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Adenauer
Stiftung

UKRAINE-2014: SOCIO-POLITICAL CONFLICT AND THE CHURCH

POSITIONS OF RELIGIOUS FIGURES, EXPERTS AND CITIZENS



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This publication contains the materials of a regular Roundtable on “*Religion and Authorities in Ukraine: Problems of Relations*” held on May 15, 2014. The meeting discussed issues concerning the status of the Church as a civil institution.

The publication contains documents of the All-Ukrainian Council of Churches and Religious Organisations released in December 2013 - April 2014, panellists’ presentations delivered at the Roundtable, articles and the draft Concept of State-Church Relations in Ukraine prepared by the Roundtable participants and supported by the All-Ukrainian Council of Churches and Religious Organisations. It also refers to some results of a special nationwide public opinion survey conducted by the Razumkov Centre in 2000-2014.

Presentations and articles published in this journal present different opinions as to the role and capabilities of the Church in solving social problems in general, and in particular – the sharp socio-political conflict that took place in Ukraine in late 2013 - early 2014.

This new publication of the Razumkov Centre Library will be useful for national deputies of all levels and state officials, experts and journalists, and all those who are interested in processes taking place in the church community and in the state-church relations in Ukraine.

When using the materials, please refer to the publication.

Any views expressed in speeches and articles are solely those of the authors and do not necessarily reflect the position of the Razumkov Centre.

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The religious situation and relations between the Church and state are very important for Ukraine, because the overwhelming majority of Ukrainian citizens consider themselves believers, and out of all public institutions it is the Church that enjoys the highest level of public trust. On the other hand, several issues in relations between certain denominations – as well as between the Church and state endure – and in the last years misunderstandings in church-state relations have clearly prevailed.



Anatoliy RACHOK,
Director General of
the Razumkov Centre

Given the social importance of these issues, back in 1996, the Razumkov Centre initiated the Roundtable “*Religion and Authorities in Ukraine: Problems of Relations*” gathering the heads and representatives of the largest Christian denominations in Ukraine. Since then, the Roundtable has become a regular event; its working groups have developed a number of documents aimed at establishing an inter-faith peace and a partnership model of state-church relations. For a long time, the Roundtable has been taking place with participation and support of the All-Ukrainian Council of Churches and Religious Organisations. The representative office of the Konrad Adenauer Foundation in Ukraine has provided a continued assistance for the Roundtable activities.

As a rule, before or after the Roundtable discussions, the Razumkov Centre prepares informational and analytical materials and publishes a special issue of the National Security and Defence journal. The Centre also presents the monitoring of the status and nature of religiosity of Ukrainian society, the level of public trust in the Church and citizens’ attitude to some issues of inter-confessional and church-state relations. The Roundtable and monitoring results as well as the activity of the working groups are being communicated to the public and relevant government agencies, including the Presidential Administration, the Verkhovna Rada, and the Cabinet of Ministers of Ukraine.

A regular session of the Roundtable (May 15, 2014) took place amid very difficult time for Ukraine. External intervention added to the pressing social and political confrontation in the country: the Russian Federation, which since early 2000s has been making a significant effort to organise and support the pro-Russian movement in Ukraine, resorted to an open aggression and promotion of separatism in some Ukrainian regions. This has created a real threat to the country’s integrity and to the well-being of the Ukrainian society and its religious community in particular, since one of the largest Orthodox Churches of Ukraine is under the jurisdiction of Moscow Patriarchate has not condemned Russia’s aggressive actions and generally supports its leaders’ policy.

In this situation, the Roundtable participants focused primarily on seeking the ways to restore social cohesion and on the potential of using churches and religious organisations of Ukraine in this process. Despite the divergent views there is no doubt that the Church can and should help the Ukrainian society to cope with the crisis. On the other hand, the state should do everything possible to establish a true partnership with the Church. Unity, understanding, and partnership of all social and public institutions are key factors for Ukraine’s successful recovery from the current crisis.



Gabriele BAUMANN,
Head of the
Konrad Adenauer Foundation
Office in Ukraine

The Konrad Adenauer Foundation is guided by values, which are rooted in the Christian tradition. These values include human dignity, love for one's neighbour, responsibility, individual independence, solidarity, tolerance etc. All of them are also important for political activity. Any policy is based on certain beliefs. Religion is not the only but probably the most essential source of values that exist in society as well as of beliefs that are important to everyone. These beliefs should be familiar to people. Only in such circumstances, people can trust political organisations and parties. The Christian Democratic Union (CDU), to which the Konrad Adenauer Foundation is related, adheres to Christian values. Because of that it has become a truly national party and is widely supported in Germany. Now the faction of the CDU/CSU in the German

Bundestag consists of 311 deputies (out of the total of 631 deputies). This allows to trace the connection between Christian values and the political life of Germany.

Recently, religion has once again become a topic of public discourse in Germany. Findings of the empirical research show that religion plays an important role in life of Germans. 70% of German citizens consider themselves believers. While being one's private matter, religion helps create certain principles in the society. Of course, the Bible does not contain any party platforms. However, faith can offer moral standards to implementing responsible policies.

The Basic Law (the Constitution) for Germany guarantees its citizens freedom of religion. Currently, 31.2% of Germans are Catholic, 29.7% Lutheran and Protestant, 3.9% Muslim, and 0.1% Jewish.

Every believer in Germany should pay the so-called church tax to public financial institutions, which amounts to 8-9% of his income. These taxes comprise the majority of cash flow of the religious communities in Germany. Most schools in Germany teach the subject of religion.

For 20 years, the Konrad Adenauer Foundation has been supporting the dialogue with representatives of Ukrainian religious denominations. Within its framework, together with representatives of the All-Ukrainian Council of Churches and Religious Organisations, the following issues have been discussed: engaging in dialogue representatives of different religious denominations; peace and harmony; tolerance and understanding. During these activities, much attention has been given to relations between Ukraine and the European Union. In autumn 2013, the Konrad Adenauer Foundation organised the visit of representatives of the National Council of Churches and Religious Organisations to Brussels. The Ukrainian participants emphasised that the European choice of Ukraine had no alternative. Representatives of the European institutions stressed that religious communities play major role in the European integration process, and therefore, inter-religious dialogue is very important and can play a major role in resolving the current situation in Ukraine. The Konrad Adenauer Foundation is ready to provide all possible support to develop this dialogue.

SOCIO-POLITICAL CONFLICT AS A THREAT TO THE INTEGRITY OF UKRAINE AND UKRAINIAN SOCIETY

Two events that occurred in the end of 2013 - beginning of 2014 fundamentally changed the situation in Ukraine. The first one was the Euro-Maidan as a form of civic resistance to the arbitrariness of then authorities. The victory of the Maidan fundamentally changed the internal political situation: the fall of Viktor Yanukovich's regime with many of its senior officials and the President himself leaving the country; formation of a new Government; appointment of early presidential elections.¹

The second one was the Russian armed aggression against Ukraine, officially started on March 1, 2014. Under the pretext of non-recognition of the new Ukrainian authorities and "defence of compatriots" Russia within mere three weeks occupied the Crimea and annexed it as a new subject. Only on April 17, 2014, Russian President Vladimir Putin recognised that "behind the backs of the Crimean self-defence forces, our military stood, of course".² There is no doubt that Russian military now stands "behind the backs" of pro-Russian forces in Donetsk and Luhansk regions of Ukraine, where separatist spirits are stirred up and plans of annexation of the self-proclaimed "republics" to the Russian Federation are announced.

Given such realities, it may be stated that the year of 2014 will be decisive for the Ukrainian statehood. That is why the current situation requires mobilisation of not only the authorities and state structures responsible for law, order and security in the country and its defence from foreign military interference but first of all – of the entire Ukrainian society, all social institutions, including the strongest and the best organised – the Church.

1. In Maidan, the Church effectively sided with Ukrainian society that resorted to mass acts of civic resistance. Statements in support of the authorities and then President Viktor Yanukovich were made only by some hierarchs. In general, the Church strongly condemned the use of force against peaceful Maidan. Kyiv monasteries and temples gave shelter, protection and assistance to protesters. During violent clashes, priests stood as a human shield between the parties to the conflict, primarily calling power structures' officers not to follow criminal orders and not to use arms against civilians.

The All-Ukrainian Council of Churches and Religious Organisations did its best to establish a dialogue between the authorities and the opposition and Maidan. Exactly

¹ For more detail on changes in the home policy situation in Ukraine and prospects of its development see: Ukraine-2014: New Prospects and New Threats (analytical assessments). – Kyiv, Razumkov Centre, 2014, – <http://www.razumkov.org.ua>.

² For more detail on changes in the internal situation in Ukraine and prospects of its development see: Ukraine-2014: New Prospects and New Threats (analytical assessments). – Kyiv, Razumkov Centre, 2014, – <http://www.kremlin.ru/transcripts/20796>.

Noteworthy, on March 4 Vladimir Putin answering a direct question whether it were the Russian military who blocked Ukrainian military units in the Crimea said "They were local self-defence forces". See: Vladimir Putin answered journalist questions about the situation in Ukraine. – *Ibid.*, <http://www.kremlin.ru/transcripts/20366>.



its efforts paved the way for talks between Viktor Yanukovych and representatives of the opposition that finally led to signing of the agreement of settlement of the socio-political crisis in Ukraine on February 21, 2014.

Therefore, in Maidan, the Church showed itself a powerful and integral institution of civil society capable of defending the interests of citizens from arbitrariness of the authorities.

Noteworthy, **such a position of the Church was prompted by the relevant public**

expectations. According to the public opinion survey, the overwhelming majority of Ukrainian citizens (74%) believe that *“The Church should always side with the people and defend them from arbitrariness of the authorities”*, and only 7% believes that *“In social and political processes the Church first of all should defend the authorities, for ‘all power comes from the Lord’”*.³

2. Under the Russian military aggression (occupation and annexation of the Crimea), the Church stood in defence of peace, territorial integrity and sovereignty of Ukraine. On March 1, 2014, Russian Federation Council passed a resolution that empowered the Russian President “to use the Russian Armed Forces on the territory of Ukraine...”.

As soon as on March 2, the All-Ukrainian Council of Churches and Religious Organisations passed and released the Statement in connection with the Russian Federation Council decision. The Statement called upon the Russian authorities to give up military interference, upon the international community – to do its best to preserve peace in Ukraine, its territorial integrity and sovereignty, and asserted that “the Church and religious communities are with the Ukrainian people”.⁴

Locum Tenens of the Kyiv Metropolitan See of UOC, Metropolitan Onuphrius approached the Russian President with a request not to send troops to Ukraine and not to violate the country’s integrity. The Metropolitan also called upon Patriarch Cyril of Moscow and All Russia to influence President Vladimir Putin in order to escape a war. “If Moscow sends troops, the Ukrainian and Russian peoples will be engaged in a fratricidal war”, the letter of Metropolitan Onuphrius read.

In an address to Metropolitan Onuphrius released on the official web site of the Moscow Patriarchate, Patriarch Cyril said: “I assure you and our Ukrainian herd that I will do my best to convince all those who hold the power that death of peaceful people on the land of Ukraine is inadmissible”.

³ For more detail see the material “*Religion and the Church in Ukrainian Society: Public Opinion Survey*”, published in this journal.

⁴ For the Statement sext see section “*Statements and Appeals of AUCCRO in Connection with the Events of late 2013 - early 2014*” in this journal.

However, almost simultaneously with that address, a statement of the press service of the Moscow Patriarchate was released, saying: “... *The Russian people are a divided nation on their historic territory that have the right to reunite in one state body... Let us hope that the mission of the Russian warriors defending freedom and identity of those people and their very life will not meet staunch resistance leading to large-scale clashes*”. Therefore, ROC in fact officially termed a military aggression against Ukraine “a peacekeeping mission”.

Meanwhile, UOC priests arrived in the Crimea to support Ukrainian seamen tempted to betray their Motherland. Priests of different confessions stood in defence of Ukrainian military units in the Crimea, not only performing their duty of preaching but also not letting the Russian military attack those units.

The Head of the UOC Synodal Department in charge of cooperation with the Armed Forces and other military formations of Ukraine Metropolitan Augustin (Markevysh) blessed Ukrainians to defend their country against the invasion of the Russian army. UOC-KP put forward the initiative of collecting funds for the Ukrainian Armed Forces. UGCC and other church and religious organisations sent chaplains to Ukrainian military units and power structures.

The Russian military invasion of Ukraine, occupation and annexation of the Crimea were supported by just a few church hierarchs, while the majority demonstrated not only their patriotism but also the Church’s unity in those issues and mutual inter-confessional support in the conditions of a military aggression. For instance, the offer of Crimean Tatars to UOC-KP to officiate in mosques was widely hailed.

The Church retains its patriotic standing now, as the threat of the Russian military invasion into mainland Ukraine not only failed to be removed but has been growing. The Appeal of the All-Ukrainian Council of Churches and Religious Organisations for normalisation of the socio-political situation in Ukraine in view of domestic and international challenges carries a call on those “who feel the desire and are ready to defend their Motherland... with arms in their hands” to use “all legitimate means to implement this noble desire”.⁵

3. The internal socio-political conflict unrolling against the background of foreign military aggression is different. In civic confrontation, the stand of the Church is highly sensitive. On one hand, the church community is a part of society and as such goes through similar confrontation (with its radical manifestations) as society in general. On the other hand, the stance of the Church as an institution enjoying public trust and respect may be a factor of either deepening or mitigation of the conflict.

Furthermore, **the public demand for the Church interference in the internal socio-political conflict is not so evident as it was in Maidan**, where citizens opposed arbitrariness of the authorities. For instance, almost half of Ukrainian

⁵ For the Appeal text see: *Ibid.*

citizens (48%) believe that *“The Church should care about preaching and not interfere in social and political problems and processes”*. Another opinion – that *“The Church is a civil institution and should take an active part in social and political processes”* – is shared by 39% of those polled. In the East their share is still lower – 30% – while 54% of residents of the country’s East want the Church to confine itself to preaching.⁶

The situation in UOC seems especially sensitive. On one hand, that Church maintains the strongest presence in Eastern Ukraine and can, in principle, influence local communities, including the radical ones.⁷ On the other hand, its believers and the clergy appeared on both sides of the social divide. Some UOC priests in the East openly support pro-Russian radical movements, cooperate with separatists, although terrorism committed by them is certainly an evil. However, political passions appear stronger than the purity and unity of the faith and the Church.

Furthermore, UOC remains within the jurisdiction of the Moscow Patriarchate that, supporting the policy of Vladimir Putin, in fact blessed the Russian military invasion in Ukraine and annexation of the Crimea, and radical separatist movements in Eastern Ukraine. Meanwhile, the Moscow Patriarchate has long ignored the stand of the UOC leadership – Metropolitan of Kyiv and All Ukraine Volodymyr, UOC Chancellor Metropolitan Antonius, Locum Tenens of the Kyiv Metropolitan See, Metropolitan Onuphrius.

In such circumstances, UOC faces an additional urgent task – to preserve the Church’s unity, to escape a possible split and defection of its part into direct subordination to the Moscow Patriarchate.

Now, the Church is ready for partnership with the Ukrainian state and civil society. It is ready to help “with a new rebirth of the Ukrainian state”.⁸ Indeed, Maidan’s victory gave a chance to renew Ukrainian society and the authorities, to build a democratic state ruled by law in Ukraine. To use this chance, it is necessary not only to remove the threat of foreign military interference in Ukraine but also to settle the internal socio-political conflict.

This conflict presents a dramatic challenge for Ukrainian society in general and the Ukrainian Church in particular. What will its answer be like?

⁶ For more detail see the material *“Religion and the Church in Ukrainian Society: Public Opinion Survey”* published in this journal.

⁷ Noteworthy, a true information war is waged in the East and South of Ukraine against other big Ukrainian churches (first of all, against UOC-KP and UGCC). See, e.g.: Bolshakov A. Uniate “Maidan”: Role of the Greek Catholic Church in coup d’etat in Ukraine. – *Russkiy Mir Zaporozhya*, April 30, 2014, <http://rusmirzp.com>; Skvortsov D. “Hit the Road to Lemberg!” – priests of Donbass to Kyiv’s chasteners. – May 12, 2014, <http://t-34-111.livejournal.com/263399.html> (in Russian).

⁸ Address of the Chairperson of the All-Ukrainian Council of Churches and Religious Organisations, Locum Tenens of the Kyiv Metropolitan See, Metropolitan of Chernivtsi and Bukovyna Onuphrius at a meeting on April 3, 2014. – See under the header *“Statements and Appeals of AUCCRO in Connection with the Events of late 2013 - early 2014”* in this journal.

APPEAL *

of Leaders of Churches and Religious Organisations to Their Faithful and All People of Good Will in Connection with the Socio-Political Situation in Ukraine

Beloved brothers and sisters! Dear compatriots!

In connection with aggravation of the socio-political situation in the country, the All-Ukrainian Council of Churches and Religious Organisations appeals to believers of different religions and confessions with a call to put up prayer for peace and quiet, for an end to discord and enmity, for accord and settlement of the conflict. We condemn acts of violence and cruelty committed both against peaceful participants of civic events and journalists, and against law-enforcement officers who performed their duties in accordance with the oath.

We appeal to the acting authorities with a call to guarantee constitutional rights and freedoms of citizens, not to use force against peaceful rallies, to consider demands of protesters, as well as to conduct unbiased investigation of cases of provocations and violent confrontation and to punish those guilty.

We call upon the entire people of Ukraine, irrespective of political convictions, to be wise and responsible, to abstain from violent and unlawful actions and not to fall for provocations.

We call upon Ukrainian society, the authorities and the opposition, for dialogue and common search of an acceptable way out of the crisis. Remember that we are parts of one nation, one country. It is unacceptable that political confrontation is a reason for violation of the integrity of our state.

We, members of the All-Ukrainian Council of Churches and Religious Organisations, authorised representatives of Ukrainian religious communities, being a large and inseparable part of Ukrainian civil society, are different by our convictions and the world outlook, but we live and work in the spirit of mutual understanding, respect and peace. So we call all of you for social and political accord, mutual respect and peace for the sake of our people.

The All-Ukrainian Council of Churches and Religious Organisations is ready, as far as possible, to contribute to establishment of a dialogue and to do everything necessary for conciliation and restoration of stability in our country.

God, all-mighty and only, guard our Ukraine!

On the instructions of the All-Ukrainian Council of Churches and Religious Organisations

+VOLODYMYR,

METROPOLITAN OF KYIV AND ALL UKRAINE,

PRIMATE OF THE UKRAINIAN ORTHODOX CHURCH,

CHAIRPERSON OF THE ALL-UKRAINIAN COUNCIL OF CHURCHES AND
RELIGIOUS ORGANISATIONS

* Source: Official Internet office of the All-Ukrainian Council of Churches and Religious Organisations – <http://vrciro.org.ua/ua/zvernennya>.

COMMUNIQUÉ *

of an extraordinary meeting of the All-Ukrainian Council of Churches and Religious Organisations of January 22, 2014

In connection with the recent events in Ukraine, the All-Ukrainian Council of Churches and Religious Organisations (AUCCRO) held an extraordinary meeting on January 22, 2014.

Following the meeting, we, the heads and representatives of confessions:

1. Strongly condemn facts of killings, for which every person involved will be responsible to God. No one is allowed to break the God's commandment "Do not kill!".

2. Call for an immediate end to bloodshed.

3. Condemn the use of churches and religious organisations in political technologies.

4. Request an urgent meeting with the President of Ukraine Viktor Yanukovych and leaders of the opposition.

5. Call upon believers of Ukrainian churches and religious organisations to put up prayer and fast for preservation of peace and integrity of the united Ukrainian State.

STATEMENT *

of the All-Ukrainian Council of Churches and Religious Organisations following a meeting with the President and the opposition

The All-Ukrainian Council of Churches and Religious Organisations calls upon the President of Ukraine and the opposition to immediately, today, sit down at the negotiating table to find a way out of the extremely serious situation formed in State, an immediate end to bloodshed and fratricidal confrontation, restoration of the constitutional order by the Verkhovna Rada, reinstatement of the plenitude of civil rights and freedoms, preservation of territorial integrity of the country.

January 25, 2014

* Source: Web site of the Institute of Religious Freedom – <http://www.irf.in.ua> (In Ukrainian).

APPEAL*

of the All-Ukrainian Council of Churches and Religious Organisations on the occasion of the Day of Unity and Freedom of Ukraine

The Day of Unity and Freedom of Ukraine is a special holiday that not only reminds us of the unbreakable unity of all Ukrainian lands in a free independent State, but also symbolises the unity of Ukrainians in variety of opinions, views and approaches to building their our future.

Today, confrontation in Ukraine goes on and in the recent days, unfortunately, has become acute and violent. In the centre of Kyiv, clashes between protesters and militia took place, as a result of which, hundreds of people were wounded. The country in fact appeared on a brink of a civil war.

Church and religious organisations of Ukraine condemn violent actions leading to escalation of the conflict in principle. Today, the authorities, the opposition and civic activists alike should stop violence and sit down at the negotiating table. All parties to confrontation should realise their responsibility for preservation of one united Ukrainian state and begin a constructive dialogue to overcome the socio-political crisis. We hope that today's holiday of Unity and Freedom of Ukraine will help find the way to conciliation and accord between the authorities and the people, among different political forces and civil society.

We call to preserve the territorial integrity of Ukraine and to flatly reject any ideas of separatism or division of our Motherland, for we are one nation! It is necessary to show brotherly and sisterly love to compatriots, irrespective of their origin, language, religion, etc., while instigation of hatred to a human because of ethnic and religious differences is inadmissible.

We, members of the All-Ukrainian Council of Churches and Religious Organisations, different in terms of confessional, religious and even ethnic affiliation, call upon all faithful citizens of our united state to pray for unity, accord, peace and a decent future for the people of Ukraine. We are ready to contribute to the beginning of a constructive dialogue.

God, all-mighty and only, guard our Ukraine!

On the instructions of the Chairperson of the All-Ukrainian Council of Churches and Religious Organisations

+ANTONIUS

METROPOLITAN OF BORYSPIL AND BROVARY,

CHANCELLOR OF THE UKRAINIAN ORTHODOX CHURCH

February 22, 2014

* Source: Web site of the Institute of Religious Freedom – <http://www.irf.in.ua> (In Ukrainian).

STATEMENT*

**of the All-Ukrainian Council of Churches and Religious Organisations
following a meeting with the Chairman of the Verkhovna Rada,
Acting President of Ukraine Oleksandr Turchynov**



The All-Ukrainian Council of Churches and Religious Organisations that for almost three recent months consistently stood in defence of peaceful protests, against the use of force and for punishment of those guilty, following a meeting with the Verkhovna Rada of Ukraine leadership:

1. Expresses its support for the legitimate state authorities of Ukraine and appeals to them with a call to promptly ensure full restoration of the constitutional order and establishment of political, economic and other fundamental civil rights and freedoms. We attach particular attention to the need of a resolute, consistent and systemic fight with corruption, destroying the social organism and violating commandments of our religions.

2. We reiterate our statement of February 22, this year, strongly condemning any discussion of a possible division of our Motherland, any attempts of separatism and stressing that “territorial integrity of Ukraine, the independence which was given to us by God, is of value for our people, and therefore we have no right to admit its division, for it is a sin before God and future generations of our people”.

We condemn provocation of confrontation and enmity among residents of different regions of Ukraine, representatives of different national minorities and confessions and call upon the authorities to abstain from any steps that could be interpreted as intended to divide Ukrainians on religious, language, national, regional or any other grounds. In the conditions of hard trials we are to preserve the united Ukrainian state and to prevent all possible attempts of its division. We appeal to all with a call not to fall for provocations and under

* Source: Web site of the Institute of Religious Freedom – <http://www.irf.in.ua> (In Ukrainian).

no circumstances to support slogans aimed against the territorial integrity of Ukraine.

3. In the present socio-political situation we, church and religious organisations and the state authorities, should do our best for preservation of religious peace in Ukraine. Under no circumstances may confrontation on religious grounds be admitted. Our big Ukrainian family should be united in variety. In a free state everyone has the right to freely express his religious convictions and not to interfere with similarly free confession of different views. The State should be the guarantor of the freedom of faith, and we are ready to help the state in the discharge of that important constitutional function.



4. We call upon all citizens of our State to diligently perform their official and civic duties, observing the effective legislation, and to put off excessive emotionality or fear in the face of changes that may only be for a better future. We will closely monitor this, and, if necessary, will use all our authority and powers.

5. We are ready for further cooperation with the renewed authorities and expect from them wisdom, insistency and integrity, which will lead our Motherland to spiritual and economic prosperity, deserved by our people for its faith, firmness and heroic struggle.

On the instructions of the Chairperson of the All-Ukrainian Council of Churches and Religious Organisations

+ANTONIUS

METROPOLITAN OF BORYSPIL AND BROVARY,

CHANCELLOR OF THE UKRAINIAN ORTHODOX CHURCH

February 26, 2014

STATEMENT *

of the All-Ukrainian Council of Churches and Religious Organisations in connection with a decision of the Federation Council of the Federal Assembly of the Russian Federation of March 1, 2014

On March 1, 2014, the Federation Council of the Federal Assembly of the Russian Federation on a submission of the Russian President gave consent to use Russian troops in Ukraine. Invasion of military forces of another state to the territory of Ukraine poses a threat not only for this country but also for peace and quiet on the European continent as a whole.

We call upon the Russian authorities to give up military and other interference in the internal affairs of Ukraine not stipulated by the international law and bilateral agreements. Russian rulers should realise their responsibility to God and humanity for possible irreparable consequences of a military conflict on the Ukrainian soil.

The Ukrainian people have friendly, fraternal feelings to the Russian people. Citizens of Ukraine do not want instigation of enmity. We want to continue building fraternal relations with Russia as a sovereign, independent state.

We reiterate our recognition of the legitimacy of the bodies of state power formed by the Verkhovna Rada Ukraine and officials of the Government of Ukraine appointed by the Chairman of the Verkhovna Rada of Ukraine, Acting President of Ukraine Oleksandr Turchynov.

We appeal to the international community to do its best for maintenance of peace in Ukraine, preservation of territorial integrity, sovereignty and inviolability of the Ukrainian state borders. Erosion of peace and stability in Ukraine is fraught with ruination of the entire modern system of global security. Hence, all measures should be taken for a war not to flare up in Ukraine in the result of invasion of foreign troops.

Church and religious communities of Ukraine are with the Ukrainian people. We call upon all to put up prayer for our Motherland.

Let God save all of us!

+ONUPHRIUS,
CHAIRPERSON OF THE ALL-UKRAINIAN COUNCIL OF CHURCHES AND RELIGIOUS,
ORGANISATIONS, METROPOLITAN OF CHERNIVTSI AND BUKOVYNA,
LOCUM TENENS OF THE KYIV METROPOLITAN SEE

March 2, 2014

* Source: Web site of the Institute of Religious Freedom – <http://www.irf.in.ua> (In Ukrainian).

APPEAL *

of the All-Ukrainian Council of Churches and Religious Organisations for normalisation of the socio-political situation in Ukraine in view of domestic and international challenges

The All-Ukrainian Council of Churches and Religious Organisations, for prompt and peaceful management of the existing domestic and international challenges, for normalisation of the socio-political situation in Ukraine:

1. Once again stresses its devotion solely to peaceful and legal settlement of the situation in Ukraine and reiterates the principles set out in the Appeal of Leaders of Churches and Religious Organisations to Their Faithful and All People of Good Will in Connection with the Socio-Political Situation in Ukraine of December 10, 2013, in the Appeal of the All-Ukrainian Council of Churches and Religious Organisations on the occasion of the Day of Unity and Freedom of Ukraine of January 22, 2014, in the Communiqué of an extraordinary meeting of the All-Ukrainian Council of Churches and Religious Organisations of January 22, 2014, the Statement of the All-Ukrainian Council of Churches and Religious Organisations following a meeting with the President and the opposition of January 25, 2014, the Statement of the All-Ukrainian Council of Churches and Religious Organisations following a meeting with the leadership of the Verkhovna Rada Ukraine of February 26, 2014, and in the Statement of the All-Ukrainian Council of Churches and Religious Organisations in connection with a decision of the Federation Council of the Federal Assembly of the Russian Federation of March 1, 2014, dated March 2, 2014.

2. The All-Ukrainian Council of Churches and Religious Organisations welcomes the fact of stabilisation of the internal situation in the country, actions of the current authorities for its achievement and once again calls upon all citizens of our State to put off excessive emotionality and to diligently perform their official and civic duties,



* Source: Web site of the Institute of Religious Freedom – <http://www.irf.in.ua> (In Ukrainian).



strictly observing the effective Ukrainian legislation, and upon all kind of officials, on top of that – the moral duty of abidance by the oath given by you. This is especially important, given the external threats for the territorial integrity of Ukraine within borders provided by the effective Constitution of Ukraine.

3. We call upon the authorities and the population of Ukraine to urgently put in order, in accordance with the laws of the State, the use and possession of arms. Legitimate sanctions for violation of those norms should be unconditionally imposed on every infringer, irrespective of the merits and motivation of illegal possession of

arms, for it deals with an evident threat to the supreme values: human life and health, and national security of our Motherland. Those who feel the desire and are ready to defend their Motherland, in line with their religious and civic convictions with arms in their hands, now have all legitimate means to implement this noble desire.

We are sure that further concerted actions of the authorities and of citizens on the basis of the above principles and observance of fundamental human and civil rights will promote national solidarity of the entire people of Ukraine, strengthening of the constitutional system, overcoming a crisis in interstate relations of our state with the Russian Federation and preservation of territorial integrity of our Motherland – Ukraine.

+ONUPHRIUS,
CHAIRPERSON OF THE ALL-UKRAINIAN COUNCIL OF CHURCHES AND RELIGIOUS,
ORGANISATIONS, METROPOLITAN OF CHERNIVTSI AND BUKOVYNA,
LOCUM TENENS OF THE KYIV METROPOLITAN SEE

March 24, 2014

* Source: Web site of the Institute of Religious Freedom – <http://www.irf.in.ua> (In Ukrainian).

ADDRESS*

of the Chairperson of the All-Ukrainian Council of Churches and Religious Organisations (AUCCRO), Locum Tenens of the Kyiv Metropolitan See, Metropolitan of Chernivtsi and Bukovyna Onuphrius at a meeting on April 3, 2014

Dear Minister of Culture of Ukraine!

Dear Director of the Department for Affairs of Religions and Nationalities!

Dear participants of the high meeting!

Today, I would like to make a number of points hard won by us not only in the recent years but also, especially, in the recent months or even weeks. I hope that these thoughts will be shared by all those present.

So, the first point. **Ukraine needs strategic partnership among the churches, civil society and the state.**

A lot has been said and written that Ukraine has to find its model of relations between the churches and the state, the churches and society today.

Now, church and religious organisations should help with the new rebirth of the Ukrainian state. Here, a lot of room opens up for interaction between the churches and civil society. The solidarity that arose in the recent months among us in AUCCRO is a new step in our history. Today, renewed partner relations of the churches and civil society should be formed from the bottom up. We are called by the progress of history itself to synergise churches, civil society and the state, as three independent institutions. Synergy means not merger or takeover of one institution by another one but creative interaction for the benefit of the people of Ukraine.



* Source: Web site of the Ukrainian Orthodox Church Press Service – <http://news.church.ua>.

