

Minorities In Ukraine

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Abstract

The article deals with the position of national minorities in the former union states of the Soviet Union. It deals specifically with the position of national minorities in Ukraine. Based on the analysis and comparison, it examines and describes the position of these minorities society, examines and evaluates the protection of their civil and minority rights. In the context of Ukraine's effort to become a member of the EU, the article observes how the standards of human and minority rights protection typical of democratic states in Europe are respected by Ukraine, as well as the criteria and requirements for the protection of human (civic) and minority rights by the European Union. The article is based on the premise that the standards and criteria that both the European Union and the Council of Europe place for the protection of minorities do not reach the usual parameters in Ukraine. The political representatives of Ukraine deliberately do not meet these standards, while there is no response to such a situation from the EU.

Keywords: minorities, minority languages, language law, discrimination, EU and NATO membership, Ukraine

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I. Introduction

In an essay entitled "On the historical unity of Russians and Ukrainians", Vladimir Putin characterized the collapse of the Soviet Union (USSR) in 1991 as a geopolitical catastrophe of the 20th century¹, because this act left millions of people abroad overnight². The former USSR thus lost 40% of its territory and more than 25 million of its citizens, of which up to 12 million found themselves in the new Ukrainian state. Russia suffered a similar loss for the second time in the 20th century, since after Nazi Germany invaded the USSR in 1941 and unleashed a bloody world war, fighting not only with the regular army, but murdering, even with the help of domestic minions, the civilian population lost more than 26 million Soviet citizens of all nationalities³.

Successor states with numerous minorities emerged on the ruins of the USSR. Neither of them can declare ethnic homogeneity. Nevertheless, some of them have opted not for a democratic but for an ethnocratic political regime, in which the state apparatus and the entire social life are controlled by a dominant ethnic group, in which not citizenship but ethnicity is the key to securing resources and power, and in which ethnicity is a characteristic principle, while democracy serves as a facade to justify the introduction of discriminatory restrictions on those who do not belong to a given ethnic minority⁴. Such an approach was chosen from the post-Soviet republics, for example Estonia and Latvia⁵, thereby creating a new category of people of the second category, which is not even recognized by international law - non-citizens, or non-citizens, since they excluded

¹ STENT, A. 2022. The Putin Doctrine. A Move on Ukraine Has Always Been Part of the Plan. In *Foreign Affairs* [online]. January 27, 2022. [2022-7-21]. Available on: <https://www.foreignaffairs.com/articles/ukraine/2022-01-27/putin-doctrine>

² PUTIN, V. 2021. O historickej jednote Rusov a Ukrajincov. Slovensko-ruská spoločnosť. [online]. 15.7.2021 22:08:54 [2022-7-21]. Available on: : <http://www.srspol.sk/clanek-vladimir-putin-o-historickej-jednote-rusov-a-ukrajincov-22663.html>

³ This can already be considered genocide according to international law and compared to the Holocaust, which affected the Jews in the same war.

⁴ For a more detailed definition of ethnocracy, see: HOWARD, L.M. 2012. The Ethnocracy Trap. *Journal of Democracy* 23(4), p. 155-169. ISSN 1086-3214. doi:10.1353/jod.2012.0068. [online] [2022-7-21]. Available at: <https://muse.jhu.edu/article/487792>

⁵ According to: YIFTACHEL, O. - GHANEM, A. 2004. Understanding 'ethnocratic' regimes: the politics of seizing contested territories. In *Political Geography*. Volume 23, Issue 6, August 2004, Pages 647-676. [online] [2022-7-21]. Available at: <https://doi.org/10.1016/j.polgeo.2004.04.003>

from citizenship a large part of the population that has a permanent residence in the given countries, was born there, but she claims Russian nationality and her ancestors immigrated to the territory of these states after 1940.

This group of inhabitants is derogatorily referred to as "descendants of the occupiers" and as such, in the opinion of the political representatives of these countries in extreme cases, is not entitled to any status. Ukraine, on the contrary, co-existed with its minorities, especially the large Russian minority, in relative peace until 2014. Minorities took part in political and social life, had their own education and taught their own language. The turning point came in 2014, after the state and constitutional coup known as "Maidan", which brought to power the extreme right, nationalists and neo-Nazis with the tacit approval of local oligarchs, as well as acceptance by foreign actors such as the EU and the US administration represented by the US Embassy, which led to the deterioration of the position of national minorities and is also one of the reasons and pretext for the current (2022) military intervention of Russia in Ukraine.

On the basis of analysis and comparison, we will describe the situation and position of national minorities in Ukraine. Based on the official reports of the Council of Europe, we will evaluate the state of observance of human, civil and minority rights of minorities, based on the premise that these rights are deliberately suppressed by the establishment and the Council of Europe, as well as the EU, which offered Ukraine the status of a candidate for membership, this they don't solve the problem emphatically, they overlook it. The language law, which changes a 30-year-old practice and disrupts relations in a tense society, became the catalyst for the deterioration of relations between the majority society and minorities in Ukraine. Such a situation is unsustainable in the long term and can cause problems even in mutual neighborly relations, since one of the basic security interests of any state is also the protection and support of national minorities reporting to it. At the same time, the international community's guaranteed right of nations to self-determination also comes into play, which can lead to the disintegration of the state as a result of internal and external pressures. We observe these pressures today in Ukraine, where the Russian Federation intervened under the pretext of protecting the Russian-speaking minority from genocide, and at the same time some Ukrainian regions declared their will to secede from the mother country - Crimea, Donbass, Luhansk. Russia is also acting on the basis of experience from the Baltics, where Estonia and Latvia, at that time members of the Council of Europe as well as the European Union and NATO, turned their Russian minorities into non-citizens, i.e. people without legal status, without adequate response and condemnation from the international "democratic" bodies. Unlike the Baltics, however, the situation has escalated in Ukraine, and practically since 2014, regions with a Russian-speaking minority have come under fire from the so-called anti-terrorist operation, as the Kyiv government decided to use violence instead of dialogue with its own citizens.

II. Minorities In Ukraine Before 2014

According to available sources, both official Ukrainian⁶, as well as sources of the Council of Europe, the European Union and others (including Wikipedia)⁷, the last population census in Ukraine was held in 2001⁸. This is the first and also the last population census since the declaration of independence in 1991. Based on this census, all sources state that 48.5 million people live in Ukraine⁹, of which 77.8% of the population claim Ukrainian nationality, 17% Russian. 3% (8,334,100 persons, which includes both people coming from outside

⁶ State Statistics Committee of Ukraine. Available at: <http://2001.ukrcensus.gov.ua/eng/results/general/>

⁷ See pages: 1295th meeting, 27 September 2017. 10 Legal questions. 10.4 European Charter for Regional or Minority Languages. b. Third report of the Committee of Experts in respect of Ukraine. Item to be considered by the GR-J at its meeting on 14 September 2017 Available at: https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=090000168073cdfa; World Directory of Minorities and Indigenous Peoples. Available at: <https://minorityrights.org/country/ukraine/>; Ukraine. Available at: https://ec.europa.eu/neighbourhood-enlargement/european-neighbourhood-policy/countries-region/ukraine_en; Ukraine. Available at: https://sk.wikipedia.org/wiki/Ukrajina#Národnostné_zloženie

⁸ Despite the promise of the Ukrainian government, the new census was postponed several times and was not even held in 2020 as planned.

