

Working Session 2
Fundamental Freedoms
Tuesday 29 September 2009

**Observance of individual rights and freedoms in the field of freedom
of conscience and religion in Ukraine**

**Contribution of the Delegation of Ukraine to the Human Dimension
Implementation Meeting 2009 (Warsaw, 28 September to 9 October 2009)**

Since the time of proclaiming its independence in 1991, Ukraine established appropriate legal framework for religious organizations. Every citizen is guaranteed the right to confess his religion or have other beliefs, take a different religion or belief, practice his religion, either personally or together with other followers, follow the religious doctrine, the right of parents to educate their children according to their beliefs, the right to privacy of confession and others.

The formation of the constitutional legal framework of freedom of conscience and religion, constitutional guarantees of development of ethnic, cultural, linguistic and religious identity of national minorities have given impetus to the dynamic development of religious and institutional infrastructure of the state, including infrastructure of ethno-confessional minorities, and the enrichment of the religious and spiritual life.

It should be noted that in Ukraine there are religious organizations with distinct ethno-confessional basis (Reformers, Lutherans, Jews, Muslims, Karaims, Krymchacks). In many cases, the differentiation based on nationality is carried out within the religious communities; national and spiritual needs of believers are met by public worship in the native language with the observance of religious traditions and customs that are peculiar to these nationalities. The total number of religious organizations of national minorities is about 1,5 thousand associations (15 percent of the nationwide religious network).

Taking into consideration the fact that Ukraine is a multi-confessional and multi-ethnic state, special attention of state authorities is paid to ensuring of the rule of law, including transparency of legislative work in the field of freedom of conscience, which involves government agencies, religious and social institutions.

This democratic process is characterized by the presence of multi-levelled communication of its members, free exchange of ideas and information, comparison of positions and opinions in solving the existing problems, organizing meetings at various levels.

Speaking about the formation of religious pluralism in Ukraine as about the event that has already taken place, it is necessary to emphasize that it constitutes a basis for constructive inter-religions relations.

In this respect, a significant role in state-religion relations is played by the Ukrainian Council of Churches and Religious Organizations which is constituted by both representatives of the leading Christian churches of Ukraine and leaders of

the ethno-confessional religious centers functioning in the country. Current activities of the Council are aimed at the practical aspects of cooperation between the state and religious institutions and introduction of fundamental freedoms, including freedom of conscience and religion into the social context at the legislative level.

These issues were discussed at the meeting of the Prime Minister of Ukraine with the members of the Ukrainian Council of Churches and Religious Organizations which took place on July 13, 2009.

Within the legislative process great attention is paid to improve the procedure of registration of religious organizations.

On this purpose the State Committee of Ukraine on Nationalities and Religions has worked out a draft law "On Amendments to the Law of Ukraine "On Freedom of Conscience and Religious Organizations".

The new wording of the Law of Ukraine "On Freedom of Conscience and Religious Organizations" has been considered by the Interagency Working Group with the participation of religious leaders. According to the Plan of legislative activities of the Cabinet of Ministers of Ukraine it will be submitted to the Parliament of Ukraine in November this year. Furthermore, the State Committee of Ukraine on Nationalities and Religions has already submitted to the Cabinet of Ministers of Ukraine the draft Law of Ukraine "On restitution of religious buildings to religious organizations". A number of other regulations has been already adopted that would further optimize state-religion relations through the possible inclusion of democratic institutions in the process.

Another field of common activities of state and religious institutions is related to the human dimension issues, the procedures and mechanisms of their implementation and monitoring.

In this context, the complex of system activities are carried out at the state level, namely, further harmonization of national legislation in the field of freedom of religion and belief in compliance with international regulations regarding the protection of human rights and fundamental freedoms; introduction of the regular procedures under national laws in case of any abuse regarding the rights and freedoms of religious organizations; guarantee of restitution of the property or compensation for it to religious organizations property of which was alienated, fostering religious tolerance and providing equal conditions for development to all religions; encouragement and comprehensive support to dialogue between religions and denominations.

The organizational forms of this work are meetings of the political leaders with the representatives of churches and religious organizations; conferences, symposia, round tables the ideas of which are developed in general humanitarian projects, including cultural, educational, and charitable and other important public events.

The priority of state policy in the field of freedom of conscience remains the issue of inter-ethnic and inter-religious harmony, prevention of development of political and religious extremist radical ideologies in the society that promote racist, anti-Semitic and xenophobic ideas.

The analysis of available data indicates that there are **no facts of intolerance or religious discrimination in Ukraine**. At the same time, to prevent and neutralize asocial manifestations in the society, the Cabinet of Ministers of Ukraine entrusted the Ministry of Justice of Ukraine to envisage in the draft law “On the foundations of domestic and foreign policy” legal provisions that would make impossible propagation of xenophobia, racism and anti-Semitism, any manifestations of intolerance and discrimination based on religion.

The implementation of the complex state actions as well as the current strategy of cooperation between the state and religious institutions constitutes the relationship of tolerance and mutual respect, strengthens common moral and ethical ideals in the social conscience.