Public opinion poll records the absence of noticeable opposition to the positive influence of the churches on society. We all know that Ukrainian society, especially if adequately informed, welcomes partner interaction of the church and the state, the church and society.

In our deep convictions, neither statism of the church nor marginalisation of the religious factor are possible in Ukraine. The religious sector cannot be made an appendage to the state machinery, on one hand, and cannot be forced on the margins, on the other. And this means that we are destined to build partner relations. Formation of such relations is motivated by the awareness of joint responsibility for the present and future of Ukraine.

Today, the Ukrainian situation is also unique because inter-confessional and inter-religious peace has been reached. There are some sad cases of misunderstanding, some issues. But in general, the situation is fundamentally different from 1990s. And we should make use of it for formation of the Ukrainian model of partner relations of the state, society and the churches.

The second point. **Ukraine needs full-scale implementation of the policy of defence of the rights of believers.**

Our Constitution declared complete freedom of religion, but in reality we encounter effects of the atheist era at every step. I will cite just one showy example. The attitude to confessional education in Ukraine is on the brink of discrimination. As far back as in early 1990s, former socialist states of Central Europe recognised diplomas of spiritual academies and other confessional higher educational establishments, theological departments returned to state universities there. Meanwhile, in Ukraine all legislative initiatives aimed at solution of that problem are still intentionally contained.

In order to do away with all the effects of the atheist past, introduce constitutional freedom and establish concrete mechanisms of cooperation of the churches, the state and civil society, AUCCRO has long been proposing to adopt the Law “On the Concept of State-Church Relations”. We hail the fact that that law is on the priority list in the new government’s programme. We hope that this critical act will be adopted in the near future. This will open up a new page in the history of relations between the church and society in Ukraine. However, we can already implement the principles laid down in the text of the Concept of State-Church Relations now.

Today, Ukrainian civil society is still in the making. And churches are the only powerful civil institutions. It so happened that the church is a natural strategic

partner of the state in building a Ukrainian political nation that lives in line with all principles of the rule of law and defence of human rights, but develops the traditional internal richness of the human potential. Our task is to avoid narrow ethnic models, on one hand, and dilution of identity in the global melting pot, on the other. Traditional religiosity, without fundamentalism and radicalism, opposing relativism and nihilism, is the element of public life that may be decisive for Ukraine's future.

The third point. Ukraine needs new legislative settlement of the existing concrete problems of churches and religious organisations.

In the recent years a number of bills have been submitted to the Verkhovna Rada designed to defend the rights of religious associations, contribute to removal of cases of discrimination and open up opportunities for establishment of partner relations between churches and state. The state and society should be interested in the church as a reliable social partner, a positive social force. That is why the above legislative initiatives should not only meet the demands of confessions but also benefit Ukrainian society. We hope that steadfast support for such bills will be a priority for AUCCRO, and our mutual consent will guarantee success on the road to establishing a social partnership between the state and churches, society and churches in Ukraine.

Maybe the time has come to revise the texts of the bills of the recent years that were never considered in Parliament. By the way, the Ministry of Culture of Ukraine and its concerned Department should play a role here. Today, you, Minister and Director of the Department for Affairs of Religions and Nationalities, are our natural advocates. Maybe previously, neither the church nor the state or society were ready to accept social leadership of churches in Ukraine, respond quietly to full-scale partnership in the triangle of "the church-society-the state". But today, after all those events in which AUCCRO, churches, religious organisations showed themselves as missionaries of firm faith and absolute values, a new reality cannot but be created. No longer can we wait for adoption of every bill for months and years, literally entreat of everything long needed by Ukraine. We should promptly, easily, efficiently transfer to a new model, pass the Rubicon. That is why all of us bear huge responsibility for the right choice.

We hope for understanding, support, synergy from the new authorities! We hope that today, all AUCCRO members will confirm our unity in hopes, intentions, will to work for the future!

COMMUNIQUÉ *

of a meeting of the All-Ukrainian Council of Churches and Religious Organisations of April 3, 2014

The All-Ukrainian Council of Churches and Religious Organisations that gathered on April 3, 2014, in the National Preserve “St. Sophia of Kyiv”:

1. Expressed deep conviction in the need to build in Ukraine strategic partnership of churches and religious organisations with Ukrainian society and the state;

2. Noted that despite the period of a socio-political crisis experienced by our state, churches and religious organisations preserve inter-confessional and inter-religious peace;

3. Condemned provocations and conscious attempts to instigate enmity on religious grounds. It also condemned manifestations of separatism and spoke out for the integrity of Ukraine in its internationally recognised borders;

4. Proposed, with the purpose of removal of consequences of the atheist past and exercise of constitutional freedoms and establishment of concrete mechanisms of cooperation of churches and religious organisations with the state, to adopt the Law “On the Concept of State-Church Relations”. AUCCRO hails the fact that this bill is among the priorities of the programme of the new government and hopes that this important act will be adopted in the near future;



5. Stressed the urgent need of legislative solution of concrete problems of churches and religious organisations through the adoption by the Verkhovna Rada of Ukraine of the relevant laws, enjoying common support of all AUCCRO members.

* Source: Web site of the Institute of Religious Freedom – <http://www.irf.in.ua> (In Ukrainian).

RELIGION AND THE CHURCH IN UKRAINIAN SOCIETY: PUBLIC OPINION SURVEY

The Razumkov Centre Sociological Service has been monitoring the state and trends of religiosity of Ukrainian society since 2000. The latest nation-wide survey was conducted on April 25-29, 2014, with financial support from the Government of Canada provided through the Department of Foreign Affairs, Trade and Development (DFATD). The poll was held in all regions of Ukraine except the Crimea. 2 012 respondents aged above 18 years were polled. The sample theoretical error is 2.3%.¹

Below is a brief description of the survey results, compared to the results of similar surveys conducted in 2000, 2010 and 2013. The results are also summed up in tables and diagrams.

1. DEGREE AND NATURE OF RELIGIOSITY OF UKRAINIAN SOCIETY

Religiosity of Ukrainian society remains high. This time, 76% of citizens called themselves believers (against 67% in 2013). 8% reported hesitation between belief and disbelief (against 15%). Disbelief, or atheism was reported by 7% of those polled (just as in 2013), indifference to the issues of faith – 5%, 4% remained undecided in this respect.

The degree of religiosity remains dependent on the region: believers make from 93% of residents in the West to 63% – in the East. The least number of non-believers, or atheists, live in the West (1%); most of them – in the South (14%) and East (12%) (Diagram “*Irrespective of whether you go to church or not, how would you describe yourself?*”).²

As before, the **majority (70%) of citizens affiliate with Orthodoxy** (from 80% of residents in the Centre to 67% in the South). In the West of the country quite many (36%) residents called themselves Greek Catholics. In the Centre, the group of “just Christian” is rather large (10%); in the South and East there are 18% and 22% of citizens not affiliated with any confession (Table “*What religion do you affiliate with?*”).

¹ See the poll data in more detail on the Razumkov Centre web site – <http://www.razumkov.org.ua>.

² Hereinafter, the regional division is as follows: the **West**: Volyn, Transcarpathian, Ivano-Frankivsk, Lviv, Rivne, Ternopil, Chernivtsi regions, the **Centre**: city of Kyiv, Vinnytsya, Zhytomyr, Kyiv, Kirovohrad, Poltava, Sumy, Khmelnytskyi, Cherkasy, Chernihiv regions, the **South**: Odesa, Kherson, Mykolayiv regions, the **East**: Dnipropetrovsk, Donetsk, Zaporizhya, Luhansk, Kharkiv regions.

The number of followers of UOC-KP exceeds that of UOC believers: among all those polled, 22% against 17%, respectively; among those who called themselves followers of Orthodoxy – 32% against 25%, respectively (in 2010, the number of UOC-KP believers was lower than of UOC – 15% and 24% of all those polled, respectively; in 2013, their numbers did not statistically differ, making 18% and 20%, respectively).³

Compared to 2013, the number of citizens who called themselves “just Orthodox” somewhat decreased in the Centre (from 39% to 32%), in the West their number, on the contrary, increased (from 7% to 13%) (Diagram “*Which Orthodox Church do you affiliate with?*”).⁴

2. RELIGION, CHURCH AND SOCIETY

Trust in Church. By the index of trust, the Church retains the first line among social and political institutions.⁵ As well as during all previous polls, **the majority of citizens reported greater or smaller trust in the Church.** This time it was reported by 66% of those polled: from 88% in the West to 53% of residents in the East. Respectively, the greatest number of those who did not trust the Church was recorded in the East (35%), the lowest – among residents of the country’s West (8%) (Diagram “*Do you trust the Church?*”).

Role of religion in public life. Only 22% of those polled denied any influence of religion on the life of Ukrainian society (65% disagreed with such denial).

By contrast, **the majority of citizens recognised influence of religion on some aspects of public life.** For instance, 79% of citizens see the role of religion in that it “*enhances human morality and spirituality*”; 69% see it as “*an important tool of revival of the national identity and culture*”, 55% – “*an element of a democratic society*” (Table “*Assessing the role of religion in public life...?*”).

Meanwhile, only a third (34%) of those polled believe that religion is “an element of political life” (43% disagreed with that statement). Believers of UOC-KP are more inclined to see religion as an element of political life (42%).⁶

³ During the previous polls the “Russian Orthodox Church” was mentioned among Orthodox churches, but the number of those polled who affiliated with that Church did not exceed 1%, that is why it was removed from the 2014 questionnaire.

⁴ Hereinafter, the terms “believers”, “non-believers”, “Orthodox”, “believers of UOC (UOC-KP, UGCC)” etc. mean the groups of those polled, who affiliated themselves with the concerned categories.

The category of representatives of “other confessions” included followers of Roman Catholicism, Protestant (incl. Evangelic) churches, and followers of Judaism, Islam, Buddhism, Hinduism, Paganism. Each of those groups separately is too small for statistic analysis. In general those groups, united under “other confessions”, make nearly 3% of those polled.

⁵ E.g., mass media, public organisations, trade unions, political parties, along with militia, the Security Service and the Armed Forces of Ukraine. For more detail see: Razumkov Centre web site.

⁶ Hereinafter, if the distribution of answers in terms of confessional affiliation is not shown on a diagram or table, for more detail see: *Ibid.*

Religious tolerance. Ukrainian society remains tolerant to existence of different religions. The overwhelming majority of citizens believe that *“Any religion that proclaims ideals of virtue, love, mercy and does not endanger the existence of other people has the right to exist”,* or *“All religions have the right to exist as different ways to God”*. Now, just as in 2013, 74% of those polled agreed with this assertion.

11% of respondents are sure that *“Only religions traditional for this country have the right to exist”*. Such an opinion is a bit more spread in the West (14%) and Centre (15%), less – in the South (8%) and East (6%).

Only nearly 5% of those polled sided with the statement *“Only the religion I confess is true”*. This opinion is more intrinsic in representatives of “other confessions” (22%), least of all – believers of UGCC, “other Orthodox” and “just Christian” (1-2%).

10% of respondents did not answer that question (against 1% in 2013) (Diagram *“Which of the following statements about religion...?”*).

Meanwhile, **almost a third of those polled (31%) believe that the church and religion should be nationally-minded.** This opinion is shared by the majority of residents in the West (53%) – and only every fifth resident of the East (20%) and 22% of residents in the South. In the Centre it was supported by 32% of those polled. In terms of confessional affiliation, this opinion is mostly shared by believers of UGCC (62%) and UOC-KP (46%), less – by believers of UOC (29%), “other Orthodox” (23%) and representatives of other confessions (22%) (Diagram *“Should the Church and religion be nationally-minded?”*).

Role of the Church. The majority of citizens believe that the Church plays a positive role in modern Ukrainian society: such was the opinion of 53% of those polled (in 2013 – 51%). However, **this index has evident regional differences:** a positive role of the Church was noted by the overwhelming majority of residents in the West (75%), while in other regions this opinion is shared by much fewer respondents – 49% of residents in the Centre, 46% of residents in the South, 44% of residents in the East. In terms of confessional affiliation, a positive role of the Church was most frequently noted by believers of UGCC (87%), least – by “just Christian” (35%).

The opinion that “the Church plays no significant role” was shared by 28% of those polled – from 16% in the West to 33% in the East, and 32% in the Centre. A significant number of those undecided with assessment of the Church’s role strikes the eye in the East – 17%, and in the South – 20%. In terms of confessional affiliation, this opinion was most of all shared by “just Christian” (40%), least of all – UGCC believers (8%) (Diagram *“What role does the Church play...?”*).

3. THE CHURCH AND THE STATE

Guarantees of freedom of conscience. Compared to 2013, the public assessment of guarantees of the freedom of conscience in Ukraine has somewhat improved. In particular, the statement that *“There is complete freedom of conscience and*

equality of confessions before the law in Ukraine” was supported by 73% of those polled (against 65% in 2013), while only 21% suggested that “*Freedom of conscience and equality of confessions in Ukraine are declared but not implemented*” – against 33% in 2013 (Diagram “*With which of the following statements do you agree most of all?*”).

Attitude to establishing of a state church. As before, the idea of introduction of the institution of a state church found no support among Ukrainian citizens: now, it is supported only by 13% of those polled (against 9% in 2013) – from 20% of residents in the West to 6% of residents on the South. 51% of those polled disagreed with this idea (against 53% in 2013) – from 50% in the Centre to 54% in the South (Diagram “*In some countries of the world...?*”).

Among adherents of introduction of the institution of a state church, a relative majority (42%) would grant this status to the Ukrainian Orthodox Church (not specifying which of the Ukrainian Orthodox Churches was meant), 24% would opt for UOC-KP, 4% – UOC under the Moscow Patriarchate, nearly 1% – UAOC. Almost 6% would give that status to UGCC and just as many – “to all Churches”⁷ (Diagram “*If you agree with the expediency...?*”).

Attitude to creation of a united local Ukrainian Church. Answering the question about the need of creation of a united local Ukrainian Church, 39% of respondents (from 24% in the West to 46% in the South) admitted that they did not know what it was. The shares of those convinced that such Church should be created and of those who stick to the opposite opinion were almost equal – 21% and 22%, respectively. 18% remained undecided on this issue.

Only in the West, a relative majority of those polled (37%) reported a conviction in the need of creation of such a Church. In the Centre and South, the shares of those polled sharing this opinion and of those who opposed it were almost equal (19% and 20%; and 12% and 14%, respectively). In the East, creation of a united local Ukrainian Church is supported by only 16% of those polled, 27% spoke against it (Diagram “*Do you consider it necessary...?*”).

The majority of respondents (54%) could not answer the question through whose efforts the united local Ukrainian Church should be created: from 63% in the East to 44% (a relative majority) in the West. Among those undecided, 19% believe that such Church should be create “only through the efforts of churchmen by means of an inter-church dialogue”, 14% – through the efforts of churchmen and the public, 8% – through the efforts of churchmen and the state authorities, 1% – through the efforts of the state authorities.

The rating was very much the same in all regions, except the West – there, efforts of churchmen and the public topped the list (25%). The South also stands out: there, creation of a united local Ukrainian Church only through the efforts of state authorities was supported by almost 7% of those polled (Diagram “*Through whose efforts should the united local Ukrainian Church be established...?*”).

⁷ The question was put as open-ended, i.e., respondents did not have to choose the answer from among those offered in the questionnaire but named one or another Church by themselves.

4. THE CHURCH IN THE CONTEXT OF THE SOCIO-POLITICAL SITUATION IN THE COUNTRY

Church and socio-political processes. Citizens' perceptions as to with whom the Church should side – society or the authorities – are quite definite. Almost 74% of those polled (from 84% in the West to 70% in the Centre and in the East) believe that it *“should always side with the people and defend them from arbitrariness of the authorities”*. Only 7% agreed with the opinion that *“The Church first of all should defend the authorities, for ‘all power comes from the Lord’”* (from 13% in the South to 4% in the East).

Regarding a more general question – about the Church involvement in socio-political processes – the opinions of citizens somewhat differ. A relative majority of those polled (48%) believe that *“The Church should care about preaching and not interfere in social and political problems and processes”*. This answer was most often given by residents in the East (54%) and UOC believers (57%), least – by residents in the West and the South (43% each), and in terms of confessional affiliation – by believers of UGCC (35%) and “just Christian” (39%).

Only 22% of those polled disagreed with this opinion (from 33% of residents in the West to 17% – in the East). In terms of confession, UGCC believers disagreed more than others (41%).

39% of those polled believe that *“The Church is a civil institution and should take an active part in social and political processes”* – from 49% of residents in the West to 30% of residents in the East; in terms of confessional affiliation – from 58% of UGCC believers to 32% of “just Christian”. Those who see the Church as a civil institution also prevail among believers of UOC-KP – 51% against 27% of those who disagree with this opinion, and among representatives of “other confessions” – 45% against 26%, respectively.

Among the followers of other churches or confessions, the shares of those who see the Church as a civil institution and of those who disagree with that opinion are roughly equal: UOC – 37% and 39%, respectively; “other Orthodox” – 37% and 36%, respectively; “just Christian” – 32% and 35%, respectively.

The share of those who do not see the Church as a civil institution prevails only among those who do not affiliate with any religion – 39% against 15% of those who see the Church as an institution of civil society. Meanwhile, a relative majority (47%) in that group remained undecided in this respect (Diagram *“To what extent do you agree with the following statements...?”*).

Responsibility of the Church. The majority of citizens are sure that the Church is first of all responsible before God, therefore, neither society nor the state should demand observance of their interests from it. In other words, the Church is seen mainly not as a social but an “outworldly” institution. 59% of those polled shared this opinion; whilst almost 20% disagreed with it; 21% remained undecided.

The idea of the primary responsibility of the Church before God is mainly shared by believers and those who hesitate between belief and disbelief rather than non-believers (64% and 58% against 35%, respectively), and by residents of the West and Centre (69% and 62%) rather than of the East and South (54% and 49%, respectively). The significant share of those residents in the South who remained undecided with this question also strikes the eye – 35% (Diagram “*Do you agree with the statement...?*”).

The Church and political convictions of believers. The share of citizens who report independent (beyond influence of religious organisations) shaping of their political views steadily grows: currently, such a stand is reported by 39% of those polled – against 33% in 2013, 30% in 2010 and 25% – in 2000. Apparently, this growth takes place first of all at the expense of a decrease in the number of those who do not affiliate with any religious organisation – 16% against 29% in 2013, 37% in 2000.

Meanwhile, there remains a stable portion of those who report that “*I listen to political opinions and ideas propagated in my religious organisation*”, – 3% (in 2000 – 5%) or “*The stand of my religious organisation partially influences my political choice*” – 3%, just as in 2000.

The influence of religious organisations on their political views and/or political choice was somewhat more often reported by residents in the West (7% and 8%, respectively), and in terms of confessional affiliation – believers of UGCC (8% and 10%, respectively) and representatives of “other confessions” (10% each).

Nearly 11% of those polled denied any influence of their religious organisation on their convictions; 6% reported that political issues were not discussed in their religious organisations. Those figures also remained actually unchanged in 2000-2014 (Table “*Are your political convictions influenced by...?*”).

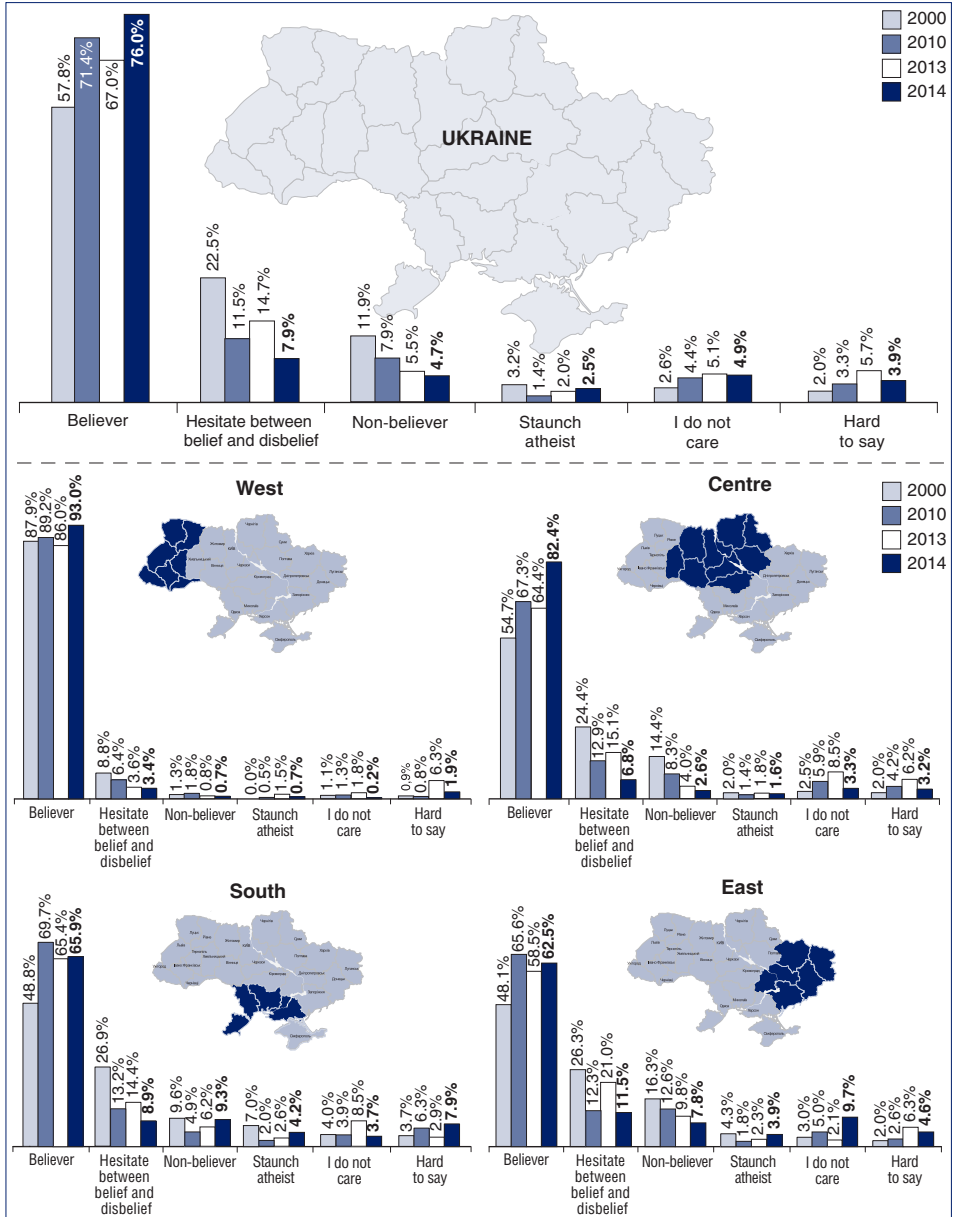
Attitude to the Appeal of Leaders of Churches and Religious Organisations to Their Faithful and All People of Good Will in Connection with the Socio-Political Situation in Ukraine. The Appeal was released on December 12, 2013, in the heat of events in Independence Square (Maidan) in Kyiv. According to the poll results, only 22% of all respondents “heard nothing” about the Appeal (from 14% of residents in the Centre to 34% – in the South).






The majority of citizens (61%) hailed the Appeal: 77% – in the West; 74% – in the Centre; 45% and 43%, respectively – in the South and East. In terms of confessional affiliation – from 81% of UGCC believers to 58% of “other Orthodox” and 58% of representatives of “other confessions”.

A negative attitude was reported by only 1% of those polled; indifferent – 8% (from 3% in the West to 16% – in the East) (Diagram “*On December 12, 2013, at the climax of events on Independence Square...?*”).

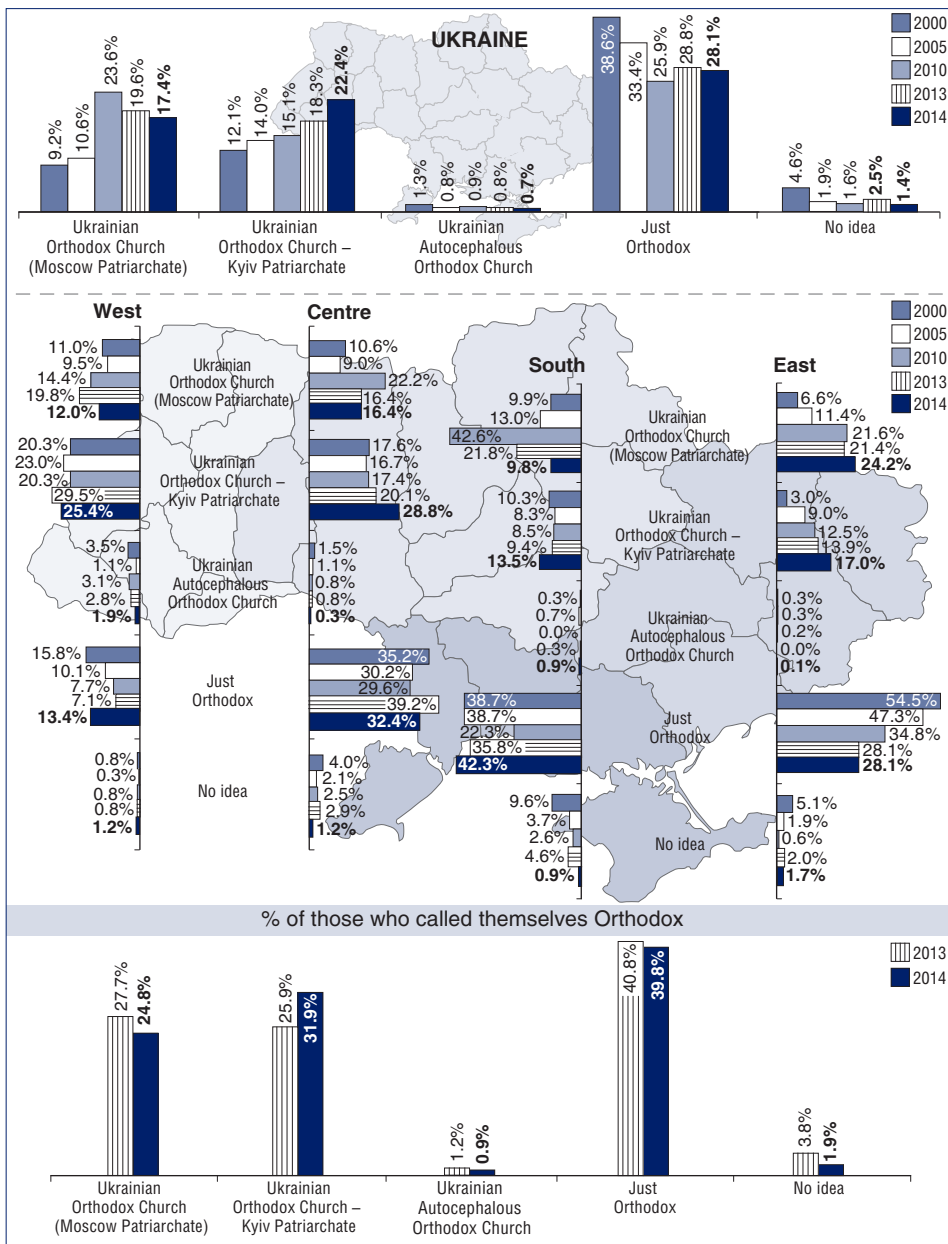
THE DEGREE AND NATURE OF RELIGIOSITY IN UKRAINIAN SOCIETY

Irrespective of whether you go to church or not, how would you describe yourself?
% of those polled



What religion do you affiliate with? % of those polled																				
		UKRAINE 																		
		2000		2005		2010		2013		2014										
Orthodoxy		66.0		60.8		68.1		70.6		70.2										
Roman Catholicism		0.5		1.6		0.4		1.3		1.0										
Greek Catholicism		7.6		7.6		7.6		5.7		7.8										
Protestantism		2.0		1.3		1.9		0.8		1.0										
Judaism		0.3		0.2		0.1		0.3		0.1										
Islam		0.7		0.4		0.9		0.7		0.2										
Buddhism		0.1		0.0		0.1		0.0		0.2										
Hinduism		0.0		0.0		0.0		0.1		0.0										
Paganism		0.1		0.0		0.0		0.1		0.0										
Just Christian		6.9		15.8		7.2		8.6		6.3										
Other		0.5		0.2		0.2		0.0		0.0										
Not affiliated with any confession		15.3		11.8		13.2		11.3		12.5										
No answer		-		0.2		0.3		0.5		0.7										
	REGIONS																			
	West 					Centre 					South 					East 				
	2000	2005	2010	2013	2014	2000	2005	2010	2013	2014	2000	2005	2010	2013	2014	2000	2005	2010	2013	2014
Orthodoxy	52.3	44.2	45.9	60.2	54.0	69.0	59.1	73.8	79.4	79.5	68.8	64.9	76.4	73.2	67.4	69.7	70.0	71.8	66.7	71.6
Roman Catholicism	1.3	1.9	1.0	3.8	1.0	0.8	2.4	0.5	0.9	1.5	0.0	0.3	0.3	0.3	0.9	0.0	1.0	0.2	0.8	0.6
Greek Catholicism	38.4	38.4	37.2	26.8	36.2	0.6	0.5	0.3	1.2	0.7	0.0	0.0	0.0	0.3	0.5	0.4	0.6	0.8	0.0	0.0
Protestantism	0.8	2.6	3.8	0.5	1.4	2.9	0.9	0.5	0.6	0.3	1.7	1.3	0.0	0.3	2.3	1.9	0.9	3.2	1.2	0.9
Judaism	0.5	0.0	0.0	0.5	0.0	0.2	0.5	0.2	0.5	0.1	0.0	0.3	0.3	0.7	0.0	0.4	0.0	0.0	0.0	0.1
Islam	0.0	0.0	0.0	0.0	0.0	0.2	0.0	0.0	0.0	0.0	3.0	2.3	4.9	4.2	0.5	0.4	0.1	0.3	0.3	0.4
Buddhism	0.0	0.0	0.3	0.0	0.0	0.0	0.0	0.2	0.0	0.1	0.3	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.3
Hinduism	0.0	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.3	0.0	0.0	0.0	0.0	0.0	0.0
Paganism	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.2	0.0	0.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.2	0.0
Just Christian	2.7	10.8	6.9	4.3	4.1	7.8	24.4	7.7	5.5	10.3	4.0	10.3	7.2	6.5	6.5	9.9	12.6	7.0	15.2	3.8
Other	0.0	0.5	0.8	0.0	0.2	0.5	0.2	0.0	0.0	0.0	0.7	0.3	0.0	0.0	0.0	0.6	0.0	0.0	0.0	0.0
Not affiliated with any confession	4.0	1.3	4.1	3.6	3.1	18.2	11.8	17.0	10.8	7.1	20.9	19.9	10.2	14.1	18.1	16.6	14.2	16.3	15.0	21.7
No answer	0.0	0.0	0.0	0.3	0.0	0.0	0.3	0.0	0.9	0.3	0.0	0.0	0.7	0.0	3.7	0.0	0.4	0.5	0.6	0.6

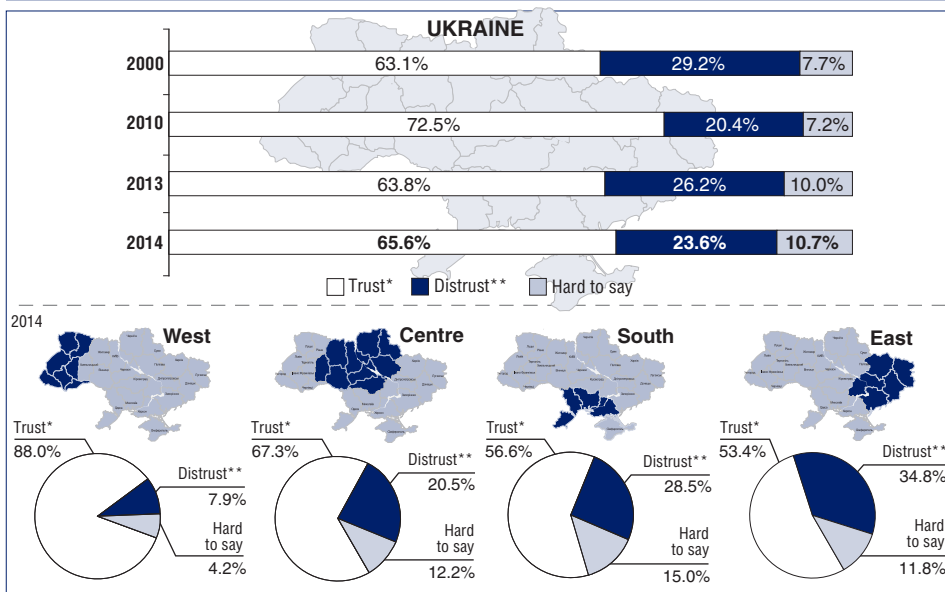
Which Orthodox Church do you affiliate with? % of those polled*



* The aggregate of percentage does not equal 100, since Diagram does not show the share of those who called themselves Orthodox.