⁹ State Statistics Committee of Ukraine. Available at: <http://2001.ukrcensus.gov.ua/eng/results/general/>

Ukraine and people who were born in Ukraine and claim Russian nationality¹⁰), Belarusian 0.6%, (275,800) Moldovan 0.5% (258,600), Crimean Tatar 0.5% (248,200), Bulgarian 0.4% (204,600), Hungarian 0.3% (156,600), Romanian 0.3% (151,000), Polish 0.3% (144,100), Jewish 0.2% (103,600), Armenian 0.2% (99,900) Greek 0.2% (91,500) of the population, 1.6% of the population (mostly Gypsies¹¹), Azerbaijanis, Slovaks, Georgians, Germans, Gagauz, Tatars). In summary, according to data from this all-Ukrainian population census, more than 130 nationalities and ethnic groups live on the territory of Ukraine¹².

III. Russians

Until 1989, Russians were the majority only in Crimea, but in other regions of Ukraine they were numerous minorities. Today, the Russian minority predominates in the south-east of Ukraine, where in some regions it even formed a majority (Crimea). It is 38.2% in Donetsk region, 39% in Luhansk region, 25.6% in Kharkiv region, 24.7% in Zaporozhye region and 20.7% in Odesa region. This also strengthened the importance of the Russian language, which, as it became clear during the population census in 2001, is the first language for 14.8% of ethnic Ukrainians, and up to 30% of the population of Ukraine consider it their mother tongue¹³; respectively, approximately 33% of Ukrainians do not speak Ukrainian. In the southeast, it is sometimes significantly more than is shown by the national composition, where, for example, in Donetsk region it is 74.9%, in Luhansk 68.8%, in Kharkiv region 44.3% and in Odesa 41.9%. Some surveys confirm that Russian is even more widespread. According to the analysis of the Kyiv International Institute of Sociology, in 2004, about 43-46% of the population used Russian at home and more than 90% in the regions of Crimea and Donetsk¹⁴.

According to a 2012 survey by the sociological group *Rating*, 50% of Ukrainians considered Ukrainian their mother tongue, 29% Russian, but up to 20% of Ukrainians considered both languages their mother tongue. 45% of respondents used the Ukrainian language at home, 39% used Russian, and 15% of respondents used both languages equally. In the west of Ukraine (91%), in the midlands (73%) and in the north (51%) Ukrainian was predominantly spoken at home during the given period, in the east (65%), in the south (67%) and in the Donbass (83%) mostly Russian. Russian is also spoken by the majority of Ukrainian Belarusians and Jews. Romanians, Ruthenians, Hungarians and Crimean Tatars also maintain their native language. The Ukrainian language was mostly used by middle-aged and older people, much more so in rural areas. Thus, fewer people spoke Ukrainian than considered it as their mother tongue, and conversely, more people spoke Russian than considered it as their mother tongue¹⁵. Even today, extensive bilingualism persists in Ukraine, where ethnic Ukrainians, who consider Ukrainian their mother tongue, speak Russian very well. The Russian-Ukrainian linguistic border itself is fluid and unbounded, especially in the central and eastern parts of the country, where a hybrid vernacular known as *Surzhyk* is used, combining the vocabulary and syntax of both languages (a mixture of predominantly Ukrainian grammar and Russian vocabulary).

The Russian population began to resettle more significantly in Ukraine in the late 18th century after the northern Black Sea coastal region was annexed to Russia after the conquest of Crimea from the Ottomans in

¹⁰ State Statistics Committee of Ukraine. About number and composition population of UKRAINE by data All-Ukrainian population census'2001 data. Available at: <http://2001.ukrcensus.gov.ua/eng/results/general/nationality/>

¹¹ The official website of the Ukrainian Statistical Office works with the term "Gypsy". See at: <http://2001.ukrcensus.gov.ua/rus/results/general/nationality/>

¹² State Statistics Committee of Ukraine. About number and composition population of UKRAINE by data All-Ukrainian population census'2001 data. Available at: <http://2001.ukrcensus.gov.ua/eng/results/general/nationality/>

¹³ Linguistic composition of the population. About number and composition population of UKRAINE by All-Ukrainian population census'2001 data. Available at: <http://2001.ukrcensus.gov.ua/eng/results/general/language/>

¹⁴ Портрет электоратов Ющенко и Януковича. Тема: Политические предпочтения. Анализ результатов голосования на Президентских выборах 2004 года. 18. 1. 2005. Available at: <http://www.analitik.org.ua/researches/archives/3dee44d0/41ecef0cad01e/>

¹⁵ RATING. THE LANGUAGE QUESTION, THE RESULTS OF RECENT RESEARCH IN 2012. Date posted: 25.05.2012. Available at: https://ratinggroup.ua/en/research/ukraine/yazykovoy_vopros_rezultaty_poslednih_issledovaniy_2012.html

1783. Rapid industrialization in the late 19th and early 20th centuries led to a further influx of Russian population into the area, primarily into the urban centers of Ukraine. In the 1930s, another million Russians immigrated to Ukraine. The Russian community also absorbed other national groups and minorities, especially Serbs, Greeks and Jews. After the Second World War, a large number of the Russian population settled in connection with the post-war reconstruction of Ukraine, especially in its eastern industrial regions. In the 1960s, Russian immigration accelerated, and between 1959 and 1989, the number of Russians in Ukraine increased from 16.9% to 22.1% (from 7.1 million to 11.36 million). Most of them went to Crimea¹⁶.

After the declaration of Ukraine's independence in 1991, there were concerns about possible separatist tendencies of the Russian minority, mainly due to the geographical proximity of the strongly Russified East and Crimea to the Russian Federation. The contradictions in the previously seemingly united society were underlined in June 1992 by the formation of the Ukrainian Orthodox Church, which divided the Orthodox religious community, with many believers remaining loyal to the Moscow Patriarchate. However, fears about the separatist tendencies of the Russian minority were not confirmed during this period. In general, with the exception of Crimea, demands for autonomy and protection of the Russian language prevailed. In the referendum in December 1991, many Russians voted for the independence of Ukraine, and the electoral success of representatives from the east and south of Ukraine, including the president who became Leonid D. Kuchma in 1994, contributed to the weakening of demands for secession or even unification with Russia¹⁷.

