

DOI <https://doi.org/10.30525/2592-8813-2024-4-46>

LATVIA'S LEGISLATIVE REFORMS IN RELIGIOUS POLICY: STRATEGIES FOR STRENGTHENING NATIONAL SECURITY

Mechyslav Yanauer,

*Postgraduate Student at the Department of Theology and Religious Studies,
Dragomanov Ukrainian State University (Kyiv, Ukraine)*

ORCID ID: 0009-0008-2717-0145

20a.m.yanauer@std.npu.edu.ua

Abstract. This article examines Latvia's strategic approach to countering Russian influence through the religious sphere, focusing on the Latvian Orthodox Church's transition to full independence. After regaining independence in 1991, Latvia faced the challenge of integrating a significant Russian-speaking minority, which affected the country's religious landscape. The government enacted legislation to restore religious freedom and introduced specific laws for major denominations, including the Latvian Orthodox Church. In 2022, Latvia amended the law to commence the process of establishing full independence for the church, effectively reducing the influence of the Russian Orthodox Church. This cooperation between the state and the church enhanced national security without infringing on religious freedom. The study highlights how Latvia's unique legal framework and policies can serve as a model for Ukraine, which faces similar challenges due to Russia's hybrid warfare tactics that exploit religious affiliation. By adapting Latvia's methods, Ukraine could strengthen national unity and resilience against external interference while preserving religious diversity and freedom.

Key words: Political Model of Religious Relations, Legislative Regulation of Religious Organizations, State-Confessional Relations, Hybrid Warfare and Religion, Baltic Religious Policy, Religious Diversity Management, Secularism and Religious Freedom.

Introduction. The contemporary geopolitical landscape has seen an increase in hybrid warfare tactics, where state and non-state actors use both conventional and unconventional methods to achieve strategic objectives. Russia's use of the religious sphere as a tool in its hybrid warfare strategy poses significant challenges to neighboring states, particularly Ukraine. By positioning itself as the guardian of Orthodox Christianity, Russia seeks to legitimize its aggressive actions and expand its influence in regions with significant Orthodox populations. This manipulation of religious sentiment can undermine national sovereignty, exacerbate internal divisions, and threaten social cohesion.

Ukraine faces the critical task of countering this form of soft power intrusion in order to protect its national interests and maintain societal harmony. The exploitation of religious affiliation by external entities requires the establishment of robust legal and policy frameworks capable of mitigating these threats without compromising the principles of religious freedom and diversity.

In this context, the experience of the Baltic States, in particular Latvia, provides valuable insights. Latvia has addressed similar challenges by implementing specific legislation that redefines the relationship between the state and religious organizations. The 2022 amendments to the Law on the Latvian Orthodox Church, which began the process of establishing full independence for the church, illustrate how legal reforms can reduce external influence while promoting cooperation with religious institutions.

This study aims to examine Latvia's approaches to managing the exploitation of religion as a component of hybrid warfare. It seeks to analyze the legislative and administrative strategies that Latvia has employed to counter Russian influence and assess their potential applicability to Ukraine's unique circumstances. By examining these strategies, the study aims to provide policymakers and scholars with practical recommendations for strengthening Ukraine's resilience to external interference.

The primary objective is to assess how Latvia's experience can inform Ukraine's efforts to enhance national unity and security through legal reforms in the religious sector. Understanding these mechanisms is essential for developing informed policies that balance the protection of national interests with the preservation of democratic values and religious freedoms.

The Main Material. After the dissolution of the Soviet Union in 1991, the Republic of Latvia regained its independence and began the complex process of building a sovereign state with a distinct national identity. This period was characterized by numerous socio-economic and political challenges. Among these, the integration of ethnic minorities stood out as a particularly pressing issue. The Russian-speaking population, which constituted a significant part of Latvian society, represented both an opportunity and a challenge for nation-building efforts.

For example, official statistics for the last four years indicate that people of Russian ethnicity make up about 24% of the country's population (Official Statistics Portal, 2024). Such a significant ethnic minority inevitably influenced the social fabric of Latvia and required careful consideration in policy formulation. The presence of this minority has had an impact not only on cultural and linguistic integration, but also on religious composition.