RELIGION, THE CHURCH AND SOCIETY

Do you trust the Church?
% of those polled



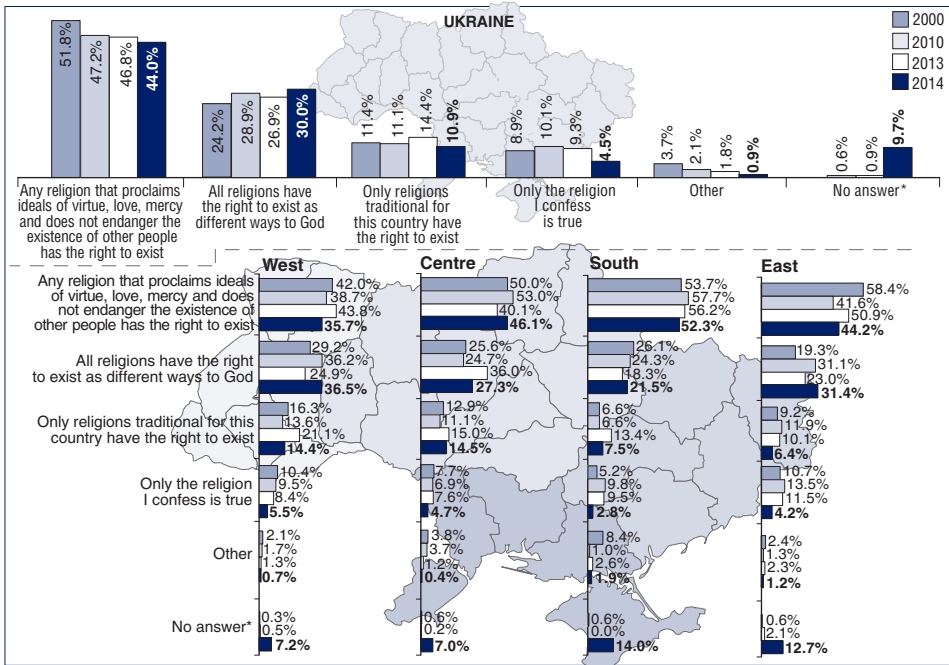
* The aggregate of answers "trust" and "rather, trust".

** The aggregate of answers "distrust" and "rather, distrust".

Assessing the role of religion in public life, do you agree with the following statements?
% of those polled

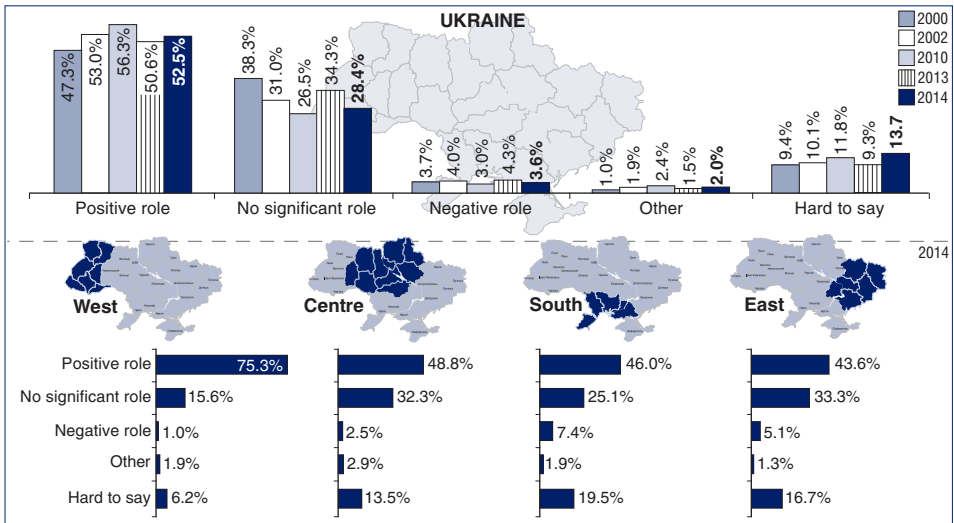
	Agree				Disagree				No idea			
	2000	2010	2013	2014	2000	2010	2013	2014	2000	2010	2013	2014
Religion enhances human morality and spirituality	13.4	78.5	77.0	78.5	69.8	8.8	11.0	9.2	16.8	12.7	12.1	12.4
Religious figures should stand in defence of the poorest strata of the population in case the authorities take decisions that deteriorate living standards of the population	63.6	78.3	83.5	78.1	17.0	9.8	7.4	8.6	19.4	11.9	9.2	13.3
Religion is an important tool of revival of the national identity and culture	78.3	70.8	64.4	69.1	10.4	12.7	16.3	13.2	11.3	16.5	19.3	17.7
Religion is an element of a democratic society	46.0	55.8	54.4	55.4	28.6	22.7	21.9	21.2	25.4	21.5	23.7	23.3
Religious organisations poorly participate in social activities: assistance to the poor, disabled, sick, elderly people, etc.	51.7	36.4	40.4	38.8	29.7	39.9	34.5	35.7	18.6	23.7	25.1	25.5
Religion is an element of political life	47.7	42.4	39.8	34.0	30.1	38.6	35.7	42.8	22.2	19.0	24.5	23.2
Religious figures stay aside such social problems of the day as prevention of pregnancy, abortion, AIDS, sexual education, etc.	87.1	26.4	31.6	32.2	5.7	53.0	47.4	43.4	7.2	20.6	21.0	24.4
Religion does not influence public life	29.6	22.5	28.3	22.1	60.0	66.6	62.2	65.4	10.4	10.9	9.5	12.5
Religion fits poorly the needs of a present-day human	31.3	21.1	28.7	21.3	47.0	58.4	49.4	57.4	21.7	20.5	21.9	21.3
Religion makes people inactive, indifferent to what goes on in society	13.4	12.5	15.2	13.8	69.8	71.8	70.2	70.0	16.8	15.7	14.5	16.1
Religion is harmful since it divides people into different confessions	14.7	12.5	15.2	12.7	67.3	71.5	68.4	72.1	18.0	16.0	16.5	15.2
Religion fades away and will disappear with time	7.7	8.5	11.7	7.7	75.9	73.6	69.8	73.9	16.4	17.9	18.5	18.4

Which of the following statements about religion most of all meets your convictions? % of those polled

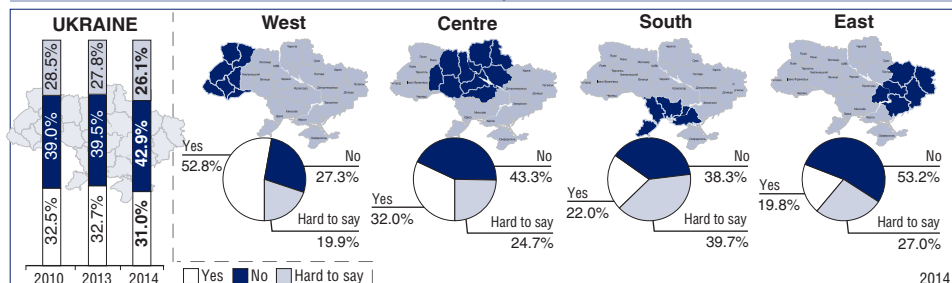


* The questionnaire of 2000 did not provide "no answer" option.

What role does the Church play in present-day Ukrainian society? % of those polled

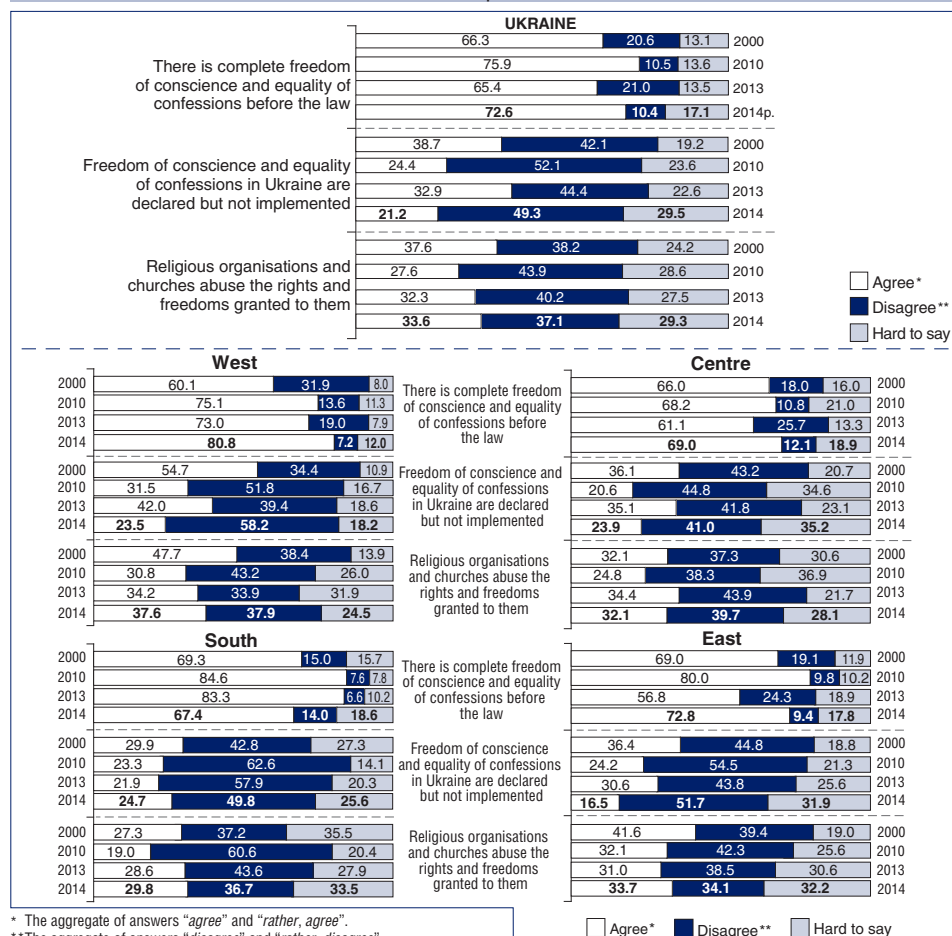


Should the Church and religion be nationally-minded? % of those polled



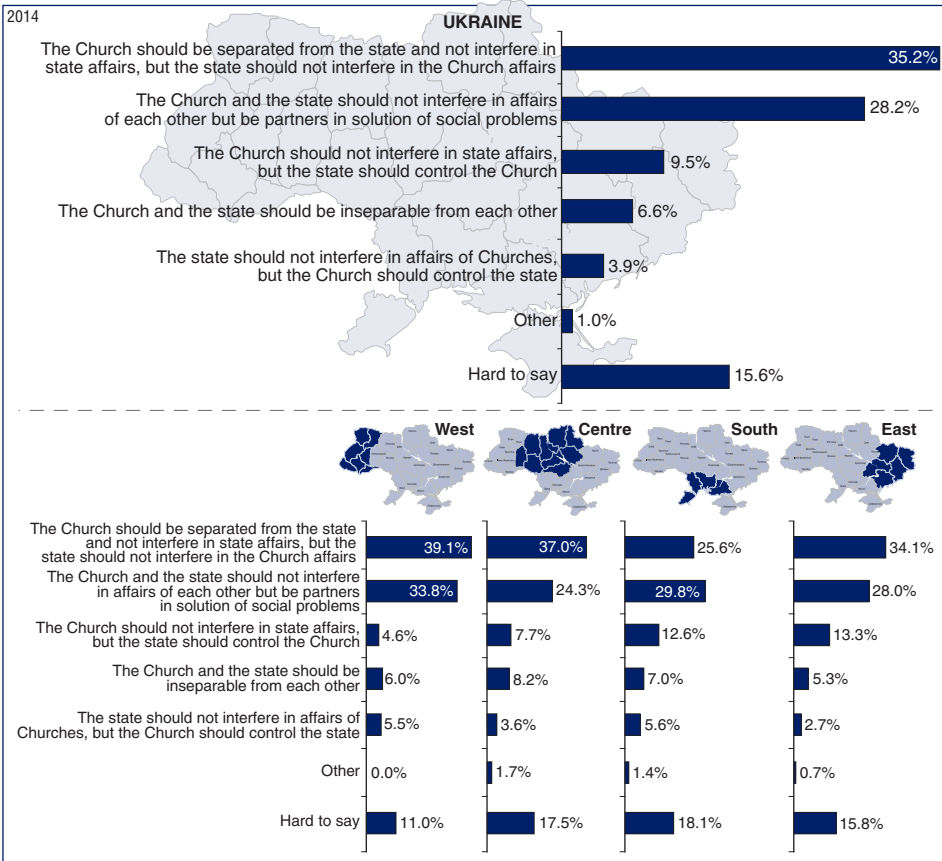
THE CHURCH AND THE STATE

With which of the following statements do you agree most of all? of those polled

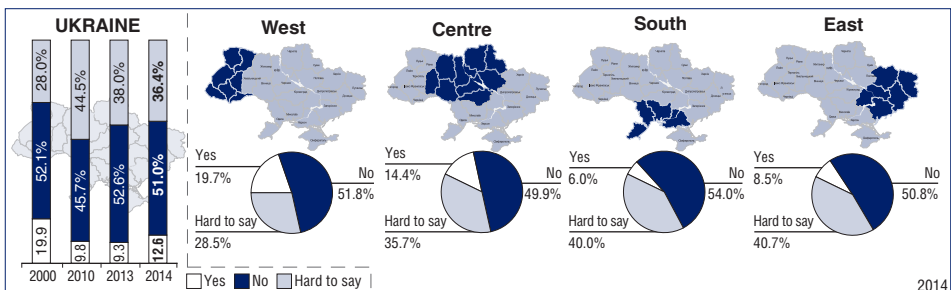


What should the relations between the Church (religious organisations) and the state be like in Ukraine?
 % of those polled

2014

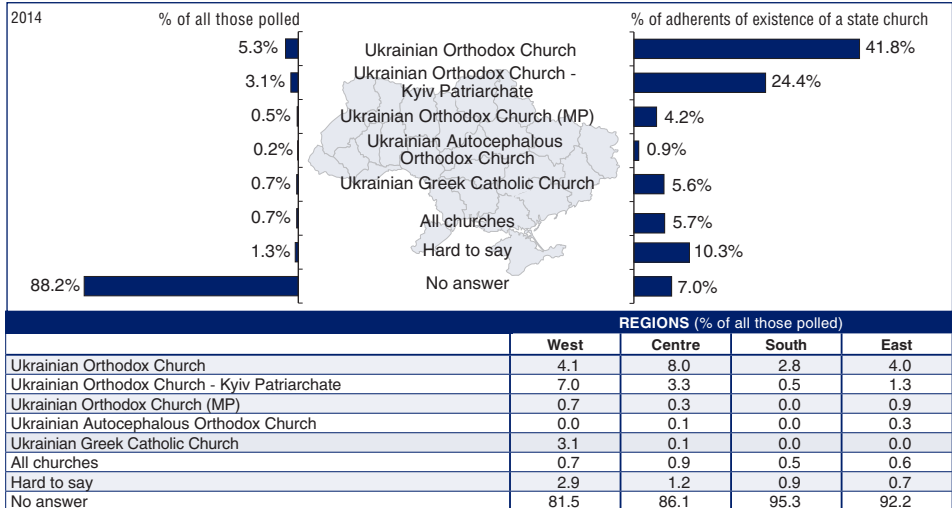


In some countries, including the European (Great Britain, Greece, etc.), there are state churches. They enjoy state support, have some privileges, compared to other religious organisations; as a rule, citizens of those countries pay a church tax used to keep up the state church. Would such practice do in Ukraine?
 % of those polled

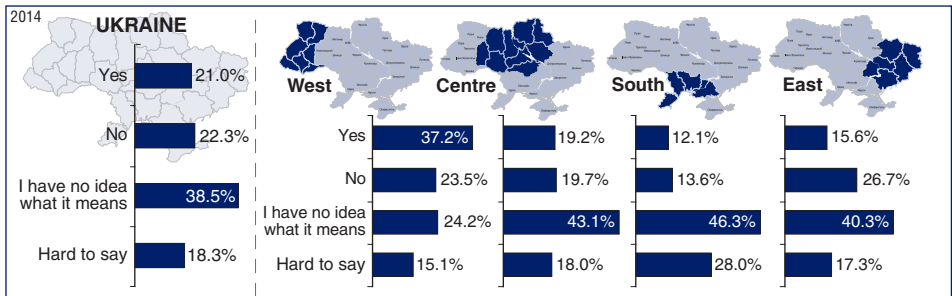


2014

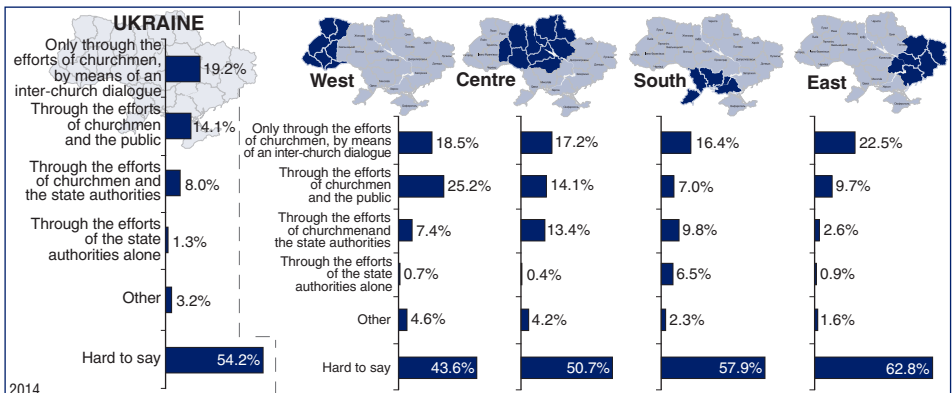
**If you agree with the expediency of establishing a state church in Ukraine,
which Church should obtain such status?**



Do you consider it necessary to have a united local Ukrainian Church?
% of those polled



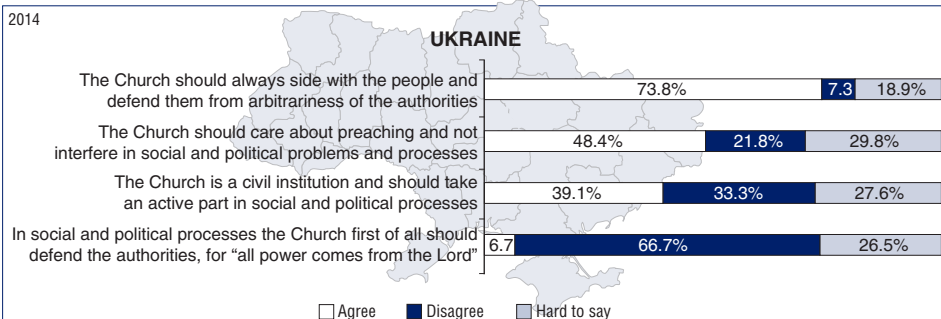
Through whose efforts should the united local Ukrainian Church be established?
% of those polled



THE CHURCH IN THE CONTEXT OF SOCIO-POLITICAL SITUATION IN THE COUNTRY

To what extent do you agree with the following statements about the Church activity?
% of those polled

2014



The Church should always side with the people and defend them from arbitrariness of the authorities

	REGIONS				CONFESSIONAL AND CHURCH AFFILIATION						
	West	Centre	South	East	UOC (MP)	UOC-KP	Other	UGCC	Just	Other	Not affiliated with any religion
Agree	83.9	70.1	78.1	70.0	78.1	81.4	74.1	89.1	70.1	68.0	47.6
Disagree	7.7	6.7	6.5	7.9	8.8	7.1	5.9	2.6	6.3	10.0	12.0
No idea	8.4	23.3	15.3	22.1	13.1	11.5	20.0	8.3	23.6	22.0	40.4

The Church should care about preaching and not interfere in social and political problems and processes

	REGIONS				CONFESSIONAL AND CHURCH AFFILIATION						
	West	Centre	South	East	UOC (MP)	UOC-KP	Other	UGCC	Just	Other	Not affiliated with any religion
Agree	43.4	47.2	42.8	54.3	57.3	47.6	49.4	35.3	39.4	48.0	47.6
Disagree	33.1	18.5	27.4	16.5	18.8	26.1	19.0	41.0	23.6	24.0	12.7
No idea	23.5	34.3	29.8	29.2	23.9	26.3	31.6	23.7	37.0	28.0	39.7

The Church is a civil institution and should take an active part in social and political processes

	REGIONS				CONFESSIONAL AND CHURCH AFFILIATION						
	West	Centre	South	East	UOC (MP)	UOC-KP	Other	UGCC	Just	Other	Not affiliated with any religion
Agree	49.4	41.0	43.0	29.7	37.3	51.3	37.2	58.3	32.0	45.1	14.7
Disagree	30.7	33.3	28.5	36.2	39.9	27.2	36.1	18.6	35.2	25.5	37.8
No idea	19.9	25.6	28.5	34.1	22.8	21.5	26.7	23.1	32.8	29.4	47.4

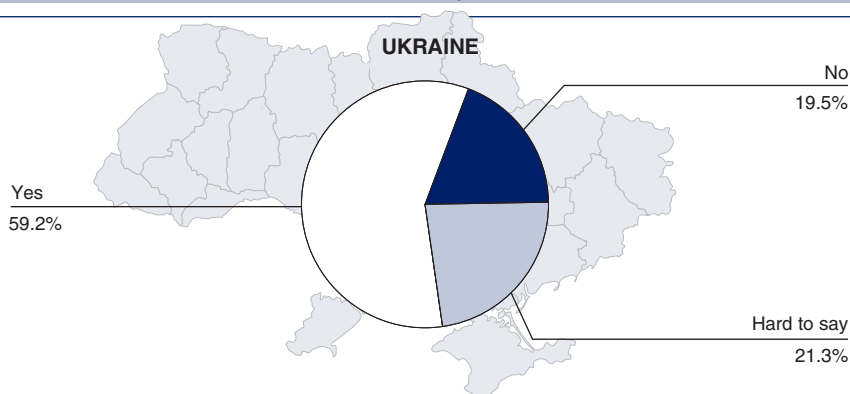
In social and political processes the Church first of all should defend the authorities, for "all power comes from the Lord"

	REGIONS				CONFESSIONAL AND CHURCH AFFILIATION						
	West	Centre	South	East	UOC (MP)	UOC-KP	Other	UGCC	Just	Other	Not affiliated with any religion
Agree	9.6	5.8	12.6	4.0	11.7	8.2	3.6	7.7	6.3	6.0	3.2
Disagree	77.7	65.2	67.0	61.6	68.1	67.9	68.1	81.4	66.1	74.0	49.4
No idea	12.7	29.0	20.5	34.4	20.2	23.9	28.3	10.9	27.6	20.0	47.4

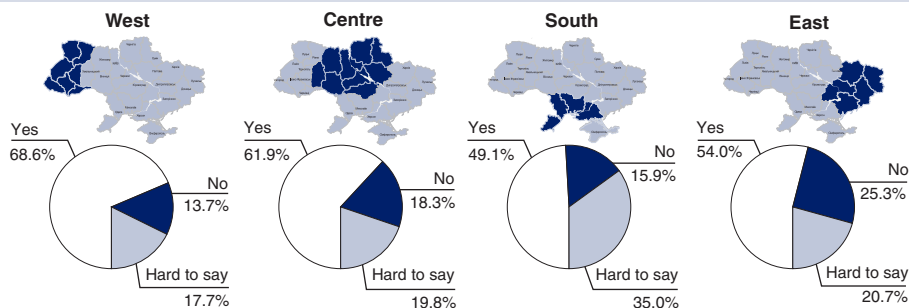
Do you agree with the statement that the Church in the first place bears responsibility to God, and therefore, neither society nor the state should demand observance of their interests from it?

% of those polled

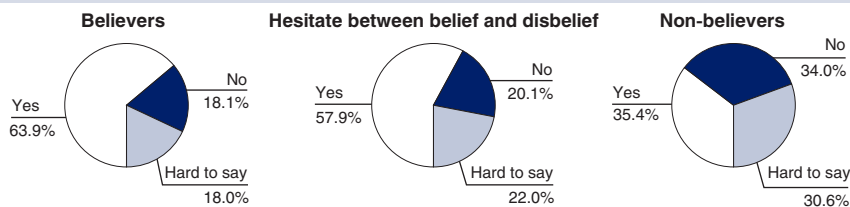
2014



REGIONS



BELIEVERS / NON-BELIEVERS



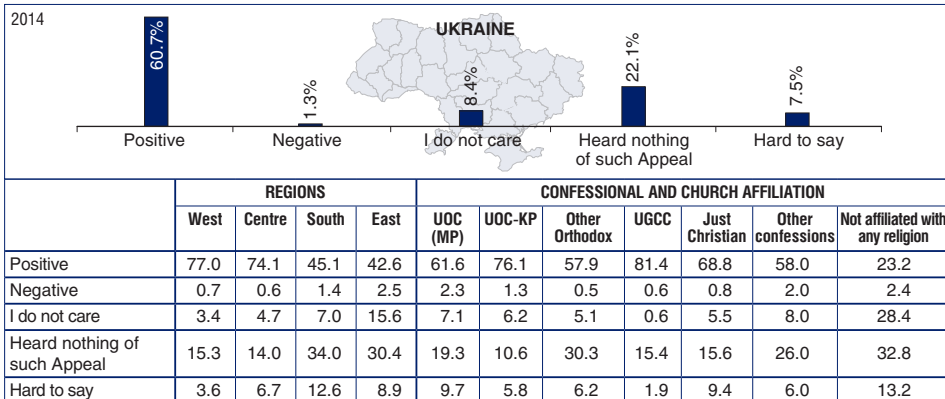
CONFESSIONAL AND CHURCH AFFILIATION

	UOC (MP)	UOC-KP	Other Orthodox	UGCC	Just Christian	Other confessions	Not affiliated with any religion
Yes	70.1	59.1	61.0	67.9	64.8	54.9	32.1
No	17.7	21.8	16.1	15.4	16.4	29.4	28.6
No idea	12.3	19.1	23.0	16.7	18.8	15.7	39.3

Are your political convictions influenced by the religious organisation which you are affiliated with?
% of those polled

	UKRAINE				REGIONS (2014)				CONFESSIONAL AND CHURCH AFFILIATION (2014)						
	2000	2010	2013	2014	West	Centre	South	East	UOC (MP)	UOC-KP	Other Orthodox	UGCC	Just Christian	Other confessions	Not affiliated with any religion
I shape my political convictions myself	25.1	30.4	33.3	38.6	40.3	40.8	30.8	37.8	36.8	42.4	44.4	38.5	31.5	30.0	25.1
My political convictions are most of all influenced by television, press, etc.	7.8	13.1	11.7	12.7	8.6	12.6	14.0	14.7	14.0	9.5	12.6	8.3	13.4	16.0	18.3
My political convictions are not influenced by the stand of my religious organisation	11.9	11.5	9.3	10.9	20.6	8.7	6.1	8.5	18.8	12.9	8.2	19.9	2.4	14.0	1.2
In my religious organisation political issues are neither raised nor discussed	5.3	8.5	7.3	6.0	8.9	5.8	5.1	4.6	10.3	8.4	4.3	7.7	0.8	6.0	1.2
Yes, I listen to political opinions and ideas propagated in my religious organisation	4.5	3.1	4.1	3.4	6.7	3.3	2.3	1.9	3.1	6.0	1.5	7.7	2.4	10.0	0.4
My political choice is often influenced by the stand of my religious organisation	2.8	3.7	2.4	3.2	7.7	1.0	2.3	2.7	4.3	3.3	1.0	10.3	1.6	10.0	2.0
Other	1.2	0.1	0.2	0.1	0.0	0.0	0.0	0.4	0.3	0.0	0.0	0.0	0.0	0.0	0.8
Hard to say	4.3	3.2	3.1	9.1	3.6	7.6	14.0	12.2	7.7	7.5	10.1	5.1	7.9	4.0	15.1
Not affiliated with any religious organisation	37.1	26.4	28.5	16.2	3.6	20.1	25.2	17.1	4.8	10.0	18.0	2.6	40.2	10.0	35.9

On December 12, 2013, at the climax of events on Independence Square (Maidan), the Appeal of Leaders of Churches and Religious Organisations to Their Faithful and All People of Good Will in Connection with the Socio-Political Situation in Ukraine was released. The Appeal contained a call upon the authorities, in particular, not to use force against peaceful rallies, and upon the public – to search for ways of social and political accord. The Appeal of the All-Ukrainian Council of Churches and Religious Organisations also witnessed readiness to assume the role of a mediator in dialogue between the opposing parties.
What is your attitude to that Appeal?



WHAT CAN THE CHURCH DO IN THE CURRENT SOCIO-POLITICAL SITUATION IN UKRAINE?

On May 15, 2014, a regular session of the Roundtable “*Religion and Authorities in Ukraine: Problems of Relations*”. The following questions were proposed for discussion:

- Does the Church represent a civil institution in Ukraine today?
- What impact does the Church have today on the Ukrainian society, the government, and law enforcement agencies?
- Can the Church fulfil the mission of a mediator in resolving socio-political conflict in Ukraine?

Presented below are the panellists’ presentations during the Roundtable prepared according to the transcript of the discussion in the order of their appearance. Some presentations are accompanied by references made by the editorial team.



Stanislav SHYROKORADIUK,
Bishop of Kharkiv and
Zaporizhya Diocese of RCC

PRAYER AND CHARITY ARE WHAT THE CHURCH SHOULD DO. ALL THE REST WILL BE POLITICS

What should, what can the Church do in the present situation, for solution of these acute socio-political problems? First of all, we should realise what the Church should do, what its main mission is – and proceed from that.

The main mission of the Church is to care about faith, human morality and to lead people the road of salvation. This is its main, sacred mission, nothing can be more important. If the Church performed it, society would be formed – culture, morality, responsibility for the life of other people. Then, the Church would not need to think what to do next.

