

# RECOGNITION & REGISTRATION ISSUES IN CENTRAL EUROPE

Devising a Scale of Rights Violations in  
Democratic Countries

Central Europe Forum for Freedom of Religion or  
Belief Launch Event – 4 February 2026

**Dr Brandon Reece Taylorian**

Research Fellow at the  
University of Lancashire

[brtaylorian@lancashire.ac.uk](mailto:brtaylorian@lancashire.ac.uk)

A free-to-use image by Evangelia Panteliadou.

# AIMS OF THE PRESENTATION

- Explore how religious registration/recognition systems can generate rights harms even in democracies
- Show why “minor/moderate” violations in democratic contexts need more nuance
- Apply an expanded scale to compare Austria, Czech Republic, Hungary, and Slovakia.
- Key question: *How do registration/recognition frameworks create unequal or obstructed religious practice—especially for smaller or newer groups?*
- Method: **Comparative, qualitative case study** of registration/recognition regimes in 4 democratic states.

# SCALE OF RIGHTS VIOLATIONS (ABRIDGED)

Degree of violation	Overview of rights violations	Key features of violations	Examples of violations
<b>Minor</b>	Unequal treatment linked to registration/recognition, but basic worship still possible.	Tiered benefits / funding exclusions • Operational penalties for being unregistered • State meddling in internal governance.	<b>ECtHR:</b> <i>Supreme Holy Council of the Muslim Community v Bulgaria</i> (2005) – state interference in Muslim community leadership/recognition.
<b>Moderate</b>	Registration/recognition barriers interfere with at least one basic religious activity (e.g., organising, public worship, ministry).	Refusal/obstruction of registration so group can't operate legally • Fines for "illegal" activity • Short-term detention/ house arrest/deportation.	<b>ECtHR:</b> <i>Metropolitan Church of Bessarabia v Moldova</i> (2002) – refusal to recognise prevented lawful operation.
<b>Major</b>	Unregistered religious activity is criminalised or legal protection is absent; serious coercion/force is used, but not torture/death.	Imprisonment/long-term detention • Raids on homes/places of worship • Due process failures / solitary confinement	<b>Eritrea:</b> Rev. <b>Haile Naizghe</b> – long-term imprisonment linked to unregistered church affiliation (reported by monitors).
<b>Grave</b>	Systematic violent persecution of unregistered/unrecognised communities, including torture/atrocities or death.	Torture / forced labour / starvation • Death penalty or extrajudicial killing	<b>Iran:</b> <b>Yusef Mehrdad</b> – death sentence/ execution for beliefs/expression (reported by monitors).

# SCALE OF RIGHTS VIOLATIONS TAILORED TO DEMOCRATIC COUNTRIES (MINOR CATEGORIES)

Degree of violation	Violation subcategory	Overview of rights violation	Key features of violation	Examples of violations
Minor	<b>Minor-1: Privilege Gap</b>	Unequal access to funding/tax benefits and public services (e.g., chaplaincy, education) • “Recognised” groups get extra privileges.	Cumulative inequality, not a worship ban • “Neutral/tradition/public value” justification • You can worship, but lack public infrastructure access.	<b>Belgium:</b> recognised religions receive state support (incl. clergy salaries); unrecognised groups can operate but miss subsidies → structural gap.
	<b>Minor-2: Procedural Friction</b>	Waiting periods, high thresholds, repeat paperwork • Delays / shifting requirements.	Looks bureaucratic but works as gatekeeping • Hits NRMs/ small minorities hardest • Group is legal, but stuck in “probation”.	<b>Austria:</b> <i>Religionsgemeinschaft der Zeugen Jehovas and Others v. Austria</i> (ECtHR, 2008) — unequal treatment linked to lengthy recognition pathway.
	<b>Minor-3: Autonomy Intrusion</b>	State action influences who represents a community • Recognition decisions affect internal leadership/governance.	Justified as order/clarity/ conflict resolution • Harm is organisational autonomy • State shapes “who the group is”.	<b>Bulgaria:</b> <i>Supreme Holy Council of the Muslim Community v Bulgaria</i> (ECtHR) — state involvement in internal representation/leadership dispute.

