



THE LAW OF UKRAINE

About freedom of conscience and religious organizations

(Information of the Verkhovna Rada of the Ukrainian SSR (VVR), 1991, No. 25, Article 283)

{Enforced by Resolution of the Verkhovna Rada
No. 988-XII dated 23.04.91 , Verkhovna Rada, 1991, No. 25, Article 284}

{With changes introduced in accordance with Laws
No. 2140-XII dated 19.02.92 , VVR, 1992, No. 20, Article 277
No. 2295-XII dated 23.04.92 , VVR, 1992, No. 30, Article 418
by Decree
No. 12- 92 dated 26.12.92 , VVR, 1993, No. 10, Art. 76
Laws
No. 3180-XII dated 05.05.93 , VVR, 1993, No. 26, Art. 277
No. 3795-XII dated 12.23.93 , VVR, 1994, No. 13, Art. 66
No. 498/95-BP dated 22.12.95 , Administrative Law, 1996, No. 3, Art. 11
No. 608/96-BP dated 17.12.96 , Administrative Law, 1997, No. 8, Art. 62
No. 429-IV dated 16.01.2003 , VVR, 2003, No. 10-11, Art. 87
No. 875-VI dated 15.01.2009 , VVR, 2009, No. 23, Article 282
No. 5461-VI dated 16.10.2012 , VVR, 2014, No. 5, Article 62
No. 721-VII dated 16.01.2014 , VVR, 2014, No. 22, Article 801 - invalidated on the basis of
Law No. 732-VII dated 28.01.2014 , State Government, 2014, No. 22, Article 811
No. 767-VII dated 23.02.2014 , State Government, 2014, No. 17, Article .593
No. 77-VIII dated 28.12.2014 , VVR, 2015, No. 11, Article 75
No. 2581-VIII dated 02.10.2018, VVR, 2018, No. 46, Article 371
No. 2598-VIII dated 18.10.2018 , VVR "

IX from 03.03.2022 }

{Regarding recognition of certain provisions as unconstitutional, see Decision of the Constitutional Court No. 6-pn/2016 dated September 8, 2016 }

{In the title and text of the Law, the words "Ukrainian Soviet Socialist Republic", "Ukrainian SSR", "Ukrainian SSR", "Ukrainian SSR", "Ukrainian SSR" are replaced by the words "Ukraine", "Ukraine", "Ukraine" " according to Law No. 3795-XII dated 12.23.93 }

Chapter I GENERAL PROVISIONS

Article 1. Tasks of the Law

The tasks of this Law are:

- guaranteeing the right to freedom of conscience to citizens of Ukraine and exercising this right;
- ensuring, in accordance with the Constitution of Ukraine , the Declaration on the State Sovereignty of Ukraine and norms of international law recognized by Ukraine, social justice, equality, protection of the rights and legitimate interests of citizens regardless of their attitude to religion;
- determination of the state's obligations in relation to religious organizations;
- determination of the duties of religious organizations before the state and society;
- overcoming the negative consequences of state policy regarding religion and the church;
- guaranteeing favorable conditions for the development of social morality and humanism, civil harmony and cooperation of people regardless of their worldview or religion.

Article 2. Legislation of Ukraine on freedom of conscience and religious organizations

In Ukraine, all legal relations related to freedom of conscience and the activities of religious organizations are regulated by the legislation of Ukraine.

The legislation of Ukraine on freedom of conscience and religious organizations consists of this Law and other legislative acts of Ukraine issued in accordance with it.

Article 3. The right to freedom of conscience

Every citizen in Ukraine is guaranteed the right to freedom of conscience. This right includes the freedom to have, adopt and change the religion or belief of one's choice and the freedom, individually or in association with others, to practice any religion or no religion, to practice religious worship, to openly express and freely propagate one's religious or atheistic beliefs.

No one can establish mandatory beliefs and worldview. Any coercion is not allowed when a citizen determines his attitude to religion, to professing or refusing to profess religion, to participating or not participating in religious services, religious rites and ceremonies, religious education.

Parents or their substitutes, by mutual consent, have the right to raise their children in accordance with their own beliefs and attitudes to religion.

The exercise of freedom to practice religion or belief is subject only to those restrictions that are necessary to protect public safety and order, life, health and morals, as well as the rights and freedoms of other citizens, established by law and in accordance with Ukraine's international obligations.

No one has the right to demand from clergy the information obtained by them during the confession of believers.

Article 4. Equality of citizens regardless of their attitude to religion

Citizens of Ukraine are equal before the law and have equal rights in all spheres of economic, political, social and cultural life, regardless of their attitude to religion. Official documents do not indicate a citizen's attitude to religion.

Any direct or indirect restriction of rights, establishing direct or indirect advantages of citizens depending on their attitude to religion, as well as inciting related enmity and hatred or offending the feelings of citizens, entail responsibility established by law.

No one can evade the fulfillment of constitutional duties on the grounds of his religious beliefs. Substitution of the performance of one duty by another due to reasons of conviction is allowed only in cases provided for by the legislation of Ukraine.

Article 5. Separation of the church (religious organizations) from the state

In Ukraine, the implementation of state policy regarding religion and the church belongs exclusively to Ukraine.

