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IMPLEMENTATION OF THE DECLARATION ON THE ELIMINATION OF ALL FORMS  
OF INTOLERANCE AND OF DISCRIMINATION BASED ON RELIGION OR BELIEF

Report of the Secretary-General pursuant to  
Commission on Human Rights resolution 1985/51

Addendum

The addendum contains communications from the Byelorussian Soviet  
Socialist Republic and the Ukrainian Soviet Socialist Republic.

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

[19 December 1985]

[Original: RUSSIAN]

1. Constitution (Basic Law) of the Byelorussian Soviet Socialist Republic (adopted at the ninth extraordinary meeting of the Supreme Soviet of the Byelorussian SSR of the ninth convocation on 14 April 1978)

Article 32. Citizens of the Byelorussian SSR are equal before the law, without distinction on grounds of origin, social or property status, race or nationality, sex, education, language, attitude to religion, type or nature of occupation, domicile, or other circumstances.

The equal rights of citizens of the Byelorussian SSR are guaranteed in all spheres of economic, political, social, and cultural life.

Article 50. Citizens of the Byelorussian SSR are guaranteed freedom of conscience, that is to say the right to profess or not to profess any religion, and to engage in religious worship or atheistic propaganda. Incitement to hostility or hatred on grounds of religious beliefs is prohibited.

Article 55. Respect for the individual and protection of the rights and freedoms of citizens are the duty of all State bodies, public organizations, and officials.

Citizens of the Byelorussian SSR have the right to protection by the courts against encroachments on their honour and dignity, life and health, personal freedom and property.

2. Act of the Byelorussian Soviet Socialist Republic on Elections to Local Soviets of People's Deputies of the Byelorussian SSR

Extract

Article 2. Universal suffrage

Deputies to the Supreme Soviet of the USSR shall be elected on the basis of universal suffrage: all citizens of the Byelorussian SSR who have attained the age of 18 shall have the right to vote, with the exception of persons recognized by the established law as insane.

Any direct or indirect limitations of the electoral rights of citizens of the Byelorussian SSR on grounds of origin, social or property status, race or nationality, sex, education, language, attitude to religion, length of residence in a particular locality, or type or nature of occupation, are prohibited.

3. Act of the Union of Soviet Socialist Republics on general military service, adopted on 12 October 1967

Extract

Article 3. All male citizens of the USSR, without distinction on grounds of origin, social or property status, race or nationality, education, language, attitude to religion, type and nature of occupation, or domicile, are required to perform active military service in the ranks of the Armed Forces of the USSR.

4. Act of the Union of Soviet Socialist Republics on the legal status of aliens in the USSR, adopted on 24 June 1981

Extract

Article 16. Freedom of conscience

Aliens in the USSR, like citizens of the USSR, shall be guaranteed freedom of conscience.

Incitement to hostility and hatred in connection with religious beliefs is prohibited.

5. Marriage and family code of the Byelorussian SSR

Article 4. All citizens shall have equal rights in family relationships.

Any direct or indirect limitation of these rights, or the establishment of any direct or indirect privileges on marriage and in family relationships on grounds of origin, social or property status, race or nationality, sex, education, language, attitude to religion, type or nature of occupation, domicile or other circumstances, is prohibited.

6. Criminal code of the Byelorussian SSR

Extract

Article 139. Violation of laws on the separation of Church and State and Church and School

The violation of laws on the separation of Church and State and School and Church shall be punished by correctional tasks for a term not exceeding one year or by a fine not exceeding 50 roubles.

The same acts committed by a person previously convicted of violating laws on the separation of Church and State and school and Church, as well as organizational activity directed towards the commission of such acts, shall be punished by deprivation of freedom for a term not exceeding three years.

Article 140. Obstruction of the performance of religious ceremonies

The obstruction of the performance of religious ceremonies, so long as they do not violate public order and do not constitute an encroachment on the rights of citizens, shall be punished by correctional tasks for a term not exceeding six months or by public censure.

Article 222. Encroachment on the person and rights of citizens on the pretence of performing religious ceremonies

The organizing or directing of a group whose activity, conducted in the guise of propagating religious beliefs and performing religious ceremonies, is harmful to citizens' health or otherwise encroaches on their person or rights, or which incites citizens to refuse social activity or performance of civic duties, or seeks to attract minors to such groups, shall be punished by deprivation of freedom for a term not exceeding five years, or by exile for a similar term, with or without confiscation of their property.

