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## Ukraine

### International Religious Freedom Report Released by the Bureau of Democracy, Human Rights, and Labor October 2001



The Constitution and 1991 Law on Freedom of Conscience and Religion provide for freedom of religion, and the Government generally respects this right in practice.

During the period covered by this report, the Government's respect for religious freedom improved somewhat; however, religious organizations continued to experience difficulties with registration and bureaucracy at the local level. President Leonid Kuchma continued to meet with leaders from across the country's religious spectrum. The President and members of the cabinet spoke out on numerous occasions in support of religious tolerance and cited the June 2001 visit of Pope John Paul II as evidence of this tolerance. Restitution of religious property seized during the Soviet period continues, although at a slower pace than in previous years.

The generally amicable relationship among religions in society contributed to religious freedom. According to Jewish leaders, acts of anti-Semitism continued to decline during the period covered by this report. However, inter-Orthodox relations, the raising of crosses at or near Jewish and Moslem burial grounds, and Pope John Paul II's June 2001 visit to the country were sources of tension between various religious groups.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Embassy maintains a dialog with the State Committee for Religious Affairs, religious leaders, and Ukrainian and Western representatives of faith-based social service organizations active in the country. Representatives of the U.S. Department of State participate in this process as well, meeting with various representatives of the country's religious communities in Washington.

#### Section I. Religious Demography

The country has a total area of 223,089 square miles, and its population is approximately 49.5 million. A June 2001, nationwide survey conducted by the research center Sociological Research (SOCIS) found that over 40 percent of citizens claimed that they were atheists. This statistic highlights the fact that a significant portion of the population who claim a denominational association may be only nominal believers. Religious practice is strongest in the western part of the country. The overwhelming majority (over 90 per cent) of religiously active citizens are Christian, with the majority of these being Orthodox. About 10 per cent of believers are members of the Ukrainian Greek Catholic Church. Roman Catholics claim 1 million adherents in the country, or about 2 percent of the total population. The country has small but significant populations of Jews and Moslems, as well as growing communities of Baptists, Adventists, evangelical Christians, the Church of Jesus Christ of Latter-Day Saints (Mormons), and Jehovah's Witnesses.

According to information from the Religious Information of Ukraine, most citizens identify themselves as Orthodox Christians of one of three churches. The Ukrainian Orthodox Church, Moscow Patriarchate, is the largest single religious community in the country and is also the largest of the country's Orthodox Churches. This Church has 9,049 registered communities, most of them located in Central, Southern, and Eastern Ukraine. The Ukrainian Orthodox Church, Moscow Patriarchate, is headed by Metropolitan Volodymyr Sabodan of Kiev. It is part of the Russian Orthodox Church, and it is the only canonically recognized Orthodox Church in the country.

The second largest Orthodox Church is the Ukrainian Orthodox Church, Kiev Patriarchate. This Church was formed after independence and has been headed since 1995 by Patriarch of Kiev and All Rus'-Ukraine, Filaret Denisenko, once the Russian Orthodox Metropolitan of Kiev. The Ukrainian Orthodox Church, Kiev Patriarchate, has 2,781 registered parishes, approximately 60 per cent of which are in the western part of the country.

The smallest of the three major Orthodox Churches is the Ukrainian Autocephalous Orthodox Church. Outlawed by Stalin in 1933, the Church survived mainly in diaspora. The Ukrainian Autocephalous Orthodox Church was legalized in 1989 and has 1,015 registered communities, most in the western part of the country. In the interest of the possible future unification of the Orthodox Churches of the country, it did not name a patriarch to succeed the late Patriarch Dmitriy. Metropolitan Mefodiy of Ternopil and Podil heads the Ukrainian Autocephalous Orthodox Church; it counts among its spiritual leaders Metropolitan Konstantin, a

leader of the Ukrainian Autocephalous Orthodox Church in the United States.

