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**STATEMENT BY MR. ALEXANDER LUKASHEVICH,
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AT THE 1256th MEETING OF THE OSCE PERMANENT COUNCIL**

23 January 2020

On linguistic and educational discrimination in Ukraine

Mr. Chairperson,

On the eve of the International Day of Education (24 January), we are compelled to take note once again of the depressing situation with regard to guarantees of linguistic and educational rights in Ukraine, both for Russian-speaking citizens of the country and for members of national minorities.

As you know, language remains one of the most sensitive issues in Ukrainian society. The authorities are trying to resolve it in a confrontational manner. In areas where communities previously had the right to choose their language, they are now being deprived of that choice. Under the guise of measures to protect the Ukrainian language, legislative acts have been adopted and have entered into force with the real aim of ousting Russian and minority languages from virtually all sectors of public life.

I am talking, in particular, about the Law on Education and the Law on Ensuring the Functioning of the Ukrainian Language as the State Language. These laws significantly reduce the opportunities for non-Ukrainian-speaking citizens to fully participate in public life while preserving their ethnocultural identity. Both coercive and restrictive measures are being introduced. Coercive – in terms of the promotion of the Ukrainian language, restrictive – through the introduction of penalties for the failure to use it.

The discriminatory nature of certain provisions of these laws has been acknowledged by the Venice Commission of the Council of Europe. It has been recommended that the Ukrainian authorities make a number of amendments and also develop legislation to protect the rights of national minorities. The vast majority of the recommendations have simply not been taken into account. Instead, it seems that the Ukrainian Government has decided to continue “tightening the screws” on the language issue.

The most difficult situation is in the educational field, where the Ukrainian authorities are taking great pains to oust the Russian language from almost all educational processes funded by the budget. In line with the new developments, the Russian language is subject to multiple layers of discrimination in schools – both in relation to the Ukrainian language and the languages of the so-called indigenous peoples of Ukraine, and in relation to the languages of the European Union countries, since for the latter there is a delay in the entry into force of the new rules. At the same time, the authorities do not consider native speakers of

Russian, who are not immigrants and who make up a huge part of the Ukrainian population, to be an indigenous population of this country.

On 16 January, the Verkhovna Rada adopted another law regulating educational rights – this time the Law on Full General Secondary Education. Together with a number of provisions aimed at modernizing educational methods, the law contains articles on language that deprive Russian-speaking Ukrainians of the right to receive State general secondary education in their native language after primary school. Incidentally, native speakers of the Belarusian language and Ukrainians who speak Yiddish or Hebrew have also been affected by the restrictions. For all these citizens, the Ukrainian legislators have provided for the possibility of receiving a full cycle of secondary education in their native language only in private schools, which many would simply not be able to afford. In State schools, Russian-speaking students are now being asked to study at least 80 per cent of educational programmes in Ukrainian. While the new law is less stringent with regard to members of minorities who speak an EU language, the goal is the same – to limit the use of native languages in educational processes with a gradual increase in the share of teaching in Ukrainian from 20 per cent to 60 per cent in secondary schools.

A State clearly has the right to develop the foundations of its linguistic policies. However, such policies should not be discriminatory, nor should they restrict existing rights and freedoms. History has shown that the division of society into first- and second-class citizens has never resulted in nationwide harmony, but has only complicated the processes of State development. It is worth recalling that the attempts of the “Maidan authorities” to repeal the law on regional languages immediately after the coup d’état in February 2014 and to embark on the forced Ukrainization of the entire country became a kind of trigger for the civil armed confrontation. They forced millions of Ukrainians to defend their right to national, linguistic and cultural identity within a single State.

It is not surprising that the Ukrainian Government’s measures are not supported by a significant part of Ukrainian society. In addition to the many Russian-speaking citizens of Ukraine, the Hungarian community has also expressed concern about the recent developments. For example, the Gódinka Research Institute (established in 2001 at the Ferenc Rákóczi II Transcarpathian Hungarian Institute in Berehove) described the new legislative changes as “another step towards Ukrainization”.

It is noteworthy that the restrictions imposed today by the Ukrainian Government are at odds with not only the Constitution of Ukraine, Article 10 of which guarantees the free development, use and protection of Russian and other languages of national minorities, but also a number of its international obligations, including those within the OSCE. The key recommendation made by the Venice Commission on the need to develop “more detailed and balanced solutions” to language issues has also been ignored. We urge the Ukrainian Government to stop violating its human rights commitments, and the relevant OSCE institutions to give an adequate assessment of the Ukrainian authorities’ actions.

Thank you for your attention.