The first serious contradictions and the so-called the Russian-Ukrainian axis appears in the period of the so-called of the Orange Revolution in 2004. The political programs of the presidential candidates Viktor Yushchenko and Viktor Yanukovich offered opposing pro-European and pro-Russian orientations, which served to further polarize society. This trend was reinforced by a media campaign at home, as well as abroad, which portrayed the presidential elections exclusively in terms of Ukrainian-Russian differences. Russian President Vladimir Putin's visit to Kyiv during the campaign and his congratulations on Yanukovich's first election victory also contributed to this polarization. The opposition camp spread reports that the election had been rigged, leading to a series of protests known as the Orange Revolution, led by supporters of Viktor Yushchenko, about which A. Zubov, a Russian professor, religionist, and political scientist commented: *"It remains beyond any doubt that the Orange the revolution was carefully prepared. Observers pointed out how quickly orange symbolism spread in enormous numbers, how well organized, equipped and supplied the tent cities were. Western organizations operating in Kyiv and other Ukrainian cities managed to prepare youth and student activists ahead of time, who were at the forefront of civil disobedience actions, organized discussions among the intelligentsia, supported liberal media, etc."*¹⁸ Street protests led to a repeat of the election, in which Viktor Yushchenko was declared the winner¹⁹. Immediately after his "victory", speculations began to appear about the possible division of Ukraine, or even the secession of the eastern regions. But these exaggerated speculations were never confirmed. Moreover, they overlooked the range of ideas of the Ukrainian-speaking and Russian-speaking population about their own Ukrainian identity. The question of raising the Russian language to an official language in the program of Yanukovich's Party of Regions reflected the desire of Russians for the visibility of Russian culture as part of Ukrainian politics and at the same time became an effective campaign strategy of this party. Following parliamentary elections in March 2006, many regions in eastern and southern Ukraine, including Kharkiv and the Crimean capital Sevastopol, attempted to unilaterally elevate Russian to an official language at the regional level. The Crimean branch of the Party of Regions even started collecting signatures in February 2006 in support of a referendum according to which Russian would be

¹⁶ Russians and Russian-speakers. World Directory of Minorities and Indigenous Peoples. September 2018. Available at: <https://minorityrights.org/minorities/russians-and-russian-speakers-2/>

¹⁷ Russians and Russian-speakers. World Directory of Minorities and Indigenous Peoples. September 2018. Available at: <https://minorityrights.org/minorities/russians-and-russian-speakers-2/>

¹⁸ ZUBOV, A. B. 2015. Dějiny Ruska 20. století. Vyd. 1. Zväzok II. : 1939-2007. Praha: Argo, 2015. 769 s. ISBN 978-80-257-0964-1. s. 700

¹⁹ At the time, the demonstrations gave the impression that the whole of Ukraine was behind V. Yushchenko, but even the result of the repeated third round was very close: V. Yushchenko won 51.99% of the votes and there were two and a half million fewer voters in the third round. In the following presidential elections in January and February 2010, Yanukovich (49%) defeated Yulia Tymoshenko (45%) and Viktor Yushchenko (5%), and on February 25, 2010, he became the president of Ukraine.

elevated to an official language. However, Kyiv called these attempts unconstitutional, since the constitution recognized Ukrainian as the only state language²⁰. However, the government led by then Prime Minister Yanukovich proposed a law that was supposed to regulate the use of Russian and the application of the European Charter of Regional and Minority Languages. Such a change of approach on the part of Yanukovich suggests that the issue of Russian status was seen as an effective electoral strategy rather than a real political imperative and that the differences between Ukrainians and Russians were not as politically decisive as the media campaign might have made them seem. According to some analysts, at that time even the schematic division into east and west along the Ukrainian-Russian axis was exaggerated, and they indicated that ethnic and regional differences were cross-sectional rather than mutually reinforcing, and that in the east of Ukraine political programs from west of the country²¹.

IV. Other Minorities

According to data from the last population census, the Hungarian minority in Ukraine has 156,600 members (0.3%), which represent the largest Hungarian diaspora in the world. This minority is mainly concentrated in the Transcarpathian region²² and is referred to in Hungarian as Kárpátaljai magyarok - Transcarpathian Hungarians. This area borders Hungary, Slovakia, Romania and Poland. It is a multi-ethnic region with a rich history, which gradually became part of Austria-Hungary, Hungary, Czechoslovakia, Romania, the Soviet Union and Ukraine only in the 20th century. Without obtaining a passport and traveling, a person could become a citizen of five different states. Until 1918, until the Treaty of Trianon was adopted, it was part of the Kingdom of Hungary, respectively Austria-Hungary, with the exception of the period in the 17th century, when during the reigns of Gabriel Bethlen (1580-1629) and Juraj I. Rákóczy (1593-1648) it belonged to Principality of Transylvania. For the Hungarians themselves, this region has an important symbol in the building and cultivation of their national identity, as it is here, in the Verets Pass, that Arpád, the leader of the Hungarian tribes, allegedly crossed the Carpathians on his way to Pannonia. And here is Palanok Castle, also known as Munkács Castle in Mukachevo, which became a symbol of the anti-Habsburg resistance after - two years after the defeat of the Ottomans in the Battle of Vienna in 1685 - Ilona Zrínyi (Helena Zrínska) successfully defended it for three years before the imperial army.

Hungary is said to be the first country to recognize Ukraine's independence in 1991. Its then-president Árpád Göncz, during his visit to Transcarpathia, signed a joint declaration, which was followed by a state treaty in December 1991, which granted collective and individual rights to the ethnic Hungarian minority and which it

²⁰ Article 10. Constitution of Ukraine. Adopted at the Fifth Session of the Verkhovna Rada of Ukraine on 28 June 1996. Available at:

<https://web.archive.org/web/20110521190059/http://www.rada.gov.ua/const/conengl.htm>

²¹ Russians and Russian-speakers. World Directory of Minorities and Indigenous Peoples. September 2018. Available at: <https://minorityrights.org/minorities/russians-and-russian-speakers-2/>

²² Other names for the area are Subcarpathian Rus, Carpathian Rus, Hungarian Rus, Subcarpathian, Ruthenian, Transcarpathian Ukraine, Transcarpathia, Prikarpat'sko, Silver Land, Russian Land, Kárpátalja (Subcarpathia), Észak-Keleti Felvidék (Northeastern Upper Hungary), Kárpát-Ukraine (Carpathian Ukraine), Karpatenrussland (Podkarpatska Rus), Karpaten-Ukraine/Karpato-Ukraine ((Trans)carpathian Ukraine), Transkarpatien (Transcarpathia), Subcarpathia (Podkarpatsko), Carpathian Rus/Ruthenia/Russia (Carpathian Rus), Carpathian Ukraine/Carpatho- Ukraine ((Trans)carpathian Ukraine), Transcarpathia, (Transcarpathian), Subcarpathian Ruthenia (Podkarpatská Rus). In: RYCHLÍK, J.-RYCHLÍKOVÁ, M. 2016., p. 8,40.

At the census in 2001, 1,254,614 people lived in the Transcarpathian region. The estimate from 2004 speaks of 1.2 million inhabitants. Ethnic Ruthenians make up the majority of the population, officially registered as Ukrainians with 80.5%, Hungarians are the second most significant minority here with 12.1%. Other significant minorities are Romanians (2.6%), Russians (2.5%), Roma (1.1%), Slovaks (0.5%) and Germans (0.3%). See: State Statistics Committee of Ukraine. About number and composition population of UKRAINE by data All-Ukrainian population census'2001 data. Available at: <http://2001.ukrcensus.gov.ua/eng/results/general/nationality/>

ensured the preservation of its ethnic, cultural, linguistic and religious identity, as well as education at all levels in the mother tongue²³ and participation in local bodies responsible for minority affairs²⁴. In addition to Ukrainian citizenship, the Hungarian minority also has Hungarian citizenship, although Ukrainian law does not recognize dual citizenship²⁵. This is how it happened that in the European Parliament elections in 2014 Andrea Bocskor, ethnic Hungarian, citizen of Hungary, living in the city of Berehove in Ukraine, was the first holder of a Ukrainian passport in the European Parliament, ran for the Fidesz party and was elected as a deputy²⁶.

