Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:

6 June 2019 [shall come into force on 21 June 2019].

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*1 has adopted and

the President has proclaimed the following law:

**Law on the Latvian Orthodox Church**

**Section 1. Terms Used in the Law**

(1) The terms used in the Law correspond to the terms used in the Law on Religious Organisations unless it has been laid down otherwise in this Law.

(2) The following terms are used in the Law:

1) **Church**– the Latvian Orthodox Church with all its congregations;

2) **Most Reverend**– the primate who is a metropolitan bishop and who has assumed the office and leads the Church in accordance with the procedures laid down in the articles of association of the Church;

3) **clergymen of the Church**– the metropolitan bishop, bishops, priests, deacons and other ecclesiastics included in the list of clergymen of the Church;

4) **articles of association of the Church**– the articles of association of the Church which, in accordance with the procedures laid down in the law, have been registered in the Register of Religious Organisations and the Institutions Thereof;

5) **chapel**– a building which has been built or adapted for holding services.

**Section 2. Purpose and Task of the Law**

(1) The purpose of the Law is to promote the development of an open, judicial, and harmonious society, and also that of cultural environment.

(2) According to the constitutional traditions and the provision of Article 99 of the Constitution of the Republic of Latvia, taking into account the continuous existence and spread in the territory of Latvia of the Church as a religious organisation that is traditional in Latvia, recognising its contribution to and rich experience in the fields of the physical and mental health of the society, education, culture, social assistance, and other fields, and also taking into account that cultural and art heritage of State significance is in possession of the Church, the task of the Law shall be to govern legal relationship of the State and the Church and to determine the joint tasks of the State and the Church in social, legal, educational, and cultural field.

**Section 3. Status of the Church**

(1) The Church holds the status of a legal entity and the rights arising from it in accordance with the laws and regulations.

(2) The Church shall conform in its activity to the Constitution of the Republic of Latvia, this Law, the Law on Religious Organisations, the law On Protection of Cultural Monuments, and other laws and regulations governing the activity of religious organisations, and also the articles of association of the Church.

(3) The Church shall exercise, in full extent, the right to self-governance and self-determination specified in its articles of association.

(4) The State shall recognise the right of the Church to interpret the Holy Scripture of the Bible, to formulate its dogma (doctrine) and to preach it, to shape its internal life in conformity with canons, including organisational structure and mission.

(5) The full name of the Church is the Latvian Orthodox Church. The name of the Church may only be used by the Church and its congregations, and also the institutions and bodies founded by the Church. The names of other religious organisations, associations, foundations, and legal subjects shall be unequivocally different from the name of the Church.

(6) The Church may request that unlawful use of its name is terminated, and also the losses caused to the Church are reimbursed.

(7) The decisions of the Church on canonical issues shall not be subject to appeal in State institutions.

(8) The information in the card files of congregations on members of congregations shall be stored in accordance with the procedures stipulated by the Church, in conformity with the general principles for personal data processing provided for in the law.

**Section 4. Most Reverend**

(1) The Most Reverend shall represent the Church in relationship with the State.

(2) The Most Reverend may, in the cases and in accordance with the procedures laid down in the articles of association of the Church, authorise in writing other persons for operation in relationship with the State on behalf of the Church.

(3) Only clergymen of the Church and citizens of Latvia whose permanent place of residence has been Latvia for not less than the last 10 years may be the Most Reverend, metropolitan bishops, bishops and candidates for such offices.

[*6 June 2019*]

**Section 5. Property and Finances of the Church**

(1) The Church may have movable and immovable property in the ownership.

(2) The acquisition, alienation, pledging and other encumbering of immovable properties of the Church with property rights shall be possible only with a written consent of the Most Reverend. It shall not be necessary if, after a proposal to the Church to enter into an agreement regarding alienation of immovable property by offering a fair remuneration thereto or offering to exchange the immovable property for an equivalent property, the agreement is not entered into and the immovable property is alienated in accordance with the law On Expropriation of Immovable Property for State or Public Needs. The chapels and cemeteries in the ownership of the Church shall not be subject to expropriation. If a congregation of the Church has decided to acquire in ownership, alienate, pledge, or otherwise encumber immovable property with the property rights, it shall inform the Most Reverend thereof in writing in advance.

(3) It is prohibited to pledge chapels and ceremonial objects, and recovery upon request of creditors may not be directed against them.

(4) The property of the liquidated Church bodies shall be transferred into the ownership or possession of the Church in accordance with the procedures laid down in articles of association of the Church.