The Ukrainian Greek Catholic Church is the second largest faith in the country. This Church celebrates a Byzantine liturgy similar to the Orthodox but is in full communion with the Pope. The Ukrainian Greek Catholic Church was forced to reunite with the Orthodox Church after the Second World War but survived in hiding in the country and in diaspora. Legalized in 1989 the Ukrainian Greek Catholic Church's 3,317 registered communities serve a majority of believers in western Ukraine, about 10 per cent nationwide, or about 4.5 to 5 million persons. The head of the Ukrainian Greek Catholic Church is Lyubomyr Cardinal Huzar, Major Archbishop of Lviv.

The Roman Catholic Church traditionally is associated with the country's historical pockets of citizens of Polish ancestry, located predominantly in the center and west of the country. The Roman Catholic Church has 807 registered communities serving roughly 2 percent of the population. Marian Cardinal Jaworski, Archbishop of Lviv, heads the Roman Catholic Church in the country.

The Jewish community has a long history dating back centuries to when much of present-day Ukraine was the Russian Empire's Pale of Settlement. Many of the country's Jews were victims of the Holocaust; still others were victims of Soviet repression. Published reports cite estimates of the country's Jewish population ranging from 250,000 to 325,000 persons. Some Jewish leaders claim a population as high as 500,000 persons. An estimated 35 to 40 percent of the Jewish population are active communally; there are 229 registered Jewish communities in the country.

The Jewish population faces demographic difficulties. Emigration to Israel and the West reduces the country's Jewish population by approximately 30,000 persons annually. In addition, the average age of Jews is 60 years, and scholars and local Jewish leaders say that about 12 deaths occur for every birth in the community. In spite of these demographic indicators, Jewish life continues to flourish, with additional communities registered every year. Most active Jews are Orthodox, their leader is Chief Rabbi Yaakov Dov Bleich. The Progressive (Reform) Jewish movement, although smaller, continues to grow, with 42 communities at the end of the period covered by this report. The Chief Rabbi of the Progressive movement is Rabbi Alexander Dukhovny. During the period covered by this report, Conservative Judaism, called Traditional Judaism in Ukraine, opened its first congregation in Uzhorod.

Islam also has been practiced in the territory that is now Ukraine for centuries. Most of the country's Moslems are Crimean Tatars. The Crimean Tatars forcibly were deported from Crimea in 1944 but began to return in 1989. Approximately 260,000 persons or 12 per cent of Crimea's population are Crimean Tatar. The leader of the Muslims of Crimea is Mufti Emirali Ablaev.

There has been a growth of Protestant churches since independence. Evangelical Baptists are perhaps the largest group, claiming over 130,000 members in more than 2,100 communities. Other growing communities include Seventh-Day Adventists, Pentecostals, Mormons, Jehovah's Witnesses, and evangelical Christians.

Communities representing nontraditional religious movements continue to grow. Since independence, 42 Krishna Consciousness communities, 36 Buddhist communities, and 12 Baha'i communities have been formed.

Foreign religious workers are active in many faiths, particularly in Protestant and Mormon communities where missionary activity has been central to community growth. The Jewish community also depends on foreign religious workers; only one of the country's rabbis is a citizen.

## Section II. Status of Religious Freedom

### *Legal/Policy Framework*

The 1996 Constitution and the 1991 Law on Freedom of Conscience and Religion provide for separation of church and state and the right to practice the religion of one's choice. The Government generally respects these rights in practice, although some minority and nontraditional religions continued to experience difficulties in registration and purchasing or leasing property at the local level.

The law requires virtually all religious organizations to register with the State. The State Committee for Religious Affairs is responsible for liaison with religious organizations and for execution of state policy on religion. The Committee's headquarters is in Kiev and it maintains representations in all regional capitals as well as in Sevastopol. Every religious organization with more than 10 adult members must register its articles and statutes either as a local or a national organization to obtain the status of a "juridical entity," a status necessary to conduct many economic activities including publishing, banking, and property transactions. Registration is also necessary for an organization to be considered for restitution of religious property. National organizations must register with the Committee for Religious Affairs, and then each local affiliate must register with the local office of the State Committee in the region in which they are located. By law the registration process should take 1 month, or 3 months if the State Committee requests an expert opinion on the legitimacy of a group applying for registration. Denial of registration can be appealed in court. In addition to registration, local offices of the State Committee supervise compliance of religious organizations with the provisions of the law.

