

MONTENEGRO 2020 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of religion as well as the right to change one's religion. It specifies there is no state religion and stipulates equality and freedom for all religious communities. The law prohibits religious discrimination and hate speech. Religious groups, particularly the Serbian Orthodox Church (SOC), continued to state that the laws governing their legal status were inadequate. The SOC organized massive nationwide protests and prayer marches against a religion law – and particularly its property provisions – that went into effect in January. The new law requires religious groups to provide proof of ownership of certain religious property or lose title to it. Religious communities are not required to register but must do so to own property and hold bank accounts. The SOC refused to register. On December 29, the newly elected parliament passed amendments to the law that would remove the proof of property ownership provisions and alter the requirement that existing religious groups register to acquire legal status. The amendments had not become law by year's end. Authorities arrested and detained SOC clergy on multiple occasions for what they said were violations of COVID-19 public health restrictions. Religious groups continued to dispute government ownership of religious properties and the transfer of cemetery ownership to municipalities or other entities. The SOC challenged transfers of properties that it said it owned by municipal authorities to the Montenegrin Orthodox Church (MOC) and private individuals. The SOC and MOC continued to dispute ownership of 750 Orthodox sites. A public school teacher in Bar was widely condemned and dismissed for inviting her students to participate in a prayer service at an SOC church. The SOC said the Ministry of Interior continued to deny visas to its clergy.

Following August parliamentary elections, there were reported acts of violence against religious groups and their members, including the shooting of an Islamic Community of Montenegro (ICM) member's home, the smashing of windows of ICM facilities, and threatening messages and acts of intimidation targeting Bosniaks and other Muslims in Pljevlja and other cities with religiously diverse populations. Religious and political leaders across the spectrum condemned the attacks and issued statements of support. After being criticized for slow progress in investigating the cases, police arrested three suspects for writing anti-Bosniak graffiti in the Pljevlja attacks on October 30.

The U.S. Ambassador and other embassy officials discussed the law on religion and relations between religious groups and the government and advocated religious tolerance with the President and other government officials, including officials in the Prime Minister's cabinet, the Ministry of Justice, Human, and Minority Rights (MHMR), until December known as the Ministry of Human and Minority Rights, and mayoral and municipal offices throughout the country, and with religious representatives. After the attacks on the Muslim community following the parliamentary elections in August, the Ambassador met with the head of the ICM to express her concern and support.

Section I. Religious Demography

The U.S. government estimates the population at 610,000 (midyear 2020 estimate). According to the 2011 census, approximately 72 percent of the population is Orthodox, generally belonging to either the SOC or MOC, although the census does not differentiate between Orthodox groups. According to 2020 data from the nongovernmental organization (NGO) the Center for Democracy and Human Rights (CEDEM), the SOC is estimated to account for approximately 90 percent of the Orthodox population, while the MOC makes up the remaining 10 percent. The 2011 census reports 19.1 percent of the population is Muslim, 3.4 percent Roman Catholic, and 1.2 percent atheist. In addition, 2.6 percent of respondents did not indicate a religion, and several other groups, including Seventh-day Adventists (registered locally as the Christian Adventist Church), Buddhists, Jehovah's Witnesses, other Christians, and agnostics, together account for less than 1 percent of the population. According to the World Jewish Congress, approximately 400 to 500 Jews live in the country. The next census is scheduled for 2021.

There is a strong correlation between ethnicity and religion: ethnic Montenegrins and ethnic Serbs are predominantly associated with Orthodoxy, ethnic Albanians with Islam or Catholicism, and ethnic Croats with the Catholic Church. Many Bosniaks (ethnic Bosnians who are Muslim) and other Muslims live in the northern towns of Rozaje, Pljevlja, Bijelo Polje, Petnjica, Plav, and Gusinje near the border with Serbia and along the eastern and southern borders with Kosovo and Albania.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution guarantees freedom of conscience and religion as well as the right to change religion. It guarantees the freedom of all individuals to express their

religion in public and private, alone or collectively, through prayer, preaching, custom, or rites, and states individuals shall not be obliged to declare their religious beliefs. The constitution states the freedom to express religious beliefs may be restricted only if required to protect the life and health of the public, peace and order, or other rights guaranteed by the constitution. It specifies there is no state religion and guarantees equality and freedom for all religious communities in religious activities and affairs. The constitution permits courts to prevent propagation of religious hatred or discrimination and prohibits political and other organizations from instigating religious hatred and intolerance.

By law, it is a crime to cause and spread religious hatred, which includes publication of information inciting hatred or violence against persons based on religion, the mockery of religious symbols, or the desecration of monuments, memorial tablets, or tombs. Violators may receive prison sentences ranging from six months to 10 years. If a violation is committed through the misuse of an official position or authority or leads to violence, or if the courts determine the consequences are detrimental to the coexistence of peoples, national minorities, or ethnic groups, the prison sentence ranges from two to 10 years.

The criminal code prescribes a fine of between 200 and 16,000 euros (\$250-\$19,600) or up to two years' imprisonment for restricting an individual's freedom to exercise a religious belief or membership in a religious group or for preventing or obstructing the performance of religious rites. The code also provides for a fine of 600 to 8,000 euros (\$740-\$9,800) or a maximum of one year in prison for coercing another person to declare his or her religious beliefs. Any government official found guilty of these crimes may receive a sentence of up to three years in prison.

The law on Freedom of Religion or Beliefs and Legal Status of Religious Communities (religious freedom law) went into effect on January 8, replacing a law from 1977. The new law removed previous exemptions for unregistered religious groups to maintain status as legal entities. It also added provisions requiring religious communities to prove ownership of certain religious buildings and properties built or acquired prior to December 1, 1918, or risk their loss to the state.

