

SERBIA: MINORITIES UNHAPPY OVER DRAFT RELIGIOUS LAW

by Branko Bjelajac, Keston News Service, 20 July 2001

Several of Serbia's Protestant communities have already expressed concern over some aspects of the draft of the new law on religious freedom presented by the Serbian ministry of religion. Although the text of the draft is not yet available, the ministry has already announced some features of the proposed text. Protestant concerns have focused on their future status and relations with the government. The Baptists and Pentecostals held press conferences accusing the state of introducing a state religion in a secular state, while the ministry is asking for more time and understanding, claiming that the law will follow the best legal tradition of democratic countries in Europe.

'The new commissars are wearing crosses instead of red stars,' Dr Alexander Birvis, president of the Baptist Union of Yugoslavia, told a press conference in Novi Sad on 18 July. 'We are still under heavy Byzantine influence, where the state declared what the people should believe or not believe.' Birvis added that the state should not divide religious communities into those called 'traditional' or 'historic' and 'others'.

Controversy was sparked by the preamble to the law, where several religious communities were singled out and their 'historical and traditional' position recognised. The preamble includes the Serbian Orthodox Church, the Catholic Church, the Islamic and Jewish religious communities, and the Lutheran (mostly Slovak) and Reformed (mostly Hungarian) Churches. These religious communities are partners with the government in the recently-announced religious education starting in schools on 1 September. Children will be able to choose between religious education (organised by individual faiths) and study of democracy and ethics. Such religious education will also be governed by the proposed new law.

'We are against religious education in schools,' Dr Birvis told Keston News Service in Belgrade on 20 July, 'because this should be done by the churches for their members and their children. The state should be separate from the churches, and not promote some and downgrade others. This is becoming an issue of discrimination.' There are about 2,000 members of the Baptist churches in Serbia.

Contacted by Keston, one of the authors of the draft of the new law - a law professor - declined any comment, preferring to wait until the next round of editing, which will mostly cover the legal and technical side of the draft.

'The law has been prepared following the instructions and experience of several law experts from Germany and Greece,' Vojislav Milovanovic, the Serbian minister of religion, told a press conference in Belgrade. 'It represents a modern and democratic law affirming religious freedom in the country.'

'We have been ignored by the ministry of religion,' complained Aleksandar Mitrovic, bishop of the Protestant-Evangelical Church in Vojvodina, the northern Serbian province, which has about 5,000 believers. 'They did not invite us to any of the consultations,' he told Keston in Belgrade on 20 July. 'The draft was produced behind closed doors. We think that allowing Orthodox priests in military barracks is a

violation of the separation between church and state. Our constitution says that we are a secular state. Why is one Church now receiving the right to regulate services for their believers, and others not?’

‘One of the articles explicitly says there is no state religion,’ Bojan Pajtic, president of the law committee in the Serbian parliament, told the Novi Sad daily Gradjanski list, adding that there is still some time before the law is voted upon. ‘This is only a draft and it is possible there will be some changes before the parliamentary procedure, which I believe will be before the end of the year... Probably we should add the Greek-Catholics in the preamble.’

The Serbian parliament voted to annul the former law on the legal status of religious communities in March 1993 because it ‘belonged to the Communist times’. However, no new law was adopted to replace it. For the next two years, newly-founded religious communities were able to register as ‘citizen’s associations’, but in the wake of a Supreme Court ruling in 1995, this option was abolished. For the last six years, new religious communities have been unable to legally register with the government.

The draft new law permits registration of all religious communities with no fewer than 20 members and a statute that is not contrary to the laws and not ‘destructive’.

The procedure for adoption of new laws requires several steps: public debate, the government adoption of the draft, discussion in all relevant committees of the Serbian parliament and then discussion at a plenary session and voting. It is not expected that the law will be voted on earlier than November. (END)