

Supervisor Gregorian aligns voluntary religious instruction in Brcko District Public Schools with Freedom of Religion and State obligations



Brcko Supervisor Dr Raffi Gregorian today issued a [Supervisory Order](#) regulating the conduct of religious education and the employment status of teachers of religion in Brcko District public schools in line with freedom of religion and other State-level obligations..

The Order recallsthat Bosnia and Herzegovina is a secular state comprised of three Constituent Peoples and Others and that the Constitution guarantees freedom of thought, conscience and religion as fundamental rights but does not establish an official religion or religions of Bosnia and Herzegovina.

The Order acknowledges the agreements that Bosnia and Herzegovina has concluded with the Holy See and the Serb Orthodox Church. The Supervisor is of the opinion that the education related provisions of these agreements should, in the absence of a similar agreement with the Islamic community, by analogy also apply to teachers and classes of the Islamic religion in Brcko District.

Supervisor Gregorian expressed gratitude to the leaders of the three major faith groups in Brcko District for bringing to his attention, both personally and in writing, the need to better define the status of religious instructors and education in

the District's public schools, and that such definition should lead to improvements in the provision of voluntary religious instruction.

By his Order, teachers of religion will henceforth be able to obtain indefinite-term contracts, and have the same status, rights and obligations, including the professional qualification requirements, as any other teacher under Brcko District laws.

Supervisor Gregorian expressed his confidence that religious communities and teachers of religion are committed to promoting and fostering the multi-ethnic character of the District and aware of their responsibility to educate pupils to accept and respect all religions and non-believers in the spirit of tolerance and conciliation.

Nevertheless, the Supervisor expressed concerns over a tendency that has emerged in Bosnia and Herzegovina generally, and in Brcko District specifically, whereby religious instruction classes as a voluntary subject in public schools have increasingly taken on the character of an obligatory subject, as noted by the near one hundred percent attendance rate in such voluntary classes in Brcko District public schools.

Moreover, by providing taxpayer funds and making available free-of-charge District public school premises for the purposes of religious instruction for only certain faith groups, the current arrangements for voluntary religious instruction risk imparting to those certain faith groups characteristics of official religions to the exclusion and detriment of other faith groups or non-believers in a manner that may be discriminatory and thus subject to legal and constitutional challenges and call into question freedom of religion and conscience in Brcko District.

"The existing arrangements for voluntary religious instruction

must not create a financial and political dependency relationship between government and faith groups that could then lead to eventual subjugation of one to the other, to the ultimate detriment of both," the Supervisor said.

Therefore, the Order emphasizes that religious classes in schools will continue to be on a voluntary basis, subject to the express free will of parents or legal guardians of pupils and encourages offering of suitable secular subjects as an elective alternative to religious instruction. Until such an alternative is offered, religious instruction classes can only be held either as the first or last period of the academic day.