If the Church wants to do something that should be done by politicians and the authorities, it makes a big mistake. We should form and bring up the society. But here, a question arises – how to bring it up? Everyone here can say that, say, my flock regularly coming to church listens to me, that those people are formed – but this refers only a limited number of people. And what about influence on great many people who do not belong or do not go to church?

On one hand, [Ukraine] is a Christian state. On the other, Ukraine’s biggest holiday is Sunday markets, while Christians are obliged to respect that holy day

Roundtable, May 15, 2014

and to attend the divine service. It is like a child going to school. If he goes to school, there is a hope that he will learn something. The same refers to the society: if it wants to be Christian, to really take some spiritual background, it should pass through a spiritual school. But when markets are full Sundays, and churches are empty – how can they be formed? It is a huge problem.



The second point. Despite over 20 years of independence, the Church remains barred from such groups of the population as children and youths. We have no contact with them. If they come to church – yes, we can talk to them. But beyond that, there should be contacts with the youths, students, schoolchildren, for instance – to introduce Christian ethics at school at a proper level. In fact, we lost a whole generation: for 20 years, we did not teach Christianity at schools and higher educational establishments – nowhere.

I guess that in the present situation we can say that we lost many people who are not afraid of God, not afraid of sin, not afraid of shooting people. Everything can be bought today – one can buy snipers, “*titushkas*”, buy all rather cheap, this is in fact slavery, a great sin, when people trade in such things.

So, we should be frank: we should perform the main mission of the Church – bringing up believers, their education, spiritual influence on them. There is no other task today as to unite our believers in a prayer. I believe in the power of a prayer. I guess, everybody believes here. If Maidan had not prayed, there would have been no victory. Prayer bears great power.

Today, such prayer is missing. It is missing in the regions where blood is shed today. There is no prayer in Donetsk, in Luhansk, there is aggression, there is a number of people who always gather by Lenin’s monument (this also tells a lot – they are inspired for evil there) and from there, aggression starts. That is why we should unite in a prayer today, this is our duty, we know how to do that and we must do that – unite confessions in a prayer.

The third question – open up humanitarian opportunities for all. Today, people grow poor, there are queues, people come, they need food, clothes, etc. We have relevant charitable organisations, we deal with that. But we have to appeal to the authorities once and again – do something with humanitarian assistance. Everything remains blocked. The previous authorities did so much evil that those humanitarian cargoes did not move for a year. New authorities came – they realise the problem, but cargoes are still blocked. How can we help people? This is our duty! Prayer and charity are what the Church should do. All the rest will be politics. I think that it will be of no use.



**Eustratius (ZORIA),
Archbishop of Chernihiv and
Nizhyn, Secretary of the Holy
Synod of UOC-KP**

**THE CHURCH IS THE MOST ESTABLISHED,
STRUCTURED, INFLUENTIAL AND POPULAR
CIVIL SOCIETY INSTITUTION**

I would like to stress one point, psychologically clear: people are more inclined to enjoy rights than to perform duties. Very often we hear about rights, especially in the recent decades or even centuries, and much less – about duties. But they are two sides of one medal, two sides of being. **There can be no rights without duties. There can be no freedom without responsibility.**

Unfortunately, the post-totalitarian nature of our society largely undermined the perception of correlation between rights and duties. Hence, society turns to the Church when it is in need much more often than listens to the Church's voice when it says what should be done – when it is not eager to do that. If politicians, government officials, public figures listen to the voice of the churches (what was said a year and more ago), we could have escaped such a tragic streak of trials – with blood, killings, violence – as we see it now.

Now, one can often hear: “Listen to us; you do not hear us; we want you to hear us”.

But how long had the Churches, let me say, cried: “Hear us, listen to our voice”? There was some reaction, but there were also cases where representatives of the authorities for a whole year just ignored the All-Ukrainian Council of Churches, as if it never existed. And it seems to me that what we see today is the fruit of this deafness, when people prefer to enjoy rights rather than to perform duties.

The All-Ukrainian Council of Churches and Religious Organisations has persistently stressed: we are different, we differ from each other, we have different views of many issues and matters, but we always try to show the society an example of how to come to terms, be united while staying different. And during the events of the recent months in Ukraine, we did much (although we wished to do more) to support the Ukrainian people at least in this respect and to show an example how to be united and to solve problems faced by us in peace and accord.

Is the Church an institution of civil society? I think the experience of the recent years proves that the Church is the most established, structured, influential and popular civil society institution among all those active now. It is clear that institutions such as political parties or public organisations have far lower popularity, influence and trust in society. That is why we always, even at foreign meetings, present the All-Ukrainian Council of Churches as the biggest non-governmental public organisation in Ukraine. Hence, that is not the question really. The question is how we should cooperate with society, with other civil society institutions, with the state for the benefit of the Ukrainian people.

How does the Church influence society, the authorities, law-enforcement bodies now? We often want to see an immediate effect of an act, a statement, an action: we make a statement today – and something happens tomorrow, we set a target today – and it is achieved tomorrow. In reality, this is very difficult. It is not the task for the Church to seek an immediate result. The task of the Church as an institution existing for centuries, beyond temporal limits, is to do far deeper things. And now, when we speak about a revolution of dignity, rise of civic activity, etc., I cannot argue that it takes place solely under the effect of activity of churches and religious organisations, but at the same time I am absolutely positive that it is a fruit of what we call spiritual revival.

It is not the task for the Church to give ready answers. It should not take a politician, an official or a public figure by the hand and to lead him somewhere, saying: you must do this and not that. To prompt, help, advise – yes, but not to try to do anything instead of someone, for no one can do what the Church can and should: spiritually shape a man in his connection with God, in connection with internal values. Exactly this internal connection should hint a man: this can be done, and that cannot. You cannot shoot, you cannot rob people. You cannot lie in throat – just cannot.

Here arises the issue of responsibility for spiritual education. I wish for each of us to feel that responsibility better, since each of us after all has his believers, his followers, those who listen to the voice of their spiritual leader.

So, what can we do? First of all, pray, appeal to God – what we did previously. By the way, one very important figure deserves attention: almost 80% of citizens have heard and know about the Appeal of the Council of Churches of December 12, 2013.¹ It is a very high percentage, very high publicity for such a document. That is, we should do what we were and are doing. I hope that through joint efforts – although not as fast as we want – we will reap good fruits.

THE CHURCH WILL BE ABLE TO PERFORM ITS SOCIAL MISSION ONLY IF IT REMAINS WHAT IT IS

In the present Ukrainian situation, many look at the churches as really respected institutions. But I think that people also discover new possibilities in themselves, because the **Church consists not only of hierarchs and the clergy but also of the community of believers**. When speaking about the Church and the state, we very often tend to oppose the two. In reality, this is not true, because the Church is made up of believers, all of them have a voice and live in the Church, they are the Church. Still, the hierarchs bear the responsibility, just as state leaders bear the responsibility for what is going on in a state.

What can we do or offer in the present situation? I will not be original and will repeat what has already been said:



Bohdan DZIURAKH,
Bishop of the Curia of the
Supreme Archbishop of UGCC,
Secretary of the Synod
of Bishops of UGCC

¹ For more detail see the material "Religion and the Church in Ukrainian Society: Public Opinion Survey", published in this journal.

the main mission of the Church is to maintain communication of believers with God through prayer.

Why is this so important? Cardinal Tomáš Špidlík once said: to ask why a man prays is the same as to ask why a bird sings. The answer is very simple: a bird sings, because such is its nature. A man prays, because such is his nature. **The mission of the Church is to preserve the transcendental dimension of the human nature, to stand guard, for people not to turn into money-making machines spending on pleasures and consumption.**

The Church is to remind of the supranatural dimension of human being – not only to the people but also to the state. The state should care about safety, wellbeing and spiritual development of its citizens. In this connection, the Churches expect that the state does not prevent the Church from being what it is, does not try to make it instrumental, kind of an ideology department.

And the Church should not try to substitute social institutions or state authorities. So, we will first and foremost cherish our nature – pray, pray for the people, the authorities, the army, and God's blessing for all of us.

However, the Church is not just an institution that cares about salvation of a man, for salvation comes through the practice of love. We were familiarised with the results of public opinion polls showing that people, on one hand, seem to expect nothing from the Church, on the other – want the Church to say its word. There is no contradiction here. On one hand, people may intuitively feel the spiritual dimension of the church being, understand that the Church will be what it is when it prays, cares about the spiritual evolution of the people. On the other hand – the Church should care about the common good of every citizen and the entire society. For the commandment of love has two inseparable elements – love to God, and love to neighbour.

One public figure described his impressions from Maidan as follows: previously, we thought that the Church was kind of a mediator between me and God: I come to church, light a candle, and the Church's mission in my life is over. In Maidan we realised that the Church can play an important social role, we saw another Church in Maidan.

I do not think that it was a *different* church – **in Maidan, we saw the *true* Church. The Church that does not hide behind monastery walls, that opens its doors to the mistreated, the Church that stands on the barricades, in the midst of shooting, and stops the gust of hatred and deadly fire. This is the Church. Otherwise, it ceases to be what it is. It must be firm in its spirit, but at the same time embrace entire society and every particular person.**

I will mention three sectors where the Church in its social incarnation can and should have a say, make its contribution to the victory of virtue and truth in this country.

The first one is to witness to the truth. We observe rapid spread of lies about Ukraine – in the neighbouring state, here, and all over the world. As a rule,

an information war precedes a hot one. A war starts not with the first shot on the battlefield – it starts with untrue words, manipulation of information and voting by immoralised hearts poisoned by lies.

Yesterday, the Roundtable again raised the issue of distinctions between us – as we have different cultures in different regions.² In reality, this is not a problem. Ethnic, cultural, traditional, confessional variety makes our country rich. There are more than 100 nationalities living in Odesa – and till the 2nd of May, everyone was glad and happy, until saboteurs came with that bloody provocation that in the end cost lives of dozens of people.

So, the problem lies not in the variety of Ukraine. The problem is that politicians use it to oppose different regions, to divide land, to set people against other people. This is a crime – and the Church should frankly speak about that. This will be the truth, along with unbiased information about the events in Ukraine.

Second – listen to the people. It was already said here that we are criticised for our alleged reluctance to listen. But who criticises us? Those who do not listen to their own voters. Why do oligarchs or politicians who did not do enough for our eastern regions to recover and calm down speak on behalf of the people? The Church has access to human minds and hearts, including in the East. So, our task is indeed to hear what people in the East say, how they live. They are our people, and we cannot entrust their fate to politicians alone, despite all our respect for them. We should be the voice of those people.

Third – the task set by Volodymyr Monomachos for his descendants: do not let those strong destroy a man. The Church faces the same task. In such circumstances, it should remain the consciousness of society and the state, which means that sometimes it has to play the unpopular role of John the Forerunner. It may seem that we are not heard – but the Church should speak up. It should speak on behalf of those who have no voice, who cannot demonstrate their pain and their needs. The effect will be seen.

Really, one cannot expect some immediate results, but the effect is already seen. We do not want to take the merit to ourselves, for it is God's grace, God's blessing that people wake up and unveil their healthy forces. The Church could hardly be a mediator in the dialogue. I would rather say, a catalyst of healthy forces present in society. We have healthy forces everywhere – in the political community, in business, in public institutions. Those healthy forces should speak up, join efforts and propose a detailed realistic programme of revival of our society, our state. In this respect, the state can rely on the Churches as partners, but first of all, as advocates with God.

In the end, I will repeat my starting point – the Church will be able to perform its social mission only if it remains what it is, if it maintains live communication of the people with God.

² Referring to the First All-Ukrainian Roundtable of National Unity held on May 14, 2014, in the premises of the Verkhovna Rada of Ukraine in Kyiv.



Mykola DANYLEVYCH,
Archpriest, Deputy Head of the
Department of Foreign Church
Relations of UOC

CONSCIENCE IS OUR EXECUTIVE POWER

During all this difficult period, the All-Ukrainian Council of Churches and Religious Organisations was united and repeatedly stated its principled position in support for the country integrity and independence. We also several times condemned separatism in our joint statements. So, against the background of all current socio-political problems and confrontation, we see a remarkable phenomenon of confessional peace and quiet. Nobody managed to shatter the inter-confessional community and to add an inter-confessional conflict to the existing ones. We owe this to all confessions. This is also an example of peaceful coexistence on the basis of mutual respect, given by the Church to the state and society.

The question was, what can the Church do? That is, it is a question for the Church. I guess that we should put the question differently – what should the state do? The thing is that it is not a church, inter-confessional or inter-religious conflict. If it were so, the question – what should the Church do? – would be logical. But we remain quiet. There were attempts to embroil us, but we keep the balance.

It is a socio-political conflict. And it would be better if the state and social forces listened to what the Church said.

Indeed, we have different cultures, languages, and two identities, conventionally: the eastern and the western. They lived peacefully and quietly until foreign forces came and used internal contradictions. So, first: the balance should be kept. The balance we keep in inter-religious, inter-confessional relations, we as the Ukrainian Orthodox Church, present in the East and in the West. We have always said that the balance should be kept. What we see now is the result of ruination of that balance.

I recall the example of Byzantium that had similar problems. There were the eastern and the western cultures – but they organically interacted. There was the Latin language that later ceded to the Greek. There was a religious variety – Orthodox, Arians, monophysites... Only the Emperors who balanced among those factors succeeded. So, the state should not take sides now but should assume the task of balancing different positions in society.

When they ask what the Church should do, there is a feeling that society and politicians want kind of a theocracy. I have already said: if you want us to do something, you should appoint church hierarchs senior state officials. Then, the state may demand from us certain actions. However, the times of theocracy have passed away. We have no army, no police, no tools of coercion – on which the state rests: we have the law and executive power. Conscience is our executive power. We as a Church should do only what a church should do. As it was said here, the Church should be what it is.

The real stand of the Church is that we stood in Maidan, supported that civic protest, but a *peaceful* protest. If there had been no Church there, there would have been much more blood, and it would have shed much earlier than violent clashes began in Hrushevskoho Street...

So I think, the point is that the state and society should listen to what the Church says.

CIVIL SOCIETY AND THE CHURCH MEET IN EACH OF US

The Church has no roadmap for politicians, for the state or for the military. State decisions are taken by officials, political – by politicians, military – by the military. The Church does its business. And the question “is the church a civil society institution in Ukraine?” may be answered indirectly, I guess.

Civil society and the Church meet in each of us, because we are the citizens, society members and parishioners at a time. And we should learn to separate those functions inside of us. If we are citizens, we should perform our civic duty in a difficult period for the state – no matter which Church we belong to. If we are believers, we should pray and follow the God’s commandments. If almost 80% of the country citizens say that they are believers, I guess that the percentage of believers among officials and politicians is the same. The Church reminds officials, politicians and citizens alike about the God’s commandments, the need not only to follow them, for instance, at home or during the divine service but also to implement them during the exercise of one’s state, civic or political duties.



Father Heorhiy KOVALENKO,
Head of the Synodal
Information-Educational
Department of UOC,
Press Secretary
of the UOC Primate

What can the Church do? It was said here that the Church had done a lot. I will add only one thing: the Statement of UOC Primate, His Beatitude Metropolitan Volodymyr (whose illness – and this is no secret now, too – was caused not only by the factors of his health, so to say), was released on November 30 – just a few hours after force was used against students. That Statement remains relevant even today. And the warnings made then, when it seemed that nothing happened, are also relevant today. The Church made statements, the Church was and is doing its business.

Can the Church perform its mission of a mediator? Of course it can, but under certain conditions.

First, if all parties to the conflict sincerely want its settlement and opt for the Church as the mediator. Can there be mediation, if there is no sincerity, if there are special services with their “special morality”? *Second*, if the church hierarchs, rulers and political leaders are ready to put the interests of the people above

their own. I intentionally did not single out church hierarchs, rulers and political leaders. I mean that we should take the real people who are here now. *Third* – if there are respected coordinators and participants of the process, as, for instance, the organisers and coordinators of our permanent Roundtable – it would not have taken place without their involvement.

And the last but not least – it will certainly be important for a believer: God willing. One should also be aware of that. God should not be excluded from the social, political and state process.

To sum up, I would like to release the results of the poll held by us at our portal (the oldest national religious resource “Orthodoxy in Ukraine”, now 17 years old). Of course, the poll is not representative, but it more or less reflects the opinion of the active church audience. The question was rather sharp: “*What can the Church do to put an end to armed confrontation in Ukraine?*”. Here are the results: summary data – 65% expect an active instrumental stand from the Church, only 12% – passive, 11% had a different opinion.

In more detail: 28% believe that the Church may “call upon citizens to lay down arms, and upon the state – to guarantee free manifestation of the people’s will”; 27% – “act as a mediator”; 21% – “pray and not interfere”; 10% – “anathematise all those who kill and give orders to kill people”. And only 2% said that “the Church can do nothing”. Such is the opinion of the active part of the UOC community.



Oleksa PETRIV,
Mitred Archpriest, Head of the
Department of Foreign Church
Relations of Patriarchal
Curia of UGC

TODAY, THE CONSTITUTIONAL PROCESS IS IMPORTANT

Can the Church perform its mission of a mediator in settlement of a socio-political conflict? Such a mission can be performed, if there is public demand for it – the developments in Kyiv and the speeches here show that there is such demand, even in the country’s East. There is such a request from society to churches and religious organisations. So this should be done.

The All-Ukrainian Council of Churches and Religious Organisations assumed the duty of mediation. If the authorities do something wrong – we will tell the authorities: you do wrong. If other, say, opposition structures do wrong – this should also be clearly articulated. But an excathedral call of churches seems the most efficient.

I wish to remind you that such calls were made at least twice – on February 26 and on March 24, 2014 – appeared in official documents of the All-Ukrainian

Council of Churches and Religious Organisations.³ Unfortunately, they do not always find an adequate response in society – maybe because our mass media does not properly circulate them.

Furthermore, in January 2014, in one of the items of the Communiqué of an extraordinary meeting of the All-Ukrainian Council of Churches and Religious Organisations we urged not to employ churches and religious organisations for political technologies.⁴ That call remains topical even today – since the practice of such employment, unfortunately, continues and complicates the search of a response to the question: *can* the Church perform the mission of a mediator?

Among practical issues, I would like to draw your attention to the very important process taking place in this country – drafting of the new Constitution of Ukraine. The All-Ukrainian Council of Churches and Religious Organisations as far back as in 2006 worked out and approved proposed amendments to the Constitution. They were more than once submitted to acting Presidents and to the Constitutional Assembly. The Concept of State-Church Relations in Ukraine was also finalised. It has never been approved by a Law of Ukraine, as it was proposed, but all changes to the legislation in the field of state-church relations were finalised by us on the basis of its approaches, and they effectively meet the principles declared in it.

It would be very nice if those changes find a place in the new Constitution of Ukraine. That is why the All-Ukrainian Council of Churches will probably submit the draft Concept to the relevant commission, for those who draft the Constitution to take that document into account. This is very and very important.

The second point deals with the Constitution. Since the hand of God made true the Russian saying – “*drop the mask*”, now we can clearly, unambiguously and intelligibly say who we are and to propose in the constitutional discourse that our state finally returns its authentic name. To say clearly and unambiguously: the name of our state is Rus – Ukraine. Then, all half-word, opposition of the Russian people to Ukrainian, historic stretch, in-depth setting of the people of Ukraine in its self-perception and self-identification will pass away immediately. I believe that we should talk about that. We should just mention that the title of the leader of one of the biggest Ukrainian confessions includes that name of the state.⁵

I will end with the words of our spiritual anthem: “God, all-mighty and only, guard Rus-Ukraine”.

³ See documents: Appeal of the All-Ukrainian Council of Churches and Religious Organisations on the occasion of the Day of Unity and Freedom of Ukraine, Statement of the All-Ukrainian Council of Churches and Religious Organisations following a meeting with the Chairman of the Verkhovna Rada, Acting President of Ukraine Oleksandr Turchynov published in this journal under the title “*Statements and Appeals of the All-Ukrainian Council of Churches and Religious Organisations in Connection with the Events of late 2013 - early 2014*”.

⁴ See the Communiqué of an extraordinary meeting of the All-Ukrainian Council of Churches and Religious Organisations of January 22, 2014. – *Ibid*.

⁵ The title of the UOC-KP Primate: the Patriarch of Kyiv and All Rus-Ukraine.



Vasyl RAICHYNETS,
Senior Presbyter of the Union
of Free Churches of
Christians of the Evangelical
Faith of Ukraine

THE PROBLEM IS NOT IN THE CHURCH AND NOT IN THE COMMON PEOPLE

The All-Ukrainian Council of Churches and Religious Organisations made a few appeals during those renowned events. We are grateful that those appeals were heard, and the people listen to them. But in the years of Ukraine's independence it so happens here that the Church is approached either before elections, or when the situation is all too bad.

I would like to remind all of us once again: the problem is not in the Church. We are grateful to God that the Church faces no problems from the East, West, North and South alike. The problem is not in the common people of Ukraine and Russia. I have just returned from Russia, from Moscow. Common people pray for Ukraine – the problem is not in common people. The problem is not in the Churches of Russia or Ukraine today. The problem is different.

So now, we should distinguish the Church as the Church, common people as common people, and the root of problem – politics and politicians. And I have one simple request and one piece of advice.

Ukraine has such an institution as the All-Ukrainian Council of Churches and Religious Organisations. Please give the hierarchs who belong to this institution an opportunity to speak on the most respected Ukrainian TV channels and address their – let us say, parishioners, or church members. I am absolutely positive: if the hierarchs, all of them, address their churches (and they make 92% of Ukraine's population, in the East and West) with a message of peace, fraternity, unity – this will produce an effective result.

Now, my advice for politicians: Ukraine has the Constitution, the law, and the Bible. Pay more regard to them, follow the law – and then, peace will come to our people. **And I believe that the near future of Ukraine will be blessed, rich, good and happy.**



Ihor LUKYANOV,
Assistant to the Senior Bishop
of the Ukrainian Christian
Evangelical Church

THE CHURCH SHOULD BE GRANTED MORE OPPORTUNITIES FOR INFLUENCE

As a representative of Ukraine's East, I wish to say that the Church in the East is praying. Maybe it did not come out the way it came out to Kyiv's Maidan, but it is praying. Its voice was heard at all Maidan rallies held in Donetsk (there were three or four of them). The Church came out and had a voice. It proclaimed what it had in its heart. It prayed for the people, and continues to pray.

But what goes on in the East? Mass media in fact has turned into the "means of mass destruction", they bring only gore and in that way shape views of the people living in the East, and those people see everything differently. That is why they react to the developments in Ukraine like that.

Given all this, I support the proposal regarding the Church's access to television. The Church always brings joy, relays to the people God's disposal, will, look, which it gets from Him through prayer. This can inspire people, lead them to positive thinking and positive actions. So we may have positive changes, when the Church gets an opportunity of permanent presence in mass media.

THE POSSIBLE FUTURE INFLUENCE OF THE CHURCH IS BORN TODAY

I consider the subjects formulated for our discussion here also very important for discussions within confessions.

So – *is the Church a civil society institution now?* I am pessimistic, in my opinion – no. But the Church is growing a civil society institution now, not least of all – under the influence of Maidan. Unfortunately, Ukrainian society associates the Church influence mainly with its religious activity – sermon, Sunday schools, education, charity. And despite 22 years of independence, the relations between the Church and society are generally shaped by the remnants of the communist ideology, as there are too many its bearers.

Exactly they – former Communist and Komsomol functionaries – today influence the central and local authorities, political parties, local self-government bodies, public organisations. Furthermore, the overwhelming majority of Ukrainians show their religiosity at big religious holidays, sacral events of their life, and when nothing else can help them.

Can the Church be a mediator in settlement of the socio-political crisis now? Rather – not, today – definitely not, because Ukrainian society over the long period of its formation and development of our church history gave the Church a ritual function. Its activity is confined to religious buildings and places of worship. Maidan was the first instance in independent Ukraine when the Church broke out of this vicious circle. It is also a problem for the Church. Over its millennium-long history, it failed to become an organic part of society, especially if we compare with the role the Church plays for our neighbours – Poles or Germans.

So, today, Ukrainian society is not ready and not able to hear the voice of the Church even at a time of a crisis. But the Church, too, does not enjoy sufficient respect in society, despite the high level of public trust, exactly because of centuries of parallel development: society was developing on its own, the Church – on its own.

What can the Church do now? The right path is chosen by those local parishes that concentrate on serving the needs of their local communities: care about



Mykola ROMANIUK,
Senior Pastor of the Irpin
Biblical Church

children, youths, elderly and handicapped people, deal with addictions (alcohol, drugs), and try to help solve the problems of prostitution, juvenile crime, etc.

We see active presence of Christians in Maidan – in continuous prayer and help. We also see regular inter-confessional prayers and prayer meetings that became customary for local communities of big and small cities and towns.

The possible future influence of the Church is born today, starting from the mission of spiritual education and continued in the public charity sector. The Church will be a mediator, but later – when its role in society changes from ritual to that of a strong factor of charity and education, and a prophetic voice showing the direction and revealing negative manifestations in all spheres of life of Ukrainian society, from communities to politics.



Liudmyla FYLYPOVYCH,
Head of the Section of History
of Religion and Practical
Religious Studies, Department
of Religious Studies of the
Institute of Philosophy of
the NAS of Ukraine

THE TASK OF EXPERTS IS TO PRODUCE AN UNBIASED ASSESSMENT OF EVENTS

Our Round-table is called “Religion and the authorities in Ukraine”, but I think that we should consider a wider problem. As regards the authorities, over the past four years the Churches had rather a negative experience of contacts with them. So it will be very difficult to return to the track of relations termed in the draft Concept of State-Church Relations as partner-like. We still do not know what partner relations mean, what exactly they envisage. They are stipulated by the Concept, but to what extent does it reflect the consciousness of believers, leaders of religious organisations, the consciousness of a rank-and-file Ukrainian citizen now?

Maidan showed that the churches address not the authorities but society, civil society. So, the formulation of the Church as a civil society institution may rightfully be used. I do not share extremely pessimistic assessments of the role of the Church as a civil society institution. Maybe such assessments reflect some personal experience of a specific Church or religious organisation. But representatives of the UOC-KP and Greek Catholics, Jews and Muslims who stood in Maidan already identified themselves with society.

I also believe that the responsibility and functions of the state should not be shifted on the Churches. There are things why can and must be done by the state; its indifference is another problem. In such situation, we should remind the state, in particular, the Ministry of Culture and the Ministry of Education that in fact used to work against both churches and civil society, what functions they are to discharge.

Today, civil society, secular institutions and the Churches alike are ready to help the state with solution of the current urgent problems. However, not we – the Churches themselves will decide what about and how they should talk to society. What is required from experts? Critical analysis of the developments in society. Not to tell the Churches and authorities what they should do, but to produce an unbiased assessment of events. The Churches and their hierarchs are well aware what they should do. Everything that was said here by representatives of the Churches and religious organisations really represents their views, and we should just take note of them.

**EXPECTING ASSISTANCE FROM THE CHURCH, ONE SHOULD
CREATE A PROPER LEGISLATIVE FRAMEWORK FOR ITS ACTIVITY**

First of all, I would like to stress that the churches and religious organisations for many years have been active in the socio-political life and law-making. Both during the developments in Maidan and under the Russian aggression, the Churches firmly stand in defence of moral values and the truth, respond to the challenges faced by society and requiring a response. We see an active stand of the Church.

Until now, the Churches have acted in relations with the state in accordance with the biblical principle: “Knock, and the door will be opened for you”. The Churches knocked – and waited, when it will be opened? The main problem today is to listen, finally, to the voice of the Churches.

For many years, the law-makers, the Government, representatives of the state mainly acted like this: we take a decision, and then try to deal with its negative effects with the assistance of the Churches. First, we complicate registration of religious organisations, and then think how to deal with that. First, we level the rates of utilities and natural gas for religious organisations up to those of business companies, and then think how the Churches will heat temples, arrange for proper conservation of architectural monuments, etc.

The same refers to the humanitarian assistance. This is what the Churches care about, without which society, unfortunately, cannot do today, for there are many problems with poverty, with low-income people, orphans, orphanages, residential homes for the elderly, hospitals, assisted by the Churches. But instead of streamlining the bureaucratic procedure of getting and distributing assistance, it is further complicated.

As far back as a year ago, the Churches proposed to reinstate the Commission for humanitarian assistance under the Cabinet of Ministers that used to solve issues of admission of humanitarian assistance rather quickly. This was important not only for simplification of the procedure but also to diminish factors of corruption. The Commission was not reinstated.



Maksym VASIN,
Executive Director
of civil organisation
“Institute of Religious Freedom”

Second: excessive reporting on distribution of humanitarian assistance. Sometimes this is so much the case, that everyone who gets a free Bible must give a notice of its receipt. The stockpiles of the required papers are so high that even those who are ready to obtain humanitarian assistance and distribute it in Ukraine give up, because they cannot manage that tide of bureaucracy.

So, today, the legislators, the Government, public boards under ministries and agencies should more fruitfully cooperate with the church community. In particular, there should be a mechanism of a permanent dialogue between Parliament and the All-Ukrainian Council of Churches – to work out the religious policy. Not to patch holes emerging due to adoption of laws neglecting religious aspects, but to work proactively. The Concept of State-Church Relations in Ukraine should finally be adopted – as kind of the basis for further law-making in the sector.

And then, in a close dialogue with the churches and religious organisations, answers should be found to the questions: what should the moral education component look like in education? May religious organisations found educational establishment in accordance with the state educational standards? How will preaching be organised in the army, in places of detention, including pre-trial investigation facilities? There is an urgent need of legislative regulation of those issues.

So, expecting assistance from the Church in certain social and political situations, one should create a proper legislative framework for its activity where it could efficiently perform its spiritual and social functions among believers and entire society.



Pavlo UNHURIAN,
National Deputy of Ukraine
of the 6th convocation,
Head of the inter-faction
parliamentary group
“For Spirituality, Morality
and Health in Ukraine” in
the Verkhovna Rada of
Ukraine of the 6th convocation

THE SYSTEM CAN BE CHANGED ONLY BY CHANGING THE WORLD OUTLOOK

I believe that time has come in Ukraine for the Church as a lead force that can seriously help, maybe – fundamentally change the situation. I would like to make clear just three points, what the Church can really do in such a situation.

The first one is to step up promotion of true values.

The victory of Maidan achieved at the cost of a terrible tragedy may be turned off, unless the society, Ukrainians change in their souls the approach to the values, their perception, and live in accord with true spiritual values, the main of them being faith, honesty, decency, integrity. We see new faces in the structures of power, in local self-government bodies. However, Maidan demanded replacement of not the faces in power but of the system of power. Meanwhile, the system and consciousness can be changed only by changing the world outlook of every person. The role of the Church here is to implant true

values. Let us do this together, because unfortunately, Maidan may again be vane. There will again be the same corrupt society, the consumer philosophy of wishes and their satisfaction.

The second one is to step up prayer. Beyond doubt, state leaders have a prominent role here. Let us recall Lincoln who twice announced national days of lent and prayer, which made it possible to end the civil war and to unite in a strong state. This is a good example for us. Today, we are in fact building independence, and it is very important for us to step up prayer. Maybe, a national day of prayer should be proposed.

Now, we together with the Christian mission of social workers distribute in the East of Ukraine hundreds of thousands prayer books with texts that saved, calmed down, inspired people for millenniums. This is what we can do: unite people in a prayer, irrespective of the confession and views.