Active participation in the activities of the group mentioned in paragraph 1 of this article, or systematic propaganda directed at the commission of the acts specified therein, shall be punished by deprivation of freedom for a term not exceeding three years or by exile for the same term, or by correctional tasks for a term not exceeding one year.

If the acts of the persons referred to in paragraph 2 of this article, and the persons themselves who committed them, do not represent a great public danger, measures of social pressure may be applied to them.

UKRAINIAN SOVIET SOCIALIST REPUBLIC

[25 December 1985]

[Original: RUSSIAN]

1. CONSTITUTION (BASIC LAW) OF THE UKRAINIAN SOVIET SOCIALIST REPUBLIC

Extract

Article 32. Citizens of the Ukrainian SSR are equal before the law, without distinction on grounds of origin, social or property status, race or nationality, sex, education, language, attitude to religion, type or nature of occupation, domicile or other circumstances.

The equal rights of citizens of the Ukrainian SSR are guaranteed in all spheres of economic, political, social and cultural life.

Article 50. Citizens of the Ukrainian SSR are guaranteed freedom of conscience, that is to say the right to profess or not to profess any religion, and to engage in religious worship or atheistic propaganda. Incitement to hostility or hatred on grounds of religious beliefs is prohibited.

In the Ukrainian SSR, the Church is separated from the State and the School from the Church.

2. ACT OF THE UKRAINIAN SOVIET SOCIALIST REPUBLIC ON ELECTIONS TO THE SUPREME SOVIET OF THE UKRAINIAN SSR of 19 December 1978

Extract

Article 2. Universal suffrage

Deputies to the Supreme Soviet of the Ukrainian SSR shall be elected on the basis of universal suffrage: all citizens of the Ukrainian SSR who have attained the age of 18 shall have the right to elect and to be elected to the Supreme Soviet of the Ukrainian SSR, with the exception of persons recognized by the established law as insane.

Any direct or indirect limitation of the electoral rights of citizens of the Ukrainian SSR on grounds of origin, social or property status, race or nationality, sex, education, language, attitude to religion, length of residence in a particular locality, or type or nature of occupation, is prohibited.

3. ACT OF THE UKRAINIAN SOVIET SOCIALIST REPUBLIC ON ELECTIONS TO LOCAL SOVIETS OF PEOPLE'S DEPUTIES OF THE UKRAINIAN SSR of 27 June 1979

Extract

Article 2. Universal suffrage

Deputies to the local Soviets of People's Deputies of the Ukrainian SSR shall be elected on the basis of universal suffrage: all citizens of the Ukrainian SSR who have attained the age of 18 shall have the right to elect and to be elected to regional, district, urban, urban district, settlement and village Soviets of People's Deputies, with the exception of persons recognized by the established law as insane.

Any direct or indirect limitations of the electoral rights of citizens of the Ukrainian SSR on grounds of origin, social or property status, race or nationality, sex, education, language, attitude to religion, length of residence in a particular locality, or type or nature of occupation, are prohibited.

4. MARRIAGE AND FAMILY CODE OF THE UKRAINIAN SSR of 20 June 1969

Extract

Article 4. Equality of rights of citizens in family relationships.

All citizens shall have equal rights in family relationships.

Any direct or indirect limitation of these rights, or the establishment of any direct or indirect privileges on marriage and in family relationships on grounds of origin, social or property status, race or nationality, sex, education, language, attitude to religion, type or nature of occupation, domicile and other circumstances, is prohibited.

5. LABOUR CODE OF THE UKRAINIAN SSR of 10 December 1971

Extract

Article 22. Guarantees relating to hiring.

The unjustified rejection of a candidate for employment is prohibited.

Under the Constitution of the USSR and the Constitution of the Ukrainian SSR, any direct or indirect limitation of rights of the establishment of direct or indirect privileges in connection with hiring, on grounds of sex, race, nationality or attitude to religion is inadmissible.

6. ACT OF THE UKRAINIAN SOCIET SOCIALIST REPUBLIC CONCERNING  
JUDICIAL PROCEDURE OF THE UKRAINIAN SSR, of 5 June 1981

Extract

Article 5. Equality of citizens before the law and the courts.

Justice in the Ukrainian SSR is administered on the basis of the equality of citizens before the law and the courts, regardless of origin, social or property status, race or nationality, sex, education, language, attitude to religion, type or nature of occupation, domicile or other circumstances.

7. CODE OF CIVIL PROCEDURE OF THE UKRAINIAN SSR of 18 July 1963

Extract

Article 6. Administration of justice only by the courts and on the basis of the equality of citizens before the law in the courts.