In the first half of 2001 the parliament, the "Verkhovna Rada" (Supreme Council), considered three proposals for changes to the Law on Freedom of Conscience and Religion. According to the State Committee, as well

as representatives of religious communities, changes put forward in the various proposals included changes to registration procedures, strengthening (or weakening) the State Committee on Religious Affairs, codifying presidential decrees on restitution of religious property, and expanding the types of religious property eligible for restitution. All three drafts failed, with none garnering half the votes needed for passage.

There is no state religion, although the Ukrainian Orthodox Church, Moscow Patriarchate, tends to predominate in the eastern part of the country and the Ukrainian Greek Catholic Church tends to predominate in the western part. Some religious leaders allege that local government officials in the eastern and western parts favor the predominant confessions in those regions, although each of the major religions and many of its smaller ones maintain a presence throughout the country. While the Government has spoken out in favor of unity of the Orthodox Churches in the country, it has tried to deal evenhandedly with all of the Orthodox Churches.

The Government generally permits religious organizations to establish places of worship and to train clergy. It continued to facilitate the building of houses of worship by allocation of land plots for new construction and through restitution of religious buildings to previous owners. However, there were bureaucratic obstacles and the overall pace of restitution slowed in comparison with previous reporting periods.

Officially religious instruction is prohibited in the public school curriculum. Schools run by religious communities can and do include religious education as an extracurricular activity. During the period covered by this report, the Government began attempts to introduce training in "Basic Christian Ethics" into the schools. While the country's Jewish leaders support the teaching of ethics and civics in school, they insist on a nonsectarian approach to this training. A working group of the

All-Ukrainian Council of Churches has been formed to discuss the content of such a program. The Council meets under the auspices of the State Committee of Religious Affairs and is composed of the leaders of 18 of the largest Christian, Muslim, and Jewish communities, representing over 90 per cent of the country's religious adherents. Religious leaders describe the Council as collegial, encouraging interfaith dialog and dispute resolution.

There are numerous religious holidays, including Christmas Day, Easter Monday, and Holy Trinity Day; all are celebrated according to the Julian Calendar shared by Orthodox and Greek Catholics. These holidays do not negatively impact any religious groups.

#### *Restrictions on Religious Freedom*

Members of numerous communities described difficulties in dealing with the Kiev's municipal administration in obtaining land permits and building permits, which are problems not limited to religious groups. Restitution continued at a slower pace than in previous years. Some religious leaders were pleased with this pace, while others felt that it was too slow.

A 1993 amendment to the 1991 Law on Freedom of Conscience and Religion limits the activities of foreign religious workers in the country. To obtain religious worker visas invitations must be obtained from registered religious organizations and the approval of the State Committee on Religious Affairs is required. During 2000 14,797 foreign religious workers were admitted. In the first 5 months of 2001, 5,520 foreign religious workers were admitted. The majority of foreign religious workers were from the United States, and most worked in Protestant communities. In previous years, fewer than half of 1 per cent of applications for religious visas were refused, according to the State Committee, usually because forms were completed improperly. While no refusal data was available for the period covered by this report, no religious communities claimed to have experienced problems obtaining religious worker visas during this period.

Under existing law, religious organizations maintain a privileged status as the only organizations permitted to seek restitution of property confiscated by the Soviet regime. At this time only buildings and objects immediately necessary for religious worship are subject to restitution. Communities must apply to regional authorities for restitution. While the consideration of a claim should take 1 month, it frequently takes much longer. Draft laws considered by the Parliament in 2001 would have expanded the types of property eligible for restitution to include religious schools and administrative buildings; all such proposed drafts were defeated. According to the State Committee for Religious Affairs, over 3,600 buildings and 10,000 religious objects have been returned to religious communities since the country's independence in 1991. A total of 47 of these buildings were returned during the period covered by this report, to all three Orthodox Churches and to Jewish, Moslem, Ukrainian Greek Catholic, and Roman Catholic communities.

