

UKRAINE: Parliament obliged the UOC (MP) to change the name and restricted its chaplains' access to the army

The Parliament of Ukraine passed as a bill (draft law No. 5309) which requires changing the name of religious organizations within the structure of a religious association, a directing centre of which is located in the aggressor country.

Institute for Religious Freedom (20.12.2018) – <https://bit.ly/2TDfU3v> – According to the Institute for Religious Freedom, 240 parliamentarians voted for these amendments to the Law of Ukraine “On Freedom of Conscience and Religious Organizations”.

Pursuant to the amendments to paragraph 8 of Article 12 of the Law, the affiliation of a religious organization to a religious association, a directing centre of which is located in the aggressor country, is determined if one of the following features is present:

1. an indication in a statute of a religious organization, operating in Ukraine, of its affiliation to the structure of such a foreign religious association;
2. indications in a statute of a foreign religious association of affiliation to its structure of a religious organization operating in Ukraine, and also

subordination of such a religious organization in canonical and organizational matters;

3. indications in the statute of a foreign religious association which stipulate a mandatory affiliation of leaders of a religious organization operating in Ukraine to the statutory authorities of the said foreign religious association.

This being the case, a religious organization, operating in Ukraine, is obliged in its full statutory name to feature the affiliation to a foreign religious association by compulsory reproduction in its own name of the full statutory name of such a religious association.

It is important to note that the Russian Federation is meant by the aggressor country, which follows from the Law of Ukraine "On Ensuring Civil Rights and Freedoms, and the Legal Regime on the Temporarily Occupied Territory of Ukraine."

Besides, the transitional and final provisions of the adopted law provide that the Ministry of Culture of Ukraine shall conduct a religious examination of the registered statutes of a religious organization (associations) in order to check their names for compliance with the new requirements of the Law of Ukraine "On Freedom of Conscience and Religious Organizations" within one month from the date of these amendments came into force – since December 26, 2018.

After that, the Ministry of Culture, through the official publication in Uriadovyi Kurier and in writing, shall inform religious organizations in which names the inconsistency with

the Law is found, about the need to make appropriate changes to their statutes within three months and to submit them for registration in the prescribed manner.

If within four months (or nine months for religious communities) from the date of adoption of the Law, a religious organization did not make statutory changes in its official name and did not submit the said changes to its statute for registration, then the statute of such an organization becomes invalid in the part that defines the full official name of a religious organization.

The adopted Law stipulates that access for the clergy, religious preachers, chaplains of a religious organization, which belongs to a religious association from the aggressor country, to units, formations of the Armed Forces and other military formations of Ukraine in the places of their deployment may be restricted, and there may also be other restrictions provided for by the Law.

According to a discussion that took place in the parliament before voting on the adopted Law, it is believed that it will affect primarily the Ukrainian Orthodox Church, which is in unity with the Moscow Patriarchate.

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