The ethnic stratification within Latvia had a discernible impact on the religious landscape. While there was an overlap between ethnic and religious identities, the alignment was not absolute. According to the annual report on religious organizations and their activities (State Revenue Service, 2022) published by the Ministry of Justice in 2022, the largest religious groups were Lutherans (37%), Roman Catholics (19%) and Latvian Orthodox Christians (13%), with almost 30% of the population not belonging to any religious group. Official data on registered religious communities confirm these figures, indicating a total of about 1,100 registered communities: 287 Lutheran, 268 Catholic and 133 Orthodox (Official Statistics Portal, 2021). This makes the Latvian Orthodox Church (LOC) the third largest Christian denomination in the country, drawing its followers mainly from the Russian-speaking minority.

The importance of the Orthodox Church among the Russian-speaking population underlines the intersection of ethnic and religious identities. The LOC serves not only as a place of worship, but also as a cultural and community center for this minority group. This dual role reinforces its importance within Latvian society and raises important considerations for national unity and social cohesion.

Before the Soviet occupation, religious organizations in Latvia played a key role in social development. They were instrumental in promoting education, health and social welfare, often filling gaps left by the state. Religious institutions were deeply integrated into community life, fostering social solidarity and cultural continuity. However, the Soviet era brought profound disruption to religious life in the country. The state imposed severe restrictions on religious activity, viewing it as antithetical to socialist ideology and a potential threat to state authority. Clergy and active lay people were persecuted, and many were imprisoned, exiled or executed. Religious property was confiscated, converted or destroyed, leading to a significant decline in the institutional religious presence. This period resulted in a generational break from religious practice and a fragmentation of religious communities.

With the restoration of independence, the Latvian government faced the daunting task of restoring religious freedoms and integrating religious organizations into a new legal and social framework. This involved addressing complex issues such as the restitution of church property, the legal recognition of religious organizations and the protection of freedom of conscience and belief. The government had to address these challenges while fostering an environment conducive to national unity. Central to these endeavors was the Constitution of the Republic of Latvia, known as the Satversme, which enshrined the principles of religious freedom and the separation of church and state. Article 99 explicitly states: "Everyone has the right to freedom of thought, conscience and religion. The Church shall be separate from the State" (Constitution of the Republic of Latvia, 1922). This provision pro-

protects individual religious freedoms while mandating institutional independence between religious organizations and state structures.

To address the immediate need to restore religious activities suppressed during the Soviet era, Latvia adopted the Law “On Religious Organizations” in 1990. This legislation aimed to quickly restore religious freedoms and facilitate the revival of religious communities that had been marginalized or banned under Soviet rule. The 1990 law provided a basic framework with minimal requirements for the registration of religious organizations. Religious organizations could register with relative ease, requiring only a simple application and basic documentation. This approach reflected the urgent need to revive religious life without imposing regulatory burdens that might hinder the rebuilding of faith communities.

The simplicity of the registration process encouraged the rapid re-establishment of a wide range of religious organizations, including previously suppressed minority faiths. By lowering administrative barriers, the law facilitated a pluralistic religious landscape, allowing for greater expression of religious diversity. This inclusiveness was in line with the democratic values Latvia was seeking to promote after decades of authoritarian rule. In addition, the 1990 law allowed religious organizations to engage in basic activities such as conducting worship services, organizing educational programs, publishing religious literature and establishing charitable initiatives. The ability to carry out these activities without onerous restrictions was crucial to rebuilding not only the institutional structures of the church, but also the spiritual lives of individuals and communities.

Recognizing the importance of addressing historical injustices, Latvia enacted the Law “On the Return of Properties to Religious Organizations” in 1992. This legislation provided legal mechanisms for religious organizations to reclaim property that had been nationalized or otherwise appropriated during the Soviet period. The restitution process was crucial in enabling religious communities to rebuild their infrastructure, conduct religious services, and carry out educational and charitable activities. The 1992 law established clear procedures for submitting claims and set deadlines for their consideration, demonstrating the government’s commitment to redressing past wrongs. It covered a wide range of properties, including churches, monasteries, synagogues, cemeteries and administrative buildings.

Latvia’s progress towards democratic consolidation and integration with European institutions has shown that initial legislation needed to be refined to meet new challenges. The rapid restoration of religious freedoms led to a significant increase in the number of religious organizations, some of which operated without clear guidelines or oversight. There was a growing recognition of the need for more comprehensive regulation to ensure that religious activities were conducted in accordance with national law and international human rights standards. The 1991 law lacked detailed provisions on the rights and obligations of religious organizations, mechanisms for state oversight, and safeguards against potentially extremist activities or groups that might threaten public order.