Outstanding claims for restitution remain among all the major religious communities. Many properties that remain subject to restitution are occupied, often by state institutions, or are historical landmarks. The slowing pace of restitution is, among other things, a reflection of the country's difficult economic condition, which severely limits funds available for the relocation of the current occupants of seized religious property. Competition among Orthodox churches for particular properties also complicates the restitution issue. In conjunction with a January 15, 2001, Cabinet of Ministers Decree, the State Committee on Religious Affairs began a project to facilitate the periodic usage by religious groups of religious buildings that are state architectural landmarks whose return is not planned.

Representatives of the Ukrainian Orthodox Church, Kiev Patriarchate, and the Ukrainian Autocephalous Orthodox Church alleged government preference for the Ukrainian Orthodox Church, Moscow Patriarchate in eastern regions of the country. The Kiev Patriarchate cited local authorities' failure to return cathedrals in Kharkov or Zhytomyr.

On Independence Day, August 24, 2000, the Ukrainian Orthodox Church, Moscow Patriarchate, celebrated the restitution of the Kiev Monastery of the Caves' Assumption Cathedral and its solemn rededication. This led to a peaceful demonstration by supporters of the Kiev Patriarchate. This Cathedral is of great historical significance for the Orthodox Christians, and it was restored at government expense, which caused some to claim that this act showed the Government's preference for the Moscow Patriarchate. However, in May 2000, the Government returned St. Michael's Monastery, also of historical significance and rebuilt with government funds, to the Kiev Patriarchate. The State Committee on Religious Affairs, although supportive of a unified, independent Orthodox Church for the country, has maintained neutrality in its relations with the various Orthodox churches.

Autocephalous Church representatives cited instances of difficulties in providing religious services to soldiers and of the need to clear prison ministry activities with prison chaplains of the Moscow Patriarchate.

Representatives of evangelical Christian communities expressed concern over instances of discrimination against their adherents. In two cases, they assert that believers were forced to leave jobs in the military or in military production because their evangelical churches had contact with missionaries from the United States. Such incidents appear to be isolated. An evangelical pastor also noted that local authorities in some cities had denied permits for religious processions and that in a village in the Odessa region an evangelical church opposed by a local Orthodox community had been refused permission to hold regular services. Evangelical churches, like many other religious communities, experienced difficulties in procuring land plots. Representatives of the Progressive Jewish Communities of Ukraine claimed that pressure from Chabad Lubavitch officials on local Dnipropetrovsk authorities has led to a 5-year delay in the granting of registration to a Progressive Jewish community in the city. According to press reports and representatives of Jewish communities, the Dnipropetrovsk Chabad Community opposes the registration of any Jewish community but Chabad in the city, which was home to the father of the Lubavitcher Rebbe, Menachem Schneerson.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

There were a number of improvements in the Government's respect for religious freedom during the period covered by this report, including court action against anti-Semitic publications, the resolution of a longstanding registration case, and liberalization in the bylaws of the State Committee of Religious Affairs. In addition several religious institutions previously restituted were rededicated ceremonially and numerous other new religious buildings were opened. Some in the religious community attribute the generally good relations to the work of the All-Ukrainian Council of Churches, whose membership represents the faiths of over 90 per cent of the country's religiously active population.

According to a report on anti-Semitism prepared by the Jewish Confederation of Ukraine, in December 2000, a Kharkov local court ordered the suspension of publication of the newspaper "Dzhereltse" and the payment of a fine in the amount of approximately \$4,000. The paper had been found liable for "kindling ethnic hatred, violating human and civil rights, and offending the national dignity of the Jews." According to the report, this is the first case in the country's history in which anti-Semitism has been punished by law.

In 1999 the Shimon Dubnov Ukrainian Academy of Jewish History and Culture filed suit against "Vechirnyi Kiev," a Kiev daily newspaper, for an anti-Semitic article "Judeophobia Against Ukraine," published in 1998. The newspaper countersued members of the Academy, claiming that it had been charged falsely of being chauvinistic. On March 15, 2001, a Kiev court ordered both the newspaper and the Academy to pay damages of approximately \$550 and \$1,100 respectively. While less than pleased with the verdict, Jewish leaders welcomed the willingness of the Government to provide legal assistance.