Justice in civil cases shall be administered only by the courts on the basis of the equality of all citizens before the law in the courts, regardless of their origin, social or property status, race or nationality, sex, education, language, attitude to religion, type and nature of occupation, domicile or other status. (In the version of the Decree of the Presidium of the Supreme Soviet of the Ukrainian SSR of 23 January 1981.)

8. CODE OF CRIMINAL PROCEDURE OF THE UKRAINIAN SSR  
of 28 December 1960

Extract

Article 16. Administration of justice on the basis of the equality of citizens before the law and the courts.

Justice in criminal cases shall be administered only by the courts on the basis of the equality of all citizens before the law in the courts, regardless of their origin, social or property status, race or nationality, sex, education, language, attitude to religion, type and nature of occupation, domicile or other status. (In the version of the Decree of the Presidium of the Supreme Soviet of the Ukrainian SSR of 16 April 1984.)

9. CRIMINAL CODE OF THE UKRAINIAN SSR of 28 December 1960

Extract

Article 138. Violation of laws on the separation of Church and State and Church and School.

The violation of laws on the separation of Church and State and School and State shall be punished by corrective labour for a term not exceeding one year or by a fine not exceeding 100 roubles.

The same acts committed by a person previously convicted of violating laws on the separation of Church and State and School and Church, as well as organizational activity directed towards the commission of such acts, shall be punished by deprivation of freedom for a term not exceeding three years. (In the version of the Decree of the Presidium of the Supreme Soviet of the Ukrainian SSR of 12 January 1983.)

Article 139. Obstruction of the performance of religious ceremonies.

The obstruction of the performance of religious ceremonies, so long as they do not violate public order and do not constitute an encroachment on the rights of citizens, shall be punished by correctional tasks for a term not exceeding six months or by public censure.

Article 209. Encroachment on the person and rights of citizens under the pretence of performing religious ceremonies or other pretexts.

The organizing or directing of a group whose activity, conducted in the guise of propagating religious beliefs and performing religious ceremonies or under any other pretext, is harmful to citizens' health or otherwise encroaches on their personal rights, or which incites citizens to refuse social activity or performance of civic duties, shall be punished by deprivation of freedom for a term not exceeding five years, or by exile for a similar term, with or without confiscation of their property.

Active participation in the activities of a group within the meaning of paragraph 1 of this article, or systematic propaganda directed at the commission of the acts specified therein, shall be punished by deprivation of freedom for a term not exceeding three years or by exile for the same term, or by correctional tasks for a term not exceeding two years.

If the acts of the persons referred to in paragraph 2 of this article, and the persons themselves who committed them, do not represent a great public danger, measures of social pressure may be applied to them.

(In the version of the Decree of the Presidium of the Supreme Soviet of the Ukrainian SSR of 12 January 1983.)

10. CODE OF ADMINISTRATIVE OFFENCES OF THE UKRAINIAN SSR  
of 7 December 1984

Extract

Article 212. Violation of legislation on religious associations.

The failure by leaders of religious societies to register the associations with the organs of State control and the violation of the rules established by law concerning the organization and holding of religious meetings, processions and other ceremonies, and the organization and holding by ministers of religion and members of religious associations of special meetings of children and young people, as well as of work, literary and other circles and groups not connected with the performance of religious worship, shall be punishable by a fine of up to 50 roubles.

11. ACT OF THE UKRAINIAN SSR ON NATIONAL EDUCATION of 28 June 1974

Extract

Article 4. Basic principles of national education in the Ukrainian SSR.

The basic principles of national education in the Ukrainian SSR are:

1. Equality of all citizens of the USSR in receiving education regardless of origin, social or property status, race or nationality, sex, language, attitude to religion, type and nature of occupation, domicile or other circumstances;
2. Universal compulsory secondary education for young people;
3. State and public character of all educational institutions;
4. Freedom of choice of language of instruction: instruction in the mother tongue or in the language of another people of the USSR;
5. Free character of all types of education, full State support of part of the student body, free issue of school text books, support of students by grants, provision to students of the established benefits and provision of other material assistance;
- ...
9. Scientific nature of education, continuing modernization of education on the basis of new achievements in science, technology and culture;
10. Humanistic and lofty moral character of education and instruction;
11. Co-education;
12. Secular nature of education, excluding the influence of religion.

(In the version of the Decree of the Supreme Soviet of the Ukrainian SSR of 15 May 1980.)

