



Permanent Mission of Ukraine
to the International
Organizations in Vienna

Statement in response to the issue raised by the Russian delegation under the Current Issue nr.5

As delivered by Ambassador Yevhenii Tsymbaliuk,
Permanent Representative of Ukraine to the International Organizations in Vienna,
to the 1326th meeting of the Permanent Council,
29 July 2021

Madam Chairperson,

In response to the statement just delivered by the Russian delegation, I would like to exercise our right of reply.

On a number of occasions within the OSCE, including the meetings of the Permanent Council, my delegation replied to this and many other manipulations by Russia on the distorted interpretation of the Ukrainian legislation. I will not repeat these statements.

Today, I wish to focus attention of the Permanent Council on the most recent legislative development, aimed at establishment of an effective system of promotion and protection of human rights and fundamental freedoms of all national communities and indigenous peoples residing in Ukraine.

Let me inform you that the Ukrainian Parliament, Verkhovna Rada of Ukraine, adopted a Law on Indigenous Peoples of Ukraine. The law, initiated and signed on 21 July 2021 by the Ukrainian President, recognizes Crimean Tatars, Karaites and Krymchaks as "indigenous peoples of Ukraine".

The newly adopted and long awaited law aims at providing indigenous peoples of Ukraine with mechanisms and instruments of interaction with the Ukrainian State. In particular, it recognizes the representative bodies of the indigenous peoples.

The law guarantees the rights of indigenous peoples against assimilation, deprivation of cultural values, eviction or forced relocation. It also guarantees their cultural, educational, linguistic and information rights.

According to the law, the indigenous peoples of Ukraine have the right to self-determination in Ukraine, establishing their political status within the framework of the Constitution and laws of Ukraine, freely pursuing their economic, social and cultural development.

Indigenous peoples of Ukraine will be able to establish their own educational institutions or cooperate with other educational institutions to teach their language, history and culture. They will also have the right to establish their own media outlets through their representative bodies.

The adoption of the law is viewed by the Ukrainian society in general as a positive step in the formation of the civilized interethnic relations in the country. It is also considered to be another step towards the eradication of a heavy Soviet legacy with respect to non-titular nations, which since the

time of the Russian Empire and in the USSR were subjected to discrimination, illegal repression, widespread deportations, forced Russification and assimilation.

Madam Chairperson,

Alongside with the adoption of the Law on Indigenous Peoples the work on drafting the law on national minorities is underway in Ukraine. The previous law on the rights of the national minorities was adopted in 1992 and objectively needs to be updated and adjusted to current realities and concerns.

In this respect, the President of Ukraine Volodymyr Zelenskyy tasked the relevant state agencies to develop modern and progressive legislation regulating the protection of national communities residing in Ukraine.

According to the President, the national communities should be an integral part of the Ukrainian society, without losing their identity, language and traditions. Not a single ethnic group in Ukraine, he said, I quote - "should feel like a minority, less important, or less protected, or less happy", end of quote.

While proceeding with drafting the new comprehensive legislation on protection of the rights of national communities, Ukraine welcomes and appreciates the valuable advice and expertise of the Council of Europe. Ukraine also relies on the assistance of the HCNM in this regard.

Madam Chairperson,

Touching upon the concerns raised by the RF in connection with, I quote, "non-equal politico-legal status for different ethnic groups", end of quote, I wish to stress the following.

In terms of the national legislation of Ukraine and international law, both ethnic national minorities/communities and indigenous peoples have the right to education in their native language, to the protection of their historic heritage, as well as to their own media.

At the same time, the fact that both the international instruments and Ukrainian legislation pay closer attention to the problems faced by indigenous peoples is explained by the reality that many of these communities are small in number and are on the brink of disappearing. By contrast, the national communities or minorities can be large enough to actively influence public policy in their country of residence. This applies to Russians in Ukraine.

Another feature that clearly distinguishes the indigenous people from the national minority is existence of the kin-State to which they belong. Russians, Hungarians, Romanians, Bulgarians, Poles and Jews, this list is not exhaustive, have their own states outside Ukraine and therefore considered ethnic national communities residing in Ukraine. At the same time, the Crimean Tatars, the Crimean Karaites and the Krymchaks are the indigenous peoples of Ukraine who were formed on the territory of Ukraine.

In closing, Madam Chairperson, let me reiterate readiness of Ukraine to continue fruitful cooperation with the OSCE and its autonomous institutions. We are grateful for their assistance in implementation of Ukraine's human dimension commitments.

Let me remind you that the successful visit by Director of the OSCE Office for Democratic Institutions and Human Rights Matteo Mecacci to Ukraine took place in May this year.

We had also pleasure to welcome in Ukraine OSCE Representative on Freedom of the Media Madam Teresa Ribeiro just recently, in July. In addition to the number of the bilateral meetings, she has opened the High-level Panel Discussion “Building Resilience to Information Influence: Freedom of Speech as a Component of Information Security”. The work of the OSCE Project Coordinator in Ukraine should be mentioned as well, in relation to countering disinformation, a multi-year project to support the strengthening of media self-regulation mechanisms.

We are also working on arranging of the “second”, this time physical, visit by OSCE High Commissioner on National Minorities Kairat Abdrakhmanov to Ukraine this September.

Thank you, Madam Chairperson.