A long-standing registration case was resolved in April 2001 in Sevastopol, when an 18-month-old registration application from a Progressive Jewish Community finally was approved by the local Committee for Religious Affairs. In a move intended to improve interfaith dialog, the

All-Ukrainian Council of Churches adopted in the spring of 2001 a change to its bylaws permitting religious leaders who are not permanent members of the Council to apply to attend its meetings as observers.

During the period covered by this report, several religious institutions were opened or rededicated. The Chabad community of Dnipropetrovsk rededicated the Golden Rose Choral Synagogue. The Ukrainian Orthodox Church, Moscow Patriarchate, ceremonially rededicated the Assumption Cathedral on the grounds of Kiev's Monastery of the Caves. Ukrainian Greek Catholics of the Eparchy of Kiev dedicated a land plot for their future cathedral on Kiev's left bank. Kiev's Chabad Community celebrated its 10-year anniversary and the opening of a mikvah or ritual bath. In May 2001, the Union of Evangelical Baptist Christians dedicated a House of Prayer in Kharkov and Jehovah's Witnesses opened an Administrative Center in Briukovychi, Lviv Oblast. Finally, in March 2001, Kiev municipal authorities agreed to offer a plot of land near the site of the Nazi massacre at Babi Yar for a Holocaust museum and community center. This museum and center is expected to be built in the coming years under the auspices of the American Jewish Joint Distribution Committee.

### Section III: Societal Attitudes

The generally amicable relationship among religions in society contributed to religious freedom. According to Jewish leaders, acts of anti-Semitism continued to decline during the period covered by this report. However, inter-Orthodox rivalry, the raising of crosses at or near Jewish and Moslem burial grounds, and the visit of Pope John Paul II caused tension among some religious groups.

Orthodoxy in the country is divided into three major Churches, only one of which (the Moscow Patriarchate) is currently recognized as canonical by world Orthodoxy. The possibility of unification of some or all of these Orthodox Churches and granting them canonical status as an autonomous Ukrainian Orthodox Church has been debated during the period covered by this report. Leaders of the Ukrainian Orthodox Church, Kiev Patriarchate, and the Ukrainian Autocephalous Orthodox Church began negotiations on unification. They hoped that as one unit, they would be recognized as the country's Orthodox Church by Orthodoxy's "First Among Equals," Patriarch Bartholomew of Constantinople. By the end of the period covered by this report, an agreement had been reached to allow priests of these two churches to concelebrate liturgies, but the unification of church structures had not been accomplished. Patriarch Bartholomew has supported efforts aimed at Orthodox unity, meeting with or sending delegations to each of the country's three main Orthodox Churches to discuss the issue. Patriarch Bartholomew has not expressed an opinion as to who should lead a united Ukrainian Orthodox Church. In general support for an independent Orthodox Church (based on the Kiev Patriarchate and Autocephalous Churches) is strongest among western citizens and center-right political parties; eastern citizens and leftist parties tend to support continued union with the Russian Orthodox Church.

Twice during the period covered by this report the raising of crosses at or near Muslim and Jewish burial sites challenged religious accord. In Crimea Bishop Lazarus of the Ukrainian Orthodox Church, Moscow Patriarchate, announced an initiative to place 1,000 crosses around Crimea to celebrate the second millennium of the birth of Jesus and a millennium of the Christianization of Rus. One of the crosses, in the village of Morskoye, was placed on a hilltop overlooking a Crimean Tatar Muslim village and cemetery. Local Tatars, who were not consulted about the placement of the cross, removed it. Through dialog, Bishop Lazar, Crimean Mufti Ablayev, Orthodox residents, and the local Crimean Tatar Mejlis (Council) were able to come to a peaceful settlement of the conflict over this cross by relocating it to a nearby hill overlooking a predominantly Orthodox community.