**Section 6. Supervision of Chapels, Mortuaries, and Cemeteries and Ceremonies in Cemeteries**

(1) Construction (reconstruction, renovation, restoration, also demolition) of chapels, mortuaries, and cemeteries of the Church shall take place with a written consent of the Most Reverend.

(2) The cemeteries belonging to the Church shall be under management of the Church. Ceremonies in the cemeteries belonging to the Church shall take place in accordance with the procedures stipulated by the Church.

(3) The Church may perform religious burial ceremonies also in the cemeteries arranged by local governments in accordance with the procedures stipulated by a local government.

**Section 7. Sacred Site of Valgunde, the Borders and Use Thereof**

(1) The Sacred Site of Valgunde is an Orthodox holy site and a site of religious pilgrimage.

(2) The Sacred Site of Valgunde is located in the territory of the immovable property “Ķīšu Klosteris” belonging to the Riga St. Trinity Sergius Women’s Monastery of the Latvian Orthodox Church (cadastre number 5486 011 0100) the address of which is Jelgava District of Valgunde Municipality. The Sacred Site of Valgunde consists of the affiliate of the Riga St. Trinity Sergius Women’s Monastery of the Latvian Orthodox Church in Jelgava District with all the buildings and structures in its composition and the territory surrounding it, the cemetery of this Monastery, the road to the Holy Hill and the territory surrounding it, the Holy Hill and the territory surrounding it. The borders of the territory of the Sacred Site of Valgunde are specified in Annex to this Law.

(3) The Sacred Site of Valgunde may also be used as a culture tourism object in accordance with the procedures stipulated by the Church.

**Section 8. Protection and Accessibility of Cultural Monuments**

(1) The Church shall ensure the preservation and use of the cultural monuments in its ownership or possession in accordance with the laws and regulations governing the protection of cultural monuments.

(2) The Church shall ensure accessibility of the cultural monuments in its ownership or possession for public viewing in accordance with the procedures stipulated by the Church.

(3) The State shall, in accordance with the procedures laid down in laws and regulations and in the amount of financial resources provided for in the law on the State budget for the current year, participate in financing of the survey of the cultural monuments in the ownership or possession of the Church and in conservation and restoration of cultural monuments of State significance which cannot be used for economic purposes. A local government has the right to participate in conservation and restoration of cultural monuments of local significance which cannot be used for economic purposes, and also in conservation and restoration of the cultural monuments of State significance at the Sacred Site of Valgunde.

**Section 9. Right of Clergymen of the Church to Perform a Marriage Ceremony**

Such clergymen of the Church to whom the Church has granted an authorisation and who have been entered in the list of clergymen with the right to perform a marriage ceremony submitted to the Ministry of Justice are entitled to perform a marriage ceremony in accordance with the procedures laid down in the Civil Law and other laws and regulations.

**Section 10. Protection of a Confessional and Pastoral Conversation**

(1) A clergyman of the Church may not be interrogated and it may not be demanded that he discloses the information established during a confession or pastoral conversation even if such clergyman is a witness or a participant to the proceedings in a court.

(2) It is prohibited to obtain information during a confession and pastoral conversations by using the operational activities measures.

(3) None of the institutions or officials shall be allowed to recruit a clergyman of the Church.

**Section 11. Church and Military Service**

(1) Persons in the National Armed Forces have the right to receive spiritual care by a clergyman of the Church and to participate in the Church services unless it hinders the fulfilment of the duties of military service.

(2) Clergymen of the Church and students of educational institutions for ecclesiastics shall not be subject to military service. In case of general mobilisation, the abovementioned persons shall be appointed to the measures which do not involve the use of weapons.

**Section 12. Spiritual Activity of Chaplains of the Church**

(1) Chaplains of the Church shall operate in the National Armed Forces, airports, ports, land transport stations, medical treatment institutions, medical care institutions, social care institutions, prisons, and in other places where the regular care of a clergyman is not available.

(2) The spiritual activity of chaplains of the Church shall be supervised by the Church.

**Section 13. Cooperation in the Process of Granting an Asylum**

(1) An asylum seeker who is afraid of persecution due to this or her Orthodox conviction has the right, during the process of granting an asylum, to the presence of a representative of the Church during negotiations.

(2) If necessary, the State institutions shall ask for a statement of the Church regarding possible persecution of the asylum seeker due to his or her Orthodox conviction.

