

## **MONTENEGRO: Draft Law on Freedom of Religion Published**

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Since July 2015, when the text of the Draft Law had been published, there is a fierce discussion ongoing in Montenegro about its elements and stipulations. On 7 September supporters of the Serbian Orthodox Church manage to obstruct and cancel a public debate in Bijelo Polje when they hampered participation of the head of the Montenegrin Orthodox Church – Metropolitan Mihailo, a religious entity unrecognized by other Orthodox churches.

The council of legal advisors of the Montenegrin Orthodox Church welcomed this Draft stating that it has established good foundations for the relations between the state and religious communities. The council also understands that many additional details will be discussed in bylaws and other future documents. This organization also welcomes equal footing for all religious communities and spiritual groups in questions of religious freedom, registration, property, etc.

However, the Catholic Church representatives are careful in endorsing the Draft Law as such. They have concerns regarding the law and its addressing legal continuity of the Catholic Church in Montenegro as one of the historical churches. They are also calling on the already existing Fundamental Agreement between the Holy See and the state of Montenegro and its statement considering the canon law of the Catholic Church.

The Serbian Orthodox Church sees this Draft Law as an attempt of the political factors in the country to diminish their influence among the Montenegrin population. They are particularly unsatisfied with the articles of the law that speak of a new registration of all religious communities, of a potentially costly decisions of the tax office, ability of the state to confiscate all property built prior to year 1919, to permit the existence of religious organizations who are having in their name some other state name than the name of Montenegro. This church has initiated a petition against such Draft Law in its Podgorica parochial church and a number of public figures who are friendly with the Serbian Orthodox Church are issuing critical statements in media regarding the Draft Law.

Some of the proposals of the Draft Law are also worrying minority protestant and evangelical churches, and other minority groups. In particular, it is the stipulation that speaks of the requisite submission of 50 signatures of Montenegro citizens who also have their residence in the country, to be able to register a religious community. Another problem they might face comes from a restriction that does not permit foreign citizens to be involved in teaching processes, and also for their activities to be limited to religious buildings – without a

possibility to organize a sea-side summer camp, or a conference in a hotel, a public movie screening, etc.

In addition to the public debate, the government has submitted Draft law to the Venetian Commissions of the European Union for considerations and evaluation. It is expected that the suggestions and changes from this regulatory body will be implemented in the Law Proposal due toward the end of the year.

The new law will replace the 1977 one, when Montenegro was one of the constitutive republics of the Socialist Yugoslavia, but judging from the atmosphere that already permeates public debate and sparks verbal attacks and media war with statements issued daily, the road will be slow and complicated.