Under the 1977 law, religious groups formed after 1977 were obligated to register, although there was no penalty specified for failing to do so. Groups formed prior to 1977 were exempted from registration. Under the new law, religious groups are not required to register, but all must do so to acquire legal status. Only groups

with legal entity status have the right to own or rent property; hold bank accounts in their own name; hire employees; receive a tax exemption for donations and sales of goods or services directly related to their religious activities; and receive judicial protection of their community, members, and assets. The new law states that unregistered religious groups may operate freely with the right to practice their faith, including proselytizing and receive donations. Unregistered groups remain eligible to receive financial or other assistance from the state through the MHMR.

To register under the new law, a religious group must have at least three adult members who are citizens or have legal status in the country, provide its name and organizing documents, the names of its officials, address of the group's headquarters, and location(s) where religious services will be performed. The group must have a headquarters in the country and a name that differs from groups already registered.

The new law provides two different registration procedures. Religious communities registered with local and federal authorities under the 1977 religion law and active in the country on January 8 were entered into the inventory of existing religious communities by submitting an application to the MHMR within nine months of enactment of the law (i.e., by October 8, 2020). For those religious groups not registered under the previous law, a designated representative must submit an application for registration containing the prerequisites specified by the MHMR.

The new law also requires religious entities to prove ownership of religious buildings and land they use that were built or acquired with public revenues or were owned by the state prior to December 1, 1918. It also requires evidence of ownership for religious buildings constructed through the "joint investment" of citizens (i.e., funded in part through private citizen contributions) prior to December 1, 1918. In instances where religious entities cannot provide evidence of ownership, the law stipulates the property or land in question becomes the property of the state as part of the country's cultural heritage. The new law does not define what constitutes "proof of ownership" and leaves the question of adjudicating ownership within the existing framework of laws on administrative and civil procedures.

Under the new law, the government institutions responsible for property affairs are obliged to create, by January 8, 2021, a list of religious buildings and land deemed to be owned by the state and to submit a request for registration of ownership rights in the real estate registry, after which the real estate registry will inform the

religious communities. The law does not establish processes for redress or compensation in instances where the state reclaims a religious property or land.

There are 16 religious groups registered or enrolled (the latter term applies to groups that originally registered under the 1977 law) within the register of religious groups overseen by the MHMR: the MOC; the ICM; the Roman Catholic Church (Archdioceses of Bar and Kotor, registered as two groups); the Jewish Community of Montenegro (JCM); the Christian Adventist Church; Jehovah's Witnesses; the Diocese of Podgorica-Duklja of the Orthodox Church of Montenegro; the Church of Christ's Gospel; The Church of Jesus Christ of Latter-day Saints in Montenegro; the Evangelical Church of the Word of God; the Christian Lighthouse Center; the Mosaic Christian Community; the Biblical Christian Community; the Community of the Gospel of Jesus Christ; and the Baha'i Community in Montenegro. The SOC has not applied for registration.

The government has agreements with the ICM, JCM, and Holy See that further define the legal status of the respective groups and regulate their relationship with the state. The agreement with the Holy See recognizes Catholic canon law as the Church's legal framework and outlines the Church's property rights. The agreements with the ICM and JCM have similar provisions. The agreements establish commissions between each of the three religious communities and the government. The government has no such agreements with the SOC, MOC, or the other recognized religious groups.

The law allows all religious groups, including unrecognized ones, to conduct religious services and rites in churches, shrines, and other premises designated by local governments, but it requires approval from municipal police for such activities at any other public locations.

The law does not provide for religious groups to file for restitution of, or compensation for, property confiscated during the communist era. Individuals and private entities may file such claims.

The Directorate for Relations with Religious Communities within the MHMR regulates relations between state agencies and religious groups and is charged with protecting the free exercise of religion and advancing interfaith cooperation and understanding. The MHMR provides some funds to religious communities and oversees communication between the government and religious communities. The ministry is also in charge of drafting new legislation defining the status and rights of religious organizations.

The law forbids “the abuse of religious communities or their religious sites for political purposes.”

The law provides prisoners the right to engage in religious practice and have contact with clergy. Prisoners may request a diet conforming to their religious customs.

The constitution recognizes the right of members of minority national communities, individually or collectively, to exercise, protect, develop, and express “religious particularities” (i.e., religious customs unique to their minority community); to establish religious associations with the support of the state; and to establish and maintain contacts with persons and organizations outside the country who share the same religious beliefs.

By law, religion may not be taught in public primary or secondary schools. The Islamic Community operates one private madrassah at the secondary school level, and the SOC operates one secondary school, both of which offer religious instruction and follow the state curriculum in nonreligious matters.

The law prohibits discrimination, including on religious grounds. Offenses are punishable by a prison term of six months to five years. The Office of the Protector of Human Rights (ombudsman) is responsible for combating discrimination and human rights violations, including those against religious freedom, by government agencies, including public schools. Allegations of such violations in the private sector are outside of the jurisdiction of the ombudsman and must be litigated in court. The ombudsman may investigate complaints of religious discrimination and, if it finds a violation, may request remedial measures. Failure to comply with the ombudsman’s request for corrective action within a defined period is punishable by fines of 500 to 2,500 euros (\$610-\$3,100). Government agencies generally implement the ombudsman’s recommendations, although often with delays. If necessary, the courts may enforce such recommendations.

The constitution exempts conscientious objectors, including those objecting for religious reasons, from military service. Alternative service is not required.