**Section 14. Relationship of the Church with Employees and Clergymen**

(1) In establishing, existence, amending, and termination of employment relationship with employees, the Church is entitled to be based on religious affiliation, readiness, and ability of a person to operate in good faith and loyalty in relation to the Church dogma (doctrine), and also on the aggregate of moral and behavioural norms, principles, and ideals which form the basis of the Orthodox conviction.

(2) A clergyman shall be appointed to the place of ministry and removed from ministry by the Most Reverend on the basis of the articles of association of the Church. The order of the Most Reverend shall be the sole grounds for the commencement, amending of ministry and removal from ministry of a clergyman.

**Section 15. Church and Education**

(1) The content of education and course of studies in educational institutions founded and managed by the Church shall be determined by the Church.

(2) The educational institutions referred to in Paragraph one of this Section have the right to the licensing and accreditation of such institutions and their educational programmes in conformity with the laws and regulations in force.

(3) The Church has the right to train all the employees necessary for its religious operation and activities. The Church shall be guaranteed the right to educate its clergymen at Riga Theological Seminary and other educational institutions of the Church for ecclesiastics.

(4) Educational institutions of the Church may receive financial aid from the State.

(5) The Church has the right to teach the Christian religious instruction in State and local government educational institutions in accordance with the procedures laid down in laws and regulations.

**Section 16. Participation of the State and the local government in Organising Events Taking Place at the Sacred Site of Valgunde**

(1) The State shall allocate the financing for covering the expenditures necessary for ensuring emergency medical assistance, road traffic, and public order for the course of the traditional annual Feast of the Transfiguration and the Procession of the Cross related thereto in the amount of financial resources provided for in the law on the State budget for the current year.

(2) Local governments are entitled to provide assistance:

1) by allocating financing for organising the traditional annual Feast of the Transfiguration and the Procession of the Cross related thereto which take place at the Sacred Site of Valgunde;

2) by organising emergency medical assistance, public order, and road traffic, and public order during the traditional annual Feast of the Transfiguration and the Procession of the Cross related thereto.

(3) The competent State authorities, the relevant local governments, and the Most Reverend shall, each year, agree on the provisions for the traditional annual Feast of the Transfiguration and the Procession of the Cross related thereto and the course thereof intended at the Sacred Site of Valgunde in order to ensure the participation of the State medical institutions, the State Police, and the National Guard (municipal police) in the course of events.

(4) The procedures by which the State shall provide assistance in relation to the events referred to in Paragraph one of this Section shall be determined by the Cabinet.

(5) The local government shall provide the assistance referred to in Paragraph two of this Section in accordance with the procedures and in the amount provided for in the binding regulations thereof.

(6) The financial resources of the State or local government allocated to the Sacred Site of Valgunde shall be managed by the Riga St. Trinity Sergius Women’s Monastery of the Latvian Orthodox Church.

**Section 17. Report on the Use of the Funds from the State Budget**

The Church shall prepare a report on the use of the funds from the State budget allocated to the Church in accordance with the procedures laid down in the Law on Budget and Financial Management and submit it to the Ministry of Finance.

**Section 18. List of the Clergymen of the Church**

(1) The Church shall submit a list of such persons to the Ministry of Justice in writing who conform to the status of clergymen of the Church referred to in Section 1, Clause 3 of this Law and who are entitled to perform the activities referred to in Sections 9 and 12 of this Law, and also information on such persons. The amount of information to be submitted to the Ministry of Justice, the procedures and time periods for the submission and updating thereof shall be determined by the Cabinet.

(2) The Church shall, within two weeks, notify the Ministry of Justice of changes in the information provided for in Paragraph one of this Section in writing.

(3) The information submitted to the Ministry of Justice shall be accessible to the public.

**Transitional Provisions**

1. The Church shall, by 1 May 2009, harmonise the articles of association of the Church with this Law by making the relevant amendments to the articles of association of the Church, approving them in a new wording, and submitting them to the Ministry of Justice for registration in accordance with the procedures laid down in the Law on Religious Organisations.

2. The Church shall, by 1 July 2009, notify the data referred to in Section 18, Paragraph one of this Law to the Ministry of Justice.

3. The Cabinet shall, by 1 October 2009, decide on the establishment of security guarding of the cultural monuments at the Sacred Site of Valgunde and on ensuring of a relevant financing.

The Law has been adopted by the *Saeima* on 13 November 2008.

Acting for the President, the Chairperson of the *Saeima* G. Daudze

Rīga, 3 December 2008

Law on the Latvian Orthodox Church

**Annex**

**Plan of Borders of the Sacred Site of Valgunde**

