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RELATIONS OF THE STATE CRIMINAL
AND EXECUTIVE SERVICE OF UKRAINE
WITH RELIGIOUS ORGANIZATIONS

INTRODUCTION

Church is an important social institution that interacts with the state in solving key social problems, in particular those ones related to the support and re-education of people with deviant behavior, including those who have broken the law. Religion is a powerful factor in human morality and can influence a person's life by introducing new strategies and patterns of behavior. Therefore, religion can become a powerful means of influencing convicts while carrying out educational work. However, while using the religious factor in work with convicts, it is important to take into account not only the specifics of this "tool", but also the accumulated experience and the legislative framework for the interaction between the State Criminal and Executive Service of Ukraine and religious organizations.

The purpose of this article is to study the principles, forms and regulatory framework of relations between the State Criminal and Executive Service of Ukraine¹ and religious organizations, as well as to identify problematic issues in this area of church-state relations.

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¹ Hereinafter: the SCES of Ukraine.

A number of researchers have already paid attention the above-mentioned issues, in particular the following authors: Serhii Zamula, who examined the historical process of prison chaplaincy formation in Ukraine [Zamula 2012]; Illia Pakhomov [Pakhomov 2011], who analyzed the problematic issues that may arise as a result of the reconciliation of religious rites with the requirements of the internal regulations of penal institutions; Mykola Zholtani, who devoted his research to the definition of religious organizations as a participant in criminal and executive legal relations [Zholtani 2018]; Maksym Vasin [Vasin 2018], Valentyna Kyryliuk [Kyryliuk 2019], Yurii Reshetnikov [Reshetnikov 2013], Viktor Yatsenko [Yatsenko 2014] at al. paid their attention to the legal foundations and actual issues of prison chaplaincy in Ukraine functioning. However, given the relevance of this topic, it still needs further research. This article summarizes the previous work and provides for a comprehensive view of the problems of interaction between the SCES of Ukraine and religious organizations.

1. ROLE OF RELIGION IN THE RESOCIALIZATION OF CONVICTS

Modern processes of reviving the spirituality of the Ukrainian people that became more active after Ukraine had gained independence, changed state's attitude towards the Church and religious needs of citizens, including ones serving their sentence. Religious support of these citizens, as a component of prison maintenance, gradually contributes to the new paradigm of convicts' education and resocialization. These people need not only "physical discipline" but also spiritual care, restoration of belief in higher values, without which correction is impossible; in this way, the punishment in the form of deprivation of liberty is meaningless.

Prisons and pretrial detention centers are a special world with their own subculture and rules. Convicts are deprived not only of freedom, but also of many other things: they cannot move freely, they must comply with regime requirements and daily routines, they have limited contact with relatives, friends, etc. Such conditions create a negative, oppressive psychological climate that is not conducive to human correction. Religious faith can provide a relief in this situation. The involvement of representatives of religious organizations in working with convicts makes it

possible to influence convicts' feelings, behavior, and consciousness, to calm passions and the soul, to give some hope for the future.

Religion is closely connected with person's feelings, experiences and inner world. Therefore, it can "reach" human conscience, which has hardened from the cruelty of life. Convicts' participation in religious rites, religious services, collective prayers and other religious activities contributes to the awakening of religious feelings, first of all, the feeling of one's own sinfulness (after all, a criminal offense is a sin) and, as a result, repentance and the desire to improve. All this has a positive effect not only on the religious convicts' upbringing, but also on their collective sense.

The very concept of "poenitentia" that is "awareness of guilt", which underlies the criminal and executive system, is quite close in meaning to religious "repentance". Repentance is similar to pangs of conscience that accompany a person's recognition of his own wrongdoings. This process involves an internal change (spiritual purification) of an individual and a change in his lifestyle in accordance with the ideal of goodness. Religion calls for repentance for sins and teaches not to hate a person who committed a crime, but to have an irreconcilable attitude towards the sin that dwells in a person, while cultivating love for one's neighbor (even though they act as a bearer of sin at the present time). Repentance ends with cleansing of the committed evil and person's spiritual and moral rebirth, and as a result, the return to normal life.

