



Montenegro

International Religious Freedom Report 2008

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There were some instances of societal abuses and discrimination based on religious affiliation, belief, or practice.

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights.

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 population is made up of members of other religious groups, agnostics, atheists, and "undeclared" persons.

Section II. Status of 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 law at all levels protects this right in full against abuse, either by governmental or private actors.

The Constitution provides for the right to freedom of thought, conscience, and religion, as well as the right to change one's religion or belief and the freedom to, individually or collectively, publicly or privately, express that religion or belief by prayer, preaching, customs, or rites. No one is obliged to declare one's own religious beliefs. According to the Constitution, freedom to express religious beliefs may be restricted only if necessary to protect the life and health of citizens, public peace and order, and other rights guaranteed by the Constitution.

There is no state religion. The Constitution states that religious communities are separate from the state and are equal and free in the exercise of religious affairs. The work of religious communities is regulated by the outdated Law on the Legal Position of Religious Communities from 1977, which does not adequately address a number of topics.

The Government Commission for Political Systems, chaired by the Deputy Prime Minister, is responsible for regulating relations between the state 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 Secretariat General of the Government.

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 their Christmas, Easter, and All Saints' Day. Jews are entitled to celebrate Passover and Yom Kippur, and Muslims are entitled to celebrate Greater Bairam and Ramadan.

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.

Religious studies are not included in primary or secondary school curriculums.

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 period covered by this report.

On June 28, 2008, the local authorities of Ulcinj removed a cross that local resident Djordje Zivanovic put up the same day on the deserted island of Liman near the old town of Ulcinj, claiming the purpose was to promote tourism. The press reported that the Serbian Orthodox Church (SPC) intended to consecrate the cross that day, as Saint Vitus' Day has long been considered a date of special importance for Serbs. Ulcinj Mayor Gzim Hadinaga stated that the cross might have negative consequences in the town, in which the majority of citizens are ethnic Albanians of Muslim and Catholic affiliation but which is known for its tolerance between different religious groups and nationalities.

At the end of April 2008, SPC Metropolitan Amfilohije accused Podgorica municipal officials of turning a former church in Zlatica near Podgorica into an archeological site. The SPC viewed this as an attempt to confiscate its property.

On April 15, 2008, the Ministry of Culture, Sports, and Media declined a request from the Institute for the Preservation of Cultural Heritage to approve the construction plan of a government-subsidized shrine to be built next to the existing SPC Monastery of Cetinje. The shrine was intended to hold relics considered precious by all Christian followers; however, the Montenegrin Orthodox Church (CPC) expressed concerns over keeping the relics in a shrine next to the SPC monastery. The Ministry stated that the construction would violate the historic center of Cetinje, the old capital.

In February 2008 the Real Estate Directorate of Cetinje ruled that 20 local churches and 2 monasteries did not belong to the SPC but rather were the property of local villages. The CPC requested that authorities confiscate additional SPC property in Podgorica, Niksic, Danilovgrad, and Budva. SPC Metropolitan Amfilohije and pro-Serbian parties in the country accused the Government and Mico Orlandic, Director of the Directorate for Real Estate, of illegally seizing SPC property. They argued that the Real Estate Directorate was not competent to make judgments about the ownership of religious facilities. The SPC lodged an appeal with the Ministry of Finance, which supervises the Directorate for Real Estate. In May 2008 the Ministry of Finance overruled the decision of the Directorate for Real Estate and returned the 22 properties to the SPC.

Authorities prevented SPC Bishop Filaret, who resides in Serbia, from entering the country on three occasions during July and August 2007, based on his inclusion on a list of persons suspected of assisting war criminals. Bishop Filaret was allegedly associated with Hague Tribunal fugitives Radovan Karadzic, the Bosnian Serb war-time political leader, and Ratko Mladic, the Bosnian Serb military commander, during the 1990s and supported them publicly. Filaret was also suspected of helping to hide the two fugitives. Bishop Filaret went on a hunger strike to protest his exclusion from the country, and after 11 days the Government allowed him to enter under the supervision of local state bodies to perform religious ceremonies. In April 2008 Filaret stated that he no longer had difficulties travelling to Montenegro because he informed the Interior Ministry of his visits beforehand.

By the end of the period covered by this report, the Ministry of Economic Development had not implemented the decision of the former Urban Planning Ministry to remove a Serbian Orthodox church from the top of Rumija Mountain in the southern region of the country.

The reis (leader) of the Islamic community noted that Muslim prisoners had difficulty in receiving halal food, such as meals without pork. However, prison officials claimed that they offered appropriate food conforming to religious restrictions. The Government did not allow Muslim women to wear headscarves when photographed for official purposes.

The SPC accused the Government of delaying the return of SPC property confiscated by the Yugoslav government after World War II. Press reports claimed that up to one third of the country's territory, including adjoining forests, orchards, and other areas, could be part of these claims. The Catholic Church also

announced claims on property in several locations. Reis Rifat Fejzic expressed his dissatisfaction with the fact that the law concerns only claims for property expropriated after 1945, arguing that significant Islamic community properties had been confiscated earlier. The law on restitution envisages that property confiscated from religious communities will be regulated by separate legislation; however, no such legislation has been adopted. Religious communities may file their claims for restitution, but no action on the religious communities' claims may be taken under the existing law. At the end of the period covered by this report, various religious groups had filed five claims for restitution.

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

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Section III. Societal Abuses and Discrimination

There were some instances of societal abuse and discrimination based on religious affiliation, belief, or practice; however, 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.

In April 2008 the president of the Tuzi chapter of the Islamic Community of Montenegro was assaulted by unidentified persons. Islamic community leader Reis Rifat Fejzic stated that the perpetrators were linked to the Wahhabi sect of Islam.

During the night of September 21-22, 2007, a plaque identifying the Islamic Community of Montenegro office space in Bar was damaged by stones. Police were unable to identify the perpetrators. Islamic Community representatives reported that it was the fifth time someone had damaged the sign designating the place where local Muslims gather for prayer and social functions.

During the night of August 9-10, 2007, a bomb exploded in Podgorica's New Martyrs' Church of the SPC. Police conducted an investigation but did not arrest any suspects.

Tensions continued between the SPC and the CPC. The two groups continued to compete for adherents and made conflicting property claims, but the disagreements were not marked by significant violence. On September 17, 2007, the SPC Metropolitanate in Montenegro filed criminal charges against CPC Metropolitan Mihailo and the president of the CPC church board, Stevo Vucinic, for attempting to trespass in an SPC-owned church in Cetinje in April 2007. The SPC accused the CPC leaders of "spreading religious and national hatred." At the end of the reporting period, there were no reports of action taken on the case.

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 and ethnic and religious tolerance throughout the country. U.S. embassy officials met regularly with leaders of religious and ethnic minorities, as well as with SPC and CPC representatives, to promote respect for religious freedom and human rights.

Reis Rifat Fejzic visited the United States through the International Visitors Leadership Program in 2007 to examine the role of faith-based groups and religious activism in the United States and how they are integrated into U.S. society. On October 3, 2007, the Ambassador hosted an iftar reception in Pljevlja to address religious freedom. On the same day, the Ambassador announced that the Embassy had funded the restoration of the fountain of the Husein Pasha Mosque in Pljevlja.

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