

# UKRAINE: Parliamentary committee supports granting special status to UOC-MP

RISU (06.10.2016) – <http://bit.ly/2dIih2d> – The Committee on Culture and Spirituality recommended the Parliament to adopt in the first reading Bill 4511 on the special status of religious organizations having their governing centers in Russia as the aggressor State.

The draft law was presented at the Committee meeting on October 5 by its collaborators: MPs of Ukraine Oleg Petrenko, Sergiy Vysotsky and Yuri Bublik, the Institute of Religious Freedom reports.

The essence of the special status which is apparently intended for the Ukrainian Orthodox Church (Moscow Patriarchate), is the duty of all relevant religious communities to enter into the contracts (agreements) with the state that envisage additional commitments in their activities.

In particular, the bill provides that the registration and re-registration of the statutes of religious organizations with the special status “is completed after the peer review by independent experts of the registration documents and given their provision of a positive expert opinion to the public authority which carries out this registration.”

The project also proposes the appointment of the central and

regional church leadership only after the approval of appropriate clergy candidates by the Ministry of Culture of Ukraine.

In addition, it is proposed that these religious organizations shall “necessarily agree with the public authority that has registered their charter (statute) the invitation of foreign religious leaders for outreach and other canonical activities.”

It should be noted that the Central Scientific Experts Office of the Verkhovna Rada of Ukraine criticized Bill 4511, and called on the Parliament to reject it for the following reasons:

The bill proposal on granting the “special status” to some religious organizations by the state as opposed to others and concluding specific agreements may be viewed as state intervention in the church affairs, which violates the principle of equality of all confessions and attests to discrimination.

Criminal law already provides for the liability for violation of territorial integrity and inviolability of Ukraine, therefore the need for conclusion of contracts that contain the above obligations is not clear.

The proposed three months’ term of submission by religious organizations of the documents required for the conclusion of relevant contracts (agreements) is absolutely unrealistic, as

in the case of coming in effect of such regulation around 12.5 thousand religious organizations will be unable to timely meet these requirements due to the Ministry of Culture's inaptitude to process so many documents.

The draft law does not outline a number of issues to be clarified as a result of peer review during the registration / re-registration of religious organizations and does not indicate who can act as "independent experts."

The requirement for the approval by the Ministry of Culture of all appointments of central and regional leadership of religious organizations violates the constitutional principle of non-interference and separation of church and state and violates the right to freedom of religion enshrined in Article 35 of the Constitution of Ukraine.

The Law of Ukraine "On freedom of conscience and religious organizations" (p. 4 Article 24) already envisages the responsibility of agreeing religious activities of foreign citizens for all religious organizations in Ukraine that invite these religious figures.

It is unclear from the bill who the authors mean by the concept of "systemic violations of law," and how should the "facts cooperation with representatives of militant and terrorist groups" be established as grounds for termination of religious organizations with special status.

Despite this and other defects, voiced by the Committee during

the discussion, the Parliamentary Committee on Culture and Spirituality supported Bill 4511. Among the comments was an opinion of untimeliness of this initiative, which can cause an international outcry and serve a pretext for the information war against Ukraine.

As reported by the IRS, the proposed changes were criticized not only by the UOC (MP), but also by experts in religious studies.