

*Permanent Mission of the Republic of Estonia  
Geneva*

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*The Permanent Mission of the Republic of Estonia to the United Nations Office and other international organisations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights, and has the honour to transmit the enclosed response from the Government of the Republic of Estonia to the joint communication of the UN Special Procedures AL EST 2/2025 from 6 August 2025.*

*The Permanent Mission of Estonia to the United Nations Office and other international organisations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.*

*Geneva, 3 October 2025*



*Enclosure: RESPONSE of the Government of the Republic of Estonia to the joint Communication of the UN Special Procedures AL EST 2/2025 of 6 August 2025*

*Office of the High Commissioner for Human Rights  
Human Rights Committee  
GENEVA*

Enclosure

**RESPONSE of the Government of the Republic of Estonia to the joint Communication of the UN Special Procedures AL EST 2/2025 of 6 August 2025**

The Estonian Government would like to thank the UN Special Procedures mandate holders for their letter of 6 August 2025 addressed to the Minister of Foreign Affairs concerning freedom of religion.

The UN Special Procedures mandate holders have set the time limit of 60 days for the response of the Government. The UN Special Procedures inquire about the Amendments to the Churches and Congregations Act and administrative court proceedings on state funding for religious institutions.

The Government submits its comments but explains that as both procedures are ongoing it is too early to assess their outcome and their compliance with international norms.

For the law to enter into force, the President must promulgate the law and in this process the President analyses whether the law is in accordance with the Constitution and, thereby, with international norms. It has to be noted that the President has previously refused to promulgate the amendments to the Churches and Congregations Act twice as, in his opinion, the law was not in compliance with the Constitution. On 3 October 2025, President Alar Karis submitted the Churches and Congregations Act to the Supreme Court requesting the Supreme Court to declare the law unconstitutional.

As to the administrative court proceedings, it should be noted that the courts are independent in their activities, and decisions of both the first and second instance courts can be appealed to the circuit court and the Supreme Court, respectively.

Estonia is a strong supporter of the United Nations and its founding values and committed to its international human rights treaty obligations. Freedom, democracy, the rule of law, human rights are the guiding principles of the constitutional order as well as the foreign policy of the Government.

Estonia is a party to the most important international human rights treaties and has committed itself to guaranteeing the rights and freedoms stemming from those treaties to everyone on its territory. Estonia is committed to upholding its obligations under the International Covenant on Civil and Political Rights (ICCPR), and the European Convention on Human Rights (ECHR) and in implementing the judgments of the European Court of Human Rights.

Estonia is a country with a high level of religious tolerance and freedom, and freedom of religion is and will remain guaranteed in Estonia in line with international law. Freedom of religion is enshrined in the Estonian Constitution and guaranteed in line with international law. It is also reflected in laws and policies that ensure the right to practise religion without interference from the government or private actors.

The Churches and Congregations Act regulates the activities of religious associations and religious societies. The law does not prohibit religious activities by unregistered

religious associations. The English translation of the law is accessible to everyone: <https://www.riigiteataja.ee/en/eli/ee/511012018004/consolide/current>

The right to freedom of religion and belief extends to both individuals and organizations, with the state bearing the responsibility to ensure its full protection. Discrimination and incitement of hatred on the basis of beliefs or religion is prohibited by law.

In Estonia, all restrictions on fundamental rights may only be imposed by law and when necessary, in a democratic society, and only for purposes such as public safety, protection of public order, health or morals, or the rights and freedoms of others.

Any limitations on freedom of religion are strictly prescribed by law, pursue a legitimate aim, and meet the criteria of necessity and proportionality in accordance with both the Constitution and international human rights obligations.

All restrictions must be established by a legal act adopted by the Riigikogu, pursue a legitimate aim, and be proportionate, thereby ensuring that any interference with fundamental rights is justified, necessary, and compatible with the values of a democratic society.

The proportionality principle is firmly recognised in Estonian constitutional law and regularly applied by the Supreme Court.

