

Act of 28 January 2004 ratifying the agreement between the Republic of Slovenia and the Holy See on legal issues (BHSPV)

U. I. RS n. 13/2004

Article 1

The Agreement between the Republic of Slovenia and the Holy See on Legal Issues signed in Ljubljana on 14 December 2001 is hereby ratified.

Article 2

The original Agreement in the Slovenian and Italian language reads:

Agreement between the Republic of Slovenia and the Holy See on legal issues

The Republic of Slovenia and the Holy See

have

- ▶ on the basis of the Agreement on the Establishment of Diplomatic Relations between the contracting parties;
 - ▶ with Slovenia taking into account its [constitution](#), especially Articles 7 and 41, and the Holy See taking into account the documents of the Second Vatican Council and the canon law norms;
 - ▶ aware of the importance of human rights, and especially when referring to the internationally acknowledged principles of the freedom of thought, conscience and religion;
 - ▶ proceeding from several hundred years' historical connection between the Slovenian people and the Catholic Church;
- concluded the following Agreement:

Article 1

The Republic of Slovenia and the Holy See confirm the principle that the State and the Catholic Church are both independent and autonomous in their organisation, and undertake to fully comply with this principle in their mutual relations as well as to co-operate in the advancement of the human person and the common good. In the Republic of Slovenia the Catholic Church performs its activities freely under the canon law, in line with the legal order of the Republic of Slovenia.

Article 2

The Republic of Slovenia acknowledges the legal personality of the Catholic Church. The Republic of Slovenia also acknowledges the legal personality of all territorial and personal church institutions based in the Republic of Slovenia that are provided such personality under the canon law norms. Pursuant to the legal order of the Republic of

Slovenia, the Church authority must report such institutions to the competent national body for registration.

Article 3

The legal order of the Republic of Slovenia guarantees the Catholic Church freedom of activity, worship and catechesis. All extraordinary public worship services and other public religious gatherings (pilgrimages, processions, meetings) shall be reported by the competent authority of the Catholic Church to the competent national body in accordance with the legal order of the Republic of Slovenia.

Article 4

The competent church authority is exclusively competent to establish, alter and cancel church structures, especially church regions (archdioceses, dioceses, apostolic administrations, personal and territorial prelaties, abbeys), monasteries, parishes and institutes of consecrated life and societies of apostolic life. No diocese of the Catholic Church in the Republic of Slovenia shall occupy a territory outside the borders of the Republic of Slovenia and no part of the territory of the Republic of Slovenia shall belong to a diocese whose base is located outside the Republic of Slovenia.

Article 5

The Catholic Church is competent to grant titles and appoint to church offices according to canon law norms. Appointment, acceptance of resignations and transfer of bishops shall be at the sole discretion of the Holy See.

Article 6

The Catholic Church in the Republic of Slovenia and its natural persons and legal entities may freely establish and uninterruptedly maintain contacts with the Holy See and among themselves. They may also freely establish contacts and co-operate with Conferences of Bishops and other church institutions as well as other organisations and legal entities, either in Slovenia or abroad.

Article 7

The Catholic Church has full freedom of possessing its own media and like other legal entities is entitled to access all public media.

Article 8

Legal entities of the Catholic Church may in line with the legislation of the Republic of Slovenia create associations. The Republic of Slovenia acknowledges the right of believers to establish freely and publicly operating associations in accordance with the norms and objectives specified in canon law. The legal aspects of the activities of these church associations are regulated in line with the relevant regulations of the Republic of Slovenia. Legal entities of the Catholic Church may create foundations operating in line with the legislation of the Republic of Slovenia.

Article 9

Legal entities of the Catholic Church based in the Republic of Slovenia may pursuant to the legislation of the Republic of Slovenia acquire, own, exploit and dispose real estate and movable property as well as acquire or waive title rights and other rights in rem.

Article 10

In accordance with the legislation of the Republic of Slovenia and the canon law, the Catholic Church is entitled to establish and manage schools of all types and levels, secondary school and university students' halls of residence, and other educational institutions.

The State shall support the institutions referred to in the previous paragraph under equal conditions as other similar private institutions. The status of secondary school and university students and pupils of these institutions is equal to that of secondary school and university students and pupils of public institutions.

Article 11

The competent national bodies, the competent bodies of local communities and the competent church authority shall co-operate to preserve and maintain cultural monuments and other cultural property and archives owned by the Church.

Article 12

The Republic of Slovenia provides for comprehensive observance of the religious freedom of individuals in hospitals, nursing homes, prisons and other institutions where the free movement of the persons present is hindered. The Catholic Church is entitled to pastoral activity in these institutions according to the relevant laws regulating this issue.

Article 13

Charity and social church institutions and organisations engaged in charity work and social solidarity, organised in line with the Slovenian legislation, shall be in terms of relief, assistance and other incentive measures equal to other similar institutions in the country.

Article 14

The Republic of Slovenia and the Holy See shall amicably, in a diplomatic manner, resolve any disagreement that might arise from the interpretation or application of the provisions of this Agreement. The Republic of Slovenia and the Holy See shall further strive to deal with all unresolved issues that are not regulated by this Agreement with the aim of solving them in agreement.

Article 15

This Agreement shall be ratified in line with the rules of both contracting parties and shall enter into force when the instruments of ratification are exchanged.

Both originals, in the Slovenian and the Italian language, are signed in Ljubljana on 14 December 2001, with both language variants equally authentic.

For the Republic of Slovenia: Dimitrij Rupel m.p.
For the Holy See: Jean-Louis Tauran m.p.

Article 3

The implementation of the Agreement is the responsibility of the sector Ministries competent for the issues defined in the Agreement.

Article 4

This Act shall enter into force on the day following its publication in the Official Gazette of the Republic of Slovenia - International Agreements.

(Translation : Government of the Republic of Slovenia, Office for Religious Communities)