia (1918-1941) in practice favoured Orthodox Christianity, despite the rhetoric of religious equality. Socialist Yugoslavia, on the other hand, relied on the subordination of religious organisation to the state and the unsuccessful promotion of the unitary notion of nationhood. The dissolution of the personality cult around Tito after his death and the rising nationalisms in Yugoslavia brought forward clashes between Bosniaks, Serbs and Croats, which culminated in the Bosnian war (1992-1995). After the war, societal interactions with the Islamic community world-wide led to the breaking down of the national Muslim society into a plethora of sub-groups and organisations.

Today, the role of religion in the state is shaped both by the BiH Constitution and by the Law on Freedom of Religion and the Legal Status of Religious Communities and Churches (the Law). While the Constitution deals with recognition, equality and protection of the rights of religious communities, the Law engages with the issues of autonomy (Art. 14), equality (Art. 14, 1, 3, 4) registration of religious organisations, the acquisition of legal personality, and the entering into formal relations of the religious communities with the state. The establishment of the Interreligious Council with representatives of the four main religious communities in 1997 is deemed an important platform for engaging in interreligious dialogue, promoting tolerance and supporting social reconciliation together with the BiH state. However, experts remain critical of the local implementation of the law, which often privileges a certain religious community, and of the Council for not exhibiting sufficient activism in fostering interreligious dialogue.

Freedom of religion

The state of religious freedom in current-day BiH is built upon the enshrining of the freedom of religion (in individual terms: Constitution of FBiH (Part II, Art. 2); and in collective terms: Constitution of RS (Art. 28)), the prohibition of discrimination on religious grounds (Constitution of BiH (Art. II/3(i) & 4) and Constitution of FBiH (Part II, Art. 2)), and the guarantees for religious freedom as per the European Convention on Human Rights (ECHR), which is integrated into the Constitutions through the Dayton Agreement. Both the BiH and the RS Constitutions recognise that their citizens have the right to religious freedom, but it is notable that the RS Constitution relates the Serb ethnic group to the Orthodox Church (Art. 28) – an aspect absent in the FBiH Constitution. Apart from this recognition, the BiH state relies on a separation model of state and religion, wherein all religious communities are deemed equal in standing and in cooperation with the state.

The Law on Freedom of Religion and the Legal Status of Religious Communities and Churches (the Law) as drafted by the Interreligious Council in unison with the Constitution, reiterates the principle of freedom of religion and belief (Para II), as well as prohibits the inciting and promotion of hatred and the curtailment of the expressions of religious belief among the religious communities (Para II, Art. 4/2). Article 1 of the Law confirms the multiconfessional environment in BiH and encodes the equal rights of all religious communities. Additionally, it is provided that the religious communities be autonomous and self-administering in harmony with their own laws and prescriptions (Art. 11, 1-3). In terms of legalising the religious communities the Law foresees that the four historical communities (Catholics, Orthodox Christians, Muslims and Jewish people) be imbued with legal personalities, and that a unified register of all religious communities exists with the Ministry of Justice. The guarantee that the exercise of religious freedoms is in harmony with the Constitution lies with the Ministry of Human Rights and Refugees as per Art. 17, 1 and 3 of the Constitution.

Although the existence of the Interreligious Council is evidence of the right to freedom of religion in practice and of the ongoing cooperation between the different religious communities, some experts and academics are critical of the operational capacity of the organisation. Academics in the field argue that there is a manifested lack of activism on part of the Council when it comes to questions of peace-building and reconciliation, constructive dialogue on local levels, trust-building and overcoming fragmentation, etc. – aspects of religious expression and cooperation among the religious communities, as well as between the religious communities and the state, that ought to be developed and engaged with further.

In terms of the societal respect for the freedom of religion, over the past decade the Interreligious Council has been collecting and reporting attacks on religious officials and sites. This serves to illustrate the sometimes difficult coexistence among the religious communities, despite the existing legal framework that seeks to promote respect and tolerance towards the expression of religious belief.

Religiously inspired radicalisation

In a 2018 progress report, the European Commission reconfirmed its 2016 statement that BiH “has been seriously affected by the phenomenon of foreign terrorist fighters and radicalisation”. Religiously inspired radicalisation in the country broadly owes its existence to two phenomena: the role of the *mujahedeen* in the Bosnian war of 1992-1995, and the process of departure of men, women and children from BiH for Syria and Iraq post-2012.

