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Prime Minister Mikuláš Dzurinda
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CC: Mr José Manuel Barroso, President of the European Commission
Mr Franco Frattini, Vice-President, Commissioner for Justice and Home Affairs
Mr Vladimír Špidla, Commissioner for Employment and Social Affairs
Mr Jean-Claude Juncker, President in Office, European Council

Brussels, 21 April 2005

Dear Prime Minister Mikuláš Dzurinda,

As Members of the European Parliament from across political groups and from various Member States, we write to express our deep concern about the “Treaty between the Slovak Republic and the Holy See on the Right to Exercise Objection of Conscience.” We ask you to reconsider plans to sign and ratify this Treaty.

Our concern is that this Treaty will damage and undermine the construction process of the EU as a unique political entity based on the principles and values outlined in Art I-2 of the European Constitution and the Charter of Fundamental Rights of the European Union. In particular it would violate the principle of non discrimination as stipulated in article 13 of the Amsterdam Treaty. Moreover, the Treaty on the European Union declares “the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law” as founding principles of the Union. The Union also requires member states to respect fundamental human rights guaranteed by the European Convention on the Protection of Human Rights and Freedoms. The signing of this Treaty with the Holy See would clearly contradict Slovakia’s current legal obligations as an EU Member State.

This Treaty, if ratified, would be in direct contradiction with Slovakia's existing obligations as laid out in the *acquis communautaire*. Moreover, this international Treaty, which would have primacy over other national legal instruments in Slovakia, would define Catholic teachings as the highest principle for determining "conscientious objection". We strongly believe this is

inappropriate and unjustifiable. As a matter of fact, Article 3 (2) of the draft Treaty reads: *For the purposes of this Treaty, “objection of conscience” means an objection [...] which he in his conscience finds impermissible by the teaching of faith and morals.* And Article 3(1) states: *(1) For the purposes of this Treaty, “teaching of faith and morals” means the body of teaching of the Catholic Church.*

Furthermore, article 10 of the Charter of Fundamental Rights of the European Union, which will soon be ratified through the European Constitution, guarantees the freedom of conscience and of conscientious objection. This will be legally binding on The Slovak Republic. In our opinion Slovakia has sufficient safeguards to ensure that the principle of conscientious objection is respected. Given the arguments outlined in this letter, we strongly believe the signing of this Treaty is neither appropriate nor necessary.

Yours sincerely,

Alexander Alvaro

Emma Bonino

Philippe Busquin

Maria Carlshamre

Michael Cashman

Giusto Catania

Jean Marie Cavada

Daniel Cohn Bendit

Chris Davies

Kathalijne Buitenweg

Andrew Duff

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Proinsias De Rossa

Mojca Drcar Murko

Glyn Ford

Monica Frassoni

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Claire Gibault

Catherine Guy-Quint

Zita Gurmai

Fiona Hall

David Hammerstein

Gábor Harangozó

Adeline Hazan

Jeanine Hennis-Plasschaert

Sophie In 't Veld

Jelko Kacin

Wolf Klinz

Jaromir Kohlicek

Magda Kosane Kovacs

Katalin Levai

Sarah Ludford

Cecila Malmström

David Martin

Edith Mastenbroek

Marios Matsakis

Arlene McCarthy

Viktoria Mohácsi

Annemie Neyts

Siiri Oviir

Marco Pannella

Karin Resetarits

Anders Samuelsen

Willem Schuth

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