

**Yuriy V. Kyrychenko, Hanna V. Davletova. Theoretical-legal aspects of constitutional regulation of the right to freedom of opinion and religion in Ukraine and the countries of continental Europe.** The article explores the constitutional practice of normative regulation of the right to freedom of thought and religion, enshrined in Art. 35 of the Constitution of Ukraine and in similar norms of the constitutions of the states of continental Europe. The necessity to state the stated norm in the new version is substantiated. It is determined that the right to freedom of worldview and religion, which is enshrined in Art. 35 of the Constitution of Ukraine, relates to civil rights of man and citizen and consists of three basic elements: freedom of thought, freedom of conscience and freedom of religion. This right includes the freedom to profess any religion or not to practice any religion, to freely send religious cults and rituals, as well as to conduct religious activities. It is noted that in the states of continental Europe the constitutional and legal regulation of the right to freedom of opinion and religion is implemented differently. Thus, in the constitutions of Andorra, Bulgaria, Bosnia and Herzegovina, Armenia, Georgia, Estonia, Lithuania, Macedonia, Romania, San Marino, Serbia, Czech Republic and Montenegro, the analyzed law is enshrined along with other human rights. In other constitutions of European states, the law under study is formulated in a separate article. It is stated that the constitutions of European states use unequal verbal designations of this right. In particular, such terminological expressions as "freedom of conscience and religion", "freedom of cults", "freedom of conscience, religion and other beliefs", "freedom of conscience and religion", "freedom of conscience", "freedom of religion and worship", "freedom of religion", "freedom of choice of religion", "freedom of conscience, religion and worship", "freedom of religion and conscience", "freedom of religious beliefs", which differ but have much in common. The expediency of deleting the term "freedom of world outlook" from Part 1 of Art. 35 of the Constitution of Ukraine and the consolidation of the term "freedom of conscience", which in its content, first, covers a broad sphere of spiritual, world-view of human being, and second, acts as the freedom of choice and assertion of the individual in the system of religious coordinates.

It is proposed taking into account the European experience of constitutional and legal regulation of the right to freedom of opinion and religion of the provision of Art. 35 of the Constitution of Ukraine shall be read as follows: "Everyone has the right to freedom of conscience and religion. This right includes the freedom to profess any religion or not to practice any religion, to freely send religious or ritual rites alone or collectively, to conduct religious activities. The exercise of this right may be restricted by law only in the interests of public order, the health and morals of the population, or the protection of the rights and freedoms of others. Churches and religious organizations in Ukraine are separated from the state and the state education system from the church. No religion can be recognized as binding by the state. Churches and religious organizations are equal before the law. It is forbidden to compel a person to choose and profess any religion or belief, to participate in religious and ritual ceremonies or activities of a religious organization and to receive religious education."

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