The third one is the “media presence” of the Church, already mentioned here. I entirely agree that it is the time and a chance for spiritual leaders to be actively present in the media. We are ready to help such popular programmes as the Freedom of Speech on ICTV, Shuster LIVE on the First National TV Channel to be not just a political ring but a serious discussion, where the presence of reverend fathers, philosophers and theologians would be welcome.

THE CHURCH IS TO SHOW AN EXAMPLE OF UNITY

According to the Constitution, the Church is separated from the state. But on the other hand, the Church is a social institution – one of the most powerful, influential and at the same time original ones, since only the Church does not deal with material values but shapes the world outlook, the vision of the processes taking place around every person.

The ideologist of the Ukrainian nationalism Dmytro Dontsov once said that two things were needed to build Ukraine: to convert the Ukrainian population to Christianity, and to raise the leading Ukrainian stratum, irrespective of clans, area, religion, status, etc. So, 100 years ago faith ranked first in Ukrainian state-building processes and remains on the top today.

I would formulate the second item of our discussion as follows: “What can the Orthodox Church do in the present socio-political situation?”, and would answer in two words: show example. Show that the East and the West are together, that we are one nation, we have one history, one prayer. And for that – I appeal to our clergymen as a citizen and as a politician – commence a high-level inter-confessional dialogue to create a strong spiritual theoretic pro-Ukrainian national



Volodymyr STRETOVYKH,
National Deputy of Ukraine
of the 2nd, 4th and
6th convocations of
the Verkhovna Rada

patriotic union – the United Ukrainian Local Orthodox Church. This will solve great many problems retarding our progress for 20 years. This is my first point.

The second point. I know that until recently, former Prime Minister Mykola Azarov has been the warden of the church community of the Kyiv-Pechersk Lavra Dormition Monastery. I have a question: did confessors of that temple speak to those people and tell them that they stood on a slippery slope?

In this connection, as a citizen, as a patriot, I insistently ask our clergy: be aware of your role of a spiritual power, preserve its purity, remember that today the Church is needed as never before, that society trusts you the most, politicians – the least. **If spiritual power does not guide political, yields to it – our state will have no future even after this Maidan.** It will see another Maidan – until complete purification at all levels. As the Bible says: No one pours new wine into old wineskins... Is what we dreamt about in Maidan coming true? Unfortunately, not. But its implementation depends also on our spiritual leaders.

So I wish to once again turn to representatives of the Ukrainian Church, Ukrainian Orthodox Churches, to organisations, to remind the slogan: the power of the people is in unity, God give us unity. If we had such church unity – believe me, Ukraine would begin to change.



Oleh KYSELIOV,
President of the Youth
Association of
Religious Scholars

THE CHURCHES SHOULD CONTROL NOT ONLY THE AUTHORITIES BUT ALSO WHAT GOES ON WITHIN THEMSELVES

The first question of our discussion is “*Does the Church represent a civil institution in Ukraine today?*”. First of all it should be said that civil society is not something steady, society is always in transition, we cannot come to a certain point and say: that is all, we have civil society now. **Civil society is a process that involves the control over the authorities.**

Therefore, it seems more correct to formulate it like this: “*Is one or another Church a civil society institution?*”. Even here, some say: “yes we are such an institution”, others say: “yes, but we are not quite ready yet”, yet others – “no, this is not our function”.

The Church potentially can be an active participant of civil society building, may be kind of an arbiter, can make statements that influence the authorities, Ukrainian society – and makes them (or the All-Ukrainian Council of Churches makes them). But certain actions made “yesterday” do not mean that the Churches are institutions of civil society “today”. For that, they should act continuously. Doubts in the Church capabilities expressed here are

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justified – also because it was said that we do not want to assume functions of social or political institutions. Here are two points in this connection.

First. No one demands or will demand from the Church substitution of certain institutions. What it can do is control. Of course, statements of the All-Ukrainian Council of Churches and Religious Organisations are important, useful, but the role of the Church as a civil society institution is not confined to statements. Yes we have good examples of activity of public boards of ministries and committees involving Churches. But look which of them are successful – those dealing with the issues of immediate interest for the Churches.

For instance, education. The Churches have some problems with recognition of theology, they want some influence on spiritual and moral disciplines. There, they succeed. But I have never heard of a board under the Ministry of Social Policy – if there is one, we do not know what goes on there. Meanwhile, it is apparent that that Ministry should also be important for the Church and its social activity – if we speak about social doctrines, social teachings of the Churches.

Second. The Churches should control not only the authorities but also what goes on within themselves. I would like to elaborate in the context of UOC. We know that so-called “political Orthodoxy” was denounced, but its organisations are active. There was a report about arms distributed in one temple in Odesa – later, it was officially refuted, but nobody was surprised that such a report had appeared. There was a report about contacts the Church maintained with separatists in Donbas... We should have spoken about it not now but earlier, when the mechanisms activated now might have been conceived. In reality, it is unimportant whether arms were distributed or not. What is important is that such reports look trustworthy...

Now back to the initial idea: for the Church not only to be aware of its potential of a civil society institution but also to be an active actor, apparently, first of all everything should be done for the Churches to solve issues that bother them: religious education, theological education, humanitarian assistance, rates, etc. Only when the Church solves those issues, it can solve other issues, solution of which is demanded by society. As we see, society expects from the Church action, because it enjoys respect in society. It is also evident that society is waiting for its respect to be used in the dialogue with the state.





Ruslan KUKHARCHUK,
President of the Novo-Media
Association

ONE OF THE MAIN MISSIONS OF THE CHURCH AND MASS MEDIA TODAY IS PEACEKEEPING

Exactly 20 years ago, one of the most tragic events in the human history took place – genocide in Rwanda. The rate of extermination of the country population exceeded that of extermination of people in German Nazi concentration camps. Courts established that mass media played a key role in that tragedy. Genocide occurred as a result of overt propaganda of hatred, imposition of mutual disdain upon two tribes in one country, instigation of ethnic conflicts by mass media.

Today, it was also said that mass media (in Russia – totally, in Ukraine – partially) do not perform a peacekeeping mission the way they should. The tension of the situation has a strong inter-ethnic, inter-national input. I personally felt it, when stayed imprisoned in Slovyansk for 13 hours. I was questioned, in particular, because of the Ukrainian settings in my mobile, and beaten up for it. Then I realised that we were approaching very dangerous trends promoted, in particular, by mass media.

Beyond doubt, Novo-Media Association is ready to contribute to increased media presence of the All-Ukrainian Council of Churches and Religious Organisations as the largest inter-confessional organisation in Ukraine. We will insist on obligatory participation of an authorised representative of the church community in the most popular political talk shows – on the First Channel, on ICTV.

The second point. The Law “On Public Television and Radio Broadcasting in Ukraine” has been adopted recently. It provides for the creation of the Supervisory Board of the National Public Television and Radio Company of Ukraine, to include, in particular, representatives of nine all-Ukrainian public associations active in the fields of science, education, physical culture and sports, journalism, human rights, protection of the interests of children and youths, defence of rights of handicapped persons, local self-government, in the fields of arts. That is, the biggest public organisation in Ukraine – the Church – is not represented in the Supervisory Board. This is nonsense.

To be frank, I partially take the blame upon myself. Now we will do our best to correct the situation. But the All-Ukrainian Council of Churches and Religious Organisations should also prepare a relevant appeal to those who have the legislative initiative. Its representatives must be present in the Supervisory Board. We will correct the situation together – because today, peacekeeping, beyond doubt, is one of the main missions of the Church and mass media. We cannot admit the media space further serving not unity but enmity and divide. For that, in particular, the Church should get free access to mass media, first of all, to television. For the Rwanda events not to repeat here.

THE CHURCH INFLUENCES SOCIETY, BUT SOCIETY ALSO INFLUENCES THE CHURCH

Is the Church an actor of civil society? Beyond doubt, it is. But if we look deeper, it seems to me that the answer to this question depends on every separate religious community and, respectively, on every separate priest who guides and fosters a religious community. That is why the assertion that the Church is already an actor of civil society seems premature – even with account of the different opinions expressed here today. This may be an assignment for the future, of which we should think together. In particular, think about cultivation of responsibility, public activity of priests, maybe beginning from seminaries and spiritual academies.



Yuriy RESHETNIKOV,
Head of the State
Committee of Ukraine
for Nationalities and
Religions (2009-2010)

Second: the Church and its influence on society. One of the problems is that of delivery of the Church message to society. On one hand, we see inspiring figures that 80% of the country citizens know about the Appeal of the All-Ukrainian Council of Churches and Religious Organisations of December 10, 2013. On the other – the All-Ukrainian Council of Churches and Religious Organisations makes some appeals important for priests and experts, but a large part of society does not know about them.

The Churches for years speak about access to the air on the national TV channel. I guess that this should have been taken into account and envisaged during the creation of the public television. And so far – give the Church access to the First National TV channel, at least, given the need of “sewing” the country together. The Church could make a serious contribution to the solution of this problem.

Third: the problem of a dialogue between the Church and the authorities. We have already heard here about the good experience of activity of public boards under ministries and agencies. That experience was gained before 2010. Today, it should be effectively restored. Similar public boards should be created under other ministries and agencies, whose activity is of interest in terms of joint work of religious institutions and state bodies – under the Ministry of Social Policy, the Ministry of Youth and Sports, maybe some other.

It is also very important to restore the activity of the Commission for guarantee of rights of religious organisations under the Cabinet of Ministers of Ukraine, now existing only formally. Meanwhile, exactly that Commission could “remove” rather serious and painful problems arising between the religious community and specific state bodies.

In the end, a few words about the problem of cohesion of some Churches. There is much talk about the Church's responsibility for education of society. I think that the dependence is mutual: the Church influences society, but society also influences the Church. People come to the clergy from society, brought up in specific conditions. So we should at least not forget about that.



Mykhailo BODIUK,
Ministry of Culture of
Ukraine, State Department
for the Affairs of Religions
and Nationalities

THE TASK IS TO CREATE HORIZONTAL TIES

As we speak about civil society building, I recall the situation with a presidential Decree of 2006 that set the task of raising the culture of the population to a new level and reporting about that. It prompted a question – by how many percent to raise the culture of the population, and how to report on it? The situation with civil society building is very much the same.

Questions should not be put like that. Civil society is built by individual citizens. The Churches, church institutions, state institutions help to build this civil society. And of course, church institutions are members, or element of civil society by definition. They cannot but be the ones. The only question is whether such [good] civil society has been formed? Is it active? And I see a leading role of the Church in building such civil society in our Ukrainian realities.

I would also like to note that what we see in the East now is also important. Why? The efficiency of propaganda is high. It involves the process of transition of our Ukrainian society from a mass society, with strong vertical ties and influence of mass media on an individual, on one hand, and very scanty horizontal ties, on the other: when people communicate too little with one another via different public institutions. That is why I see our main role and task in creation of such horizontal ties, in active work with the population, with the people, in an inter-confessional dialogue and a dialogue of confessions with the authorities – both for defence against propaganda of enmity and for creation of preconditions for civil society building – the way it should be.



Roundtable, May 15, 2014

RELIGIOUS CULTURES AND DE-SECULARISATION IN UKRAINE



Viktor YELENSKYI,
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 Visiting Expert of the Razumkov Centre*

In early 2010, President-elect Viktor Yanukovich made an attempt to fundamentally change the system of state-church relations formed in Ukraine over almost 20 years of independence. Its milestones included admission of religious pluralism, equality of religious organisations before the law, impracticability and gravity of attempts to undermine the balance of forces on the religious map of the country. However, the President – literally from the first day of his office – proclaimed a new direction of the religious policy. Its essence lied in special relations with the Moscow Patriarchate and Patriarch Cyril, discrimination of the Kyiv Patriarchate, aversion to Greek Catholics, desire to control the church life and strongly influence the political behaviour of the clergy and religious leaders. Changes in the church policy were accompanied (and facilitated) by changes in the educational, cultural and language sectors, the policy of historic memory and identity-building.

I. In 2010 - early 2011, Viktor Yanukovich met Patriarch Cyril several times but demonstratively ignored requests for a meeting from the All-Ukrainian Council of Churches and Religious Organisations. On the Christmas of 2010/2011, he similarly demonstratively congratulated only the Orthodox and “forgot” about three and half million Greek Catholics who celebrate Christmas under the Julian calendar. The country saw pressure on priests and parishes of the Kyiv Patriarchate, persistently pushed to join the Moscow Patriarchate. It was not a “local overreach”, since Viktor Yanukovich obtained the plenitude of power in the country, and such things could not take place without a push from above. More than that, there were clear signals “from the field” of orders to treat the Moscow Patriarchate as “the main Church”, and to mistreat the Kyiv Patriarchate. Officials obeying wishes of their superiors avoided meeting with the Kyiv Patriarchate hierarchs, whom they had assured in their love for the “native Church”. Many businessmen suspended their church projects. It was a real attempt to “reshape” the national religious space.

Society rather quickly realised the nature and trend of changes. In 2010, 29% of those polled believed that “the authorities equally treat all religious organisations in

Ukraine”, 23% – in 2013, while the number of those who believe that “there are Churches treated by the authorities better than others” substantially increased – from 24% to 35%. The number of people thinking that “there is complete freedom of conscience and equality of confessions to the law” in Ukraine dropped by 10%.¹ The index of restriction of the freedom of religion by the government also sharply deteriorated.²

However, the religious space was not “reshaped”; the Orthodox communities, which were pushed to change jurisdiction, put up tough resistance, and UOC MP did not hurry to share responsibility for persecution with the authorities. Although curtailment of religious freedom was noted both in Ukraine and abroad, “the most pluralist religious market in Eastern Europe”³ did not surrender to Viktor Yanukovych. In his Annual Address to Ukrainian Parliament in 2011, the President announced the principles of state-church relations clearly contradicting all his previous actions in that field.⁴ This actually meant recognition of the fallacy and failure of the new religious policy”. However, the authorities did not give up their policy of toughening control of the Church activity, conducted special operations intended to tame hierarchs and win their loyalty to the increasingly unpopular regime and pushed legislative changes marking a return to the Soviet methods of spying after religious organisations. But still, a *Blitzkrieg* in the church sector failed.

II. The failure of the confessional policy of the administration of Viktor Yanukovych in 2010-2011 might have caused much greater interest among analysts than it actually did. The thing is that in that period, Viktor Yanukovych managed to change the Constitution of the country, the election law, to imprison the opposition leaders, to deliver a strong blow at the Ukrainian parliamentarism, to subordinate the Constitutional Court and the court system as a whole. However, the goals set in the religious domain were not achieved.

The reason lies in the type of the religious culture that put up such strong resistance to state pressure. It should be admitted that that culture has much stronger roots, feed and support in Ukraine than the young and vulnerable democratic political culture.

The power of resistance depends on presence (absence) of mass support for a specific religious institution. Its presence or absence depends on a number of

¹ Data of Razumkov Centre studies conducted in November, 2010, and February-March 2013. Unless specified otherwise, presented hereinafter are the results of studies of February-March 2013. The figures were rounded to integers. For more detail see: Ukraine-2013: state-church relations. – *National Security & Defence*, 2013, No.1, p.7, 15-40, <http://www.razumkov.org.ua>.

² Pew Research Center's Forum on Religion & Public Life: Tide of Restrictions on Religion. – Washington: Pew Research Center, 2012. – p.62.

³ According to the known U.S. sociologist of religion Jose Casanova. – Jose Casanova. Incipient Religious Denominationalism in Ukraine and Its Effect on Ukrainian-Russian Relations // *Harriman Review*. – 1996. – Vol. 40. – p.9.

⁴ Modernisation of Ukraine is our strategic choice: Annual Address of the President of Ukraine to the Verkhovna Rada of Ukraine. – Kyiv, 2011, p.42-43 (*in Ukrainian*).

historic factors, the most important of them being the role of religion and – not less important – a concrete religious institution in the process of nation-building and/or in certain dramatic periods of the national history (such things themselves are elements of the nation-building process, for a nation is not a still entity but, according to Renan, a “daily *plebiscite*”). That role grows strong or even decisive, if: *a*) the borders of an ethnic group transforming into a nation coincide with religious borders; *b*) religion is the main or very strong attribute differentiating a new-born nation from the nations, with which it usually compares itself and from which it seeks separation; *c*) a nation-building ethnic group loses other important attributes of a collective identity (the language or a common territory), *d*) the Church is the best institutionalised nation-building force.⁵

For instance, in Ukraine of the late 19th - first third of the 20th century the Greek Catholic Church played a prominent role in building the identity of Galician Ruthenians and, finally, in their self-identification as Ukrainians.

As regards Orthodoxy, it was a stronger factor of identification in the areas where it actually presented kind of a watershed. Describing mid-19th century, observers note greater religious enthusiasm of the population in three Governorates on the right bank of the Dnieper – of Volyn, Podolia and Kiev, compared to Slobozhanshchyna and, especially, the Governorates of Yekaterinoslav, Kherson and Tavria. Ukrainians on the right bank, for whom, Orthodoxy was a native peasant faith opposing the faith of Polish landlords and Jewish craftsmen and dealers (even at the end of the 19th century, Russians made only 3-6% of its population), demonstrated much steadier religious behaviour. There, churches were built at the expense of peasants proper (not of the authorities, as in the South), peasants themselves founded and maintained parish schools. There, the authorities’ campaign of *Russification of the land* led not to formation of a *common Russian consciousness* but to the emergence of a very specific ethno-religious identity. The fact that in the early 20th century Volyn was a centre of the *Union of Russian People*⁶ unexpectedly for many turned a strong aspiration of the Orthodox in interwar Volyn for autocephaly of the Orthodox Church.⁷

III. The developments in Ukraine in the last quarter of the century (termed by journalists as religious renaissance”, and by many religious sociologists – as de-secularisation”) take different forms in different regions. An American sociologist Vyacheslav Karpov proposed to view de-secularisation as a process of counter-secularisation, in which religion restores its social importance. Dependent

⁵ For more detail see: Yelensky, Viktor (2005) Globalization, Nationalism and Orthodoxy: the Case of Ukrainian Nation Building In, *Eastern Orthodoxy in a Global Age: Tradition Faces the Twenty First Century*. Walnut Creek, CA: Altamira Press, p.144-178.

⁶ Omelchuk I.V. Strength of the *Union of Russian People* in 1907-1914 in right-bank Ukrainian Governorates. – Belarus and Ukraine: History and culture. Yearbook 2005/2006, Moscow, p.156, 160 (*in Russian*).

⁷ Borshcheych V.T. Ukrainian Orthodox Church in Volyn in 1920s-1940s. Synopsis of a thesis by Ph.D. (History). – Lviv, 2000, p.16-17 (*in Ukrainian*).

on who initiates and drives de-secularisation, it may take place “bottom-up” and “top-down”: “bottom-up” – when it is performed by self-organised communities and masses of believers; “top-down” – when it is initiated and pushed by the elites, political and religious leaders.⁸

How was Ukraine de-secularised? In the year of Millennium of the Baptism of Rus that may be taken as the starting point for the changes, 56% of all religious communities in Ukraine were concentrated in seven West Ukrainian regions, while in Donbas, their share was below 5%, in Dnipropetrovsk and Zaporizhyya regions taken together – 2%, and so on. However, when it became possible to freely set up religious communities, this was primarily done not in secularised regions but again in the country’s West, where rank-and-file people were the main drivers of de-secularisation. Those people *en masse* applied for registration of charters of new parishes, restored decayed churches returned to them, built new ones – mainly, for their own account.

In mid-1990s, 40% of all religious communities were still concentrated in Galicia and Transcarpathia. When did the situation begin to change? When the elites of the South and East that previously ceded the spiritual and cultural sector uninteresting for them to nationalists” in exchange for freedom of action at redivision of formerly public property thought of legalisation of their assets and influence. They began to view Orthodoxy as an important ideological asset, and the Church – as a factor of political mobilisation and building a regional identity. Churches were built in Donbas: while in 1992-1997, 21 of them were built there, in 1998 alone – 13, in 1999 – 43. They were built not by miners or steelmakers but by businessmen and executives. For instance, billionaire Viktor Nusenkis founded 50 Orthodox parishes at his concern *Energo*, built 35 churches and opened 15 chapels; the Press Service of Prime Minister Viktor Yanukovych reported that in 1996-2002, 63 churches were built and 35 were restored under his sponsorship.⁹ Meanwhile, say, an attempt of the Dimitrov city authorities in Donetsk region to engage miners to build a church and to prompt them to transfer their one-day wages for that purpose met strong resistance.¹⁰

This is an example of typical “top-down” de-secularisation. It differs from “bottom-up” de-secularisation by the fundamentally different, smaller involvement of rank-and-file people in the Church affairs. For instance, 29% of those polled in the country’s West and only 4% in the East regularly financially support their Church; 7% in the West and 37% in the East never provide such support. Among the Orthodox who belong to a specific Church, a bit more than 13% regularly support their Church, among Greek Catholics – 28%.

⁸ Karpov V. Desecularization: A Conceptual Framework // Journal of Church and State. 2010. Vol.52. No.2. p. 232–270.

⁹ Viktor Yanukovych visited Dormition Lavra of Svyatohirsk. – CMU Press Service, July 29, 2004, <http://www.kmu.gov.ua> (in Ukrainian).

¹⁰ People in Donetsk region are forced to donate for an MP church – MP. – *Podrobnosti* web site, June 16, 2011, <http://podrobnosti.ua> (in Russian).

Naturally, much greater involvement in the affairs of the Church and a local religious community prompts much higher assessments of the social role of the Church and higher levels of trust in it. 75% of those polled in the country's West believe that the Church plays a positive role in Ukrainian society, while in the East – 39%; this opinion is shared by 65% of UOC MP believers, 67% – of UOC-KP and 82% – of UGCC. The absence of any significant role of the Church was reported by 16% in the West and 41% in the East; almost 30% of believers of UOC MP, 25% – of UOC-KP and only 12% – of UGCC. In case of “bottom-up” de-secularisation, people tend to believe that the Church stands in defence of the interests of the poor and destitute rather than of the rich and mighty.

“Top-down” de-secularisation bears noticeable institutional effects materialised in the built structures, endless consecrations of public events and offices, but is not accompanied by serious changes in religious behaviour. For instance, in Zaporizhyya and Dnipropetrovsk regions, the number of religious communities within a quarter of a century increased 20-fold, in Kherson region – 15-fold, while only 4.9%, 3.8% and 2.1% of their residents, respectively, go to church once a week or more often. By contrast, in Volyn region, 19.5% of residents visit the divine service once a week or more often, in Khmelnytskyi region – 20%, in Ternopil region – 36%, in Ivano-Frankivsk region – 40%, in Lviv region – 49.4%.¹¹

Finally, “top-down” de-secularisation does not influence social morality. Say, the regions of Ukraine whose population demonstrates the steadiest religious behaviour occupy the last lines in the ratings of crime, suicides, abortion, etc. per 100 thousand residents.¹²

By the way, examining “top-down” de-secularisation in Russia, Vyacheslav Karpov predicts that in the end result it will lead to a serious decline of piety among Russians and exit of young and educated people from ROC.¹³

IV. Ukraine sees two very different models of de-secularisation – “top-down” and “bottom-up”, bearing a clear regional character – which could deepen already strong regional differences, widen confessional divides and, finally, seriously obstruct the process of national unification. However, some factors secure Ukraine against such a scenario. First, West Ukraine and Donbas present two poles, two extremities and two ideal types of de-secularisation.

¹¹ A poll conducted within the framework of an international study “Region, Nation and Beyond. A Transcultural and Interdisciplinary Reconceptualization of Ukraine” in April, 2013. 6000 respondents aged above 18 years were polled in all regions of Ukraine.

¹² See: Dombrovska V.V. *et al.* How to decrease the number of suicides in Ukraine: Draft of a interdisciplinary programme of suicide prevention (civic initiative). – Odesa, 2007, p.12-13; Statistic yearbook “Regions of Ukraine 2009”. – Kyiv, 2009, p.340. On the other hand, such correlation between religiosity and civic behaviour is not observed: for instance, although cases of bribe extortion by officials are more customary in the South and East of the country, in the West, bribes are more often offered voluntarily. See: Corruption in Ukraine: Comparative analysis of nation-wide surveys: 2007-2009, 2011. Report of public opinion poll results. – Kyiv, 2011, p.34-38 (*in Ukrainian*).

¹³ Karpov Vyacheslav (2013) *The social dynamics of Russia's desecularization: A comparative and theoretical perspective*. Religion, State and Society. Vol.41. Issue 3, pp.254-283.

Between them lies Central Ukraine, where those two models coexist and “work” in parallel. Even Donbas, upon a closer view, does not present a distilled model of “top-down” de-secularisation. Even there, we see “bottom-up” de-secularisation. In particular, its agents include Evangelic Protestants, who set up 43% of religious organisations in Donetsk region, while the Orthodox of all jurisdictions, including the Church Abroad and Old Believers – 48%.

Second, all key religious actors in Ukraine have exceptionally pan-Ukrainian rather than regional aspirations, which was more than once stated by their leaders.¹⁴

Third, religious pluralism and competition of religious actors does not mean their irreconcilable antagonism. Public opinion polls witness to the contrary. Only a small minority of the polled Orthodox and Greek Catholics believes that only their religion is true (19% of believers of UOC MP, 13% of UOC-KP and 12.3% of Greek Catholics). Meanwhile, 37% of believers of UOC (36% – UOC-KP and 40% – UGCC) suggest that “Any religion that proclaims ideals of virtue, love, mercy and does not endanger the existence of other people has the right to exist”.

It is especially interesting to compare the attitude to UOC MP and UOC-KP in the regions where inter-Orthodox relations are not cloudless. For instance, in Volyn, UOC is “well” treated by 81.5% of those polled, UOC-KP – by 94.6%; in Transcarpathia – 81.1% and 93.8%, respectively, in Rivne region – 77% and 80%, respectively. UOC is “badly” treated by only 5.4% of those polled in Ukraine, UOC-KP – by only 1.8%.¹⁵

Fourth, despite the tough competition in the Ukrainian religious space, Churches managed to formulate common demands on the authorities and their own agenda of the most urgent social problems. Three Orthodox, Greek and Roman Catholic and Armenian churches, along with the largest Protestant unions, Jewish and Muslim associations, united in the All-Ukrainian Council of Churches and Religious Organisations, put forward important initiatives going beyond the limits of state-church relations. In 2011-2013, church hierarchs and religious leaders put forward their own programme of recovery of social morality; sought the right to solicit for pardon of sentenced Yuliya Tymoshenko and sent an appeal for her pardon to the President; demanded cancellation of the language law of Kivalov-Kolesnichenko adopted by the pro-presidential majority in Parliament that, in their opinion, contributed to a split in Ukrainian society; twice convinced European officials in Brussels that the EU should sign the Association Agreement with Ukraine in November 2013. In response to a call of UOC MP, UOC-KP, UGCC hierarchs, the First of December movement was created and set the goal “to form a critical mass of citizens who can live in freedom and truth, assume responsibility for their deeds and promote a moral policy and common good”.

¹⁴ This is especially true for UGCC, that has 80% of its parishes in Galicia, another 11% – in Transcarpathia and but very clearly articulates and claims its pan-Ukrainian status: See, e.g.: His Beatitude Liubomyr Huzar: “We are not a provincial Church somewhere at the age of Ukraine, where they wanted to push us”. – *Vysoky Zamok*, April 21, 2011 (in Ukrainian).

¹⁵ A poll conducted within the framework of an international study *Region, Nation and Beyond...*

V. Concerted actions of religious leaders became an important sign of restoration of the social importance of religion. Noteworthy, unification of the religious community (despite the evident non-linearity of that process and presence of not only agents of such unification but also of staunch counteragents in it) took place contrary to the political practice of the regime of Viktor Yanukovych. The regime continued manipulation with religious organisations, from time to time bulldozed one or another Church speculating on its problems (with property, registration of charters, etc.), tried to use Churches for attainment of its political interests. In 2012, the pro-presidential majority in Parliament, acting contrary to the promises given by it to the religious leaders, adopted amendments to the Law “On Freedom of Conscience and Religious Organisations” that aroused indignation of the religious community and the public. Opposition party *Batkivshchyna* termed it as return to Soviet norms of spying after the Church, a rush to establish total control of human belief and conscience. “Crackdown on the freedom of faith, – the Party’s statement read, – witnessed another step towards ‘regionals’ building a police state, establishing an authoritarian regime, itself seeking the role of a political religion and therefore desperately afraid of competition with Ukrainian churches and religious organisations”.¹⁶

“Bottom-up” de-secularisation was very showily manifested during the Revolution of Dignity, when most Churches stood up in defence of freedom and human dignity. Despite a very different level of support for protests, none of the religious organisations sided with the authorities that used force against peaceful protesters, refused to punish their wrong-doers and proceeded with the policy of provocation and violence. The revolution was full of deep symbols of “de-secularisation”: St. Michael’s Monastery that provided shelter to those persecuted and a hospital for the wounded; priests who were with protesters from the first day of protests; a tent chapel in Maidan; a call of the Ukrainian Catholic University community for civic disobedience to the regime, refusal of the UOC-KP Synod to mention the authorities shooting at their citizens; priests who prayed in Maidan day by day, heard confessions on barricades and read the burial service in the open. Those symbols witness the grand process of transformation of Maidan into a special spiritual space that not only unites and inspires its participants but also legitimises Maidan as a community of moral and responsible people.

After the winter of 2013-2014, it becomes ever more clear that **the key factor that will determine the role of churches and religious organisations at the present stage of nation-building in Ukraine will be presented not by their activity aimed at unification of the nation on the basis of common faith, habits and symbols but by the ability to lead deep social and moral transformations. In this case, the role of religion for Ukraine’s future looks vitally important.**

¹⁶ The authorities began an advance on religious freedom – Statement by United Opposition *Batkivshchyna*. – *Batkivshchyna* party web site, <http://byut.com.ua/news/13198.html> (in Ukrainian).

THE STATE AND CHURCHES IN UKRAINE AFTER MAIDAN: PROBLEMS OF RELATIONS¹

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The points brought up at this Roundtable meeting are extremely topical and require deep analysis, since they deal with the relations of society and religion, and with different interpretations of internal confessional relations and even canonical doctrines. Secular researchers (by contrast to many theologians) have no doubt that the Church is a fully-fledged civil society institution (in many countries religious organisations are even registered similarly to public ones). Despite its main role of a communicator between God and the people, the Church, consciously or subconsciously, shapes the society, cultivating specific values in it.

The Church and society

Church institutions have long been not only present in public life but directly influence the activity of the Ukrainian authorities. It is suffice to mention agreements of cooperation signed by Churches with power structures (militia, army, penitentiary system, etc.), participation of the church representatives in public boards of many ministries and agencies, finally, presence of clergymen in secondary and higher educational establishments (courses of Christian ethics, special disciplines, etc.). Therefore, the Church has long been performing a mediation mission in settlement of the socio-political conflict in Ukraine, with different intensity going on since the declaration of its independence. That mission lies in the formation of philosophic and moral perceptions of children and adults, inoculation of tolerance / intolerance, etc.

That is why **the question of moral responsibility of the Churches for the present situation in the country is so acute.** Has the Church, enjoying the highest level of public trust actually all the years of Ukraine's independence, become the moral leader shaping the state-building and patriotic fundamentals of that society?