# SCALE OF RIGHTS VIOLATIONS TAILORED TO DEMOCRATIC COUNTRIES (MODERATE CATEGORIES)

Degree of violation	Violation subcategory	Overview of rights violation	Key features of violation	Examples of violations
Moderate	<b>Moderate-1: Legal Personality Denial</b>	Registration/recognition refused where it's needed to operate lawfully • Group left with no legal standing (banking, property, premises).	Clear functional impact: religious life becomes unworkable • Justified as unity/order/legal formalities • Basic activity is obstructed, not just inconvenienced	<b>Moldova:</b> <i>Metropolitan Church of Bessarabia and Others v Moldova</i> (ECtHR, 2001/2002) — refusal to recognise prevented lawful operation.
	<b>Moderate-2: Status Withdrawal</b>	Deregistration/reclassification removes legal personality or core entitlements • Discretionary re-recognition replaces neutral criteria.	Often framed as reform/anti-fraud • Sudden, system-wide disruption • Rights are rolled back (not just withheld from newcomers).	<b>Hungary:</b> <i>Magyar Keresztény Mennonita Egyház and Others v Hungary</i> (ECtHR, 2014) — deregistration + discretionary re-recognition under 2011 law.
	<b>Moderate-3: Punitive Chilling</b>	Repeated restrictions on public manifestation (teaching, evangelism, literature) • Selective permits; venue exclusions; escalating enforcement.	Often local but persistent • Each incident seems “minor,” pattern becomes disabling • Basic manifestation is repeatedly prevented.	<b>Germany:</b> reported restrictions on Jehovah's Witnesses' public literature carts / access constraints in multiple cities/transport settings.

# AUSTRIA

Tiered Recognition, Administrative Delays  
and Systemic Privilege

A free-to-use image by Tarik Babić.

# AUSTRIA



## Minor-1 and Minor-2 with Moderate-1 for newer groups

- Austria is a tiered-status model: groups can exist as associations, become state-registered “confessional communities” and (hardest) become legally recognised churches/religious societies with public-law advantages.
- Privilege gap: the highest legal status unlocks the strongest public-law standing and access to certain state-facing religious functions; lower tiers have fewer advantages.
- Procedural friction: the path to full legal recognition is widely described as very demanding (long existence requirements and a population-share membership benchmark). These thresholds can be “insurmountable” for newer/smaller groups even if basic worship is legal.
- Jehovah’s Witnesses and delayed recognition: the ECtHR found a violation relating to Austria’s handling/delay of recognition for the community (a leading illustration of how tiered recognition and waiting can become rights-relevant).
- Government rejection of Sahaja Yoga’s application (and subsequent upholding in courts) is repeatedly cited as an example of refusal at the confessional-community layer.

# CZECH REPUBLIC

## Two-Tier Registration and Administrative Scrutiny of NRM

A free-to-use image by Dmitry Shamis.

# CZECH REPUBLIC



## Minor-1, Minor-2 and Minor-3; some denials and appeals become Moderate-3 in effect

- The Czech model has (1) first-tier registration and (2) second-tier (“special rights”). Churches can operate without registration, but the public-facing rights cluster in the upper tier.
- Privilege gap: second-tier status enables “special rights” (commonly including things like teaching religion in public schools, chaplaincy services, conducting marriages, etc.).
- Procedural friction: first-tier registration is comparatively accessible (e.g., a member-signature threshold), but second-tier requires a longer track record and a much higher social-presence test (including a time requirement + population share requirement).
- Additional friction point: “special rights” can be conditioned a long continuity rules (including an often-criticised confessional-secrecy rule).
- Registration involves submission of organisational documents and personal/member data (especially in application petitions), and state scrutiny during procedures.
- Path of Guru Jara (PGJ): the Czech Ministry of Culture denied registration; courts upheld/continued litigation, and the Supreme Administrative Court rejected a PGJ appeal (reported in 2023 IRF Report). Other denials/litigation: the “Church of Laughter”, “Protestant Church of Saint Corona”, and “Czech Social Christian Church.”



# HUNGARY

Discriminatory Deregistration, Tiered Entitlements and Parliamentary Discretion

A free-to-use image by Kristijan Arsov.

