

**THIS IS AN ENGLISH TRANSLATION OF THE LATEST VERSION OF THE COMPLETE TEXT OF DRAFT LAW 8371 AS FOUND IN THE “COMPARATIVE TABLE” FOR THE SECOND READING OF DRAFT LAW 8371. THE COMPARATIVE TABLE WAS POSTED ON THE WEBSITE OF THE VERKHOVNA RADA (UKRAINIAN PARLIAMENT) ON 6 MAY 2024. SEE <https://itd.rada.gov.ua/billInfo/Bills/Card/41219>. COMMENTS IN RED ARE NOT FOUND IN THE COMPLETE TEXT.**

**On the protection of national and public security, human rights and freedoms in the sphere of activities of religious organizations**

**[CLAIMED JUSTIFICATION FOR LAW]**

Verkhovna Rada of Ukraine,

based on the principles of Article 35 of the Constitution of Ukraine, Articles 9 and 11 of the European Convention on Human Rights, which provide for the rights to freedom of conscience, religion and association in religious organizations and the possibility of limiting the relevant rights by law in the interests of national or public security, protection of rights and freedoms of other persons,

recognizing the duty of the state to protect the right to freedom of conscience, religion and association in religious organizations, including the right of citizens to change their religion and beliefs and the right of religious organizations to change their subordination to religious centers (management), from unlawful encroachments by any persons, religious or other organizations, foreign states,

taking into account the armed aggression of the Russian Federation against Ukraine, the support of this aggression by the Russian Orthodox Church and noting that the numerous illegal actions of the Russian Orthodox Church and its subordinate religious organizations on the territory of Ukraine pose a threat to national and public security, the rights and freedoms of the citizens of Ukraine,

taking into account the decision of the National Security and Defense Council of Ukraine on certain aspects of the activity of religious organizations in Ukraine and the application of personal special economic and other restrictive measures (sanctions),

adopts this Law.

## **Part I. Characteristics of the activities of foreign religious organizations in Ukraine**

### **Article 1. Scope of the Law**

1. This Law, with the aim of protecting national and public security, human rights and freedoms, defines the specifics of the activities of foreign religious organizations in Ukraine.
2. No provision of this Law can be interpreted as limiting the freedom of religion or belief, the right to observe religious practices and ritual rites.

### **Article 2. Organizational principles of the functioning of foreign religious organizations**

#### **[FOREIGN RELIGIOUS ORGANIZATIONS]**

1. Foreign religious organizations may carry out activities in Ukraine, provided that their activities do not harm national or public security, the protection of public order, health or morals, rights and freedoms of other persons.

For the purposes of this Law, a foreign religious organization is a religious organization (including a religious administration, association, center) formed as a legal entity and registered in accordance with the legislation of another state, located outside of Ukraine.

2. The activities of foreign religious organizations that meet the following criteria are prohibited on the territory of Ukraine:
  - 1) are in a state that is recognized as having carried out or is carrying out armed aggression against Ukraine and/or temporarily occupying part of the territory of Ukraine;
  - 2) directly or indirectly (including through public speeches of managers or other management bodies) support armed aggression against Ukraine.

Foreign religious organizations located in a state that is recognized as having carried out or is carrying out armed aggression against Ukraine and/or temporarily occupied part of the territory of Ukraine include religious organizations (including religious administrations, associations, centers) that are registered as legal entities and/or the management center (management) of which is located outside of Ukraine in the relevant aggressor state.

3. Foreign religious organizations, the activities of which are prohibited in accordance with this Article, are defined by Article 3 of this Law

If the activity of a foreign religious organization meets the criteria specified in the second part of this article, which became known after the entry into force of this Law, the prohibition of the activity of such a foreign religious organization is carried out by making amendments to the first part of Article 3 of this Law.

The cancellation of the ban on the activity of foreign religious organizations in Ukraine, established by this Law, is carried out by making amendments to this Law.

### **Article 3. Foreign religious organizations whose activities are prohibited in Ukraine**

1. The activities of the Russian Orthodox Church in Ukraine are prohibited.
2. The activity of religious organizations affiliated with a foreign religious organization, the activity of which is prohibited in Ukraine in accordance with the first part of this article, including directly or as a component of another religious organization, or in the presence of other features established by Article 5-1 of the Law of Ukraine "On Freedom of Conscience and Religious Organizations" is not allowed and may be terminated in accordance with the procedure established by law.

The list of religious organizations in Ukraine affiliated (connected by one or more features defined by Article 5-1 of the Law of Ukraine "On Freedom of Conscience and Religious Organizations") with a foreign religious organization, the activities of which are prohibited in Ukraine, is approved by an order of the central executive body, which implements state policy in the field of religion [[the State Service for Ethnic Affairs and Freedom of Conscience or "DESS"](#)], and is published on its official website.

In the case established by law, the activity in Ukraine of a foreign religious organization located in a state that is recognized as having carried out or is carrying out armed aggression against Ukraine and/or temporarily occupied a part of the territory of Ukraine, the activity of which is prohibited in Ukraine in accordance with the Law, shall be terminated from the date of entry into force of this Law or the law on making relevant amendments to this Law.

### **Article 4. Consequences of prohibiting the activity of a foreign religious organization in Ukraine**

1. Foreign religious organizations, the activities of which are prohibited in Ukraine, are subject to the consequences established by law.