The constitution states that foreign nationals fearing persecution in their home countries on the grounds of religion have the right to request asylum.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

Demonstrations against the new religion law, which began before parliament approved it in late December 2019, continued almost daily through January 14 (Orthodox New Year's Day). The SOC stated that the new requirement for evidence of property ownership would unfairly allow the state to assert ownership of certain SOC religious buildings and land, resulting in "confiscation and nationalization of religious facilities." SOC officials said the law did not specify what constituted acceptable "evidence of ownership" and expressed concern the state would deem the SOC's existent property ownership documents as insufficient.

The SOC also protested the new registration procedures, arguing that by registering, the SOC would be legally recognized as a newly established religious group rather than one that existed before the new law. The SOC organized protest marches on January 10. At that time, the SOC organized a new form of peaceful protest: the *litije*, or manifestations of piety in the form of prayer marches or gatherings. Litije were most commonly held in places with large populations, such as Podgorica, Niksic, Berane, and Bar, as well as in communities with strong ties to opposition parties, including the coastal city of Budva, and with majority ethnic Serb populations, including the northern cities of Bijelo Polje, Zabljak, and Pluzine. Initial SOC estimates placed the total number of persons in simultaneous, countrywide protests on certain days at 50,000, later increasing to 100,000 to 200,000 participants; government sources put the number at 27,000 to 63,000. Officials from the then-ruling Democratic Party of Socialists (DPS) stated that many participants were foreigners, particularly Serbs from Serbia and Bosnia and Herzegovina.

The SOC committed to organizing litije every Thursday and Sunday following Orthodox New Year's Day until the religious freedom law was repealed. According to media reports, SOC leaders decried the religious freedom law as a "blatant confiscation and nationalization of religious facilities," with "Save Our Shrines!" becoming the rallying cry among their supporters.

In response to anonymous calls for violence on social media sites such as Facebook, the SOC, police, and government officials coordinated efforts to prevent the protests against the new law from devolving into violence, according to published statements from these officials. The Metropolitan of the Metropolitanate

of Montenegro and the Littoral, Amfilohije Radovic, and the SOC Episcopal Council in Montenegro issued repeated calls to keep litije peaceful and apolitical. On January 24, the SOC Episcopal Council issued a statement reasserting the importance of the peaceful nature of the protests. The statement asked protesters to behave with dignity and peace, in opposition to calls among some protesters on social media for escalatory violence. Prior to each litija, SOC clergy repeated these calls. SOC officials also asked Serbian President Aleksandar Vucic to cancel a visit on Orthodox Christmas Eve to avoid the risk of violence. Vucic cancelled the visit. On January 7, National Police chief Veselin Veljovic praised SOC actions in keeping the peace and appealed to the public for calm, warning against what he called potentially malign influence.

On February 14, then-Prime Minister Dusko Markovic and several ministers met for five hours with Metropolitan Amfilohije and other SOC officials on the religion law but failed to reach agreement. Government and SOC representatives met again on March 11 but again failed to agree on the issue of property ownership. Both sides called the talks “respectful and open” but suspended further dialogue because of the COVID-19 pandemic.

Also in March, the SOC suspended the litije in accordance with government COVID-19 public health measures prohibiting public gatherings, including for religious purposes. Instead, the SOC hosted “virtual litije” on Facebook, where each week 22,000-66,000 participants participated and asked questions of Metropolitan Amfilohije and other SOC clergy. After a brief suspension of the public health restrictions, the government reinstated them in June, again barring religious gatherings in public places but permitting them on the property of a group’s religious facilities.

On April 12, police detained Metropolitan Amfilohije along with several other high ranking SOC priests for violating mandatory COVID-19 restrictions on public gatherings during a Palm Sunday liturgy at a Podgorica monastery. Police questioned the SOC officials and released them without charge. The SOC and several pro-SOC opposition political parties criticized the detention; Dragan Krapovic, a leader of the then-opposition party Democrats Montenegro, described it as the “instrumentalization of police for the purpose of achieving political goals.” The SOC also criticized police for singling out an SOC priest and publicly identifying him by his occupation and nationality after police detained him on April 9 for violating the ban on intercity transit. In July, the priest was forced to leave the country after authorities rescinded his temporary residence permit.

On May 12, police detained Joanikije Micovic, the SOC Bishop of Budimlje and Niksic, and eight other SOC priests for violating COVID-19 restrictions on public gatherings following a procession marking the feast of Saint Vasilije of Ostrog, the patron saint of their municipality, Niksic. The SOC had cancelled the traditionally large procession in accordance with public health restrictions, but several thousand SOC believers, whom Andrija Mandic, one of the leaders of the then-opposition alliance Democratic Front (DF), encouraged to attend in a speech in parliament, gathered at the Church of St. Basil and called for a litija. Church officials said they subsequently supported the litija because they feared “what might happen” if the parishioners marched alone. After hours of questioning, prosecutors ordered that Bishop Joanikije and the eight other priests be held in detention up to 72 hours, the maximum duration permitted by law before charges must be filed, for violation of public health measures against public gatherings.

Hundreds of protesters gathered in front of the police station where the bishop was held and shouted insults at police. SOC protesters also gathered in Bijelo Polje, Pljevlja, and Berane, and on the road between Tivat and Budva. Police briefly detained two priests for questioning in Bijelo Polje and one in Tivat.

Between May 13 and 15, thousands of SOC supporters organized protests, calling on authorities to release Bishop Joanikije and the priests. In Niksic, Pljevlja, and Andrijevisa, protesters threw stones and shouted “Ustashe” (a reference to World War II fascists) at the police officers, who in some cases used tear gas to disperse the protests. Police arrested and detained, and prosecutors filed charges against, several dozen individuals responsible for the protests, in which more than 30 police officers and dozens of citizens were injured. Protests without major incidents also took place in Berane, Bijelo Polje, Budva, and Podgorica, although police also arrested or charged with misdemeanors dozens of persons in those cities.

