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**STATEMENT BY MR. ALEXANDER LUKASHEVICH,  
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1326th MEETING OF THE OSCE PERMANENT COUNCIL**

29 July 2021

**On gross and systematic violations by Ukraine of human rights and fundamental freedoms, including the rights of national minorities**

Madam Chairperson,

The human rights situation in Ukraine remains dire, and no improvement is in sight. Systematic violations of human rights and freedoms continue to occur in that OSCE participating State with the connivance of the authorities.

Of grave concern is the situation regarding freedom, or rather, “unfreedom” of the media. The Ukrainian Government continues its policy of wholesale purging of “undesirable” individuals from the information space. Any outlets that do not sing from the same hymn sheet as the current administration are blocked or banned. It would be impossible to list them all, so let me just remind you that we are talking about 468 Internet resources, including Yandex, Yandex-Ukraine, Mail.ru, VKontakte, Odnoklassniki and Kaspersky Lab, and pretty much all Russian-owned media without exception: Channel One, NTV, VGTRK, the Rossiya Segodnya news agency and the television channel Spas, among others. Significantly, a number of the blocked Internet resources are hosted on sites with German and Italian domain names, to mention just two countries.

Raids on editorial offices and the criminal prosecution of their staff under spurious pretexts have become a commonplace. A striking example of how far the Ukrainian Government is prepared to go in combating so-called “disinformation” is the February 2021 decree of President Volodymyr Zelenskyy that shut down eight television companies, including three major nationwide television channels: 112 Ukraine, NewsOne and ZIK. However, broadcast bans did not prove sufficient for the authorities. In April, they managed to get the YouTube web pages of the aforementioned media blocked. The egregious practice of suppressing freedom of speech in Ukraine was continued on 21 July by the State Language Protection Commissioner, Taras Kremen. He called on the national regulatory body to impose sanctions on six Ukrainian television channels (Inter, Ukraina, ICTV, Mega, NTN and K1) for having broadcast films in the Russian language. This gross trampling on the right of access to information is taking place while the patrons of the Ukrainian Government in the United States of America and the European Union are completely silent.

The situation regarding the safety of journalists remains critical. A case in point is how a correspondent from the video news agency Ruptly was beaten up by nationalists for having “dared” on 10 May to interview passers-by about their attitude to Victory Day. The murders of Anatoly Klyan, Anton Voloshin, Igor Kornelyuk, Andrey Stenin, Andrea Rocchelli, Oles Buzina, Sergey Dolgov, Vyacheslav Veremiy, Vadim Komarov and many others remain unsolved and unpunished. It was the fifth anniversary of the killing of the television journalist Pavel Sheremet on 20 July. Despite all the blustering promises by the Ukrainian law enforcement agencies, the culprits continue to walk freely.

It is against a backdrop of absolute inaction by the Ukrainian Government with regard to ensuring the safety of members of the press that the outrageous Myrotvorets website operates and continues to be updated. By disclosing the personal details of people, including journalists, it puts their lives at immediate risk.

There continues to be massive discrimination against national minorities and ethnic groups. The new provisions of the laws on the State language and on education are glaring examples of encroachment on Ukrainian citizens’ desire to speak Russian, which is the mother tongue of the majority of that country’s population.

Particular zeal is being displayed by the State Language Protection Commissioner, Mr. Kremen, who is actively seeking to reduce the space available for the use of other languages. Thus, in November last year, he demanded that the members of several local councils – in the Dnipropetrovsk, Zakarpattia, Zaporizhzhia, Luhansk, Mykolaiv, Odessa, Kherson and Chernivtsi regions – rescind their decisions granting other languages there the status of regional languages. Additionally, he sent a request to the Prosecutor General of Ukraine asking for pressure to be applied to that effect, including judicial pressure. In December 2020 and in April and May 2021, courts in Odessa, Zaporizhzhia and Kharkiv rendered judgments stripping the Russian language of any status whatsoever.

Incidentally, according to the data in an official report by that very same State Language Protection Commissioner, the number of classes with Russian as the language of instruction has more than halved in recent times: from 11,563 in 2019 to 5,421 in 2020.

These discriminatory steps by the Ukrainian authorities are in contravention of the European Convention for the Protection of Human Rights and Fundamental Freedoms, the European Charter for Regional or Minority Languages and the Framework Convention for the Protection of National Minorities.

The discriminatory nature of the linguistic legislation, which was flagged in 2019 by the Venice Commission of the Council of Europe, has not been remedied. What is more, on 14 July 2021, the Constitutional Court of Ukraine ruled that the discriminatory Law on Ensuring the Functioning of Ukrainian as the State Language was in conformity with the Constitution. And this despite the law clearly contravening the Constitution and the fact that it was passed with serious violations of the rules of procedure of the Verkhovna Rada (Ukrainian Parliament). It is obvious that this initiative is aimed at the forced Ukrainization of ethnic groups and national minorities, and also at reducing the space available for the use of the Russian language. Significantly, the aforementioned decision was adopted during an unprecedented constitutional crisis as the President of Ukraine attempted to replace the head of the Constitutional Court, Oleksandr Tupytskyi. As a result, the judgment was rendered in the absence of the latter. Yet, on that very same day, another judicial institution – the Supreme Court – ruled that the President lacked the authority to remove Mr. Tupytskyi.