The National Security and Defense Council of Ukraine applies restrictive measures (sanctions) to foreign religious organizations located in a state that is recognized as having carried out armed aggression against Ukraine and/or temporarily occupied part of the territory of Ukraine, the activities of which are prohibited in accordance with Article 3 of this Law, in accordance with the procedure established by the Law of Ukraine "On Sanctions" and the normative legal acts adopted for its implementation.

2. From the date of the prohibiting of the activity of a foreign religious organization in Ukraine (the entry into force of this Law or the law on making relevant amendments to this Law):
  - 1) the activity of a prohibited foreign religious organization in Ukraine is terminated with the consequences established by law;
  - 2) transactions related to the use of property (rent, hiring, leasing, other forms of use of someone else's property), the validity period of which has not expired, concluded

between residents of Ukraine and the corresponding prohibited foreign religious organization, as well as with legal entities registered in Ukraine, the owner, participant, shareholder of which is a relevant foreign religious organization, are terminated early;

3) other consequences are applied in accordance with the Law of Ukraine "On Freedom of Conscience and Religious Organizations".

3. A foreign religious organization whose activities are prohibited in Ukraine cannot be an owner, participant, or shareholder of legal entities registered in Ukraine. Such legal entities must bring their composition of participants and shareholders into compliance with this Law within three months from the date of the prohibition on the activity of the relevant foreign religious organization in Ukraine. If a legal entity does not bring the composition of participants and shareholders into compliance with this Law within the prescribed period, such a legal entity shall be terminated based on a court decision as a result of consideration of a lawsuit by the central executive body that implements state policy in the field of religion.

4. Relations and/or connections, and/or communications of religious organizations, including religious communities, other legal entities under private law, with foreign religious organizations, the activities of which are prohibited in Ukraine, are not allowed, except when they are carried out with the consent of the central body of executive power, which implements state policy in the field of religion.

In order to obtain approval, a person planning relations and/or connections and/or communications with a foreign religious organization whose activities are prohibited in Ukraine shall apply to the central executive body that implements state policy in the field of religion with a corresponding application. The application is accompanied by information explaining the need for relations and/or connections and/or communications with a foreign religious organization whose activities are prohibited in Ukraine.

The procedure for granting individual consent for international relations and/or contacts with a foreign religious organization, the activity of which is prohibited in Ukraine, the form of the application for granting consent, the list of information and additional documents attached to it, the grounds for granting and refusing to grant consent, the procedure for monitoring connections and contacts with a foreign religious organization, the activity of which is prohibited in Ukraine, are approved by the Cabinet of Ministers of Ukraine.

5. A religious organization operating in Ukraine cannot have a management center (management) outside of Ukraine in a state that is recognized as having carried out or is carrying out armed aggression against Ukraine and/or temporarily occupying a part of the territory of Ukraine, as well as being part of the structure (be a part of) a foreign religious organization whose activities in Ukraine are prohibited in accordance with Article 3 of this Law, or be otherwise affiliated with such a religious organization.

[RUSSIAN WORLD]

**Article 5. Characteristics of the termination of a religious organization for reasons of propaganda of the ideology of the "Russian world"**

1. The use of religious organizations to promote the ideology of "Russian world", including the popularization of this ideology in any way, is contrary to the interests of national and public security, territorial integrity of Ukraine and is prohibited.

When applying the provisions of the first paragraph of this part, the facts of the propagation of the ideology of the "Russian world" are taken into account both directly by the religious organization, and by its statutory or other management bodies, by other persons who act on their behalf by assignment or with permission or in accordance with another method of agreement, regardless of the forms of such consent.

2. Consideration of the issue of confirmation of the facts of the use by a religious organization to promote the ideology of the "Russian world" is carried out by the central body of the executive power, which implements state policy in the field of religion, in accordance with the procedure established by the Cabinet of Ministers of Ukraine. The conclusions of the religious examination, information of other central executive bodies, data of public electronic registers, as well as information received from individuals and legal entities, from the media and other open sources may be used during the review. [The phrase "Russian world" is defined at page 24.]

## **Part II. Final and transitional provisions**

### **[GENERAL PROVISIONS]**

1. This Law shall enter into force 30 days after its publication, except for section 6 of this part, which shall enter into force on the day following the day of publication of this Law.

2. Make changes to the following legislative acts of Ukraine:

**1) in the Administrative Judicial Code of Ukraine (Bulletin of the Verkhovna Rada of Ukraine, 2017, No. 48, Article 436):**

### **[COURT PROCEEDINGS WITH RESPECT TO TERMINATION]**

a) part two of Article 22 shall be supplemented with paragraph 4 with the following content:

"4) on the termination of a religious organization, provided for in Article 289-9 of this Code";

b) part two of Article 245 shall be supplemented with paragraph 8-2 with the following content:

"8-2) the termination of a religious organization provided for in Article 289-9 of this Code, and the transfer of property, funds and other assets in its ownership, with the exception of religious ones, to the ownership of the state";

c) paragraph 2 of chapter 11 of section II shall be supplemented by article 289-9 with the following content:

"Article 289-9. Peculiarities of the proceedings in administrative lawsuits for the termination of a religious organization.

1. The effect of the provisions of this article extends to the consideration of administrative cases on the termination of a religious organization provided for by law.

The right to file an administrative claim for the termination of a religious organization is vested in the central executive body that implements state policy in the field of religion, or the body authorized to register the charter (regulations) of the relevant religious organization.

2. Administrative cases specified in part one of this article shall be considered as a court of first instance by the court specified in part two of Article 22 of this Code.

3. In the event of the opening of proceedings in an administrative case specified in part one of this article, or an appeal proceeding in such a case and the appointment of a court session, the relevant court shall notify the plaintiff thereof within three days and shall oblige him to publish the relevant announcement in accordance with the procedure provided for in part five of this article.