¹ The article builds on the author's presentation at the Roundtable meeting "What Can the Church do in the Current Socio-Political Situation in Ukraine?" on May 15, 2014.

Responding to those who say that it is not a mission for the Church, I will say that, for instance, all national Orthodox Churches pay a great deal of attention to patriotic education of their believers. In ROC, that task is binding on the clergy: *“Christian patriotism is simultaneously manifested with respect to a nation as an ethnic community and as a community of citizens of the state. An Orthodox Christian is to love his homeland that has a territorial dimension ... Patriotism of an Orthodox Christian should be operative. It is manifested in defence of the homeland from the enemy, work for the benefit of the homeland, care about improvement of popular life, including through participation in the affairs of state governance. A Christian is to preserve and promote the national culture, the popular self-identification”*.²

Another question is what patriotism is meant by the biggest Church in Ukraine, judging by the number of registered charters – UOC? The thing is that its believers live in Ukraine, but it is subordinated to the Moscow centre, for which, patriotism may be only Russian, and no other. Experts for years speak about this dilemma and its tragic consequences, especially in the East and South of Ukraine, where hierarchs dare openly and with impunity speak about non-recognition of the country’s statehood, promote the “Russian World” and the former USSR.

The role of UOC in the current events is also witnessed by the fact that – in addition to federalisation and officialisation of the Russian language – the Russian leadership, in terms of an ultimatum, demands from Kyiv conservation of its status. Against this background, its leaders in fact kept aloof from influencing the situation in their Church. UOC for many years supported Viktor Yanukovich and even now does not want to give moral assessments to crimes committed by their parishioners representing the so-called “family”. Meanwhile, documents show that they actually tried to mount a coup in that Church, flagrantly interfering in its internal affairs, and even actually imprisoned one of its Metropolitans for intimidation.

However, the Ukrainian authorities did not hear those experts. The Church continued anti-Ukrainian propaganda. That is why I believe that a great deal of blame for the tide of separatism / terrorism in the Autonomous Republic of Crimea, Donetsk and Luhansk regions lies on UOC. As a sad proof of this conclusion – priests of that Church now not only mobilise people for “human shields” and bless terrorist barricades but fight against the Ukrainian military with arms in their hands.

The Church and the State

What is the way out of the situation? In addition to administrative and organisational measures regarding UOC in accordance with the legislation, the paradigm of state-church relations should be changed through the formation of its new model. Rearrangement of the state authorities in the conditions of overstated expectations of post-Maidan Ukrainian society envisages not only lustration but also departure from Soviet administration schemes. However, the cohort of romantic revolutionaries was soon replaced by pragmatists. As a result, persons until recently associated with the deposed regime are appointed to (or left on) key positions. Those people generate administration methods customary for them, in particular – in the field of state-church relations.

² Principles of the Social Concept of the Russian Orthodox Church, II, Item II.3. – Official web site of the Moscow Patriarchate, <http://www.patriarchia.ru/db/text/141422.html>.

Many officials see the panacea for the sector harmonisation in resumption of the activity of a separate state body in charge of religious affairs. Let me flatly disagree with that idea – not only because it runs contrary to the European idea of state-church relations. The state body in charge of religious affairs is Stalin's mummified legacy, since if we give up unnecessary rhetoric, any authorities saw their basic function primarily in "manual" management of the religious factor using a system of carrot (land allotment, state awards, recognition / non-recognition of legal entities, etc.) and stick (permits to conduct of the divine service, restrictions on arrival of missionaries from abroad, disapproval of import of humanitarian aid, etc.).

The role of a state body in charge of religious affairs is seen rather distinctly, if we compare the role of churches and religious organisations in two Maidans: in 2004 and November 2013-February 2014. In 2004, the State Committee for Religious Affairs, using administrative-regulatory tools and personal contacts with church leaders, managed to substantially lower the potential of Churches and religious organisations revealed during the second Maidan. So, it is not surprising that 10 years ago, the All-Ukrainian Council of Churches and Religious Organisations (AUCCRO) did not have the present unity: many even "neutral" addresses calling for peaceful solution of the standoff were blocked – not without the authorities' help. Therefore, clergymen had to adopt some addresses in alternative church unions: the Conference of Representatives of Christian Churches of Ukraine, the Council of Evangelic Protestant Churches of Ukraine and so on.

The present activity of Churches and religious organisations supporting the popular will itself is a result of several years of decentralisation of state influence on the clergy and formation of practical habits of their self-organisation for solution of specific church or social problems. This is especially evident in the activity of AUCCRO that even began to independently arrange international events at a high diplomatic level.

The role of the Ministry of Culture Department for Religious Affairs is now confined to that of a bit player or a performer of someone else's will – I can just mention the Ministry of Culture Letter to the UGCC Head of January 3, 2014, written, according to then head of the concerned Ministry department, under the pressure of special services. And even the function of a bit player (registration of charters of religious organisations) of that state body is duplicated by the Ministry of Justice.

Its two other functions are atrophied: the first – approval of entry visas for foreign missionaries – lost sense, since entry visas to Ukraine were cancelled for citizens of the majority of developed countries (producing the majority of missionaries). Furthermore, that body cannot influence the situation (the majority of so-called Dohnalites, some charismatic leaders and representatives of other churches stay in this country for years and profess here without any approval);³ the second – admission of **humanitarian aid to religious organisations** – has become a low comedy, since in the recent years this task has been vested solely in the Ministry of Social Policy that often does not even bother to notify the Department of its decisions as to aid delivery.

I will not deny that leaders of some Churches support the idea of restoration of a separate central executive body in charge of religious affairs. However, this

³ Dohnalites – representatives of the unrecognised, officially not registered in Ukraine so-called "Ukrainian True Greek-Catholic Church", created by Dohnal. – *Ed.*

is rather a tribute to tradition, since Stalin's times, Churches have used to have a state body – mediator for solution of their domestic or administrative problems. Furthermore, the Soviet methodology, practiced by some state bodies even today, helps some Churches to manipulate human consciousness and obtain financial and moral preferences.

Helplessness of the state body in charge of religious affairs in the recent years prompted the Churches to promptly find other levels of influence for settlement of disputes. It is already evident that they will continue to see the Department (or any other institution) in charge of religious affairs as an unnecessary link in lobbying laws or solving property problems.⁴

Introduction of European approaches to state-church relations

Analysis of the European system of values in the issues of relations between the authorities and confessions/churches enables identification of a few basic approaches:

- most European countries refused to establish a special body for settlement of state-church relations, since those relations fit into their system of relations between the state and public organisations;
- actually all European countries steadily and consistently monitor violations of the legislation in the field of freedom of conscience and have efficient mechanisms of influence on the situation in case of its violations (court, decisions of concerned ministries, amendments to the effective legislation, etc.);
- there is an international mechanism of protection of human rights in the field of freedom of conscience at the UN (Human Rights Commission of the Economic and Social Council, UN Human Rights Committee, etc.), European (European Court of Human Rights, Council of Europe Human Rights Commissioner) and national level (ombudsmen, concerned ministries, etc.).

Therefore, Ukraine's course of European integration requires harmonisation of the national legislation with the basic European principles. That is why liquidation of a central executive body in charge of religious affairs was quite logical. In particular, the President of Ukraine Decree of 2005 read that "liquidation of the State Committee for Religious Affairs is related with the need of perfection of the system of executive bodies and fulfilment of Ukraine's obligations to the Council of Europe".

The liquidation was motivated by Viktor Yushchenko's conviction that the Government should not pursue its policy in the field of religious life and that confession was everyone's personal affair. And all problems dealing with religion may and should be solved by courts.

However, the Ukrainian realities prompted then state leadership to restore the liquidated state body and its status. There were a few reasons for that. The main

⁴ Even in better times, being a central executive body, the Committee was unable to influence the resumption of activity of the Commission for guarantee of rights of religious organisations at the Cabinet of Ministers (that activity was successfully obstructed by ministries and agencies, especially in the issues of restitution of immovable property and other material values). Support and legislative initiative of the State Committee for Affairs of Nationalities and Religions were so limited in terms of resources that some churches/clergyman maintaining direct ties with MPs who were far more efficient in terms of the time and substance of the bills.

of them, in my opinion, is that after the adoption of the basic Law “On Freedom of Conscience and Religious Organisations” no steps were made to change the basic principles (first of all – administrative and forcible) of solution of problems related with violation of the freedom of conscience. Then, Ukraine was not ready (and is not ready now, which should be in the focus of public attention) for regular monitoring of violations in the field of freedom of conscience, and the main thing – for practical steps at non-administrative (non-forcible) reaction to such violations. A tide of violations in the field of freedom of conscience and reluctance of militia (and power structures in general) or courts to solve inter-church or state-church conflicts (especially in disputes for immovable or church property, when the authorities in some regions resorted to the “rule of force” or the “rule of numbers” forgetting that all communities enjoy equal rights before the law), became the decisive factor of revival of the State Committee for Affairs of Nationalities and Religions.

Furthermore, the authorities wanted to keep under strict control the process of getting the status of religious organisations. This is related primarily with preferences for religious organisations (lower rates of natural gas, preferential rental rates, privileges at importation of humanitarian aid, etc.). However, it is becoming ever more difficult to establish the reliability of data presented by communities and their religious or commercial character. Recently, there even appeared numerous statements of associations or some Churches (especially Protestant) of non-recognition of / dissociation from some overly “commercialised” colleagues (for instance, statements regarding the activity of Sunday Adelaja or Volodymyr Muntian). Problems of open interference of clergymen and some Churches in politics also arise – and are not resolved.⁵

So I dare say that the post-Maidan period requires **repudiation from administrative and forcible methods of solving problems related with violation of the freedom of conscience. That is why a state administrative body makes no sense.**

It is high time to establish the institute of the Ombudsman for religious affairs at the Cabinet of Ministers of Ukraine (its functions and powers deserve a separate article).

Regular monitoring of violations in the field of freedom of conscience and practical steps at non-administrative reaction to such violations (the duty of the Ombudsman) will be more efficient also thanks to self-organisation of Churches and religious organisations. The practice proves that such self-organisation presents a much stronger factor of influence on the authorities and society than the still dominant intentional search of attention / preferences on the part of the authorities using the concerned state body.

Implementation of European approaches in Ukraine will prioritise in the effective legislation judicial rather than executive decisions in matters of principle, including those related with the activity of Churches and religious organisations (restoration of trust in courts is a different question). In this context the role of the All-Ukrainian Council of Churches and Religious Organisations, a unique body

⁵ By the way, in the USA, issues of religious preferences or other than core activity of entities fall within the competence of the tax service.

not only for the post-Soviet but also for the European space, will grow (and is already growing), since it provides a common platform for discussion and search of ways of solution of disputable issues.

The All-Ukrainian Council of Churches and Religious Organisations gradually takes upon itself the role of a coordinator of inter-church initiatives and, apparently, might perform monitoring functions to detect and react to violations in the field of freedom of conscience. For that, it should work out a mechanism of gradual expansion and consideration in its activity of the stand of other inter-church unions: the Council of Evangelic Protestant Churches of Ukraine; the Conference of Representatives of Christian Churches of Ukraine; the All-Ukrainian Council of Christian Churches and the Council of Representatives of Spiritual Administrations and Centres of Muslims of Ukraine.

We also see growth of practical effects of **cooperation of Ukrainian Churches and religious organisations with international organisations and institutions dealing with problems of the freedom of conscience.** Additionally, Ukrainian society apparently wants to know the opinion of clergymen as to the settlement of purely political issues. This is witnessed by repeated visits of AUCCRO members to the USA, Canada, the EU headquarters in Brussels and AUCCRO appeals to the Ukrainian public in connection with milestone decisions, such as signing of the Association Agreement with the European Union, etc.

The nature of inter-confessional (inter-church) and state-church relations has been improved thanks to temporal public organisations and institutions that often unite temporal experts and clergymen. In particular, this refers to the Ukrainian Association of Theologians, the Ukrainian Association of Religious Freedom, the Institute of Religious Freedom, the Centre of Religious Information and Freedom, a regular Roundtable of the Razumkov Centre “Religion and Authorities in Ukraine: Problems of Relations”, etc. Explanation and observance of basic principles of the effective legislation in the sector of religion, specificity of inter-church relations allow representatives of those organisations not only to be successful mediators but often also to initiate an efficient inter-church and state-church dialogue.

Priority tasks of the present stage of harmonisation of the state-church relations in Ukraine with the European standards include adoption of the Concept of State-Church Relations in Ukraine. It has been prepared long ago by joint efforts of confessions and experts, repeatedly supported by the All-Ukrainian Council of Churches and Religious Organisations, public organisations. Without that step, any amendments to the basic Law “On Freedom of Conscience and Religious Organisations” may have unpredictable consequences.

The stand of the Churches also needs correction – they are to unite the clergy and believers in everyday work with all domestic institutions that have or will have a say in practical issues of the freedom of conscience (courts, power structures, educational and public organisations, the expert community, etc.). For that, **the present philosophy of interaction of many Churches with the outside world should be changed – they should be more public and communicative. This will be a critical step towards establishing a European system of values both for those Churches and for society in general.**

RESPONSIBILITY OF CHURCHES FOR UKRAINE'S FUTURE¹

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Outstanding modern social philosopher Jürgen Habermas speaks about the return of religion to the public discourse as an accomplished fact in the era of postmodernism, or hypermodernism – whatever we call the present time. During the classic modern epoch, society had an intrinsic desire to push religion to the margins of private, family life. In the public sector, religion was given a strictly defined place: lessons of religion at school for observance of the rights of children and their believing parents, chaplainship, social service. In modern times, the marginal place of religion was reasoned in the name of science that knows experimentally tested and practically universal truth, on the basis of which alone society can achieve the highest prosperity and minimise errors and crime.

Today's society successfully uses the fruit of science; however, in its decisions is guided not by its ideas and conclusions but by its own wishes. The epoch of irrationality in social acts enables return of any forms of social activity preferred by individuals, families, communities, associations, society. The civilisation of lust sees the criterion of legitimacy not in scientific veracity, verification by the social practice or common good, but in a simple desire: "I do it because I like it. I consider some theory true, or some social behaviour correct, because it is catching, attractive, interesting for me..."

De facto, our Moseses and Aarons leave their own people in desert...

So, religion returned to the social world. But the world today does not see competition for one truth or one idea of justice, or one ideal of common good. In this society, nobody raises the question of the only true moral values and moreover, moral and legal laws. Religion returned to society overwhelmed by lust, whims, personal opinions and collective passions. It is not like the traditional or modern society – with recognition of the need of alignment or unification of the social system of wishes, thoughts and decisions.

Society attaches to religion the role of the premier violin in topical discussions – just as much as religion reminds of its existence by word and deed. The Church reminded of itself by the heroic deed of St. Michael's Cathedral – therefore,

¹ The article builds on the author's presentation at the Roundtable meeting "What Can the Church do in the Current Socio-Political Situation in Ukraine?" on May 15, 2014.

the Church is present in the social space. If it had not had the power for that heroic deed that night – it would not be present the way it is now. The rating of concrete public attention to a concrete church is a hundred times more important than the general rating of trust in church in general. The former determines everything, the latter – nothing. But the rating of public attention is transient, and interest must be stirred up, just as TV stars or politicians care about their ratings. If you are not present on TV – you do not exist. If you do not enjoy compassion of millions – you are unimportant for society.

One may a thousand times damn the postmodernist civilisation and call it a misarranged social medium. One may remind that the Churches have eternal values, established truths, clear rules and principles. But all this is not interesting for society. The social body is already accustomed to another model of interaction of a public opinion leader and society. One needs to win hearts, arouse compassion, delight, feeling of solidarity. People should feel the inexpugnable desire to follow their leaders, wherever they lead them.

Are the Churches ready to live at the time of social irrationalism? No. Are the Churches ready to inspire, save, pull out of the dull routine and bright colours of an endless TV show for the sake of something dear and even more – something national, vital for society? No. The Churches concentrate on their problems and needs. They are not ready to apprehend *for society* the ideas, principles and values needed by it, not ready to lead society through implementation of those ideas, principles and values, important for the people. Churches say – this is politics. As a result, the public opinion is led by demagogues, provocateurs, clowns who have the courage to say and to do whatever they want. Meanwhile, the Churches that might assume responsibility for social leadership at least at a time of necessary social transformations keep silent. De facto, our Moseses and Aarons leave their own people in desert. At that, they moralise: “Dear laymen, you should assume all responsibility for the people, for yourselves and for the earthly rights of our religious organisations”. Our people and politicians hear a word of inspiration or direct warning [only] when terrible errors and crimes are committed, when social conflicts take place.

I want to ask – why not lead society by the hand, really? **Why do you, dear religious leaders, being sighted with respect to moral and legal answers and values, tell our politicians and laymen, still half-blind to assume the responsibility?** Why do you remind blind irrational people of responsibility but for some reason cannot simply take those people by the hand and lead them through all deserts? Why are you so afraid of social leadership, social responsibility? Who, if not you, understands why Ukraine needs a legal state? Who understands the sanctity of human rights better than you do? Who, if not you, realises the importance of solidarity? Society is either blind or, if sighted, has no strength to stand up and move in the right direction. Did your saviours leave paralytics *tête-à-tête* with

their problems? No, they did not – they healed, with a word and a touch of hand. The social body of Ukraine is blind, disabled and powerless. You can commit the miracle of its transformation – if not with your power, then with the supra-natural help, through the word of confession and efforts.

Society is ready to accept you not as moralisers and fundamentalists but as the people formulating the national idea for Ukraine *here and now*. Right Reverend Andrey Sheptytsky somehow managed to set three tasks for the Church at a time of war and persecutions: a strong family, solidarity at the level of local communities, education of the political and cultural elite for the nation. Why do you not tackle the third of those tasks today? Why do you not have such educated generation of politicians, businessmen, journalists? Don't you understand that the state will not do that? In the postmodernist time, the state is a shell, a skin, nothing more. The living body of society is shaped either by you, or by television. If you do not shape people's spirits, if you are apolitical – our younger and older generations will be brought up by Kiselev, Russia Today, *95th Kvartal*... Meanwhile, the question is who will win. Either the Ukrainian national idea, formulated by you, professed by you, implemented by society led by you wins tomorrow – or the Russian TV and Putin; either your collective leadership in society, your endeavour of guides for all, from the political elite to children in kindergartens – or Putin's personal leadership.

You do not want to take that historic responsibility upon yourselves today? Tomorrow, your temples will be empty. Just to the extent to which you will be Moseses for this society today, it will need you tomorrow. Then, the society that sees your endeavour will on all its banners write the demand of meeting all needs of Churches and religious organisations. Even now, in Maidan and post-Maidan times, it is not afraid of the Churches' presence in public space and feels a strong need for them. However, for society to know and understand everything, including through the adoption and implementation of the Concept of State-Church Relations in Ukraine, this society, this political community, this state must be saved today. Everything possible and seemingly impossible should be done. It is not the time today to think about formal correctness of your steps and statements, that you break the line between religious and temporal, between the ecclesiastic and political. *First*, at a time of crisis, this is unimportant. Nobody thinks about the beauty of movement when it deals with extinguishing fire. *Second*, the postmodernist epoch brings disappearance of distinctions between religious and temporal, ecclesiastic and political.

Formal separation of the church and the state may remain in the Constitution, but *de facto*, the national life of society does not have such divides. Churches again became legitimate actors, regained the role of a leading force of civil society, and their leaders are now public opinion leaders. I would put it as follows: even if you want to avoid social leadership – you already have it. Even if you want to avoid political responsibility – it already lies on you. You already are Moseses and Aarons

for this society. If you do not perform the role assigned to you by the history today, there will be no Ukraine tomorrow. That is why I call upon you to part with the templates of Soviet and liberal thinking, to look at things realistically, to realise the specifics of the postmodernist civilisation and specifics of the Ukrainian national crisis – and tackle the function of ideological leadership for this society. Since we live in the postmodernist time, you have the right to social activity of comprehensive strategic leadership, and since we live at the time of the deepest national crisis – this is your duty.

The Churches should formulate a concrete roadmap for Ukraine's East on the basis of their own social teachings

I will cite a few concrete examples of the words and deeds that should be clear for society today as a principled stand of the Church ensuing from its social teaching. *First of all*, it should be continuously stressed that the **social teaching of the Church strongly condemns terrorism**, totally bans participation of believers in such activity and leaves to the state and the international community the unconditional duty of uncompromised eradication of terrorism. *The second point* that should be continuously stressed: the reminder that **social teaching firmly bans priests and believers to take part in civil war conflicts**. The Orthodox social teaching lets believers take part only in peaceful protests. The Catholic social teaching admits participation in revolutions, but not in a civil war. And it should be stressed that participation in revolutions is admitted as an extraordinary development under exceptional circumstances. “Armed resistance to oppression by political authority is not legitimate, unless all the following conditions are met:

- there is certain, grave, and prolonged violation of fundamental rights;
- all other means of redress have been exhausted;
- such resistance will not provoke worse disorders;
- there is well-founded hope of success; and
- it is impossible reasonably to foresee any better solution”.²

In particular, discussing the issue of possible transition from peaceful protests to violent actions, even UGCC in December 2013 - January 2014 more than once stressed inadmissibility of violence and clearly said that the Church would not call for revolutions with clubs, stones, Molotov cocktails and moreover – with arms.

Today, people in the country's East carry arms, although we do not see “certain, grave, and prolonged violation of fundamental rights” in the East by the new authorities or “exhaustion of all other means”. On the contrary – people came out already with arms and are *de facto* insurgents, if not saboteurs. Furthermore, resistance is justified if, *inter alia*, “such resistance will not provoke worse disorders”. But everybody sees that “worse disorders” are already provoked, and further escalation of resistance to the central authorities in the East can bring only

² Catechism of the Catholic Church, 2243.

chaos in the country in general and hopeless decay in the East. This was said by Akhmetov in his video address on May 14, saying that under any scenario except staying in Ukraine with broader rights of local communities, Donbas and Luhansk will turn a political and geopolitical “black hole”, an area of destitution, economic and political collapse, disastrous for local elites and the population. It may be stated that there is and there can be no “hope for success” of the Donetsk or Luhansk People’s Republics whatsoever, which was said by Akhmetov.

Finally, *third* – **resistance may be justified, “if one cannot rationally envisage better solutions”**. But amendments to the Constitution, the national dialogue, conciliation, consensus of elites under the new President are all better solutions for problems, as is now clear for everyone, and especially – the Churches.

So, today we should admit that the situation now does not and even theoretically cannot justify the use of arms against the government. In such conditions, **the Churches should recall that “blessed are the peacemakers” – and not call upon rebels in the East to lay down arms but assume greater historic responsibility**, namely – the Churches might advocate the interests of the East during public discussion of the Constitution and future organisation of the country, defending natural interests of all regions, all national and religious minorities.

Passions and template thinking, political speculations by populists and provocateurs often do not even let people in the East realise their natural and absolute interests, the methods of protection of their rights, the ways of restoration of partial responsibility for the whole country, for its development, its future. The Churches should, on the basis of their social teachings, formulate a concrete roadmap for Ukraine’s East and be not just an advocate of the interests of our East in the face of Kyiv’s Government or Europe but the guarantor of the rights granted to the East by the state. That is, the Churches should initialise an Act of National Accord, if it is to be signed with representatives of the country’s East. Again, the social teaching provides that an Act of National Accord – oral or written – may be made only with politicians, representatives of local communities, the public elite of the East, not with rebels. If you want talks – do not carry arms and moreover do not use them, do not sponsor terrorists. These are clear demands of the social teaching, alongside with wider rights of local communities.

Legal state above, social solidarity below, guarantees of human rights everywhere are the three maxims that will save Ukraine

The Christian social teaching views a local community like a family or a parish. Without active local communities, without self-government there can be no sound social body of a nation. Legal state above, social solidarity below, guarantees of human rights everywhere are the three maxims that will save Ukraine. They will save it, because this is the recipe for every country recovering from a crisis – from Georgia that managed to do that, to Russia that did not. The high cost of resources may be used as an excuse to delay reforms, but sooner or later every nation realises

the imperative of implementation of the three maxims states in the Address of the Churches (UOC, UOC-KP, UGCC) of December 1, 2011: legal state established by the authorities; solidarity born mainly at the level of local communities; defence of human rights as a common idea for both the legal state and solidary society – without the dignity of a citizen created after the image of God, free, wise and creative, we will have no legal state, civil society, social wellbeing and political peace alike.³

So, people in the East of Ukraine should see Churches, not Putin or Moscow as their advocate. The Churches should show the population of the Eastern regions that there is hope, if social transformations take place in accord with the Christian social teaching, which is the likely scenario of developments.

This country has been subjected to aggression. If Ukraine had annexed Kuban, Russians would certainly have not communicated with us and would have stopped all spiritual contacts. Indeed, by contrast to economic relations that cannot be cut entirely, spiritual boycott of the aggressor is quite practical.

I believe that the **time has come to sever relations with those who support aggression**, those who keep silent, and those who did nothing to appease Russians but teach us how to establish peace and start a dialogue. Relations should be severed even with those who criticise Putinism but keep on telling about the possibility of existence of a liberal empire. **Only those who stayed believers without wickedness, citizens without prejudice, who have ideals, not price tags in their souls, – can be our interlocutors in a dialogue.** We should not only ourselves escape all this political and spiritual Putinism in its varied forms. We should call all religious leaders of the world for such a policy. The more they try to appease modern Russian imperialism, the more it whips up hysteria against Ukraine, against Europe, against the West, actually against the whole world. Any otherness is damned or will be damned – allow the time. Today, the West is to blame for all woes, tomorrow – China; today, Ukraine faces aggression, tomorrow – Kazakhstan.

We should realise one simple thing: the world is divided into those who are ready to tolerate otherness of *others*, and those who refuse to do this. Russia refuses to do this. Consciously or unconsciously, but Russia does not view anyone as a fully-fledged participant of a dialogue with it. Here are the roots of attempts to condition their participation in the dialogue by many preliminary terms. For instance, a meeting with the Pope: Russia is simply afraid of that meeting, afraid of otherness of *others*, afraid of the spiritual power of the Pope and Catholicism, consciously and unconsciously does not recognise the right of the Pope and of all Catholics to be Catholics.

³ Address of traditional Ukrainian Churches to believers and all people of good will on the occasion of the 20th anniversary of the referendum in support of the Declaration of Independence of Ukraine. – Ed.

The only method of treatment of that form of spiritual fascism is presented by steadfast rejection of a dialogue with the aggressor, termination of any policy of appeasement, a principled war with all structures of evil on those remnants of the Soviet empire. The cause of John Paul II is not over, the Berlin Wall remained in Russian hearts as a chip in the heart of Kai; we should approach them with the Good News of freedom, the demand of penance, not saying that “you are okay even now”. Russia in general and Russian believers may be converted to the eternal values of freedom and the law of the Lord, to solidarity and acceptance of *others* only if we do not say that they suit us as a partner in a dialogue even now. In particular, ROC will be able to pass from its cold war with the main religious and non-religious centres of the present day only when it is no longer appeased.

This is our responsibility, too. We should demonstrate that today, there are more active believers in Ukraine than in Russia. The simple fact that on weekends, our churches give communion to three times more people than in ROC should show the world religious leaders that Kyiv is the spiritual centre of East Europe, not Moscow.

The grandeur of Moscow's spiritual bureaucracy conceals nothing, while our modesty conceals historic truth, traditions of Christianity clear from nationalism, modern tolerance, generally – both qualitative and numeric advantage. The spiritual axis of Europe may be extended to St. Petersburg or Moscow some day, but today it ends in Kyiv and Tbilisi.

Ukraine *is* the Russia prayed for by Popes to be converted. Russia today is not true Russia. It fell ill, maybe even incurably. This is a great challenge for Ukraine and its Christianity – can we ideologically, organisationally, spiritually replace Russia now? I believe that preconditions to recapture ideological leadership do exist, and we must be aware that we should not only persuade the religious world to break up with Russia but also offer the *word from the East* expected by the world from Moscow now.

If such a theoretic word from the East and a practical light from the East are seen from Kyiv, Lviv, Odesa, Donetsk – this will mean that we return our talent given to us during the baptism of Rus, multiplied. If we cannot break up with Russia and replace it in the system of international religious relations, we should at least enhance Kyiv's role both within the country and at the regional and global level. We have no other way but to promote our own tradition of religious culture. **Ukraine is a whole spiritual universe, a unique civilisation, being an integral part of Europe and the world. Today, we should realise our capabilities, reassess our responsibility – and set to bear the heavy cross of strategic leadership in Ukraine.**

CONCEPT OF RELATIONS BETWEEN THE CHURCH AND STATE IN UKRAINE

The basic Law of Ukraine “On Freedom of Conscience and the Activity of Religious Organisations” adopted in 1991 is fundamentally democratic, generally meets international legislative standards in terms of ensuring the right of freedom of conscience and has played an important role in normalising relations between the Church and state in Ukraine. Meanwhile, during the time that has elapsed since the adoption of the Law, significant changes have taken place with respect to the attitude of society towards religion and the Church, the situation with the Church and religion, relations between different confessions and between the state and confessions, and in the development of Ukrainian society at large. A new stage in societal development associated with the formation of a civil society and a rule-of-law state in Ukraine requires new conceptual principles of relations between the state and confessions.

The urgency of this Concept is determined by the necessity to improve the general principles of implementing the human right to freedom of conscience and partnership relations between the state and the Church (religious organisations) in Ukraine.

The Concept is based on the Constitution of Ukraine and international legislative and regulatory documents relating to ensuring freedom of conscience and activity of religious organisations, which were enacted by the Verkhovna Rada of Ukraine, as well as on other international agreements to which Ukraine has acceded and which form an integral part of this Concept.

The Concept proceeds from the assumption that the principles of the supremacy of law and the equality of citizens and their associations before the law are the foundation of all legal relations in Ukraine in the sphere of ensuring the right to freedom of conscience and the activity of the Church (religious organisations). The Concept stipulates that foreign citizens, stateless persons and refugees legally residing on the territory of Ukraine can enjoy the right to freedom of conscience on equal terms with the citizens of Ukraine. All provisions of the Concept are applicable to churches (religious organisations) that operate in Ukraine on a legitimate basis.

Laws and other regulatory documents adopted on the basis of this Concept should ensure complete freedom of conscience for every individual, full-fledged legal and social status of churches (religious organisations) under conditions of democracy, formation of a political nation, civil society and the rule of law in Ukraine. It is the duty of the state to ensure uniform application of Ukrainian laws and other regulations adopted in accordance with this Concept on the entire territory of Ukraine.

The Appendix entitled “Main Terms and Notions” constitutes an integral part of the Concept.

1. General principles of ensuring the right to freedom of conscience and partnership relations between the state and the Church (religious organisations)

1.1. Freedom of conscience as an inalienable human right. Freedom of conscience is a human right guaranteeing inviolability of an individual’s conscience (moral sense) regarding his/her attitude towards religion, i.e. the right to freedom:

❖ to have (acknowledge, observe) and change religious convictions (i.e. faith) at one's own discretion or adhere to non-religious, including atheistic, convictions;

❖ to profess publicly or privately – either individually or jointly with others – one's religion (faith), take part in religious practices, freely express one's religious or non-religious (atheistic) convictions.

The right to freedom of conscience is embedded in the Constitution of Ukraine as the right to *freedom of one's views and faith* (Article 35). In this Concept, the above freedom is defined taking into account said constitutional provisions as well as definitions contained in international legislative and regulatory documents, in particular, the Universal Declaration of Human Rights (Articles 18, 19).

