

Tribunale Amministrativo regionale, Emilia Romagna, decision n. 166/2016

No 166/2016: Regional Administrative Tribunal of Emilia Romagna (Giuseppe Di Nunzio, President; Italo Caso, Counsellor, Draftsman of Judgement; Ugo De Carlo, Counsellor), Italy: 9 February 2016.

*State schools - Catholic Church- Ministers of religion- Easter blessing - Freedom of Religion - Lay State - Whether the school council allowed to give classrooms for religious rites after school time - Government decree issued under parliamentary delegation 297/1994, art 96 paragraph 4 and 6 - Law 222/1985, art 16.*

The Administrative Tribunal ruled that the School Council is not allowed to give scholastic rooms to ministers of religion for worship activity (as in the specific case of Easter blessing) during after-school time. First, the concession of such spaces is subordinated to the achievement of objectives involving the whole school community and respectful of the right to freedom of religions. Second, such objectives must be connected with the cultural, social and civil enrichment of the entire community. Thus, debates and cultural projects aiming at discussing religions, their history, and religious topical issues can be hosted; the visit of a minister of religion as a form of a cultural testimony is possible as well, as previously ruled by the Supreme Administrative Court. But such activities must be organized exclusively in order to develop the moral and intellectual capabilities of the school population as a whole.

Link: <https://www.olir.it/documenti/?documento=6660>

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