However, disputes over the raising of crosses in Jewish cemeteries remain unresolved. In Sambor, Lviv Oblast, Jews, with the assistance of a foreign benefactor, began construction of a memorial park at the site of an old Jewish cemetery, which was the scene of Nazi atrocities. Nationalists, with the apparent assistance of local officials, erected crosses on the site to mark the Christian victims of Nazi terror. While memorial organizers supported the recognition of all groups who suffered on the Sambor site, they opposed the use of Christian religious symbols on the grounds of the Jewish cemetery. At the same time, local nationalists remain opposed to the use of Jewish symbols or Hebrew in the memorial. Jewish and Greek Catholic leaders intervened in an attempt to find a just and peaceful solution to the dispute. In spite of a proposal by the memorial's foreign sponsor to relocate the crosses to another site at his expense, local government leaders had not resolved this conflict by the end of the period covered by this report.

In Kiev crosses remain on the territory of an old Jewish cemetery near the site of a Nazi massacre at Babi Yar. Jewish leaders assert that the crosses were raised without a building permit and have asked that the crosses be removed.

Pope John Paul II's June 2001 visit was the source of discussion and debate in religious and government circles. The Government actively promoted the Pope's visit as a sign of tolerance. The Pope echoed this theme, as well as asking for forgiveness for sins committed by Catholics. His 5-day visit included masses, a meeting with the All-Ukrainian Council of Churches, and visits to the Babi Yar Holocaust Memorial and a memorial to victims of Stalinism at Bykivnia. The public events were attended by tens of thousands in Kiev and by hundreds of thousands in Lviv. Most religious and political leaders and public opinion supported the Pope's visit. However, the visit was criticized by the Russian Orthodox Church and its affiliate in Ukraine, the Ukrainian Orthodox Church, Moscow Patriarchate. The Moscow Patriarchate organized small peaceful protests prior to the visit but held no demonstrations during the visit itself. The Russian Orthodox Church and the Ukrainian Orthodox Church, Moscow Patriarchate, used the occasion of the visit to emphasize disputes with the Ukrainian Greek Catholic Church over church property in the western part of the country. These disputes, in part a legacy of the Soviet Union's forcible reunification of the Greek Catholic and Russian Orthodox Churches after World War II, remain a source of tension in interfaith relations.

The country has a long history of problems with anti-Semitism; however, the period covered by this report saw a continued decrease in anti-Semitic acts and anti-Semitic publications in local newspapers and an increase in government action against anti-Semitism (see Section II). Leaders of the Jewish community welcomed the changes in the editorial staffs of the newspapers, "Vechirniy Kiev" and "Za Vilnu Ukrainu." Under new editors, these newspapers, which had been among the chief offenders in publishing anti-Semitic articles, ceased such activity. During the period covered by this report, a synagogue in Kherson was the target of gunfire. No injuries were reported. Jewish community representatives were disturbed by the presence of anti-Semitic slogans in anti-Kuchma demonstrations, which took place in the spring of 2001.

### Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

The Ambassador, as well as other embassy officers, demonstrated U.S. Government concern for religious freedom by maintaining an ongoing dialog with government and religious leaders. Embassy officers also attend significant events in the religious life of the country.

Embassy officers maintained close contact with lay leaders as well as clerics in religious communities and with representatives of faith-based social service organizations such as Caritas and the American Jewish Joint Distribution Committee, both of which are active in the country. In addition, the Embassy facilitated similar meetings with such groups for U.S. Members of Congress and other U.S. officials visiting the country.

The Embassy closely monitored the cases of the raising of crosses in Moslem and Jewish cemeteries. The Embassy raised the Sambor case with the State Committee on Religious Affairs, the Ministry of Foreign Affairs, and the Ministry of Culture as well as with religious leaders of different faiths. In addition, the U.S. Government raised this case in the context of the U.S./Ukraine Cultural Heritage Commission. Embassy officers followed the Morskoye/Crimea case through contacts with the Crimean Tatar Mejlis.

Embassy officers attended the dedication of the Golden Rose Choral Synagogue in Dnipropetrovsk, the mikvah or ritual bath at the Brodsky Synagogue in Kiev, a plot of land for Kiev's Ukrainian Greek Catholic Cathedral, and the dedication of the Kiev Monastery of the Caves' Assumption Cathedral by the Ukrainian Orthodox Church, Moscow Patriarchate.

Representatives of the U.S. Department of State met during the period covered by this report with various Jewish and Christian leaders from the country.

[End]

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