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MACEDONIA: New Law fails to solve building problems

By Drasko Djenovic, Forum 18

Macedonia's new Religion Law will not end the building problems faced by minority religious communities, Forum 18 News Service notes. Religious communities of all faiths state that the major problems in practising their faith involve buildings, such as long-running denials of permission to build, extend or establish legal ownership over places of worship. In addition, the authorities have also demolished "illegal" Serbian Orthodox places of worship. The Law may even encourage religious discrimination by allowing existing religious communities – particularly the state-favoured Macedonian Orthodox Church – to effectively veto the construction of places of worship of other faiths. Additional problems for smaller religious communities are the cumbersome way urban plans are drawn up, and a section of the new Law which may be used to bar worship services in some buildings, or conducted by some people.

As Macedonia's minority faiths face obstruction or de facto bans on building new places of worship or extending existing ones, the country's new Religion Law – which comes into force on 1 May – appears likely to do nothing to help end the problem, Forum 18 News Service notes. Religious communities of all faiths have told Forum 18 that the major problems in practising their faith revolve around buildings.

There have been long-running denials of permission to disfavoured communities to build, extend or establish legal ownership over places of worship. In addition, the authorities have also demolished Serbian Orthodox places of worship which they deemed to be "illegal" (see F18News 25 August 2006 http://www.forum18.org/Archive.php?article_id=836).

The new Religion Law was approved by parliament in the capital Skopje in September 2007. Many believe provisions in the Law were deliberately framed to prevent the Serbian Orthodox Church's branch in Macedonia from ever gaining legal status (see F18News 31 March 2008 http://www.forum18.org/Archive.php?article_id=1107).

On the issue of building new places of worship, Article 19.2 of the Religion Law states: "Bodies of Municipalities and of the City of Skopje competent in urban planning and adopting urban plans can, before issuing a construction permit for a religious building, ask for an opinion from the existing churches, religious communities and religious groups, though this opinion is not obligatory for the bodies' decision."

Forum 18 notes that this might encourage religious discrimination by allowing existing religious communities – particularly the state-favoured Macedonian Orthodox Church – to effectively veto the construction of places of worship of other faiths. This would be particularly the case for the Serbian Orthodox Church, if it were ever to be permitted to have state registration. The views of the state-favoured Islamic Community of Macedonia may also be sought in areas dominated by Macedonia's large Albanian minority.

Forum 18 has been unable to gain any comments on the Law, or the problems it poses, from the State Committee for Relations with Religious Communities and Religious Groups.

An added problem for smaller religious communities is the cumbersome way urban plans are drawn up, usually every five or ten years. The new Law will do nothing to help this. "The biggest problem is that when the authorities draw up detailed urban plans, they only allow for building plots for the Macedonian Orthodox church," Ivan Grozdanov, pastor of Skopje Baptist Church, told Forum 18. "They do not consult with other churches and religious communities about their building needs. So when we Baptists request building permission, the authorities reply that there are no plots allocated for churches."

Grozdanov also pointed to problems some communities face in changing the official designation of buildings to places of worship. "If we build or buy a house and then want to change the use of the building for church needs, we get the answer that no church is planned there so it is not possible to change the use of the building," he told Forum 18. "How we can say that we can freely worship, when for decades we have not been able to obtain places of worship?"

Even some of the five religious communities named in Macedonia's Constitution - notably the Muslim community and the Methodist Church - face problems in obtaining building permission.

"The detailed urban plan of the town of Prilep needed to be changed, so that the legal possibility could be created to issue building permission for the new Methodist church," Sofija Trajkovski of the Methodist Church told Forum 18 on 26 March. "It is a slow process since the plan needed to be changed for a big area, not just for one house or street. It will take at least one more year." But she noted that in the south-eastern town of Radovis her Church has recently received building permission. "It is not easy but it is easier than before."

Methodists in some places are also pursuing alternatives to new buildings, by regaining property confiscated by the Communist state after 1945 (see F18News 25 August 2006 http://www.forum18.org/Archive.php?article_id=836).

Reis ul Ulema Sulejman Rexhepi, the head of the state-favoured Islamic Community of Macedonia, said he hopes that the new Religion Law will reduce bureaucracy over building new mosques. "It is clear that if the norms of this Law are respected, if believers or a religious entity evaluate that there is a need to extend or build a place of worship, there shouldn't be any problem," he told Forum 18.

Rexhepi did not comment on the two places of worship his community forcibly seized from the Bektashi Muslims in 2002. The Bektashis have been trying unsuccessfully to regain these buildings through the courts (see F18News 26 February 2008 http://www.forum18.org/Archive.php?article_id=1094).

One section of the new Religion Law could be used to bar worship services in some buildings, or conducted by some people. Article 18 states that: "Religious rituals are to be performed in a religious building such as a church, mosque, house of prayer, synagogue, graveyard or other premises of a church, religious community and religious group." It continues: "A religious ritual may also be performed in other public and private premises and places." However, it also states that these "may be performed and organised only by a religious servant of a church, religious community and religious group [the undefined registered categories given in the Law] in the Republic of Macedonia or upon their authorisation" (see F18News 31 March 2008 http://www.forum18.org/Archive.php?article_id=1107).

The same article also contains the statement that pilgrimage organisers are "obliged to enforce on the group of believers and religious officials the regulations for the protection of the population from contagious diseases."

It is not clear in what circumstances these provisions would be used by the authorities. However, unregistered communities such as the Serbian Orthodox Church's Ohrid Archdiocese, some Protestants and Jehovah's Witnesses all hold worship services in private properties. Archbishop Jovan, who leads the Ohrid Archdiocese, along with Bishop Marko and several monks and nuns, were arrested in early 2004. Their "offence" was worshipping in the home of Archbishop Jovan's father (see F18News 13 January 2004 http://www.forum18.org/Archive.php?article_id=228). (END)

For more background, see the Forum 18 Macedonia religious freedom survey at http://www.forum18.org/Archive.php?article_id=1094.

More reports on freedom of thought, conscience and belief in Macedonia can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=50>.

A printer-friendly map of Macedonia - whose official name is the "Former Yugoslav Republic of Macedonia" - is available from <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=europe&Rootmap=macedo>.

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