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Montenegro

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

International Religious Freedom Report 2010

November 17, 2010

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

The government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the government during the reporting period.

There were some instances of societal abuses and discrimination based on religious affiliation, belief, or practice. However, the number of incidents targeting religious property, clerics, or symbols decreased.

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. Embassy officials met with representatives of religious groups, promoted interfaith cooperation, and conducted other outreach activities.

Section I. Religious Demography

The country has an area of 5,417 square miles and a population of 630,000. According to the 2003 census, more than 74 percent of the population is Orthodox, 18 percent is Muslim, and 3.5 percent is Roman Catholic. The remaining 4.5 percent is composed of members of other religious groups, agnostics, atheists, and undeclared persons.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

The government observes Orthodox Christmas and Easter as national holidays. Orthodox believers may also celebrate the family patron saint's day at their discretion. Catholics are entitled to celebrate Christmas, Easter, and All Saints' Day. Muslims are entitled to celebrate Greater Bairam and Ramadan. Jews are entitled to celebrate Passover and Yom Kippur. In practice no state institutions function during Orthodox holidays, while during Muslim and Catholic holidays only

employees observing those holidays do not come to work. Some religious dignitaries complained that some employees in the retail sector had to work on religious holidays.

There is no state religion. However, legislation recognizes religious communities, which according to the constitution are separate from the state and are equal and free in the exercise of religious affairs. There are four principal religious communities: the Serbian Orthodox Church (SPC), Montenegrin Orthodox Church (CPC), Roman Catholic Church, and Islamic Community. Other registered religious communities include the Seventh-day Adventist Church (Christian Adventist Church), Jehovah's Witnesses, Evangelical Church, and others. The Government Commission for Political System and Internal and Foreign Policy, chaired by the deputy prime minister, is responsible for regulating relations between the state and religious communities according to the 1977 Law on the Legal Position of Religious Communities, which is the basic legal framework for religious life; however, many persons were concerned the law is outdated and does not adequately regulate relations between the state and religious communities. There are also other laws that regulate the status of churches and religious communities.

Official funds are available to support religious communities and are allocated according to individual requests submitted by the communities upon approval of the government's Secretariat General. During 2009 the government allocated the four major religious communities approximately \$393,600 (320,000 euros); in 2010 the amount was \$344,400 (280,000 euros). Those funds are used mainly for payment of pension and disability insurance for clergy and for restoration of shrines and holy sites.

Religious communities receive limited tax exemptions. If they provide services to meet the needs of their members, they are exempt from paying Value Added Tax (VAT) and reporting their income. However, if they engage in providing or producing market-oriented services or products exceeding annually \$22,200 (18,000 euros), they are subject to VAT. During the reporting period, the revenue office received no reports from religious communities on profit-making activities subject to taxation.

When a religious community is founded, it must register with the local police within 15 days. Religious communities are given the status of a legal entity.

By law religious studies are not included in primary or secondary school curricula. The SPC Orthodox theological school in Cetinje and the Muslim religious secondary school in Tuzi are not included in the national educational system.

Restrictions on Religious Freedom

The government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the government during the reporting period.

On February 4, 2010, President Filip Vujanovic generated harsh criticism from some political parties, nongovernmental organizations, and associations for defending and favoring the SPC, thus allegedly violating the constitution and the principle of separation of church and state.

By the end of the reporting period, the Ministry of Economic Development, despite its September 2009 announcement, had not implemented the decision of the former Urban Planning Ministry to remove an SPC church from the top of Rumija Mountain in the southern part of the country.

The restitution of religious properties remained a problem. The Law on Restitution envisions property confiscated from religious communities by the former Yugoslav government after World War II will be regulated by separate legislation; however, at the end of the reporting period, no such legislation had been adopted. Religious communities may file claims for restitution, but no action on the religious communities' claims may be taken under the existing law.

Various religious groups had filed extensive claims for restitution, but major religious communities complained of a general lack of progress. The CPC and the SPC had outstanding property restitution claims. The Catholic Church and Islamic community also asserted claims to property in several locations. The Jewish community from Belgrade, Serbia, asked for the return of a rest and rehabilitation center for women in Prcanj, in the municipality of Kotor.

