



**Permanent Mission of Ukraine**  
to the International  
Organizations in Vienna

**Statement in response to  
the statement of the Russian Federation on linguistic and educational rights of  
national minorities in Ukraine**

As delivered by Ambassador Yevhenii Tsymbaliuk,  
Permanent Representative of Ukraine to the International Organizations in Vienna,  
to the 1256<sup>th</sup> meeting of the Permanent Council,  
23 January 2020

**Mr. Chairperson,**

In connection with the statement of the Delegation of the Russian Federation which raised the issue of alleged “linguistic and educational discrimination” in Ukraine, the Delegation of Ukraine would like to make the following comments in response.

My delegation regrets that this statement is again full of selective and biased interpretation of Ukrainian legislation and international commitments of Ukraine relating to the protection of linguistic rights of national minorities, in particular the rights of Russian community in Ukraine.

In this regards I wish to highlight that establishment of an effective system of promotion and protection of rights of all national minorities and indigenous peoples residing in Ukraine, as well as support and development of tolerant inter-ethnic relations in Ukrainian society are among the key priorities of the Ukrainian Government.

The rights of national minorities and indigenous peoples on use of their native languages in Ukraine is guaranteed by law. The Constitution of Ukraine establishes the Ukrainian language as the state language of the country. At the same time, Article 10 of the Constitution guarantees the free development and usage of Russian and other languages of the national minorities of Ukraine in Ukraine.

According to Article 53 of the Constitution of Ukraine, citizens belonging to national minorities are guaranteed, in accordance with law, the right to education in their native language, or to study their native language at the state and communal educational establishments or through national cultural societies.

**Mr. Chairperson,**

Since the adoption of the Venice Commission’s Opinion in December 2017, Ukraine made great progress towards gradual application of the provisions of the

Law “On Education” to ensure a fair balance between improving the quality of teaching of the state language and preserving of the minorities languages.

Ukraine extended the transitional period of implementation of Article 7 from September 1, 2020 until September 1, 2023 for those students belonging to national minorities whose native language is an EU language and who started their classes before the September 1, 2018. The respective provision was included into the Law “On Functioning of the Ukrainian as a State Language” adopted on 25 April 2019.

Ukraine has undertaken a number of measures to create modern educational environment, additional opportunities for qualitative learning of the Ukrainian language for students, improve qualification of the Ukrainian language teachers and teachers of subjects.

On 16 January 2020 the Verkhovna Rada of Ukraine has adopted in the second reading and as a whole the draft law “On complete general secondary education”. Prior to its adoption the draft law was extensively discussed by parliamentarians, experts and in public consultations with the representatives of interested national minorities. The text of the law was officially presented and proposed for public discussions by the Ministry of education and science of Ukraine in April 2018.

It should be stressed, that provisions of the Law, regulating the issues of use of languages in the secondary educational institutions, were elaborated jointly and as a result of public consultations with the representatives of national minorities and taking into account the opinion of the Venice Commission.

327 MPs voted in support of the draft law and only 3 opposed.

The Law guarantees the right of persons belonging to national minorities to study the language of the respective national minority in municipal and corporate schools or in national cultural associations.” The Law also states “Persons belonging to national minorities of Ukraine are guaranteed the right to obtain primary education in municipal or corporate schools in the language of the respective national minority along with the official language of the State”.

The Law introduces three basic models of studying languages in secondary schools, which are offered on the basis of three criteria – the level of language’s vulnerability, language group and language environment.

The first model is offered for the students belonging to the indigenous peoples of Ukraine, who do not live in the linguistic environment of their language and who do not have a kin-state where the language is protected. This model mainly relates to the Crimean Tatars and other indigenous peoples and provides for teaching in and of the languages of indigenous people from 1 to 11 classes with simultaneous study of the Ukrainian language.

Another model is offered to persons belonging to national minorities, whose languages are the official languages of the European Union. Depending of the language group and language environment the teaching model may differ, but the general approach is the following: in the primary school the use of native language will be alongside with the study of the State language. Starting from the 5th grade at least 20% of the annual amount of study time should be delivered in Ukrainian with progressive increase in volume in view to reach at least 40% of subjects studied in Ukrainian at the 9th grade. At high school at least 60% of the annual amount of study time will be delivered in Ukrainian.

The third model will deal with the students belonging to other national communities. It regulates the issue of language of education for the students from national minorities whose languages belong to the same language group with the Ukrainian. In the primary school the use of national minorities languages will be studied alongside with the State language, while the basic secondary and upper-secondary education will be delivered in the state language in scope of not less than 80% of the annual amount of study time. The list of study subjects taught in the official language of the State and a language of the national minority is defined at educational curriculum of school in accordance with the respective state standard for general secondary education and taking into account peculiarities of the linguistic environment.

In line with the recommendations of Venice Commission the Law “On complete general secondary education” envisages the exemption of language requirements for the private education institutions that provide obtaining of complete secondary education at the expenses of individuals and/or legal entities. They may freely choose a language of educational process (except of those that receive public funds) and are obliged to provide students with proficiency in the state language according to state standards for general secondary education.

**Mr. Chairperson,**

The comprehensive reforming of educational system in Ukraine as well as newly adopted Law, when enacted by the President of Ukraine, are aimed at increasing the quality of education and establishing equal chances for all Ukrainian citizens regardless of their nationality to fulfil the constitutional rights both in access to higher education and the labour market.

I regret to state that such a scope of opportunities and rights presently are not enjoyed by the Ukrainian citizens living under the illegal Russian occupation in the Autonomous Republic of Crimea and occupied territories of Donbas. Throughout the period of illegal occupation of Crimea, the Russian occupation authorities have drastically limited curricula relating to teaching in the Ukrainian and Crimean Tatar languages at all levels.

As part of russification policies, the education system in occupied Crimea has been entirely changed over to the Russian language. Currently the only one school with teaching in the Ukrainian language remains operational in the occupied peninsula. The school curricula are deliberately drafted to force the Crimean schoolchildren miss Ukrainian classes because they would overlap with the classes in mandatory subjects.

All of these restrictions are happening despite the ruling by the International Court of Justice which concluded unanimously in its ruling on provisional measures in proceedings brought by Ukraine against the Russian Federation, that the Russian Federation must “ensure the availability of education in the Ukrainian language”.

The situation on occupied territories of Donbass, where the criminal activities of Russia-backed armed formations led eradication of any human rights and freedoms, including of national minorities, remains even worst.

**Mr. Chairman,**

This disturbing situation requires adequate reaction and continuous active engagement of the OSCE Chairmanship and the institutions of our Organization,

namely the OSCE HCNM, in seeking observance of human rights and fundamental freedoms in the illegally occupied Crimean peninsula.

We call on the OSCE High Commissioner on National Minorities to pay priority attention and react on the grave situation with the national minorities' rights in the occupied Crimea.

**Thank you, Mr. Chairperson.**