## 12. PROVISIONS CONCERNING RELIGIOUS ASSOCIATIONS IN THE UKRAINIAN SSR

### I. General provisions

1. Citizens of the Ukrainian SSR are guaranteed freedom of conscience. Every citizen has the right to profess or not to profess any religion. Profession of a religion or of no religion shall not give rise to any limitation of rights or confer any advantages. All citizens are free to conduct religious worship or atheistic propaganda.

The adoption of any resolutions, orders or decisions limiting freedom of conscience is prohibited. No mention of whether or not a citizen professes a religion may be made in official documents.

No one may shirk the performance of his obligations as a citizen by invoking his religious beliefs.

2. In order to ensure freedom of conscience for citizens, in the Ukrainian SSR the Church is separated from the State and the school from the Church.

The teaching of religious dogma in educational establishments is prohibited. Such teaching may be allowed only in ecclesiastical educational establishments opened in accordance with established procedure.

3. In order to satisfy their religious needs believers over 18 years of age may voluntarily join together in religious associations which have been registered in accordance with these Provisions.

All registered religious associations and organizations are equal before the law in their status, rights and obligations.

4. The executive committees of local Soviets of Workers's Deputies and the Council for Religious Affairs of the Ukrainian SSR Council of Ministers and its representatives shall supervise the activity of religious associations.

5. These Provisions shall apply to all religions, creeds, trends, tendencies or doctrines.

### II. Organization and activity of religious associations

6. Religious associations shall be registered as religious societies or groups of believers.

A religious society is a local association of believers of one religion, denomination, trend, direction or doctrine consisting of not less than 20 persons.

Believers who cannot form a religious society on account of their small numbers have the right to form a group of believers.

Every citizen may be a member of only one religious association.

7. A religious society or group of believers may begin its activity only after the decision for its registration has been taken by the Council for Religious Affairs of the USSR Council of Ministers.

8. In order to register a religious society its founders, numbering not less than 20 persons, must submit a signed application for registration as a religious society and for the opening of a house of worship (church, synagogue, prayer house, etc.) to the executive committee of the district or urban Soviet of Workers' Deputies.

In the case of the registration of a group of believers, the corresponding application must be submitted signed by all members of the group.

The executive committee of the district or urban Soviet of Workers' Deputies shall consider the application within one month, at the end of which period it shall forward the application to the executive committee of the regional or urban (cities of Kiev and Sevastopol) Soviet of Workers' Deputies.

9. The executive committee of the regional or urban (cities of Kiev and Sevastopol) Soviet of Workers' Deputies shall consider the documents concerning the registration of the religious society within one month and forward them together with its opinion to the Council for Religious Affairs of the Ukrainian SSR Council of Ministers.

After considering the documents relating to the registration of the religious association the Council for Religious Affairs of the Ukrainian SSR Council of Ministers shall forward them together with its proposal to the Council for Religious Affairs of the USSR Council of Ministers, which shall take the decision for or against the registration of the religious association and the opening of the house of worship.

The believers who submitted the application shall be informed of the decision taken.

10. Believers who have formed a religious association have the right to:

(a) Perform religious rites and ceremonies, conduct prayer meetings and hold meetings to decide organizational matters;

(b) Receive free of charge the use of a house of worship and religious property as decided by the Council for Religious Affairs of the USSR Council of Ministers;

(c) Have the free use, for religious meetings, of buildings (premises) leased to them by individual citizens or by the executive committee of the district or urban Soviet of Workers' Deputies;

(d) Engage or elect a minister of religion;

(e) Collect voluntary donations in the house of worship and hold voluntary collections among members of the religious society for the maintenance of the house of worship and religious property, for the engagement of a minister of religion and for the other purposes provided for by these Provisions;

(f) Perform legal transactions relating to the management and use of religious property: contracts for fuel delivery, maintenance of the house of worship and religious property, purchase of articles and property for the

performance of religious rites and ceremonies and other activities directly connected with the teachings and rites of the religion in question, as well as contracts for the hire of service staff. Such legal transactions may not include clauses the object of which is commercial or industrial, even if such clauses are connected with religion.

(g) Acquire religious articles and objects, and means of transport, and lease, erect or purchase premises for their needs in the manner established by law;

(h) Convene religious congresses and conferences with the permission of the Council for Religious Affairs of the USSR Council of Ministers;

(i) Use seals, stamps and forms bearing the designation of their title in matters connected with the activity of the religious association. Such seals, stamps and forms cannot contain emblems or wording established for State and public institutions and organizations;

(j) Open current accounts in local establishments of the USSR State Bank.

