



SPECIAL REPORT

of the Ukrainian Parliament Commissioner for Human Rights

On the observance of the rights of national minorities (communities)
and indigenous peoples in the conditions of the armed aggression
of the Russian Federation against Ukraine

for the period from 24 February 2022 to 31 December 2023



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TABLE OF CONTENTS

List of Abbreviations	6
Preface by the Ukrainian Parliament Commissioner for Human Rights	7
Introduction	8
Section 1. THE STATE OF OBSERVANCE OF THE RIGHTS OF NATIONAL MINORITIES (COMMUNITIES) AND INDIGENOUS PEOPLES IN THE CONDITIONS OF THE ARMED AGGRESSION OF THE RUSSIAN FEDERATION AGAINST UKRAINE	13
1.1. The normative and legal framework of Ukraine concerning the realization of the right to self-identification of national minorities (communities) and indigenous peoples, the right to identity	14
1.2. The right to freedom of public association and peaceful assembly	24
1.3. The right to freedom of expression of views and beliefs, thought, speech, conscience and religion	30
1.4. The right to participate in political, economic, and social life	34
1.5. The right to use the languages of persons belonging to national minorities (communities), indigenous peoples	42
1.6. The right to education in the languages of persons belonging to national minorities (communities), indigenous peoples	52
1.7. The right to preserve the cultural identity of persons belonging to national minorities (communities), indigenous peoples	57
1.8. Prohibition of discrimination based on nationality	67
Section 2. VIOLATION OF THE RIGHTS OF NATIONAL MINORITIES (COMMUNITIES) LIVING IN THE TEMPORARILY OCCUPIED TERRITORIES OF UKRAINE	73
2.1. The situation in the temporarily occupied territories: the rights of national minorities (communities), indigenous peoples, the right to identity, violations of international humanitarian law	74
2.2. The right to life	78
2.3. The right to respect for dignity	84
2.4. The right of a person to privacy and physical integrity, non-interference in his or her personal and family life, to secrecy of correspondence, telephone conversations, telegraphic and other correspondence, etc.	86
2.5. Political and electoral rights, compulsion to acquire citizenship	88

2.6.	Forced transfer (deportation) of citizens of Ukraine, representatives of national minorities (communities), indigenous peoples	91
2.7.	Illegal conscription of representatives of national minorities (communities), citizens of Ukraine into military groups of the Russian Federation	92
2.8.	The right to peaceful public assembly and freedom of expression	94
2.9.	Economic and social rights and freedoms	96
2.10.	The human right to freedom of worldview and religion	98
2.11.	The right to preserve cultural heritage	100
2.12.	The right to create public organizations and activities of national and cultural societies	107
2.13.	Violation of linguistic and educational rights of persons belonging to national minorities (communities), indigenous peoples	110
Section 3.	THE STATE OF OBSERVANCE OF THE RIGHTS OF THE TATARS AS AN INDIGENOUS PEOPLE OF UKRAINE IN THE CONDITIONS OF THE ARMED AGGRESSION OF THE RUSSIAN FEDERATION AGAINST UKRAINE	115
3.1.	General description of the situation of the Crimean Tatar people: historical and socio-cultural realities	116
3.2.	Violation of the rights of indigenous peoples in the temporarily occupied territories of the Autonomous Republic of Crimea and the city of Sevastopol by the Russian Federation	120
Section 4.	THE STATE OF OBSERVANCE OF THE ROMA RIGHTS IN THE CONDITIONS OF THE ARMED AGGRESSION OF THE RUSSIAN FEDERATION AGAINST UKRAINE	125
4.1.	The normative and legal framework of Ukraine regarding the realization of the right to self-identification of representatives of the Roma national minority (community)	126
4.2.	Parliamentary control over the observance of the rights of representatives of the Roma national minority (community) in the conditions of martial law in Ukraine	127
	Conclusions and Recommendations	138
	Annexes	149

LIST OF ABBREVIATIONS

CO shall mean a Charitable Organization

CF shall mean a Charitable Foundation

Venice Commission shall mean the European Commission for Democracy through Law

IDPs shall mean internally displaced persons

VRU shall mean the Verkhovna Rada of Ukraine, i.e. Ukrainian Parliament

MCA shall mean military-civilian administration

PA shall mean public association

SSEPFC shall mean the State Service of Ukraine for Ethnic Policy and Freedom of Conscience

EU shall mean European Union

AFU shall mean the Armed Forces of Ukraine

CMU shall mean the Cabinet of Ministers of Ukraine

MIA shall mean the Ministry of Internal Affairs of Ukraine

IHL shall mean international humanitarian law

MFA shall mean the Ministry of Foreign Affairs of Ukraine

MCIP shall mean the Ministry of Culture and Information Policy of Ukraine

MES shall mean the Ministry of Education and Science of Ukraine

NPBC shall mean the National Public Broadcasting Company of Ukraine

RMA shall mean a regional military administration

OSCE shall mean Organization for Security and Cooperation in Europe

CSO shall mean a civil society organization

RSA shall mean a regional state administration

UN shall mean United Nations Organization

ORDLO shall mean separate districts of Donetsk and Luhansk regions

OCU shall mean the Orthodox Church of Ukraine

Framework Convention shall mean the Framework Convention for the Protection of National Minorities

CE shall mean the Council of Europe

RF shall mean the Russian Federation

SSU shall mean the Security Service of Ukraine

TOT shall mean the temporarily occupied territory

UCF shall mean Ukrainian Cultural Fund

Commissioner shall mean Ukrainian Parliament Commissioner for Human Rights

UOC shall mean Ukrainian Orthodox Church

ISW shall mean the Institute for the Study of War

PREFACE BY THE UKRAINIAN PARLIAMENT COMMISSIONER FOR HUMAN RIGHTS



Respecting the rights and freedoms of persons belonging to national minorities (communities) and indigenous peoples is an important component of a true democratic society. After all, democracy is defined not so much by how the rights of the majority are ensured but primarily by how the rights of the minority are realized and protected.

The purpose of my activity as the Ukrainian Parliament Commissioner for Human Rights is to exercise parliamentary control over the observance of the Constitutional rights

and freedoms of man and citizen, as well as the protection of the rights of everyone on the territory of Ukraine and within its jurisdiction. Control over the observance of the rights and freedoms of indigenous peoples and national minorities (communities), response to violations, manifestations of prejudice and discrimination is precisely the kind of work that ensures social integration and stability.

Today, Ukraine defends democracy and human rights in the face of large-scale Russian aggression. The Russian Federation defiantly violates our right to national identity, culture, and language, as well as the rights and freedoms of indigenous peoples and national minorities (communities). A strict policy of forced Russian assimilation is being implemented in the temporarily occupied territories: the Ukrainian language, education, and culture are being destroyed. The linguistic, educational, cultural, and informational rights of persons belonging to national minorities (communities) and indigenous peoples, and the right to identity are systematically and purposefully violated. Russia cynically disregards all norms and principles of international humanitarian law. Urgent humanitarian needs of citizens are violated.

On the way to joining the EU, Ukraine undertook to ensure European standards for the protection of the rights of national minorities (communities) because this is one of the foundations of European identity. For this purpose, the relevant national legislation has been improved, tools are being prepared for its proper implementation, which will provide for preservation and development. This will become an important component of the effective protection of the rights of persons belonging to national minorities (communities) and indigenous peoples on the way to ensuring true equality in society, inclusion, barrier-free access, and anti-discrimination.

Our goal is to ensure protection of rights and freedoms, response to violations and challenges, communication based on the principles of respect for dignity and dialogue. This is the path we must take as a democratic society.

Equality and non-discrimination are not only constitutional principles of our state but also fundamental values of the entire civilized world.

Ukrainian Parliament Commissioner For Human Rights
Dmytro LUBINET

INTRODUCTION

The European integration of Ukrainian society, the observance and protection of human rights, the development of democracy in Ukraine require an effective system of protection, realization of the rights and freedoms of persons belonging to national minorities (communities) and indigenous peoples. These tasks are a component of ensuring human rights in Ukraine, an actual factor on the path of Ukraine, a candidate country for EU membership, to the further European perspective, in particular, regarding the start of negotiations on Ukraine's membership in the European Union. The rights of persons belonging to national minorities (communities) and indigenous peoples are in the sphere of monitoring and control of the Ukrainian Parliament Commissioner for Human Rights. To strengthen the protection of the rights of representatives of national minorities (communities) and indigenous peoples of Ukraine, the Representative of the Commissioner for Equal Rights and Freedoms, Rights of National Minorities, Political and Religious Views was appointed. An Expert Council was formed to improve interaction with the public. In the structure of the Commissioner's Secretariat, a separate department has been created and operates, which takes care of ensuring the rights and freedoms of national minorities (communities), carries out monitoring activities regarding their proper provision. Numerous consultations are held with organizations of national minorities (communities) and indigenous peoples. Constant communication continues with the structures of the Council of Europe regarding guaranteeing and ensuring the rights of persons belonging to national minorities (communities) and indigenous peoples, with representatives of the UN, the Consultative Committee of the Framework Convention on the Protection of National Minorities. The Secretariat of the Commissioner carries out remote monitoring of cultural centres of national minorities (Zakarpattia region¹, Rivne²), projects are implemented to assess needs and to respond to violations, manifestations of oppression and discrimination against persons belonging to national minorities (communities). Violations of the rights of persons belonging to national minorities (communities) and indigenous peoples in the temporarily occupied territories of Ukraine are being monitored.