According to Krisztina Lajosi, the Hungarian minority in Ukraine never sought to secede from Ukraine and reunify with Hungary. Its political goal was to achieve autonomy within Ukraine. Hungarian Prime Minister Victor Orbán also demanded autonomy for the Hungarians in Transcarpathia, which Ukrainian politicians firmly rejected, claiming that such a proposal serves Putin's plans to further destabilize Ukraine. Lajosi claims that Orbán never directly referred to irredentism, but that his claim and support for autonomy was a tactic to secure the votes of the Hungarian minority in Ukraine, to whom he issued passports and granted the right to vote in Hungarian elections²⁷.

According to official data, 151,000 Romanians and 258,600 Moldovans also live in Ukraine. However, the exact number of each group cannot be clearly defined due to territorial disputes between Romania and Moldova, creating uncertainty in defining Moldovan identity. Northern Bukovyna (Chernivtsi) and Southern Bessarabia (parts of Odesa Oblast) were transferred from Romania to the Ukrainian Soviet Socialist Republic under the terms of the Molotov-Ribbentrop Pact, signed on August 23, 1939. The Romanian-Moldovan population of Chernivtsi has been active since the declaration of Ukraine's independence and has been demanding Ukrainian government cultural and political rights, especially special language rights in areas of compact settlement. In December 1991, even some Romanians/Moldovans in Chernivtsi reportedly boycotted the Ukrainian independence referendum, and the Romanian government even declared the referendum in the area invalid. As part of negotiations with Ukraine, she tried to raise the issue of the transfer of territory from 1939, which the Ukrainian government refused to discuss and at the same time refused to return to the state before the conclusion of the Molotov-Ribbentrop agreement²⁸.

Ethnic Bulgarians (204,600) are concentrated in the Odesa region, especially around the city of Bolhrad and on the Zaporizhia coast. Similarly, as in the case of the Bulgarians in Moldova, the Bulgarian government tried to build ties with the Bulgarian minority here as well. The most ethnically diverse region is Budžak, where, in addition to Ukrainians and Russians, 21% of the Bessarabian Bulgarian minority and 4% of the Gagauz minority live. Since the last census of the population of the USSR in 1989 (0.9%), the Jewish

²³ Currently, there are 71 Hungarian schools in Ukraine with 16,000 enrolled students. Residents of seven villages in the Mukachevo region have the opportunity to learn the Hungarian language at school or at home. The first Hungarian college in Ukraine is in Berehovo (František II. Rákoczi College). (LAJOSI, K. 2022) Source: How many children in Ukraine are taught the languages of national minorities? Available at: <https://www.slovoidilo.ua/2017/09/26/infografika/polityka/skilky-ditej-ukrayini-navchayutsya-movamy-nacjonalnyx-menshyn>

²⁴ KOVRIG, B. 2000. Partitioned nation: Hungarian minorities in Central Europe. In: Michael Mandelbaum (ed.). The new European Diasporas: national minorities and conflict in Eastern Europe, New York: Council on Foreign Relations Press, s. 19-80.

²⁵ Article 4. Constitution of Ukraine. Adopted at the Fifth Session of the Verkhovna Rada of Ukraine on 28 June 1996. Available at:

<https://web.archive.org/web/20110521190059/http://www.rada.gov.ua/const/conengl.htm>

²⁶ Громадянка України стала депутатом Європарламенту. ЧЕТВЕР, 3 ЛИПНЯ 2014, 10:49. Available at: <https://www.eurointegration.com.ua/news/2014/07/3/7023891/>; Andrea Bocskor (PPE). European parliament. Online:

https://www.europarl.europa.eu/doceo/document/CRE-8-2014-07-15-INT-2-118-000_EN.html?redirect

²⁷ LAJOSI, K. 2022. Minorities Blog. Disinformation, Digital Nationalism and the Hungarian Minority in Ukraine. ECMI. Available at: <https://www.ecmi.de/infochannel/detail/ecmi-minorities-blog-disinformation-digital-nationalism-and-the-hungarian-minority-in-ukraine>

²⁸ Ukraine. World Directory of Minorities and Indigenous Peoples. 2018. Available at: <https://minorityrights.org/country/ukraine/>

population has faced a significant decrease in the form of emigration, so that in the year it represented 103,600 members, i.e. 0.2% of the population²⁹. In many parts of Ukraine, this minority developed a lively cultural and religious life, organized a Jewish congress. Jews live mostly in Russified urban areas and use the Russian language. Although the government has made efforts to develop good relations with the Jewish community and close contacts with Israel, these are harmed by the numerous anti-Semitic and neo-Nazi groups that operate today even officially with the support of the Ukrainian government.

The once large minority of Poles (in 1931 they made up 63.5% of Lviv's population and in the past even the ruling class in western Ukraine) largely disappeared during Second World War, also as a result of the Volyn massacre of Poles by Ukrainian nationalists from the Ukrainian Insurgent Army (UPA) and the mass flight of Poles from the region³⁰, and as part of the post-war population exchange between the USSR and Poland. Today, 144,100 people (0.3%) claim to be a Polish minority. Several hundred Volhynian Czechs still live in the north-west of Ukraine, and there are several villages with a predominantly Czech population in the south of the country in the villages of Bohemka, Bobanovo and Veselynivka. In 1947, before repatriation to Czechoslovakia, 40,000 Czechs lived in Volyn in 647 purely Czech and ethnically mixed villages³¹.

Roma (or Gypsies according to the Ukrainian authorities) are, like elsewhere in Eastern Europe, the most marginalized community. According to the 2001 census, there should be around 47,600 of them, but similarly to other Eastern European countries, their number is estimated to be higher, around 200 to 300,000. The Carpathian Ruthenians (Lemkov, Hucul, and other ethnic groups) were not in the official census, they were counted as a separate nation and most of them claimed Ukrainian nationality. Officially, the Ruthenian nationality does not even exist in Ukraine. Officially, they are not considered a separate nation, but an ethnic group of the Ukrainian nation, although in the years 1918-1939 they formed the majority in the territory of the Transcarpathian region. And they make up the majority here even today, but they are officially registered as Ukrainians with 80.5%. According to the last census, about 10,000 inhabitants, i.e. about 0.8% of the population, consider themselves to be Ruthenians - as a separate nation. As for the German minority, 350,000 Germans were expelled from Ukraine in 1941. In 1992, Germany and Ukraine agreed that up to 400,000 Germans from Kazakhstan, which at that time was still part of Russia, would resettle in Ukraine. However, most of them preferred to resettle in Germany. Those who did move to Ukraine received some help from the German government³².

