



# General Assembly

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## Human Rights Council

### Fifty-eighth session

24 February–4 April 2025

Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Joint written statement\* submitted by Public Organization "Public Advocacy", VšĮ "Žmogaus teisių apsauga", non- governmental organizations in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[3 February 2025]

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\* Issued as received, in the language of submission only.



## **Alarming Violations of the Right to Freedom of Religion or Belief in Estonia, Particularly Targeting the Estonian Orthodox Church of the Moscow Patriarchate (EOCMP)**

Public Organization "Public Advocacy," VšĮ "Žmogaus teisių apsauga," and Justice pour Tous Internationale submit this joint written statement for the 58th Session of the Human Rights Council to address alarming violations of the right to freedom of religion or belief in Estonia, particularly targeting the Estonian Orthodox Church of the Moscow Patriarchate (EOCMP). These violations, perpetrated under the pretext of national security, reflect a growing trend of interference in religious affairs that undermines Estonia's international human rights obligations, including Article 18 of the International Covenant on Civil and Political Rights (ICCPR).

### **A) Legislative and Institutional Actions Undermining Religious Freedom**

The Estonian government has recently intensified its scrutiny of religious organizations through legislative measures targeting the EOCMP. On 24 January 2025, the government approved draft legislation amending the Churches and Congregations Act. This legislation mandates that religious associations sever ties with foreign entities deemed a threat to national security. The government has justified these measures by citing concerns over potential connections to entities supporting military aggression, particularly in light of the Russian Federation's actions in Ukraine.

While Estonia's Interior Minister, Lauri Läänemets, has emphasized the need to ensure national security by addressing affiliations with the Russian Orthodox Church, these measures disproportionately target the EOCMP, given its canonical relationship with the Moscow Patriarchate. The proposed law threatens to ban the EOCMP's operation and imposes requirements that violate principles of religious freedom.

### **B) Impact on the Orthodox Community**

The EOCMP has expressed grave concerns regarding these developments. Bishop Daniel of the EOCMP stated that the draft law "violates religious freedom and is specifically targeted against our church." This legislation, coupled with existing pressures, has compelled the church to announce plans to change its name in an attempt to mitigate governmental interference and potential sanctions. However, such steps cannot fully address the broader climate of hostility and discrimination faced by the Orthodox community in Estonia.

In a further demonstration of the community's discontent, over 4,000 parishioners of the EOCMP have signed a petition urging the Estonian parliament to halt consideration of the amendments. The petition emphasizes the need for broader public consultations and alignment with protections for religious freedoms enshrined in international law.

### **C) Pretext of National Security and Its Implications**

The Estonian government's invocation of national security to justify these actions highlights a troubling trend of conflating religious affiliation with political loyalty. The Russian Orthodox Church's perceived support for Russian foreign policy has been cited as a justification for heightened scrutiny of the EOCMP. However, these measures have sparked significant debate over the balance between national security and the protection of fundamental rights. Critics argue that such actions constitute undue interference in religious affairs and risk stigmatizing an entire religious community.

General Comment No. 22 of the Human Rights Committee underscores that limitations on the right to manifest religion or belief must be strictly interpreted, directly related, and proportionate to a specific legitimate aim. National security, as a justification for such limitations, is not recognized under Article 18 of the ICCPR. Estonia's actions not only fail to meet these criteria but also risk setting a dangerous precedent for the erosion of religious freedoms in democratic societies.

## **D) Lack of Intervention by the Chancellor of Justice**

Despite these significant developments, it is noteworthy that the Chancellor of Justice of Estonia, Ülle Madise, has not publicly intervened or addressed the potential infringement on religious freedoms posed by the proposed legislation. As an independent National Human Rights Institution (NHRI) of Estonia with "Status A" accreditation under the Paris Principles, the Chancellor of Justice holds a vital responsibility to oversee the protection of international human rights standards, including the right to freedom of religion or belief.

Under the obligations derived from the Paris Principles and Estonia's international human rights commitments, the Chancellor of Justice is tasked with scrutinizing legislative and executive measures to ensure compliance with the state's human rights obligations. This includes addressing potential discrimination or interference in the free exercise of religion.

Her silence on this critical issue raises serious concerns about the effectiveness of Estonia's NHRI in safeguarding the rights of religious minorities and its adherence to international human rights standards. The lack of intervention not only undermines the rights of the Orthodox community but also calls into question Estonia's commitment to upholding its obligations under the ICCPR and related human rights treaties.

This omission underscores the urgent need for enhanced scrutiny and accountability to ensure that Estonia's institutions fulfill their mandates to protect and promote human rights, particularly in the face of discriminatory legislative measures.

## **Call for Action:**

Public Organization "Public Advocacy," VšĮ "Žmogaus teisių apsauga," and Justice pour Tous Internationale call upon the Human Rights Council and its Special Procedures mandate holders to:

1. Urge the Estonian government to withdraw the proposed amendments to the Churches and Congregations Act and cease all measures that unduly restrict the freedom of religion or belief of the EOCMP.
2. Recommend an independent review of Estonia's policies to ensure compliance with its obligations under the ICCPR and other international human rights instruments.
3. Engage in dialogue with Estonian authorities to promote a framework that balances legitimate security concerns with the full protection of religious freedoms, without discrimination.
4. Request that the Special Rapporteur on freedom of religion or belief undertake a country visit to Estonia to investigate the situation and engage with relevant stakeholders.
5. Call on the Chancellor of Justice, as Estonia's independent NHRI with "Status A" accreditation under the Paris Principles, to urgently intervene and scrutinize the proposed legislation, ensuring compliance with Estonia's human rights obligations, and provide an independent assessment of its impact on the right to freedom of religion or belief.

The Estonian government's legislative measures targeting the Orthodox community under the pretext of national security represent a serious violation of its international obligations. The lack of intervention by the Chancellor of Justice further exacerbates concerns regarding the protection of religious freedoms in Estonia.

Public Organization "Public Advocacy," VšĮ "Žmogaus teisių apsauga," and Justice pour Tous Internationale urge the Human Rights Council, its mechanisms, and the Chancellor of Justice to act decisively to protect the rights of the EOCMP and ensure that Estonia upholds its commitments to religious freedom and the rule of law.

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Justice pour Tous Internationale (JPTi), NGO(s) without consultative status, also share the views expressed in this statement.