

Institute on Religion and Public Policy: Religious Freedom in the Slovak Republic

Executive Summary

(1). The Constitution of the Slovak Republic provides numerous protections for the freedom of religion. The preamble of the Constitution states that the constitution was adopted “to implement democratic forms of government, guarantee a life of freedom, and promote spiritual, cultural and economic prosperity.” Article 1 of the Constitution of the Slovak Republic states that the Republic is “not bound by an ideology or religion.” Articles 11, 12, 13, and 24 of the Constitution all provide protections for religious freedom and religious minorities. While the government of the Slovak Republic on the whole respects the religious rights of its citizens, an amendment to the religious registration laws passed in 2007 makes it very difficult for religions to register for legal status in the state.

Institute on Religion and Public Policy

(2). Twice nominated for the Nobel Peace Prize, the Institute on Religion and Public Policy is an international, inter-religious non-profit organization dedicated to ensuring freedom of religion as the foundation for security, stability, and democracy. The Institute works globally to promote fundamental rights, and religious freedom in particular, with government policy-makers, religious leaders, business executives, academics, non-governmental organizations and others. The Institute encourages and assists in the effective and cooperative advancement of religious freedom throughout the world.

Introduction to the Legal Situation

(3). Article 1 of the constitution establishes the Slovak Republic as a secular state, declaring that the government of the Slovak Republic shall not be “bound by any ideology or religion.”

(4). Article 24 provides many of the foundations for religious freedom that are found in the Slovak Republic. Article 24, Section 1 guarantees “freedom of thought, conscience, religion and faith.” This also includes the right to convert to a different religion or choose to have no affiliation at all. Article 24, Section 2 mandates that “Every person shall have the right to express freely his or her own religious conviction or faith alone or in association with others, privately or publicly, by worship, religious services or ceremonies and participation in religious instruction.” Article 24, Section 3 states that: “Churches and ecclesiastical communities shall administer their own affairs. All ecclesiastic authorities and appointments, religious instruction, establishment of religious orders and other religious institutions shall be separate from the State authorities.”

(5). Articles 12 and 13 establish the equal treatment of citizens and the protection of inalienable rights. Article 12 guarantees citizens’ inalienable rights, “regardless of sex, race, color, language, faith, religion, political affiliation or conviction, national or social origin, nationality or ethnic origin, property, birth or any other status.” Article 13 states that any restrictions imposed on a person’s rights shall be “applied equally and consistently in all similar cases.”

(6). Article 11 of the Constitution places international covenants on human rights before State law if the international agreements provide more human rights than those of the Slovak Republic.

(7). Despite these protections, there are several issues which negatively affect the status of religious freedom in the Slovak republic. In the state of Slovakia, religions must register to obtain legal status. Registration is not required of all religions, but if the adherents of that religion wish to have legal rights to build places of worship and hold public services, then registration is required. Registered religious groups enjoy other benefits, such as “government benefits, including subsidies for clergymen; office expenses; the right to visit, proselytize, and minister to their members in prisons and hospitals; and access to public television broadcasting--privileges which unregistered religious groups do not receive.” There are currently 18 registered groups in the Slovak Republic.

(8). There are currently approximately 30 non-registered religious groups in the Slovak Republic. The practice and beliefs of these groups is extremely diverse. These groups include: “Ananda Marga, Hare Krishna, Yoga in Daily Life, Osho, Sahadza Yoga, Shambaola Slovakia, Sri Chinmoy, Zazen International Slovakia, Zen Centermyo Sahn Sah, Rosicrucians, Raelians, the Unification Church, the Church of Scientology, the Movement of the Holy Grail, the Church of Christ, Manna Church, International Association of Full Gospel Businessmen International, Christian Communities, Church of the Nazarenes, New Revelation, Word of International Life, Society of the Friends of Jesus Christ, Sword of the Spirit, Disciples of Jesus Christ, Universal Life, Free Peoples' Mission, Presbyterian Church Emmanuel, and Brothers in Christ (Christadelphians).”

(9). In May 2007, an amendment was passed which imposes stricter regulations on religions wishing to register. It decrees that a religion must produce at least 20,000 permanent residents who have made an “honest declaration attesting to their faith” in order to register. These members must also produce “knowledge of articles of faith and basic tenets of the religion, personal identity number and home address, and support for the group's registration.” The requirement for 20,000 adherents is the highest in the OSCE region. Previously, all that was needed was the signed support of 20,000 permanent residents who did not have to be members of the faith.

(10). This amendment to the previous registration law is discriminatory to smaller religions that may not have 20,000 permanent residents who are members of the faith. This policy clearly violates numerous constitutional protections which guarantee the freedom of religion. For members of religious communities that do not meet the quantitative requirements to become a legal religion their rights enshrined in Article 24 are being trampled upon on a consistent basis.

(11). According to the State Department's International Religious Freedom Report for 2007, a member of the ruling coalition of the Slovakian parliament stated that one of the main reasons the law was drafted was to prevent "our children going to a mosque to pray and professing that we are Al-Qaeda." The report went on to allege that the amendment is a preventative measure to

avoid the “uncontrolled registration” of new religious groups, which are often “considered to be harmful sects that could spread dangerous ideas and claim subsidies from the state budget.”

Conclusion

(12). On the whole, the Slovak Republic shows respect for religious freedom. However, the new implementation of the 2007 amendment to the religious registration laws creates many obstacles for minority religions hoping to be granted legal status. In order to ensure compliance with both international human rights accords and the provisions of the Slovak Constitution itself, it is imperative that the religious registration requirements currently on the books be abolished.