V. The Coup In 2014³³ And The Language Law

The relatively peaceful, balanced coexistence of the citizens of multi-ethnic Ukraine was disturbed by political disputes about the future direction of the state in foreign policy, which were very significantly influenced from the outside, both by Russia, the USA and the EU. The political situation in the country has

²⁹ National composition of population. About number and composition population of UKRAINE by All-Ukrainian population census'2001 data. Available at: <http://2001.ukrcensus.gov.ua/eng/results/general/nationality/>

³⁰ According to Polish historians, Ukrainian nationalists killed a total of 100,000 Poles between 1942 and 1945, and another 500,000 fled Volhynia. Along with them, Volyn Czechs also became victims of murder. Source: Fratricide is always horrible. Komorowski recalled the Volyn massacre. iDNES.cz (Prague: MAFRA). 2013. Available at: https://www.idnes.cz/zpravy/zahranicni/volyne.A130714_165601_zahranicni_ert

³¹ CT24. Volyn Czechs – a community at the crux of Ukraine's wild history. 25 March 2014 Available at: <https://ct24.ceskatelevize.cz/svet/1042172-volynsti-cesi-komunita-v-klinci-divokych-dejin-ukrajiny>

³² Ukraine. World Directory of Minorities and Indigenous Peoples. 2018. Available at: <https://minorityrights.org/country/ukraine/>

³³ George Friedman, director of the Stratfor agency, called the event in 2014 "it truly was the most blatant coup in history". Source: "In Ukraine, U.S. interests are incompatible with the interests of the Russian Federation" Stratfor chief George Friedman on the roots of the Ukraine crisis. Interview by Elena Chernenko and Alexander Gabuev. Published 17-01-2015, 16:00. US-Russia.org. Available at: <http://us-russia.org/2902-in-ukraine-us-interests-are-incompatible-with-the-interests-of-the-russian-federation-stratfor-chief-george-friedman-on-the-roots-of-the-ukraine-crisis.html>

never been ideal. Economically³⁴, and thus politically, the country was and is divided and controlled by a few very rich oligarchs, who asserted their influence and power both politically through their politicians and a high degree of corruption³⁵, as well as violently, also through private paramilitary armed units. Citizens' interests were politically asserted against the background of these power struggles, accompanied by outside interventions. Power in Kyiv is also often obtained in an "occupational" way, when it is not decided who won the most votes, but who controls the centre of Kyiv with his supporters. The support of not only oligarchs, but also foreign embassies³⁶ and non-governmental organizations is important. The dispute over economic and foreign policy orientation brought to the fore ultra-right, neo-Nazi groups such as the Right Sector and its semi-Venice offshoots such as the Azov, Aidar and Donbas battalions and legalized and romanticized fascist pogroms against the so-called non-Ukrainian population. By the Ukrainian insurgent army under the leadership of the fascist ultra-nationalist Stepan Bandera during World War II, of whom he made a national hero. In this context, in its reports, ECRI³⁷ has repeatedly expressed concerns about the actions of these groups against the

³⁴ GDP per capita in 2017 (in purchasing-power parity, PPP) was 8,656 USD. Since 2016 (with the exception of 2020, -3.9% due to the COVID19 pandemic), Ukraine's GDP has grown by 2-3.3% per year. GDP grew by 3.2% in 2021. Inflation for 2021 was 9.4%. The majority of international banks, rating agencies and analytical centres estimate a drop in Ukraine's GDP in 2022 to 30%. The Ukrainian economy continues to bear the hallmarks of the post-Soviet economy, oriented to trades with low added value. According to the methodology of the International Labour Organization, the actual unemployment rate increased to the level of 10.3% of the working population in 2021 and amounted to 1.79 million persons. The economy of Ukraine is comparable to developing countries such as, for example El Salvador, Bhutan, Morocco and Belize. Source: <https://www.businessinfo.cz/navody/ukrajina-souhrna-teritorialni-informace/2/>

³⁵ In 2021, Ukraine ranked 122 out of 180 in the Corruption Perceptions Index (CPI) with a score of 32. Source: <https://www.transparency.org/en/cpi/2021>

³⁶ Some foreign embassies even determine who should and should not be in the government, as evidenced by the famous leaked "Fuck the EU" phone call of Victoria Nuland, the then US ambassador to Ukraine, offering cookies to protesters and actively participating in the selection of a successor to the legal and legitimate president, who was still in power at the time. See: Secret conversation Nuland with Payett about Ukraine: "Let's Klitschko remains outside the game"/Секретный разговор Нуланд с Пайеттом об Украине: "Пусть Кличко остается вне игры". Available at: <https://kp.ua/politics/437445-sekretnyi-razghovor-nuland-s-paiettom-ob-ukrayne-pust-klychko-ostaetsia-vne-yhry>; or: Fuck the EU': US diplomat Victoria Nuland's phone call leaked – video. Available at: <https://www.theguardian.com/world/video/2014/feb/07/eu-us-diplomat-victoria-nuland-phonecall-leaked-video>; or Ukraine crisis: Transcript of leaked Nuland-Pyatt call. Available at: <https://www.bbc.com/news/world-europe-26079957>

³⁷ The European Commission against Racism and Intolerance (ECRI) is a unique human rights monitoring body specializing in issues related to the fight against racism, discrimination (based on "race", ethnic/national origin, colour, nationality, religion, language, sexual orientation, gender identity and sexual characteristics), xenophobia, anti-Semitism and intolerance in Europe; prepares reports and issues recommendations to member states. It was founded at the first summit of heads of state and government of the member states of the Council of Europe in 1993 and began to function in 1994. It consists of 47 members appointed on the basis of their independence, impartiality, moral authority and expertise in solving issues of racism, discrimination, xenophobia, anti-Semitism and intolerances. Each member state of the Council of Europe appoints one ECRI member. More at: <https://www.coe.int/en/web/european-commission-against-racism-and-intolerance>

so-called vulnerable groups, including minorities, although the authorities in Kyiv deny their existence³⁸. In summary, it cannot be said that, despite the appearance and facade of democracy practiced through the application of certain basic rules such as a pluralistic form of government or recurring elections, considered as manifestations of democracy, the development of Ukraine was freely directed towards the stabilization and democratization of society. Rather, he tended to oligarchize and at the same time frustrate the population.

Internal contradictions and an open expression of dissatisfaction with the internal policy of the failing state gradually led in November 2013 to an open crisis, which the political power in Kyiv - despite the silence of the EU, the USA and human rights NGOs - is still solving the so-called with an anti-terrorist campaign against its own civilian population in the east of the country - especially against the Russian minority, while then President Poroshenko declared that the rebels would pay for every dead soldier with "*tens and hundreds of their lives*". Such a "punitive campaign" against one's own population - moreover, members of a national minority - would be labelled as genocide in other parts of the world under international law if it is accompanied by bombing and the flight of one's own civilian population across borders.