11. Religious associations must not carry on any activity other than that directed at the satisfaction of the religious needs of the believers.

Religious associations do not have the right to:

(a) Create mutual insurance funds, co-operatives or production associations, or to use the property at their disposal for any goals other than the satisfaction of the religious needs of the believers;

(b) Provide material support to believers;

(c) Organize special religions or other meetings for children, young people or women, as well as general biblical, literary, needlework, labour, religious education or other meetings, groups, charities or branches, excursions or children's playgrounds, open libraries or reading rooms, or organize medical assistance;

(d) Store literature in the house of worship other than that required for conducting its own religious services;

(e) Establish compulsory dues for or carry out compulsory taxation of believers for the benefit of the religious association;

(f) Employ measures of coercion or punishment with regard to believers.

12. General meetings of believers who have formed a religious association which are convened to discuss matters relating to the management of the association's affairs, the use of religious property, the election of executive and supervisory bodies, and to settle other organizational matters shall be held with the consent of the executive committee of the district or urban Soviet of Workers' Deputies.

13. In order to manage the affairs of the religious association and carry out functions connected with the use of the association's property and financial resources, including the performance of the legal transactions referred to in article 10 (f) of these Provisions, as well as for the purposes of external representation, the religious association shall elect an executive committee from among its members by open ballot at a general meeting. A religious

society shall elect a three-person executive committee, while a group of believers shall elect one person (its official representative).

14. The executive committee of the district or urban Soviet of Workers' Deputies has the right to object to specific persons as members of the executive bodies or religious associations.

15. For the purpose of checking property and audit of financial receipts and expenditures, religious associations may elect an audit commission, consisting of not more than three persons, from among its members at a general meeting.

16. Meetings of the executive and supervisory bodies of religious associations may be held without permission from or notification of the executive committee of the district or urban Soviet of Workers' Deputies.

17. Ministers of religion may carry on their activities only after they have been registered in the established manner.

Ministers of religion, preachers and religious teachers shall carry on their activities within the limits of the place of residence of the members of the religious association which they serve and of the location of the house of worship of that association.

Ministers of religion permanently serving two or more religious associations shall carry out their activities within the limits of the place of residence of the believers belonging to those religious associations and of the location of the houses of worship of those associations.

18. Religious centres, diocesan authorities and other religious organizations constituted at conferences or congresses convened in the established manner by religious associations shall direct only the religious (ecclesiastical) business of believers' associations. They shall be funded by the resources voluntarily contributed by religious associations.

Religious centres and diocesan authorities may, in the manner established by law, manufacture church utensils and articles of religious worship and sell them to religious associations, acquire means of transport, and lease, erect or purchase premises for their own needs.

19. Religious centres, diocesan authorities and other religious organizations may use seals, stamps and forms in compliance with the rules provided in article 10 (h) of these Provisions.

20. Religious associations may be deregistered if they violate the legislation on religion.

The deregistration of religious associations shall take place on the decision of the Council for Religious Affairs of the USSR Council of Ministers on the representation of the executive committee of the regional or urban (cities of Kiev and Saphastopol) Soviet of Workers' Deputies and on the proposal of the Council for Religious Affairs of the Ukrainian SSR Council of Ministers.

21. The register of religious associations shall be held at the local level by the executive committees of the district or urban Soviet of Workers' Deputies and at the republic level by the Council for Religious Affairs of the Ukrainian SSR Council of Ministers.

### III. Religious rites and ceremonies

22. The freedom to perform religious ceremonies is guaranteed in so far as they do not violate social order and do not constitute an encroachment on the rights of citizens.

23. In houses of worship or specially adapted premises whose opening has been agreed to, religious services may be held by religious associations without permission from or notification of the executive committee of the local Soviet of Workers' Deputies. In premises not specially adapted for the purpose, religious services may take place following notification of the executive committee of the appropriate Soviet of Workers' Deputies.

24. The performance of religious rites and ceremonies and the placing of any religious objects are prohibited in the premises and on the territory of State, co-operative and public enterprises, establishments and organizations.

This rule does not apply to the performance, at the request of persons who are seriously ill or dying in hospitals and places of detention, of religious ceremonies in specially isolated premises or to the performance of religious rites in cemeteries and crematoria.

25. Religious processions and the performance of religious rites and ceremonies in the open air as well as in apartments and homes of believers are allowed with the permission in each particular case of the executive committee of the district or urban Soviet of Workers' Deputies.