On May 14, then-Prime Minister Markovic addressed the public, stating the mass gatherings and protests were brutal attacks on the country and carried unforeseeable consequences; he also said the SOC was working for foreign interests and endangering public health under the guise of religious rights and freedoms. Metropolitan Amfilohije urged the government not to create divisions and called on the people to refrain from provoking authorities, while calling for the immediate release of Bishop Joanikije and the SOC priests and for police and judicial authorities to end “violent behavior towards peaceful and nonviolent protesters.”

On May 15, the Basic Prosecutor's Office in Niksic released Bishop Joanikije and the eight other priests. The head of the Basic Prosecutor's Office, Stevo Sekaric, said he was seeking to indict the bishop and eight priests for violating the government's COVID-19 preventive measures. The clerics' defense lawyers told media that the government's preventive measures were unconstitutional and that the priests did not commit any crimes.

Upon his release, Bishop Joanikije was greeted by several thousand SOC supporters and said, "The fight will continue, as we want freedom of religion, rule of law, and the constitution and laws to be observed." On May 16, the Basic Prosecutor's Office in Niksic proposed an indictment against the clergymen, which the Basic Court in Niksic accepted, but the subsequent preliminary hearing was postponed three times. The court had not rescheduled a new hearing by year's end.

On June 12, then-Prime Minister Markovic announced that he and President Milo Djukanovic had spoken with Metropolitan Amfilohije and Bishop Joanikije on June 4 and proposed suspending implementation of the religious freedom law until the Supreme Court and European Court of Human Rights issued opinions on it. Markovic also offered to revive expert talks immediately. Amfilohije, Joanikije, and the SOC Episcopal Council rejected the offer, stating that it was part of political campaign which sought to enlist the SOC in the creation of the "party church." Later, the SOC's legal expert team characterized the offer as illegal, stating the government had no mandate to suspend the implementation of any law. In the end, the government did not ask the Supreme Court or the European Court of Human Rights to review the law.

On June 14, the SOC resumed the litije, the first of which had an estimated 5,000 participants nationwide. Many of the gatherings surpassed the 200-person limit that the government had set for public gatherings because of the COVID-19 pandemic. As many as 2,000 persons protested in Podgorica alone. Police made no arrests or attempts to disband the gatherings but called in 14 SOC priests from across the country for questioning and later detained Father Mirceta Sljivancanin, head priest of the Podgorica Cathedral, and Father Zeljko Calic of the Danilovgrad parish. Both priests had signed the request to hold a protest as its organizers. The prosecutor's offices in Podgorica and Danilovgrad ordered 72-hour detentions for violating COVID-19 restrictions. The priests were released after approximately 22 hours, after the investigative judges revoked the detention orders and permitted the priests to defend themselves outside of police custody.

Metropolitan Amfilohije accused the DPS of taking the two priests into custody for political reasons and said he personally would sign the registration for the June 21 litija. According to unofficial sources, an estimated 23,000 SOC supporters across the country participated in that litija. At the litija in Podgorica, Amfilohije called on government supporters to reconsider whether to vote for those who insist on “a lawless law.” The SOC issued a press statement denying it was interfering in politics, but the DPS dismissed its denial as “ridiculous.” On June 22, the Basic Prosecutor’s Office in Podgorica filed criminal charges against Amfilohije, as a formal organizer of a gathering of more than 8,000 persons in Podgorica, for violating COVID-19 preventive measures. No hearing was subsequently scheduled, however. After six hours of questioning – the maximum duration permitted by law – at the police station in Podgorica, police released Amfilohije, who expressed “disgust” that authorities were treating the SOC and its priests like “criminals.” The SOC’s defense lawyer filed a complaint against the prosecutor, Nikola Boricic. Boricic stated that he had requested Amfilohije’s release after approximately three hours of questioning, but police had held him longer.

On June 25, Amfilohije led several thousand SOC supporters in a litija in the coastal town of Tivat in contravention of the government’s preventive measures regarding public gatherings. He again urged the government to withdraw the religious freedom law, asserting that “only insane people” would vote again for the ruling parties in upcoming national parliamentary elections on August 30. Relatedly, in an interview with Croatian public broadcaster HRT, President Djukanovic said the SOC was “an instrument in the hands of Greater Serbia nationalism” that wished to put Montenegro “under Russia’s security and interest umbrella.”

In July, the SOC again suspended the litije due to a resurgence of COVID-19. Metropolitan Amfilohije and other SOC leaders, however, continued to criticize the DPS, while members of the DPS stated the SOC had revealed itself to be a political, rather than a religious, institution. On July 14, Amfilohije called on citizens to vote for those who did not “legitimize lawlessness” or support the “antichurch legislation.” In August, Amfilohije again invited all citizens to vote in the upcoming elections. At the same time, he repeated that the SOC neither belonged to any political coalition nor desired to interfere in the August 30 elections. Government officials accused SOC priests, the vast majority of whom were Serbian citizens, of religious coercion and of conducting a nationwide door-to-door campaign encouraging citizens to vote against the DPS.

On August 26, then-Prime Minister Markovic stated in an election campaign speech that after an expected electoral victory, he would respond “fiercely” to the SOC. In referring to the SOC demonstrations, Markovic stated they would be “endured” until August 30, after which they would no longer be “tolerated.” Markovic further stated that he would “open the borders” to those who “curse Montenegro,” saying that they had “no foundations here” and would be returned to their homes “where they came from.”