We should also take into account the importance of religious moral teaching that is based on universal human principles of goodness, justice, mercy, etc. While learning the position of religion, a person also accepts a new way of life offered by religion. Religious precepts have a rather powerful didactic potential and can play a significant role in the process of individual's spiritual rebirth. Perceiving these moral norms in the process of assimilating the religious creed, convicts tend to change their own behavior for better in accordance with the mentioned norms.

Positive educational influence of religious organizations is deepened by material assistance (clothing, food, etc.) provided to convicts by representatives of denominations that cooperate with penal institutions. Naturally, such assistance makes convicts grateful and interested in attending religious events that can subsequently contribute to their deeper assimilation of religious norms and generally has a positive effect on prisoners' conduct.

Some religious organizations help people released from prisons with employment and social life. This helps them to return to a normal life and reduce the likelihood of recidivism. Therefore, there are reasons to talk about the positive result of the joint efforts of the staff of the SCES of Ukraine and the representatives of religious organizations in the matter of convicts' correction and resocialization. The basis of such cooperation is to ensure that convicts have the opportunity to possess, choose and implement certain religious beliefs.

Therefore, it is obvious that religious organizations are one of the partners of the SCES of Ukraine in social-educational and rehabilitation work with convicts. The main principles of cooperation of the SCES of Ukraine with religious organizations in working with convicts are legality, partnership, equality, tolerance, openness and transparency, which allow to satisfy convicts' religious needs successfully, promote their correction and resocialization, and comply with current legislation and regime requirements in places of deprivation of liberty.

2. FORMS OF INTERACTION OF THE PENITENTIARY SYSTEM WITH RELIGIOUS ORGANIZATIONS

The SCES of Ukraine actively cooperates with religious organizations within the framework of the current Ukrainian legislation. The main goal of this cooperation is to promote convicts' re-education in prisons, their spiritual revival and return to a normal way of life after release. Representatives of religious denominations actively work with convicts in the institutions of the SCES of Ukraine. There are places of worship (temples, chapels, prayer rooms and corners), and the necessary conditions are created for the comprehensive provision of believers' religious needs.

Representatives of various religious movements visit each institution of the Ukrainian State Penitentiary Service. During their visits to institutions, clerics carry out educational work with convicts in terms of religious education, spiritual and moral education, etc. It has become traditional to hold religious services, religious rites, sermons, festive religious events, discussions on the basics of religious morality in places of deprivation of liberty. Representatives of religious denominations also take part in the

daily spiritual life of penal institutions, thus positively influencing the formation of convicts' high moral and legal consciousness.

Cooperation of religious organizations with the Criminal and Executive Service consists of assisting penal bodies and institutions in convicts' correction and resocialization and creating appropriate conditions for their detention, organizing educational work with persons sentenced to deprivation of liberty, and controlling their behavior while serving a sentence, providing assistance in social adaptation to persons released from serving a sentence. Many religious organizations actively work with persons released from prisons for the purpose of religious education and prevention of recidivism. Sometimes ex-convicts serve as chaplains and volunteers in such organizations and work with people who are serving their sentences or have just been released from prison.

Convicts' spiritual education is not limited to holding religious services. For this purpose, Sunday schools for convicts are created in colonies. Their main tasks are spiritual and educational work with different categories of convicts, their catechism and counseling on various issues related to religious outlook and morality. In such schools, work is carried out by representatives of religious communities and competent employees of the SCES of Ukraine.

As a rule, libraries with a wide range of literature of spiritual content are created at churches and schools. Watching videos of spiritual content and listening to sermons, conversations of spiritual content and spiritual songs are regularly held. One form of work is collective readings of spiritual literature with subsequent discussion and Bible study courses by the convicts themselves with the help of representatives of religious organizations [Pakhomov 2011].

In order to ensure effective and full organization of convicts' free time and to provide them with effective assistance after their release from prisons, penal institutions and pretrial detention centers conduct measures for convicts' patriotic, moral-aesthetic, spiritual-educational, and sports education. Representatives of religious organizations are actively involved in these events.