Thus, the notion of freedom of conscience includes both the freedom of faith (the right of a person to freely acknowledge, observe and change his/her religion, take part in corresponding religious practices) and the freedom not to recognise religion (the right of a person to have and freely profess non-religious convictions, not to take part in any religious practice). The Concept is based on the assumption that the notion of “freedom of conscience”, “freedom of conscience and faith (religion, belief, creed)” are synonymous.

Ensuring the right to freedom of conscience envisages and involves: *first*, ensuring that all citizens are equal before law irrespective of their attitude to religion; and *secondly*, ensuring that all spiritual associations of citizens (churches, religious organisations) are equal before law.

A necessary prerequisite of ensuring this is the adherence to the principle that no religion (non-religious form of convictions) may be recognised as compulsory, and no Church (religious organisation) may be recognised as the official Church. This is achieved by imparting a secular character to the state and education provided by public schools, i.e. by separating the Church (religious organisations) from the state and school from the Church (religious organisations). This principle is declared in the Constitution of Ukraine: “The Church and religious organisations in Ukraine are separated from the state, and school – from the Church. No religion may be recognised by the state as compulsory” (Article 35).

1.2. The separation of the Church (religious organisations) and state, separation of school from the Church (religious organisations) and establishment of partnership relations between the state and the Church (religious organisations). Narrow interpretation of the principle of the separation of the Church (religious organisations) and the state remains in modern practice of church-state relations in Ukraine and in the conscience of the public at large. In fact, it is interpreted as a ban on participation of the Church (religious organisations) in social life, which followed from the identification of the state and society in a totalitarian state. Democracy removes such identification.

Democracy envisages and recognises coexistence of the state and civil society as relatively independent social entities, each of which has its own sphere of activity and responsibility. Ukraine has declared itself to be a democratic state abiding by the rule of law (Ukraine's Constitution, Article 1).

From this point of view, the Church (religious organisations) is one of the institutions of a civil society that satisfies certain (religious) social needs and acts in the interest of society. Thus, **the separation of the Church from the state in no way means the separation of the Church from society**. On the contrary, this principle liberates the Church (religious organisations) from governmentalisation and the state's total control of internal life, internal regulations (or instructions) and religious practices of the Church.

The separation of the Church from the state. In its democratic interpretation, the principle of the separation of the Church (religious organisations) from the state means mutual non-interference of these two social institutions in each other's specific spheres of activity and in no way does it envisage the ouster of religion from public life. This principle does not mean a ban on (the impossibility of) co-operation between the Church (religious organisations) and the state, the impossibility of the presence of the Church in state structures including educational institutions, nor the impossibility of government funding of socially beneficial programmes initiated by or implemented with the participation of the Church (religious organisations).

In the meantime, mutual non-interference means mutual respect and recognition by these institutions of each other's competence in their specific spheres, hence the state recognises the existence of internal regulations of the Church (religious organisations) and takes them into account in its activity, in particular, in conscripting citizens for compulsory military service, while the Church (religious organisations) recognises and observes state legislation that regulates its activity as a specific association of citizens and does not prevent believers from observing state laws.

The separation of school from the Church. Non-recognition by the state of any religion or non-religious form of convictions as compulsory envisages a secular character of education provided by *public schools*, which is neutral to both religion and atheism. This means, *first of all*, a ban on promotion of any religion or atheism in any form in the teaching and educational process in public schools by teachers, pedagogues and other workers of public learning institutions, guardian and parent councils, as well as other subjects that bear relation to the teaching and educational process in public schools. *Secondly*, this suggests non-interference of the Church (religious organisations) in organising and content of the teaching and learning process, the methodological support of the curricula and programme courses. The Church (religious organisations) can submit its recommendations and proposals for organisation, content and methodological support of the teaching and educational process to the bodies of state government and local self-governance on equal terms with other associations of citizens and organisations and co-operate with educational bodies in introducing said proposals.

Meanwhile, ensuring the right to freedom of conscience entails the citizens' right to a free religious education and upbringing, which, *first of all*, means that the public education system should provide the possibility of religious education of school-children and students on a voluntary (optional) basis; and *secondly*, the Church (religious organisations) has the right to establish and maintain learning institutions that offer religious education as a profession (religious or spiritual educational institutions) and as a general education (denominational educational institutions).

Thus, the separation of school from the Church should not be regarded as a barrier to teaching religion in public schools, the functioning of theological departments and chairs in public higher learning institutions (universities), and setting up by religious organisations of general education and higher learning institutions of all levels.

1.3. Partnership relations between the state and the Church (religious organisations) (a partnership model of Church-state relations). Partnership relations between the state and the Church (religious organisations) are based on the recognition that both of these social institutions, being separated from and independent of each other in matters that belong to their exclusive competence, act in the interest of Ukrainian society.

Ensuring the human right to freedom of conscience, consolidating Ukrainian society, preserving and augmenting its traditional religious culture, forming its system of values and resolving general societal problems are common goals of the state and the Church (religious organisations).

To attain these goals, the state and the Church (religious organisations):

- ❖ make efforts to strike the balance (agreement, equilibrium) between the interests of believers and non-believers and their spiritual associations (religious organisations), achieve mutual understanding and mutual tolerance between them, ensure interdenominational stability, prevent the provocation and aggravation of religious conflicts as well as a standoff between the Churches (religious organisations), in particular, in dividing the spheres of their influence on Ukraine's territory, and return the Churches their property nationalised in the past;

- ❖ assume and recognise only those restrictions in the sphere of freedom of conscience that are dictated by the need to protect public order, health and moral standards of the population or the rights and freedoms of other people, preserve traditional religious culture of society, and are in line with the norms and principles of international law and international commitments of Ukraine;

- ❖ carry out joint programmes (partly or fully financed by the state) in the following spheres: formation of a healthy way of life; strengthening of the family institution and childhood protection; public works; social integration of persons with special needs; natural disaster relief and clean up after ecological and technogenic catastrophes; public healthcare; social rehabilitation of persons who need such assistance; protection of the environment and cultural heritage; cultural and enlightening activity connected with the preservation of the traditional religious culture of Ukrainian society, protection of public morality from infiltration by the cult of violence, cruelty and pornography; educational activity related to ensuring the possibility of obtaining a quality education by citizens of the poor and needy strata of society;

- ❖ take into account the specifics of pastoral activity of the Church (religious organisations), in particular, in military formations by avoiding a coercive combination of military rituals and religious rites as well as identification of pastoral activity and educational work in military formations.

The state, the Church and society view partnership relations and co-operation between the state and the Church (religious organisations) as an effective tool for overcoming prejudice, manifestations of religious intolerance, interdenominational strife, mistrust between the confessions, between the state and the Church and between the Church and society.

2. The rights and duties of the state and the Church (religious organisations)

A partnership model of relations between the state and the Church (religious organisations) is implemented by means of exercising a set of their rights and duties, which they assume and carry out in the interest of society.

2.1. The rights and duties of the state

The state as a system of bodies through which the people of Ukraine implement their will **has the right**:

- ❖ to set administrative restrictions on exercising the right to freedom of conscience and the activity of the Church (religious organisations), which are dictated by the necessity to defend the constitutional system, public order, social morality, health, human

rights, freedoms and legitimate interests of a private individual and a citizen, preserve the traditional religious culture of society, and which are in agreement with the norms and principles of international law and international commitments of Ukraine;

- ❖ to establish rules of registering religious organisation;
- ❖ to create a special body responsible for religious affairs with advisory and consultative functions within the system of central executive bodies;
- ❖ to gather and maintain statistical data on the number of registered religious organisations, the number of clergy-men, and the number of buildings used for religious purposes and religious educational institutions.

Duties of the state:

- ❖ to develop and implement state policy in the sphere of ensuring the right to freedom of conscience as provided by a partnership model of relations between the state and the Church (religious organisations). The state policy in this sphere is part of domestic and foreign policy of the state;
- ❖ to introduce changes to effective legislation that regulates ensuring the right to freedom of conscience, the activity of the Church (religious organisations) and relations between the state and confessions in accordance with the overall Concept;
- ❖ to ensure Ukraine's access to international agreements (treaties) which regiment the issue of observing the right to freedom of conscience and the activity of the Church (religious organisations) and international institutions monitoring the state of affairs in ensuring the right to freedom of conscience;
- ❖ to foster the ensuring of the believers' right to pastoral guardianship irrespective of their location; to facilitate unobstructed pastoral service of the Church (religious organisations), first and foremost, in places of restricted communication and/or right of movement (military formations, hospitals, boarding institutions, correctional institutions); to provide conditions which would enable the Church (religious organisations) to fully implement its pastoral and/or social service;
- ❖ to recognise the clergymen's right to professional secrecy;
- ❖ to support interdenominational associations created with the aim of joint pastoral and/or social service;
- ❖ to ensure that citizens who study in religious (spiritual) and denominational learning institutions can exercise their rights in full and on equal terms with citizens studying in public educational institutions;
- ❖ to ensure the protection of religious relics, objects of worship, sacred symbols, places of pilgrimage, and buildings of religious designation;
- ❖ to provide for openness and transparency in the processes of forming state policy in the sphere of ensuring the right to freedom of conscience and partnership relations with the Church (religious organisations) at all levels of state authority;
- ❖ to provide for appropriate training of public servants who are responsible for any issues connected with ensuring the right to freedom of conscience and regulation of the activity of the Church (religious organisations).

2.2. The rights and duties of the Church (religious organisations)

As specific associations of citizens and institutions of civil society, religious organisations (Churches) **have the right**:

- ❖ to freely perform religious practices, and above all, pastoral service;
- ❖ to conduct economic activity aimed at raising funds for financing their main activity as well as charitable and other socially beneficial activity (social services);
- ❖ to acquire the status of a legal entity with all ensuing proprietary rights;
- ❖ to receive information from the bodies of state authority and local self-governance on issues that belong to the sphere of activity of the Church (religious organisations);
- ❖ to set up general education institutions of all levels, including those which offer religious education and the system of upbringing defined by confessions;
- ❖ to ask for and receive voluntary financial contributions and other donations;
- ❖ to perform charitable and other socially beneficial activity (social services), both independently and jointly with the bodies of state power, local self-governance and/or non-government organisations on a contractual basis;
- ❖ to promulgate their position on actions of the bodies of state authority and local self-governance that pertain not only to Church-state relations but also to the socio-economic situation in the country at large; to formulate and promulgate their views on the system of values of state policy; to submit proposals to the bodies of state authority and local self-governance concerning both the activity of the Church (religious organisations) and other socially important issues as well. In such cases, representatives of the Church (religious organisations) have the right to be present during the discussion of their proposals;
- ❖ to establish and maintain international ties and direct personal contacts between clergymen and believers that are necessary to ensure a corresponding religious practice.

Duties of the Church (religious organisations):

- ❖ to respect and take into account historical and cultural traditions of society; adhere to the principle of tolerance in treating religious organisations and believers of other confessions, non-believers and atheists; to not interfere in the activity of other religious organisations; not to preach, in any form, intolerance to believers of other confessions, non-believers and atheists; not to insult religious feelings of believers of other confessions; to respect priests and hierarchs of other confessions as equal fellow-citizens;
- ❖ to cultivate tolerance in schoolchildren and students of religious (spiritual) and denominational educational institutions;
- ❖ to obey the law in effect; to respect the constitutional symbols of the state, the state language and languages of national minorities; to respect legitimate bodies of state authority and local self-governance;
- ❖ not to undertake the functions of the state (except the above participation in joint programmes), not to interfere in the activity of bodies of state authority and local self-governance;

❖ not to take part in the activity of political parties, not to provide financial support to political parties and not to receive such support from them in exchange for political support at the election; not to nominate candidates for the bodies of state authority and local self-governance; not to canvass for (against) candidates during election campaigns; not to give candidates financial support and not to receive financial and/or any other material support in exchange for support to candidates for the bodies of state authority and local self-governance. The clergymen and believers participate in political actions exclusively as private individuals on their own behalf;

❖ to maintain in a proper condition (repair, restore, maintain the required storage conditions) religious property that constitutes the national historical and cultural heritage and is used or owned by a religious organisation; to co-ordinate a religious practice, which concerns bringing out of Ukraine (presenting, turning over) objects of religious designation that are historical or cultural records, have or can have cultural or artistic value, with the corresponding Ukrainian legislation in effect;

❖ to ensure labour rights and social security of citizens working for religious organisations and of enterprises they created in accordance with Ukrainian legislation in effect;

❖ to bear responsibility for violation of effective legislation, in particular: for the activity of laymen's organisations (brotherhoods, sisterhoods, missions), mass media set up by religious organisations or with the consent (blessing) of the leadership of a religious organisations, if such organisations (mass media) insult religious or national feelings of citizens, incite interdenominational and/or interethnic animosity, and for the content of imported religious literature, audio and video materials.

3. Priority areas of state policy in the sphere of ensuring the right to freedom of conscience and establishing mutual partnership relations with the Church (religious organisations)

❖ **In the sphere of improving legislative provision for the right to freedom of conscience and activity of the Church (religious organisations):**

(1) fostering a conflict-free consensual solution to the problem of Churches with a hierarchical structure acquiring the status of a legal entity;

(2) defining realistic terms and clear and transparent mechanisms of handing over previously nationalised religious property to the Church (religious organisations) and/or defining the forms, scope and mechanisms of compensation for such property;

(3) developing and implementing a legal mechanism of protecting traditional religious culture of society, in particular: prohibiting privatisation of religious property that was nationalised in the past; regulating the conditions and rules of carrying out a special assessment of religious practices of recent religious movements;

(4) developing and publishing detailed legal comments to accompany the basic law and other legislative and regulatory documents that regulate relations in the sphere of ensuring the right to freedom of conscience and activity of the Church (religious organisations); codifying the above legislative and regulatory documents, compiling and publishing a collection of legislative and regulatory documents in the sphere of

ensuring the freedom of conscience and activity of religious organisations, including international legislative and regulatory documents recognised by Ukraine.

❖ In the sphere of ensuring the right of the Church (religious organisations) to freely conduct a religious practice:

(1) developing and implementing legal mechanisms of ensuring the right of the Church (religious organisations) to pastoral service;

(2) defining legal status of the Church (religious organisations) regarding taxation, not identifying it (them) with commercial and/or non-governmental structures and taking into account non-profitable and the socially beneficial nature of its (their) activity.

❖ In the sphere of education:

(1) facilitating the implementation of the citizens' rights to freedom of choosing the form of education as an element of the freedom of conscience. To this end: legislatively regulating the right of the Church (religious organisations) to set up denominational educational institutions; developing and implementing state standards for theological education; developing a mechanism for recognition of certificates of education received in religious (spiritual) educational institutions, licensing and accrediting denominational educational institutions of all levels, teaching religion in public schools on a voluntary (optional) basis, and studying the feasibility of budget financing of disciplines taught in denominational educational institutions and that meet state standards;

(2) fostering the formation of religious toleration and preservation of traditional religious culture of society. To this end: introducing a course on the basics of Ukrainian Christian culture (Christian ethics), which is not accompanied by religious rites, into the secondary school curriculum; introducing the course "Religions of the People of Ukraine" (i.e. a course of academic disciplines based on history, philosophy, theology, culture and traditions of religions that have or had a considerable impact on Ukraine's history and culture) into the curricula of higher learning institutions of all levels of accreditation. The course should envisage the active involvement of representatives of a corresponding religious and cultural tradition when drafting the curricula for and teaching the above course.

❖ In the sphere of socio-labour relations:

(1) ensuring the right of the clergymen who have reached the age of retirement to a pension, taking into account the specifics of the activity of the Church (religious organisations);

(2) ensuring the believers' rights to observe the instructions of religious doctrine regarding holidays and days off (weekends and working days).

4. Supervision over ensuring the exercise of the right to freedom of conscience

Supervision over ensuring the exercise of the right to freedom of conscience, the equality of citizens' rights irrespective of their attitude towards religion and denominational affiliation, that the equality of rights of the Churches (religious organisations) is vested in the bodies of the prosecutor's office, the relevant bodies of justice, the Human Rights Commissioner of the Verkhovna Rada of Ukraine, and local executive bodies.

Main Terms and Notions (Appendix)

Religious doctrine, faith (belief, creed), confession. Religious doctrine is, to a certain degree, a systematised interpretation of religious world outlooks, instructions and rules of *religious practices*, relations with other *confessions* and the state, and *believers'* conduct in everyday life.

Faith (creed)¹ – the unity of a given *religious doctrine*, *religious practice* and *religious organisation*, which enables carrying out the instructions of the *doctrine*.

Confession – herein used as a synonym of *faith*.

Believer – a person who acknowledges his/her belief and professes privately or publicly, either individually or jointly with others (collectively), a certain religion, i.e. acknowledges a certain *religious doctrine*, conducts the corresponding *religious practice* and may belong to a *religious organisation*.

Religious convictions may constitute legal grounds for a believer to refuse to comply with a civic duty (obligation, individual registration procedure) stipulated by law. In this case, the believer is required to declare to the state (represented by a body of state power authorised by law) his/her attitude towards religion and denominational affiliation according to the established procedure.

Internal affairs (exclusive competence) of the Church (religious organisations) – issues relating to *religious doctrine*, religious practice and organisational structure including the issues of subordination (jurisdiction).

The following issues may be regarded as pertaining to internal activities of the Church (religious organisation): determining *religious relics*, *objects of worship and sacred symbols*; determining the language of religious practices, *religious literature*, mass media, *instruction in religious (spiritual) and denominational educational institutions*; using *religious property* in turn or jointly; defining the form of marking *religious literature* and *religious audio and video materials*; using interdenominational buildings of religious designation; and concluding agreements on joint *pastoral and/or social service*.

Public schools (public educational institutions) – any public teaching and educational institutions ranging from preschool children's institutions to higher learning institutions to postgraduate institutions and refreshment courses (or continued education).

Denominational educational institutions – preschool, general secondary and higher educational institutions of all levels established by religious organisations, which offer general education and/or vocational training in accordance with state standards, as well as confession-oriented upbringing and general religious education. These are licensed and accredited by the corresponding bodies of state authority on a general basis.

Property of religious designation² – buildings, land plots and objects necessary for conducting religious practices of the Church (religious organisations) according to its internal instructions (bylaws).

¹ Current legislation uses the following terms: confession, denomination, religion, creed, denominational grouping, denominational division, and trend.

² In current legislation: cult property; houses of prayer and cult property.

Buildings of religious designation³ – buildings (structures, premises) intended for conducting confession-oriented religious practices, which may have a concrete form of architecture (bell-towers, chapels, kenassas, churches, Roman Catholic and Orthodox churches, mosques, minarets, monasteries, pagodas, synagogues, cathedrals, temples, etc.⁴) or not have such a form (i.e. simply houses of prayer or sanctuaries). Buildings of religious (spiritual) educational institutions should be classified as buildings of religious designation as well. Each building of religious designation should bear defined and known symbols that signify its denominational affiliation. The presence of such symbols serves as protection against encroachments on the religious feelings of believers and ensures the right of citizens to information.

Interdenominational buildings of religious designation constitute a special group of buildings of religious designation. Specifically, these are buildings that envisage and contain architectural features, objects and symbols intrinsic to buildings of religious designation of various denominations and are jointly used by religious organisations of such denominations on a voluntary basis.

There has virtually been no practice in Ukraine of building and using interdenominational buildings of religious designation. Such a practice, which is widespread in European countries, can be considered expedient, a contributing factor to interdenominational (hence, social) accord and appropriate under circumstances of limited financial resources of the Church (religious organisations) and lack of buildings for religious practices.

Use of interdenominational buildings of religious designation is an *internal matter of the Church (religious organisations)*.

Land plots of religious designation. Property of religious designation also includes a land plot with a building of religious designation on it, the dimensions of which are adequate for properly conducting the corresponding religious practices, in particular, processions, marches, pilgrimages and other massive religious actions; a land plot that is a place of pilgrimage, provided there is no building of religious designation on it, which is allotted taking into account the maximum number of pilgrims that can concurrently visit such a place.

Objects of religious designation – objects necessary for carrying out *religious practices*, including properly marked religious literature, audio and video materials. *Religious relics, objects of worship and sacred symbols* constitute a special group of objects of religious designation.

A special group of property of religious designation is composed of buildings, land plots and objects of religious designation that are, at the same time, records of architecture, landscape culture, and have a particular national artistic and/or scientific value. The issues of owning (possessing, disposing of, using), preserving and protecting such buildings, land plots or objects should be regulated by special legislation and must be considered separately in each particular case with compulsory participation of representatives of the Church (religious organisations), the public, scientists, specialists in the sphere of protection of cultural heritage and environmental reserves and international experts, if necessary. The right to own (possess, dispose of, use) such property can only be granted after the signing of a preservation agreement.

³ In current legislation: cult building, cult edifice, cult house, house of prayer, religious building.

⁴ Some of the given notions (cathedral, synagogue, temple) are polysemous. Here they are used as the names of buildings of religious designation.

Missionary service – an element of the religious practice aimed at spreading a given religious doctrine and a corresponding practice, which is carried out by specially created religious organisations (missions).

Missionary activity should be regulated, on the one hand, by religious neutrality (secular character) of the state and religious *toleration* of the Church (religious organisations), and on the other hand, by the legitimate interests of the citizens regarding protection of their health and privacy, as well as the legitimate interests of society regarding protection of its *traditional religious culture*.

Recent religious movements (neo-religions) are defined as faiths that have come into being since the second half of the 20th century. Due to their short existence, religious practices that correspond to such faiths are not widely known, which creates certain problems with their acceptance by society and legal recognition by the state.

A particular problem recognised at the international level is the existence among the recent religious movements those whose practice can be harmful to the life and health of citizens, social morality, public order and the preservation of *society's traditional religious culture*.

Restrictions in the sphere of ensuring the right to freedom of conscience. Restrictions may only be imposed “in the interest of protecting public order, people’s health and morality or protecting the rights and freedoms of other people” (Constitution of Ukraine, Article 35), as well as protecting traditional religious culture of society.

Restrictions may only be imposed by law and should be in agreement with the norms and principles of international law and Ukraine’s international commitments.

Pilgrimage, places of pilgrimage. Pilgrimage is a compulsory (advisable) visit stipulated by internal instructions or regulations of a religious organisation to certain places that have a special significance in the religious doctrine and religious practice.

Pastoral (spiritual) service of the Church (religious organisations) – an element of the religious practice, usually performed by specially trained persons (priests, theologians), which is aimed at satisfying primarily the religious needs of believers and is defined by the regulations of the religious doctrine and/or traditions of the religious practice.

Ensuring the right to freedom of conscience involves both the believer’s right to communicate with a person conducting the pastoral service and the right of the Church (religious organisations) to carry out pastoral service irrespective of the place of location of the believer(s). This especially applies to places in which an individual’s right to communication and/or movement is restricted (the so-called closed audiences or restricted access places: military formations, educational institutions, hospitals, boarding institutions, expeditions, foreign missions, correctional institutions, etc.).

Public institutions, which due to the nature of their activity restrict communication and/or the citizens’ right to movement, are required to ensure the above rights. Such public institutions may conclude corresponding agreements (arrangements) with individual religious organisations or their associations and pay for the services of clergymen from their own budgets. The signing of such an agreement (arrangement) cannot serve as grounds for (1) refusing to allow citizens to communicate with a clergyman of that denomination to which they belong, but with which this public institution has not concluded an agreement; and (2) forcing non-believers and believers of other denominations to communicate with a clergyman of that denomination with which a relevant agreement (arrangement) has been signed.

Priests or other religious ministers who perform pastoral services in places of restricted communication and/or restricted right to movement are usually called chaplains, hence the institute of chaplaincy.

Religious literature and religious audio and video materials – literature (audio and video materials), which interpret the ideas of its own creed and religious practices and/or creeds and religious practices of other denominations from the position of a given denomination (Church, religious organisation). Religious literature (audio and video materials) should bear special marking and/or the official name of a religious organisation that published such literature (prepared and produced audio and video materials). The marking serves to protect against the distortion of the above denominational position and indicates that this literature and materials enjoy privileges granted by the state.

Religious organisation – an association of believers on the basis of a common faith which has all the features of a social group and is organised according to the instructions of this faith. It has the right to acquire the status of a legal entity with all the ensuing legal consequences.

One kind of religious organisation is the *Church* – a structuralised religious organisation based on the hierarchical principle with a corresponding system of control and appropriate regulation of relations inside the organisation with other religious and secular organisations and the state.

Religious (spiritual) education – learning (teaching) a certain *faith* and skills in a corresponding *religious practice* so that a person would consciously recognise this *faith* as his/her own belief. Religious education can have a general enlightening character or be professionally oriented.

Religious practice – a way of life conditioned and defined by *faith*. An activity conditioned and defined by the recognition and promulgation of a certain *faith* that involves: carrying out, either individually or jointly with others, the rites (rituals, ceremonies, *pilgrimages*) established by internal religious regulations; observing regulations regarding: certain forms of communication between believers and clergymen (divine service, sacrament); marking certain holidays and days off (working days and weekends); acquiring (offering) *religious education*; treating (interpreting) the *doctrine*, producing and systematising religious ideas from positions defined by denomination (theology). *Pastoral* and *missionary services* are elements of the religious practice.

Accordingly, ensuring the right to freedom of conscience envisages the right of the Church (religious organisations) to create and maintain freely accessible places for conducting religious practices, including places of pilgrimage; to produce, acquire, possess and use objects necessary for conducting religious practices (*objects of religious designation*), as well as import, export and disseminate (sell) them; to set up enterprises for producing such objects and for publishing and disseminating *religious literature*; to set up printed and electronic denominational mass media; to set up *religious (spiritual) educational institutions* of all levels and forms of education for professional training of *clergymen*; to send its representatives abroad for gaining a professional religious education; to receive foreign specialists for providing educational services in *religious (spiritual) educational institutions*; to establish international contacts.

Religious (spiritual) educational institutions – educational institutions that offer a religious education as a profession (pastor, theologian).

Religious relics, objects of worship and sacred symbols⁵ – special distinguishing signs, objects, buildings, land plots, burial places defined by the instructions of the

⁵ Current legislation uses the term “religious objects”.

faith and/or historical traditions of a *religious practice*, which signify or epitomise the originality of the *faith* (denomination) and certain ideas important for its *doctrine*, *religious practice* or history.

Clergymen – ordained leaders of the Church (religious organisations) with the corresponding rights and duties to carry out a religious practice, primarily in the sphere of pastoral service.

Service – a general term that describes different kinds of activity of the Church (religious organisations) and private individuals comprising a *religious organisation* (*clergymen* and *believers*).

Social service of the Church (religious organisations) – activity of the Church (religious organisations) that goes beyond satisfying exclusively religious needs of *believers*; it is carried out by both *clergymen* and *believers* (laymen, parishioners) and aimed at solving general social problems. At that, social service of the Church (religious organisations) should not be used as a vehicle of its missionary activity; it is inadmissible to abuse the lack of social security of certain social strata or citizens.

Social service of the Church (religious organisations) is supported by the state through the formation of a corresponding legislative and regulatory base and provision of potential privileges and financial or material assistance, in particular, within the framework of appropriate joint programmes.

Toleration here means recognising the right to practice other religions (faiths) or have non-religious forms of convictions and the rights of other people to profess any religion or no religion at all; observing this right by consciously refraining from asserting the supremacy of one's own convictions, thereby avoiding any insults to the feelings of non-believers as well as religious feelings of believers of other denominations; showing respect for clergymen, religious relics, sacred symbols, places of pilgrimage, buildings and objects of religious designation.

Traditional religious culture of Ukrainian society – the entire set of religions historically intrinsic to the people of Ukraine, which formed their culture and mentality and have actually been recognised by society as a common value and a nationwide cultural asset.

It is noteworthy in this context that the state and society have actually recognised the outstanding role of Christianity of the Kyiv church tradition (Orthodoxy and Greek Catholicism) in forming Ukraine's culture and mentality of the Ukrainian people, which is manifested in the recognition of great Christian holidays as official Ukrainian national holidays and broadcasting of Christian services by the national radio and television channels. Meanwhile, no one disputes the contribution of Roman Catholicism, Protestantism, Islam, and Judaism, as well as the religions of national minorities that have been living in Ukraine for ages, thereby enriching its spiritual and cultural heritage, promoting its originality and openness to the world community, preventing the unification of population and depersonalisation of Ukraine in a globalising world.

Church. According to the current linguistic usage, the term “*church*” is polysemous. In this Concept, it is used in the following meanings: (1) as a general term that denotes religious organisations as such; (2) as the name of a particular kind of *religious organisation* inherent to Christianity; and (3) as the name of a particular types of *buildings of religious designation* that have, as a rule, certain architectural specifics. In each case the meaning of this term follows from the context.

INTERNATIONAL LEGISLATIVE AND REGULATORY ACTS ON ENSURING FREEDOM OF CONSCIENCE

UNITED NATIONS DOCUMENTS

Universal Declaration of Human Rights (1948)

Article 18

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 29

1. Everyone has duties to the community in which alone the free and full development of his personality is possible.

2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Convention relating to the Status of Refugees (1951)

Article 4

Religion

The Contracting States shall accord to refugees within their territories treatment at least as favourable as that accorded to their nationals with respect to freedom to practise their religion and freedom as regards the religious education of their children.

Article 33

Prohibition of expulsion or return (“refoulement”)

1. No Contracting State shall expel or return (“refouler”) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.

2. The benefit of the present provision may not, however, be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgement of a particularly serious crime, constitutes a danger to the community of that country.

Convention against Discrimination in Education (1960)¹

Article 1

1. For the purpose of this Convention, the term “discrimination” includes any distinction, exclusion, limitation or preference which, being based on race, colour, sex, language, religion, political or other opinion, national or social origin, economic condition or birth, has the purpose or effect of nullifying or impairing equality of treatment in education...

Article 2

When permitted in a State, the following situations shall not be deemed to constitute discrimination, within the meaning of article 1 of this Convention:

(b) The establishment or maintenance, for religious or linguistic reasons, of separate educational systems or institutions offering an education which is in keeping with the wishes of the pupil's parents or legal guardians, if participation in such systems or attendance at such institutions is optional and if the education provided conforms to such standards as may be laid down or approved by the competent authorities, in particular for education of the same level.

Article 5

1. The States Parties to this Convention agree that:

(b) It is essential to respect the liberty of parents and, where applicable, of legal guardians, firstly to choose for their children institutions other than those maintained by the public authorities but conforming to such minimum educational standards as may be laid down or approved by the competent authorities and, secondly, to ensure in a manner consistent with the procedures followed in the State for the application of its legislation, the religious and moral education of the children in conformity with their own convictions; and no person or group of persons should be compelled to receive religious instruction inconsistent with his or their conviction.

International Covenant on Civil and Political Rights (1966)

Article 18

1 Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.

3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

Article 27

In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.

¹ The Convention has not been ratified by Ukraine.

International Covenant on Economic, Social and Cultural Rights (1966)

Article 2

1. Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.

2. The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

3. Developing countries, with due regard to human rights and their national economy, may determine to what extent they would guarantee the economic rights recognized in the present Covenant to non-nationals.

Article 13

1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.

3. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to choose for their children schools, other than those established by the public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions.

