

DRAFT ONLY

**Agreement
between the Slovak Republic and Registered Churches and Religious Societies on the
Right to Exercise Objections in Conscience**

The Slovak Republic and

Evangelical Church of Augsburg Confession in Slovakia
Reformed Christian Church in Slovakia
Orthodox Church in Slovakia
United Methodist Church, Slovak District
Baptist Union of the Slovak Republic
Brethren Church in the Slovak Republic
Seventh-Day Adventist Church, Slovak Association
Apostolic Church in Slovakia
Central Union of Jewish Religious Communities in the Slovak Republic
Old Catholic Church in Slovakia
Czechoslovak Hussite Church in Slovakia

As churches and religious societies registered upon the Act no. 308/1991 Col. on the freedom of religious belief and the status of churches and religious societies as amended by Act no. 394/2000 Col. (hereinafter “registered churches and religious societies”),

Recognising the freedom of conscience in the protection and promotion of values intrinsic to the meaning of human life,

Emphasising this recognition in relation to the freedom of thought and freedom of religion,

Recognising human life, human dignity, meaning of human life, family and marriage as the highest universal values, which are at the source of common good and, as such, must be protected from loss or injury and from impediments to their development and generational handing down,

Declaring the will to protect the right to human life, human dignity, human physical integrity, human biological and psychological identity, family and marriage, invoking the commitments given in the Agreement between the Slovak Republic and Registered Churches and Religious Societies no. 250/2002 Col. (hereinafter the "Basic Agreement"),

and

the Slovak Republic, applying the Constitution of the Slovak Republic, and registered churches and religious societies, applying the teaching of faith and morals of the respective church or religious community,
have agreed as follows:

Article 1

- 1) The Slovak Republic and registered churches and religious societies (hereafter “Contracting Parties”) conclude this Agreement with the aim to set out the scope and terms of exercising the right to objection in conscience in conformity with Article 7 of the Agreement.
- 2) Registered churches and religious societies mean the churches and religious societies that acceded to the Basic Agreement and this Agreement.

Article 2

The Contracting Parties recognise the freedom of conscience regarding human life, human dignity, the meaning of human life, family and marriage, and the right of everyone to freely exercise objection in conscience in relation to these universal human values.

Article 3

- (1) For the purposes of this Agreement, “principles of the teaching of faith and morals” mean the principles proclaimed by registered churches and religious societies.
- (2) For the purposes of this Agreement, “objection in conscience” means an objection raised in conformity with the principle of the freedom of conscience according to which anyone may refuse to act in a manner that he deems incompatible in his conscience with the teaching of faith and morals.
- (3) The term “to act” includes participating in an act or any other activity of unspecified duration connected with such act, including assistance.

Article 4

- (1) The right to exercise objection in conscience shall apply to:
 - a) the service in the armed forces or armed corps, including military service,
 - b) performances in the healthcare area, in particular acts related to artificial terminations of pregnancy, artificial or assisted fertilisation, experiments with and handling of human organs, human embryos and human sex cells, euthanasia, cloning, sterilisation or contraception,
 - c) activities in the field of upbringing and education, in particular those relating to Articles 12 and 13 of the Basic Agreement,
 - d) provision of legal services,
 - e) labour-law and other labour relations falling under the scope of this Agreement.
- (2) The Slovak Republic undertakes not to impose an obligation on the hospitals and healthcare facilities founded by registered churches and religious societies or organisations thereof to perform artificial terminations of pregnancy, artificial or assisted fertilisations, experiments with or handling of human organs, human embryos or human sex cells, euthanasia, cloning, sterilisations, acts connected with contraception, and not to make the establishment or operation of a hospital or a healthcare facility founded by registered churches and religious societies or

organisations thereof conditional on the performance of the aforementioned activities.

Article 5

The right to exercise objection in conscience shall be applied according to the legal order of the Slovak Republic and within its limits. In setting out the scope and manner of exercising the right to objection in conscience, the Slovak Republic shall take care to preserve the essence and the meaning of this right.

Article 6

- (1) The action as a result of the exercise of objection in conscience shall not entail legal liability of the person who has exercised that right.
- (2) The right to exercise objections in conscience shall not warrant actions leading to the misuse of the objection in conscience. The misuse of the right to objection in conscience shall not entail protection from legal liability. The exercise of objection in conscience must not endanger human life or human health.

Article 7

- (1) The Contracting Parties shall resolve contentious issues arising in connection with the interpretation or execution of this Agreement through mutual consultations. The Contracting Parties shall supply information to one another, in particular as regards individual activities falling under the scope of objection in conscience, and information concerning the drafts of generally binding legal acts that have a bearing on objections in conscience.
- (2) The Contracting Parties shall set up a joint commission with an advisory status for the purposes of executing this Agreement. The joint commission shall have a parity composition and include six representatives of each Contracting Party; it will be convened at least twice a year or at any time when so requested by one of Contracting Parties. The tasks of the joint commission shall include, in particular:
 - a) considering areas and particular activities which are objects of objections in conscience
 - b) submitting comments concerning the drafts of generally binding legal acts and initiatives leading to legislative amendments concerning the right to exercise objections in conscience and preventing its misuse,
 - c) evaluating the implementation of this Agreement,
 - d) submitting proposals with a view to amending or supplementing this Agreement.

Article 8

Any amendments and additions of this Agreement including the facts that are not covered by this Agreement shall be made by mutual written consent between the Contracting Parties.

Article 9

- 1) This Agreement shall enter into force on the first day of a month following its approval by the National Council of the Slovak Republic and shall come into effect on the day of its publication in the Collection of Laws of the Slovak Republic.
- 2) This Agreement is concluded for an unlimited period and shall be terminated by agreement of the Contracting Parties or upon the termination of the Basic Agreement.
- 3) This Agreement is open for accession by other churches and religious societies registered in conformity with the legal order of the Slovak Republic. On the basis of a written request, registered churches and religious societies participating in the Agreement whose statutory representatives signed the Agreement, shall decide upon the accession. All Contracting Parties must agree with the accession.

Done in Bratislava on..... in sixteen original copies.

For the Slovak Republic:

For Registered Churches and Religious Societies:

Evangelical Church of Augsburg Confession in Slovakia
Reformed Christian Church in Slovakia
Orthodox Church in Slovakia
United Methodist Church, Slovak District
Baptist Union of the Slovak Republic
Brethren Church in the Slovak Republic
Seventh-Day Adventist Church, Slovak Association
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