

22 September 2003

SLOVENIA: New religion bill will be neutral, drafter insists

By Felix Corley, Forum 18 (<https://www.forum18.org>)

In the face of concerns from some minority religious communities, law professor Lovro Sturm, director of the Institute of Human Rights, told Forum 18 News Service that his and his team's faith "will have no impact" on the way they draft Slovenia's new religion bill. "I am a little bit worried because of his position and ties to the Catholic Church," Adventist leader Zmago Godina told Forum 18. "We want the new law explicitly to assure the equality of all religious communities, without preferences for any on the basis of their size or tradition," Godina added, in views echoed by Lutheran bishop Geza Ernisa and others. The government's Office for Religious Communities chose Sturm's Institute in July to prepare the new bill, which Sturm says will be sent to the Office by the end of December. The government must then approve it before it goes to parliament.

The leader of the team tasked by the government's Office for Religious Communities to prepare an initial draft of Slovenia's new law on religion has insisted he and his team will be neutral in the way they draw up the draft bill. "The personal faith of the team members and the team leader will have no impact on their approach to completing the task," Professor Lovro Sturm, director of the Institute of Human Rights and a professor of the law school of the University of Ljubljana, told Forum 18 News Service from the capital Ljubljana on 21 September. But some minority faiths have claimed that Sturm's Catholic faith – and particularly his membership of the Sovereign Military Order of Malta, a Catholic charitable order – will mean that the draft law he proposes might privilege the Catholic Church to the detriment of other faiths.

Most critical of the choice of Professor Sturm is Gelong Shenphen, abbot of the Dharmaling Buddhist community, who was especially suspicious of his membership of the Order of Malta. "This is well known over Slovenia for its 'integritism' and support for the Catholic Church," he told Forum 18 from Ljubljana on 28 August.

But also concerned is Zmago Godina, president of the Slovenian Conference of the Seventh Day Adventists. "I am a little bit worried because of his position and ties to the Catholic Church," he told Forum 18 on 22 September. "Lovro Sturm is very respected from a legal perspective, but the Order of Malta is tied to the interests of the Catholic Church." Godina was keen to stress that he does not presume that the law will therefore be biased. "There is a little bit of fear that this might influence his writing of the new law, but I am not saying it necessarily will. Yet it remains a danger."

Godina said his Adventist Church is "very much interested in" the new law. "We want the new law explicitly to assure the equality of all religious communities, without preferences for any on the basis of their size or tradition. This is our major concern."

Other minorities are less worried by the choice of Professor Sturm. "I know him," Geza Ernisa, bishop of the Augsburg Lutheran Church, told Forum 18 from Moravske Toplice in north eastern Slovenia on 22 September. "Although he is a devout Catholic I believe he will draft a fairly neutral law, otherwise it won't be accepted in parliament or by the religious minorities. If there is anything in it that disadvantages minorities, we will protest."

Bishop Ernisa too stressed that his Church – which has 20,000 members in 13 communities – is simply seeking equality for all faiths. "Our constitution guarantees the equality of all religious communities. But unfortunately, as in other Central European states where the Catholic Church is in a majority, this is not so in practice."

Orthodox representatives told Forum 18 they had no major concerns. Fr Peran Boskovic of the 45,000-strong Serbian Orthodox community and Trajce Andonov, leader of the 5,000-strong Macedonian Orthodox community, said that they had no problems at present and that all their communities wished to see that all faiths would be included equally in the new law.

At present, religious life is governed by the religion law dating back to 1976, when Slovenia was part of the then Yugoslavia. Long-running plans to update this law resulted in a draft being presented to parliament in 1998, but the government later withdrew it. The government then began signing agreements with individual religious communities – in 1999 with the Catholic Bishops' Conference and in 2000 with the Lutheran Church of the Augsburg Confession. Other bilateral agreements – such as with the Serbian Orthodox Church, the Pentecostals, the Jews and the Muslims – have been discussed but not adopted.

The Vatican and the Slovenian government initialled an agreement regulating the position of the Catholic Church in December

2001, but much controversy surrounds this. Minority faiths have complained that the Catholic Church – which claims the allegiance of about two thirds of the population – is seeking to enshrine in law a privileged status.

Sturm told Forum 18 that his Ljubljana-based institute was chosen in July out of three legal research institutes "as the optimal choice considering the value of the project and the professional references". He said the work – which is funded by the Office for Religious Communities - is being carried out in a team of five members which he leads. All members of the team, which includes two university professors, have experience and publications in the field, he added.

"The guiding principles of the research are standard ones, i.e. the analysis and the evaluation of the existing legal regulation, a comparative survey of the legal regulation in the countries of the European Union and draft elaboration of the possible new legal regulation." Sturm said his proposed bill will be forwarded to the Office for Religious Communities by the end of December.

Bozena Rudolf of the Office for Religious Communities told Forum 18 on 28 August that once a draft of the new religion law is prepared it will be discussed within the government before being presented to parliament. She gave no timetable.

Minority faiths have complained of denial of rights in recent years. Those which failed to gain registration with the Office for Religious Communities by 1999 saw their registration applications languish as the office director, Drago Cepar, refused to register any new religious communities after taking office in 2000, claiming that the law defining what is and is not a religious community is unclear.

However, the deadlock was broken in August of this year when he finally began registering new communities after intense political and media pressure. The Protestant Calvary Chapel in Celje, the Dharmaling Tibetan Buddhist association and the Hindu community were the first to be registered (see F18News 2 September 2003). The fourth to gain registration since Cepar reversed his policy is the Christian Outreach Centre in Ljubljana. Its pastor, Klemen Vidic, said the church received registration on 12 September. "We can now function as a religious institution," he told Forum 18 three days later, "and we can formally employ a pastor."

The Muslim community has complained that for decades it has been unable to build any purpose-built mosques, despite having tens of thousands of adherents across the country. Muslim leader Mufti Osman Djogic told Forum 18 that the community in Ljubljana has been trying to build a mosque for three decades, but has encountered widespread political and popular opposition to any site it proposes. The Muslims are forced to meet in cramped premises converted from private homes.

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