

Law on Religious Organizations

del 7 Settembre 1995, emendata nel 2002

ART. 1

(TERMS USED IN THIS LAW)

The following terms are used in this Law:

1. Religious activities - to adhere to a religion or a faith, to practice cult, religious or ritual ceremonies and to proclaim doctrine;
2. Religious denominations (hereinafter - denominations) - trends of world religions that have their own creeds, doctrine and dogmatics, as well as cultic traditions.
3. Officials of religious organizations - members of elected bodies (councils, boards and audit committees) of such organizations, including the ecclesiastics;
4. Ecclesiastics of religious organizations (hereinafter - the ecclesiastics) - archbishop, bishop, pastor, minister, priest, dean, rabbi a.o.);
5. Ritual items - items and things necessary to a religious organization for practicing a religion and performing religious activities;
6. Christian teaching - the system of views, doctrines and ideas of certain Christian denominations;
7. Religious teaching - a system of certain religious views, doctrines and ideas.
8. Chaplain - an ecclesiastic performing official duties at prisons, in the National Armed Forces and at other places where the ordinary pastoral care is not available.

Art. 2

(Purpose of the Law)

1. The Law on Religious Organizations, in compliance with the Republic of Latvia Constitution (Satversme), as well as international agreements concerning human rights in the sphere of religion, shall regulate social relations established through exercising the right to freedom of consciousness and through engaging in the activities of the religious organizations.
2. The purpose of this Law shall be to grant the inhabitants of Latvia the right to freedom of religion, including the right to freely state one's attitude towards religion, to adhere to some religion, individually or in community with others, or not to adhere to any religion, to change freely one's religion in conformity with the existing legislative acts.

Art. 3

(Concept of the religious organization)

1. Religious organizations shall be church congregations, religious associations (Churches) and dioceses.
2. A congregation shall be a voluntary assembly of believers of the same religion or denomination to perform religious and other activities in a certain inhabited area in observance of the existing legislative acts.
3. A religious association (Church) shall unite the congregations belonging to the same denomination, which are registered in accordance with the procedure set by this Law.
4. A diocese shall be a territorial and administrative unit of a certain organizational structure of a religious association (Church) in accordance with the canonical rules of a particular denomination, which is overseen by a bishop.

Art. 4

(Equality of inhabitants irrespective of their attitude to religion)

1. The explicit or implicit restrictions of the right of inhabitants or the creation of privileges to inhabitants, as well as the infringement of their feelings or the instigation of hatred due to their

attitude to religion shall be prohibited. Persons guilty of violating this provision shall be held liable in accordance with the procedure prescribed by law.

2. No person shall be allowed to ignore the law because of his/her religious conviction.

3. No reference shall be made to a person's attitude to religion or his/her religious affiliation in the identification documents issued by the state.

4. Government and municipal authorities, non-governmental organizations, companies and business associations shall be prohibited to demand information from their staff or other persons concerning their attitude to religion or their religious affiliation.

Art. 5

(Relations between the state and religious organizations)

1. The state is separate from the church in the Republic of Latvia. The state institutions are secular, and the religious organizations fulfil state functions only in the cases prescribed by the law.

2. The state shall protect the legal rights of religious organizations as prescribed by the law. The state, municipalities and their institutions, non-governmental and other organizations shall not be authorized to interfere with the religious activities of religious organizations.

3. The state shall recognize the right of parents and guardians to bring up their children in accordance with their religious creed.

4. (Excluded by the Law of 17 June 1996).

5. The Board of Religious Affairs shall be in charge of handling relations between the state and religious organizations and, if religious organizations so request, shall provide the required assistance in solving organizational, legal and other issues.

6. State institutions shall supervise and control the conformity of activities of religious organizations to legislative acts.

Art. 5

(The Board of Religious Affairs)

1. The Board of Religious Affairs is a governmental institution being under supervision authority of the Ministry of Justice. Its Regulation is ratified by the Cabinet of Ministers.

2. The Board of Religious Affairs is a legal entity with separated budget financing, separated property, an independent balance, a stamp with the supplemented small image of the Coat of Arms of the Republic of Latvia and the complete name of the institution, other attributes and a budget account at the State Treasury.