The church (religious organizations) in Ukraine is separated from the state.

The state protects the rights and legitimate interests of religious organizations; promotes the establishment of relations of mutual religious and ideological tolerance and respect between citizens who practice religion or not, between believers of different faiths and their religious organizations; takes into account and respects the traditions and internal instructions of religious organizations, if they do not contradict the current legislation.

The state does not interfere in the activities of religious organizations carried out within the limits of the law, does not finance the activities of any organizations created on the basis of an attitude towards religion.

All religions, faiths and religious organizations are equal before the law. Establishing any preferences or limitations of one religion, creed or religious organization over others is not allowed.

Religious organizations do not perform state functions.

Religious organizations have the right to participate in public life, as well as to use mass media on a par with public associations.

Religious organizations do not participate in the activities of political parties and do not provide political parties with financial support, do not nominate candidates for state authorities, campaign or finance the election campaigns of candidates for these bodies. Clergymen have the right to participate in political life on an equal basis with all citizens.

A religious organization must not interfere in the activities of other religious organizations, in any form preach enmity, intolerance towards non-believers and believers of other faiths.

A religious organization is obliged to comply with the requirements of current legislation and law and order.

{Part ten of Article 5 as amended in accordance with Law No. 721-VII dated 16.01.2014 - became invalid based on Law No. 732-VII dated 28.01.2014 ; with changes introduced in accordance with Law No. 767-VII dated 23.02.2014 }

Article 6. Separation of the school from the church (religious organizations)

The state education system in Ukraine is separate from the church (religious organizations) and has a secular character. Access to various types and levels of education is provided to citizens regardless of their attitude to religion.

It is not allowed to limit the conduct of scientific research, including state-funded research, the promotion of their results, or their inclusion in general education programs on the basis of compliance or non-compliance with the provisions of any religion or atheism.

Citizens can learn religious beliefs and acquire religious education individually or together with others, freely choosing the language of instruction.

Religious organizations have the right, in accordance with their internal guidelines, to create educational institutions and groups for the religious education of children and adults, as well as to conduct training in other forms, using for this purpose the premises they own or provide for use.

Teachers of religious beliefs and religious preachers are obliged to educate their listeners in the spirit of tolerance and respect for citizens who do not practice religion and for believers of other faiths.

Chapter II

RELIGIOUS ORGANIZATIONS IN UKRAINE

Article 7. Religious organizations

Religious organizations in Ukraine are formed to meet the religious needs of citizens to profess and spread faith and act in accordance with their hierarchical and institutional structure, elect, appoint and replace personnel in accordance with their statutes (regulations).

Religious organizations in Ukraine are religious communities, administrations and centers, monasteries, religious brotherhoods, missionary societies (missions), spiritual educational institutions, as well as associations consisting of the above-mentioned religious organizations. Religious

associations are represented by their centers (administrations).

This Law does not apply to other organizations formed on a religious basis.

Article 8. Religious community

A religious community is a local religious organization of believing citizens of one and the same cult, creed, direction, current or thought, who have voluntarily united for the purpose of common satisfaction of religious needs.

Membership in a religious community is based on the principles of free will, as well as on the requirements of the charter (regulations) of the religious community. A religious community at its own discretion accepts new and excludes existing members of the community in accordance with the procedure established by its charter (regulations).

The state recognizes the right of a religious community to be subservient in canonical and organizational matters to any religious centers (management) operating in Ukraine and abroad and to freely change this subordination by making appropriate changes to the charter (regulations) of the religious community. The decision to change the subordination and make appropriate changes or additions to the charter is adopted by the general meeting of the religious community. Such general meetings of the religious community may be convened by its members.

The decision to change the subordination and to make relevant changes or additions to the charter is adopted by at least two-thirds of the number of members of the religious community required to recognize the general assembly of the religious community as authorized in accordance with the charter (regulations) of the religious community.

The decision to change the affiliation and make the corresponding changes or additions to the charter is certified by the signatures of the members of the relevant religious community who supported such a decision.

The decision on the change of jurisdiction and the introduction of relevant changes or additions to the charter is subject to registration in accordance with the procedure established by Article 14 of this Law.

A change in the subordination of a religious community does not affect the content of property rights and other property rights of such a religious community, except for the case established by Article 18 of this Law.

A part of the community that does not agree with the decision on the change of subordination has the right to form a new religious community and conclude an agreement on the procedure for using the religious building and property with their owner (user).

Notification of the state authorities on the formation of a religious community is not mandatory.

{Article 8 as amended by Law No. 2673-VIII dated January 17, 2019 }

Article 9. Religious administrations and centers

Religious administrations and centers operate on the basis of their statutes (regulations), which are registered in accordance with the procedure established by Article 14 of this Law.

Religious organizations whose management centers are located outside of Ukraine may be guided in their activities by the instructions of these centers, provided that the legislation of Ukraine is not violated.

Relations of the state with religious administrations and centers, including those outside Ukraine, which are not regulated by law, are regulated in accordance with agreements between them and state bodies.