4. In the event that the court of first instance in the administrative case provided for in the first part of this article makes a decision that is subject to appeal, or concludes the consideration of the case by rendering a court decision, the court of first instance after drawing up the full text of the respective court decision shall immediately, but no later than ten days from the date of drafting the full text of the decision:

1) sends copies of the case materials in electronic form to the court of appellate instance to ensure the possibility of immediate consideration of appeals with respect to such a court decision in the event of their submission;

2) informs the plaintiff about this for publication of the announcement in accordance with the procedure provided for in part five of this article.

5. Announcement of the opening of proceedings in the administrative case specified in the first part of this article, or of appeal proceedings in such a case and the appointment of a court session, the rendering by the court of first instance of an order that is subject to appeal, or the completion of the consideration of the case by the rendering of a court decision together with a copy of the relevant a court decision or court summons is published on the web portal of the judiciary of Ukraine, as well as on the official website of the central executive body that implements state policy in the field of religion, or the body authorized to register the charter (regulations) of the relevant religious organization.

After three days from the date of publication of such an announcement, it is considered that the participants in the case and all interested persons have been duly notified of the trial of such a case, the appointment, date, time and place of the court session, the adoption and content of the published court decision therein.

The non-arrival of the persons notified of the date, time and place of the hearing of the case in accordance with the procedure provided for in this part does not prevent the hearing of the case.

6. An appeal against a court decision in an administrative case, provided for in part one of this article, is filed within twenty days, and against a court order - within ten days from the date of its publication in accordance with part five of this article.

The court of appeals in the administrative case provided for in the first part of this article is the Supreme Court as part of the college of the Administrative Court of Cassation of not less than five judges.

The judgment of the Supreme Court in such cases is final and not subject to cassation appeal.

7. An administrative case on a claim for the termination of a religious organization shall be decided by the court of first instance within one month after the opening of the proceedings in the case.

The appellate court considers the case within one month after the opening of the appellate proceedings.

8. For submission to the administrative court of lawsuits and appeals in cases defined by this article, a court fee is not paid";

d) section VII "Transitional Provisions" shall be supplemented with paragraph 4-3 with the following content:

"4-3 . In the conditions of martial law introduced by the Decree of the President of Ukraine "On the introduction of martial law in Ukraine" dated February 24, 2022 No. 64/2022, approved by the Law of Ukraine "On the approval of the Decree of the President of Ukraine "On the introduction of martial law in Ukraine" dated February 24, 2022 No. 2102-IX, administrative cases brought by a lawsuit against the central executive body implementing state policy in the field of religion are tried and decided by the district administrative court, the territorial jurisdiction of which extends to the city of Kyiv (exclusive jurisdiction)";

**2) in the Law of Ukraine "On Freedom of Conscience and Religious Organizations" (Bulletin of the Verkhovna Rada of the Ukrainian SSR, 1991, No. 25, Article 283 with the following amendments):** [The full text of this law, before amendment by 8371, is found at <https://zakon.rada.gov.ua/laws/show/987-12#Text>. The Google translation tool works well on this link.]

#### [THE "SIGNS" OF AFFILIATION]

a) supplement Article 5-1 with the following content:

"Article 5-1. Restrictions on the activity in Ukraine of a religious organization affiliated with a foreign religious organization located in a state that is recognized as having carried out or is carrying out armed aggression against Ukraine and/or temporarily occupying part of the territory of Ukraine

It is not allowed to operate in Ukraine a religious organization that:

1) is affiliated with a foreign religious organization, the activities of which are prohibited in Ukraine in accordance with the Law of Ukraine "On Protection of National and Public Security, Human Rights and Freedoms in the Field of Activities of Religious Organizations";

2) affiliated with a religious organization that is affiliated with a foreign religious organization whose activities are prohibited in Ukraine in accordance with the Law of Ukraine "On Protection of National and Public Security, Human Rights and Freedoms in the Field of Activities of Religious Organizations."

A religious organization is affiliated with a foreign religious organization, the activity of which is prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On the Protection of National and Public Security, Human Rights and Freedoms in the Field of Activities of Religious Organizations", in the presence of one or more of the following signs:

1) a religious organization directly, indirectly or as a constituent part of another religious organization is part of the structure (is a part) or is connected or otherwise affiliated with the structure of a foreign religious organization, the activity of which is prohibited in Ukraine in accordance with the Law of Ukraine "On the Protection of National and Public security, human rights and freedoms in the sphere of activity of religious organizations", and/or affiliated with a religious organization operating in Ukraine, which is affiliated with the specified foreign religious organization;

2) in official documents and/or decisions of governing bodies, and/or in the charter (regulations), and/or in the documents stipulated by the charter (regulations) of a religious organization operating in Ukraine, there are signs of inclusion in the structure of the relevant foreign religious organization, the activity of which is prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On the Protection of National and Public Security, Human Rights and Freedoms in the Field of Activities of Religious Organizations", and/or a religious organization operating in Ukraine that is affiliated with the specified foreign religious organization;

3) in official documents and/or decisions of governing bodies, and/or in the charter (regulations) of a foreign religious organization, the activity of which is prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On Protection of National and Public Security, Human Rights and Freedoms in the Field of Activity of religious organizations", there are indications of its inclusion in the structure of a religious organization operating in Ukraine, or provisions regarding the right to make decisions on canonical and organizational issues by the statutory governing bodies of the specified foreign religious organization, which are binding for a religious organization operating in Ukraine;