3. Within the competence set by laws and other normative acts the Board of Religious Affairs ensures fulfilment and coordination of State's policy on religious affairs, it deals with issues connected with mutual relations between the State and religious organizations, it monitors the effectiveness of State's legal regulation on practicing religion and it proposes motions about measures to be taken to avert violations of human rights guaranteed in the Constitution of the Republic of Latvia and in the international agreements on religious sphere as well as conditions promoting them.

4. The Board of Religious Affairs is led by a Chief who is appointed to the position and dismissed from the position by the Cabinet of Ministers at the Minister of Justice's suggestion and who is responsible for the work of the Board and the performance of its functions.

Art. 6

(Religious organizations and education)

1. Everyone shall be entitled to acquire religious teaching, either individually or together with others in the educational institutions of religious organizations.

2. In the state and municipal schools Christian religion may be taught to persons who have expressed such wish in a written application. Applications by minors to be taught Christian religion

shall be approved of by parents or guardians. If the minor is under 14 years of age, the minor's parents or guardians submit the application.

3. Christian religion in accordance with the curriculum approved by the Ministry of Education and Science may be taught by teachers of Evangelic Lutheran, Roman Catholic, Orthodox, Old Believers or Baptist denominations, if not less than 10 students of the same school have expressed their wish to study the religious teaching of the relevant denomination. The teachers shall be selected by the denomination leaders and shall be approved by the Ministry of Education and Science.

4. In national minority schools supervised by the state or municipalities, if such is the wish of the students and their parents or guardians, it is allowed to teach the religion typical to the particular national minority in compliance with the procedure set by the Ministry of Education and Science.

5. The teaching of Christian religion and ethics shall be financed out of the state budget.

Art. 7

(Procedure of establishing religious organizations)

1. Congregation may be established by at least ten citizens of Latvia or persons who have been registered in the Population Register and have reached 18 years of age. On and the same person shall be entitled to be the founder of only one congregation. Every inhabitant of Latvia shall have the right to join a congregation and to be its active member. Young persons under 18 may become congregation members only with a written consent of their parents or guardians.

2. Ten (or more) congregations of the same denomination that are registered in the Republic of Latvia may form a religious association (Church). This provision shall not apply to religious organizations referred to in Article 8, Paragraph 4 of this Law.

3. Congregations of the same denomination may establish only one religious association (Church) in the country.

4. A religious association (Church) may establish a diocese by making a relevant decision.

Art. 7.1

(Institutions of religious organizations)

1. In accordance with the procedure set by this Law and for the purpose of reaching goals set by their Charter, registered religious organizations may create institutions which do not bring profit: educational institutions for ecclesiastics, monasteries, missions, deaconate institutions and similar organizations.

2. An institution established by a religious organization functions in accordance with existing legislative acts and its Charter (Constitution, Regulations), which is approved by the respective religious organization.

3. Religious organizations may create, reorganize or dissolve their institutions if founder makes a decision about it in accordance with Charter (Constitution, Regulations).

Art. 8

(Registration of religious organizations, educational institutions for the ecclesiastics, monasteries, missions and deaconate institutions)

1. Religious organizations shall be registered with the Board of Religious Affairs. Educational institutions for the ecclesiastics, monasteries, missions and deaconate institutions also shall be registered with the Board of Religious Affairs.

2. The Board of Religious Affairs shall within one month examine the documents submitted for registration. When examining the documents submitted by congregations of those denominations and religions which begin functioning in the Republic of Latvia for the first time and which do not belong to the religious associations (Churches) already registered in the country, the Board of Religious Affairs may extend the term of examining the documents for one month, notifying the applicant thereof.

3. The decision to register or not to register a religious organization shall be made by the Chief of the Board of Religious Affairs.

4. The congregations of those denominations and religions which begin functioning in the Republic of Latvia for the first time and which do not belong to the religious associations (Churches) already registered in the country shall re-register with the Board of Religious Affairs each year during the first ten years so that the Board may ascertain that these congregations are loyal to the State of Latvia and that their activities comply with legislative acts.

5. Any amendments in the Charter (Constitution, Regulations) of a religious organization, as well as information about any changes in their leadership and the membership of the Audit Committees shall be submitted to the Board of Religious Affairs within two weeks.