Article 10. Monasteries, religious brotherhoods and missions

Religious administrations and centers have the right, in accordance with their registered statutes (regulations), to establish monasteries, religious brotherhoods, missionary societies (missions), which operate on the basis of their statutes (regulations), which are registered in the manner established by Article 14 of this Law.

Monasteries and religious brotherhoods can also be formed in the manner provided by this Law for the formation of religious communities, with the registration of their statutes (regulations).

Article 11. Theological educational institutions

Religious administrations and centers, in accordance with their registered statutes (regulations), have the right to create spiritual educational institutions for the training of clergymen and ministers of other religious specialties necessary for them. Theological educational institutions operate on the basis of their statutes (regulations), which are registered in accordance with the procedure established by Article 14 of this Law.

Citizens who study in higher and secondary theological educational institutions enjoy the rights and privileges regarding the postponement of military service, taxation, inclusion of study time in work experience in the order and on the conditions established for students and pupils of state educational institutions.

Article 12. Statutes (regulations) of religious organizations

The charter (regulations) of a religious organization, which in accordance with civil legislation determines its legal capacity, is subject to registration in accordance with the procedure established by Article 14 of this Law.

The charter (regulations) of a religious organization is adopted at a general meeting of religious citizens or at religious congresses and conferences.

The charter (regulations) of a religious organization must contain information about:

- 1) type of religious organization, its religious affiliation and location;
- 2) the place of a religious organization in the organizational structure of a religious association;

- 3) property status of a religious organization;
- 4) the right of a religious organization to establish enterprises, mass media, other religious organizations, and establish educational institutions;
- 5) the procedure for introducing changes and additions to the charter (regulations) of a religious organization;
- 6) the procedure for resolving property and other issues in the event of termination of the activity of a religious organization.

The statute (regulations) may also contain other information related to the specifics of the activities of this religious organization.

The charter (regulations) of a religious organization must not contradict the current legislation.

Documents that define religious activity, resolve other internal issues of a religious organization, are not subject to registration in state bodies.

A religious organization (association), which directly or as a constituent part of another religious organization (association) is part of the structure (is part of) a religious organization (association), the center of management (management) of which is located outside Ukraine in the state, which is recognized by law as having carried out military aggression against Ukraine and/or temporarily occupied part of the territory of Ukraine, is obliged to reflect its affiliation to a religious organization (association) outside Ukraine in its full name, specified in its statute (regulations), to which it is a part (of which it is a part), by mandatory reproduction in its name of the full statutory name of such a religious organization (association) with the possible addition of the words "in Ukraine" and/or indicating its place in the structure of a foreign religious organization.

{Article 12 is supplemented by part seven in accordance with Law No. 2662-VIII dated 12.20.2018 }

The entry of a religious organization (association) into the religious organization (association) specified in part seven of this article is determined in the presence of one of the following signs:

- 1) the charter (regulations) of a religious organization operating in Ukraine contains instructions for joining the structure of a religious organization (association), the management center (management) of which is located outside Ukraine;

- 2) the charter (regulations) of a foreign religious organization (association), the management center (management) of which is located outside Ukraine in a state recognized by law as having carried out military aggression against Ukraine and/or temporarily occupied part of the territory of Ukraine, contain instructions on the entry into its structure of a religious organization (association) operating on the territory of Ukraine, as well as on the right to adopt decisions on canonical and organizational issues by the statutory governing bodies of the specified foreign religious organization (association) that are binding for religious organization (association) operating on the territory of Ukraine;

- 3) by the charter (regulations) of a religious organization (association), the management center (management) of which is located outside Ukraine in a state recognized by law as having carried out military aggression against Ukraine and/or temporarily occupied part of the territory of Ukraine, the obligation provided mandatory admission of leaders (authorized representatives) of a religious organization (association) operating on the territory of Ukraine to the statutory governing bodies of the specified foreign religious organization (association) with the right to a decisive vote.

{Article 12 is supplemented by part eight in accordance with Law No. 2662-VIII dated 12.20.2018 }

Article 13. A religious organization is a legal entity

A religious organization is recognized as a legal entity from the date of its state registration.

{Part one of Article 13 as amended by Law No. 5461-VI dated 10/16/2012 }

A religious organization as a legal entity enjoys the rights and bears obligations in accordance with the current legislation and its charter (regulations).

Article 14. Registration of statutes (regulations) of religious organizations

To register the charter (regulations) of a religious community, citizens in the number of at least ten people who have formed it and have reached the age of 18, submit an application and the charter (regulations) for registration to the regional, Kyiv and Sevastopol city state administrations, and in the Autonomous Republic of Crimea - to the Council of Ministers of the Autonomous Republic of Crimea.

{Part one of Article 14 as amended in accordance with Laws No. 3795-12 dated 12.23.93 , No. 5461-VI dated 10.16.2012 }

In addition to the charter (regulations) of the religious community, duly certified copies are submitted to confirm the information contained therein:

- 1) a decision (excerpt) on the formation of a religious community, its name, approval of the charter, election of governing (executive) bodies - minutes of general meetings of religious citizens or constituent religious congresses, conferences, etc. (hereinafter - minutes of general meetings). The specified decision is made in accordance with the procedure provided for by the statute (regulations) of the religious community, and is drawn up in accordance with the internal instructions of this religious community;

- 2) a document on the right of ownership or use of the premises or the written consent of the owner of the premises to provide an address at the location of the religious organization specified in the charter (regulations) of the religious community.