After the electoral victory of the opposition parties Za buducnost Crne Gore (For Montenegro’s Future), Mir je nasa nacija (Peace Is Our Nation), and Crno na bijelo (Black on White), mostly pro-DPS media stated there was a close relationship between then-Prime Minister-designate Zdravko Krivokapic and the SOC. According to the reports, there were rumors that Metropolitan Amfilohije had handpicked Krivokapic, a professor with no political background, who came to prominence only weeks before the election as the head of an NGO opposing the religious freedom law, to head the Za buducnost list. Krivokapic denied a special relationship with the Metropolitan and said he saw the country as a secular state.

While Amfilohije and Bishop Joanikije acted as mediators during an early discussion among members of the new majority coalition on the formation of a government, SOC officials stated that, except for the removal of the articles on property ownership from the religious freedom law, the Church had no interest in politics.

Other religious groups, including the Catholic Church and the ICM, said the issue of religious properties outside of the scope of the religious freedom law was a critical issue for them. Those religious communities stated they agreed on the need for religious property ownership to be regulated by clearly written laws, but they stated that those laws should be separate from the religious freedom law. The Catholic Church and ICM said that of particular importance was the issue of restitution of, or compensation for, property wrongfully seized by the current and previous governments from religious groups or their members. This issue was particularly common with respect to places of worship and cemeteries.

On December 29, parliament passed a revised bill on religious freedom (“revised bill”) that required the signature of the President and publication in the official gazette before entering into force. At year’s end, President Djukanovic had not signed the bill, and it had not become law. The revised bill would remove the requirement for religious communities to provide proof of ownership for religious land or properties held prior to 1918 and remove the stipulation that the

government must generate a list of religious property that it believed to be of disputed ownership, stipulating that property disputes would be settled in accordance with the existing legal code.

The bill would also alter the provision that existing unregistered religious communities must register to obtain legal status. Instead, existing religious communities that had been operating in country as legal entities would be entered into either a registration book for existing religious communities or another registration book for new religious communities. Both books would exist within one “unified register” to be established three months after the law entered into force. All religious groups registered or enrolled under the existing 2020 law would be recorded in the book of existing religious communities. The criteria for registration would remain largely unchanged from the existing 2020 law.

In addition, the revised bill would, for the first time, legally recognize *waqf*, endowments made within the Islamic community, as a source of revenue for religious communities.

The MHMR stated the Ministry of Finance and the Property Administration had started the process of creating a list of all properties which might fall under the cultural heritage of the state. The requirement that the government compile this list and complete it by January 8, 2021, would be eliminated if the revised religious freedom bill became law.

The new government established after the August parliamentary elections cited the forthcoming January 8 2021 deadline as one of the reasons for the expedited approval process for the December revisions, which did not include a public comment period. Prior to parliament’s vote approving the revision of the law, the government stated it had invited members of the Jewish, Catholic, Muslim, SOC, and MOC communities for consultations, asking them to share ideas or concerns. According to the government, all communities except the MOC accepted the invitation for consultations. Several religious groups said that, while the amendments in the December bill were an improvement over the existing law, they failed to address longstanding issues of property restitution and taxation. The ICM, Catholic Church, and JCM released a joint statement calling the comment period too short but citing their appreciation for the government’s efforts. SOC Bishop Joanikije in a December 22 interview stated that, under the new law, “no one is privileged, but all faiths are equal,” but added that under different circumstances, the SOC would “demand the complete overhaul of the discriminatory law.” The MOC condemned the revised bill, calling it “treasonous”

and stating that it allowed “50 square kilometers of church land, 60 monasteries, and 650 churches to be registered as property of Serbia.”

On December 28, the day before the vote on the amendments to the religion law, thousands of protesters demonstrated against the bill in Podgorica, calling on parliamentarians to vote against the bill. According to press reports, one protest organizer, Nemanja Braticovic, was quoted as saying the new government “is handing Montenegrin cultural treasure to the Serbian Orthodox Church and to Serbia.” The protesters had the support of members of several opposition parties, including the former ruling party, the DPS, and the Social Democratic and Liberal Parties. Dragutin Papovic, a DPS parliamentarian, said the amendments discriminated against two-thirds of the country’s citizens and that “This government gives a monopoly to only one religious community and only one nation.”

Catholic Church officials stated that, as one of the largest property owners in the country, the Church was and continued to be engaged in numerous property disputes with the government and the SOC. The communist Yugoslav government confiscated many of the Catholic Church’s properties in Bar and Ulcinj, and the government had not restituted the properties or compensated the Church. Instead, according to Church officials, during the 1990s, the government registered some properties previously held by the Catholic Church as belonging to the SOC. Catholic Church officials also expressed concern about what it said was the SOC’s preoccupation with property acquisition. Church officials stated the SOC had designs on Catholic Church properties in Bar and Ulcinj. They added that after the SOC took over ownership and management in the 1990s of a cemetery in Ulcinj that had previously been divided into areas for Catholic parishioners, SOC believers, and nonbelievers, Catholics could continue to bury their dead there, but the SOC no longer permitted nonbelievers to do so.

The longstanding controversy between the SOC and the government over the “metal church” at the top of Mt. Rumija, which the SOC built without state approval on a site that observers said was of importance to Orthodox, Catholics, and Muslims, and the SOC’s reconstruction, also without state approval, of the baptistry in the Monastery of Holy Archangel Michael on Prevlaka Island outside Tivat remain unresolved. On June 6, local media reported that the municipal council in Pljevlja, with government approval, had decided to sell property that included a mill the SOC said belonged to the Monastery of the Holy Trinity. Opposition political parties challenged the sale, and SOC Bishop Atanasije of Milesevo threatened legal action if the sale went forward, stating that registration

of the mill as a property of the municipality was illegal. The property continued to be available for purchase to the highest bidder but had not yet sold at year's end. The SOC said it was gathering documentation attesting to its ownership of the mill. The SOC and opposition parties called the attempted sale a pilot project for the confiscation of SOC property under the religious freedom law.