During the Bosnian war foreign fighters on the lookout for a new battlefield to defend Islam and for a new home after the end of the Soviet-Afghan war (1979-1989) entered BiH in numbers estimated to be between 3,000 and 5,000 persons. The consequences of this infiltration were manifold. They included new opportunities for gathering intelligence and funds to support Al-Qaida terrorist activities, improved communication between the *mujahedeen* and Muslims in Western Europe, as well as the exposure of local Muslims to Salafi narratives. Despite the provisions of the Dayton Agreement, which required all foreign forces to leave BiH territory in the immediate post-agreement period, a number of freedom fighters remained. The long-term repercussions of the incorporation of those foreign fighters are reflected in the multi-organisational support for Salafism (including its militant strand), the funding of education by Islamic charities (instrumental for the spread of Wahhabism) and the financial inflows from Saudi Arabia (also key for the solidification of Wahhabism). Escaping the formal controls of the BiH Islamic Community, *para-jamaats* (illegal mosques) served as hot spots for recruitment and promotion of more violent branches of Salafism. After 9/11 Bosnian officials began distinguishing militant Salafis (takfirists and Kharijites) from other Salafis/Wahhabis. Violent manifestations of Salafism over the past decade have taken numerous forms – from physical attacks to online and social media radicalisation. In addition, experts have monitored the outflow of BiH nationals to Syria and Iraq, as returnees from war zones and persons whose departure has been thwarted are seen as highest-priority national security threats. It is noteworthy that Islamic State is increasingly encouraging women’s involvement in terrorist plots, as women comprise more than a third of the BiH contingent in Syria and Iraq.

Factors for religiously inspired radicalisation include political, socio-economic, ideological and criminological aspects. The legacy of the “foreign fighter” phenomenon coupled with the inability of the state to achieve stability and reconciliation between the religious communities created preconditions for continued recruitment. The dire economic situation in BiH, especially for Salafi, rural and marginalised communities, in the context of a global economic crisis brought about increases in youth unemployment and inactivity, which in turn facilitated the openness to affluent foreign charities and organisations. The easy solutions to complex problems offered by Salafism also acted as a precursor to radicalisation. Lack of support from the family, or alternatively, the encouragement of radicalisation within the family, played a role in orientating youth towards extreme stances. Finally, experts argue that having a previous criminal record could also be a precondition for engagement in radicalisation or recruitment.

Religious diversity governance assessment

The provisions of the FBiH and RS Constitutions and the 2004 Law on Freedom of Religion and the Legal Status of Religious Communities and Churches (the Law) determine the role of the state with regard to the religious communities, namely that the communities are afforded autonomy and self-administration, and that their cooperation with the state be based on their consent as legal persons. The Law affords to the registered religious communities certain rights such as the right of assembly, the right of undertaking collaborative activities and charity work, the right to raise funds, to establish sub-organisations and to hold physical sites of worship. According to the Law, initial application for registering with the Ministry of Justice as a religious community must be made by 300 adult citizens and must contain information on the means of expressing belief. Decisions by the Ministry are made within the following 30 days. Negative decisions are given when the manner of expressing religious belief is in contravention with the law, or deemed not to be in the best interest of the public or society's rights and freedoms. The separate religious communities, through their supreme religious authorities, are granted additional rights – for instance, the Islamic Community is recognised by the state as the highest order of institutional religious authority, and thus it holds decision-making powers as to the registration and operation of any Islamic group that wishes to open a mosque. Analogically, the Islamic community, the Serbian Orthodox Church and the Catholic Church are charged with the designing and agreeing on religious educational programmes across BiH.

The four religious communities recognised by the state – the Islamic Community, the Serbian Orthodox Church, the Catholic Bishops' Conference and the Jewish religious community – comprise the Interreligious Council. The Council is a registered non-governmental organisation designed to foster coexistence, dialogue and tolerance among the religious communities and act as a contact point for the state. The presidency of the Council lies with one of the communities each year on a rotational basis and the Council has the authority to appoint staff at its office, develop and execute projects, and apply for financing from international organisations such as the British Council or the U.S. Embassy in BiH. Notable projects implemented by the Council include a project allowing students of seminaries and religious schools and universities to visit the educational institutions of other religious communities and meet fellow students of different religious belief. There is also some evidence that the Interreligious Council and the BiH state have cooperated on the issue of religious education in public schools and in similar areas of public significance, but the topic is scarcely explored and the role of the Interreligious Council in that aspect is difficult to ascertain.

Although the Constitution does not mention the issue of religious representation in the state authority structures, it does provide for ethnic diversity in both the government and the army with parliamentary and government positions distributed among the three major ethnicities – Serbs, Croats and Bosniaks - the distinct populations of which more often than not adhere to a particular characteristic faith.

About the GREASE project

Radicalisation, Secularism and the Governance of Religion: Bringing together European and Asian Perspectives (GREASE)

Involving researchers from Europe, North Africa, the Middle East, Asia and Oceania, GREASE is investigating how religious diversity is governed in over 20 countries. Our work focuses on comparing norms, laws and practices that may (or may not) prove useful in preventing religious radicalisation. Our research also sheds light on how different societies cope with the challenge of integrating religious minorities and migrants. The aim is to deepen our understanding of how religious diversity can be governed successfully, with an emphasis on countering radicalisation trends.

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