{Article 14 was supplemented with a new part in accordance with Law No. 2673-VIII dated 17.01.2019 }

For registration of the charter (regulations) of a religious community in the new edition, the following are submitted to the charter registration body:

- 1) statement signed by the head or authorized representative of the religious community;
- 2) the charter (regulations) of the religious community in the new edition.

{Article 14 was supplemented with a new part in accordance with Law No. 2673-VIII dated 17.01.2019 }

The following are additionally submitted to the charter (regulations) of the religious community in the new edition:

1) a duly certified copy of the minutes (or an extract from the minutes) of the general meeting of the religious community on amendments and additions to the charter (regulations) of the religious community, adopted in accordance with the procedure specified in the charter (regulations) of the religious community in force at the time of the amendment, with indicating the list of participants of this general meeting;

2) the original or a duly certified copy of the version of the statute (regulations) of the religious community valid on the date of submission of the documents, to which changes and additions must be made, with a note on state registration (with all changes made to it), and the original of the certificate, issued by the registration authority (if such was issued).

{Article 14 was supplemented with a new part in accordance with Law No. 2673-VIII dated 17.01.2019 }

In the case of a change in the location of the religious community, a duly certified copy of the document on the right to ownership or use of the premises or the written consent of the owner of the premises to provide an address at the location of the religious community specified in the statute (regulation) must be submitted.

{Article 14 was supplemented with a new part in accordance with Law No. 2673-VIII dated 17.01.2019 }

Religious centers, administrations, monasteries, religious brotherhoods, missions and spiritual educational institutions submit their statutes (regulations) for registration to the central executive body that implements state policy in the field of religion.

{Part of Article 14 as amended by Law No. 5461-VI of 10/16/2012 }

In order to register the charter (regulations) of a religious center (management), which, in accordance with the second part of Article 7 of this Law, represents religious associations, an application certified by the signature of authorized representatives (authorized representative) of the general meeting of founders (constituent congress (conference) of founders, etc.) forming such a religious association.

{Article 14 was supplemented with a new part in accordance with Law No. 2673-VIII dated 17.01.2019 }

Together with the application, the charter (regulations) of the religious center (management) is submitted to the central executive body that implements state policy in the field of religion.

{Article 14 was supplemented with a new part in accordance with Law No. 2673-VIII dated 17.01.2019 }

The following are additionally submitted to the charter (regulations) of a religious organization to confirm the information contained therein in accordance with the requirements of Article 12 of this Law:

1) a duly certified copy of the decision (excerpt) on the formation of a religious association and the approval (adoption) of the charter (regulations) of a religious center or administration (minutes of the general meeting of the founders, the constituent congress (conference) of the founders, etc.);

2) the list of religious organizations that are part of the religious association as of the date of submission of the documents, certified by the signature of the authorized representatives (authorized representative) of the general meeting of the founders (constituent congress (conference) of the founders, etc.);

3) a duly certified copy of the document on the right of ownership or use of the premises at the location of the religious organization specified in the statute (regulation).

{Article 14 was supplemented with a new part in accordance with Law No. 2673-VIII dated 17.01.2019 }

In the event that a religious center (management) is part of or recognizes (declares) in any form its subordination in canonical, organizational, other matters to any other religious organizations operating in Ukraine or abroad, for registration of the charter (provisions) of this a religious center (management) is additionally submitted with a document confirming recognition by such a religious organization of the subordination of the newly formed religious center (management), or a document confirming that the newly formed religious center (management) is part of such a religious organization.

{Article 14 was supplemented with a new part in accordance with Law No. 2673-VIII dated 17.01.2019 }

In order to register the charter (regulations) of a monastery, religious brotherhood, missionary society (mission), spiritual educational institution, an application signed by the head (other authorized person) of the religious center (management) is submitted to the central executive body that implements state policy in the field of religion. which establishes the relevant religious organization.

{Article 14 was supplemented with a new part in accordance with Law No. 2673-VIII dated 17.01.2019 }

Together with the application, the statute (regulations) of the monastery, religious brotherhood, missionary society (mission) or spiritual educational institution is submitted to the central executive body implementing state policy in the field of religion.

{Article 14 was supplemented with a new part in accordance with Law No. 2673-VIII dated 17.01.2019 }

In addition to the charter (regulations) of a monastery, religious brotherhood, missionary society (mission) or spiritual educational institution, duly certified copies are submitted to confirm the information contained therein in accordance with the requirements of Article 12 of this Law:

1) a decision (excerpt) on the formation (foundation) of a monastery, religious brotherhood, missionary society (mission), spiritual educational institution and approval of the charter (regulations) of such a religious organization. The specified decision is made in accordance with the procedure provided for by the charter (regulations) of the religious center (management), and is drawn up in accordance with the internal instructions of this religious organization;

2) the charter of a religious center (management), which founds a monastery, religious brotherhood, missionary society (mission), spiritual educational institution;

3) a document on the right of ownership or use of the premises at the location of the religious organization specified in the statute (regulation).

