



**Permanent Mission of Ukraine**  
to the International  
Organizations in Vienna

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## **Statement on Educational Reform in Ukraine**

As delivered by Ambassador Ihor Prokopchuk,  
Permanent Representative of Ukraine to the International Organizations in Vienna,  
to the 1184<sup>th</sup> meeting of the Permanent Council,  
3 May 2018

**Mr. Chairman,**

The Ukrainian delegation takes the floor to respond to the statement made by the delegation of Hungary at the Permanent Council meeting of 19 April, focusing on the adoption and implementation of the Law of Ukraine “On Education” and some other issues.

**Mr. Chairman,**

Whereas the views expressed by the Hungarian delegation on the mentioned law largely reflect the position that was outlined in its statement of 28 September 2017, we will draw attention to the reply statement of the Ukrainian delegation at the same PC. The points made then, in particular on compliance with the OSCE commitments and international obligations, remain relevant today.

What we find important to underscore is that to prevent an unnecessary dispute over interpretations, Ukraine requested the authoritative international institution – the Venice Commission – to produce an opinion on Article 7 of the Ukrainian Law on Education. When forwarding this request to the Venice Commission, Ukraine also undertook to fulfill its recommendations in the process of the education reform in the country.

The respective opinion of the Venice Commission was adopted at its 113<sup>th</sup> Plenary Session on 8 December 2017. The opinion underlined that “it is a legitimate and commendable aim for states to promote the strengthening of the state language and its command by all citizens, and to take action for its learning by all, as a way to address existing inequalities and to facilitate more effective integration of persons belonging to national minorities into society.” It also acknowledged that Article 7 of the Law was a framework legislative provision leaving sufficient space for the study of or instruction in the languages of national minorities. The modalities of the language article of the law were to be further elaborated and detailed in the relevant by-laws.

Specific recommendations of the Venice Commission were listed in paragraph 126 of the opinion. They have already been incorporated for implementation into 2018 Ukraine-NATO Annual National Program. It should be noted that they did not contain a recommendation to change Article 7 of the Law “On Education” regarding the study of/in national minority languages which belong to the official EU languages. They did not contain either the provisions on which the delegation of Hungary insisted in its PC statement of 19 April 2018.

We have full confidence that the recommendations of the Venice Commission have allowed to put further implementation of the educational reform in Ukraine into an exclusively expert domain, avoid politicization and the use of this topic for speculations and confrontation.

As a follow-up, a respective Roadmap was developed by the Ministry of Education and Science of Ukraine, outlining the implementation agenda and including the envisaged legislative steps, measures for raising the quality of Ukrainian language teaching, draft of language article of the Law “On General Secondary Education”, several rounds of consultations with the national minorities to discuss the implementation modalities. Three models of education in schools of national minorities are offered based on three criteria – language group, language environment and the level of language’s vulnerability. Taking into full account the recommendation of the Venice Commission, the draft law exempts private schools from the new language requirement while placing the responsibility on their administrations for ensuring that the students acquire sufficient proficiency in the State language.

In line with the recommendations of the Venice Commission, the Government of Ukraine initiated amendments to the Law “On Education” to prolong the transitional period for application of Article 7: from 1 September 2018 until 1 September 2023. This extension will help children and their parents, teachers and school administrations to get better prepared and more naturally adjust to the educational reform.

Public discussions have been launched by the Ministry of Education and Science of Ukraine as a consultative part of the process of preparing a new draft Law “On General Secondary Education”. Starting from 14 February in total 18 public associations that represent Polish, Romanian, Russian, Bulgarian, Greek, German, Moldovan, Jewish and Gagauz minorities and Crimean Tatars took part in the consultations. Unfortunately, the representatives of the Hungarian minority, after initial confirmation of participation in the consultations, refused to engage in dialogue with the Government of Ukraine on the new draft law one day before a set date.

