

Estonia (80)

47



U.S. DEPARTMENT of STATE

Estonia**International Religious Freedom Report 2002**

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The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion. In April 2002, the Government registered the Estonian Orthodox Church subordinate to the Moscow Patriarchate.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

Section I. Religious Demography

The country has a total area of 17,666 square miles and a population of 1.36 million inhabitants (65 percent ethnic Estonian and 35 percent Russian-speaking). The Estonian Evangelical Lutheran Church (EELC) is the largest denomination, with 165 congregations and approximately 177,230 members as of May 2001. The Estonian Apostolic Orthodox Church (EAOC) has 59 congregations with approximately 18,000 members and the Estonian Orthodox Church, subordinated to the Moscow Patriarchate (EOCMP), has 32 congregations with approximately 100,000 members. There are smaller communities of Baptist, Roman Catholic, members of Jehovah's Witnesses, Pentecostal, Old Believers, Methodist, and other denominations. There is a small Jewish community with 2,500 members. In December 2000, the country's only synagogue was opened in the Jewish school facility. There are also communities of Muslims, Buddhists, and many other denominations and faiths; however, each of these minority faiths has fewer than 6,000 adherents.

Forty years of communism diminished the role of religion in society. Many neighborhoods built since World War II do not have religious centers, and many of the surviving churches require extensive renovations. Church attendance, which had seen a surge coinciding with the independence movement in the early 1990s, now has decreased significantly. Anecdotal evidence from local Lutheran churches indicates a 76 percent decrease in registered confirmations between 1990 and 2000.

Many groups have sent foreign missionaries into the country in recent years; the Church of Jesus Christ of Latter-day Saints (Mormons) has the largest number of missionaries.

Section II. Status of Religious Freedom*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. The Constitution states that there is no state church, thus establishing the separation of church and state. However, this has not been interpreted strictly in administrative practice. For example, the Churches and Congregations Act decrees that the commanding officer of each military unit shall ensure conscripts the opportunity to practice their religion; however, the coordination of chaplains' services to the prisons is delegated to one of the Lutheran diaconal centers. In response to an order by the Prime Minister, the center carries out this responsibility in a way that does not discriminate against non-Lutherans.

There also are other laws and regulations that directly or indirectly regulate individual and collective freedom of religion. The 1993 law on churches and religious organizations requires that all religious organizations have at least 12 members and to register with the Religious Affairs Department under the Ministry of Interior Affairs (MIA). Leaders of religious organizations must be citizens with at least 5 years residence in the country. The minutes of the constitutive meeting, a copy of statutes, and a notarized copy of three founders' signatures serve as supporting documents to the registration application.

In June 2001, Parliament adopted a revised law on churches and congregations that contained a

provision barring the registry of any church or union of congregations whose permanent or temporary administrative or economic management is performed by a leader or institution situated outside Estonia. The Orthodox Church, Moscow Patriarchate, and the Estonian Council of Churches expressed concern that such a provision could have prevented the registry of churches and congregations that traditionally had been active in the country. Former President Lennart Meri refused to promulgate the law, declaring, in part, that it constituted an intrusion into the sphere of autonomy of religious institutions. In February 2002, Parliament adopted unanimously a revised Law on Churches and Religious Organizations with amendments, which removed the earlier disputed provision. On February 27, 2002, President Arnold Ruutel promulgated the law. It was scheduled to take effect on July 1, 2002.

On April 17, 2002, the MIA registered the Estonian Orthodox Church (EOC), Moscow Patriarchate and ended a series of disputes over the registration of the name EAOC. In 1993 the Estonian Apostolic Orthodox Church (EAOC), independent since 1919, subordinate to Constantinople since 1923, and exiled under the Soviet occupation, reregistered under its 1935 statute. A group of ethnic Russian and Estonian parishes that preferred to remain under the authority of the Russian Orthodox Church structure imposed during the Soviet occupation, attempted, unsuccessfully, to claim the EAOC name. In May 2001, the MIA had declined to approve an application by representatives of the Moscow Patriarchate, explaining that it could not formally register this church under its desired name as it would be confused too easily with the EAOC (Estonian Apostolic Orthodox Church).

