

CONVENTIO**INTER APOSTOLICAM SEDEM ET REM PUBLICAM ESTONIAE**

*Ministry of Foreign Affairs
Republic of Estonia*

N° 7-2/16740

NOTE VERBALE

The Ministry of Foreign Affairs of the Republic of Estonia presents its compliments to the Secrétariat of State of the Holy See and has the pleasure to inform that the Government of the Republic of Estonia gives their consent to the Agreement between the Republic of Estonia and the Holy See on juridical status of the Catholic Church in Estonia, which reads as follows:

"The Holy See and the Republic of Estonia, having in common the desire to strengthen and promote, in a spirit of friendship, the relations already existing between them,

and with the intention of regulating through a common understanding the juridical status of the Catholic Church in Estonia,

have agreed to the following:

1. The Republic of Estonia guarantees freedom to profess and to practise in public the Catholic Religion.

The Catholic Church in Estonia has the right to organize itself and to carry out its mission within the legal framework of the Republic of Estonia.

2. The Catholic Church, as also its institutions, which, in accordance with Canon Law, have the status of either public or private juridical persons, shall enjoy juridical personality in civil law, according to the legislation of the Republic of Estonia, together with all the rights and obligations deriving from it, from the date of their registration with the competent Estonian authorities.

3. The Holy See and the Catholic Church in Estonia enjoy complete freedom to communicate and correspond with each other.

4. The Catholic Church has the right of access to the means of mass communication and the right to possess such means, in accordance with the laws of the Republic of Estonia.

5. The competent ecclesiastical authority has the right to create the structures proper to the Church, in particular to erect or modify ecclesiastical juridical persons, in accordance with Canon Law and in respect of Estonian legislation.

The Holy See will freely choose an ecclesiastic for the office of Bishop or of Apostolic Administrator, who may be a Bishop.

Before publishing the appointment of a Bishop or of an Apostolic Administrator, the Holy See will, out of courtesy and in confidence, inform the Civil Authorities.

6. In order to fulfil the duties of his pastoral ministry, the Bishop or the Apostolic Administrator has the right to invite to Estonia priests, members of religious congregations and lay persons who do not have Estonian citizenship and to apply to the Estonian authorities on their behalf for residence and work permits, in conformity with the laws of the Republic of Estonia.

Upon a formal request of the Bishop or of the Apostolic Administrator, a residence and work permit will be issued in accordance with Estonian laws and regulations.

7. The Catholic Church has the right to establish and manage its own schools, in accordance with Canon Law and the legislation of the Republic of Estonia concerning non-State schools.

Catholic students, both within the State school system and in non-State schools, are guaranteed, according to the provisions of Estonian legislation, the possibility of studying religious subjects appropriate to their denomination and tradition.

8. Marriages celebrated in the Catholic Church, upon registration and for which a certificate of marriage has been issued by the civil registry office, have civil effect.

9. In case of uncertain, unresolved or disputed issues concerning property, economic and fiscal matters, related to the Catholic Church in general, or specific Catholic communities or institutions, the Catholic Church and the competent authority within the Republic of Estonia will constitute an

"ad hoc" joint-commission with the task of finding solutions acceptable to both Parties.

10. If difficulties should arise in the future concerning the interpretation or application of these provisions, the Holy See and the Republic of Estonia will proceed by common accord to an amicable solution".

If the foregoing is acceptable to the Holy See, the Ministry has the honour to suggest that this Note and the Secretariat's reply to that effect shall constitute an Agreement between the Republic of Estonia and the Holy See which shall enter into force at the date of the receipt of the Secretariat's reply.

The Ministry of Foreign Affairs of the Republic of Estonia avails itself of this opportunity to renew to the Secrétariat of State of the Holy See the assurances of its highest considération.