The situation regarding ensuring the rights of persons belonging to national minorities (communities) and indigenous peoples also requires additional attention due to a significant increase in challenges and violations of the principles of international humanitarian law by Russia, the aggressor country, after the start of a large-scale invasion of Ukraine on 24 February 2022. The Special Report **outlines the key trends** regarding the situation unfolding around the observance of rights and freedoms, preservation of identity of national minorities (communities) and indigenous peoples.

The purpose of this Special Report is to identify and highlight the main trends in guaranteeing and ensuring the rights of persons belonging to national minorities (communities) and indigenous peoples in the conditions of prolonged Russian aggression, analysis of the consequences of Russian aggression for national minorities (communities) in relation to the violation of their rights by working out statistical information, research results, legislation regarding national minorities (communities) and indigenous peoples. The special report is devoted to issues of ensuring the rights of persons belonging to national minorities (communities) and indigenous peoples. The text of the Special Report highlights the issue of protecting the rights of persons belonging to national minorities (communities) and indigenous peoples, from discrimination, ensuring educational, linguistic, and cultural rights, which are components of the right to identity. Attention is paid to the challenges faced by citizens of Ukraine from among national minorities (communities) and indigenous peoples during the period of large-scale Russian aggression in Ukraine, resulting in mass violations of the principles of international humanitarian law by the Russian Federation.

1. Monitoring of the observance of the rights of national communities and indigenous peoples by the Centre for Cultures of National Minorities of Transcarpathia (<http://surl.li/qlpkk>).

2. Monitoring of the observance of the rights of national minorities by the Cultural and Educational Centre of National Minorities of Ukraine at the Rivne Lyceum No. 7 of the Rivne City Council (<http://surl.li/qmkms>).

The special report was prepared based on the results of monitoring visits and on the basis of responses to the Commissioner's requests to central executive bodies, military administrations, and military-civilian administrations. Besides, during the preparation of the special report, information was used based on the results of a joint study by the Commissioner's Secretariat with the Council of Europe "National minorities (communities) and indigenous peoples under occupation: the struggle for survival", which was prepared on the basis of surveys and consultations with representatives of relevant ministries and other bodies of executive power at the central, regional and local levels; with representatives of national minorities (communities) and indigenous peoples; with the heads of national-cultural and human rights non-governmental organizations, a questionnaire was conducted, a search for relevant web content in open sources, accumulation, verification of data, analysis of the received information were conducted.

The updating of Ukrainian legislation regarding the guarantees of observance of the rights and realization of freedoms of persons belonging to national minorities (communities), indigenous peoples actually took place against the background of unprecedented security and humanitarian threats to Ukraine, Ukrainian society, and the Ukrainian state. The large-scale Russian invasion of Ukraine on 24 February 2022 caused severe humanitarian consequences. Persons belonging to national minorities (communities), indigenous peoples of Ukraine, like the entire Ukrainian society, have experienced threats to life, identity, mass displacements, and human losses.

At the same time, as a result of Russia's temporary occupation of the Autonomous Republic of Crimea since 20 February 2014, the rights of the indigenous peoples of Ukraine – Crimean Tatars, Karaites and Krymchaks – have been systematically and constantly violated by Russia; targeted political repressions are carried out against activists of communities of indigenous peoples, national minorities (communities), Ukrainians (a minority within a minority on the territory of the Autonomous Republic of Crimea and the city of Sevastopol); cultural heritage objects, places of memory, educational infrastructure are being destroyed and distorted; there is an ongoing deportation of Ukrainian citizens of various ethnicities from the temporarily occupied territories to Russia, including the illegal conscription of representatives of indigenous peoples, national minorities (communities), into the military groups of the aggressor country.

Since 2014, systematic destruction of Ukrainian civil identity by Russia has also been observed in the TOT of the Autonomous Republic of Crimea, as well as in the territory of separate districts of Donetsk and Luhansk regions (ORDLO), the Ukrainian education system and cultural heritage are being destroyed, and political repression continues. With the beginning of the Russian large-scale invasion, the situation in the TOT of the Autonomous Republic of Crimea became even more acute, in particular with regard to the observance of the rights of indigenous peoples and the Ukrainian community. There was an attempt by Russia to annex the territories of southern and eastern Ukraine in October 2022. Systematic violations of international humanitarian law continue.

On 10 October 2023, deputies of the State Duma of Russia denounced the Framework Convention³. This decision was proposed by the Russian president. At the same time, and without the relevant decrees of the Russian occupation regime, the rights of national minorities (communities), indigenous peoples, ethnic Ukrainians were massively and systematically violated in the temporarily occupied Ukrainian territories, and Ukrainian identity was denied.

During 2022–2023, the planned modernization of the legislation, regulatory legal framework for ensuring the rights of persons belonging to national minorities (communities) and indigenous peoples took place. On 13 December 2022, the Law of Ukraine "On National Minorities (Communities) of Ukraine"⁴, was adopted, which entered into force in July 2023.

3. Deputies denounced the Framework Convention of the Council of Europe on the Protection of National Minorities (<http://surl.li/qmkpfp>).

4. The Law on National Minorities (Communities) of Ukraine specifies the rights of national communities in our country and provides guarantees for their ethnic and cultural development, Taras Tarasenko (<http://surl.li/qplp1l>).

The adoption of the law was preceded by consultations with representatives of national minorities (communities) and an expert society. Its adoption was one of the mandatory conditions for further accession of our country to the European Union. However, the road to the Law being voted on in the session hall began long before that. Dmytro Lubinets worked on the issue of protecting the rights of vulnerable sections of the population in Ukraine (first as a people's deputy, and now as a Commissioner).

'Ukraine is home to more than 130 different nationalities and peoples. Undoubtedly, the issue of observing the rights of national minorities (communities) is one of the most urgent for our state.

Back in 2014, with the beginning of the Russian aggression, it became clear: the legislation does not meet the requirements for solving all urgent issues of representatives of national minorities (communities). Then, as the chairperson of the Committee of the Verkhovna Rada of Ukraine on Human Rights, Deoccupation and Reintegration of the Temporarily Occupied Territories of Ukraine, National Minorities and Inter-National Relations, I initiated the creation of a working group to develop a new draft of the Law that would fully meet the needs of the national minorities (communities) of Ukraine.

Work on the draft law continued in several stages. In particular, it is about an active public discussion at the all-Ukrainian level with the involvement of representatives of national minorities (communities), experts, people's deputies, and scientists. Monitoring visits were also conducted throughout Ukraine, during which the places of settlements of national minorities (communities) were visited.

In addition, already in the position of the Commissioner, I determined that the issue of observing the rights of national minorities (communities) is the focus of my work. The Commissioner's Secretariat became the driving force behind the adoption of this Law. Employees of the institution were involved in the development of the draft Law of Ukraine "On National Minorities (Communities) of Ukraine" as part of the working group, and also held consultations with experts of the Council of Europe regarding its compliance with national and international norms. A number of working meetings were held in the walls of the Commissioner's Secretariat.

After public discussion and amendments to the text, the draft law was finalized taking into account suggestions and comments. There was a lot of thorough work, the result of which was the adoption of the Law. 324 people's deputies voted for it.

This is important work for us, in particular, on the way to joining the EU. We are working to respect human rights in our country. We are different but united, and this is our strength!

Ukrainian Parliament Commissioner For Human Rights
Dmytro LUBINETS



Before the adoption of the updated legislation, the Law of Ukraine "On National Minorities" (1992), which was adopted even before the adoption of the Constitution of Ukraine (1996), was in force. In the past, the corresponding law was evaluated as democratic, while the provisions lacked defined implementation mechanisms, in particular, in the conditions of constant development of the legal field regarding ensuring the rights of persons belonging to national minorities (communities).

The need to adopt updated legislation on national minorities (communities) was discussed in numerous recommendations of international organizations and institutions (the OSCE High Commissioner for National Minorities, the Advisory Committee on the Framework Convention for the Protection of National Minorities and the Committee of Ministers of the Council of Europe). The issue of ensuring the rights of national minorities (communities) was defined as one of the indicators of compliance with democratic principles and human rights. The modernization of the legislation regarding national minorities (communities) and the search for effective mechanisms for its implementation is a requirement of the EU regarding the further advancement of Ukraine as a candidate country⁵ for EU membership to the European Union (requirement 7 of Recommendation⁶ of the European Commission regarding the status of Ukraine for EU membership).