In response to these considerations, the Latvian government developed a more comprehensive legal framework. On September 7, 1995, the Law “On Religious Organizations” was enacted, superseding the 1991 law. The 1995 legislation introduced detailed regulations and established clear criteria and procedures for the registration, operation, and oversight of religious entities. This law sought to balance the protection of religious freedoms with the need to ensure public order, protect individual rights and bring the Latvian legal system into line with broader European standards and international human rights norms.

The 1995 law imposed stricter registration requirements than its predecessor. Religious organizations were now required to have at least 10 adult founding members who were Latvian citizens or permanent residents. This number was later increased to 20 in order to ensure transparency and accountability (Law on Religious Organizations, 1995). They had to submit comprehensive statutes describing their beliefs, management structures and planned activities. These measures ensured trans-

parency and accountability, preventing the registration of illegitimate or extremist groups that could threaten social harmony.

The 1995 law also provided a thorough definition of the legal status, rights and obligations of religious organizations. Registered organizations were granted legal personality, enabling them to own property, enter into contracts and engage in legal proceedings. The new legislation addressed the need for transparency, accountability and respect for democratic principles, bringing Latvia's legal system into line with European standards. The government's approach reflects its commitment to upholding constitutional guarantees of religious freedom, while ensuring that religious organizations operate within the parameters of the law.

Although Latvia's constitutional and legal framework upholds the principles of religious freedom and equality, the government has simultaneously enacted specific legislation targeting some of the country's dominant religious communities. In the absence of an official state religion, the state has formally recognized certain traditional religions, resulting in the enactment of additional laws that essentially function as agreements between the state and these religious communities.

The first such agreement law was "On the Agreement between the Republic of Latvia and the Holy See", adopted in 2002. This landmark legislation established a formal relationship between Latvia and the Holy See, facilitating cooperation in areas such as education, cultural exchange and social services. Subsequently, similar laws were enacted for other major religious groups, including the "Law on the Latvian Orthodox Church", adopted in 2008. These additional laws effectively define the administrative and legal structures of religious communities, outline their obligations to the state and address other specific legal issues. While the internal charters of the religious communities serve more as canonical documents, these separate laws function as administrative and legal instruments governing the entire church within the framework of state law.

Within the Ministry of Justice, the Department of Public and Religious Affairs is responsible for the registration process of religious organizations and theological educational institutions, as well as the maintenance of their official. When assessing the documentation submitted by a religious organization, this department is obliged to consult either the Consultative Council for Religious Affairs or the Consultative Council for New Religious Movements, depending on the nature of the organization. These two bodies have different functions: the Advisory Council for New Religious Movements is dedicated to coordinating and researching emerging religious groups, while the Advisory Council for Religious Affairs acts as an advisory body representing traditional religions with a permanent presence in Latvia register (Balodis, 1999: 4).

The Council's remit includes making recommendations to the Ministry of Justice and other government authorities on matters relating to the activities of religious organizations in the country. It liaises with the military authorities on matters relating to religion, religious organizations and the rights and duties of believers. The Council also responds to pending legislation affecting religious organizations, developing proposals and providing perspectives to government bodies on the restoration of moral and ethical values for the benefit of society. It also facilitates and promotes cooperation between the Latvian state and religious organizations, with the aim of strengthening the relationship between the state and religious communities.

Comparatively, Ukraine has faced similar challenges in the area of religious affairs but has not been able to distance itself as thoroughly from the Soviet legacy in religious legislation as Latvia, which has moved beyond it and successfully integrated into European society. This situation underlines the urgent need for Ukrainian lawmakers to address this issue, as there are precedents to follow and models to guide reform. An illustrative example is the case of the constitution. The Constitution of Ukraine enshrines freedom of religion and conscience in Article 35, which states: "Everyone shall have the right to freedom of personal philosophy and religion. The Church and religious organizations in Ukraine are separate from the State, and the school is separate from the

Church"(Constitution of Ukraine, 1995). This constitutional provision echoes the language of the 1919 Decree on Separation of Church and State. Although the Decree proclaimed freedom of conscience and religion, its underlying aim was to eliminate the church from public life and to eradicate religious views deemed oppositional to the Bolshevik-led Soviet regime. Furthermore, the decree places considerable emphasis on the separation of church and school, effectively adopting a Soviet model and advancing the regime's goal of secularizing educational institutions. Consequently, the inclusion of this provision in the Ukrainian Constitution introduces an inconsistency that warrants reconsideration (Vasin, 2019: 80).