The primary cause of these events was the failure to sign the association agreement with the EU; this led to the escalation of tension in the streets of Kyiv until the unconstitutional and illegitimate change in the highest government positions in February 2014³⁹. Since then, Ukraine has been mired in a civil war, as its

³⁸See: <https://www.coe.int/en/web/european-commission-against-racism-and-intolerance/Ukraine>; or: ECRI REPORT ON UKRAINE (fifth monitoring cycle). Adopted on 20 June 201. Published on 19 September 2017. Available at: <https://rm.coe.int/fifth-report-on-ukraine/16808b5ca8>

³⁹ It can be concluded that the change was actually a constitutional coup in which the legally elected president was overthrown and replaced by illegitimately installed representatives of the Kyiv Maidan. On February 22, 2014, the Parliament of Ukraine (opposition leaders V. Klitschko, A. Jaceňuk, O. Tahnybog) refused to act according to the constitution and dismissed President Yanukovich in an unconstitutional manner, despite the fact that the foreign ministers of Germany, France and Poland had guaranteed the day before his position until the time when Ukraine reaches early elections. The Ukrainian Constitution in Article 111 precisely defined how the president can be dismissed. In addition to the precisely defined procedure with the involvement of the Supreme Court and the Constitutional Court, the consent of a three-quarters majority of deputies (338 deputies) was required. However, only 328 of them voted for the "repeal". In order to circumvent the procedure established by the constitution, the deputies unconstitutionally declared that the president had ceased to perform his duties. Subsequently, the revolutionaries decided to remove five inconvenient judges of the Constitutional Court for "violation of oath" because they were afraid that the Constitutional Court would again declare the actions of the deputies unconstitutional, as it had already done. This unconstitutional act was reflected in a series of other steps that have no basis in the Constitution of Ukraine, such as the announcement of the election of a new president or the announcement of the Anti-Terrorist Operation by Acting President Turchynov on April 13, 2014. Finally, the very process of forming a new government, where the members of the government were "approved" by the Maidan, was unconstitutional because the Maidan was not a legitimate representative of the citizens of Ukraine, which was subsequently shown in the resistance that formed against the new power. (Майдан согласовал сопад Кабмина. Available at: <https://comments.ua/politics/454746-maydan-soglasoval-sostav-kabmina.html>) According to Mandu, the Parliament rejected the Constitution by its actions and started acting only according to its own will and the state He turned Ukraine into a corpse of a state. As Thomas Hobbes said, the citizens of the state of Ukraine were thrown into a state of nature, i.e. a state in which no universally recognized law applies, but where the natural law of self-preservation applies, commanding everyone to preserve life by all available means. What Ukraine is actually dealing with today, but which it does not officially want to admit, is the real problem of its statehood caused by the unconstitutional procedure of the parliament on February 22, 2014. The legitimacy of the

eastern parts - Donetsk and Luhansk - have refused such a change⁴⁰, they feel neither trust nor support from the government in Kyiv, and gradually following the example of Crimea⁴¹, which joined Russia on the basis of a referendum in March 2014, began to declare their independence from Ukraine⁴². This is how New Ukraine emerged as a power-political unit, ideologically dominated primarily by hatred of Russia, which stems from the Bandera tradition, and economically still dominated by various groups of oligarchs.

Of course, these events affected the life and position of national minorities in Ukraine, especially the Russian one. The first consequence of the Maidan was the effort of the Ukrainian establishment to strengthen the Ukrainian language and attack the Russian language, although many of the Ukrainian politicians still do not

Kyiv government, resulting from the elections held, is not in accordance with the proclaimed constitution or the legality of the given power. So it is not true that Russia or the so-called separatists were breaking up the state of Ukraine - their initial resistance did not even prove the so-called pro-Russian orientation. With its unconstitutional action, Turčynov, Jaceňuk and Maidan were already destroyed on February 22, 2014. It is a popular myth of politicians and various experts that Russia, by annexing Crimea, annexed part of the state of Ukraine. The truth is that at the time of Crimea's annexation to Russia, no state of Ukraine already existed and, in fact, the new state of Ukraine has not yet been formed. Crimea acted exactly in the spirit of natural law, looking for a way to preserve its existence as best as possible. (MANDA, V. 2015. A few thoughts on the edge of the new agreement from Minsk. Available at:

https://www.noveslovo.sk/c/Niekolko_myslienok_na_okraj_novej_dohody_z_Minska;

MANDA, V. 2022. Territorial integrity of Ukraine. (Short reflection on the 8th anniversary coup d'état in Ukraine). Available at:

https://www.noveslovo.sk/c/Uzemna_celistvost_Ukrajiny)

⁴⁰According to Fábry, by the fact that the demonstrators in Kyiv unconstitutionally overthrew President V. Yanukovich, they also unilaterally changed the constitution. President V. Yanukovich was elected in 2010 mainly by the residents of Donbass and Crimea, and when demonstrators in Kyiv unilaterally changed this fact in February 2014, the said regions refused to recognize the unconstitutional change. Since 2014, residents of the People's Republics of Crimea have not participated in the elections, and they have not recognized the elected bodies of Ukraine as their representatives. As a result, the constitutional unity was lost, which was also the guarantor of the territorial integrity of Ukraine. (FABRY, B. 2022. The West, Ukraine and Russia: where did the mistakes happen? Available at: https://noveslovo.sk/c/Zapad_Ukrajina_a_Rusko_kde_sa_stali_chyby)

⁴¹ Crimea became part of Russia based on the results of a referendum held on March 16, 2014, in which 96.8% of the participants voted for joining Russia. The EU, USA and even Ukraine did not recognize this referendum as legal and legitimate (isn't it the same case as Kosovo?). The referendum was preceded by riots in Kyiv and an illegitimate change of government, after which part of the Russian-speaking population of Ukraine began to fear further internal political developments.

⁴² This led to an aggressive policy of Kyiv against its own citizens, their fault being that they refused to recognize the coup d'état in 2014. Subsequently, instead of fulfilling the Minsk agreements, Ukraine militarily terrorized the citizens of Donetsk and Luhansk for eight years, while the aforementioned act of long-term aggression against its own citizens remained in almost unnoticed by the "democratic" world. In their case, the international community, meaning the USA and the EU in particular, does not recognize what is commonly referred to as the Kosovo precedent. To some extent, the whole Ukrainian conflict can be characterized as a mirror image of the war in Syria - here the West supports the government against the rebels, and Russia, unlike Syria, is on the side of the rebels. However, in both cases, the US administration maintains a strategic advantage in that both conflicts - in Syria and Ukraine - are very close to Europe, far enough from the US. (Brhlíková, R. 2014)

know the official state language. As already mentioned above, in everyday life Russian was predominant as a language of communication. It was usually possible to meet Ukrainian-speaking people in shops, restaurants, offices, and schools, to whom the staff automatically answered in Russian, and it was not always possible to find labels and product markings in Ukrainian. Thus, Russian dominated most spheres of social life, and Ukrainian remained only a kind of formal "ritual" language, serving for the purposes of political speeches and in official written communication and on official public inscriptions. Ukrainian legislation also contributed to this, because until 2012 the Soviet language law of 1989 was in force, according to which Russian was still the language of contact between nations, and thus, despite Article 10 of the Constitution, this law effectively confirmed bilingualism in Ukraine. Therefore, after the Maidan in 2014, the decision came to cancel the 2012 law that allowed minorities to introduce their languages into the administration in official communication in regions where they represented more than 10 percent of the population, which in the case of Russian was one of the triggers for the separatist uprising in the east of the country.