Moreover, legal provisions and judicial oversight provide mechanisms to protect religious communities from discrimination or undue interference, allowing peaceful worship and religious practices to flourish freely within the framework of democratic principles and the rule of law.

The state does not interfere in anyone's religious beliefs, but at the same time the state has an obligation to protect everyone's freedom to make their own religious choices without political influence and ideological pressure, and the sovereignty of the state from terrorist and other hate propaganda and calls for violence. The task of the democratic Estonian state is to create a legal environment where freedom of religion is guaranteed both in terms of the Constitution and international law, and the risk of religious associations being used by hostile states or extremist organizations operating in foreign countries is averted.

Freedom of religion and religious tolerance is a deeply rooted value in Estonian society; anyone has the right to choose whether to follow a religion and which religion to practise, or to choose their own spiritual and religious convictions freely and without fear. There is no official religion. Estonia's diverse society reflects a rich tapestry of cultures and religious traditions, where Orthodox Christians, Lutherans, Muslims, Jews, and many others coexist peacefully. The 2021 census highlights the religious diversity in Estonia and underscores the importance of safeguarding religious freedom and equal rights for all. According to the census, 58% of the people residing in Estonia do not feel an affiliation to any religion. The most prevalent faiths in Estonia are Orthodox and Lutheranism. Orthodox Christians make up 16% and Lutherans 8% of the populace.

## **Historic overview of orthodox community in Estonia**

The split from the Russian Orthodox Church (ROC) in the mid-1600s following Patriarch Nikon's reforms, when Old Believers who rejected the new rites faced harsh persecution, resulted in groups of Old Believers fleeing from Russia's core regions in the late 17<sup>th</sup> and early 18<sup>th</sup> centuries and establishing settlements along Estonia's Lake Peipus, where they could freely practise their faith.

In 18<sup>th</sup> century, Estonia was annexed by the expanding Russian Empire. In the 19<sup>th</sup> century, when Estonia was part of the Tsarist Russian Empire, a considerable number of Estonians, particularly rural people, converted from the Lutheran Church to the Orthodox Church in the hope of obtaining land. After the Estonian Republic was proclaimed in 1918, St. Tikhon, the Patriarch of the ROC, granted autonomy to the Orthodox Church of Estonia in 1920 (OCE; known also as Estonian Apostolic Orthodox Church). In 1923, the OCE applied for canonical recognition from the Ecumenical Patriarchate of Constantinople and was recognized by the Patriarchate as an autonomous church under its canonical jurisdiction. In 1940, after the Soviet Union occupied Estonia, the ROC initiated a process to unite the OCE to the Moscow Patriarchate. This process was finalised in 1945 when the ROC dissolved the OCE Synod in Estonia and formed a ROC diocese from OCE congregations. The OCE maintained its legal continuity in exile under its 1935 statute. During the Soviet occupation from 1944 to 1991, the ethnic Estonian Orthodox believers and priests became a minority due to the migration policies of the Soviet Union. Following the end of the Soviet occupation in 1991, divisions arose within the Orthodox community in Estonia between those who wished to remain under Russian authority and those who wished to return to the jurisdiction of the Ecumenical Patriarchate. The OCE was re-established in Estonia as a legal entity in 1993 on the basis of restitution. Lengthy negotiations between the two patriarchates failed to produce any agreement. In 1996, the canonical jurisdiction to the Ecumenical Patriarchate was restored. This action brought immediate protest from Patriarch Alexei II of the Moscow Patriarchate, which regards Estonia as being part of its territory. The Moscow Patriarchate severed communion with the Ecumenical Patriarchate and OCE. Eventually, in 1996, an agreement was reached between two patriarchates allowing local congregations to choose which jurisdiction to follow. The Orthodox community in Estonia remains divided: while the majority of congregations belong to the OCE, the church under the Moscow Patriarchate has a larger membership, mostly consisting of ethnic Russians.