6. When a religious organization is registered, a registration certificate shall be issued to its leader or some other authorized person.

Art. 9

(Registration documents to be submitted by religious organization, educational establishment for the ecclesiastics, monasteries, missions and deaconate institutions)

1. An authorized person of a religious organization shall submit to the Board of Religious Affairs a registration application and a written authorization entitling this person to handle matters concerning registration.

2. The application submitted by a congregation shall be accompanied by:

1) the Charter (Constitution, Regulations);

2) the list of founders of the congregation including their full names, place of residence, identification number and signature;

3) , Regulations), information about the governing body of the congregation and the Audit Committee members;

4) the document on the payment of the stamp duty on the registration of the congregation.

3. The application submitted by a religious association (Church) shall be accompanied by:

1) the Charter (Constitution, Regulations);

2) the list of congregations - founders of the religious association (Church) which is to be confirmed by the congregation leaders;

3) an extract from the conference (synod) minutes recording the foundation of the association (Church), its administrative institutions, governing body and Audit Committee members;

4) the document on the payment of the stamp duty on the registration of the religious association (Church)

4. The application to register a diocese shall be accompanied by:

1) the Charter (Constitution, Regulations);

2) the decision of a religious association about the creation of a diocese;

3) information regarding the leaders;

4) the document on the payment of the stamp duty on the registration of the diocese.

5. The application submitted by an educational establishment for the ecclesiastics, monastery, mission or deaconate institution shall be accompanied by:

1) the Charter (Constitution, Regulations);

2) the decision of a religious association to establish educational institution for the ecclesiastics, monastery, mission or deaconic institution;

3) information regarding the leaders;

4) the document on the payment of the stamp duty on the registration of an educational institution for the ecclesiastics, a monastery, a convent, a mission, a charitable institution.

Art. 10

(Charter (Constitution, Regulations) of a religious organization)

1. The Charter (Constitution, Regulations) of a religious organization shall include the following information:

1) the name of the religious organization and its denomination, and, moreover, this name must unambiguously differ from the names of enterprises, institutions and organizations registered in the State in order prescribed by laws;

- 2) the pledge of the religious organization to abide, through its activities, by the Constitution (Satversme) and the laws of the Republic of Latvia;
 - 3) the description of teaching (Holy Scripture, doctrine and characteristic features of the denomination), forms of the religious ceremonies, aims and purposes of religious activities;
 - 4) the structure of the religious organization, the procedure of electing the leadership and the Audit Committee members, and their respective powers;
 - 5) the territory of functioning and the seat of the leadership of the religious organization;
 - 6) the procedure of joining and leaving the congregation by its members; their rights and obligations
 - 7) the rights and obligations of the religious organization, its property and financial resources;
 - 8) the procedure for the dissolution of the religious organization and the further use of the property remaining after the dissolution.
2. With the help of the Charter (Constitution, Regulations) a religious organization may also regulate its other internal matters.
3. If a congregation recognizes its adherence to some denomination functioning in the territory of the country, this shall be stated in the application submitted by this congregation and approved by the governing body of the respective religious association (Church) or if authorized by it - the leadership of diocese. If a congregation is unwilling to join any of the existing religious associations (Churches), this should be stated in the Charter (Constitution, Regulations), explaining that the congregation will function autonomously. This provision shall not apply to those denominations whose canonical rules do not permit autonomous functioning of congregations.

Art. 11

(Refusal to register a religious organization)

1. A religious organization shall not be registered if:
 - 1) some of the documents indicated in Article 9 have not been submitted, or they do not meet the requirements prescribed by Article 10 of this Law;
 - 2) the teaching, purposes and tasks of the organization expressed in the Charter (Constitution, Regulations) are in contradiction with the Republic of Latvia Constitution (Satversme) and legislative acts;
 - 3) by its activities (teaching) it endangers public peace and order, health and morals of other persons, rights and freedom of other persons, preaches ideas of religious intolerance and hatred, or otherwise contradicts the law.
2. The decision to refuse registration shall include an explanation of the reasons why the registration of the religious organization has been refused.
3. The decision shall be issued to the leader of the religious organization or to some other authorized person no later than ten days after the decision has been taken.
4. The religious organization shall be entitled to the re-submit registration documents, if the reasons for the refusal of registration have been eliminated.