In 2017, a new law on education followed, the aim of which was to reform the education system so that all secondary education takes place exclusively in Ukrainian, which in the case of the Hungarian language would lead, for example, to the demise of the above-mentioned Francis II College. Rákoczi in Berehova/Beregszász, but also the existence of the University in Užhorog/Ungvár⁴³. According to the law, the teaching of minority languages at the level of kindergartens and primary schools should remain intact, i.e. in the first four years of primary school, the language of the minority may be used, but from the fifth year, two or more subjects may be taught in any of the EU languages. This absolutely excludes Russian, but includes Hungarian, Polish and Romanian. There are more than 15,000 schools in Ukraine. Of these, according to data from the Ukrainian Ministry of Education, Russian is used as the primary language in 581, Romanian in 75, Hungarian in 71 and Polish in five. Approximately 400,000 students are enrolled in these minority language schools⁴⁴.

The approval of this law provoked a strong reaction in Hungary, Romania, Russia, Poland, Bulgaria and Moldova. The Romanian parliament passed a statement criticizing the law and warned that Ukraine cannot expect to join the EU if it does not respect the rights of minorities. Romanian President Klaus Iohannis even cancelled his visit to Ukraine⁴⁵. The answer from Budapest was even clearer. The Hungarian Minister of Foreign Affairs Péter Szijjártó openly threatened that Hungary will not support Kyiv's attempt to further integrate into the EU if the law is implemented and several political parties organized demonstrations expressing their disapproval of this law. In a joint letter, the Hungarian and Romanian ministries of foreign affairs also joined the protest of Greece and Bulgaria⁴⁶. The Russian State Duma and Federation Council passed a resolution condemning the law as a violation of the rights of the Russian minority⁴⁷. However, a positive reaction to the law came from the USA⁴⁸.

The Ukrainian authorities submitted the law for review to the Venice Commission⁴⁹, which declared that *"strong domestic and international criticism, which has been provoked in particular by the provisions*

⁴³ The positive side of the law is that it allows schools to create their own curricula and choose teaching methods more freely.

⁴⁴ В Минобразования сообщили, сколько школьников учатся на русском языке РИА Новости Украина. Available at: <https://rian.com.ua/society/20170914/1027651661.html>

⁴⁵ Kyiv 'Disappointed' As Romanian President Cancels Ukraine Visit Over Language Bill. RFE/RL's Moldovan Service. September 22, 2017 12:38 GMT. Available at: <https://www.rferl.org/a/ukraine-romania-president-cancels-visit-over-language-law/28751116.html>

⁴⁶ WAGNER, M. 2017 Minority rights in Ukraine – who cares? Available at: <http://www.ladder-project.eu/?p=18400>

⁴⁷ SASSE, G. 2017. Ukraine's Poorly Timed Education Law. Carnegie Europe. October 02, 2017. Available at: <https://carnegieeurope.eu/strategieurope/73272>

⁴⁸ U.S. diplomats greet Ukraine on passing new education law. 23:40, 10.09.17. Available at: <https://www.unian.info/politics/2125641-us-diplomats-greet-ukraine-on-passing-new-education-law.html>

⁴⁹ The Venice Commission is an independent advisory body of the Council of Europe on constitutional matters. It focuses on advice and assistance in ensuring the compliance of the legislative and institutional structures of the member countries with European standards in the field of democracy, human rights and the rule of law. It consists of 61 member states, of

limiting the scope of education in minority languages, appears to be justified"⁵⁰. The Commission noted that Article 7 in particular raises questions about how the transition to all-Ukrainian secondary education can be implemented while preserving the rights of ethnic minorities and stated that the provision allowing for the teaching of some subjects in official EU languages such as Hungarian, Romanian and Polish appears as discriminatory against Russian speakers, which is the most widely used non-state language⁵¹.

However, the position of representatives of national minorities, especially the governor of the Zakarpattia region Hennadiy Moskal, was unambiguous. According to them, the law is in conflict with the European Charter of Regional or Minority Languages, to which Ukraine applies. It is an instrument directed against minority languages, primarily against Russian. Moskal's spokesman, Yaroslav Halas, commented on the goals of the law as follows: "We understand that this law is aimed primarily against the Russian language, because it dominates the capital, the eastern regions. But in Zakarpattia it affects national minorities... This law is aimed at protecting the Ukrainian language, but especially against Russian. It is not aimed at protecting the 150,000 Hungarians or the several tens of thousands of Romanians who also live in the Chernivtsi region or in the Odesa region, where Moldavians and Gagauz live"⁵². It only caused the deterioration of relations with Hungary, which started issuing passports to members of the Hungarian national minority and is blocking Ukraine's attempt to integrate into the EU and NATO⁵³.

At its 1295th meeting on September 27, 2017, the Council of Europe stated that despite the fact that the European Charter of Regional and Minority Languages entered into force in Ukraine in 2006 and was supposed to apply to the languages of Belarusian, Bulgarian, Crimean Tatar, Gagauz, German, and Greek. In its report, the Council of Europe also states that the teaching of minority languages is not uniform for all these languages. Russian, Hungarian and Romanian are used as the medium of instruction, most other languages are taught only as a subject in primary and secondary schools. There is also a limited offer in pre-school education, and in technical and vocational education, no minority language is used except Russian. The Belarusian language and Yiddish are not taught at all. Russian and to some extent Hungarian and Romanian are used in the courts, other languages are not used in accordance with Ukraine's obligations under the Charter. Similarly, local and regional authorities use only Russian, Hungarian and Romanian, the other languages have only symbolic representation, and they are not actually used. Television and radio broadcasts in minority languages are too short, and newspapers publish only in Bulgarian, Hungarian, Moldovan, Polish, Romanian and Russian. Romani is not used at all.⁵⁴

At its 1332 meeting on 12 December 2018, the Committee of Ministers recommended that Ukraine adopt a structured approach for each language to the implementation of its Charter obligations in cooperation with the relevant speakers; develop and implement for each Part III language a comprehensive teaching policy

which 47 are members of the Council of Europe, another 13 are non-European, and Kosovo is also a member. It meets annually in Venice.