One of the forms of such events is conducting friendly sports football matches and competitions in other types of sports between teams of convicts and religious organizations. Such meetings always arouse great interest from the convicts, because it is not only a chance to compete, but also

an opportunity to communicate in a relaxed atmosphere, which has a positive effect on participants and spectators' emotional and psychological well-being. It is common for representatives of religious organizations to hold theatrical performances (both on their own and with the involvement of convicts as actors) on spiritual topics that contribute to convicts' moral education by the means of aesthetic and emotional influence in penal institutions. Clergymen of all directions take an active part in organizing and holding celebrations on the occasion of commemorative dates, state and religious holidays.

Therefore, the forms of religious organizations representatives' involvement in the work on convicts' correction and resocialization are quite diverse, and the organizations themselves show considerable interest in this work. However, this cooperation is not a spontaneous initiative of the administration of individual penal institutions and religious communities. The SCES of Ukraine entered in a number of agreements with the dominant religious movements in Ukraine, which provide for active cooperation in this field. Interaction with the Ukrainian Interdenominational Christian Mission "Spiritual and Charitable Care in Places of Imprisonment" founded in 2001, which unites twelve largest Christian denominations, is also organized. This organization also represents Ukraine in the Prison Fellowship International (PFI).

According to the order of the Ministry of Justice of Ukraine dated 05.07.2017, No. 2170/5, the Pastoral Council for Religious Guardianship in the Penitentiary System of Ukraine was established. It is a permanent interdenominational advisory body working on a public basis. Its task is to coordinate the pastoral care of convicts and persons who are in penal institutions and pretrial detention centers of the SCES of Ukraine.

According to the Order of the Ministry of Justice of Ukraine dated 16.05.2016, No. 1418/5,² the program of differentiated educational influence on convicts "Spiritual Revival" is being implemented in penal institutions. Religious organizations are involved in work with convicts, which includes religious and educational work with the aim of increasing the importance of spiritual traditions and Christian culture in convicts' moral education, development of useful initiative and creative abilities, preven-

² On the approval of regulation on programs of differentiated educational influence on convicts, Order of the Ministry of Justice of Ukraine, dated 16.05.2016, No. 1418/5, zakon.rada.gov.ua/laws/show/z0727-16?lang=en#Text [accessed: 22.01.2023].

tion of moral and psychological deformation associated with deprivation of liberty. This program provides for a number of events to be held in free time, in particular: attending religious services and other religious events held by clergymen in a colony; participating in activities of a cognitive focus, studying at school of spiritual enlightenment; watching films, video films and television programs, listening to radio programs of a religious nature; familiarizing with religious press (organization of subscriptions to relevant periodicals); visiting the library to read spiritual literature, etc.

The interaction of the SCES of Ukraine with religious organizations in the field of convicts' spiritual care has been going on for more than a decade that corresponds to the similar positive experience of developed European countries, in which the mechanisms for realizing the right of convicted persons to freedom of religion and meeting their religious needs are provided by law [Zamula 2012].

3. REGULATORY AND LEGAL FRAMEWORK FOR PROVIDING CONVICTS' RELIGIOUS RIGHTS AND NEEDS

According to domestic and international legal acts, every person has the right to freedom of conscience and religion. This right also extends to those persons who are sentenced to imprisonment (however, with certain restrictions related to the need to comply with the regime requirements in penal institutions). Ensuring this right is entrusted to the administration of institutions and employees of the Ukrainian SCES, which must act in accordance with the existing legal framework. In order to ensure convicts' religious needs, active cooperation of the SCES of Ukraine with religious organizations has been established, based on the relevant normative acts.

Awareness of the ability of religion to help convicts in changing their attitude to society and generally accepted norms of behavior left its mark on the normative acts regulating legal relations in this area and the role that religious organizations started to play in the process of correction of persons deprived of liberty.