The Law of Ukraine “On National Minorities (Communities) of Ukraine” was under review by the Venice Commission regarding the compliance of provisions with standards of protection of the rights of persons belonging to national minorities (communities). Based on the results of the 2023 review, numerous recommendations were received regarding the need to improve certain requirements of the law (CDL-AD(2023)028-e Ukraine – Additional opinion to the opinion on the law on national minorities (Draft Law №9610⁷). The opinion was adopted by the Venice Commission at the 136th plenary meeting (Venice, 6–7 October 2023). On 21 September 2023, the Verkhovna Rada of Ukraine adopted draft law No. 9610 on amendments to the Law “On National Minorities (Communities) of Ukraine”⁸ in the second reading. After the adoption of the amendments, the Venice Commission welcomed the numerous improvements⁹, adopted by the VRU in the new law on amendments to the law on national minorities (communities) (draft law No. 9610). At the same time, the Venice Commission also mentioned some of its recommendations, which, in its opinion, were implemented partially or were not taken into account. On 8 November 2023, the European Commission published findings¹⁰, which were included in the 2023 annual report, regarding EU enlargement in the context of Ukraine’s application for EU membership. In particular, in the field of rights of persons belonging to national minorities (communities), Ukraine must implement the remaining recommendations of the Venice Commission from June 2023 and the subsequent opinion (of the commission) from October 2023. It is about the need to strengthen the support of the Roma community with the help of a specific and targeted action plan. The European Commission recommended the Council of the EU¹¹ to start accession negotiations with Ukraine.

On 8 December 2023, after consultations with representatives of national minorities (communities), the expert environment, and international organizations, the Verkhovna Rada of Ukraine adopted the Law of Ukraine “On Amendments to Certain Laws of Ukraine Regarding Taking into Account the Expert Assessment of the Council of Europe and Its Bodies Regarding the Rights of National Minorities (Communities) in certain areas”¹². The Commissioner also provided his position with comments and suggestions for the specified changes. The purpose of relevant changes is to improve

5 European Parliament resolution of 23 June 2022 on the candidate status of Ukraine, the Republic of Moldova and Georgia (<http://surl.li/qlpmh>).

6 Recommendations of the European Commission regarding the status of Ukraine for EU membership (<http://surl.li/hfwyn>).

7 Ukraine – Follow-up opinion to the opinion on the law on national minorities (communities) (draft law #9610), adopted by the Venice Commission at its 136th Plenary Session (Venice, 6-7 October 2023) (<http://surl.li/qlpnb>).

8 The draft law of Ukraine on amendments to the Law of Ukraine “On National Minorities (Communities) of Ukraine” concerning certain issues of implementation of the rights and freedoms of persons belonging to national minorities (communities) of Ukraine (<http://surl.li/qlpoc>).

9 The Ukrainian delegation took part in the meeting of the Venice Commission (<http://surl.li/qlpot>).

10 Key findings of the 2023 Report on Ukraine (<http://surl.li/qlppr>).

11 Commission adopts 2023 Enlargement package, recommends to open negotiations with Ukraine and Moldova, to grant candidate status to Georgia and to open accession negotiations with BiH, once the necessary degree of compliance is achieved (<http://surl.li/myqve>).

12 The Law of Ukraine “On Amendments to Certain Laws of Ukraine Regarding Taking into Account the Expert Assessment of the Council of Europe and Its Bodies Regarding the Rights of National Minorities (Communities) in Certain Areas” (<http://surl.li/ouuzg>).

legislative regulation of implementation of the rights and freedoms of persons belonging to national minorities (communities) in accordance with provisions of the European Convention on Human Rights 1950, the Framework Convention for the Protection of National Minorities 1995, the European Charter for Regional or Minority Languages 1992, as well as the Venice Commission recommendations. The law amended the laws of Ukraine “On local Self-Governance in Ukraine”, “On higher education”, “On education”, “On ensuring the functioning of the Ukrainian language as a state language”, “On Comprehensive General Secondary Education”, “On national minorities (communities) of Ukraine” and “On media.” The changes provided for the further development of ensuring the educational, linguistic, and cultural rights of persons belonging to national minorities (communities), strengthening of organizations of national minorities (communities).

Ukraine’s efforts to ensure all the rights of persons belonging to national minorities (communities) were duly assessed by the European Council, which on 14 December 2023 decided to start official negotiations with Ukraine on its accession to the EU.

The situation regarding the observance of the rights and freedoms of persons belonging to national minorities (communities) and indigenous peoples is in the special field of attention of the Commissioner, there is a response to citizens’ appeals, monitoring visits and non-site inspections are carried out, drafts of regulations are developed, initiative letters are sent and publications on issues of observance of the rights of national minorities (communities) and indigenous peoples are being prepared.

To constantly monitor the observance of the rights and freedoms of national minorities (communities) and indigenous peoples, their renewal, as well as the systematization and analysis of identified problematic issues, in the structure of the Commissioner’s Secretariat, for the first time during the existence of the institution, a separate department for the rights of national minorities, indigenous peoples, and religious views was created, and a separate representative of the Commissioner was appointed for these issues.

This Special Report was prepared by the Commissioner on the basis of materials on the monitoring of the state of observance of the rights of national minorities (communities) and indigenous peoples, which is carried out by the Secretariat of the Commissioner with the support of the Office of the Council of Europe in Ukraine within the framework of the project “Supporting the implementation of European standards on combating discrimination and the rights of national minorities in Ukraine.”

ACTIVITY IN FIGURES:



18 projects of regulatory legal acts were processed



40 publications and clarifications on issues of compliance with the rights of national minorities (communities) and indigenous peoples were prepared



11 monitoring missions regarding the observance of the rights and freedoms of representatives of national minorities (communities) by state authorities and local Self-Governance bodies were carried out



35 appeals were considered



27 non-site checks on the observance of the rights and freedoms of representatives of national minorities (communities) by state authorities and local Self-Governance bodies were carried out



20 initiative letters based on the facts of violations of the rights of national minorities (communities) revealed in the mass media and other open sources were sent



collected data/prepared questionnaires for regional military administrations, authorities, and state institutions **38**

SECTION 1

**THE STATE OF OBSERVANCE OF THE RIGHTS
OF NATIONAL MINORITIES (COMMUNITIES)
AND INDIGENOUS PEOPLES IN THE CONDITIONS
OF THE ARMED AGGRESSION
OF THE RUSSIAN FEDERATION
AGAINST UKRAINE**

1.1. The normative and legal framework of Ukraine concerning the realization of the right to self-identification of national minorities (communities) and indigenous peoples, the right to identity

Guaranteeing and ensuring the rights of persons belonging to national minorities (communities), indigenous peoples is an integral part of the state policy for the protection of human rights. The protection of national minorities (communities) and the rights of persons belonging to these minorities (communities), indigenous peoples involves the creation of conditions for the expression, protection, and development of identity and guarantees of self-determination of citizens. The basic foundations of the right of national minorities (communities) and indigenous peoples (see the section on indigenous peoples) to self-identification and identity are the Constitution of Ukraine, the laws of Ukraine, and international treaties, the consent of which is binding on the Verkhovna Rada of Ukraine. Ukraine guarantees the realization of the right of national minorities (communities) to identity.

In Article 11, the Constitution of Ukraine¹³ defines that the State furthers consolidation and development of the Ukrainian nation, its historical conscience, traditions and culture as well as development of the ethnic, cultural, linguistic, and religious identity of all the indigenous peoples and national minorities of Ukraine. The concept of “indigenous peoples” is enshrined in the Constitution of Ukraine. Articles 11, 92 and 119 of the Constitution deal with the rights of indigenous peoples, and define the difference between indigenous peoples and national minorities. Article 92 stipulates that the rights of indigenous peoples and national minorities are determined exclusively by the laws of Ukraine.

On 15 September 1995, Ukraine signed the Framework Convention on the Protection of National Minorities¹⁴. By the Law of Ukraine dated 9 December 1997 N°703/97-BP¹⁵ the Framework Convention was ratified by the parliament. The Framework Convention defines the free expression of the ethnic, cultural, linguistic, and religious identity of persons belonging to national minorities, the promotion of equality and protection against discrimination, the development of effective intercultural dialogue, the preservation and development of minority cultures, religions and languages. Article 5(1) of the Framework Convention outlines the conditions that must be provided for persons belonging to national minorities to have the opportunity to effectively use their culture and develop their identity, to preserve the main elements of their identity, including religion, language, traditions and cultural heritage. It is about the integration of society on the basis of mutual adaptation between the majority and minorities.

According to Article 1 of the Declaration on the Rights of Persons¹⁶, Belonging to National or Ethnic, Religious and Linguistic Minorities (adopted by Resolution 47/135 of the UN General Assembly dated 18 December 1992), in their respective territories, states protect the existence and identity of national or ethnic, cultural, religious and linguistic minorities and encourage the creation of conditions for the development of such an identity. States shall take measures to create favourable conditions that will allow persons belonging to minorities to express their characteristics and develop their culture, language, religion, traditions, and customs, except in cases where specific activities are carried out in violation of national legislation and in conflict with international norms.

The reform of the legislative framework regarding national minorities (communities) is one of the seven recommendations of the European Commission, which Ukraine received together with the status of a candidate for joining the European Union. To take into account this recommendation, the VRU adopted Law of Ukraine No. 2827-IX “On National Minorities (Communities) of Ukraine” on 13 December 2022, which entered into force on 1 July 2023.

13 Constitution of Ukraine (<https://zakon.rada.gov.ua/laws/show/254k/96-bp#Text>).

14 Framework Convention for the Protection of National Minorities (<http://surl.li/aaefo>).

15 Law of Ukraine “On Ratification of the Framework Convention of the Council of Europe for the Protection of National Minorities” (<http://surl.li/qmkwk>).

