



PERMANENT MISSION OF THE HOLY SEE
TO THE ORGANIZATION FOR SECURITY
AND COOPERATION IN EUROPE

**STATEMENT OF MONSIGNOR MICHAEL W. BANACH,
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AT THE SUPPLEMENTARY HUMAN DIMENSION MEETING ON
FREEDOM OF RELIGION OR BELIEF
Vienna, July 9 and 10, 2009**

Session II: Status of Religious Communities

1. Registration of religious communities or groups cannot be a precondition for the enjoyment of religious freedom.

2. All Churches and religious communities should enjoy the right to freedom of religion. However, the protection and promotion of this right should not result in an indiscriminate *juridical equalization* of all religions through an equivalency between religion and forms of conviction protected under the right to freedom of thought and opinion.

3. At the community level, account has to be taken of the fact that religious denominations, in bringing together believers of a given faith, exist and act as social bodies organized according to their own doctrinal principles and institutional purposes and they have the right to establish their own internal regulations and institutional structure.

Confessional communities need to enjoy specific liberties in order to conduct their life and to pursue their purposes. Among such liberties the following, to be found in numerous OSCE documents, are to be mentioned:

- freedom to have their own internal hierarchy or equivalent ministers freely chosen by the communities according to their constitutional norms;
- freedom for religious authorities to exercise their ministry freely, ordain ministers, appoint to ecclesiastical offices, communicate and have contacts with those belonging to their religious denomination;
- freedom to have their own institutions for religious training and theological studies, where candidates for priesthood and religious consecration can be freely admitted;

- freedom to receive and publish religious books related to faith and worship, and to have free use of them;
- freedom to proclaim and communicate the teaching of the faith, whether by the spoken or the written word, inside as well as outside places of worship, and to make known their moral teaching on human activities and on the organization of society;
- freedom to use the media of social communication (press, radio, television) for the same purpose;
- freedom to carry out educational, charitable and social activities so as to put into practice the religious precept of love for neighbor, particularly for those most in need;

Governments should avoid criticism of religious denominations on the grounds that they interfere with the so-called rights of the secular state. An open and positive concept of the secular nature of states should be promoted, which appreciates the contributions of Churches to society as forming part of the common good.

With regard to religious communities which, like the Catholic Church, have a supreme authority responsible at world level for the unity of communion that binds together all pastors and believers in the same confession: freedom to maintain mutual relations of communication between that authority and the local pastors and religious communities.

4. In spheres of the human activity like medicine, bio-ethics and education, freedom of conscience according to each person's freedom of religion should be guaranteed and safeguarded, also by anti-discrimination laws.

5. Finally, sometimes the Catholic Church concludes specific agreements with a State or group of States, fully respecting the rule of law in the internal legal order, as well international law regulating these kinds of legal instruments. The Holy See, in virtue of her international legal capacity, negotiates these agreements in order to ensure the necessary autonomy for the Catholic Church consistent with her mission and, in broad sense, to guarantee respect for religious freedom. In many cases the agreements with the Holy See allow other religions in a country to establish arrangements with Government Authorities.