{Article 14 was supplemented with a new part in accordance with Law No. 2673-VIII dated 17.01.2019 }

In order to register the charter (regulations) of a religious organization (religious center (administration), monastery, religious brotherhood, missionary society (mission), spiritual educational institution) in the new version, an application is submitted to the central executive body implementing state policy in the field of religion. by the signature of the head (another authorized person) of a religious organization whose charter has been amended.

{Article 14 was supplemented with a new part in accordance with Law No. 2673-VIII dated 17.01.2019 }

Together with the application, the charter (regulations) of the religious organization, set out in the new version, is submitted to the central executive body that implements the state policy in the field of religion.

{Article 14 was supplemented with a new part in accordance with Law No. 2673-VIII dated 17.01.2019 }

Duly certified copies are additionally submitted to the charter of a religious organization in the new edition:

1) a decision (excerpt) of the authorized body of a religious organization on making changes to the charter (regulations), which was adopted in accordance with the procedure specified in the charter (regulations) of the religious organization, the constituent documents of which are being amended;

2) the current edition of the charter (regulations) of the religious organization with all changes made to it (if they were drawn up in separate annexes).

{Article 14 was supplemented with a new part in accordance with Law No. 2673-VIII dated 17.01.2019 }

In the case of submitting an incomplete list of documents specified in this article to the central body of executive power implementing state policy in the field of religion, as well as regional, Kyiv and Sevastopol city state administrations, and in the Autonomous Republic of Crimea - to the Council of Ministers of the Autonomous Republic of Crimea, and /or their registration without complying with the established requirements, the absence in the charter (regulations) of the religious organization of the information established by the **third part** of Article 12 of this Law, the religious organization is offered to eliminate the identified deficiencies within the time limits established by this Law.

{Article 14 was supplemented with a new part in accordance with Law No. 2673-VIII dated 17.01.2019 }

In the event that the religious organization has not eliminated the identified deficiencies within the prescribed time limits, all documents that have been sent to the central executive body that implements state policy in the field of religion, regional, Kyiv and Sevastopol city state administrations, and in the Autonomous Republic of Crimea - to the Council of Ministers of the Autonomous Republic of Crimea, in addition to the application for registration of the charter (regulations) of the religious organization (amendments to them), are returned to it with a cover letter explaining the reasons for such return.

{Article 14 was supplemented with a new part in accordance with Law No. 2673-VIII dated 17.01.2019 }

The body that carries out the registration examines the application, the charter (regulations) of the religious organization within a month, makes the appropriate decision and not later than within a ten-day period, notifies the applicants about it in writing.

In necessary cases, the body that carries out the registration of the charters (regulations) of religious organizations may request the opinion of the local state administration, the executive body of the village, settlement, city council, as well as specialists. In this case, the decision to register the statutes (regulations) of religious organizations is made within three months.

{Part of Article 14 as amended by Laws No. 3795-12 dated 12.23.93, No. 5461-VI dated 10.16.2012 }

Exceeding the deadline established by this Law for making decisions on the registration of statutes (regulations) of religious organizations may be appealed in court in accordance with the procedure provided for by the civil procedural legislation of Ukraine.

Changes and additions to the statutes (regulations) of religious organizations are subject to registration in the same order and within the same terms as the registration of statutes (regulations).

If necessary, representatives of a religious organization may participate in the consideration of the issue of registration of the charter (regulations) with an advisory vote.

Article 15. Refusal to register the charter (regulations) of a religious organization

Registration of the charter (regulations) of a religious organization may be refused if its charter (regulations) or activities contradict the current legislation.

The decision to refuse registration of the charter (regulations) of a religious organization, indicating the reasons for the refusal, is notified to the applicants in writing within ten days. This decision can be appealed to the court in accordance with the procedure provided by the civil procedural legislation of Ukraine.

Article 16. Termination of activity of a religious organization

The activity of a religious organization may be terminated in connection with its reorganization (division, merger, merger) or liquidation.

Reorganization or liquidation of a religious organization is carried out in accordance with its own instructions. Registration of statutes (regulations) of newly formed religious organizations after reorganization is carried out in accordance with the procedure established by Article 14 of this Law.

In the event that a religious organization that is a legal entity violates the provisions of this Law and other legislative acts of Ukraine, its activities may also be terminated by a court decision.

In a judicial procedure, the activity of a religious organization is terminated only in the following cases:

1) the commission of actions by a religious organization, the inadmissibility of which is stipulated by Articles 3 , 5 and 17 of this Law;

2) the combination of ritual or preaching activities of a religious organization with encroachments on the life, health, freedom and dignity of a person;

3) systematic violation by a religious organization of the procedure for conducting public religious events (worships, rites, ceremonies, marches, etc.) established by law;

4) inciting citizens to fail to fulfill their constitutional duties or actions that are accompanied by gross violations of public order or encroachment on the rights and property of state, public or religious organizations;

5) conviction of its authorized persons for committing a criminal offense against the foundations of national security of Ukraine, provided for in ^{Article} 111-1 the Criminal Code of Ukraine.