16 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities (<http://surl.li/qmkys>).

The state guarantees to citizens of Ukraine who belong to national minorities (communities) the creation of appropriate conditions for the preservation and development of their linguistic, cultural, ethnic, religious identity, ensuring full development as part of Ukrainian society, as defined in the Law of Ukraine “On national minorities (communities) of Ukraine”¹⁷. A national minority (community) of Ukraine is defined as a permanent group of citizens of Ukraine, who are not ethnic Ukrainians, living in the territory of Ukraine within its internationally recognised borders, united by common ethnic, cultural, historical, linguistic and/or religious characteristics, realising their belonging to it, showing willingness to preserve and develop their linguistic, cultural, and religious identity. The Law defines that national minorities (communities) are “integral, integrated and organic parts of Ukrainian society.” It is about integration of the society on the basis of respect for diversity, encouraging “intercultural dialogue with the aim of developing mutual understanding, mutual respect and cooperation between all persons living within the territory of Ukraine, regardless of ethnic, cultural, linguistic, or religious affiliation.” Ensuring the equality of citizens of Ukraine, regardless of their ethnic origin is guaranteed.

In its assessment of Ukraine’s application for membership in the European Union, the European Commission identified seven key and priority criteria that Ukraine must fulfil.



The completion of the reform of the legal framework regarding national minorities (communities), as well as the adoption of mechanisms for its immediate and effective implementation, is one of the points identified by the European Commission.

Pursuant to this recommendation, **the Verkhovna Rada of Ukraine**, relying on the interests of the Ukrainian people – citizens of Ukraine of all nationalities – regarding the development of a sovereign, independent, democratic, social, legal state, **adopted Law of Ukraine dated 13 December 2022 No. 2827-IX “On National Minorities (Communities) of Ukraine.”** The law is covered by the provisions of Article 4 of the Association Agreement between Ukraine, on the one hand, and the European Union, the European Atomic Energy Community and their member states, on the other hand.

Even before the entry into force of this law, **on 12 June 2023**, the Venice Commission published a critical opinion regarding the Law of Ukraine “On National Minorities (Communities) of Ukraine.” The Commissioner, in cooperation with the People’s Deputies of the Verkhovna Rada of Ukraine and the Cabinet of Ministers of Ukraine, carried out work on the preparation and coordination of proposals for amendments to the law in accordance with clause 2.1 of the protocol of the meeting on the discussion of proposals for the action plan for the implementation of the opinion of the Venice Commission to the Law of Ukraine “On National minorities (communities) of Ukraine.”

The final provisions of the law envisaged that within a period of six months from the day following its publication, the CMU should: (1) prepare and submit to the Verkhovna Rada of Ukraine proposals to bring the laws of Ukraine into compliance with this Law; (2) take measures to adopt and/or update regulatory acts of executive authorities arising from this Law, ensuring their entry into force simultaneously with the entry into force of this Law; (3) approve the State target program for ensuring the development of unity in the diversity of national minorities (communities) for 5–10 years, with the aim of their entry into force simultaneously with the entry into force of this law **on 1 July 2023**.

On 21 September 2023, the VRU adopted the Law of Ukraine “On Amendments to the Law of Ukraine “On National Minorities (Communities) of Ukraine” regarding some issues of the implementation of the rights and freedoms of persons belonging

17. Закон України «Про національні меншини (спільноти) України» (<http://surl.li/qmkzr>).

to national minorities (communities) of Ukraine”¹⁸ №3389-IX, the provisions of which, in particular, provide for state guarantees of free provision of textbooks (in particular, electronic ones) for students of complete general secondary education who belong to national minorities (communities). Also to ensure the possibility of using the languages of national minorities (communities) in the field of advertising, during public, cultural, artistic, entertainment events and shows, emergency assistance provision, providing the assistance and protection to victims of domestic violence, care in nursing homes for elderly citizens, etc. The law clarified the criteria on the basis of which the methodology of using the languages of national minorities (communities) will be developed in settlements where persons who belong to them traditionally live, or in which such persons constitute a significant part of the population, and also regulated the issue of specialized book stores and conferences. The Commissioner gave comments and suggestions on the draft of the specified law, in particular, attention was drawn to the specification of the legal certainty of the definition “a significant part of the population” in the text of the draft law. The draft of the Law was supported on the condition that the specified remarks would be taken into account.

On 9 October 2023, the Venice Commission published an opinion on the specified law, which noted Ukraine's positive developments in the field of ensuring the rights and freedoms of national minorities (communities). At the same time, the opinion emphasizes the need to make changes to a number of laws of Ukraine in certain spheres of legal regulation (mostly in the sphere of education and language).

On 23 November 2023, the Commissioner of the State Service of Ukraine for Ethnopolitics and Freedom of Conscience received a draft of the Law of Ukraine “On Amendments to Some Laws of Ukraine Regarding the Consideration of the Expert Assessment of the Council of Europe and its Bodies on the Rights of National Minorities (Communities) in Certain Areas.” The draft law proposed amendments to the laws of Ukraine “On Local Self-Governance in Ukraine”, “On Higher Education”, “On Education”, “On Ensuring the Functioning of the Ukrainian Language as the State Language”, “On Comprehensive General Secondary Education”, “On National Minorities (Communities) of Ukraine”, “On media.”

The Commissioner gave comments and suggestions, in particular, regarding Article 10 of the Law of Ukraine “On National Minorities (Communities) of Ukraine”: regarding the provision of simultaneous or sequential translation of the accompaniment (conference) in the state language of the event, which is held in the language of the relevant national minority (community), taking into account the request of the declared number of visitors (spectators) of such an event but not less than 20 people; remarks on the distribution of pre-election campaign materials during the elections of the President of Ukraine, elections of people's deputies of Ukraine and local elections in the languages of the relevant national minorities (communities), which must be duplicated in the state language.

Also, along with other proposed changes to the draft law, it was proposed to introduce the institution of the Commissioner for the Protection of the State Language, Languages of National Minorities (Communities) of Ukraine with the corresponding tasks and powers. The Commissioners provided notes that the institution of the Commissioner for the Protection of the State Language was introduced by the Law of Ukraine “On Ensuring the Functioning of the Ukrainian Language as the State Language” with the aim of protecting the Ukrainian language as the state language, as well as protecting the right of Ukrainian citizens to receive information and services in the state language in the spheres of public life in the entire territory of Ukraine. Activities to protect the right to use the languages of national minorities (communities) involve different functions compared to activities aimed at protecting the right of citizens to use the state language. This activity is multifaceted and may in practice cause a conflict of interests.

One of the main comments was made to the Law of Ukraine “On Ensuring the Functioning of the Ukrainian Language as a State Language” and to the new version of

¹⁸ The law of Ukraine “On amendments to the Law of Ukraine ‘On National Minorities (Communities) of Ukraine’ concerning certain issues of implementation of the rights and freedoms of persons belonging to national minorities (communities) of Ukraine” (<http://surl.li/qmlsx>).

subclause 19 of clause 3 of Chapter XII of the Law of Ukraine “On Education” regarding the extension of the term of obtaining a full secondary education for persons whose languages are official languages of the European Union and who began obtaining general secondary education before 1 September 2018 in the language of the relevant national minority (community) in accordance with the rules that existed before this law came into force. Commissioner supported the introduction of amendments to subclause 19 of clause 3 of Chapter XII of the Law. At the same time, he noted that obtaining a Comprehensive General Secondary Education in accordance with the rules that existed before the entry into force of the specified law endangers the quality and level of mastery of the state language of persons belonging to national minorities (communities) of Ukraine, whose languages are official languages of the European Union, and who started general secondary education before 1 September 2018 in the language of the relevant national minority (community). This, in turn, can lead to negative consequences in terms of the impossibility of such persons to pass an external independent assessment, and therefore endangers the acquisition of a Comprehensive General Secondary Education by such persons and their further admission to higher educational institutions in Ukraine. The draft of the Law was supported on the condition that the specified remarks would be taken into account.

Law of Ukraine dated 8 December 2023 No. 3504-IX “On Amendments to Certain Laws of Ukraine Regarding the Consideration of the Expert Assessment of the Council of Europe and its Bodies on the Rights of National Minorities (Communities) in Certain Areas” was adopted by the Verkhovna Rada of Ukraine and signed by the President of Ukraine. In particular, in the adopted law, the legislator established that the Commissioner, within the limits of the powers granted to him/her by the Constitution of Ukraine and the Law of Ukraine “On the Commissioner of the Verkhovna Rada of Ukraine on Human Rights”, exercises parliamentary control over the observance of the right of national minorities (communities) to use the languages of national minorities (communities).

Therefore, after making the specified changes, the Law of Ukraine “On National Minorities (Communities) of Ukraine” fully protects the rights of national minorities (communities) in all spheres of life and meets all European standards.

This was also confirmed by the heads of diplomatic missions of the member states of the European Union, who visited Transcarpathia on 11 December 2023 to familiarize themselves with the urgent situation in the region in the context of Ukraine’s implementation of one of the seven recommendations of the European Commission regarding the completion of the reform of the legislative framework regarding national minorities (communities). Diplomats visited educational institutions where representatives of the Hungarian national minority (community) study, talked with teachers, as well as leaders of the local Hungarian community. Actual issues of functioning of religious communities and provision of religious needs of representatives of national (minority) communities were also raised during the meeting with local clergymen. During all these meetings, when asked about the attitude of the ethnic Hungarians of Transcarpathia to the changes to a number of laws regarding national minorities (communities) recently adopted by the Verkhovna Rada of Ukraine, the diplomats heard a unanimous positive assessment of such a step.