L. S.

Tallinn, December 23, 1998

Secrétariat of State of the Holy See
VATICAN CITY

Secretaria Status

Prot. N. 700/99/RS

NOTE VERBALE

The Secrétariat of State of His Holiness presents its compliments to the Ministry of Foreign Affairs of the Republic of Estonia and has the honour to acknowledge receipt of the *Note Verbale* Prot. N. 7-2/16740, of 23 December 1998, with the following text:

« The Ministry of Foreign Affairs of the Republic of Estonia presents its compliments to the Secrétariat of State of the Holy See and has the pleasure to inform that the Government of the Republic of Estonia gives their consent to the Agreement between the Republic of Estonia and the Holy See on juridical status of the Catholic Church in Estonia, which reads as follows:

"The Holy See and the Republic of Estonia, having in common the desire to strengthen and promote, in a spirit of friendship, the relations already existing between them,

and with the intention of regulating through a common understanding the juridical status of the Catholic Church in Estonia, have agreed to the following:

1. The Republic of Estonia guarantees freedom to profess and to practise in public the Catholic Religion.

The Catholic Church in Estonia has the right to organize itself and to carry out its mission within the legal framework of the Republic of Estonia.

2. The Catholic Church, as also its institutions, which, in accordance with Canon Law, have the status of either public or private juridical persons, shall enjoy juridical personality in civil law, according to the *législation* of the Republic of Estonia, together with all the rights and obligations deriving from it, from the date of their registration with the competent Estonian authorities.

3. The Holy See and the Catholic Church in Estonia enjoy complete freedom to communicate and correspond with each other.

4. The Catholic Church has the right of access to the means of mass communication and the right to possess such means, in accordance with the laws of the Republic of Estonia.

5. The competent ecclesiastical authority has the right to create the structures proper to the Church, in particular to erect or modify ecclesiastical juridical persons, in accordance with Canon Law and in respect of Estonian *législation*.

The Holy See will freely choose an ecclesiastic for the office of Bishop or of Apostolic Administrator, who may be a Bishop.

Before publishing the appointment of a Bishop or of an Apostolic Administrator, the Holy See will, out of courtesy and in confidence, inform the Civil Authorities.

6. In order to fulfil the duties of his pastoral ministry, the Bishop or the Apostolic Administrator has the right to invite to Estonia priests, members of religious congregations and lay persons who do not have Estonian citizenship and to apply to the Estonian authorities on their behalf for residence and work permits, in conformity with the laws of the Republic of Estonia.

Upon a formal request of the Bishop or of the Apostolic Administrator, a residence and work permit will be issued in accordance with Estonian laws and regulations.

7. The Catholic Church has the right to establish and manage its own schools, in accordance with Canon Law and the *législation* of the Republic of Estonia concerning non-State schools.

Catholic students, both within the State school system and in non-State schools, are guaranteed, according to the provisions of Estonian legislation, the possibility of studying religious subjects appropriate to their denomination and tradition.

8. Marriages celebrated in the Catholic Church, upon registration and for which a certificate of marriage has been issued by the civil registry office, have civil effect.

9. In case of uncertain, unresolved or disputed issues concerning property, economic and fiscal matters, related to the Catholic Church in general, or specific Catholic communities or institutions, the Catholic Church and the competent authority within the Republic of Estonia will constitute an "ad hoc" joint-commission with the task of finding solutions acceptable to both Parties.

10. If difficulties should arise in the future concerning the interpretation or application of these provisions, the Holy See and the Republic of Estonia will proceed by common accord to an amicable solution."

If the foregoing is acceptable to the Holy See, the Ministry has the honour to suggest that this Note and the Secretariat's reply to that effect shall constitute an Agreement between the Republic of Estonia and the Holy See which shall enter into force at the date of the receipt of the Secretariat's reply.

The Ministry of Foreign Affairs of the Republic of Estonia avails itself of this opportunity to renew to the Secretariat of State of the Holy See the assurances of its highest consideration ».

The Secretariat of State of His Holiness has the honour to communicate the consent of the Holy See to the above Agreement.

The Secretariat of State of His Holiness willingly avails itself of the occasion to renew to the Ministry of Foreign Affairs of the Republic of Estonia the assurances of its highest consideration.

From the Vatican, 15 February 1999.

L. S.

The Ministry of Foreign Affairs
of the Republic of Estonia
TALLINN

Litterarum superius commemoratarum permutatio die XII mensis Martii anno MCMXCIX perfecta est. Quo quidem die ipsius mensis Martii Conventio vigere coepit ad normam eiusdem Pactionis.