The application for such permission shall be submitted not later than two weeks from the intended date of such procession, rite or ceremony.

The performance of religious ceremonies in the apartments or homes of believers at the request of persons who are dying or seriously ill as well as in cemeteries and crematoria may take place without permission from or notification of the executive committee of the district or urban Soviet of Workers' Deputies.

26. In the case of religious processions which are performed round a house of worship and are an inherent part of a religious service, permission from and notification of the executive committee of the district or urban Soviet of Workers' Deputies is not required if such processions do not disturb road traffic.

27. Religious processions and the performance of religious rites and ceremonies outside the place where the religious association is located may be authorized with the permission in each specific case of the executive committee of the district or urban Soviet of Workers' Deputies in the territory of which the religious association is located and with the prior agreement of the executive committee of the local Soviet of Workers' Deputies in the territory of which it is proposed to conduct the procession, rite or ceremony.

### IV. Houses of worship and religious property

28. All houses of worship as well as all property required for the conducting of religious worship transferred by agreement to the believers who have constituted a religious association or purchased by them or donated to them is the property of the State and shall be registered with the executive committee of the district or urban Soviet of Workers' Deputies.

The register of houses of worship in the territory of the Republic is held by the Council for Religious Affairs of the Ukrainian SSR Council of Ministers.

29. Houses of worship and religious property shall be handed over free of charge for use by believers who have constituted a religious association on the conditions and in accordance with the procedure provided by agreement. Together with the house of worship, premises specially intended for the residence of a caretaker (sexton) and located within the perimeter of the house of worship or near to it shall be handed over for use free of charge.

30. In the agreement for the handing over of the house of worship and religious property for use free of charge by the religious association, it shall be stipulated that the persons receiving the use of the house of worship and property have the obligation to:

- (a) Safeguard and take care of the State property handed over to them;
- (b) Carry out maintenance of the house of worship and also defray the costs of heating, guarding and insuring it, payment of taxes and dues, etc.;
- (c) Use religious property only for the satisfaction of religious needs;
- (d) Compensate the State for damaged or missing property;
- (e) Make an inventory of all religious property in accordance with the rules provided in article 36 of these Provisions;
- (f) Allow without hindrance and at any times, except while religious ceremonies are being conducted, the representatives of the executive committee of the local Soviet of Workers' Deputies to verify and inspect the property.

31. The agreement for the handing over of houses of worship and religious property for use free of charge by believers shall be signed by a representative of the executive committee of the district or urban Soviet of Workers' Deputies and by not less than 20 members of the religious association.

Local residents who are members of the religion, creed, trend, tendency or doctrine who have not taken part in signing the agreement shall have the right to sign it even after the handing over of the house of worship and religious property, and they shall thereby acquire the right to take part in the management of such property and assume the obligations under the agreement on the same footing as those persons who originally signed the agreement.

Every signatory of the agreement may delete his signature by submitting a declaration to that effect to the executive committee of the district or urban Soviet of Workers' Deputies. In that event his liability for that property remaining safe and intact shall extend only until the time he submits such declaration.

32. A house of worship and the property therein shall be received from the representative of the executive committee of the district or urban Soviet of Workers' Deputies by the persons who signed the agreement in order to be made available for use by all the believers.

33. Houses of worship of historical or artistic importance and thus registered with the State Committee for Building of the Ukrainian SSR Council of Ministers shall be handed over for use by believers under the same

procedure and on the same conditions, but with the obligation to comply with the established rules for the registration, maintenance and protection of historical and cultural monuments.

34. An agreement for the lease of buildings or premises by individual citizens or by the executive committee of the district or urban Soviet of Workers' Deputies with believers constituting a religious association within the meaning of article 10 (c) shall be concluded with individual believers who shall also be liable under the agreement. All the rules established by these Provisions for houses of worship shall also apply to such buildings or premises. They must meet the specifications of building standards and sanitary regulations.

35. Each religious society or group of believers may make use of only one house of worship.

36. Religious property handed over by agreement to believers constituting a religious society or acquired by them or donated to them as well as the articles given to them for the adornment of premises or of religious objects must be entered in the inventory of religious property. Voluntary donations in kind not intended for religious needs need not be entered in the inventory. Likewise religious objects belonging to individual citizens as their private property shall not be included in the inventory.

37. The removal of articles which have become unfit for use from the inventory shall be carried out by the religious society with the agreement of the executive committee of the district or urban Soviet of Workers' Deputies.