There are currently two Orthodox churches in Estonia – the Estonian Christian Orthodox Church (ECOC, until March 2025, the Estonian Orthodox Church of the Moscow Patriarchate) and the Orthodox Church of Estonia or the Estonian Apostolic Orthodox Church (OCE), which is in the canonical jurisdiction of the Patriarchate of Constantinople, and which existed as the only and unified Orthodox Church in Estonia before World War II. The ECOC, on the other hand, is largely a legacy of the Soviet occupation. In the 1990s, the Diocese of the ROC, founded in 1945, made several legal attempts to be recognized as the legitimate successor to the OCE, which had been dissolved by the ROC in 1945. These claims did not hold in Estonian courts. The Diocese was recognised as a legal entity in 2002 as the Estonian Orthodox Church of Moscow Patriarchate after removing unbased legal claims from their statute. Estonia has accepted its religious activities, but cannot accept a situation where the church is used by Russia to incite and justify aggression and hostility toward the West. There is an administrative and canonical connection between the Moscow Patriarchate and the

ECOC. According to the statutes, both the ECOC and the ROC are parts of one whole. The strict subordination system of the ROC, especially after Russia's full-scale war in Ukraine, threatens Estonia's social peace and public order and affects security.

Since 2018, the head of the ECOC has been [REDACTED] whose residence permit was not extended in 2024 on national security grounds. Since then, he has been residing in Russia and governing the ECOC remotely. This has understandably raised concerns regarding the church's governance. Thus, it is important to ensure that the ECOC ends administrative ties and relations of subordination with the Moscow Patriarchate and finds an alternative way to maintain canonical links with the Orthodox world.

Since 2022, the relevant national authorities have been in active dialogue with both the Pühtitsa Convent, which is directly under the authority of the Patriarch of Moscow, and the ECOC.

It is worth noting that most of the current ECOC parishes were part of the Estonian Apostolic Orthodox Church (OCE) until the Soviet occupation. This applies also to the Pühtitsa Convent. In order to resolve the ecclesiastical-canonical issues, the OCE has offered the possibility for the ECOC to have a canonical link with the Russian Orthodox tradition of the EAOOC as a vicariate, i.e., an ecclesiastical structure allowing the practice of the faith in the Russian Orthodox tradition.

Pühtitsa Convent is stavropegial and directly under the authority of Patriarch Kirill of Moscow. The current Convent Superior [REDACTED] was appointed by Patriarch Kirill of Moscow in 2011. Just under 100 nuns live in the monastery, 9 of them are Estonian citizens, more than half (about 55) are Russian citizens.

### **The Russian Orthodox Church as a tool of Russia's foreign policy objectives**

In this context, the Estonian Government refers to relevant statements of the Estonian Parliament, the Riigikogu.

The Riigikogu, in a statement on 18 October 2022, declared Russia a terrorist regime <https://www.riigikogu.ee/en/news-from-committees/foreign-affairs-committee/riigikogu-declared-russia-a-terrorist-regime/>

On 6 May 2024, the Riigikogu declared the Moscow Patriarchate an institution sponsoring Russia's military aggression.

<https://www.riigikogu.ee/en/news-from-committees/constitutional-committee/riigikogu-declared-the-moscow-patriarchate-an-institution-sponsoring-russias-military-aggression/>

In the 2024 statement, the Riigikogu noted that ever since the Russian Federation launched its full-scale war against Ukraine in 2022, Patriarch Kirill of Moscow and all Rus has expressed his public support for the act of aggression of the terrorist regime of the Russian Federation. The leaders of the Moscow Patriarchate and Patriarch Kirill are using the Russian World (Russki Mir) ideology as a tool to promote the war; it is utilised to destroy the last manifestations of Russian democracy, militarise Russian society, and justify the aggression in order to extend the Russian Federation to all the territories dominated by it in the past, including Ukraine.

