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## Slovak Republic

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

### **International Religious Freedom Report 2010**

**November 17, 2010**

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion. The Constitutional Court upheld the constitutionality of an amendment to the religious registration law that increased the requirements for a religious group to register.

The government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the government during the reporting period.

There were few reports of societal discrimination based on religious affiliation, belief, or practice. Periodic acts of anti-Semitism persisted among some elements of the population.

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights.

#### Section I. Religious Demography

The country has an area of 18,900 square miles and a population of 5.4 million. According to the 2001 census, self-described Roman Catholics constitute 68.9 percent of the population and Augsburg Lutherans 6.9 percent. Smaller religious groups include Greek Catholics, the Reformed Christian Church, Orthodox Christians, Jehovah's Witnesses, various Protestant groups, Jews, Baha'is, and Muslims.

There is some correlation between religious differences and political or ethnic differences. The Christian Democratic Party, which has ties to the Catholic faith, is the only political party to advocate an explicitly religious agenda. The founders of the Party of Conservative Democrats, a new offshoot of the Christian Democratic Party, are also closely associated with the Roman Catholic Church. Greek Catholics are ethnic Slovaks and Ruthenians (Ukrainians), although some Ruthenians follow the Orthodox faith. Followers of the Orthodox Church live predominantly in the eastern part of the country. The Reformed Christian Church is found primarily in the south, near the border with Hungary, where many ethnic Hungarians live. Other religious groups tend to be spread evenly throughout the country.

## Section II. Status of Government Respect for Religious Freedom

### Legal/Policy Framework

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion. However, an amendment to the religious registration law disadvantages smaller religious groups.

The law defines the status of religious groups that are registered with the government. The law does not prohibit nontraditional religious groups. It allows the government to enter into agreements with smaller religious communities.

No official state religion exists; however, because of the number of adherents, Roman Catholicism is considered the dominant religion. A 2001 concordat with the Vatican provides the legal framework for relations between the country's Catholic Church, the government, and the Vatican. Two corollaries deal with priests serving as military chaplains and religious education. A 2002 agreement between the government and 11 other registered religious groups attempts to counterbalance the Vatican agreement and provide equal status to the remaining registered religious groups. A corollary agreement on religious education, identical versions of which were signed with the 11 other registered religious groups, mandates that all public elementary schools require children to take either a religion class or an ethics class, depending on their (or their parents') preference. Despite some concerns, smaller religious groups reiterated that they were generally pleased with the system.

The government observes the following religious holidays as national holidays: Epiphany, Easter, the Day of the Virgin Mary of the Seven Sorrows, All Saints' Day, Christmas, and St. Stephen's Day. An agreement with the Vatican prohibits the removal or alteration of existing religious holidays considered state holidays.

Registration of religious groups is not required. However, registered groups receive government benefits, including subsidies for clergymen; office expenses; the right to visit, proselytize, and minister to their members in prisons and hospitals; the right to conduct legal marriage ceremonies; and access to public television broadcasting. The Roman Catholic Church, as the largest religious group, receives the most government subsidies. Government funding also is provided to religious schools and to teachers who lecture on religion in state schools. The government occasionally subsidizes one-time projects and significant religious activities, and registered religious groups are partly exempt from paying taxes and import custom fees. A group may elect not to accept the subsidies.

According to the 2007 registration law, for a group to register as a religious organization, 20,000 adult members who are citizens or permanent residents must submit an "honest declaration" attesting to their membership, knowledge of the articles of faith and basic tenets of the religion, personal identity numbers and home addresses, and support for the group's registration. Additionally, the act governing registration of citizens associations specifically excludes religious organizations and churches.

The Department of Church Affairs at the Ministry of Culture oversees relations between religious groups and the state and manages the distribution of state subsidies to religious groups and associations. However, the ministry cannot intervene in the internal affairs of religious groups and does not direct their activities. The ministry administers a cultural grant program that allocates money for the upkeep of cultural and religious monuments.

### Restrictions on Religious Freedom

The government generally respected religious freedom in practice. There was no change in the status of respect for

religious freedom by the government during the reporting period.

The requirement that an organization have at least 20,000 adult members to register disadvantaged smaller religious groups. Although such groups were able to function, they complained that they were in legal limbo with authorities and could have difficulty gaining access to their clergy and other resources in certain situations. For example, clergy from unregistered religious groups could not minister to their members in prisons and government hospitals. Occasionally, members of these groups were prevented from burying their relatives in municipal cemeteries.

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In February 2010 the Constitutional Court rejected the case filed in February 2008 by the prosecutor general at the Constitutional Court against the 2007 registration law. The court decided that the amended legislation does not violate the constitution, since it does not prevent a church from entering public life and operating.

In March 2009 the Supreme Court decided in favor of the Christian Fellowship in its appeal of the Ministry of Culture's 2007 rejection of the group's application for registration. In May 2009 the Ministry of Culture received the Supreme Court's decision, which stated that the ministry did not provide sufficient evidence to support the rejection of the group's application for registration. Consequently, the ministry renewed the registration process and informed the Christian Fellowship. The ministry began collecting additional documents and materials required for the registration process according to the relevant legislation. In early 2010 the ministry hired an independent expert to conduct fieldwork and make a professional recommendation about the Christian Fellowship.