38. All monetary receipts (from donations, sales of candles, religious articles, objects required for the performance of religious rites etc.) and expenditures (on the maintenance and repair of religious property, payment for the services of ministers of religion and other persons) shall be entered by religious associations in a book of accounts of income and expenditure.

Monetary expenditures for purposes connected with the management of houses of worship and religious property shall be made by the executive bodies of religious associations.

39. A house of worship handed over free of charge to believers constituting a religious society must be ensured and the expense of the persons who signed the agreement in favour of the Executive Committee of the District or Urban Soviet of Workers' Deputies in the territory of which the house of worship is situated.

Insurance indemnification for a house of worship that has burned down shall be used, on the decision of the executive committee of the regional or urban (cities of Kiev and Sevastopol) Soviet of Workers' Deputies and with the agreement of the Council for Religious Affairs of the USSR Council of Ministers, for the restoration of the house of worship that has burned down or for the cultural needs of the district or city in which the house of worship was situated.

40. The implementation by religious societies of agreements under which houses of worship are handed over for their use free of charge and of agreements under which buildings or premises are rented to religious associations shall be supervised by the executive committees of local Soviets of Workers' Deputies.

41. Where a religious society fails to implement the agreement under which a house of worship or cultural property is handed over for its use free of charge (article 29) the agreement may be annulled. The decision for the annulment of an agreement shall be taken by the Council for Religious Affairs of the USSR Council of Ministers on the report of the executive committee of the regional or urban (cities of Kiev and Sevastopol) Soviet of Workers' Deputies and on the proposal of the Council for Religious Affairs of the Ukrainian SSR Council of Ministers.

42. Agreements under which buildings or premises intended for the needs of religious associations are leased by individuals or by the executive committee of a district or urban Soviet of Workers' Deputies (article 34) may be annulled before the expiry of the term of the agreement by legal process in the conditions established by the civil code.

43. In the case of a house of worship or religious property which is not in use, if no application is received from believers for its allocation for the satisfaction of religious needs as provided for in articles 29-33 and 39 of these Provisions, the executive committee of the regional or urban (cities of Kiev and Sevastopol) Soviet of Workers' Deputies shall decide on the further use of the house of worship and the property in accordance with articles 51 and 52 of these Provisions.

44. The construction of new houses of worship through the efforts and resources of believers is permitted in specific instances at the request of religious societies with the consent of the Council for Religious Affairs of the USSR Council of Ministers on the report of the executive committee of the regional or urban (cities of Kiev and Sevastopol) Council of Workers' Deputies and on the proposal of the Council for Religious Affairs of the Ukrainian SSR Council of Ministers.

45. If there is a danger of collapse of a house of worship, the executive committee of the village, settlement, district or urban Soviet of Workers' Deputies may propose to the executive body of the religious association that it should discontinue holding meetings of believers in the building until such time as it has been inspected by a special technical commission.

The technical commission shall be established by the executive committee of the district or urban Soviet of Workers' Deputies.

46. The technical commission shall inspect the house of worship in the presence of a representative of the religious association.

If the house of worship is under State protection as a historical or cultural monument, the State Committee on Building of the Ukrainian SSR Council of Ministers shall be notified in advance of its inspection.

47. If the technical commission considers that the house of worship is threatened with collapse, it shall draw up an official report to that effect in which it shall state, according to the results of its inspection, its conclusions concerning whether it is necessary to tear down the house of worship or whether it can be repaired. In the latter case the report shall state what repairs should be carried out and establish a time-frame for carrying them out. Meetings of believers may not be held in the house of worship until such repairs have been completed.

48. If the technical commission decides that the house of worship should be torn down, and also if the religious society fails to carry out the repairs as

indicated in the report, the agreement concluded with that association under which the house of worship and religious property are handed over for its use free of charge shall be annulled. The decision on the annulment of the agreement shall be taken by the Council for Religious Affairs of the USSR Council of Ministers on the report of the executive committee of the regional or urban (cities of Kiev and Sevastopol) Council of Workers' Deputies and on the proposal of the Council for Religious Affairs of the Ukrainian SSR Council of Ministers.

49. The return for State or public needs, of houses of worship which have been placed at the disposal of religious associations and the closing of houses of worship in all other circumstances (deregistration of a religious society etc.) shall take place only on the decision of the Council for Religious Affairs of the USSR Council of Ministers on the report of the executive committee of the regional or urban (cities of Kiev and Sevastopol) Council of Workers' Deputies and on the proposal of the Council for Religious Affairs of the Ukrainian SSR Council of Ministers.