Art. 12

(Appealing against the decision the chief of the Board of Religious Affairs)

The decision to register or not to register a religious organization may be appealed against in court within ten days after the decision was received.

Art. 13

(Rights of religious organization)

1. A religious organization shall gain the rights of a legal entity as of the moment of registration. A religious association (Church) or a diocese determines the legal status of an educational establishment for the ecclesiastics, a monastery, a mission and a deaconate institution.
2. Only registered religious associations (Churches) or dioceses shall be entitled to establish educational institutions for the ecclesiastics, monasteries, missions and deaconate institutions.

3. Only registered religious organizations and establishments formed by such organizations shall be entitled to use names and emblems of religious organization in their official forms and stamps.

Art. 14

(Activities of religious organizations)

1. Religious organizations shall elect, appoint or dismiss the ecclesiastics according to their Charter (Constitution, Regulations), whereas other staff members shall be hired and dismissed in accordance with labor laws.

2. Religious organizations shall function in compliance with the canonical rules of the respective denomination and their own Charter (Constitution, Regulations).

3. In public places religious organizations may only engage in religious activities, if they have received such permission from the relevant municipality. Rules of public order shall not be violated when engaging in religious activities.

4. Only religious organizations shall be allowed to invite foreign clergymen or missionaries to engage in religious activities in the Republic of Latvia, upon having arranged permits of residence for them in the procedure set by the law.

5. Religious organizations may engage in religious activities in hospitals, homes for the elderly and the disabled, places of detention and in the National Armed Forces, if the persons finding themselves in these institutions wish so. The place and time of such activities shall be coordinated with the management of the institution concerned. Religious organizations may engage in religious activities in the National Armed Forces in compliance with the regulations adopted by the Ministry of Defense. In the Republic of Latvia chaplains shall function in accordance with the Regulations of the Cabinet of Ministers on the Chaplain Service.”

6. The activities of religious organizations and believers shall only be restricted in cases when these activities are in violation of the Constitution (Satversme) and the laws of the Republic of Latvia.

7. Before March 1, each year and according to the procedure set by the Cabinet of Ministers, religious organizations shall submit reports on their activities to the Board of Religious Affairs.

Art. 15

(Business and entrepreneurial activities of religious organizations)

1. Religious organizations shall be entitled to engage in business activities. If the income of a religious organization from business activities during one calendar year exceeds 500 minimum monthly salaries (proceeding from the minimum monthly salary set by the Government for the respective period), the religious organization must establish its own business which shall be registered according to the existing legislative acts.

2. Religious organizations shall be entitled to engage in entrepreneurial activities in compliance with the Law "On Entrepreneurial Activities".

3. Legal relations between the religious organizations and its enterprise shall be regulated by the existing legislative acts and the Charter (Constitution, Regulations) of this organization, or by a special contract.

4. Income from business activities and profit made as a result of entrepreneurial activities shall be used for the purposes prescribed by the Charter (Constitution, Regulations) of the religious organization and in compliance with the existing legislative acts.

5. Religious organizations shall keep their accounts, draw up their financial reports and pay taxes as prescribed by the existing legislative acts.

Art. 16

(Property of religious organizations)

1. Religious organizations may possess movable property and real estate. The right to manage real estate is vested only in the leadership institutions of religious organizations unless the Charter (Constitution, Regulations) prescribes other procedures.

2. If the spiritual center of a religious organization registered in the Republic of Latvia is situated in a foreign country, in Latvia the said center may not possess either the real estate of this organization, or any property recognized as a monument of culture.
3. Church buildings, objects of art and other property recognized, as monuments of culture shall be maintained by religious organizations in accordance with the requirements prescribed by the Law "On the Protection of Monuments of Culture".
4. Church buildings and items used in rituals shall not be mortgaged or used for the recovery of debt upon the demand of creditors.