{The fourth part of Article 16 is supplemented by clause 5 in accordance with Law No. 2107-IX dated 03.03.2022 }

{Article 16 is supplemented by part four in accordance with Law No. 3795-12 dated 12.23.93 }

The court considers the case of termination of the activities of a religious organization according to the procedure of legal proceedings provided for by the Civil Procedure Code of Ukraine , at the request of the body authorized to register the charter of a specific religious organization, or the prosecutor.

{Article 16 is supplemented by part five in accordance with Law No. 3795-12 dated 12.23.93 }

Chapter III

PROPERTY STATE OF RELIGIOUS ORGANIZATIONS

Article 17. Use of property owned by the state, public organizations or citizens

Religious organizations have the right to use for their needs buildings and property provided to them on a contractual basis by state, public organizations or citizens.

Cult buildings and property, which are state property, are transferred by the organizations on whose balance sheet they are for free use or returned to the ownership of religious organizations free of charge by the decisions of the regional, Kyiv and Sevastopol city state administrations, and in the Republic of Crimea - by the Government of the Republic of Crimea.

{Part two of Article 17, as amended by Law No. 3795-12 of 12/23/93 }

A religious building and state-owned property may be transferred for alternate use to two or more religious communities by their mutual consent. In the absence of such consent, the state body determines the procedure for using the religious building and property by concluding a separate contract with each community.

{Part three of Article 17 as amended by Law No. 3795-12 dated 12.23.93 }

Cult buildings and other property, which constitute historical, artistic or other cultural value, are transferred to religious organizations and used by them in compliance with the established rules for the protection and use of monuments of history and culture.

Requests for the transfer of ownership or free use of religious buildings and property to religious organizations are considered within a month with written notification of the applicants.

Religious organizations have a preferential right to transfer to them religious buildings with a plot of land necessary for the maintenance of these buildings.

Religious organizations use land in accordance with the procedure established by the Land Code of Ukraine and other legislative acts of Ukraine. Land plots provided to religious organizations for permanent use for the construction and maintenance of religious and other buildings necessary to ensure their activities are prohibited from being used for entrepreneurial activities.

{Part seven of Article 17 as amended in accordance with Laws No. 3180-12 dated 05.05.93 , No. 875-VI dated 15.01.2009 }

Agreements on providing religious and other buildings and property for use by religious organizations may be terminated or terminated in accordance with the procedure and on the grounds provided for by the civil legislation of Ukraine.

Arbitrary seizure of religious buildings or appropriation of religious property is not allowed.

Decisions of state bodies on matters of ownership and use of religious buildings and property may be appealed to the court in accordance with the procedure provided for by the Civil Procedure Code of Ukraine .

{Part ten of Article 17 as amended by Law No. 2295-12 of April 23, 1992 }

Article 17¹ . Peculiarities of the transfer to the use of an important object of cultural heritage, an architectural monument of national importance, a religious building - St. Andrew's Church of the National Reserve "Sophia Kyivska"

The transfer to permanent use of the cult building of St. Andrew's Church of the National Reserve "Sofia of Kyiv" is carried out by the decision of the Cabinet of Ministers of Ukraine in accordance with the procedure established by the legislation, taking into account the features established by this article and a separate law.

The state-owned cult building, which is an important object of cultural heritage, an architectural monument of national significance, - St. Andrew's Church of the National Reserve "Sofia of Kyiv" can be permanently used free of charge for worship services, religious rites, ceremonies and processions in according to the procedure defined by this article.

The transfer of St. Andrew's Church to the National Reserve "Sofia of Kyiv" for permanent use does not entail its exclusion from the list of objects of immovable cultural heritage of the National Reserve "Sofia of Kyiv".

The contract for the permanent use of the religious building of St. Andrew's Church of the National Reserve "Sophia Kyivska" must contain the following essential conditions: the name of the religious building as an object of state property, as a cultural heritage monument of national significance, the conditions and regime of use, preservation, protection and maintenance of a monument of national significance in good condition, access to such a monument in accordance with the legislation on the protection of cultural heritage, other conditions in accordance with the legislation on the protection of cultural heritage.

{The Law was supplemented by Article 17¹ in accordance with Law No. 2598-VIII dated 18.10.2018 }

Article 18. Property of religious organizations

Religious organizations own, use and dispose of property that belongs to them by right of ownership. Religious organizations may be limited in the exercise of property rights only in the cases and in the manner prescribed by law

{Part one of Article 18 as amended by Law No. 2673-VIII dated 01.17.2019 }

It is forbidden to take any actions, the consequence of which may be the alienation of the property of a religious organization, in particular its sale, exchange, pledge, establishment of a mortgage, free transfer to the ownership and management of other persons, until the completion of the procedure for changing one's subordination in canonical and organizational matters. - any religious association operating in Ukraine and abroad by registering a new edition of the statute (regulations), adopted by at least two-thirds of the number of members of the religious community, necessary for recognition of the general assembly of the religious community as authorized in accordance with its statute (regulations), or management bodies determined by the charter (regulations) of a religious organization (religious center (management), monastery, religious brotherhood, missionary society (mission), spiritual educational institution).