The Atheist Church's complaint to the Constitutional Court regarding the Ministry of Culture's rejection of its registration application was pending at the end of the reporting period.

The state-funded Institute of State-Church Relations monitored and researched new religious movements and drafted analyses for the Department of Church Affairs of the Ministry of Culture; however, it was difficult to identify these groups because they often register as nongovernmental organizations (NGOs) rather than as religious groups. The institute researched new religious groups that were suspected of attempting to infiltrate schools, such as the Church of Scientology and the Unification Church. The institute also conducted seminars, issued publications, and provided information to the media regarding its findings.

Some property restitution cases remained unresolved. Religious organizations applied for the return of their property confiscated by the former communist government under the 1993 law on the restitution of communal property, which specified a filing deadline of December 31, 1994. The government, municipalities, state legal entities, and, under certain conditions, private persons returned property in its existing condition. Restituted churches, synagogues, and cemeteries generally were in poor condition. The law did not provide compensation for the damage done under the communists, and religious groups often lacked the funds to restore these properties to a usable state.

In some cases, although the government returned a property, it was not vacated by the tenant, often a school or hospital with nowhere else to go. There also were problems with the return of property that was undeveloped at the time of seizure but was subsequently developed. The main obstacles to the resolution of outstanding restitution claims were the government's lack of financial resources and bureaucratic resistance on the part of those entities required to vacate restitutable properties.

The 2005 restitution law permitted religious organizations to claim agricultural land and forests as well as other nonreligious property (community halls, schools, etc.) taken between May 8, 1945 (November 2, 1938, for the Jewish

community), and January 1, 1990, and established April 30, 2006, as the filing deadline. With the exception of the Reformed Christian Church, religious groups had few remaining claims for unreturned property. Several religious institutions noted that they could not provide precise data on the few outstanding claims because many of their branches operated somewhat independently. The Reformed Christian Church alleged that the 2005 law addresses some complex property claims but does not resolve the cases of approximately 70 church properties (church schools, teachers' facilities, etc.) that were owned by individual parishes and nationalized by the communist government after 1948. Reformed Christian Church officials also complained that the government did not allow religious organizations to draw from European Union structural funds for social purposes.

The Roman Catholic Church, represented by the Slovak Bishops' Conference, claimed that there were no precise statistics on returned property, but several claims remained pending in the courts. The bishops estimated that the state had returned approximately 33 to 35 percent of Catholic Church property. The Catholic Church is not eligible to reacquire lands originally registered to church foundations that no longer exist or operate in the country, such as the Benedictines. However, the bishops advocated a broader view of the matter, linking restitution with state support. They believed that existing subsidies for churches and their priests' salaries mitigated an incomplete restitution process.

There was no progress in the 2003 lawsuit the Central Union of Jewish Religious Communities in the Slovak Republic filed against Germany to claim compensation for monies paid by the wartime Slovak government to Germany to cover the cost of Germany's deportation of 57,000 members of the country's Jewish population.

According to a corollary to the Vatican concordat, a 2004 law requires public elementary school students to take either a religion or ethics class. Critics claimed that students in some schools, particularly in poor, rural communities, might be denied a choice or were pressured to choose the religion class.

There were no reports of religious prisoners or detainees in the country.

#### Forced Religious Conversion

There were no reports of forced religious conversion.

#### Section III. Status of Societal Respect for Religious Freedom

There were few reports of societal discrimination based on religious affiliation, belief, or practice.

Numerous acts of anti-Semitism occurred during the reporting period. Police arrested individuals in towns such as Zvolen, Roznava, Nitra, Kolinany, Dolne Obdokovce, and others for painting swastikas on public buildings or propagating fascist ideology.

On March 14, 2010, approximately 250 persons (and an estimated 75 police officers) gathered in front of the presidential palace in Bratislava to commemorate the founding of the first Slovak state in 1939 and pay respect to its president, Jozef Tiso, who was executed for treason and collaboration with the enemies of Czechoslovakia after World War II.

The number of prosecutions for racially motivated crimes, including anti-Semitism, decreased from 230 in 2006 to 132 in 2009. However, NGO activists claimed that extremist networks were continuing to develop while effective police attention to this phenomenon was decreasing, and that the decrease reflected in the statistics was a result of underreporting.

There were several ecumenical organizations that fostered closer relationships among religious groups. The Ecumenical Council of Churches represented several groups.

#### Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. The U.S. embassy continued to follow developments regarding the religious registration law.

The embassy maintained contact with a broad spectrum of religious groups and encouraged tolerance for minority religious groups. Embassy officers and official visitors met with officials of major and smaller religious groups to discuss property restitution matters as well as human rights conditions, including religious freedom.

The embassy continued its dialogue with the Slovak Bishops' Conference, Ecumenical Council of Churches, Federation of Jewish Communities, Orthodox Church, and other religious groups. The embassy fostered dialogue among religious groups, the Ministry of Culture, and the U.S. Commission for the Preservation of America's Heritage Abroad on matters of importance to the commission.

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