On June 10, officials from the Ministry of Sustainable Development and Tourism demolished what they said was an illegally constructed SOC dormitory at the Monastery of St. Basil in Briska Gora near Ulcinj. The ministry said that the SOC had not applied for a building permit and that "the building disturbed the ambient completeness" of an 18th century church. Authorities also filed criminal charges against Metropolitan Amfilohije and the SOC for the construction. The SOC questioned why the government deployed an antiterrorism unit to a site staffed by three nuns and stated that it had been in the process of addressing the building permit issue.

The local newspaper *Dan* reported that, on September 8, the Administrative Court of Montenegro declared the municipality of Cetinje would assume control of the SOC cemetery in Ceklici. The ruling confirmed a previous decision by the Ministry of Finance and the Property Administration authorizing the transfer of ownership. The SOC called the Administrative Court's decision illegal, adding that the president of the Administrative Court was a DPS member who came from the Ministry of Justice.

The ICM continued to raise concerns about the past transfer of two Islamic cemeteries in Podgorica and Berane from the ICM to, respectively, the municipality of Tuzi and a local utility company. The ICM said it received a significant share of its revenue from funeral services it provided for worshippers, but with cemeteries under the control of municipal authorities, local governments were able to exert significant influence over the revenue stream of the ICM.

Because of COVID-19 health concerns, the government refused to grant permission for religious groups' clerics to preside over burial services, limiting attendance to close family members. Both ICM and SOC officials expressed dissatisfaction with these restrictions.

On October 18, then-Prime Minister Markovic announced the government provided funding for the purchase of land to expand a municipally owned cemetery in Bijelo Polje dedicated to the ICM. The government paid 165,200 euros

(\$203,000) to the municipality of Bijelo Polje to expand the existing cemetery by 10,600 square meters (114,000 square feet).

On October 15, the then-national government approved a proposal by the municipality of Podgorica to transfer a parcel of land near the city center free of charge to the MOC to build a religious facility. According to the proposal, the value of the land was estimated at 658,920 euros (\$808,000), and the MOC planned to construct a 4,848 square meter (52,200 square foot) facility. The SOC contested the proposal, stating it had evidence proving its prior ownership of the property, confiscated during the communist era. The municipality temporarily withdrew its proposal after the Basic Court in Podgorica, responding to a lawsuit filed by the SOC, ruled that the proposal should not be discussed until the legal status of the property was resolved. On December 17, the local council, consisting of representatives from the DPS, its coalition members, and the United Reform Action Party, voted to transfer the land to the MOC. On the same day, the new national government overrode the local council and reversed the previous government's approval of the transfer, citing the parcel's disputed legal status. Deputy Prime Minister Dritan Abazovic asked municipal authorities to cede a different parcel to the MOC. The basic court had not yet made a final ruling on the matter at year's end.

On October 6, local media reported that Rada Visnjic, a teacher at the Jugoslavija primary school in Bar, contacted students from her class via social media and asked them to join her in a service at the SOC Church of St. Jovan Vladimir to pray for a good school year. The incident, which was contrary to a prohibition on religious activity in public schools, led to significant public discussion. The MHMR stated the teacher had deepened societal divisions by imposing her personal religious views on the children, and the Ministry of Education called on school authorities to sanction the teacher. School officials suspended Visnjic before making a final decision about the case. The school had previously suspended her in February for asking students to draw the tricolor flag that was the symbol of litije opposing the religious freedom law.

The NGOs Juventas and the Center for Civic Education called on authorities to take quick action against Visnjic, calling manipulation of children for religious purposes by teachers one of the most severe of abuses. Various political parties across the political spectrum, including the DPS, the Bosniak Party, and members of the new majority coalition, condemned her. The ICM stated it found Visnjic's actions especially troubling, as she was in a position of authority over the students, and she didn't give any thought about the effect her call would have on children

who were of a faith other than Orthodox Christianity. The ombudsman's office initiated an investigation of what it described as the violation of children's rights and called on the public and the media "not to fuel the abuse of these or any other children." On November 25, the school management informed the public that it had found Visnjic to be in breach of duty and had terminated her employment.

In February, the Army chief of staff, General Dragutin Dakic, issued an order specifying that, while soldiers were free to practice their faith, they could not participate in the litije, characterizing them as political protests. In May, the ombudsman issued an opinion that the order banning participation in the litije violated soldiers' rights. In March, the army suspended soldier Darko Mrvaljevic and initiated disciplinary proceedings against him for participating in the litije. Mrvaljevic appealed to the ombudsman, who in September issued an opinion that the army violated Mrvaljevic's right to freedom of assembly and association. The army subsequently allowed Mrvaljevic to return to duty while disciplinary proceedings continued.

Government officials continued to express public support for the Jewish community with messages expressing good wishes for Jewish holidays Passover and Yom Kippur. On September 27, President Djukanovic stated that members of the Jewish community were an inseparable part of all of the country's common achievements and offered his firm support for building peace and fostering interfaith and interethnic dialogue. On December 11, the Minister of Justice, Human, and Minority Rights, Vladimir Leposavic, joined the President of the JCM for a Menorah lighting.

The SOC said the Ministry of Interior continued to deny visas to its foreign clergy based on discriminatory procedures that required work documentation from a registered employer, although the SOC was not legally required to register and was fully recognized. The SOC stated it had 158 legal cases open of priests who could not obtain public documents, identification cards, driver's licenses, or work permits or could not access public health services or schooling.