4) official documents and/or decisions of governing bodies, and/or the charter (regulations) of a foreign religious organization, the activity of which is prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On the Protection of National and Public Security, Human Rights and Freedoms in the Field of Activities of Religious Organizations ", it is stipulated that managers and/or authorized representatives of a religious organization operating in Ukraine must join the statutory management bodies of the said foreign religious organization;

5) a foreign religious organization, the activity of which is prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On the Protection of National and Public Security, Human Rights and Freedoms in the Field of Activities of Religious Organizations", due to subordination in canonical and/or organizational matters, has the opportunity to influence management decisions and/or the activities of a religious organization operating in Ukraine;

6) a foreign religious organization, the activity of which is prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On the Protection of National and Public Security, Human Rights and Freedoms in the Field of Activities of Religious Organizations", appoints, elects, approves, approves, blesses (or other administrative or the canonical procedure related to the acquisition of powers) of the head of a religious organization operating in Ukraine;

7) a foreign religious organization, the activity of which is prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On the Protection of National and Public Security, Human Rights and Freedoms in the Field of Activities of Religious Organizations", accepts, agrees, approves, blesses, approves (or carries out other administrative or the canonical procedure related to the entry into force) of the charter (regulations) of a religious organization operating in Ukraine.

Clause 4 of the second part does not apply if the subjects, managers and/or authorized representatives of religious organizations specified in this clause have publicly stated orally or in writing that they disagree with the appointment to the management bodies of the specified foreign religious organization, have taken the necessary actions, including prepared relevant statements and other documents for termination of powers and severing ties with such a foreign religious organization";

#### [REGISTRATION AND CHANGE OF SUBORDINATION]

b) parts three and four of Article 8 should be set out in the following wording:

"The state recognizes the right of a religious community to be subservient in canonical and organizational matters to any religious centers (administrations) operating in Ukraine and abroad, except for those governing centers (administrations) that are located outside of Ukraine in a state that is recognized as such, that carried out or is carrying out armed

aggression against Ukraine and/or temporarily occupied part of the territory of Ukraine, and whose activities are prohibited in Ukraine, and religious organizations whose activities are not allowed in accordance with the requirements of Article 5-1 of this Law, as well as the free change of this subordination by making appropriate changes to the charter (regulations) of the religious community. Such general meetings of the religious community may be convened by its members.

The decision to change the subordination and make appropriate changes to the charter (regulations) of the religious community shall be adopted by at least two-thirds of the members present at the general meeting of the religious community";

c) to supplement Article 9 with parts four and five with the following content:

"The state recognizes the right of a religious center (administration) to be subservient in canonical and organizational matters to any religious centers (administrations) operating in Ukraine and abroad, except for religious organizations whose activities are not allowed in accordance with the requirements of Article 5-1 of this Law, and /or foreign religious organizations located in a state that is recognized as having carried out or is carrying out armed aggression against Ukraine, and/or temporarily occupied part of the territory of Ukraine, the activities of which are prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On the Protection of National and Public security, human rights and freedoms in the sphere of activity of religious organizations". The state recognizes the right of religious organizations to freely change this affiliation by making appropriate changes to the charter (regulations) of the religious center (management).

The decision on the change of subordination and the introduction of relevant changes to the charter (regulations) is adopted by the general meeting of the management body of the religious center (management)";

d) to supplement Article 10 with parts three and four with the following content:

"The state recognizes the right of monasteries, religious brotherhoods, missionary societies (missions) to be subordinate in canonical and organizational matters to any religious centers (management) operating in Ukraine and abroad, except for religious organizations whose management center (management) is under within the borders of Ukraine in a state that is recognized as having carried out or is carrying out armed aggression against Ukraine and/or temporarily occupied part of the territory of Ukraine, and whose activities are prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On the Protection of National and Public Security, Human Rights and Freedoms in the field of activities of religious organizations", and religious organizations subject to Article 5-1 of this Law, and the free change of this subordination by making appropriate changes to the charter (regulations) of the monastery, religious brotherhood, missionary society (mission).

The decision on the change of subordination and the introduction of relevant changes to the charter (regulations) is adopted by the general meeting of the management body of the religious center (management)";

e) in Article 12:

at part three:

Paragraph 1 should be amended as follows:

"1) name, type of religious organization, its religious affiliation and location";

add item 1-1 with the following content:

"1-1) management bodies of a religious organization, their competence, the procedure for their decision-making";

Paragraph 6 should be read as follows:

"6) the procedure for resolving property and other issues in the event of termination of a religious organization";

parts seven and eight to be excluded;

f) Article 14 should be presented in a new wording

"Article 14. Registration of charters (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) in triplicate 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.

For the charter (regulations) of the religious community, the following are additionally submitted to confirm the information contained therein:

1) the original of the decision 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 by the charter (regulations) of the religious community, and is drawn up in accordance with the internal instructions of this religious community;

2) a duly certified copy of the 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 on the location of the religious organization specified in the charter (regulations) of the religious community.

To register the charter (regulations) of a religious community in the new version, 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 version in three copies.

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

- 1) the original protocol of the general meeting of the religious community on amendments to the charter (regulations) of the religious community, adopted in accordance with the procedure defined in the charter (regulations) of the religious community in force at the time of the amendment, indicating the list of participants of such general meeting;
- 2) the original or a duly certified copy of the version of the charter (regulations) of the religious community that is to be amended, valid on the date of submission of the documents, with a note on state registration (with all amendments made to it).