Here we should mention the spiritual and educational work of religious organizations in penitentiary institutions, as well as the state's obligation to ensure the realization of every citizen's right to freedom of religion,

guaranteed by Article 35 of the Constitution of Ukraine³ and Article 3 of the Law of Ukraine “On Freedom of Conscience and Religious Organizations,”⁴ including in conditions of pretrial detention and serving a sentence.

According to Clause 7, Article 2 of the Law of Ukraine “On the State Criminal and Executive Service of Ukraine”, one of the main principles of the SCES of Ukraine functioning is interaction with state authorities, local self-government bodies, citizen associations, charitable and religious organizations.⁵

The interaction of the SCES of Ukraine with religious organizations is primarily regulated by the Constitution of Ukraine and international legal acts on human rights, the Law of Ukraine “On Freedom of Conscience and Religious Organizations”, the Criminal Executive Code of Ukraine, the Order of the Ministry of Justice dated 28.08.2018, No. 2823/5 “On Approving the Rules of the Internal Procedure of Penal Institutions”, etc.

Modern international law directly indicates the need to ensure realization of the right of every convict to freedom of religion. Thus, no discrimination against prisoners is allowed, including on the basis of religion, “it is also desirable to respect the religious beliefs [...] of the group to which the prisoners belong, in all cases, as required by local conditions”⁶ (Basic Principles for the Treatment of Prisoners [Resolution 45/111 of the UN General Assembly dated 14.12.1990]). According to international standards, in institutions where there is a sufficient number of prisoners of one denomination, a qualified minister of worship should be appointed, who should be able to regularly conduct rituals and visit prisoners for discussions on religious topics. Prisoners cannot be denied access to a qualified representative of any faith. However, if prisoners object to being visited by a priest, their wishes must be respected. Within the achievable limits, every prisoner should have the opportunity to satisfy their religious needs, participating in religious ceremonies within penal institution and having

³ The Constitution of Ukraine of 28.06.1996, zakon.rada.gov.ua/laws/card/254%D0%BA/96-%D0%B2%D1%80 [accessed: 22.01.2023].

⁴ On Freedom of Conscience and Religious Organisations, Law of Ukraine No. 987-XII of 23.04.1991, zakon.rada.gov.ua/laws/show/987-12#Text [accessed: 22.01.2023].

⁵ On State Criminal-Executive Service of Ukraine, Law of Ukraine No. 2713-IV of 23.06.2005, zakon.rada.gov.ua/laws/show/2713-15#Text [accessed: 22.01.2023].

⁶ Basic Principles for the Treatment of Prisoners: resolution / adopted by the General Assembly United Nations dated 14.12.1990.

religious scriptures characteristic of their religion⁷ (Articles 41-42 of the Standard Minimum Rules for the Treatment of Prisoners, approved by the I United Nations Congress on Crime Prevention and the Treatment of Prisoners – Geneva, 1955; adopted by the Economic and Social Council in its resolutions 663 C (XXIV) dated 31.07.1957 and 2076 (LXII) dated 13.05.1977).

European Prison Rules affirm respect for convicts' freedom of thought, conscience and religion. The internal regime should, as far as possible, be organized in such a way as to give prisoners the opportunity to practice their religion and belief, to attend services or meetings held by representatives of such religions or beliefs, which have received the appropriate permission; representatives of such religious beliefs should have the opportunity to visit prisoners and communicate with them in a confidential environment; prisoners should be allowed to have books and literature related to their religion and beliefs. Prisoners may not be forced to practice one or another religion or belief, attend religious services and meetings, participate in religious rites or accept visits by representatives of any religion or belief (European Prison Rules, Part 2, Article 29).⁸

The same rights apply to adults, in particular to minors: "Every minor should be allowed to satisfy their needs related to religious and spiritual life, including attending services and gatherings held in a given correctional institution, or participating in services in accordance with the rites of their religion, as well as to use the necessary books or objects of religious worship and learning in accordance with their faith. If a correctional facility contains a sufficient number of juveniles of a particular religion, one or more ministers of that religion should be appointed or admitted to conduct regular services and visit the juveniles at their request in a confidential setting for religious purposes. Every minor shall have the right to meet with a qualified representative of any religion of their choice, as well as the right not to participate in religious services and to freely refuse religious education, religious instruction or preaching" (Article 48).⁹

⁷ Standard Minimum Rules for the Treatment of Prisoners: resolution / adopted by the General Assembly United Nations dated 30.08.1955.