Based on this analysis, it is appropriate to examine the similarities and differences between Latvian and Ukrainian legislation on religious organizations. Ukraine, like Latvia, has a basic law governing religious organizations – the 1991 Law of Ukraine “On Freedom of Conscience and Religious Organizations”. This law establishes the legal framework for the operation of religious organizations, guarantees freedom of conscience and religion, and outlines the procedures for the registration and operation of religious communities.

However, unlike Latvia, Ukraine does not have separate specialized laws for individual confessions. The absence of such specialized laws in Ukraine can be attributed to several factors, including the country's larger size, population and more diverse religious landscape. Religious plurality in Ukraine is significantly more complex than in Latvia. With a multitude of denominations and religious communities, including several Orthodox structures with different jurisdictions, the implementation of specialized legislation for each would be a formidable task. The existence of several Orthodox structures, such as the Orthodox Church of Ukraine and the Ukrainian Orthodox Church (affiliated to the Moscow Patriarchate), complicates the possible adoption of a single auxiliary law for the Orthodox Church.

Despite these challenges, the implementation of specific laws could significantly improve the interaction between the state and religious communities in Ukraine. Such laws would provide a clear legal status, define the administrative and legal structures of religious organizations, and outline their obligations to the state. However, given the current complexities, this may be more feasible as a long-term goal rather than an immediate solution. It is important to recognize that the adoption of specialized legislation is not the same as the establishment of an official state religion. Ukraine could benefit from Latvia's experience without violating its own legislation, as such an approach is consistent with the principles of religious freedom and equality enshrined in Ukrainian law. By defining partnership relations between the state and specific denominations through legislation, Ukraine could streamline interactions with religious organizations. This method could potentially reduce bureaucratic hurdles by distributing functions among relevant ministries, thereby increasing efficiency.

In Ukraine, the State Service for Ethnopolitics and Freedom of Conscience serves as the dedicated government body for religious affairs, while in Latvia these functions are handled by a department within the Ministry of Justice. Previous attempts in Ukraine to integrate religious affairs into existing government structures have not had the desired effect (Sagan, 2017: 42). Nevertheless, a re-evaluation of this approach could be beneficial. The existence of a separate state body may be seen as a remnant of Soviet bureaucratic practices. The state could carry out registration and oversight functions through existing agencies, with specialized interactions managed within relevant ministries, eliminating the need for a separate body.

However, in the current context of the ongoing war conflict in Ukraine and Russia's active exploitation of religious factors, it may not be wise to dismantle the existing structure at this time. The State Service plays an important role in maintaining religious harmony and monitoring potential threats to national security that may arise under the guise of religious activity. Nevertheless, consideration of such reforms could be part of a strategic plan for the future aimed at improving the effectiveness of state-religion interactions while safeguarding national interests.

Furthermore, Ukraine has an equivalent to Latvia's Advisory Council for Religious Affairs – the All-Ukrainian Council of Churches and Religious Organizations. This council serves as a platform for dialogue between the state and religious communities. However, its integration with relevant ministries is less pronounced compared to the Latvian model (Miakinchenko, Sologub, Podkur, 2024: 78). Strengthening this integration could improve collaboration, policy development, and implementation of initiatives concerning religious affairs.

In conclusion, while the Latvian system offers a less bureaucratic and more European approach to state-religion relations, direct transplantation of this model to Ukraine may not be feasible due to differences in size, population and religious diversity. Nevertheless, Ukraine can learn valuable lessons from Latvia's experience. By carefully adapting elements of the Latvian approach, Ukraine could improve its legal framework for religious organizations, increase efficiency, and foster stronger partnerships between the state and religious communities. Such reforms should be undertaken with careful consideration of Ukraine's unique context to ensure that they contribute positively to social cohesion and respect for religious diversity.