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There were no reports of religious prisoners or detainees in the country.

Forced Religious Conversion

There were no reports of forced religious conversion.

Section III. Status of Societal Respect for Religious Freedom

There were fewer instances of societal abuse and discrimination based on religious affiliation, belief, or practice. Religion and ethnicity are intertwined closely throughout the country, and it was difficult to categorize such acts as either primarily religious or ethnic in origin.

On April 26, 2010, the Bijelo Polje Superior Court pronounced mandatory medical treatment and detainment of Sultan Nurkovic from Rozaje, who attacked Imam Asmir Kujevic on August 23, 2009, and wounded two policemen who tried to arrest him.

The press continued to report burglaries, theft, and vandalism involving religious properties, although in decreasing numbers.

On June 29, 2010, Imam Mirsad Mucaj and other dignitaries condemned the desecration of a graveyard of the Bregut mosque in the center of Ulcinj, where vandals damaged two gravestones.

On June 26, 2010, a decorative fence of the SPC Savina Monastery in Herceg Novi was damaged. Police reported they could not determine if the dilapidated fence was knocked down by bad weather or by unknown perpetrators.

On June 5, 2010, unknown persons broke into the SPC Church of Saint Archangel Mihailo in Doljane, near Podgorica. The church priest reported this was the seventh or eighth burglary in recent years.

On April 27, 2010, unidentified persons threw stones at the SPC parish rectory in Rozaje, the municipality considered the center of the Bosniak community. In the same month, vandals also targeted the SPC Church of the Resurrection in Sinjac, near Pluzine.

On March 24, 2010, the SPC theological school in Cetinje and its boarding house were attacked with stones. Police arrested several minors and brought charges against them.

Several graves were damaged at the old city cemetery in Niksic, at the SPC Church of Saints Peter and Paul the Apostles, during the reporting period. Police investigated, but filed no charges.

Relations between the major religious groups (Orthodox, Islamic, and Catholic) were generally amicable and tolerant. The exceptions were longstanding tensions between the SPC and the CPC, which remained a constant problem with political connotations. They continued to quarrel over property and for predominance and official recognition, with both claiming to be the "true" Orthodox Church in the country. Some dignitaries and political leaders used the conflict for political purposes. According to their editorial policies, media outlets occasionally reported stories involving negative and slanderous content about both the SPC and CPC.

On August 19, 2009, SPC and CPC followers clashed in Ivanova Korita, near the historic capital Cetinje, where both groups had gathered to celebrate the Transfiguration of Christ. The media reported some SPC followers locked themselves inside the local church and prevented CPC Metropolitan Mihailo from conducting the holy liturgy. The incident left three police officers with light injuries, according to police.

The court case regarding the ownership of the church of St. John the Baptist in Bajice near Cetinje remained unresolved. The court hearing of SPC priests Gojko Perovic and Obren Jovanovic scheduled for June 2009 in Cetinje was delayed because SPC lawyer Dalibor Kavacic requested that Cetinje Basic State Prosecutor Luka Martinovic be excluded from the case for alleged bias in favor of the CPC.

Some Muslim clerics described as "Wahhabis" preached forms of Islam that tended to be intolerant of other religions or other interpretations of Islam. The press wrote that the number of "Wahhabis" increased and that they provoked some incidents with mainstream imams. Police stated that they intensively monitored the activities of such persons.

Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. U.S. embassy officials met regularly with clergy and lay leaders of religious and ethnic minorities to promote respect for religious freedom and human rights. The ambassador and other embassy officials raised concerns about the slow restitution of religious properties.

On February 24, 2010, the ambassador and other embassy personnel visited the Muslim secondary school in Tuzi, near Podgorica, and met with Muslim religious leaders, who raised concerns that the school had yet to receive accreditation from the government.

On September 9, 2009, the ambassador hosted an iftar (evening meal during Ramadan) to demonstrate support for the Muslim community.

As a continuation of efforts to preserve cultural monuments, the embassy supported a project to preserve the remains of the Franciscan monastery in Gurdic, Kotor, with a \$ 44,900 grant.

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