In the 11 December 2023 appeals of the leaders of the Hungarian communities of Transcarpathia to the Prime Minister of Hungary, Viktor Orbán, and the President of the European Council, Charles Michel, with a call to support the start of negotiations on Ukraine’s accession to the European Union¹⁹, they noted that the new law adopted by the Ukrainian Parliament, to a large extent reflects the interests of national minorities (communities) and enjoys the full support of Ukrainian Hungarians living in Transcarpathia.

Ukraine’s efforts were duly appreciated, on 14 December 2023, the European Council made a historic decision to start negotiations on the accession of Ukraine and Moldova to the European Union.

¹⁹ The leaders of the Hungarian communities of Ukraine ask Orbán to support negotiations on joining the EU (<http://surl.li/qmlqxx>).



In turn, with the aim of studying the situation with respect to the rights and freedoms of representatives of the Hungarian and Romanian national minorities (communities) in Ukraine and the Ukrainian minority in Hungary and Romania, Dmytro Lubinets, the Commissioner for Human Rights of the Verkhovna Rada of Ukraine, addressed the Commissioner for Fundamental Rights of Hungary, Akos Kozma and the People's Advocate of Romania Renate Weber with a proposal to conduct joint monitoring missions in Hungary, Romania, and Ukraine during the last week of March 2024, during which it is planned to visit schools, kindergartens, cultural centres, and places of compact residence of the Hungarian and Romanian national minorities (communities) in the Zakarpattia and Chernivtsi regions, the Ukrainian minority in Budapest and Bucharest but no positive response was received from the Hungarian side.

At the same time, the problems of preserving the unique culture, language, traditions and history, and ultimately the national identity, are acute not only for representatives of national minorities (communities) but also among indigenous peoples

In particular, the issue of ensuring the rights of the indigenous peoples of Ukraine is acutely actualized by the long-term occupation of Crimea, where the entire nation – the Crimean Tatars, the indigenous people of the peninsula – became victims of mass repressions and persecutions. Based on the Declaration of the Rights of Nationalities of Ukraine²⁰, on Article 1 of the United Nations Charter, the Vienna Declaration and the Program of Action, adopted at the World Conference on Human Rights on 25 June 1993, on the United Nations Declaration on the Rights of Indigenous Peoples²¹, taking into account Resolution of the Verkhovna Rada of Ukraine dated 20 March 2014 №1140-VII “On the Statement of the Verkhovna Rada of Ukraine regarding the guarantee of the rights of the Crimean Tatar people as part of the Ukrainian State”²², a law was adopted that defines the rights of the indigenous peoples of Ukraine and the specifics of their implementation.

On 1 July 2021, the Law of Ukraine “On Indigenous People of Ukraine”²³ №1616-IX was adopted. The document is of framework nature and is intended to define the rights of the indigenous peoples of Ukraine, the specifics of their implementation in order to promote the consolidation and development of the Ukrainian nation, as well as the development of the ethnic, cultural, linguistic, and religious identity of such peoples. The law entered into force on 23 July 2021. During 2022–2023, the development of implementation tools for the implementation of the relevant law on cooperation with representative bodies of indigenous peoples, in particular the Mejlis of the Crimean Tatar people, continued. The Strategy for the development of the Crimean Tatar language for 2022–2032²⁴ provides for its support and development as a language of one of the indigenous peoples of Ukraine, which is an integral element of the identity and ethno-cultural coherence of the Ukrainian nation.

There is a need for further formation and development of implementation mechanisms and tools for guaranteeing and satisfying the rights of national minorities (communities). In particular, it is about the need to develop and approve – in dialogue with organizations of national minorities (communities) – programs to support the development of national minorities (communities) at the central and regional level, to improve the interaction of consultative and advisory bodies of national minorities (communities) with authorities of various levels.

20 Declaration of the Rights of Nationalities of Ukraine (<http://surl.li/qmmct>).

21 Resolution 61/295, adopted by the General Assembly on 13 September 2007. United Nations Declaration on the Rights of Indigenous Peoples (<http://surl.li/qmmei>).

22 Resolution of the Verkhovna Rada of Ukraine “On the Statement of the Verkhovna Rada of Ukraine regarding the guarantee of the rights of the Crimean Tatar people as part of the Ukrainian State” (<http://surl.li/lxssb>).

23 The Law of Ukraine “On Indigenous Peoples of Ukraine” (<http://surl.li/dxnit>).

24 Crimean Tatar Language Development Strategy for 2022–2032 (<http://surl.li/qmmjb>).

On **26 September 2023**, the CMU adopted the Order “On the approval of the State target national and cultural program ‘Unity in diversity’ until 2034.”

The specified order of the CMU is aimed at implementing the recommendation of the European Commission regarding Ukraine's application for membership in the European Union, which provides for the completion of the reform of the legal framework for national minorities (communities).

The Programme is aimed at the creation of sustainable institutional conditions at the national and regional levels to meet the needs and effectively exercise the rights and opportunities of national minorities (communities) and indigenous peoples of Ukraine and at the promotion of enhancement of social sustainability, cohesion and national unity of the Ukrainian society.

The program was developed by the State Service of Ukraine for Ethnopolitics and Freedom of Conscience, taking into account the interests of national minorities (communities) and indigenous peoples with the involvement of the expertise of the Council of Europe, through consultations with international partners and the European Commission. Mykhailo Spasov, representative of the Commissioner for Equal Rights and Freedoms, Rights of National Minorities, Political and Religious Views, together with the employees of the specialized Department, participated in consultative meetings regarding the development of the Program and its concept.



On 28 April 2023, the draft Concept of the State Targeted National Cultural Program “Unity in Diversity”²⁵ was submitted to the Commissioner of the State Service of Ukraine for Ethnopolitics and Freedom of Conscience for approval. Based on the results of the analysis and development of the draft Concept, the Commissioner made the following comments: regarding the determination of the goal, taking into account the directions of socio-economic and scientific and technical development of the state; regarding taking into account the current provisions of the laws of Ukraine “On National Minorities of Ukraine” (Art. 14) and “On the indigenous peoples of Ukraine” (Articles 2 and 7); regarding taking into account the existing tasks, the implementation of which is already provided for by the current Strategy for Facilitating the Realization of the Rights and Opportunities of Persons Belonging to the Roma National Minority in Ukrainian Society Until 2030, approved by Order of the Cabinet of Ministers of Ukraine dated 28 July 2021 No. 866-p.

It was during the meeting of the Expert Council on National Minorities and Indigenous Peoples under the representative of the Commissioner with the participation of representatives of the SSEPFC that the Commissioners emphasized the need to continue consultations with representatives of national minorities (communities) and indigenous peoples to comprehensively take into account their cultural, social, economic needs and interests, which will further make the program practical during its implementation.

Comprehensive nature of Ukrainian civic identity

Ukraine guarantees the right to self-identification, in particular by ethnic identity. Ethnic self-identification of representatives of national minorities (communities) and indigenous peoples is a component of their civic identity as representatives of the Ukrainian political nation. In Ukrainian society, against the background of the threats posed by the Russian neo-imperial policy with its destructive effect on the possibilities of preservation and development of ethnic minority groups, there is a civil consolidation of the population of Ukraine of different ethnic origin and self-identification.

²⁵ The Cabinet of Ministers of Ukraine. Order “On approval of the State target national and cultural program ‘Unity in diversity’ until 2034” (<http://surf.li/qmmlf>).

Article 6 of the Law of Ukraine “On National Minorities (Communities) of Ukraine” defines that every citizen of Ukraine has the right to freely decide whether to be considered a member of a national minority (community) (several national minorities (communities)). In particular, no one can be forced to declare his/her status of a person belonging to a national minority (community). If a person needs to exercise the rights guaranteed to persons belonging to national minorities (communities), it is sufficient to express the willingness to exercise such rights.

According to the Framework Convention for the Protection of National Minorities, every person belonging to a national minority has the right freely to decide whether or not to be considered as such, and such a decision or the exercise of rights in connection therewith shall not prejudice against such person. Current data on the number of national minorities (communities) and indigenous peoples in Ukraine belong to the data of the All-Ukrainian population census of 2001. According to these data, Ukraine has a diverse ethnic composition, in particular at the level of individual territorial communities. By national composition: more than 77% of the population consider themselves Ukrainians, and 17% consider themselves Russians. Representatives of national minorities (communities), Belarusians, Moldovans, Bulgarians, Hungarians, Romanians, and Poles, indigenous people of Ukraine, Crimean Tatars, are represented by more than 100,000 citizens each.

The implementation of the right to freedom of self-identification in Ukraine determines the National Population Census of Ukraine provides as the only way to determine statistical data on the ethnicity of Ukrainian citizens. Conducting a new nationwide population census is acutely relevant in connection with the humanitarian consequences caused by Russian aggression. An urgent task is the organization and conduct of a new population census, which should also reflect the ethnic self-awareness of Ukrainian citizens in modern conditions, which will allow for a more holistic formulation of policy regarding the protection of the rights of national minorities (communities), indigenous peoples at the central and regional levels.