The ROC has become a tool for the implementation of Russia's imperialist ambitions. Since the beginning of the Russian Federation's war of aggression against Ukraine in 2022, Patriarch Kirill of the Russian Orthodox Church has justified the war, approved it, and blessed soldiers who committed war crimes. Patriarch Kirill has expressed support for a bill submitted to the Russian State Duma in April 2025 that would grant clergy who have spent at least four months in the zone of aggression against Ukraine the status of "veteran of military operations" with corresponding benefits. Estonia condemns all attempts to exploit religion for the political purposes of the aggressor state in order to strengthen the ideology of the ruling regime.

On March 27 2024, the Russian World People's Council, led by Patriarch Kirill, approved a statement calling for a "holy war" against Ukraine and the Western world under the influence of "Satanism." According to these claims, Ukraine must be part of the Russian World.

Ever since the Russian Federation launched a full-scale war against Ukraine in 2022, Patriarch Kirill of Moscow and all Rus has expressed his public support to the act of aggression of the terrorist regime of the Russian Federation. The leaders of the Moscow Patriarchate and Patriarch Kirill are using the Russian World ideology as a tool to promote the war; it is utilised to destroy the last manifestations of Russian democracy, militarise Russian society, and justify the aggression in order to extend the Russian Federation to all the territories dominated by it in the past, including Ukraine.

The Kremlin is using Patriarch Kirill, the Moscow Patriarchate, and the ROC as a vehicle for its imperial policy and, through information campaigns, continues to try to shape the image of Estonia as a country where human rights and religious freedom are violated.

The Kremlin and the Russian special services use the networks of the ROC, which claims to be the only Orthodox Church in all the territories of the former Russian Empire and the USSR, as their outpost.

The ROC has become a central player in Russia's war machine — not just blessing it from afar, but actively shaping its ideology, supporting its troops, and helping enforce its control both inside Russia and in occupied territories. Further reading on the topic: [Free Russia Foundation THINK TANK • The Russian Orthodox Church and the War](#).

To this end, the Russian administration is using organisations created and funded by them. One of these is **Justice pour Tous Internationale**, registered in Switzerland, which, according to investigative press reports, is funded by the Russian Pravfond (Fund for Justice and Support of Russian Expatriates Living Abroad), an entity under EU sanctions.

Further reading: <https://ekspress.delfi.ee/artikkel/120386974/kremlin-secret-op-uses-human-rights-activists-to-undermine-estonian-chancellor-of-justice-and-tarnish-estonia-s-global-reputation>  
<https://www.occrp.org/en/project/dear-compatriots/russian-foundation-aimed-at-helping-compatriots-abroad-supports-spies-criminals-and-propagandists>  
<https://www.occrp.org/en/project/dear-compatriots/russian-state-fund-paid-allies-in-the-eu-despite-sanctions>

## **Legislative developments in the Riigikogu**

Amendments to the Churches and Congregations Act were initiated and adopted by the Riigikogu on 9 April 2025.

It is important to emphasise that all churches were extensively involved – both directly and through the Council of Churches – in the drafting of the law, yet the ECOC did not make any relevant proposals during this process.

The aim of amendments to the Act was to streamline and update the existing regulation, taking into account the bottlenecks that have emerged in practice, and the diversification of religious associations. In addition to specifying the regulation of religious associations, it was aimed at preventing the abusive exploitation of religious organisations in the dissemination and justification of or support for hostile ideologies and violence against another nationality, religion, or cultural or value space. This concerns primarily the threat of terrorism, but also other security threats. The amendments restrict the spread of terrorist or extremist ideologies in Estonia through religious associations.

The amendments to the Act on Churches and Congregations are aimed at protecting the freedom of believers and religion amid a changing security environment. The amendments to the Act do not name any particular religious association nor religious tradition, but instead define what is considered a national security threat within the framework of the Act. This does not mean a ban on the Russian Orthodox tradition in Estonia. The Russian Orthodox community in Estonia can continue to practise and exercise its religion freely. However, each religious association, as a legal entity, must ensure that its activities, statutes and board composition comply with the requirements of the law.

Religious associations wishing to operate in Estonia must decide, upon the entry into force of the law, whether to continue as an integral part of an organization supporting, for example, military aggression, or to decisively distance themselves from it. Maintaining dialogue and finding solutions together with religious associations is of utmost importance for the authorities. Until a solution is found, religious activities and services will continue in their current form.