# HUNGARY

## Moderate-2 and Moderate-3



- Hungary is the clearest “moderate” case among the four, because the modern framework is widely discussed as involving deregistration/stripping and tiered re-recognition with political discretion at the top.
- Status withdrawal: the ECtHR held that Hungary’s framework violated rights where communities lost church status and faced a problematic re-registration setup.
- Punitive chilling: even with court-registration in lower tiers, materials used in Council of Europe execution monitoring emphasise that top-tier “established” status remains parliamentary (two-thirds) and vulnerable to political influence.
- Privilege gap: public-institution access (e.g., chaplaincy in certain state institutions, faith-and-ethics provision) is described as tier-dependent in execution monitoring materials.
- Examples: *Magyar Keresztény Mennonita Egyház and Others v. Hungary* (ECtHR, 2014): cornerstone case on deregistration + unequal treatment + flawed re-registration logic.
- Ongoing controversy: Council of Europe materials argue the post-2019 landscape still leaves deprived churches without restored status and keeps key privileges concentrated at the top tiers.



# SLOVAKIA

Membership Threshold, Practical  
Exclusion and Barrier to NRMs

A free-to-use image by Adrian Regeci.

# SLOVAKIA

## Moderate-1 + Minor-1 and Minor-3



- System impact in practice: Slovakia is formally “registration not required to believe,” but official church status is tied to a very high membership threshold and significant identity-data submission.
- Legal personality denial: registration requires 50,000 adult adherents meeting specific residency/citizenship conditions (commonly criticised as effectively blocking minority faiths).
- Autonomy intrusion: application practice/reporting repeatedly describes “honest declarations” and detailed identity-data submission expectations, raising privacy/chilling concerns for minorities.
- Privilege gap: registered churches receive major state financial support; state bodies themselves report substantial funding flows through the Ministry of Culture chapter.
- Important nuance: a group that cannot meet the threshold may still function via civic-association status for contracts/bank accounts — but that does not substitute for full “church” privileges.
- 2016 tightening widely reported as aimed at barring Islam; 2024 reporting: failed attempt to lower the threshold + hostile rhetoric in debate: reporting describes parliament failing to pass a law enabling registration below 50,000 and includes derogatory “dangerous sects /Muslims” framing during debate.

# IMPLICATIONS AND CONCLUSION

Free-to-use image by Christian Lue.

# IMPLICATIONS

- Minor harms are measurable and meaningful: privilege gaps, friction, and compliance burdens can cumulatively chill religious life even without direct bans.
- Democratic-state monitoring should track tiers, not just registration denial. The key variable is *what rights attach to each tier* (schools, chaplaincy, funding, legal personality).
- Proportionality + neutrality tests are the benchmark: thresholds and waiting periods should be justified by clear, evidence-based aims, not tradition or suspicion of NRMs.
- Depoliticise recognition: decisions should be rule-bound and reviewable by independent courts, not dependent on parliamentary discretion.
- Data minimisation: membership/identity disclosures should be limited to what is strictly necessary to avoid chilling and privacy risks.
- Strategy shifts from “freedom to worship” to “access to public institutions.” Advocacy should focus on equal pathways to legal personality and fair access to public benefits.

# CONCLUSION

## Democracy doesn't eliminate registration harm – it changes its form

- Across all four states, the main pressure point is not “ban vs permit,” but *status tiers*. Rights harms concentrate in privilege gaps and gatekeeping to enhanced status (Minor-1/2 → Moderate-1).
- Registration regimes function as “religious infrastructure policy.” They determine who gets access to public institutions, funding, recognition, and long-term stability—even where worship is technically free.
- The risk escalates when recognition becomes punitive or political. Hungary shows how status stripping + discretionary recognition can push a system from “administrative inequality” into moderate-level interference.
- High thresholds and long waiting periods disproportionately exclude new/ small communities, creating a “closed shop” effect without an explicit prohibition.



THANK YOU FOR  
LISTENING

[brtaylorian@lancashire.ac.uk](mailto:brtaylorian@lancashire.ac.uk)

A free-to-use image by Nelson Wong.