The comprehensive nature of the Ukrainian political identity unites citizens of Ukraine of different ethnicities, representatives of national minorities (communities), and indigenous peoples.

According to sociological research in August 2023:



94% of citizens share an all-Ukrainian identity (among the surveyed citizens of Ukraine there are representatives of various ethnic, linguistic and religious groups)



almost **89%** are proud of their citizenship



of them by region:

95% Western

90% Central

89% South

76% in the East of Ukraine

Transformational processes are taking place within the framework of Ukrainian civic identity, in particular, identity changes in relation to cultural traditions: pan-European, Ukrainian, Soviet, and Russian. In particular, according to the results of sociological surveys in May, 2023, respondents most often attributed themselves to the Ukrainian cultural tradition **81%**. Compared to 2006, their share

has increased significantly (then it was **56%**). The share of those who identify themselves with the pan-European cultural tradition also increased **from 7% to 10%**, the share of those who identify with Russian cultural tradition decreased **from 11% to 0.5%** and the Soviet one decreased **from 16% to 4%**²⁶.

The increase in the number of those who belong to the Ukrainian cultural tradition took place in all regions but to the greatest extent in the southern and eastern regions.

In the southern region, their share increased from



In the eastern region, from



The level of identification with Soviet and Russian cultural traditions has decreased in all regions. Corresponding changes in identification, according to the conclusions of sociologists, occurred mainly due to a part of the Russian-speaking population of Ukraine (those who mainly speak Russian at home). Among them the share of such people more than doubled **from 29% to 64%**, while among Ukrainian speakers this growth is much less pronounced **from 80% to 85.5%**. Both among Ukrainian-speaking and among Russian-speaking respondents, the level of self-attribution to the Soviet cultural tradition decreased, and among Russian-speaking respondents decreased the self-attribution to the Russian cultural tradition, **from 26% to 2%**. If among ethnic Russians in 2006, the relative majority identified themselves with the Russian cultural tradition, then in 2023 the majority identifies with the Ukrainian one.

The large-scale Russian invasion of Ukraine on 24 February 2022, caused complex challenges surrounding the realization of the rights of national minorities (communities) to identity, including:



problems of physical survival



destruction of cultural heritage



psychological violence



mass displacement and the need for adaptation in new communities, etc.



destruction of civil infrastructure and the area of community life

Security threats have become one of the triggers that affect the self-awareness of Ukrainian citizens of different ethnicities

The report of the Director of Operations and Advocacy Division of the UN Office for the Coordination of Humanitarian Affairs Edem Wosornu²⁷ informs the following:



There are more than **10 200** civilians who died as a result of Russian aggression from February 2022,



Of them, **575** are children



More than **19 300** wounded

²⁶ Identity of citizens of Ukraine: change trends (May 2023) (<http://surl.li/qmpae>).

²⁷ Ukraine: OCHA calls for end to the nearly two-year war (<http://surl.li/qmpao>).

Due to Russia's constant missile attacks on the Ukrainian civil infrastructure, every region of Ukraine, including those where direct hostilities are not taking place, is in a zone of destruction and constant danger.

During 2022–2023, mass movements of Ukrainian citizens took place, including persons belonging to national minorities (communities), both within Ukraine and abroad. As of 14 August 2023, Ukraine registered almost 5 million citizens who left their place of residence as a result of Russia's armed aggression against Ukraine, after 24 February 2023, 3.6 million people moved and up to 1 million of them have already moved again. The largest number of such persons was registered in the Dnipropetrovsk and Kharkiv regions. There are no statistical data on the ethnic affiliation of persons who have forcibly become internally displaced persons²⁸.

According to the data of the Office of the United Nations High Commissioner for Refugees as of 31 December 2023, there are 6,343,000 refugees from Ukraine recorded in the world as a whole²⁹. According to the EU data, as of 12 December 2023, there are more than 4 million citizens of Ukraine who applied for the status of temporary protection³⁰. The general data of international organizations and the Ukrainian side do not determine the ethnic origin of Ukrainian citizens who seek asylum abroad or are internally displaced persons. Representatives of national minorities (communities) and indigenous peoples are among those who were forced to leave their places of permanent residence as a result of threats to life, health, destruction of cities and settlements as a result of hostilities caused by Russia's actions in Ukraine.



According to the results of the Commissioner's monitoring of the state of observance of the rights and freedoms of representatives of national minorities (communities) in 2022–2023, the following was recorded:

- presence of requests for humanitarian aid from representatives of national minorities (communities) who were forced to leave their communities due to security threats. In particular, there are representatives of the Czech, Polish, German, Greek minority, and Roma, other national minorities (communities);
- displacement of representatives of national minorities (communities) within Ukraine due to the security situation and, in particular, the temporary occupation of their regions of residence;
- prevalence of the trend, when some persons belonging to national minorities (communities), leaders and representatives of organizations of national minorities (communities) were forced to leave Ukraine and stay outside Ukraine, in particular in EU countries.

In response to the Commissioner's requests, regional state administrations provide data on the relocation of representatives of national minorities (communities) in Chernihiv, Kherson, and Luhansk regions.

In particular, the attack by the Russian Federation and the detonation by the Russian side of the Kakhovska HPP on 6 June 2023 caused significant losses to the national minorities (communities) in the south of Ukraine.

²⁸ On 15 August, the Ministry of Social Policy directed more than UAH 5.7 billion to pay aid for IDPs (<http://surl.li/qmpca>).

²⁹ Ukraine Refugee Situation (<https://data.unhcr.org/en/situations/ukraine>).

³⁰ Regulation of migration: Reception of refugees from Ukraine (<http://surl.li/esrnp>).

In particular, in the Jewish community in Kherson, according to the testimony of its leader Rabbi Joseph Wolf (Rabbi of Chabad) 20 Jewish families “lost everything” during the evacuation from flooded houses in the south of Ukraine, caused by the destruction of the Kakhovska dam on the Dnipro River³¹. In total, the Jewish religious community numbered three and a half thousand families, but since the beginning of the Russian aggression on 24 February 2022, all but 1,000 people left.

During the December 2022 meetings of representatives of international organizations, in particular the Advisory Committee of the Framework Convention on the Protection of National Minorities³², with target groups, humanitarian challenges related to the struggle for survival and meeting basic humanitarian needs were highlighted, as well as the following:

- among many persons belonging to national minorities (communities) living in the most affected eastern and southern regions of the country (Azov Greeks), as well as indigenous peoples of Ukraine (Crimean Tatars, Karaites and Krymchaks) were singled out as groups of special risk, in particular in the territories under temporary Russian occupation. Many of them have suffered as groups, and the individuals who belong to them now live mostly abroad, and their cultural heritage is in danger of disappearing.

- throughout Ukraine, buildings and monuments of cultural significance for representatives of national minorities (communities) were damaged or destroyed.

The Russian invasion of Ukraine was based on the justification of the need for the so-called “denazification”³³ of Ukraine, objections by the Russian political leadership to the Ukrainian political identity as such, the existence of the Ukrainian state, the Ukrainian people as a civil political community that integrates Ukrainian citizens of different ethnic origins. Almost 50 UN countries signed a joint statement following the meeting of Russia under the Arria formula on 11 July 2022, in which they condemned Russia’s attempts to justify the invasion of Ukraine with false narratives about the fight against “neo-Nazis” and “neo-fascists”, expressed their support for further backing of international peace and security, condemnation of Nazism, neo-Nazism, anti-Semitism, anti-Roma racism and other forms of racism, racial discrimination, xenophobia, and intolerance. Russian aggression in Ukraine, the conduct of the so-called “SVO”, i.e. Special military operation, in Ukraine is accompanied by the extermination of Ukrainian civilians, the infliction of severe physical and mental injuries on citizens; the deliberate creation of living conditions designed for total or partial physical destruction; forcible deportation of Ukrainian citizens to the territory of Russia.

The relevant actions of Russia correspond to Article 2 of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide³⁴. Representatives of national minorities (communities) – an organic and integral component of the Ukrainian people and civil society – experienced all the complex consequences of the Russian invasion during 2022–2023. On 14 April 2022, the Verkhovna Rada adopted a resolution “On the Statement of the Verkhovna Rada of Ukraine ‘On the Russian Federation Committing Genocide in Ukraine’”³⁵, which condemned the Russian Federation’s state policy of distorting the perception of the identity of the Ukrainian people

31 Kherson Jews ‘lose everything’ after being forced to flee rising water after Ukraine dam rupture (<http://surl.li/qmpee>).

32 News of the Framework Convention for the Protection of National Minorities (<http://surl.li/qmpek>).

33 Putin, ‘Russians and Ukrainians are one nation, I will never give that up’ (<http://surl.li/qmpfe>).

34 Convention on the Prevention and Punishment of the Crime of Genocide (<http://surl.li/mbapj>).

35 Resolution of the Verkhovna Rada of Ukraine “On the Statement of the Verkhovna Rada of Ukraine ‘On the Russian Federation Committing Genocide in Ukraine’” (<http://surl.li/qmphc>).

and their desire for independence. On 26 February 2022, Ukraine submitted to the secretariat of the International Court of Justice of the United Nations an application to initiate a case against Russia regarding the “dispute... on the interpretation, application, and implementation of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide.” Hearings were held in September 2023³⁶. As of 31 December 2023, the International Court of Justice of the United Nations in The Hague has not announced a decision on whether Ukraine’s complaint against Russia regarding genocide is admissible.