⁵⁰ EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW (VENICE COMMISSION). UKRAINE - OPINION ON THE PROVISIONS OF THE LAW ON EDUCATION OF 5 SEPTEMBER 2017 WHICH CONCERN THE USE OF THE STATE LANGUAGE AND MINORITY AND OTHER LANGUAGES IN EDUCATION. Opinion No. 902 / 2017. Available at:

[https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2017\)030-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2017)030-e)

⁵¹ PRENTICE, A. 2017. Criticism of Ukraine's language law justified: rights body. Reuters. DECEMBER 8, 2017. Available at: <https://www.reuters.com/article/us-ukraine-language-idUSKBN1E227K>

⁵² WESOLOWSKY, T. 2017. Ukrainian Language Bill Facing Barrage of Criticism from Minorities, Foreign Capitals. RFE/RL September 24, 2017 08:05 GMT. Available at: <https://www.rferl.org/a/ukraine-language-legislation-minority-languages-russia-hungary-romania/28753925.html>

⁵³ KENTISH, P. 2020. Hungary and Ukraine continue war of words over minority rights. March 12, 2020. Emerging Europe. Available at: <https://emerging-europe.com/news/hungary-and-ukraine-continue-war-of-words-over-minority-rights/>

⁵⁴ 1295th meeting, 27 September 2017. 10 Legal questions. 10.4 European Charter for Regional or Minority Languages. b. Third report of the Committee of Experts in respect of Ukraine. Item to be considered by the GR-J at its meeting on 14 September 2017. Available at: https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=090000168073cdfa

in those languages at all levels of education; to expand and strengthen the offer of radio and television broadcasting in Part III languages; to ensure that Part III languages can be used in practice in administration; promote the adoption and use of traditional and correct forms of local names in minority languages; to ensure long-term financial support to cultural facilities in order to ensure the stability of cultural activities in minority languages; and take decisive steps to promote the Romani language in order to protect it.⁵⁵

As for the EU, it clearly calls for linguistic diversity and prohibits discrimination on the basis of languages. It clearly supports the use of minority languages in secondary and higher education, as well as the support of university research on minority languages⁵⁶. If Ukraine really aspires to join the EU, then, although we understand the need to strengthen the position of the Ukrainian language in communication, Ukraine cannot discriminate against any language of any national minority with any of its laws.

The last act "*On ensuring the functioning of Ukrainian as a state language*", concerning the strengthening of the Ukrainian language and the restriction of the languages of national minorities in public relations and communication, primarily Russian, was adopted in September 2019. This law was supported by 268 deputies out of 450 and requires citizens to master Ukrainian. Officials such as parliamentarians, diplomats, judges, teachers, doctors must be fluent in the Ukrainian language. Ukrainian must be used compulsorily in the army, police, courts, and schools of all levels. All public announcements, i.e. decrees, signs and inscriptions must be in this language. Offenses against the law will be punished with a fine, and even imprisonment is permissible for contempt or degrading language. It was labelled as discriminatory by both the opposition and representatives of national minorities, and protests also came from abroad, especially from Russia and Hungary. The OSCE High Commissioner for National Minorities, Lamberto Zannier, also commented on it, saying that he understands the concerns of representatives of national minorities about the threat to their language rights, but at the same time supports efforts to promote the knowledge of the state language as a key tool to facilitate integration and social cohesion. However, he does not consider repression appropriate for the implementation of the law. He expressed his satisfaction in connection with the school law, which, in his opinion, should be dealt with in accordance with the recommendation of the Venice Commission, but he welcomed the extension of the period of its implementation until 2023.⁵⁷

VI. Conclusion

It is understandable that the post-Soviet Ukrainian society is searching for its national identity and the legitimacy of its existence. The stimulating factor of every nation is, of course, the language it tries to protect. It also protects its values, traditions, culture, history, meaning of life. However, in the European area and as an aspirant for membership in the European Union, it cannot do so at the expense of minorities legitimately and legally living on its territory. It is not possible to limit the use of minority languages, claiming that they undermine the use of Ukrainian in education, media or state institutions. It cannot even approach these minorities selectively, as we can see in Ukraine. As an example, we can cite the Crimean Tatar minority, which Ukraine treats decently only because Russia intervened against them, after the annexation of Crimea, because they remained loyal to Kiev. Similarly, he treats the Jewish minority, from which the current Ukrainian president Volodymyr Zelenskiy comes, and through whose patronage he is trying to become a member of the EU and NATO.⁵⁸ But there are minorities towards whom Kyiv is not so friendly. This is primarily the Russian minority, despite the fact that many Russian-speaking residents of Ukraine consider themselves Ukrainians and

⁵⁵ Recommendation CM/RecChL(2018)6 of the Committee of Ministers to member States on the application of the European Charter for Regional or Minority Languages by Ukraine. Available at:

https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016809026af

⁵⁶ Regional and minority languages in the European Union. European Parliamentary Research Service. Author: Magdalena Pasikowska-Schnass. Members' Research Service. September 2016. Available at:

[https://www.europarl.europa.eu/RegData/etudes/BRIE/2016/589794/EPRS_BRI\(2016\)589794_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2016/589794/EPRS_BRI(2016)589794_EN.pdf)

⁵⁷ Address by Lamberto Zannier OSCE High Commissioner on National Minorities to the 1229th plenary meeting of the OSCE Permanent Council. 2019. Available at:

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⁵⁸ Chodakiewicz, J. M. 2020. Ukraine's Policy on Minorities Still in the Making. NewsMax.com. Friday, 10 July 2020 10:04 AM EDT. Available at: <https://www.newsmax.com/marekjanchochodakiewicz/ukraine-minorities/2020/07/10/id/976568/>

support Ukraine as their homeland against Russia. Ukraine justifies the protection of the Ukrainian language through a special law in an effort to increase national cohesion and security and independence of the country, which, according to Chodakiewicz, may work in western Ukraine, but in its central and eastern parts they speak either ordinary Russian or a hybrid of Russian and Ukrainian, the so-called by surżyk. This means that the adoption of the above laws restricts many local people's ability to learn and communicate with their children in their native language.⁵⁹

The first victim of the Ukrainian language law was Yevheniya Vitalyevna Bilchenko, a Ukrainian poet and translator, writing in Russian, a doctor of cultural studies, an activist of the Ukrainian human rights movement, now a former professor at the M. P. Dragomanova National Pedagogical University, who, under the pressure of the SBU security service, from the university his criticism of the law was thrown out and on which extremist and nationalist groups, controlled by the SBU, have launched a literal hunt and are threatening her and her loved ones with death. The campaign against the Russian language and the Russian minority continues in such a way that the authorities banned the broadcasting of several Russian-language media (specifically 3 TV channels TV-112, TV-ZIK and TV-NewsOne) and at the beginning of 2021, when the party of the pro-Russian politician V. Medvedčuk, dubious trials were launched against this politician, which led to his imprisonment under house arrest.

The Ukrainian language law also significantly restricted the freedom of Bulgarians, Hungarians, Romanians, Poles and other minorities. The Hungarian government, but also - following the example of Hungary - the Bulgarian and Romanian governments are more or less involved in favour of their minorities in Ukraine. Some are flirting with the possibility of creating autonomous regions within Ukraine, and as a lever to protect the interests of their minorities; they are using the possibility of blocking negotiations on Ukraine's accession to NATO or the EU. The exception to this attitude is Poland, which approaches Ukraine as a strategic partner and considers the problems of minorities more of an obstacle to the perception of the broader geopolitical picture, specifically the Russian threat. That is why there has never been any property restitution for Poles in Ukraine, their language rights are being violated, as well as their right to education, and the Catholic Church is at a disadvantage when it comes to the return of its temples and other properties.⁶⁰

Considering the current situation in Ukraine, the government should abandon the path of revenge and escalation of relations between the majority and minorities and rather promote bilingualism and tolerance in education and public life in general. This does not exclude the obligation of pupils, students, officials, citizens to master the state language in addition to their native language, and it would also be an example for many EU member states on how to approach minorities and put into practice the much-declared European values.

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