Art. 17

(Procedure of dissolving and reorganizing religious organizations)

1. Congregations and religious associations (Church) may dissolve or reorganize themselves according to the procedure prescribed by its Charter (Constitution, Regulations)/
2. The functioning of a diocese is terminated, if a religious association (Church) which is its founder, makes a decision about the termination of its activities in accordance with the procedure set by the Charter (Constitution, Regulations).
3. The Board of Religious Affairs should be notified of the decision about the dissolution or reorganization of a religious organization within ten days after the decision was taken thereof.
4. A congregation, which disjoins a religious association (Church), shall be re-registered pursuant to the requirements of Article 8, Paragraph 4 of this Law. This provision shall not apply to the denominations whose canonical rules do not permit autonomous functioning of congregations.
5. If a religious organization that has made a decision to dissolve or reorganize itself wants to renew its activities or its former status, it shall re-register in accordance with the requirements prescribed by this Law.
6. If the number of congregations united in religious association (Church) decreases below that stated in Article 7 of this Law, this fact gives no grounds for the dissolution of this religious association (Church). In this event, in the course of one year, the religious organization (Church) should increase the number of affiliated congregations as required by this Law. If the religious association (Church) fails to do so within one year, the association (Church) is to be dissolved.

Art. 18

(Termination of activities of religious organizations)

1. If any religious organization violates the Constitution (Satversme) and the laws of the Republic of Latvia, the court may terminate its activities.
2. If any religious organization violates the law, the Board of Religious Affairs shall give a written warning to the leader of the respective organization ordering the discontinuation of the illegal activities.
3. The right to bring an action to court requesting the termination of the activities of a religious organization shall be vested in:
 - 1) Prosecutor General;
 - 2) Chief of the Board of Religious Affairs.
4. The court may terminate the activities of a religious organization if this organization:
 - 1) preaches ideas of religious intolerance or hatred;
 - 2) violates the law or urges others to do so;
 - 3) violates or disobeys its own Charter (Constitution, Regulations);
 - 4) by its activities (teaching) endangers national security, public peace and order, or health and morals of other persons.
5. The court judgement about terminating the activities of a religious organization may be appealed against in the procedure and within the term laid down in the law.
6. The Board of Religious Affairs, guided by the court judgement about terminating the activities of a religious organization, shall annul the registration of this organization within seven days after the said judgement.

Art. 19

(Consequences of terminating the activities of a religious organization)

1. On the date the court judgement about terminating the activities of a religious organization is enforced or on the date when the organization itself made a decision about its dissolution or reorganization, the religious organization, in the procedure set by its Charter (Constitution, Regulations), shall take a decision about the successor in interest. If there is no successor in interest, the property shall be taken over by the state.
2. When the activities of a religious organization are terminated, labor relations with the staff employed by this organization shall be terminated according to the procedure prescribed by the Labor Code of Latvia.

TRANSITIONAL PROVISIONS

1. The religious congregations, associations (Churches) and monasteries that had been registered with the Ministry of Justice before this Law came into force, shall maintain their legal status.
2. Every existing religious organization, irrespective of the date of its registration, shall make its Charter (Constitution, Regulations) consistent with this Law by 1 May 1998 and, if so required by the provisions of this Law, it shall:
 - 1) amend and adopt the Charter (Constitution, Regulations);
 - 2) restructure the organization and establish its governing and audit bodies;
 - 3) alter its name, its acronym and its emblem.
3. The rights granted by this Law to religious associations (Churches) shall also apply to the Dievturi congregation and the Riga Jewish congregation.
4. (Excluded by the Law of 15 June 2000.)
5. The Ministry of Justice shall publish in the newspaper "Latvijas Vēstnesis" the list of religious organizations which have not made their Charter (Constitution, Regulations) consistent with this Law in accordance with Paragraph 2 of Transitional Provisions of this Law within the term laid down by the Law. The Ministry of Justice terminates a religious organization from the Register, if it does not have debts to the state and municipal budgets and if within three months after the publishing date there have not been any creditor demands. Registration certificate, official forms and stamps shall be considered invalid.
6. After the enforcement of this Law, the following laws shall become null and void: the Law "On Religious Organizations" (Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs, No.40, 1990) and the Law "On Amendments to the Republic of Latvia Law "On Religious Organizations"" (Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs, No.29/30, 1991).
7. The Board of Religious Affairs shall begin operation by September 1, 2000. (This Law was adopted by the Saeima on 7 September 1995).