Almost immediately afterwards, namely on 16 July this year, the latest set of regulations under the aforementioned law came into force. They have to do with culture and entertainment, the tourism sector, the

film industry, the screening of films and series in cinemas and on television, book publishing, concert and theatre life, and museum work. It is now mandatory for non-Ukrainian-language films to be dubbed into or voice-overed in Ukrainian. Quotas are being introduced for the number of cinema screenings of films that have not been dubbed: in any given month, they may not exceed 10 per cent of the total number of screenings. It goes without saying that such films are expected to have subtitles in Ukrainian. On 15 July, a draft law was introduced in the Verkhovna Rada whereby digital cinemas are to be required to broadcast in Ukrainian 75 per cent of the films produced and/or distributed for the first time after 16 July 2021 that are able to be accessed from the territory of Ukraine.

As for publishing houses, they are now obliged to print at least 50 per cent of their total annual circulation of copies of books in Ukrainian. However, exceptions have been made for publications in European Union languages and the languages of “indigenous peoples”. The most widespread language in Ukraine, namely Russian, was not included in that list.

Passing an examination to test the level of proficiency in the Ukrainian language is also being made obligatory for those aspiring to public office, seeking employment in local government bodies or applying for Ukrainian citizenship.

No less abhorrent is the recently adopted Law on the Indigenous Peoples of Ukraine, which aspires to extraterritorial validity and implies an unequal political and legal status for different ethnic groups. This law categorizes peoples that do not have their own State formation beyond Ukraine as indigenous. Essentially, it is no more than a public relations move aimed at enabling the Ukrainian Government to use three specific peoples for its further political “games”, since the law itself is simply not in accordance with internationally accepted working definitions of “indigenous peoples”. This means that it is fraught with major conflict potential while, at the same time, the Russian-speaking population, which numbers many millions, is discriminated against.

Moreover, the Ukrainian Government is demonstratively “forgetting” about the right to linguistic self-determination for the residents of Donbas provided for in paragraph 11 of the Package of Measures. By the same token, the Ukrainian authorities prefer not to remember the recommendation made in 2019 by the Venice Commission of the Council of Europe regarding the adoption of the Law on National Minorities.

All this is occurring amid efforts by the powers that be in Ukraine to rewrite history and actively pander to neo-Nazism. There is an ongoing whitewashing and glorification of Nazism and Nazi accomplices, who are perversely made out to be “participants in national liberation movements” and enjoy broad State support. Here is a fresh example. On 26 July, a commemoration took place in the city of Zolochiv, in the Lviv region, in honour of the members of the Galicia SS Division killed in action near Brody. The officials taking part in this gathering, including the city’s mayor, were wearing football jerseys adorned with the insignia of that military formation. By the way, SS structures, including SS troops (such as the Galicia Division), were declared to be criminal entities by the Nuremberg Tribunal.

But what about the norms of Ukrainian legislation that forbid the propagation of Nazi symbols, then? Well, no, you see, the green light has been given for that. Radical right-wing organizations, such as Right Sector, Azov, the Social-National Assembly and others, feel quite at home. They openly incite ethnic hatred and actively propagate the ideas of racial superiority and national exclusivity.

Significantly, on 23 July, the dismantling of the Monument to Military Glory in Lviv was completed, that is, of a monument honouring the Soviet soldiers who fell fighting to liberate that city during the Great Patriotic War. In the fierce battles with the Nazis that took place in western Ukraine at the time, 65,000 Red Army soldiers from all the republics of the Soviet Union were killed – of whom 3,500 were buried next to

the site of the Lviv memorial. Such a profanation of one's own past constitutes a cynical act of State vandalism.

In short, ever since the anti-constitutional coup d'état on the Maidan in 2014, the situation in Ukraine has deteriorated even further. The slaughtering of peaceful protesters at the Trade Union House in Odessa on 2 May 2014 and in Mariupol on 9 May of the same year, the crimes committed during the so-called "anti-terrorist operation" and many others remain uninvestigated.

As we have shown today, these violations have been "topped up" with new excesses: the complete Ukrainization of education and the media contrary to international obligations regarding the protection of the rights of national minorities, the persecution of journalists and much more besides (the list is endless).

All these facts indicate that an "administrative practice" has now become established in Ukraine. That is a legal term used to designate systematic tolerance, at the level of the authorities, of violations of the European Convention for the Protection of Human Rights and Fundamental Freedoms committed not only by State institutions but also by private individuals. Accordingly, the Russian Federation has lodged an inter-State application against Ukraine at the European Court of Human Rights. In a context where the Ukrainian Government is revelling in its complete impunity while international bodies sit idly doing nothing, the timeliness of this step is obvious.

We count on the Court to display an impartial attitude when considering the complaint filed by Russia and to study thoroughly the solid evidence presented of violations of human rights by the Ukrainian authorities.

We call on the relevant OSCE structures as well, including the Office for Democratic Institutions and Human Rights, the High Commissioner on National Minorities and the Representative on Freedom of the Media, to respond appropriately and in a timely manner to the Ukrainian Government's flouting of its human rights obligations.

Thank you for your attention.