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 on the location of the religious community specified in the charter (regulation) shall also be submitted.

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

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, the following shall be submitted to the central executive body implementing state policy in the field of religion:

- 1) a statement certified by the signature of the authorized representatives (authorized representative) of the general meeting of the founders (constituent congress (conference) of the founders, etc.) forming such a religious association;
- 2) the charter (regulations) of the religious center (management) in three copies.

For the charter (regulations) of the religious organization to confirm the information contained therein in accordance with the requirements of Article 12 of this Law, the following shall be submitted:

- 1) the original of the decision on the formation of a religious association and the approval (adoption) of the charter (regulations) of the 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 charter (regulation).

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.

In order to register the charter (regulations) of a monastery, religious brotherhood, missionary society (mission), theological educational institution, the following are submitted to the central executive body that implements state policy in the field of religion:

1) a statement signed by the head (another authorized person) of the religious center (management), which establishes the relevant religious organization;

2) the charter (regulations) of a monastery, religious brotherhood, missionary society (mission) or spiritual educational institution in three copies.

Together with the charter (regulations) of the monastery, religious brotherhood, missionary society (mission) or spiritual educational institution, to confirm the information contained therein in accordance with the requirements of Article 12 of this Law, the following shall be submitted:

1) the original of the decision 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) duly certified copy of the charter of the religious center (management), which founds the monastery, religious brotherhood, missionary society (mission), spiritual educational institution;

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 charter (regulation).

In order to register the charter (regulations) of a religious organization (religious center (management), monastery, religious brotherhood, missionary society (mission), spiritual educational institution) in the new edition to the central executive body implementing state policy in the field of religion, the following are submitted:

- 1) a statement signed by the head (another authorized person) of a religious organization whose charter has been amended;
- 2) the charter (regulations) of the religious organization, set out in the new edition.

Together with the charter (regulations) of the religious organization in the new version, the following are additionally submitted:

- 1) the original of the decision of the authorized body of the 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 original or a duly certified copy of the current version of the charter (regulations) of the religious organization with all changes made to it (if they were drawn up in separate annexes).

In case of submission to the central body of executive power implementing state policy in the field of religion, as well as to the regional, Kyiv or Sevastopol city state administrations, and in the Autonomous Republic of Crimea - to the Council of Ministers of the Autonomous Republic of Crimea, an incomplete list of documents specified in this article, 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.

In the event that the religious organization has not eliminated the identified deficiencies within the prescribed period, all documents that have been sent to the central executive body that implements state policy in the field of religion, regional, Kyiv or 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 reason for the return.

The registration body reviews the application, the charter (regulations) of the religious organization within a month, makes the appropriate decision and not later than within 10 days, notifies the applicants in writing about it.

In necessary cases, the body registering 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 experts in the relevant field. In this case, the decision to register the charter (regulations) of religious organizations is made within three months.

Exceeding the terms established by this Law for making decisions on registration or refusal to register the charter (regulations) of a religious organization may be appealed in court in accordance with the procedure established by law.

Amendments to the charters (regulations) of religious organizations are subject to registration in the same order and within the same terms as the registration of the charter (regulations).

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

g) part two of Article 15 shall be amended as follows:

"The decision to refuse to register the charter (regulations) of a religious organization, to register the charter (regulations) of a religious organization in the new edition, indicating the reasons for the refusal, is notified to the applicants in writing within ten days. Such a decision may be appealed to a higher-level administrative body. In the absence of a higher-level administrative body, the complaint is submitted to the same administrative body that adopted the administrative act, took procedural actions and/or made the procedural decision or committed the inaction that is being contested, if a complaint review commission was formed under it. In the event that such an administrative body has not established a commission for handling complaints, a claim for an administrative act, procedural decision, action or inaction of an administrative body shall be submitted to the court in accordance with the law";

h) Article 16 shall be amended as follows:

### [GROUNDS FOR TERMINATION]

#### **"Article 16. Termination of a religious organization**

A religious organization may be terminated:

- 1) in connection with its reorganization (division, merger, merger) or liquidation;
- 2) by court decision, in case of violation of this Law.

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

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

- 2) a combination of ritual or preaching activities of a religious organization with encroachment 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 (worshhips, 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 crime against the foundations of national security of Ukraine or for committing a criminal offense provided for in Articles 111-1, 161, 190, 209, 258–258-6, 436–438, 442, 447 of the Criminal Code of Ukraine; [Amended by 8371 – many more articles of the Criminal Code added]
- 6) failure to comply with the order to eliminate the violation provided for in Article 30 of this Law within the time limit established by this Law; [Added by 8371]
- 7) detection of repeated facts of the use of a religious organization for the purposes of spreading propaganda of the ideology of the "Russian World" in accordance with the Law of Ukraine "On the Protection of National and Public Security, Human Rights and Freedoms in the Field of Activities of Religious Organizations"; [Added by 8371]
- 8) detection of other violations of the requirements for the creation and operation of a religious organization, the management center (management) of which is located outside of Ukraine in a state that carried out and is carrying out armed aggression against Ukraine and/or temporarily occupied part of the territory of Ukraine, established by the Constitution of Ukraine, this Law and other laws of Ukraine. [Added by 8371]

The court considers the case of termination of a religious organization in accordance with the procedure prescribed by law.

Cases on the termination of a religious organization, submitted and not considered before the date of entry into force of this Law, are considered according to the procedure established by the procedural law, which was in effect on the day of the opening of the proceedings by the court of first instance.

