



Permanent Mission of Ukraine
to the International Organizations in Vienna

Statement
in response to H.E. Lamberto Zannier,
OSCE High Commissioner on National Minorities

As delivered by Ambassador Ihor Prokopchuk,
Permanent Representative of Ukraine to the International Organizations in Vienna,
to the 1164th meeting of the Permanent Council,
16 November 2017

Mr. Chairman,

The delegation of Ukraine welcomes Ambassador Lamberto Zannier back to the Permanent Council in his new capacity as the OSCE High Commissioner on National Minorities and thanks him for the presented report.

We appreciate the close cooperation with the High Commissioner and his engagement in assisting Ukraine. A substantive meeting of the Ukrainian Foreign Minister P.Klimkin and High Commissioner L.Zannier took place on 24 October 2017. The Government of Ukraine stays committed to further protecting and promoting the rights of all national minorities in Ukraine in line with the OSCE commitments and international standards.

Distinguished colleagues,

Ukraine believes that the HCNM has a particular role to play in addressing grave violations of national minorities' rights resulting from the illegal occupation of Crimea and Sevastopol by the Russian Federation.

These violations were extensively registered in the 2015 ODIHR/HCNM HRAM Report on Crimea and most recently in the UN OHCHR thematic report of September 2017 on "Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)", which concluded that Russia's occupying "authorities in Crimea have denied various manifestations of Ukrainian and Crimean Tatar culture and identity by groups perceived as hostile to the Russian Federation and to Crimea's status as a part of it."

Only in October 2017 the occupation authorities in Crimea initiated 11 new politically motivated criminal cases on involvement in extremist Islamic religious organizations. All arrested persons were Crimean Tatars.

Having released under international pressure the leadership of the Crimean Tatar Mejlis - Ilmi Umerov and Akhtem Chygoz - the Russian occupation authorities maintain the ban on the Mejlis, in violation of the ruling by the International Court of Justice of 19 April which ordered the Russian Federation to "refrain from maintaining or imposing limitations on the ability of the Crimean Tatar community to conserve its representative institutions, including the Mejlis".

Mr. Chairman,

The Russian occupation authorities in Crimea continue eradication of all manifestations of the Ukrainian identity, education and culture on the peninsula. In particular, between 2013 and 2017 the number of young people taking instruction in the Ukrainian language has drastically dropped – from almost 13 000 to 370 (decreased by 35 times!), the number of the Ukrainian schools decreased from seven to one, and the number of classes - from 875 to 28. Ukrainian as a language of instruction has been removed from university-level education. These restrictions run contrary to the ruling by the International Court of Justice mentioned earlier, that the Russian Federation must “ensure the availability of education in the Ukrainian language”.

This disturbing and further deteriorating situation requires adequate reaction and continuous active engagement of the OSCE High Commissioner in seeking observance of rights of Crimean Tatar, Ukrainian and other ethnic groups in the occupied Crimea. We encourage the HCNM and the ODIHR to use all assets at their disposal and closely monitor the situation, in particular the implementation of the recommendations contained in the 2015 HRAM Report on Crimea.

We call on the OSCE High Commissioner to work for establishment of permanent presence in Crimea in accordance with the UN GA Resolutions 68/262 “Territorial integrity of Ukraine” and 71/205 “Situation of human rights in the Autonomous Republic of Crimea and city of Sevastopol (Ukraine)”. The resolution on the situation of human rights in the occupied Crimea, which was adopted two days ago in the Third Committee of the UN General Assembly, contained a strong and clear demand to the Russian Federation, as an occupying power, to uphold its obligations under applicable international law and to stop persecuting Crimean Tatars and Ukrainians in the occupied peninsula.

Dear High Commissioner,

The delegation of Ukraine notes with regret that information on the conditions of national minorities in the Russian Federation is still lacking in the HCNM reports. The absence of the official permission from the Russian authorities to access the Russian Federation should not disable the reaction to serious violations of the rights of national minorities in that country.

We repeatedly condemned the deliberate anti-Ukrainian practices and discrimination by the Russian authorities against Ukrainian NGOs and activists, as well as against the only library of Ukrainian Literature in Russia. These actions pose a serious threat to preserving and developing the national identity, cultural and linguistic needs of the third largest ethnic group in Russia. Moscow’s policy of forced russification are well known to Ukrainians, but they also directly affect the rights of other ethnic groups in Russia. As the most recent example it includes the population of the Republic of Tatarstan, which has its own Constitution establishing the equality of Tatar and Russian languages as state languages in the republic. Confronted with a strong pressure of Russian federal and law enforcement authorities in the recent months, in October the world congress of Tatars released a public appeal, vehemently protesting against “absolutely illegitimate attacks on the state status of the Tatar language” and “attempts to dislodge it from the education sphere of the republic”.

A call was made to “uphold the state status of the language in the interests of preserving peace and understanding in the entire country”. In the opinion of the republic’s mufti K.Samigullin, “Islam, just as before in the most difficult and challenging times in life of the Tatar people, again has to stand up in defence of the Tatar language”. As the contradictions have been rapidly mounting for a few months now, we wish to ask the High Commissioner’s view on the escalation of this serious tension and whether he reached out and offered his assistance and expertise to the Russian authorities and local authorities and communities.

Mr. Chairman,

As emphatically pointed out by the High Commissioner in his address, over the past 25 years the HCNM has acknowledged that policies enhancing the teaching and learning of a State’s official language while safeguarding and promoting linguistic diversity are an effective means to promote the cohesion of society. This approach underpins the newly adopted Law of Ukraine on Education in Ukraine, which aims at opening up quality education and equal opportunities to young people in public, social and economic life, without distinction of ethnic origin. A detailed presentation on this Law was made by the delegation of Ukraine during the PC meeting on 28 September.

In view of concerns raised by some states, and in the spirit of transparency and constructiveness Ukraine forwarded the respective Law to the Venice Commission for its opinion and expressed commitment at the highest political level to implement the recommendations.

Meanwhile, we have pursued a result-oriented bilateral dialogue concerning mechanisms for appropriate implementation of this framework legislation. In this context I regret the misleading contents of today’s statement by the delegation of Hungary, which is unhelpful to the dialogue initiated by Ukraine.

Distinguished colleagues,

We believe that a more proactive work is needed to raise awareness among governments of the participating States and general public on the content of the OSCE HCNM’s recommendations. We fully agree with the High Commissioner that most tensions involving national minorities can be prevented or diffused, by following the advice contained in HCNM recommendations.

As next year marks the tenth anniversary of the Bolzano-Bozen Recommendations on national minorities in inter-state relations, we support the HCNM proposal to have a structured discussion of key principles and lessons drawn from the application of the Bolzano/Bozen Recommendations. We encourage the incoming Italian OSCE Chairmanship to launch this important work.

Mr. Chairman,

I would conclude by thanking High Commissioner L.Zannier for today’s presentation of his report and reiterating Ukraine’s readiness for further cooperation, including in view of HCNM’s intention to visit my country later this year.

Thank you, Mr. Chairman.