{Article 18 was supplemented by a new part in accordance with Law No. 2673-VIII dated 17.01.2019 }

Religious organizations may own buildings, objects of worship, objects of industrial, social and charitable purposes, transport, funds and other property necessary to ensure their activities.

Religious organizations have the right to property acquired or created by them at the expense of their own funds, donated by citizens, organizations or transferred by the state, as well as acquired on other grounds provided for by law.

Religious organizations may also own property located outside of Ukraine.

Religious organizations have the right to request and receive voluntary financial and other donations.

{Part of Article 18 has become invalid in terms of exemption from payment of import duty, customs and excise duties and value added tax on goods imported (forwarded) to the customs territory of Ukraine on the basis of Law No. 608/96-BP of 17.12.96 }

{Part of Article 18 has become invalid in terms of exemption from payment of import duties, customs and excise duties and value added tax on excise goods imported on the basis of Law No. 498/95-BP of 22.12.95 }

Financial and property donations, like other income of religious organizations, are not taxed.

Religious organizations do not have the right to impose forced taxation on believers.

The property rights of religious organizations are protected by law.

Article 19. Production and economic activity of religious organizations

Religious organizations, in accordance with the procedure established by the current legislation, have the right to establish publishing, printing, production, restoration and construction, agricultural and other enterprises, as well as charitable institutions (shelters, boarding schools, hospitals, etc.), which have the right of a legal entity, in order to fulfill their statutory tasks. .

{The effect of the second part of Article 19 is suspended in the part of exemption from income taxation in accordance with Decree No. 12-92 dated 12.26.92 }

Profit from production activities and other incomes of enterprises of religious organizations are taxed in accordance with the current legislation in the manner and amounts established for enterprises of public organizations. The amounts of their profits, which are used for charitable purposes, are not taxed.

The construction of religious and other buildings by religious organizations is carried out in accordance with the procedure established by the current legislation for objects of civil purpose.

Restoration and repair of cult buildings - monuments of history and culture are carried out in compliance with the established rules for the protection and use of monuments of history and culture.

Article 20. Disposal of property of religious organizations that have ceased their activities

In the event of termination of the activity of a religious organization, property issues are resolved in accordance with its charter (regulations) and current legislation.

After the termination of the activities of religious organizations, the property provided to them for use by state, public organizations or citizens shall be returned to its former owner.

Property of religious purpose belonging to religious organizations cannot be levied on the claims of creditors.

In the absence of legal successors, the property of a religious organization that has ceased its activity becomes the property of the state.

In the event of termination of the activities of a religious organization due to violation of this Law and other legislative acts of Ukraine, property owned by it, with the exception of cult property, may be transferred to the state free of charge. Cult property is transferred to other religious organizations.

Chapter IV

RIGHTS OF RELIGIOUS ORGANIZATIONS AND CITIZENS RELATED TO FREEDOM OF RELIGION

Article 21. Religious rites and ceremonies

Religious organizations have the right to establish and maintain freely accessible places of worship or religious gatherings, as well as places revered in one or another religion (places of pilgrimage).

Divine services, religious rites, ceremonies and processions are held without hindrance in religious buildings and in the adjacent territory, in places of pilgrimage, institutions of religious organizations, in cemeteries, in individual burial places and crematoriums, apartments and houses of citizens, as well as in institutions, organizations and enterprises at the initiative of their labor groups and with the consent of the administration.

The command of military units provides an opportunity for servicemen to participate in religious services and the performance of religious rites.

Divine services and religious rites in hospitals, homes for the elderly and persons with disabilities, places of pre-trial detention and punishment are held at the request of the citizens staying in them, or at the initiative of religious organizations. The administration of these institutions contributes to this, participates in determining the time and other conditions for holding a religious service, rite or ceremony.

{Part four of Article 21 as amended in accordance with Law No. 2581-VIII dated October 2, 2018 }

{The provisions of the fifth part of Article 21 are recognized as not in accordance with the Constitution (are unconstitutional), according to the Decision of the Constitutional Court No. 6-pn/2016 of 09.08.2016 } In other cases, public services, religious rites, ceremonies and processions are held every time with the permission of the relevant local state administration, the executive body of the village, settlement, city council. The petition for the issuance of the specified permission shall be submitted no later than ten days before the appointed time of the religious service, rite, ceremony or procession, except for cases that do not tolerate delay.

{Part five of Article 21 as amended by Laws No. 3795-12 dated 12.23.93 , No. 5461-VI dated 10.16.2012 }

Article 22. Literature and objects of religious purpose

Citizens and religious organizations have the right to purchase, possess and use religious literature in the language of their choice, as well as other objects and materials of religious purpose.

Religious organizations have the right to manufacture, export, import and distribute objects of religious purpose, religious literature and other informational materials of religious content.

Religious organizations enjoy the exclusive right to establish enterprises for the production of liturgical literature and the production of religious objects.

Article 23. Charitable and cultural and educational activities of religious organizations

Under religious organizations, societies, brotherhoods, associations, and other associations of citizens can be formed to carry out charity work, study and spread religious literature and other cultural and educational activities. They can have their statutes, which are registered according to the procedure established for public associations.

Religious organizations have the right to carry out charitable activities and charity both independently and through public funds. Amounts of expenses for this purpose are not subject to taxation.