Anton Korynevych, Ambassador-at-Large of the Ministry of Foreign Affairs of Ukraine, speaking at the UN International Court of Justice in The Hague, 19 September 2023

1.2. The right to freedom of public association and peaceful assembly

National minorities (communities) of Ukraine are guaranteed the right to freedom of public associations and peaceful assembly. Article 36 of the Constitution of Ukraine enshrines the right of citizens to freedom of association in political parties and public organizations to exercise and protect their rights and freedoms and satisfy political, economic, social, cultural and other interests, with the exception of restrictions established by law in the interests of national security and public order, public health protection or protection of the rights and freedoms of other people. The Law of Ukraine “On Public Associations” defines the legal and organizational principles for the exercise of the right to freedom of association, the procedure for the formation, registration, activity and termination of public associations.

According to Article 7 of the law of Ukraine “On national minorities (communities) of Ukraine”, a person belonging to a national minority (community) is entitled, in accordance with the law, to participate in the establishment and operation of public associations of national minorities (communities), in peaceful assembly for the exercise and protection of his/her rights and freedoms, satisfaction of public, in particular economic, social, cultural, linguistic, ecological, and other interests, his/her integration into Ukrainian society. a person belonging to a national minority (community) is entitled, in accordance with the law, to participate in

³⁶ Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation: 32 States intervening) (<http://surl.li/qmpgjl>).

the establishment and operation of public associations of national minorities (communities), in peaceful assembly for the exercise and protection of his/her rights and freedoms, satisfaction of public, in particular economic, social, cultural, linguistic, ecological, and other interests, his/her integration into Ukrainian society.

In accordance with Law of Ukraine “On National Minorities (Communities) of Ukraine” dated 13 December 2022 No. 2827-IX as amended by Law of Ukraine No. 3389-IX dated 21 September 2023, Council of Ministers of the Autonomous Republic of Crimea, regional, Kyiv and Sevastopol city state administrations, on the initiative of public associations of national minorities (communities), form the Centre of National Minorities (communities) of the corresponding administrative-territorial unit, which must provide institutional and technical conditions for meeting the cultural needs of persons belonging to national minorities (communities) on the basis of equality and inclusive access. Further determination of the order of formation and functioning of such centres is determined by the central executive body, which ensures the formation and implementation of state policy in the field of national minorities (communities).

According to the Law of Ukraine “On Indigenous Peoples of Ukraine” representative bodies of the indigenous peoples of Ukraine are recognized, which are corresponding representative institutions created by the indigenous peoples and, in accordance with the Constitution and laws of Ukraine, are granted the right to represent the indigenous peoples and make decisions on their behalf. The right to peaceful assembly is guaranteed to citizens by Article 39 of the Constitution of Ukraine: “Citizens have the right to gather peacefully, without weapons, and to hold meetings, rallies, marches and demonstrations, the executive authorities or local Self-Governance bodies are notified of their holding in advance.”

From 24 February 2022, Decree of the President of Ukraine “On the introduction of martial law in Ukraine”³⁷ No. 64/2022 allowed to limit constitutional rights, including the rights defined in Article 39: “in connection with the introduction of martial law in Ukraine, the constitutional rights and freedoms of a person and a citizen, provided for in Articles 30–34, 38, 39, 41–44, 53 of the Constitution of Ukraine, may be temporarily limited for the period of the legal regime of martial law.”



According to SSEPFC, as of 1 January 2023*, the following were registered in Ukraine:



1312 public associations of national minorities (communities) and indigenous peoples



624 cultural organizations of national minorities (communities) and indigenous peoples, including:



100 cultural centres of national minorities (communities).

The total number of Public organizations of national minorities (communities) and indigenous peoples decreased compared to previous years (in 2021, their number was **1373**)³⁸.

*In response to the request of the Commissioner, SSEPFC reported the absence of data as of the end of 2023

³⁷ Decree of the President of Ukraine No. 64/2022 “On the introduction of martial law in Ukraine” (<https://is.gd/QNSUu1>).

³⁸ Report on the number of public associations, the state of ensuring the rights of national minorities and indigenous peoples in Ukraine (as of 1 January 2023) (<http://surl.li/qmmgv>).

Some organizations left the temporarily occupied territories, curtailed their activities due to difficult security conditions. Among the reasons for the reduction in the number of public organizations is the temporary occupation of the territories of the south and east of Ukraine. There was a mass migration of representatives of national minorities (communities) to free territories within the country and abroad in search of temporary protection from war, namely, to the territory of the EU and third countries.

Activities of public associations in war conditions

From the first days of the Russian large-scale invasion, public associations of national minorities (communities) and indigenous peoples expressed their support for the territorial integrity of Ukraine and condemnation of the actions of the aggressor country³⁹.

Despite the security and humanitarian challenges, the cooperation of CSOs of national minorities (communities) with the authorities continues in almost all regions. The direct participation of representatives of national minorities (communities) of Ukraine in resisting armed aggression is recorded by the SSEPFC from the beginning of the full-scale invasion. According to information from open sources, representatives of national minorities (communities) in the cities of residence in the temporarily occupied territories held peaceful rallies and gatherings to outline their pro-Ukrainian position.

Security threats and Russian military aggression have forced CSOs of national minorities (communities) to transform their activities, in particular with regard to the provision of humanitarian assistance and assistance to internally displaced persons. Among the cases of such activity, examples of the activities of representatives of national minorities (communities) and indigenous peoples of Ukraine to ensure the stability of Ukraine in conditions of war can be cited.

At the beginning of the full-scale invasion, the public organization “Council of National Communities of Ukraine” founded the charity fund “Fighting Angels”⁴⁰. Volunteers take care of hospitals, departments of palliative and rehabilitation care in children’s hospitals, children with cerebral palsy, large families, and local communities. Currently, the fund additionally implements holding of charity events and promotions, participates in grant programs aimed at helping and improving the living conditions of IDPs, launches its own production of food products for the front and promotes the involvement of caring people from such countries as the USA, Sweden, Greece, Germany, Poland and etc., to the process of rebuilding Ukraine.

The leaders of individual national societies in the Chernihiv region, in particular, the Congress of Azerbaijanis of the Chernihiv region, Chernihiv city NGO “Siabry”, the regional association of Jewish communities and organizations, the Korean Cultural Centre, the national and cultural society of Roma “Neve Roma”, NGO Association of Roma ZOR of the town of Nizhyn, NGO “Crimean Community” are actively involved in volunteering. Active volunteering in Chernihiv is also carried out by the Roman Catholic Church, whose rector is a Polish citizen.

From the first days of the full-scale Russian invasion of Ukraine, the national and cultural societies of the Dnipropetrovsk region actively help internally displaced persons, evacuate people, bring humanitarian aid to temporarily occupied and de-occupied territories, and help the Armed Forces. According to the data of the Regional State Administration and military-civilian administration, in the regions of Ukraine, national minorities (communities) have implemented humanitarian initiatives for displaced persons and representatives of vulnerable groups. For example, the Dnipropetrovsk Jewish community of the region helps with evacuation, provides humanitarian

39 #StandWithUkraine | Ukraine is a peaceful home for all of us: the Appeal in Support for Ukraine (<http://surl.li/qmpnf>).

40 Charity Fund “Fighting Angels” (<http://surl.li/qmpoe>).

(mostly food kits) and financial assistance to IDPs. Jewish organizations take care of lonely elderly people in the city and those who have been evacuated from hot spots. The “Golden Rose” synagogue of the largest Jewish centre in the world “Menorah” in Dnipro became a refuge for many immigrants. From the first days of the war, a volunteer headquarters was opened in the Jewish cultural centre Solomonika, where humanitarian aid is collected. Also, in the first days of the war, the centre hosted displaced persons for the night. Solomonika presented Dnipro volunteers with a new modern bus for the evacuation of people with disabilities. Dnipro has also become a centre for providing assistance to the country’s Jewish population, including the coordination of international support. About 150 volunteers in the call centre respond to requests for help in finding relatives.

The non-governmental organization “Crimean Tatar Cultural and Educational Centre in the city of Dnipro” provides humanitarian aid to IDPs, residents of the frontline areas and medical institutions of the region.

The Armenian community of the region provides support and humanitarian aid to immigrants from other settlements of Ukraine, military personnel, and low-income citizens. In the first days of the war, the work of volunteers who met people at the station was organized, the community provided them with a place to spend the night. The Armenian community of Dnipro collected and handed over 10 tons of humanitarian aid from Germany to the Coordination Headquarters of Dnipro volunteers.

Since the beginning of the war in Ukraine, the Korean society “Asadal” has been actively involved in volunteer activities, helping all victims of Russia’s armed aggression against Ukraine. In September 2022, with the aim of unifying volunteer and charitable activities in the form of increasing the amount of assistance, as well as diversifying the possibilities of providing it, the Asadal team founded the “Asadal International Charitable Foundation.”