⁸ The European Prison Rules, Recommendation Rec(2006)2 of the Committee of Ministers to member states.

⁹ United Nations Rules for the Protection of Juveniles Deprived of Their Liberty: Resolution / adopted by the General Assembly United Nations dated 14.12.1990.

In general, Ukrainian legal acts correspond to the above-mentioned norms. Thus, in accordance with Article 128(1) of the Criminal Code of Ukraine (“Worship and religious rites in colonies”): “In colonies, the exercise of freedom to practice any religion or express beliefs related to the attitude to religion is subject only to those restrictions, which are necessary to ensure isolation, public safety and are established this Code.”¹⁰

According to Paragraph 2 of this article: “Religious services and religious ceremonies in colonies are held at the request of convicts or at the request of a religious organization during non-working hours.”

According to Paragraph 3: “The administration of a colony helps in inviting clergymen, participates in determining the place, time and other conditions for holding a religious service, rite or ceremony. The administration of a colony should not show its attitude towards a certain religion or denomination.”

Convicts have the opportunity to freely use religious literature and objects of religious purpose within the limits of the regime requirements: “Convicts have the right to purchase and use religious literature, other objects and materials of religious purpose, the use of which does not contradict the interests of ensuring the isolation of convicts, as well as other conditions of execution of punishment” (Paragraph 4).

Criminal Executive Code sets certain restrictions on the observance of religious principles by convicts and the conduct of religious ceremonies due to the need to comply with the regime requirements in penal institutions, namely: “Convicts do not have the right, referring to their religious beliefs, to evade the fulfillment of their duties, as well as established requirements of serving sentence regime” (Paragraph 5).

The performance of religious rites “must not violate the daily routine in the colonies, and also suppress the rights of other persons who are serving their sentences” (Paragraph 6).

In order to ensure compliance with the requirements of the current legislation and to protect convicts from the influence of destructive cults, “only representatives of religious organizations that are officially registered in accordance with the procedure established by law may be allowed in the colony in order to perform religious rites” (Paragraph 7).

¹⁰ The Criminal Executive Code of Ukraine No 1129-IV of 11.07.2003, zakon.rada.gov.ua/laws/show/1129-15#Text [accessed: 22.01.2023].

Pastoral care of convicts is regulated by Article 128¹ of the Criminal Executive Code of Ukraine titled “Organization of Pastoral Care of Convicts”. It contains the following provisions:

1. Pastoral care of convicts is activity in penal institutions of priests (chaplains) authorized by religious organizations, the statutes (regulations) of which are registered in accordance with the procedure established by law, aimed at meeting convicts’ religious needs, their spiritual education.

2. In order to coordinate measures for the pastoral care of convicts, the central executive body that implements state policy in the field of criminal punishments execution creates an advisory body that includes representatives of interested religious centers and departments, the statutes (regulations) of which are registered in accordance with the procedure established by law.

3. Procedure for the special training of clergymen (chaplains) and granting of powers for the implementation of pastoral care measures for convicts is agreed upon by the central executive body that implements the state policy in the field of criminal punishments execution.

4. Measures of pastoral care should not violate the procedure for execution and serving of punishments established by law and other normative legal acts.

5. Meetings of clergymen (chaplains) with convicts are provided during the time free from convicts’ work (education), without limiting the number of meetings in a place determined by the administration of penal institution.

6. The administration of penal institutions helps to ensure the confidentiality of convicts’ meetings with priests (chaplains).

7. Priests (chaplains) may visit penal institutions in order to carry out pastoral care activities with the special permission of the administration of such institutions at a time agreed in advance with the administration of an institution.

8. The secret of confession is inviolable and protected by law. It is forbidden to make public, record by technical means and reproduce any information obtained from a confession. Information obtained from a confession cannot be a subject of a pre-trial investigation or criminal proceedings, as well as be used like evidence. No one may under any circumstances interrogate a clergyman, interpreter or any other person on issues related to the confidentiality of confession.