On April 18, authorities ordered the expulsion of Pluzine parish priest Miroslav Mihailovic once COVID-19 travel restrictions were lifted on grounds that he was a Serbian citizen who was not properly registered, despite having been in the country for nine years. Mihailovic had called on believers to come to the local church the day after the Orthodox Easter service to light candles, despite calls from SOC leaders to stay home. Media reported that police brought Mihailovic in for questioning for violating restrictive COVID-19 measures. Instead of pressing

charges against him, prosecutors notified the parish that Mihailovic would need to leave the country after COVID-19 travel restrictions were lifted, since he was a Serbian citizen living in the country without proper registration. In another case, priest Konstantin Dojic and his minor child were detained for seven days at the Ilino Brdo border crossing with Bosnia and Herzegovina after being denied permission to enter the country. According to the SOC, the priest, who along with his son, were Canadian citizens, had served in Niksic for eight years. Police denied them access because Canada was not on the list of countries from which citizens could enter the country under COVID-19 restrictions. The ombudsman asked police authorities to allow entry of the minor child on humanitarian grounds and allow the father to enter on the basis of family reunification. After the seven days at the border, the authorities allowed them entry.

Several religious groups continued to express a desire for broader or clearer tax exemption rules and said they hoped to raise the matter with the new government. SOC officials often stated that religious communities did not truly benefit from a tax-free status, as they generally paid value-added tax (VAT) on all their purchases, and private individuals could not deduct donations they made to religious organizations from their taxes. The JCM also raised the issue of VAT payments on their purchases and said it had asked the government to include a provision in the revised bill on religious freedom exempting the construction of religious shrines from VAT. The ICM said it had had to pay a sizeable VAT on imported funeral vehicles it had received as a donation.

In February, the Tax Administration published a multimillion-euro (multimillion-dollar) tax bill, including bank account information, that it had issued to the SOC, an act the SOC, economic analysts, and civic activists criticized as a breach of privacy. In July, the Tax Administration published only the total tax liabilities of the ICM, the SOC, and Catholic Church. All three religious communities contested the accuracy of the data. In response, the MHMR stated in October it had received inquiries from the religious groups regarding their outstanding tax bills and would seek to find a suitable tax payment model in the ensuing months.

The Catholic Church and ICM reported that banks had frozen their bank accounts as a result of the religious freedom law, which required religious groups to register to obtain legal status. According to the ICM, banks asked for its registration documentation, including its founding act, which the ICM was not required to provide, as it was already entered into the registry of existing religious communities. The affected religious communities stated that these issues lasted for

six months, until the government had compiled a register of religious communities. The SOC stated its accounts were not frozen.

The MHMR continued to provide funding to some religious groups, which they could use for maintenance of religious shrines, educational or cultural projects, or social and medical insurance for clergy. Groups apply for funding to the MHMR Minister, who makes decisions based on the recommendations of a three-person commission that he appoints and that evaluates all funding requests. The MOC received 57,586 euros (\$70,700), the ICM 49,493 euros (\$60,700), the SOC 38,095 euros (\$46,700), the JCM 18,500 euros (\$22,700), the Catholic Church 25,000 euros (\$30,700), and the Diocese of Podgorica-Duklja of the Orthodox Church of Montenegro 9,180 euros (\$11,300). Recognized religious communities also continued to receive in-kind assistance from other government ministries and from local governments.

Section III. Status of Societal Respect for Religious Freedom

During celebrations on August 30 marking the victory of opposition parties in parliamentary elections, there were reports of separate attacks on Bosniaks and their property in Podgorica, Niksic, and Pljevlja. On the morning of September 2, former Chief Imam of Pljevlja Samir Kadribasic announced that unknown assailants smashed windows at the office of the ICM in Pljevlja. Kadribasic told media that someone threw a message through a broken window warning that “The black bird will fly; Pljevlja will be Srebrenica.” Kadribasic raised concerns about future attacks on Muslims, particularly Bosniaks, and that the incident would prompt a negative response by Bosniaks both in Montenegro and in Bosnia and Herzegovina. Kadribasic asked that Minister of Interior Mevludin Nuhodzic and police take immediate action to investigate the attacks, stating the ICM would hold them directly responsible if they failed to bring the perpetrators to justice. The ICM in Pljevlja said unknown persons shot at the residence of an ICM member. No one was injured.

On September 2, Reis Rifat Fejzic, leader of the ICM, visited the sites of the attacks in Pljevlja. He called on the Muslims of Pljevlja to deal with the difficult political and security situation in a civilized way and not to fall prey to provocations by political factions. He also declared that the state must act to protect the Muslims of Pljevlja from acts of ethnic cleansing reminiscent of those in the 1990s.

The SOC and the JCM both issued statements calling the attacks on Muslims in Pljevlja an attack on all citizens of the country. Metropolitan Amfilohije added that the violence was “a great human shame” and appeared to be a deliberate provocation intended to disrupt relations among residents of Pljevlja based on religious affiliation. MHMR representatives also visited Pljevlja and met with residents and local officials. Political parties, the SOC, and the international community all condemned the attacks. Head of the Za buducnost Crne Gore electoral list and later Prime Minister-elect Krivokapic blamed the DPS for inciting the attacks, while the DPS blamed Krivokapic and Metropolitan Amfilohije.

The MHMR praised all the religious communities for coming together and calling for peace after the disturbing incidents. It also said that many members of Islamic community decided not to report incidents to police, as they feared that it would aggravate their situation.

As a result of a request from the NGOs Human Rights Action and Institute Alternative, police reported that, during the unrest between August 31 and September 9, authorities had only filed a total of two criminal charges against two persons for inciting national, racial, and religious hatred and aggravated bodily harm, and three misdemeanor charges against two persons for gross insult and especially insolent behavior and physical assault or physical confrontation. The NGOs made an appeal to police to find and identify the perpetrators of the reported incidents.