In addition, both Ukraine and Latvia have faced the urgent need to prevent Russia from using the religious sphere as a tool in its hybrid warfare strategy. Russia has actively used its self-proclaimed image as the "guardian of Orthodoxy" to justify and rationalize its aggressive actions. The leadership of the Russian Orthodox Church (ROC) has gone so far as to endorse the war by blessing military efforts (Nasikivska, 2022: 87-90), increasing the threat posed by ROC dioceses operating in Latvia and Ukraine. This situation calls for proactive measures to mitigate the influence of Russian-affiliated religious entities that could undermine national security.

Latvia's approach to this complex issue has been markedly different from that of Ukraine and other Baltic states. While Estonia and Lithuania have generally opted to support structures affiliated with the Ecumenical Patriarchate as an alternative to the presence of the ROC, Latvia has implemented a different strategy. This divergence is partly due to Latvia's existing specific laws for individual denominations, which facilitated a tailored response to the challenge.

On 8 September 2002, the Latvian Parliament adopted amendments to the "Law on the Latvian Orthodox Church" introduced by President Egils Levits, a former Minister of Justice. These amendments established the LOC as a fully independent (autocephalous) entity. The legislation was passed by a significant majority, with 73 MPs voting in favor, three against and one abstaining.

President Levits stressed the need to revise the law in order to exclude any unilateral action by the ROC leadership that could change the status of the LOC, an outcome that the Latvian state considers unacceptable. He articulated that the separation of church and state does not preclude interaction between the two, and that maintaining public safety and order may require some intervention in religious affairs (Orthodox Church of Latvia seceded from Moscow, 2022). This perspective reflects a nuanced understanding of secularism that balances religious freedom with national security considerations (Rohtmets, Teraudkalns, 2024: 21-24). It is also noteworthy that the President reaffirmed the independence of the LOC, referring to the period of Bishop Janis Pommers, a prominent figure in the history of Latvian Orthodoxy. At the request of Bishop Janis, the LOC was granted autonomy within the ROC; this decision was ratified on 21 June 1921 by Patriarch Tikhon. In this context, the President draws an analogy with the Latvian Constitution, which was not reinstated after the dissolution of the Soviet Union, but rather reinstated in its previous form. In a similar way, this legislation effectively "restores" the Orthodox Church, mirroring the constitutional restoration (Drēģeris, 2022).

Crucially, the leadership of the LOC responded to these decisive measures with acceptance and cooperation, expressing respect for the new legal framework (On amendments to the Latvian Orthodox Church Law, 2022). Metropolitan Alexander, the head of the LOC, exhibited actions aligning with this shift. For example, he ceased commemorating the Russian Patriarch during liturgical services – a significant ecclesiastical gesture indicating autonomy. Additionally, he independently consecrated a new

bishop, a move that, under the ROC's canonical statutes, would typically require authorization from higher authorities in Moscow (ROC members were outraged that the Metropolitan of Riga ..., 2023).

An important facet of the amended law is the explicit recognition of the LOC's autocephalous status, despite the lack of formal recognition from the wider Orthodox community. For example, Mārtiņš Drēģeris, Communication Advisor to the President of Latvia at the Office of the President of Latvia, emphasized that "the amendments to the law adopted by the Saeima on 8 September represent only half of the way towards the full strengthening of the autocephalous status of the LOC. Further measures fall within the scope of ecclesiastical law, in which the state does not and cannot have a say" (Drēģeris, 2022).

This legislative act sets a precedent that could be instructive for Ukraine, offering a legal basis for asserting ecclesiastical independence through state legislation. In Ukraine, while current laws incorporate elements of ecclesiastical law to characterize the affiliations of religious organizations, some experts argue that the state oversteps its bounds by intervening in canonical matters. Latvia's example demonstrates that such legislative action can be undertaken without infringing upon religious freedom, as evidenced by the absence of negative impacts on its international standing regarding freedom of conscience. For example, neither the U.S. State Department (2023 Report on International Religious Freedom: Latvia) nor Freedom House (Freedom in the World 2024: Latvia) noted any infringement of religious freedom in Latvia after the adoption of the new law.

In addition, this approach appears to be mitigating social polarization and fostering a more harmonious relationship between the state and the church. Evidence of this improved relationship includes the recent state support given to the LOC, a sign of mutual understanding and cooperation (Archbishop's service was held in Riga Holy Trinity Cathedral, 2024]. The Latvian model demonstrates that strong legal measures, when implemented in cooperation with religious institutions, can enhance national security without creating internal conflict.