4. No part of this article shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph 1 of this article and to the requirement that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

Standard Minimum Rules for the Treatment of Prisoners (1957, 1977)

Religion

41. (1) If the institution contains a sufficient number of prisoners of the same religion, a qualified representative of that religion shall be appointed or approved. If the number of prisoners justifies it and conditions permit, the arrangement should be on a full-time basis.

(2) A qualified representative appointed or approved under paragraph 1 shall be allowed to hold regular services and to pay pastoral visits in private to prisoners of his religion at proper times.

(3) Access to a qualified representative of any religion shall not be refused to any prisoner. On the other hand, if any prisoner should object to a visit of any religious representative, his attitude shall be fully respected.

42. So far as practicable, every prisoner shall be allowed to satisfy the needs of his religious life by attending the services provided in the institution and having in his possession the books of religious observance and instruction of his denomination.

Treatment

65. The treatment of persons sentenced to imprisonment or a similar measure shall have as its purpose, so far as the length of the sentence permits, to establish in them the will to lead law-abiding and self-supporting lives after their release and to fit them to do so. The treatment shall be such as will encourage their self-respect and develop their sense of responsibility.

66. (1) To these ends, all appropriate means shall be used, including religious care in the countries where this is possible, education, vocational guidance and training, social casework, employment counselling, physical development and strengthening of moral character, in accordance with the individual needs of each prisoner, taking account of his social and criminal history, his physical and mental capacities and aptitudes, his personal temperament, the length of his sentence and his prospects after release.

(2) For every prisoner with a sentence of suitable length, the director shall receive, as soon as possible after his admission, full reports on all the matters referred to in the foregoing paragraph. Such reports shall always include a report by a medical officer, wherever possible qualified in psychiatry, on the physical and mental condition of the prisoner.

(3) The reports and other relevant documents shall be placed in an individual file. This file shall be kept up to date and classified in such a way that it can be consulted by the responsible personnel whenever the need arises.

Education and recreation

77. (1) Provision shall be made for the further education of all prisoners capable of profiting thereby, including religious instruction in the countries where this is possible. The education of illiterates and young prisoners shall be compulsory and special attention shall be paid to it by the administration.

(2) So far as practicable, the education of prisoners shall be integrated with the educational system of the country so that after their release they may continue their education without difficulty.

Declaration on Race and Racial Prejudice (1978)

Article 1

1. All human beings belong to a single species and are descended from a common stock. They are born equal in dignity and rights and all form an integral part of humanity.

2. All individuals and groups have the right to be different, to consider themselves as different and to be regarded as such. However, the diversity of life styles and the right to be different may not, in any circumstances, serve as a pretext for racial prejudice; they may not justify either in law or in fact any discriminatory practice whatsoever, nor provide a ground for the policy of apartheid, which is the extreme form of racism.

3. Identity of origin in no way affects the fact that human beings can and may live differently, nor does it preclude the existence of differences based on cultural, environmental and historical diversity nor the right to maintain cultural identity.

4. All peoples of the world possess equal faculties for attaining the highest level in intellectual, technical, social, economic, cultural and political development.

5. The differences between the achievements of the different peoples are entirely attributable to geographical, historical, political, economic, social and cultural factors. Such differences can in no case serve as a pretext for any rank-ordered classification of nations or peoples.

Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (1981)

Article 3

Discrimination between human beings on the grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter of the United Nations, and shall be condemned as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and enunciated in detail in the International Covenants on Human Rights, and as an obstacle to friendly and peaceful relations between nations.

Convention on the Rights of the Child (1989)

Article 14

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.

2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.

3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

Article 30

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)²

Article 12

1. Migrant workers and members of their families shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of their choice and freedom either individually or in community with others and in public or private to manifest their religion or belief in worship, observance, practice and teaching.

2. Migrant workers and members of their families shall not be subject to coercion that would impair their freedom to have or to adopt a religion or belief of their choice.

² The Convention has not been ratified by Ukraine.

3. Freedom to manifest one's religion or belief may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others.

4. States Parties to the present Convention undertake to have respect for the liberty of parents, at least one of whom is a migrant worker, and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

United Nations Rules for the Protection of Juveniles Deprived of Their Liberty (1990)

4. The Rules should be applied impartially, without discrimination of any kind as to race, colour, sex, age, language, religion, nationality, political or other opinion, cultural beliefs or practices, property, birth or family status, ethnic or social origin, and disability. The religious and cultural beliefs, practices and moral concepts of the juvenile should be respected.

37. Every detention facility shall ensure that every juvenile receives food that is suitably prepared and presented at normal meal times and of a quality and quantity to satisfy the standards of dietetics, hygiene and health and, as far as possible, religious and cultural requirements. Clean drinking water should be available to every juvenile at any time.

Religion

48. Every juvenile should be allowed to satisfy the needs of his or her religious and spiritual life, in particular by attending the services or meetings provided in the detention facility or by conducting his or her own services and having possession of the necessary books or items of religious observance and instruction of his or her denomination. If a detention facility contains a sufficient number of juveniles of a given religion, one or more qualified representatives of that religion should be appointed or approved and allowed to hold regular services and to pay pastoral visits in private to juveniles at their request. Every juvenile should have the right to receive visits from a qualified representative of any religion of his or her choice, as well as the right not to participate in religious services and freely to decline religious education, counselling or indoctrination.

Basic Principles for the Treatment of Prisoners (1990)

2. There shall be no discrimination on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

3. It is, however, desirable to respect the religious beliefs and cultural precepts of the group to which prisoners belong, whenever local conditions so require.

5. Except for those limitations that are demonstrably necessitated by the fact of incarceration, all prisoners shall retain the human rights and fundamental freedoms set out in the Universal Declaration of Human Rights, and, where the State concerned is a party, the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights and the Optional Protocol thereto, as well as such other rights as are set out in other United Nations covenants.

Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992)³

Article 1

1. States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity.

2. States shall adopt appropriate legislative and other measures to achieve those ends.

Article 2

1. Persons belonging to national or ethnic, religious and linguistic minorities (hereinafter referred to as persons belonging to minorities) have the right to enjoy their own culture, to profess and practise their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination.

2. Persons belonging to minorities have the right to participate effectively in cultural, religious, social, economic and public life.

3. Persons belonging to minorities have the right to participate effectively in decisions on the national and, where appropriate, regional level concerning the minority to which they belong or the regions in which they live, in a manner not incompatible with national legislation.

4. Persons belonging to minorities have the right to establish and maintain their own associations without any discrimination, free and peaceful contacts with other members of their group and with persons belonging to other minorities, as well as contacts across frontiers with citizens of other States to whom they are related by national or ethnic, religious or linguistic ties.

Article 4

1. States shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law.

2. States shall take measures to create favourable conditions to enable persons belonging to minorities to express their characteristics and to develop their culture, language, religion, traditions and customs, except where specific practices are in violation of national law and contrary to international standards.

4. States should, where appropriate, take measures in the field of education, in order to encourage knowledge of the history, traditions, language and culture of the minorities existing within their territory. Persons belonging to minorities should have adequate opportunities to gain knowledge of the society as a whole.

Article 8

1. Nothing in the present Declaration shall prevent the fulfilment of international obligations of States in relation to persons belonging to minorities. In particular, States

³ Human Rights and Professional Standards for Lawyers. – Kyiv, 1996.

shall fulfil in good faith the obligations and commitments they have assumed under international treaties and agreements to which they are parties.

2. The exercise of the rights set forth in the present Declaration shall not prejudice the enjoyment by all persons of universally recognized human rights and fundamental freedoms.

3. Measures taken by States to ensure the effective enjoyment of the rights set forth in the present Declaration shall not *prima facie* be considered contrary to the principle of equality contained in the Universal Declaration of Human Rights.

4. Nothing in the present Declaration may be construed as permitting any activity contrary to the purposes and principles of the United Nations, including sovereign equality, territorial integrity and political independence of States.

Declaration of Principles on Tolerance (1995)

Article 1

Meaning of tolerance

1.1 Tolerance is respect, acceptance and appreciation of the rich diversity of our world's cultures, our forms of expression and ways of being human. It is fostered by knowledge, openness, communication, and freedom of thought, conscience and belief. Tolerance is harmony in difference. It is not only a moral duty, it is also a political and legal requirement. Tolerance, the virtue that makes peace possible, contributes to the replacement of the culture of war by a culture of peace.

1.2 Tolerance is not concession, condescension or indulgence. Tolerance is, above all, an active attitude prompted by recognition of the universal human rights and fundamental freedoms of others. In no circumstance can it be used to justify infringements of these fundamental values. Tolerance is to be exercised by individuals, groups and States.

1.3 Tolerance is the responsibility that upholds human rights, pluralism (including cultural pluralism), democracy and the rule of law. It involves the rejection of dogmatism and absolutism and affirms the standards set out in international human rights instruments.

1.4 Consistent with respect for human rights, the practice of tolerance does not mean toleration of social injustice or the abandonment or weakening of one's convictions. It means that one is free to adhere to one's own convictions and accepts that others adhere to theirs. It means accepting the fact that human beings, naturally diverse in their appearance, situation, speech, behaviour and values, have the right to live in peace and to be as they are. It also means that one's views are not to be imposed on others.

Article 2

State level

2.1 Tolerance at the State level requires just and impartial legislation, law enforcement and judicial and administrative process. It also requires that economic and social opportunities be made available to each person without any discrimination. Exclusion and marginalization can lead to frustration, hostility and fanaticism.

2.2 In order to achieve a more tolerant society, States should ratify existing international human rights conventions, and draft new legislation where necessary to ensure equality of treatment and of opportunity for all groups and individuals in society.

2.3 It is essential for international harmony that individuals, communities and nations accept and respect the multicultural character of the human family. Without tolerance there can be no peace, and without peace there can be no development or democracy.

2.4 Intolerance may take the form of marginalization of vulnerable groups and their exclusion from social and political participation, as well as violence and discrimination against them. As confirmed in the Declaration on Race and Racial Prejudice, “All individuals and groups have the right to be different” (Article 1.2).

Article 3

Social dimensions

3.1 In the modern world, tolerance is more essential than ever before. It is an age marked by the globalization of the economy and by rapidly increasing mobility, communication, integration and interdependence, large-scale migrations and displacement of populations, urbanization and changing social patterns. Since every part of the world is characterized by diversity, escalating intolerance and strife potentially menaces every region. It is not confined to any country, but is a global threat.

3.2 Tolerance is necessary between individuals and at the family and community levels. Tolerance promotion and the shaping of attitudes of openness, mutual listening and solidarity should take place in schools and universities and through non-formal education, at home and in the workplace. The communication media are in a position to play a constructive role in facilitating free and open dialogue and discussion, disseminating the values of tolerance, and highlighting the dangers of indifference towards the rise in intolerant groups and ideologies.

3.3 As affirmed by the UNESCO Declaration on Race and Racial Prejudice, measures must be taken to ensure equality in dignity and rights for individuals and groups wherever necessary. In this respect, particular attention should be paid to vulnerable groups which are socially or economically disadvantaged so as to afford them the protection of the laws and social measures in force, in particular with regard to housing, employment and health, to respect the authenticity of their culture and values, and to facilitate their social and occupational advancement and integration, especially through education.

3.4 Appropriate scientific studies and networking should be undertaken to co-ordinate the international community’s response to this global challenge, including analysis by the social sciences of root causes and effective countermeasures, as well as research and monitoring in support of policy-making and standard-setting action by Member States.

Article 4

Education

4.1 Education is the most effective means of preventing intolerance. The first step in tolerance education is to teach people what their shared rights and freedoms are, so that they may be respected, and to promote the will to protect those of others.

4.2 Education for tolerance should be considered an urgent imperative; that is why it is necessary to promote systematic and rational tolerance teaching methods that will address the cultural, social, economic, political and religious sources of intolerance – major roots of violence and exclusion. Education policies and programmes should contribute to development of understanding, solidarity and tolerance among individuals as well as among ethnic, social, cultural, religious and linguistic groups and nations.

4.3 Education for tolerance should aim at countering influences that lead to fear and exclusion of others, and should help young people to develop capacities for independent judgement, critical thinking and ethical reasoning.

4.4 We pledge to support and implement programmes of social science research and education for tolerance, human rights and non-violence. This means devoting special attention to improving teacher training, curricula, the content of textbooks and lessons, and other educational materials including new educational technologies, with a view to educating caring and responsible citizens open to other cultures, able to appreciate the value of freedom, respectful of human dignity and differences, and able to prevent conflicts or resolve them by non-violent means.

Article 5

Commitment to action

We commit ourselves to promoting tolerance and non-violence through programmes and institutions in the fields of education, science, culture and communication.

COUNCIL OF EUROPE DOCUMENTS

Convention for the Protection of Human Rights and Fundamental Freedoms (1950)

Article 9

Freedom of Thought, Conscience and Religion

1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.

2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.

Article 10

Freedom of Expression

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without

interference by public authority and regardless of frontiers. This article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

Article 14

Prohibition of Discrimination

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

The European Prison Rules (1987)

Revised European version of the Standard Minimum Rules for the Treatment of Prisoners (1987)

Religious and moral assistance

46. So far as practicable, every prisoner shall be allowed to satisfy the needs of his religious, spiritual and moral life by attending the services or meetings provided in the institution and having in his possession any necessary books or literature.

47.1. If the institution contains a sufficient number of prisoners of the same religion, a qualified representative of that religion shall be appointed and approved. If the number of prisoners justifies it and conditions permit, the arrangement should be on a full-time basis.

47.2. A qualified representative appointed or approved under paragraph 1 shall be allowed to hold regular services and activities and to pay pastoral visits in private to prisoners of his religion at proper times.

47.3. Access to a qualified representative of any religion shall not be refused to any prisoner. If any prisoner should object to a visit of any religious representative, the prisoner shall be allowed to refuse it.

Framework Convention for the Protection of National Minorities (1995)

Article 6

1. The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons' ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and the media.

2. The Parties undertake to take appropriate measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity.

**Parliamentary Assembly of the Council of Europe
Opinion No.190 (1995) on the Application by Ukraine
for Membership of the Council of Europe⁴**

11. Accordingly, in the light of assurances given by the highest authorities of the state (letter of 27 July 1995 from the President of Ukraine, the President of the Parliament and the Prime Minister), and on the basis of the following considerations, the Assembly believes that Ukraine is able and willing, in the sense of Article 4 of the Statute of the Council of Europe, to fulfil the provisions for membership of the Council of Europe as set forth in Article 3: “Every member of the Council of Europe must accept the principles of the rule of law and of the enjoyment by all persons within its jurisdiction of human rights and fundamental freedoms, and collaborate sincerely and effectively in the realisation of the aim of the Council...”:

xi. a peaceful solution to the disputes existing among the orthodox churches will be facilitated while respecting the Church’s independence vis-a-vis the state; a new non-discriminatory system of church registration and a legal solution for the restitution of church property will be introduced.

**Parliamentary Assembly of the Council of Europe
Recommendation 1396 (1999)⁵**

Religion and democracy

1. The Council of Europe, by its statute, is an Organisation which is essentially humanistic. At the same time, as a guardian of human rights, it must ensure freedom of thought, conscience and religion as affirmed in Article 9 of the European Convention on Human Rights. It must also ensure that manifestations of religion comply with the limitations set out in the same article.

2. The Assembly has already taken an interest in the diversity of the cultures and religions in Europe. Their co-existence and interaction have considerably enriched the European heritage. In particular, the Assembly refers to Resolution 885 (1987) on the Jewish contribution to European culture, Resolution 916 (1989) on redundant religious buildings, Recommendation 1162 (1991) and Order No.465 on the contribution of the Islamic civilisation to European culture and Recommendation 1291 (1996) on Yiddish culture.

3. The Assembly is also aware that, even in a democracy, there are still certain tensions between religious expression and political power. There is a religious aspect

⁴ <http://assembly.coe.int/Main.asp?link=http%3A%2F%2Fassembly.coe.int%2FDocuments%2FAdoptedText%2Fta95%2FEOP190.htm>.

⁵ <http://assembly.coe.int/Main.asp?link=http%3A%2F%2Fassembly.coe.int%2FDocuments%2FAdoptedText%2Fta99%2FEREC1396.htm>.

to many of the problems that contemporary society faces, such as intolerant fundamentalist movements and terrorist acts, racism and xenophobia, and ethnic conflicts; consideration should also be given to inequality between sexes in religion. The Assembly has already addressed some of these issues in Recommendation 1202 (1993) on religious tolerance in democratic society and Recommendation 1222 (1993) on the fight against racism, xenophobia and intolerance. Extremism is not religion itself, but a distortion or perversion of it. None of the great age-old religions preaches violence. Extremism is a human invention that diverts religion from its humanist path to make it an instrument of power.

4. It is not up to politicians to decide on religious matters. As for religions, they must not try to take the place of democracy or grasp political power; they must respect the definition of human rights, contained in the European Convention on Human Rights, and the rule of law.

5. Democracy and religion need not be incompatible; quite the opposite. Democracy has proved to be the best framework for freedom of conscience, the exercise of faith and religious pluralism. For its part, religion, through its moral and ethical commitment, the values it upholds, its critical approach and its cultural expression, can be a valid partner of democratic society.

6. Democratic states, whether secular or linked to a religion, must allow all religions that abide by the conditions set out in the European Convention on Human Rights to develop under the same conditions, and enable them to find an appropriate place in society.

7. Problems arise when the authorities try to use religion for their own ends, or when religions try to abuse the state for the purpose of achieving their objectives.

8. Many conflicts also arise from mutual ignorance, the resulting stereotypes and, ultimately, rejection. In a democratic system, politicians have a duty to prevent an entire religion from being associated with actions carried out, for instance by fanatical religious minorities.

9. Religious extremism that encourages intolerance, prejudice and/or violence is also the symptom of a sick society and poses a threat to a democratic society. As it compromises public order, it must be fought with those means in conformity with the rule of law, and as it is an expression of a social malaise, it can only be combated if the authorities tackle society's real problems.

10. Education is the key way to combat ignorance and stereotypes. School and university curricula should be revised, as a matter of urgency, so as to promote better understanding of the various religions; religious instruction should not be given at the expense of lessons about religions as an essential part of the history, culture and philosophy of humankind.

11. Religious leaders could make a considerable contribution to efforts to combat prejudice, through their public discourse and their influence on believers.

12. The combating of prejudice also necessitates the development of ecumenism and dialogue between religions.

13. The Assembly consequently recommends that the Committee of Ministers invite the governments of the member states:

i. to guarantee freedom of conscience and religious expression within the conditions set out in the European Convention on Human Rights for all citizens and, in particular, to:

a. safeguard religious pluralism by allowing all religions to develop in identical conditions;

b. facilitate, within the limits set out in Article 9 of the European Convention on Human Rights, the observation of religious rites and customs, for example with regard to marriage, dress, holy days (with scope for adjusting leave) and military service;

c. denounce any attempt to foment conflict within and between religions for partisan ends;

d. ensure freedom and equal rights of education to all citizens regardless of their religious belief, customs and rites;

e. ensure fair and equal access to the public media for all religions.

ii. to promote education about religions and, in particular, to:

a. step up the teaching about religions as sets of values towards which young people must develop a discerning approach, within the framework of education on ethics and democratic citizenship;

b. promote the teaching in schools of the comparative history of different religions, stressing their origins, the similarities in some of their values and the diversity of their customs, traditions, festivals, and so on;

c. encourage the study of the history and philosophy of religions and research into those subjects at university, in parallel with theological studies;

d. co-operate with religious educational institutions in order to introduce or reinforce, in their curricula, aspects relating to human rights, history, philosophy and science;

e. avoid – in the case of children – any conflict between the state-promoted education about religion and the religious faith of the families, in order to respect the free decision of the families in this very sensitive matter.

iii. to promote better relations with and between religions, and in particular:

a. engage in more regular dialogue with religious and humanist leaders about the major problems facing society, which would make it possible to take account of the population's cultural and religious views before political decisions are taken and to involve religious communities and organisations in the task of upholding democratic values and promoting innovative ideas;

b. encourage dialogue between religions by providing opportunities for expression, discussion and meetings between representatives of different religions;

c. promote regular dialogue between theologians, philosophers and historians, as well as with representatives of other branches of knowledge;

d. widen and strengthen partnership with religious communities and organisations, and especially with those which have deep cultural and ethical traditions among local populations in social, charitable, missionary, cultural and educational activities.

iv. to promote the cultural and social expression of religions and, in particular, to:

a. ensure equal conditions for the maintenance and conservation of religious buildings and of the assets of all religions, as an integral part of the national and European heritage;

b. ensure that redundant religious buildings are reused in conditions which are, as far as possible, compatible with the original intention of their construction;

c. safeguard cultural traditions and different religious festivals;

d. encourage the social and charitable work undertaken by religious communities and organisations.

14. The Assembly also recommends that the Committee of Ministers:

i. lay down, as part of its projects on education for democratic citizenship and history teaching, guidelines for the introduction of educational syllabuses relevant to points 13.*ii.a*, *b* and *c* of this recommendation.

ii. continue to provide a framework for pan-European meetings between representatives of different religions.

Parliamentary Assembly of the Council of Europe Recommendation 1556 (2002)⁶

Religion and Change in Central and Eastern Europe

1. The Parliamentary Assembly has frequently had occasion to consider questions relating to the preservation and development of traditional religious cultures, and ways of creating the conditions needed for them to interact and develop successfully together. In Resolution 885 (1987) on the Jewish contribution to European culture, Recommendation 1162 (1991) on the contribution of Islamic civilisation to European culture, and Recommendation 1291 (1996) on Yiddish culture, the Assembly expressed its sense of the need to safeguard and develop Europe's shared cultural heritage, in all its richness and diversity.

2. The Assembly has also persistently expressed its awareness of the need to ensure or restore harmonious relations between religious institutions and states. This is an essential part of securing such basic human rights as freedom of conscience and religion, religious tolerance and the protection of individuals and communities against all forms of religious persecution. These issues are specifically dealt with in Resolution 916 (1989) on redundant religious buildings, Recommendation 1202 (1993) on religious tolerance in a democratic society, Recommendation 1222 (1993) on the fight against racism, xenophobia and intolerance, Recommendation 1396 (1999) on religion and democracy, and Recommendation 1412 (1999) on the illegal activities of sects.

3. The collapse of communism has given religious institutions in central and eastern Europe an opportunity, if not responsibility, to renew their social potential and focus on their basic, historical tasks (the spiritual education of the individual, the ethical improvement of society, and charitable, cultural, educational and other projects).

4. More recently, socio-religious developments in the post-communist countries have been marked by the emergence of fundamentalist and extremist tendencies, active attempts to make religious slogans and religious organisations part of a process of

⁶ http://www.coe.int/T/r/Parliamentary/%5FAssembly/%5BRussian/%5Fdocuments/%5D/%5B2002%5D/%5BAvril2002%5D/Rek_1556.asp#TopOfPage.

military, political, and ethnic mobilisation in the service of militant nationalism and chauvinism, and the politicisation of religious life.

5. The emergence of independent states has encouraged certain national Orthodox churches to seek independence for themselves or to transfer their allegiance – aspirations which are sometimes strongly resisted by the Orthodox centres to which they were previously subject. This has led to a worsening of relations between churches and, in some cases, governments. It is important to exclude all possibility of governmental interference in questions of dogma, church organisation and canon law.

6. The new religious freedom and the removal of barriers to the dissemination of ideas and beliefs, including religious beliefs, have forced the churches of central and eastern Europe to face religious differences. Weakened in the past and never having functioned in a climate of political, cultural and religious pluralism, the traditional churches of the region now find themselves in conflict with newly-arrived foreign missionaries and new religious movements. So far, the problem remains unsolved of striking a balance between, on the one hand, the principles of democracy and human rights, of freedom of conscience and religion, and, on the other, the preservation of national cultural, ethnic and religious identity.

7. The disappearance of the iron curtain has made the religious and cultural divide in Europe more apparent, and has even aggravated it. Europe's two Christian cultures – western and eastern – know very little of each other, and this ignorance is a very dangerous obstacle on the path to a united Europe. As Pope John Paul II has repeatedly said, Christian Europe must breathe with both its lungs, eastern and western. Similarly, adherents of the two Christian traditions show little interest in Jewish culture, such an integral part of European heritage, or in Islamic culture, which is becoming increasingly a part of the European scene.

8. The Assembly accordingly recommends that the Committee of Ministers call on the governments of the member states, the European Union, and also the authorities and organisations concerned:

Legal guarantees and their observance

i. to promote conformity of national legislation with the European Convention for the Protection of Human Rights and Fundamental Freedoms, paying special attention to Article 9, which states that religious freedoms shall be subject only to limitations prescribed by law and necessary in a democratic society, and to the ruling of the European Court of Human Rights (1983) that restrictions on human rights must be motivated by a “pressing social need”, and be “proportionate to the legitimate aim pursued”;

ii. to guarantee all churches, religious associations, centres and communities the status of legal entities, if their activity does not violate human rights or international law, and in particular to press the Government of the Republic of Moldova to register the Metropolitan Church of Bessarabia according to the decision of the European Court of Human Rights of 13 December 2001;

iii. to take effective action to guarantee the freedom of religious minorities, especially in central and eastern Europe, with special emphasis on protecting

them against discrimination or persecution by religious majorities or other groups practising aggressive nationalism and chauvinism;

iv. to activate the normal procedures provided for in national law in all cases where religious freedoms are proved to be abused in a manner harmful to the community, or to the rights, freedoms and health of individuals;

v. to guarantee to religious institutions, the assets of which were nationalised in the past, restitution of such assets within a certain timelimit or, in cases where this is impossible, fair compensation; due care must be taken to prevent privatisation of nationalised church property;

vi. to offer to mediate between conflicting parties, in cases where the latter accept this, for the purpose of settling disputes, while taking care to ensure that government bodies do not interfere in dogma or other internal religious matters;

vii. to ask the European Convention to include European religious traditions into the preamble of the future European constitution, as the foundation of human dignity and human rights and of the ethical roots of European identity;

Culture, education and exchange

viii. to devise communication strategies and to develop the necessary activities in the field of cultural exchange, making people in different countries mutually aware of their cultural achievements;

ix. to co-operate with the church authorities in identifying and sharing their responsibilities, such as in maintaining historic buildings and in religious education, and in promoting joint discussion of the major social, moral, ethical and cultural issues which modern societies face;

x. to include information on Europe's main religious cultures and practices in school curricula;

xi. to support the activities of non-governmental organisations working to strengthen mutual understanding between religious groups, and protect the religious cultural heritage;

xii. to take action to secure equal access to the media, education and culture for representatives of all religious traditions;

xiii. to encourage the setting up of special centres to promote interconfessional relations, and also the exchange of exhibitions and fairs, centred on cultural heritage, masterpieces of religious art and books, and helping people to familiarise themselves with Europe's various religious cultures;

xiv. to promote exchange programmes to give students, research workers and artists a full picture of the ethical, moral and cultural values of Europe's religions;

xv. to encourage the development of cultural itineraries in Europe and linking Europe with neighbouring countries so as to reflect and develop past perspectives and new possibilities of cultural communication;

xvi. to provide public libraries with publications, which detail the cultural achievements and beliefs of the various religious traditions;

xvii. to promote scientific research aimed at uncovering the shared roots of Europe's various cultures and fostering a better understanding of the ways in which they interrelate and complement one another.

OSCE DOCUMENTS

Concluding Document of the Vienna Meeting 1986 of Representatives of the Participating States of the Conference on Security and Co-operation in Europe

(13) In this context they (participating States) will:

(13.1) – develop their laws, regulations and policies in the field of civil, political, economic, social, cultural and other human rights and fundamental freedoms and put them into practice in order to guarantee the effective exercise of these rights and freedoms;

(13.4) – effectively ensure the right of the individual to know and act upon his rights and duties in this field, and to that end publish and make accessible all laws, regulations and procedures relating to human rights and fundamental freedoms;

(13.5) – respect the right of their citizens to contribute actively, individually or in association with others, to the promotion and protection of human rights and fundamental freedoms;

(13.6) – encourage in schools and other educational institutions consideration of the promotion and protection of human rights and fundamental freedoms;

(13.7) – ensure human rights and fundamental freedoms to everyone within their territory and subject to their jurisdiction, without distinction of any kind such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status;

(13.8) – ensure that no individual exercising, expressing the intention to exercise or seeking to exercise these rights and freedoms or any member of his family, will as a consequence be discriminated against in any manner;

(13.9) – ensure that effective remedies as well as full information about them are available to those who claim that their human rights and fundamental freedoms have been violated...

(16) In order to ensure the freedom of the individual to profess and practise religion or belief, the participating States will, inter alia,

(16.1) – take effective measures to prevent and eliminate discrimination against individuals or communities on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, political, economic, social and cultural life, and to ensure the effective equality between believers and non-believers;

(16.2) – foster a climate of mutual tolerance and respect between believers of different communities as well as between believers and non-believers;

(16.3) – grant upon their request to communities of believers, practising or prepared to practise their faith within the constitutional framework of their States, recognition of the status provided for them in their respective countries;

(16.4) – respect the right of these religious communities to:

- establish and maintain freely accessible places of worship or assembly,
- organize themselves according to their own hierarchical and institutional structure,

- select, appoint and replace their personnel in accordance with their respective requirements and standards as well as with any freely accepted arrangement between them and their State,

- solicit and receive voluntary financial and other contributions;

(16.5) – engage in consultations with religious faiths, institutions and organizations in order to achieve a better understanding of the requirements of religious freedom;

(16.6) – respect the right of everyone to give and receive religious education in the language of his choice, whether individually or in association with others;

(16.7) – in this context respect, inter alia, the liberty of parents to ensure the religious and moral education of their children in conformity with their own convictions;

(16.8) – allow the training of religious personnel in appropriate institutions;

(16.9) – respect the right of individual believers and communities of believers to acquire, possess, and use sacred books, religious publications in the language of their choice and other articles and materials related to the practice of religion or belief;

(16.10) – allow religious faiths, institutions and organizations to produce, import and disseminate religious publications and materials;

(16.11) – favourably consider the interest of religious communities to participate in public dialogue, including through the mass media...

(18) The participating States will exert sustained efforts to implement the provisions of the Final Act and of the Madrid Concluding Document pertaining to national minorities. They will take all the necessary legislative, administrative, judicial and other measures and apply the relevant international instruments by which they may be bound, to ensure the protection of human rights and fundamental freedoms of persons belonging to national minorities within their territory. They will refrain from any discrimination against such persons and will contribute to the realization of their legitimate interests and aspirations in the field of human rights and fundamental freedoms.

(19) They will protect and create conditions for the promotion of the ethnic, cultural, linguistic and religious identity of national minorities on their territory. They will respect the free exercise of rights by persons belonging to such minorities and ensure their full equality with others.

Co-operation in Humanitarian and Other Fields

(32) They will allow believers, religious faiths and their representatives, in groups or on an individual basis, to establish and maintain direct personal contacts and communication with each other, in their own and other countries, inter alia through travel, pilgrimages and participation in assemblies and other religious events. In this context and commensurate with such contacts and events, those concerned will be allowed to acquire, receive and carry with them religious publications and objects related to the practice of their religion or belief.

(59) They will ensure that persons belonging to national minorities or regional cultures on their territories can maintain and develop their own culture in all its aspects, including language, literature and religion; and that they can preserve their cultural and historical monuments and objects.

(68) They will ensure that persons belonging to national minorities or regional cultures on their territories can give and receive instruction on their own culture, including instruction through parental transmission of language, religion and cultural identity to their children.