The document that regulates the issue of meeting convicts' religious needs and the procedure for visiting penal institutions by the representatives of religious organizations is the Order of the Ministry of Justice dated 28.08.2018, No. 2823/5, "On Approval the Rules of Internal Procedure of Penal Institutions".¹¹ According to Paragraph 1, Part 2 of the Order, discrimination against convicts on the basis of race, skin color, political, religious and other beliefs, gender, ethnic and social origin, property status, place of residence, language or other characteristics is prohibited.

Paragraph 2 of the Order ensures convicts' right to exercise freedom to practice any religion or to express beliefs related to their attitude to religion, including free choice and admission of a clergyman to perform religious sacraments and rites, with the exception of the restrictions provided by the Criminal Executive Code of Ukraine.

Part 20 of the Order regulates the provision of convicts' religious needs. In particular, Paragraph 8 of Part 20 of the Order obliges the administration of penal institutions to contribute to ensuring convicts' religious needs in accordance with the Law of Ukraine "On Freedom of Conscience and Religious Organizations".

Religious rites are held at convicts' request or at the initiative of religious organizations, but with appropriate restrictions provided by the criminal and executive legislation of Ukraine for various categories of convicts. Propaganda of any religious teachings among convicts is carried out only with their wish and consent, and in the case of minors with the consent of their parents or persons who replace them.

In case of absence of separate premises for believers of several religious denominations, ceremonies are held in one premise according to the schedule. In such a room, it is possible to temporarily place objects of worship for the time of ceremony.

Part 33 of the Order sets limits for those sentenced to life imprisonment. In particular, prisoners sentenced to life imprisonment may use religious literature and perform religious rites only within a cell or a separate room located within the chamber-type premises of a correctional colony (sector) of maximum security level (sector of medium security level), in their free time and if it is not violates the other convicts' rights.

¹¹ On the approval of the Rules of Internal Procedure of Penitentiary Institutions, Order of the Ministry of Justice of Ukraine No. 2823/5 of 28.08.2018, zakon.rada.gov.ua/laws/show/z1010-18#Text [accessed: 22.01.2023].

Paragraphs 8-10, Part 36 of the Order contain a mechanism for visiting penal institutions by the representatives of religious organizations. Thus, the representatives of religious organizations who, on the basis of Article 25 of the Criminal Executive Code of Ukraine, wish to provide assistance in convicts' correction and resocialization, conducting social and educational work, may visit penal institutions if they have an appropriate permission.

Permission for the representatives of religious organizations to visit penal institution and interaction with them is carried out by the Department, the leaders of the Interregional administration or a penal institution.

In order to obtain such a permit, religious organizations shall submit a statement to the Department, the leaders of the Interregional administration or a penal institution not later than five working days before the planned visit, where they indicate: a) full name of a religious organization, location, telephone (fax) number, e-mail; b) name of the penal institution that is planned to be visited (when sending an application to the Department or Interregional administration); c) date and time of the visit to the penal institution; d) surname, name, and patronymic of the representatives of the religious organization who plan to visit the penal institution, the series and numbers of their passports, information about when and by whom it was issued.

Copies of the State Registration Certificate and Statute are attached to the application.

In addition, clergymen, religious preachers, mentors, other representatives of foreign religious organizations who are foreign citizens and are temporarily in Ukraine must provide a copy of the official approval by the central executive body that implements state policy in the field of religion for the possibility of engaging in preaching or other canonical activities and performing religious ceremonies.

Based on the results of consideration of the application within three working days, the Department (Interregional administration) grants permission to visit the penal institution and informs religious organization about it.

In case of absence of information or copies of the above-mentioned documents in the application, the religious organization shall be notified in writing within three days from the date of registration of the application about the refusal of permission to visit the penal institution.

Representatives of religious organizations, who constantly participate in convicts' correction and resocialization, conducting social and educational work, can visit penal institutions according to a simplified procedure.

