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Permanent Mission of Ukraine
to the International
Organizations in Vienna

Statement on the Law of Ukraine “On ensuring the functioning of Ukrainian as the state language”

As delivered by Ambassador Ihor Prokopchuk,
Permanent Representative of Ukraine to the International Organizations in Vienna,
to the 1229th meeting of the Permanent Council,
23 May 2019

Mr. Chairperson,

The Delegation of Ukraine takes note of the statement delivered by the delegation of the Russian Federation.

The statement of the Russian delegation was again full selective and free interpretation of Ukrainian legislation and international commitments in connection with the Law of Ukraine “On ensuring the functioning of Ukrainian as the state language”. In response we wish to present the following factual and substantive clarifications.

Dear colleagues,

On 25 April 2019 the Verkhovna Rada of Ukraine has adopted in the second reading and as a whole the draft law “On ensuring the functioning of Ukrainian as the state language”.

Prior to adoption the draft law was extensively discussed by parliamentarians, experts and in public consultations after the initiation of the draft law in June 2018. Following its adoption in the first reading in October 2018, over two thousand amendments were considered by the MPs in the second reading of the draft.

278 MPs voted in support of the final text of the law, representing 7 out of 8 factions in the Ukrainian parliament. According to the public opinion polls of January 2019, over 64 % of Ukrainian citizens supported the status of the Ukrainian as the state language.

The Law is in full compliance with the Constitution of Ukraine. Article 10 of the Constitution stipulates that “The state language of Ukraine is the Ukrainian language. The State ensures the comprehensive development and functioning of the Ukrainian language in all spheres of social life throughout the entire territory of Ukraine”.

By adopting this Law the Ukrainian parliamentarians intended to realize the full scope of existing constitutional provisions and provide the comprehensive legal basis for its implementation. This includes definition of the status of the Ukrainian language as the state language; establishment of the obligation of the state to ensure comprehensive development and functioning of the Ukrainian language in all spheres of public life throughout Ukraine; prescription that the use of languages in Ukraine should be determined only by law.

The Law defines the status of the Ukrainian language as the only state language and stipulates its mandatory use throughout the territory of Ukraine in the exercise of powers by public authorities and local self-government bodies. The provisions of the Law do not interfere into the sphere of private communication and religious practices.

The requirements of the Law are normal and common as regards the state language in other OSCE participating States. For example, at least 50% of periodicals and newspapers at news stores must be in the state language. Ukrainian language books must account for at least 50% at bookstores, but this provision does not apply to foreign language or specialized bookshops.

The state status of the Ukrainian language is an inalienable element of the constitutional system of Ukraine as an unitary state.

According to the Law, «the Ukrainian as a state language is an instrument of interethnic communication, guarantees the protection of human rights of all Ukrainian citizens irrespective of their ethnic origin and contributes to national unity and national security”.

As knowledge of the state language and its use by officials and officers of state authorities and local government is one of the prerequisites for assuming relevant positions, the Law provides for the introduction of certification of the Ukrainian language proficiency of nominees for public posts. The state guarantees the possibilities for learning the language. Requirements regarding the language proficiency, including for those who are seeking Ukraine’s citizenship, will be set by the National Commission for Standards of the State Language.

The Law establishes the post of the commissioner/ombudsperson to oversee the implementation of the Law.

The Law envisages gradual approach and, thus, extensive transition periods starting from 6 months till 5 years. This approach creates favourable conditions for adaptation to the standards set by the Law. For example, the

norm on the 90% level of Ukrainian-language content on the television will become effective only in 5 years.

Mr.Chairman,

In Ukraine the right of national minorities and indigenous peoples on use of their languages is guaranteed by the law.

The modalities of use of languages of national minorities and indigenous peoples will be specified by a separate law in accordance with the obligations of Ukraine under the European Charter for Regional or Minority Languages which is the key European instrument for the protection and promotion of languages used by traditional minorities.

While the law defines that the language of education and science in Ukraine is the state language, it guarantees the right for representatives of national minorities to acquire pre-school and primary education in their native language in state or communal educational institutions.

Fulfilling the recommendations of the Venice Commission, the adopted Law extends the transition period for the implementation of Article 7 of the Law of Ukraine “On education” till 1 September 2023.

Mr.Chaiman,

The delegation of Ukraine underscores that the provisions of the Law regulate exclusively the use of the Ukrainian as a state language in public life. There is no interference of the state authorities into the sphere of private communication and religious practices.

It doesn't discriminate national minorities or foreign languages on the territory of Ukraine. On the contrary, it is to accomplish a historic mission of eliminating the deformations and remnants of a discriminatory approach to the Ukrainian language, exercised during the soviet rule.

Support of the state language as an instrument of integration of Ukraine's society has already significantly fostered the quality of Ukrainian-language cultural and professional products (science, literature, theater, cinema, show business, etc.) and broadened opportunities for cultural and professional self-realization.

Under the conditions of continuing Russia's aggression against Ukraine, the current state language policy is considered not only in the humanitarian, but also in the security context.

The Law was signed by the President of Ukraine and made public on 15 May 2019. It takes effect from 16 July 2019.

Thank you, Mr.Chairman.