On September 29, the Basic State Prosecutor's office in Pljevlja reported that an investigation of an assault on Muslim politician Sanin Rascic on the night of August 30 found that the assault was neither at the hands of those celebrating the election result nor motivated by ethnic hatred. The Basic State Prosecutor filed criminal charges against Rascic for causing panic among citizens by his statements. According to media reports, Rascic stated that on the night of the election, he felt great fear for himself and his family due to convoys of trucks with ship's sirens circling the city and shouts of “Move out Bosniaks” being heard. Rascic identified his attacker, whom he said insulted and threatened him and attempted to remove him from his car. Rascic stated that, although he was uninjured, his car was damaged.

On December 17, at the trial in the basic court in Pljevlja, the prosecution cited what it said were discrepancies in Rascic's account, including his identifying one attacker to police but later telling the media there were more. Police stated during the trial that Rascic appeared visibly frightened when identifying his attacker.

Rascic pled not guilty and said media incorrectly reported his statement. The ICM stated that Rascic said he had previously experienced similar assaults and was considering seeking asylum in another country. The trial was scheduled to resume on December 25 but was postponed until February 2021.

On October 30, prosecutors announced the arrests of three members of an organized crime group on charges of inciting the attacks in Pljevlja and posting graffiti constituting hate speech against Muslims. In November, media reported that the high state prosecutor in Bijelo Polje brought charges in five cases. Four of the cases involved charges against a group of five individuals, while the fifth was against one or more unknown perpetrators. According to High State Prosecutor Husan Lukac, all five cases were in the investigative phase. In all cases perpetrators were charged with the criminal offense of inciting racial, religious, and national hatred.

The SOC reported that religiously motivated incidents in the village of Martinici in Gusinje, a municipality that is 94 percent Muslim, continued through the year. The SOC reported that on July 12, the gate of the ruins of the Church of St. Basil of Ostrog was destroyed. Vandals had previously destroyed a cross placed on the ruins in 2019. The SOC restored the gate and the cross, but on September 22, unidentified vandals again tore down the cross. Police did not identify the perpetrators. According to an SOC report, a local priest in Gusinje also received death threats on June 24 due to his religion and ethnicity. The case was reported to police and the perpetrator was known, but no criminal charges were filed.

There was no progress in resolving disputes between the SOC and the MOC regarding the ownership of 750 Orthodox sites, most of which are held by the SOC. The two groups continued to celebrate religious holidays at separate locations under police protection.

On September 8, Metropolitan Amfilohije announced building or renovation plans for SOC shrines, including restoration of the Church of St. Peter of Cetinje at the top of Lovcen Mountain and construction of the Church of the Holy Trinity in an area between the Biljarda, a museum, and the government house in Cetinje. The SOC also posted plans on its website to rebuild the monastery on Briska Gora and to build a church in honor of Patriarch Gavrilo in his home village of Vrujci. Following those announcements, members of Patriotsko komitski savez (Patriotic Alliance of Komitas) put up a banner in Cetinje stating they would stop the Church's renovation plans.

In September, the JCM elected a new president, Nina Ofner Bokan, to replace Djordje Raicevic. Ofner Bokan stated she would focus her efforts on strengthening the Jewish community, preserving the Jewish cultural and national identity, and promoting multiculturalism and social harmony.

On October 30, after the death of Metropolitan Amfilohije, the Holy Synod of the SOC appointed Bishop of Budimlje and Niksic Joanikije Micovic as the Administrator of the Metropolitanate of Montenegro and Littoral. Following Amfilohije's death, then-Prime Minister-elect Krivokapic called for a public day of mourning, stating that the country had lost "one of the greatest among us in this century." Speaker of Parliament Aleksa Becic noted he hoped Amfilohije's successor would not "walk the thorny paths that the Metropolitan, with his people, walked with dignity and pastoral care." President Milo Djukanovic and then-Prime Minister Markovic both extended their condolences, with the former stating that the "overall activity of Metropolitan Amfilohije in Montenegro will be appreciated by history." Thousands of persons attended Amfilohije's funeral. On December 30, a mural of Amfilohije in Kolasin was vandalized. The new Metropolitan was expected to be elected in May 2021 by the Council of Bishops.

Section IV. U.S. Government Policy and Engagement

The Ambassador and other embassy officers regularly met with government officials responsible for religious issues at the MHMR and at local mayoral and municipal offices throughout the country, with officials in other ministries, including the Prime Minister's cabinet, and with President Djukanovic to discuss relations between the government and religious groups, the new religious freedom law, and property restitution of religious groups.

On May 14, the Ambassador held an online Ramadan conversation with the leader of the ICM, Reis Fejzic, in lieu of the traditional iftar due to the COVID-19 pandemic. Among the topics discussed were the difficulties religious communities and the ICM faced due to COVID-19 restrictions. The Ambassador also met with the Reis on September 4 at the ICM madrassah in Tuzi to discuss the attacks on members of the Muslim community following national elections on August 30 and to express U.S. support for the community.

On December 10, the Ambassador participated in two Hannukah celebrations, lighting the menorah together with JCM President Bokan, and joining permanent Chief Rabbi of Montenegro Ari Edelkopf for an online celebration. At the former

ceremony, the Ambassador discussed with President Bokan her views on the status of the Jewish community in the country.

Other embassy officials had regular contact with representatives of all major religious communities in the country, such as the SOC, MOC, Jewish community, ICM, and Catholic Church, to discuss their concerns, particularly in light of the new religious freedom law and the ongoing COVID-19 pandemic as well as their aspirations for the new coalition government elected on August 30.