For this purpose, the specified persons are issued a pass for a certain period (month, quarter) and a schedule of visits is drawn up for this period that is approved by the head of a penal institution.

In cases of violation by the representatives of religious organizations the requirements of the established regime, by the decision of the administration of penal institution, the visit may be terminated at any stage.

CONCLUSIONS

Thus, religion is a powerful factor in convicts' correction and resocialization, and freedom of religion is individual's inalienable right, which also applies to persons deprived of their liberty. The SCES of Ukraine cooperates with a wide range of religious organizations.

The cooperation between the SCES of Ukraine and religious organizations has rich experience and various forms and is aimed at satisfying convicts' religious needs and spiritual revival. At the same time, there are certain limitations in this area, due to the need to observe order, security and regulatory requirements in penal institutions.

The legal framework of the relationship between the SCES of Ukraine and religious organizations complies with international legal standards, is focused on the comprehensive provision of convicts' religious needs, and the existing restrictions relate to the need to observe the regime in the institutions of the Criminal and Executive Service.

At the same time, there is a number of problematic issues in this area that still require organizational and regulatory settlement: a) the number of religious buildings, prayer rooms and corners available in penal institutions is not yet able to satisfy the needs of religious organizations and convicts; b) compliance with dietary requirements in accordance with religious prescriptions (observance of fasts, consumption of kosher or halal food) may be complicated by the conditions of detention in penal institutions; c) observance of certain religious precepts (wearing a hijab, observing namaz, ritual ablutions) in conditions of the prison regime is problematic; d) the possibility of inter-denominational conflicts between convicts

and prejudiced treatment by the administration or other convicts on the basis of religious beliefs remains probable; e) the problem of simplifying and reducing the duration of the procedure for the access of priests to penal institutions and remand cells is urgent; f) a promising direction is the activation of the involvement of the representatives of religious organizations in solving practical issues of social adaptation of persons who have served their sentences; g) spiritual care and satisfaction of the religious needs of the employees of the Penitentiary System remains an area to which much less attention is paid than to the satisfaction of convicts' needs.

Thus, the problems related to the cooperation of the SCES of Ukraine and religious organizations are quite diverse and they warrant further research.

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**Relations of the State Criminal and Executive Service of Ukraine
with Religious Organizations**

Summary

The article examines the main principles and forms of relations between the State Criminal and Executive Service of Ukraine and religious organizations. The role of religion in the correction and resocialization of convicts is highlighted. The principles and forms of involvement of religious organizations in working with convicts are considered. The international and Ukrainian regulatory framework, which regulates the activities of religious organizations in penal institutions and providing for the religious needs of prisoners, is analyzed. It was concluded that Ukrainian legislation and state policy as a whole contribute to ensuring the rights of religious prisoners and meeting their religious needs. Problematic issues in this field and prospects for the development of relations between the penitentiary system and the church are identified.

Keywords: State Criminal and Executive Service of Ukraine; religious organizations; convicts; resocialization; freedom of conscience

**Stosunki Państwowej Służby Karno-Wykonawczej Ukrainy
z organizacjami religijnymi**

Streszczenie

Artykuł analizuje główne zasady i formy relacji między Państwową Służbą Karno-Wykonawczą Ukrainy a organizacjami religijnymi. Podkreślono rolę religii w poprawie i resocjalizacji więźniów. Rozważono zasady i formy zaangażowania organizacji wyznaniowych w pracę z więźniami. Dokonano analizy międzynarodowych i ukraińskich ram prawnych regulujących działalność związków wyznaniowych w zakładach karnych oraz zaspokajanie potrzeb religijnych więźniów. Stwierdzono, że ukraińskie ustawodawstwo i polityka państwa jako całość przyczyniają się do zapewnienia praw religijnych więźniów i zaspokojenia ich potrzeb religijnych. Wskazano problemy w tym zakresie oraz perspektywy rozwoju relacji między systemem penitencjarnym a Kościołem.

Słowa kluczowe: Państwowa Służba Karno-Wykonawcza Ukrainy; organizacje religijne; więźniowie; resocjalizacja; wolność sumienia

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