Article 24. International relations and contacts of religious organizations and believers

Religious organizations and believers, individually or together with others, have the right to establish and maintain international relations and direct personal contacts, including traveling abroad for pilgrimage, participation in meetings and religious events.

Participants of these contacts and events can, in accordance with the procedure established by the current legislation, purchase, receive and take with them religious literature and other informational materials of religious content.

Religious organizations can send citizens abroad to study in spiritual educational institutions and receive foreign citizens for this purpose.

Clergymen, religious preachers, mentors, and other representatives of foreign organizations who are foreign citizens and are temporarily in Ukraine may preach religious beliefs, perform religious rites, or perform other canonical activities only in those religious organizations at the invitation of which they arrived, and according to the official in agreement with the state body that registered the charter (regulations) of the relevant religious organization.

{Article 24 is supplemented by part four in accordance with Law No. 3795-12 dated 12.23.93 }

Chapter V

LABOR ACTIVITIES IN RELIGIOUS ORGANIZATIONS AND THEIR ENTERPRISES

Article 25. Labor relations in religious organizations

A religious organization has the right to employ citizens.

The working conditions are established by agreement between the religious organization and the employee and determined by the labor contract, which is concluded in writing.

A religious organization is obliged to register an employment contract in accordance with the established procedure.

In the same order, documents are registered that determine the terms of payment of clerics, church workers and persons who work in a religious organization in elected positions.

Citizens who work in a religious organization under an employment contract may be members of a trade union.

Article 26. Labor rights of citizens working in religious organizations and enterprises and institutions created by them

Citizens who work in religious organizations and enterprises created by them, charitable institutions under the terms of an employment contract are subject to labor legislation, mandatory state social insurance, and taxation.

{Article 26 as amended by Law No. 3795-12 dated 12.23.93 , as amended by Law No. 429-IV dated January 16, 2003 }

{Article 27 is excluded on the basis of Law No. 429-IV dated 16.01.2003 }

Article 28. The right to social protection of citizens who work in religious organizations and enterprises and institutions created by them

Citizens who work in religious organizations, enterprises created by them, institutions under the terms of an employment contract, as well as clergymen, churchmen and persons who work in religious organizations in elected positions, are subject to mandatory state social insurance under the conditions and in the order established by law on mandatory state social insurance.

Religious organizations, their enterprises and institutions, and in the cases provided for by law, also the employees of these organizations, enterprises, institutions, pay insurance contributions to the compulsory state social insurance fund of Ukraine in case of unemployment, the social insurance fund of Ukraine, as well as the compulsory mandatory state pension insurance to the Pension Fund of Ukraine in the manner and amounts established by law.

{Part two of Article 28, as amended by Law No. 77-VIII dated 12.28.2014 }

All citizens who work in religious organizations, their enterprises and institutions are assigned and paid a state pension on a general basis in accordance with the legislation.

{Article 28 as amended by Law No. 3795-12 dated 12.23.93 , as amended by Law No. 429-IV dated January 16, 2003 }

Chapter VI

STATE BODIES AND RELIGIOUS ORGANIZATIONS

Article 29. State control over compliance with legislation on freedom of conscience and religious organizations

Ensuring the implementation and observance of the legislation on freedom of conscience, worldview, religion and religious organizations is carried out within the limits of competence by central bodies of executive power that ensure the formation and implementation of state policy in the field of religion, other central bodies of executive power, prosecutor's offices, local bodies of executive power and bodies Local Government.

{Article 29 as amended by Law No. 5461-VI dated October 16, 2012 }

Article 30. The central body of executive power implementing state policy in the field of religion

The central body of executive power, which implements state policy in the field of religion, ensures the implementation of state policy regarding religions and the church by:

registration of the statutes (regulations) of religious organizations specified in the second part of Article 14 of this Law, as well as changes and additions to them;

official approval of the possibility of engaging in preaching or other canonical activities, performing religious rites by clergymen, religious preachers, mentors, other representatives of foreign religious organizations who are foreign citizens and are temporarily staying in Ukraine;

implementation of contacts and coordination relations with relevant bodies of other states;

provision of religious expertise with the participation of representatives of religious organizations and relevant specialists;

promoting mutual understanding and tolerance between religious organizations of different faiths;

promoting the participation of religious organizations in international religious movements, forums, business contacts with international religious centers and foreign religious organizations.

{Article 30 as amended by Law No. 2140-12 dated 02.19.92 ; as amended by Law No. 5461-VI dated 10.16.2012 }

Article 31. Liability for violation of legislation on freedom of conscience and religious organizations

Persons guilty of violating the law on freedom of conscience and religious organizations bear the responsibility established by the legislation of Ukraine.

{Article 31 as amended by Law No. 5461-VI dated 10.16.2012 }

Article 32. International agreements

If the international treaty in which Ukraine participates establishes different rules than those contained in the legislation on freedom of conscience and religious organizations, then the rules of the international treaty are applied.

**Chairman of the Verkhovna
Rada
of the Ukrainian SSR**

L. Kravchuk

**Kyiv,
April 23, 1991
No. 987-XII**



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