After publication of the Venice Commission recommendations, the Government of Ukraine maintained close contact with the OSCE High Commissioner on National Minorities on issues of their implementation within the process of educational reform in the country. HCNM L.Zannier visited Ukraine two times since December 2017 and had a variety of meetings at different levels. He welcomed, in particular, the use of bilingual education in the multi-ethnic Zakarpattia region of Ukraine. In his view, “bilingual education is an effective way to find a balance

between preserving and promoting minority identity while also enabling successful societal integration through strengthening the role of the State language”.

Intensive dialogue has been pursued by the Ukrainian authorities with the governments of kin-states, including Hungary, on the modalities of implementation of language requirements in education and establishing effective co-operation in this regard. Let me give the most recent example. Last week, on 26 April 2018, in Sofia the Ministers of Education and Science of Ukraine and Bulgaria signed a Declaration on implementation of the language article of the Law “On Education” and assurance of rights of Bulgarian national minority. Signing the document, the Ukrainian Minister of Education has emphasised that our aim is to provide equal opportunities to all schoolchildren in realising their constitutional rights. The changes in the use of language will take place gradually from the 5<sup>th</sup> grade, whereby the proportion reached by the 11<sup>th</sup> grade is to be 60% of subjects in the Ukrainian language and 40% in the language of the national minority. This is the model successfully used in the EU countries.

The Minister of Education and Science of Ukraine is prepared to continue dialogue with the Hungarian side on practical steps of implementation of the Law “On Education”. The Ukrainian side is ready to prepare a protocol between the two ministries dealing with education as was proved useful in dialogue on education with other countries.

**Mr. Chairman,**

In the statement of 19 April the distinguished Ambassador of Hungary also expressed his concerns about the safety of Ukrainian citizens of Hungarian origin and the activities of their associations, in particular in the wake of arson attacks in Uzhgorod. Let me assure everyone that the Ukrainian law-enforcement do their utmost to ensure safety and security for all, without distinction. The two arson attacks on the premises of the Hungarian cultural association that happened in February were professionally and quickly investigated by the police who established the perpetrators. The first attack was carried out by citizens of a neighbouring EU state, who belonged to an ultra-right organisation whose members fought as fighters of the Russian armed formations in Donbas. The perpetrators of that attack are now in custody. The second attack was carried by a group of individuals in which the organiser of the attack arrived from and then fled to the Transdnistria region of the Republic of Moldova. The other members of the group and perpetrators of this crime are now in custody on terrorism charges. In both instances we witness the traces leading to the security services of the Russian Federation as a country that wages a hybrid warfare against Ukraine which includes military means in Donbas and other means of destabilisation of the situation in other parts of Ukraine. As put recently by the Governor of the Zakarpattya region, “Russia’s FSB is like radiation: you cannot see it, but it is present”. The Minister of Foreign Affairs of Ukraine has asked the law-enforcement authorities to enhance their activities in the region to prevent any possible provocations. Unfortunately, for some reason our Hungarian partners overlook in their public statements the rapid and effective investigation of the above mentioned attacks, masterminded from outside Ukraine, or the firm position of

condemnation by the Ukrainian authorities of any incident aiming at provoking inter-ethnic tension. Ukraine has a long record of peaceful and harmonious inter-ethnic relations and we are determined to maintain it.

**Mr. Chairman,**

In conclusion I wish to underscore that Ukraine as an entire nation, consisting of over a hundred ethnic minorities, confronts unprecedented security challenges and staunchly defends itself against a militarily-strong, treacherous and cunning external aggressor who defies established security order and is willing to change state borders by force. Ukraine will continue to pursue with resolve its goals of European and Euro-Atlantic integration since the nation and its people pay the ultimate price for achieving these goals of their choice. Setting artificial impediments to these integration processes by an individual country, claiming a special language interest, affects the entire nation, without distinction to ethnic backgrounds and including the national minority, whose interest is purportedly promoted from outside the state's borders.

Mr. Chairman, on a final note I would like to welcome the plans of the HCNM and the Chairmanship to hold soon an event dedicated to the anniversary of the Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations which contain an important guidance on how best to manage relations between the neighbouring states on the issue of national minorities.

**Thank you, Mr. Chairman.**