In March 2002, the MIA rejected a second application by the Satanists to register as a religious organization. The Religious Affairs Department of the MIA returned the registration documents to the applicants saying that they were not in line with the legal requirements. Estonian Satanists made their first—unsuccessful—attempt to register three years ago. During the period covered by this report, no further attempts for registration by the Satanists had been made.

A program of basic Christian ecumenical religious instruction is available in public schools. In primary school parents decide whether their children will participate in these religious studies; at the gymnasium level pupils decide themselves if they will attend these classes. Only 35 schools and approximately 1,800 students participate in such programs. Comparative religious studies are available in public and private schools on an elective basis. There are three private church schools that have a religion-based curriculum, two in Tartu and one in Johvi.

The property restitution process largely has been completed except for those properties disputed by the two main branches of the Orthodox faith – the EAOC and the EOCMP. The specific details of EOCMP registration have significant implications for which branch of the Orthodox Church may receive legal title to church property. During the period covered by this report, most church properties, including those being used by the EOCMP legally belonged to the EAOC. Once the EOCMP became registered and acquired the legal capacity of a juridical person, it then obtained the right to initiate court proceedings to gain de jure control over the properties that it has used on a de facto basis with the permission of the EAOC. Although the EOCMP has this legal capacity, no such legal proceedings had been undertaken as of June 30, 2002.

The issue of the ownership of the Aleksander Nevski Cathedral, a prominent and valuable Tallinn landmark, remains unsettled. The Cathedral is owned by the city of Tallinn and rented out to its Russian Orthodox congregation on a several decade lease basis. According to local Jewish leaders, property restitution is not an issue for the community, as most prewar religious buildings were rented, not owned.

Good Friday, Easter Sunday, Christmas day, Pentecost, and Boxing Day are national holidays.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion.

The Churches and Congregations Act decrees that the commanding officer of each military unit shall ensure conscripts the opportunity to practice their religion. However, it is not clear whether or how this freedom is implemented in practice. The military chaplaincy is delegated by an order of the Prime Minister to an organization operated by the Lutheran Church.

There were no reports of religious prisoners or detainees.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Section III. Societal Attitudes

Relations between the various religious communities are generally amicable. Although the majority of citizens are nominally Lutheran, ecumenical services during national days, Christian holidays, or at public events are common. Tension between the ethnic Estonian and ethnic Russian populations generally does not extend to religious matters; however, the hierarchical dispute and legal conflict over church property has resulted in some resentment on the part of Christian Orthodox believers belonging

to the Moscow Patriarchate (see Section II).

Most of the religious adherents among the country's Russian-speaking population are Orthodox, while the Estonian majority is predominantly Lutheran. There is a deep-seated tradition of tolerance of other denominations and religions. Although citizens are generally tolerant of new religions and foreign missionaries, some groups that are regarded widely as "cults" cause apprehension.

On November 1, 2000 (All Soul's Day), over 100 grave sites were destroyed in a cemetery in Tartu. The Tartu Police arrested 2 youths (ages 15 and 16) who described themselves as Satanists and subsequently confessed to hooliganism.

While no churches were vandalized during the period covered by this report, earlier thefts of church property prompted the Estonian Council of Churches and the board of antiquities to initiate a database of items under protection. The database, which is comprised of digital photos and detailed descriptions, will be shared with law enforcement agencies as needed.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Officials of the U.S. Embassy met regularly during the period covered by this report with appropriate government agencies, nongovernmental organizations, and a wide range of figures in religious circles. Embassy officials met with representatives of both sides in the dispute between the Estonian Apostolic Orthodox Church and the Russian Orthodox Church.

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