In the event that the grounds for the termination of a religious organization established by this Law are discovered, the central executive body implementing state policy in the field of religion, or the body authorized to register the charter (regulations) of the relevant religious organization, shall immediately apply to the court with a claim for the termination of the religious organization.



A commission for the termination of a religious organization (liquidation commission) is appointed by a court decision on the termination of a religious organization.

### [ADMINISTRATIVE PROCEDURE -- "SIGNS" OF AFFILIATION]

Study of the issue of the presence of signs of affiliation of a religious organization operating in Ukraine, established by Article 5-1 of this Law, with a foreign religious organization, the activity of which is prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On Protection of National and Public Security, Human Rights and Freedoms in the Sphere activities of religious organizations", is carried out by the central body of executive power, which implements state policy in the field of religion, on its own initiative or on the basis of an appeal by a state authority, a local self-government body, an association of citizens, or other persons.

Notice of initiation of investigation into the issue of the presence of signs of affiliation of a religious organization operating in Ukraine, established by Article 5-1 of this Law, with a foreign religious organization whose activities are prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On Protection of National and Public Security, Rights and of human freedoms in the sphere of activities of religious organizations", the central body of executive power, which implements state policy in the sphere of religion, publishes on the official website.

After the publication of the notice on the initiation of the investigation, the central executive body that implements the state policy in the field of religion may apply to state authorities, local self-government bodies, legal entities and individuals for the provision of information, explanations, documents, extracts from public electronic registers that are necessary to carry out research and establish signs of the presence or absence of affiliation, defined by Article 5-1 of this Law.

In order to establish signs of affiliation of a religious organization with a foreign religious organization, the activity of which is prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On the Protection of National and Public Security, Human Rights and Freedoms in the Field of Activities of Religious Organizations", the central body of executive power implementing state policy in the field of religion, may use the conclusions of religious expertise, information from other central executive authorities, data from public electronic registers, as well as information received from individuals and legal entities, from the media and other open sources.

When assessing the presence or absence of signs of affiliation, defined in Article 5-1 of this Law, the appropriateness, admissibility, and reliability of each fact, conclusion, argument, and other evidence obtained during the research are taken into account separately, as well as the probability and mutual connection of the evidence in their totality. The presence of a circumstance, which any interested person refers to as the basis of his arguments or objections, is considered proven if the evidence provided to confirm such a circumstance is more probable than the evidence provided to refute it. Motives for recognizing the evidence as more probable in relation to each circumstance, on the basis

of which the presence of signs of affiliation is established, may be brought to the attention of the religious organization at the same time as the prescription.

In the case of establishing a sign of affiliation of a religious organization with a foreign religious organization, the activity of which is prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On the Protection of National and Public Security, Human Rights and Freedoms in the Field of Activities of Religious Organizations", the central executive body implementing the state policy in the field of religion, issues an order to eliminate violations and sends it to a religious organization.

Simultaneously with sending an order to eliminate violations, the central executive body that implements state policy in the field of religion compiles a list of religious organizations that are part of the structure (are part of) or related to the structure of a religious organization, in respect of which an order to eliminate violations has been issued, and publishes it on the official website. The specified list can be changed, supplemented or specified in accordance with the information received by the central executive body that implements state policy in the field of religion.

Within 30 days from the date of receipt of the order on the elimination of violations, the religious organization is obliged to eliminate the violations specified in the order and to send to the central executive body that implements the state policy in the field of religion, a report on the elimination of the violation with relevant supporting evidence. Along with the report, objections to established signs of affiliation, which became the basis for issuing the order, can also be submitted. The established deadline for submitting the report may be extended by the central executive body that implements the state policy in the field of religion at the reasoned request of a religious organization, but for no more than 60 days.

A religious organization that is part of the structure (is a part) or is connected with the structure of another religious organization, in respect of which a decision was made to recognize it as affiliated with a foreign religious organization, the activity of which is prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On the Protection of National and of public security, human rights and freedoms in the field of activities of religious organizations", together with the report on the elimination of the violation, can also submit an objection against the fact that it is part of the structure (is a part) or is connected with the structure or is otherwise affiliated with the specified religious organization.

On the basis of the materials collected during the research, including the report and other documents provided by the religious organization, the central executive body that implements the state policy in the field of religion establishes the presence or absence of grounds for concluding that the violation has been eliminated or that the issued order to eliminate the violations is incorrect. A remedial order issued in error is revoked and the religious organization is notified.

When establishing the presence or absence of grounds for a conclusion on the elimination of a violation or the erroneousness of an issued order on the elimination of violations, the rules for assessing the presence or absence of signs of affiliation, established by this article, are applied.

If, within the period established by this article, the religious organization did not submit a report on the elimination of the violation or the provided report did not confirm the elimination of the violations specified in the order on the elimination of violations, and in the absence of grounds for revoking the order on the elimination of violations, the relevant religious organization is recognized as affiliated with a foreign religious organization, the activity of which is prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On the Protection of National and Public Security, Human Rights and Freedoms in the Field of Activities of Religious Organizations", about which the central executive body that implements state policy in the field of religion makes an appropriate decision, notifies the relevant religious organization in writing and publishes an announcement on its official website.