However, Latvia's success in this endeavor was facilitated by specific contextual factors. First, the absence of multiple Orthodox jurisdictions within the country facilitated direct dialogue and policy implementation. Second, the leadership of the LOC was receptive to initiatives aimed at reducing dependence on Moscow, demonstrating a willingness to adapt to new legal and political realities. Ukraine faces a more complicated situation due to the presence of several Orthodox structures, including the Orthodox Church of Ukraine and the Ukrainian Orthodox Church (affiliated to the Moscow Patriarchate), the latter of which has been more resistant to state initiatives aimed at severing ties with Moscow. Nevertheless, Ukraine could draw valuable lessons from Latvia's experience. Engaging in constructive dialogue with segments of the UOC-MP that genuinely wish to distance themselves from Moscow could be a viable strategy. Such an approach prioritizes reconciliation and internal restructuring over confrontational legal measures that would, if necessary, target only the most marginalized elements.

Before engaging in direct legal confrontation with the UOC-MP, the Ukrainian state could seek to facilitate a transition for those who wish to break away from Moscow's jurisdiction, mirroring Latvia's method of neutralizing Russian influence through Orthodoxy without resorting to prohibitive measures. This strategy could include offering legal recognition and support to communities seeking autocephaly or alignment with the OCU, thereby promoting unity and reducing societal divisions. In implementing such a policy, Ukraine must take into account its larger and more diverse religious landscape. While the Latvian model cannot be directly transplanted, its principles can be adapted to the Ukrainian context. This adaptation would require careful legal drafting to ensure compliance with both national and international legal standards, as well as active engagement with religious leaders to build consensus.

In conclusion, Latvia's approach to disentangling its national religious landscape from Russian influence offers a compelling case study. By using specialized legislation and fostering cooperative

relationships with religious institutions, Latvia has been able to assert greater autonomy over its religious affairs while maintaining social cohesion. Ukraine stands at a crossroads where similar strategies could be beneficial. A thoughtful adaptation of Latvia's methods, tailored to Ukraine's unique circumstances, could strengthen the country's resilience against external interference, promote national unity, and uphold the principles of religious freedom and diversity. Such efforts would require a concerted effort by lawmakers, religious leaders, and civil society to navigate the complexities inherent in balancing security concerns with the rights of religious communities.

Conclusions. An examination of Latvia's approach to reducing Russian influence in the religious sphere reveals a strategic balance between safeguarding national security and preserving religious freedoms. The 2022 legislative amendments initiating the establishment of full independence for the Latvian Orthodox Church illustrate the effectiveness of state-led legal reforms. By securing the non-opposition of church leaders, Latvia reduced external interference without infringing upon constitutional rights or inciting internal discord.

Latvia's experience demonstrates that specialized legal frameworks can successfully address the complexities introduced by hybrid warfare tactics that exploit religious affiliation. The government's commitment to transparency, accountability, and adherence to democratic principles facilitated the smooth implementation of these reforms. Moreover, the absence of negative repercussions on Latvia's international reputation for religious freedom underscores the compatibility of such measures with international human rights standards.

For Ukraine, the challenge is more complicated due to its larger size, diverse religious landscape, and the presence of multiple Orthodox jurisdictions. Direct replication of the Latvian model may not be feasible, but the underlying principles provide valuable guidance. By fostering dialogue with factions of the Ukrainian Orthodox Church that are willing to distance themselves from external influences, Ukraine can promote internal reorientation and unity. Nevertheless, it remains essential to implement legal measures against members who resist distancing themselves, particularly those who are marginalized, while striving to minimize their numbers as much as possible. Adapting specialized legislation to define clearer legal statuses and administrative structures for these entities could be a critical step.

Implementing such a policy will require careful legal drafting to ensure compliance with national and international laws, as well as active engagement with religious leaders to build consensus. Prioritizing reconciliation over confrontation can help mitigate societal divisions and strengthen national resilience.

In sum, Latvia's case provides a compelling example of how legal measures, when implemented thoughtfully and in partnership with religious institutions, can strengthen a nation's defenses against hybrid warfare strategies. Ukraine's adaptation of these methods, tailored to its specific context, could go a long way toward safeguarding its sovereignty, promoting social cohesion, and upholding the principles of religious freedom and diversity. The collaborative efforts of lawmakers, religious authorities, and civil society are essential to achieving these goals and navigating the complexities inherent in this area.

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