On 24 April 2025, the President of the Republic did not promulgate the Amendments to the Churches and Congregations Act, adopted by the Riigikogu on 9 April 2025, noting that the Moscow Patriarchate undermines the sovereignty and democracy of states, but finding that the proportionality of the restriction on freedom of religion and freedom of association requires further analysis. In the President's opinion, the purpose of the amendments to the Churches and Congregations Act is entirely legitimate – so that believers and religious organizations would be better protected from hostile influence, oppressive subordination and calls for incitement to hatred in the future.

Thereafter, the Riigikogu reviewed the wording of the Act considering the President's observations, in particular on proportionality. The parliament amended the draft law, taking the remarks of the President into account, and adopted the new version of the law on 18 June 2025. On 3 July 2025, the President again declined to promulgate the

law, and the bill was returned to the Riigikogu. According to the President, the Act conflicted with three articles of the Constitution and disproportionately restricted the freedoms of association and the freedom of religion.

The amendments were again debated in the Riigikogu and in the Constitutional Affairs and Legal Affairs Committees. The Riigikogu considered the President's decision not to promulgate the law and its reasoning behind it, but this time did not agree with the President. On 17 September 2025, the Riigikogu passed the amendments to the Churches and Congregations Act without changes. Within two weeks, the President must either promulgate the Act or not. If the President decides not to promulgate the amendments to the Act, the case is brought to the Supreme Court.

The aim of the amendments to the Churches and Congregations Act is to continue to guarantee freedom of religion and belief, and national security in Estonia. The amendments aim to prevent religious organisations from being used to incite hatred or violence. It also includes the use of religion in disinformation campaigns and hybrid warfare directed against the Estonian state and security – when a religious centre or its leader incites, supports or finances activities directed against the independence or constitutional order of the Republic of Estonia, supports or has supported war, terrorism or aggression, or violence otherwise, it poses a threat to security.

The amendments to the Act only concern religious associations as legal persons, not religious life. Anyone may, alone and in association with others, perform a religious function in Estonia even without being a legal person. It is also possible for a religious community to organise its economic activities through other forms of legal entities. There are several examples of this in Estonia.

The amendments to the Act do not aim to prohibit Russian Orthodoxy or any other religion in Estonia. The legal aim is to ensure that religious communities operating here are not administratively subordinated to an institution supporting Russia's military aggression in Ukraine, which poses a threat to Estonia's security and constitutional order.

All legal steps to protect religious freedom and social cohesion, including clarifying the administrative cross-border subordination of religious associations, are proportionate and necessary to limit the dissemination of aggressive calls for violence or hatred that support the Kremlin's imperialist ideology.

### **Administrative court proceedings**

In its decision of 15 May 2025, Tallinn Administrative Court rejected the complaint of the ECOC on refusal for state support for religious institutions. The Court found that state funding for religious institutions is discretionary, not an entitlement, and therefore the exclusion of the church from the Estonian Council of Churches' support agreement was lawful. This decision reflects the state's obligation to safeguard national security while respecting freedom of religion within the legal framework. Estonian Christian Orthodox Church has appealed against the decision of the Tallinn Administrative Court to Tallinn Circuit Court. The administrative process is pending before the Circuit Court and the decision of the Administrative Court has not entered into force.

### **Conclusion**

Russian representatives misuse the UN procedures as a public stage to promote distorted interpretations of history and to whitewash crimes against humanity. Russia regularly brings forward propagandists and influence agents who amplify the Kremlin's strategic narratives under the guise of civil society or human rights advocacy, misusing the UN procedural format, which is meant to deal with human rights violations rather than propaganda and disinformation.

The Estonian Government remains committed to the work of the UN Special Procedures mandate holders in the protection and promotion of human rights and fundamental freedoms, and stands ready to provide any additional information or comments regarding the ongoing procedures, if needed.