After making a decision to recognize a religious organization as affiliated with a foreign religious organization, the activities of which are prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On the Protection of National and Public Security, Human Rights and Freedoms in the Field of Activities of Religious Organizations", the central executive body implementing state policy in the field of religion:

- 1) sends an order to eliminate violations to religious organizations, in respect of which there are signs of affiliation with a religious organization, which is recognized as affiliated with a foreign religious organization, the activity of which is prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On Protection of National and Public Security, Human Rights and Freedoms in the field of activity of religious organizations", and/or to religious organizations that are part of the structure (are part of) or related to the structure of such a religious organization, recognized as affiliated with a foreign religious organization, the activity of which is prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine " On the protection of national and public security, human rights and freedoms in the sphere of activities of religious organizations";

- 2) sends a notice of recognition of the relevant religious organization as affiliated with a foreign religious organization, the activity of which is prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On the Protection of National and Public Security, Human Rights and Freedoms in the Field of Activities of Religious Organizations", to the State Property Fund of Ukraine , local self-government bodies, other legal entities and individuals, in respect of which there is information about their granting the relevant religious organization the use of property, for the early termination of the rights to use the property, including the early termination of lease agreements for the relevant property

concluded with the religious organization, cancellation (early termination of validity) of decisions on providing the relevant property for use;

3) applies to the court with a claim for the termination of a religious organization on the basis of paragraph 6 of the second part of this article.

A religious organization at any time after being recognized as affiliated with a foreign religious organization whose activities are prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On the Protection of National and Public Security, Human Rights and Freedoms in the Field of Activities of Religious Organizations" may submit to the Central to the body of executive power that implements state policy in the field of religion, a statement on the revocation of the decision to recognize it as an affiliate in connection with its independent elimination of the signs of affiliation established by Article 51 of this Law. A report on the elimination of the violation with relevant supporting evidence is attached to such a statement. The application and the report attached to it are considered in the general procedure established by this article";

i) in Article 17:

### [RESULTING LACK OF PROPERTY RIGHTS]

after the second part, add eight new parts with the following content:

"Cultural building, structure and property, which are state or communal property, cannot be used or transferred for use by religious organizations whose activities are contrary to the law.

Contracts concluded in violation of the third part of this article are null and void by law and do not need to be declared invalid by a court. Deeds related to the use of property (rent, hiring, leasing, other forms of use of someone else's property), the validity period of which has not expired, concluded with the relevant religious organization, as well as with legal entities, owner, participant, shareholder which are such religious organization, are terminated early.

A religious building or structure is a building or structure that is an object of immovable property, specially designed to meet religious needs by conducting religious services, religious rites, ceremonies, processions, rituals, prayers, services, religious gatherings and providing other types of religious practice.

A complex of religious buildings is a topographically defined set of separate or connected religious buildings, structures, as well as other objects necessary to ensure the religious practice of a religious organization.

Religious property is property intended for worship services, religious rites, ceremonies, processions, rituals, prayers, services, religious gatherings and provision of other types of religious practice.

In case of doubts about the belonging of a building, construction or property to cults, the central executive body implementing the state policy in the field of religion can appoint a religious examination.

Religious organizations have the right to receive religious buildings, structures and property in state and communal ownership for free use, for the purpose of holding religious services, religious rites, ceremonies, processions, rituals, prayers, services, religious gatherings, religious education and providing other types religious practice in accordance with the internal instructions of the religious organization in the manner established by this Law.

Religious organizations, the activities of which are not allowed in accordance with Article 5-1 of this Law, do not have the right to use state and/or communal property, immovable property of other individuals or legal entities. The right to use state and/or communal property granted to such religious organizations, including lease agreements, shall be prematurely terminated 60 days from the date of adoption of the decision to recognize the relevant religious organization as affiliated with a foreign religious organization, the activity of which is prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine. On the protection of national and public security, human rights and freedoms in the sphere of activity of religious organizations".

In this regard, parts three to ten shall be considered parts eleven to eighteen, respectively;

j) part two of Article 18 shall be amended as follows:

"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, mortgage, free transfer to the ownership or management of other persons, until the procedure for changing one's subordination in canonical and organizational matters is completed by any religious association operating in Ukraine and abroad by registering a new version of the charter (regulations) adopted by at least two-thirds of the members present at the general meeting of the religious community, or by the governing body determined by the charter (regulations) of the religious organization (religious center (administration), monastery, religious brotherhood, missionary society (mission), spiritual educational institution)";

k) in Article 20:

put the title in the following version:

"Article 20. Disposition of property of religious organizations that have ceased to exist";

in the first part, exclude the word "activities"; in the second part of the words "activities" and "former" to exclude;

in the fourth part, replace the word "ceased its activity" with the word "ceased";

in the fifth part, the word "activities" should be excluded; [The existing fifth part reads: "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.]

l) in Article 24:

after the second part, add a new part with the following content:

"International relations and contacts of religious organizations with foreign religious organizations, the activities of which are prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On the Protection of National and Public Security, Human Rights and Freedoms in the Field of Activities of Religious Organizations", are allowed with the individual approval of the central of the executive power body that implements state policy in the field of religion, and are subject to monitoring in accordance with the procedure established by law."

