

Valery Engel, Ph.D., President of the European Center for the Development of Democracy.

ABOUT THE NEW LANGUAGE LAW IN UKRAINE.

In 2019, Ukraine adopted the law "On ensuring the functioning of the Ukrainian language as the State language." The new law, allegedly adopted with the aim of protecting the Ukrainian language, is openly discriminatory, depriving Russian and other languages of national minorities of regional status and dramatically reducing their scope in public life.

The law provides for special discrimination of the Russian language, since in a number of areas this language was in a losing position not only in comparison with Ukrainian, but also with Crimean Tatar, English and the languages of the European Union. So, the law allows to teach one or more disciplines (for example, history or mathematics) in high school in English or in some of the European languages. In Russian (or Belarusian, which is also not the language of the European Union) this cannot be done. In addition, the print media in Crimean Tatar, English and European languages do not must publish an Ukrainian counterpart.

The text of this bill violates the following legislation:

1. Art. 10 of the Constitution of Ukraine, which guarantees the free development, use and protection of the Russian language and other languages of national minorities of Ukraine.
2. Art. 22 of the Constitution of Ukraine, according to which the restriction of the content and scope of existing rights and freedoms are prohibited.
3. Art. 24 of the Constitution of Ukraine, according to which there can be no privileges or restrictions on a linguistic basis.
4. The Declaration of the Rights of Nationalities of Ukraine, according to which Ukraine guarantees all peoples, national groups and citizens who reside on its territory equal political, economic, social and cultural rights. Ethnic discrimination is prohibited and punishable by the law. In addition, according to the Declaration, Ukraine undertakes to create all conditions for the development of all national languages and cultures, and guarantees all

peoples and national groups the right to freely use their native languages in all spheres of public life, including education, production, receipt and dissemination of information. The Ukrainian state in accordance with the Declaration must ensure the right to use free the Russian language. In regions where several national groups live compactly, along with the state Ukrainian language, can be used a language acceptable for the entire population of a given area.

5. The Framework Convention for the Protection of National Minorities (signed by Ukraine on September 15, 1995), according to which any discrimination based on belonging to a national minority is prohibited, and the signatory to the Convention undertakes to create favorable conditions for the development of their language for persons belonging to national minorities, culture and traditions. In addition, the convention guarantees the freedom to receive and exchange information or ideas in the minority language without interference by state authorities, as well as the freedom to freely use the language of one's minority orally and in writing in private and publicly;

6. The European Charter for Regional or Minority Languages (ratified by Ukraine on May 15, 2003), ratified by Ukraine.

Moreover, the severe penalties are provided for violation of this law:

- appeals to introduce multilingualism, bilingualism, or appeal to make official another language in a particular area or in the country as a whole are regarded as an attempt to overthrow the constitutional order;

- Ukrainian language is equated with the state symbols of the country, its public insult entails punishment up to three years in prison; - "intentional violation of the requirements of Ukrainian spelling" in official documents is punished;

- civil servants and deputies who refuse to use the state language in the workplace are fined.

I urge the OSCE to pay particular attention to the violation by Ukraine of both its legislation and its international obligations to protect the rights of national minorities.