The believers constituting the religious association shall be informed of the decision taken.

50. The closing of a house of worship on the decision of the Council for Religious Affairs of the USSR Council of Ministers shall be carried out by a representative of the executive committee of the district or urban Council of Workers' Deputies in the presence of representatives of the financial department of the executive committee of the district or urban Council of Workers' Deputies and of other interested organizations and also of a representative of the religious association in question.

51. In the event of the closure of a house of worship, the religious property shall be distributed in the following manner:

(a) Articles of platinum, gold, silver and brocade as well as precious and semi-precious stones shall be handed over to the local finance bodies or to institutions of the Ukrainian SSR Ministry of Culture if such articles are included in the latter's inventory;

(b) Articles of historical, artistic or rarity value shall be handed over to the appropriate establishments of the Ministry of Culture of the Ukrainian SSR;

(c) Articles of special significance for the conduct of religious worship (ikons, vestments, banners, coverings etc.) shall be handed over by the believers to be transferred to other houses of worship of the same religion. Such articles shall be included in the inventory of religious property in the normal manner;

(d) Everyday articles (furniture, carpets, lamps etc.) shall be handed over to the local finance bodies or to establishments of the Ukrainian SSR Ministry of Culture if such articles are included in the latter's inventory;

(e) In the event of the continued existence of the religious society, so-called transient property, money and incense, candles, oil, wax and fuel, having practical significance for the implementation of the terms of the agreement or for the performance of religious ceremonies, is not subject to removal following the closure of the house of worship.

52. A house of worship that has been closed or is not in use and which is not under State protection as a historical or cultural monument may be used and converted for other purposes or torn down only on the decision of the Council

for Religious Affairs of the USSR Council of Ministers, on the report of the executive committee of the district or urban (cities of Kiev and Sevastopol) Council of Workers' Deputies and on the proposal of the Council for Religious Affairs of the Ukrainian SSR Council of Ministers.

The decision concerning a house of worship included in the inventory of the State Committee on Building of the Ukrainian SSR Council of Ministers shall be taken in accordance with the established rules for the registration and protection of historical and cultural monuments.

13. DECREE OF THE PRESIDIUM OF THE SUPREME SOVIET OF THE UKRAINIAN SSR

Amending and supplementing the Provisions Concerning Religious Associations in the Ukrainian SSR.

1. The first paragraph of article 1 should read as follows:

"In accordance with the Constitution of the USSR and the Constitution of the Ukrainian SSR, citizens of the Ukrainian SSR are guaranteed freedom of conscience, that is, the right to profess or not to profess any religion, and to conduct religious worship or atheistic propaganda. Incitement of hostility or hatred on religious grounds is prohibited.

Profession of a religion or of no religion shall not give rise to any limitation of rights or confer any advantages."

Consequently, the second and third paragraphs of the article become the third and fourth paragraphs.

2. In the first paragraph of article 28, the words "priobretenniye" and "pozhertvovanniye" are amended to "priobretennoye" and "pozhertvovannoye".

3. Article 33 is amended to read as follows:

"Places of worship and religious property of historical, artistic or other cultural value are handed over for use by believers on the conditions and procedure established by agreement, and in compliance with the established rules for the protection and use of historical and cultural monuments."

4. A second paragraph should be added to article 37, reading as follows:

"The deregistration of religious property of historical, artistic or other cultural interest shall be carried out in accordance with the established rules for the protection and use of historical and cultural monuments."

5. The second paragraph of article 46 is amended to read as follows:

"If a house of worship is listed by the State as a historic and cultural monument, advance notice of its inspection shall be given to the Ukrainian SSR State Committee on Building."

6. Sub-paragraph (b) of article 51 is amended to read as follows:

"(b) Objects of historical, artistic or other cultural value shall be handed over to the appropriate institutions of the Ukrainian SSR Ministry of Culture."

7. Article 52 is amended to read as follows:

"52. A house of worship that has been closed or is not in use may be used and converted for other purposes or pulled down only by the decision of the Council for Religious Affairs of the USSR Council of Ministers on the report of the executive committee of the regional or city (cities of Kiev and Sevastopol) Council of People's Deputies and on the proposal of the Council for Religious Affairs of the Council of Ministers of the Ukrainian SSR.

Questions concerning the use, conversion or pulling down of houses of worship listed in the State inventory of historical and cultural monuments shall be decided in accordance with the established rules for the protection and use of such monuments."

8. In the text of the Provisions, the words "workers' deputies" should be replaced by the words "people's deputies".