In this regard, parts three and four shall be considered parts four and five, respectively;

[ADDITIONAL POWERS OF DESS]

m) part one of Article 30 shall be supplemented with paragraphs eight to thirteen with the following content:

"conducting a study on the question of the presence of signs of affiliation of a religious organization with a foreign religious organization, the activity of which is prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On the Protection of National and Public Security, Human Rights and Freedoms in the Field of Activities of Religious Organizations", in accordance with the procedure established by legislation;

recognizing a religious organization as affiliated with a religious organization whose activities are prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On the Protection of National and Public Security, Human Rights and Freedoms in the Field of Activities of Religious Organizations";

issuance of mandatory orders to eliminate violations of the legislation on freedom of conscience and religious organizations;

providing individual consent to international relations and/or contacts with a foreign religious organization, the activity of which is prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On the Protection of National and Public Security, Human Rights and Freedoms in the Field of Activities of Religious Organizations", and monitoring connections and contacts with such a foreign religious organization;

applying to the court with a claim for the termination of a religious organization in cases established by law;

implementation of other actions defined by this Law";

**3) in the third paragraph of the third part of Article 23 of the Law of Ukraine "On the Prosecutor's Office" (Bulletin of the Verkhovna Rada of Ukraine, 2015, No. 2-3, Article 12 with subsequent amendments) the word "religious organizations" should be excluded;**

**4) in the Law of Ukraine "On State Registration of Legal Entities, Individuals — Entrepreneurs, and Public Organizations" (Bulletin of the Verkhovna Rada of Ukraine, 2016, No. 2, Article 17 with the following amendments):**

a) add the fourth paragraph of the second part of Article 4 with the following content:

"State registration of legal entities that are religious organizations, on the basis of documents submitted in paper or electronic form, is carried out at the location of the religious organization specified in the charter (regulation);

b) the third paragraph of clause 6 of the first part of Article 15 should be read as follows:

"The effect of the second paragraph of this clause in the part of notarial certification of the authenticity of the signature does not extend to the state registration of changes to the information about the state body, local self-government body, public association, charitable organization or religious organization contained in the Unified State Register, as well as to the state registration of changes to information about a legal entity made on the basis of an administrative act of a state body, a local self-government body";

**5) in Article 9 of the Law of Ukraine "On Leasing of State and Communal Property" (Bulletin of the Verkhovna Rada of Ukraine, 2020, No. 4, Article 25):**

**[PROHIBITION OF TRANSFER OF STATE OR COMMUNAL PROPERTY]**

add part two with the words "except for the transfer of state or communal property for free use or loan to a religious organization";

after the second part, add a new part with the following content:

"3. It is prohibited to transfer state or communal property for free use or loan or lease to a foreign religious organization, the activity of which is prohibited in Ukraine in accordance with Article 3 of the Law of Ukraine "On the Protection of National and Public Security, Human Rights and Freedoms in the Field of Activities of Religious Organizations", as well as to religious organizations that are affiliated with such a foreign religious organization. In the event that signs of affiliation are discovered after the transfer of property for free use or loan or lease, the corresponding contract is terminated early, and the decision on transfer is recognized as invalid based on the corresponding notification of the central executive body that implements state policy in the field of religion."

In this regard, part three shall be considered part four;

**6) part eight of Article 5-1 of the Law of Ukraine "On prevention and countermeasures against the legalization (laundering) of proceeds obtained through crime, the financing of terrorism and the financing of the proliferation of weapons of mass destruction" (Bulletin**

of the Verkhovna Rada of Ukraine, 2020, No. 25, Article 171 ; as amended by the Law of Ukraine dated September 6, 2022 No. 2571-IX) add the words "religious organizations" after the words "performing professional self-government in the field of notary";

**7) in the first part of Article 1 of the Law of Ukraine "On the prohibition of propaganda of the Russian Nazi totalitarian regime, armed aggression of the Russian Federation as a terrorist state against Ukraine, symbols of the military invasion of the Russian Nazi totalitarian regime in Ukraine" dated May 22, 2022 No. 2265-IX; Bulletin of the Verkhovna Rada of Ukraine, 2023, No. 47-50, Art. 120):**

add item 1-1 with the following content:

**[DEFINITION OF "RUSSIAN WORLD"]**

"1-1) the ideology of the "Russian world" is a Russian neo-colonial doctrine based on chauvinistic, Nazi, racist, xenophobic, religious ideas, images and goals, the destruction of Ukraine, the genocide of the Ukrainian people, the non-recognition of the sovereignty of Ukraine and other states, which has for the purpose of violent expansion of the Russian supranational imperial space as a way of realizing the special civilizational right of Russians to mass murders, state terrorism, military invasion of other states, occupation of territories, expansion of the canonical territory of the Russian Orthodox Church beyond the territory of the Russian Federation";

paragraph 3 should be supplemented with the words "popularization of the ideology of the Russian world in any form and by any means."

**[GENERAL PROVISIONS CONTINUED FROM PAGE 5]**

3. After 60 days from the date of entry into force of this Law, lease contracts of state or communal property concluded with religious organizations, legal entities, whose activities contradict this Law, shall be prematurely terminated.
4. Religious organizations that, as of the date of entry into force of this Law, have registered their charters (regulations) in accordance with the legislation on freedom of conscience and religious organizations, are obliged to bring their activities, charters (regulations) into force within three months from the date of entry into force of this Law compliance with the requirements of this Law.
5. Any activity of legal entities whose owner, participant or shareholder is a foreign religious organization, the activity of which is prohibited in Ukraine, is prohibited. Such legal entities must bring their activities into compliance with the requirements of this Law within three months from the date of entry into force of this Law.
6. The Cabinet of Ministers of Ukraine within three months from the date of publication of this Law:

prepare and submit to the Verkhovna Rada of Ukraine proposals for amendments to legislative acts resulting from this Law;



to initiate procedures established by law for the return of state property from the temporary use of religious organizations whose activities do not meet the requirements of this Law;

to ensure the adoption of normative legal acts necessary for the implementation of this Law;

to bring its normative legal acts into compliance with the requirements of this Law;

to ensure that ministries and other central executive bodies review and bring their regulatory acts into compliance with this Law.