The Azerbaijani diaspora of Dnipropetrovsk region continues to actively support Ukraine: fundraisers are regularly organized, equipment is purchased for the Armed Forces, humanitarian aid (including foreign aid) is sent to the front, premises are allocated for IDPs. The Congress of Azerbaijanis of the Dnipropetrovsk region and the League of Azerbaijanis of the Dnipropetrovsk region take an active part in helping and supporting citizens who have arrived from the front and near-front regions of Ukraine. Greek and Georgian communities jointly help the displaced. The volunteer headquarters of these communities is located on the territory of the temple of the Iver Icon of the Mother of God of the UOC.

In the Kharkiv region, organizations of national minorities (communities) carried out volunteer activities and provided humanitarian aid to vulnerable population groups. Among them are the Kharkiv National and Cultural Society “Romen”, the public organization “Kharkiv City National Public Association of Kazakhs ‘Birlik’”, the Public Spiritual and Educational Organization ‘CHACHIMO’, the Kharkiv Regional Organization “Uzbek National Centre”, the Kharkiv Regional Association of Germans ‘Wiedergeburt’.

According to the information of the Zaporizhzhia Central Committee, CSOs of national minorities (communities) have joined the implementation of humanitarian projects aimed at the integration of society, assistance to civilians, and actively carry out volunteer activities. The Union of Armenians of the Zaporizhzhia region has joined the activities aimed at protecting Ukraine and helping citizens, refugees, and residents of the temporarily occupied territories of the Zaporizhzhia region since the beginning of the full-scale invasion. The Armenian Apostolic Church of the city of Zaporizhzhia is a humanitarian aid point for displaced persons. The Mazal Tov Jewish Community Centre provides regular support to refugees, offers

humanitarian assistance, and conducts various psychological events for children and adults. Their volunteer centre “Do good, Ukraine” constantly provides humanitarian assistance to immigrants, members of the Jewish community, and all those in need. The Jewish Community of Zaporizhzhia volunteer centre operates at the Giymat Rosa Zaporizhzhia Jewish Community. People receive food certificates, grocery kits, and medicines. The Roma community, in particular, the association of Roma women “Voice of Romni” actively helps during the war. The evacuation of Roma to Germany is facilitated, humanitarian aid is provided to families in Zaporizhzhia, Dnipro, Kryvyi Rih, and occupied Berdiansk, and informational support is provided to those travelling across the border.

In the Cherkasy region, during 2022, joint events of authorities and organizations of national minorities (communities) were held regarding issues of dialogue, celebration of Mother Tongue Day. Events were held with the aim of preserving, developing and popularizing national cultures, supporting the activities of creative teams of national and cultural societies of the Cherkasy region with representatives of national minorities (communities). Among them are the following: from 9 to 23 January 2023, the communal institution “Regional Center of Folk Creativity and Cultural and Educational Work” of the Cherkasy Regional Council held the regional festival of folk creativity of national minorities (communities) “One Family” (in remote format, total number of views is 1,583). The communal institution T. Shevchenko Cherkasy Regional Universal Scientific Library opened the book exhibition “The Hellish Memory of the Holocaust”, the Korean conversation club M&L Korean Culture Centre started work. The English conversation club and the free German grammar club, run by volunteers and native speakers, continued to operate. In March 2023, a meeting of the leadership of the Cherkasy Regional Military Administration with representatives of foreign Hasidic religious organizations and the Historical and Cultural Centre of the City of Uman was held on issues of establishing cooperation in the field of cultural heritage protection. Pedagogical workers of educational institutions, in cooperation with representatives of the Roma community, carry out explanatory work in Roma families about the importance of education for children and young people, provide explanations about various forms of obtaining preschool education (short-term stay, consultation points, socio-pedagogical patronage) and various forms of organization of children’s education in educational institutions (full-time, individual, externship).

In the Ternopil region, systematic meetings are held with the leadership of national and cultural associations of officials responsible for cooperation with national minorities (communities). Examples of projects and activities aimed at learning the Polish and German languages are given in 2022. Besides, with the assistance of the regional military administration, a research centre for the study of national minorities and inter-ethnic relations was created and operates on the basis of the history faculty of Volodymyr Hnatiuk Ternopil National University. During 2023, there were more than 20 meetings of representatives of the regional authorities with leaders and members of national and cultural associations of national minorities (communities) of the region, in particular, a meeting with representatives of the Armenian community of the region and participation in the Christmas service at the Armenian Apostolic Church in Berezhany, events to commemorate the International Day of Remembrance of the Victims of the Holocaust, transfer of books devoted to the history and traditions of the Jewish people to the regional scientific universal library as part of the formation of a fund of publications of national minorities (communities), a working meeting with the head of the Ternopil Regional Union of Hungarians Istvan Ivanych, a meeting of students of the Ternopil Faculty of History university with employees of the department of culture and tourism of the regional military administration and members of the

Ternopil regional organization “Jewish Community” and the Bulgarian cultural and educational club “Trendafil” and other events.

As part of the implementation of the Strategy for Promoting the Realization of the Rights and Opportunities of Persons Belonging to the Roma National Minority in Ukrainian Society Until 2030, there are regular meetings between employees of the specialized department and representatives of this national minority (community) living in the territory of the region.

On 8 June 2023, representatives of the department of culture and tourism of the regional military administration and the national and cultural societies of national minorities of the region joined the public discussion of the project Procedure for the formation and functioning of the Centre for National Minorities (Communities), and on 29 September 2023, they took part in an online consultation meeting with discussion of the draft resolution of the Cabinet of Ministers of Ukraine “On the approval of the Methodology for the use of the languages of national minorities (communities) of Ukraine in settlements in which persons belonging to national minorities (communities) of Ukraine traditionally live, or in which such persons make up a significant part of the population.” Due to the lack of places of compact residence of national minorities (communities) in the region, there is no request to create schools with appropriate languages of instruction. However, in general schools of the region, according to the program, foreign languages are studied both as a compulsory subject and as an optional subject. Besides, the Polish, German, and Jewish national-cultural societies operate language Sunday schools. The Ternopil Regional Universal Scientific Library and the Ternopil Regional Library offer foreign language courses for young people: “Polish for beginners”, “Turkish”, “English for children”, “Discussion club in English for adults”, “English on Thursdays.” Also in 2023, as part of cooperation with the European Cultural Foundation, 288 classes in Polish language clubs took place in the Ternopil Regional Universal Scientific Library: “Preparation Course for Admission to Polish Universities for Teenagers”, “Polonista Conversational and Cultural Club”, “Polish without Borders”, “Polish on Saturdays.” As part of the “Poland without borders” project, the library purchased 64 copies of books, including: 32 textbooks, 16 books by Polish authors in Ukrainian and 14 books in Polish.

In the Poltava region, the appeals of the organizations of national minorities (communities) concerned drawing informational attention to the Day of Remembrance of the Victims of the Genocide of the Crimean Tatar People, issues of ensuring the rights of indigenous peoples. During 2023, the Poltava Regional Military Administration received 5 appeals: 1 appeal from the representative of the Union of Armenians of Ukraine in the Poltava region regarding the event; 1 appeal from the NGO “Council of Azerbaijanis of Ukraine in Poltava region” regarding participation in the conference; 3 appeals from the NGO “Crimean Tatar Resource Centre” regarding the implementation of an information campaign.

According to the Zakarpattia Regional State Administration, for the period from 1 January 2022 to 1 December 2022, the department of culture, nationalities and religions of the regional state administration considered 13 appeals from representatives of national minorities (communities). In particular, regarding the following issues: creation of a museum of the history and culture of the Jews of Transcarpathia; providing a letter of support to the Transcarpathian Roma Musical Culture Society “Lautari” in the implementation of the project proposal; providing a letter of support to the Transcarpathian Regional Charitable Fund “Blaho” in implementing the project; the work of the head of the department of culture, youth and sports of the Berehovo District State Administration; opening of a commemorative plaque at the cultural centre of the village of Huta of the Uzhhorod district in honour of the famous Czech writer and zoologist-botanist T. H. Masaryk; providing support in the 25th edition of the Jubilee “Our Calendar”; activities of the Palanok Culture and Recreation Centre; ensuring Roma rights; promoting the activities of the public

union “Transcarpathian Society of Hungarians”, the public organization “Platform of Interethnic Dialogue of Transcarpathia”, the Transcarpathian Regional Charitable Fund “Blaho”, the public organization “Georgian Diaspora of Transcarpathia”; holding the informational and artistic event “Slovak language and culture in creative works of students.”

1.3. The right to freedom of expression of views and beliefs, thought, speech, conscience and religion

Ensuring the right to freedom of worldview and religion is determined by Ukraine’s international obligations and its European integration aspirations, in particular: Universal Declaration of Human Rights (UN, 1948; Art. 18), International Covenant on Civil and Political Rights (UN, 1976; Art. 18), Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (UN, 1992, Art. 4) Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief (UN, 1981), Convention on the Protection of human rights and fundamental freedoms (Council of Europe, 1950; Art. 9), Charter of the European Union on Fundamental Rights (2000; Art. 10)⁴¹, as well as numerous resolutions of the Parliamentary Assembly of the Council of Europe.

Freedom of religion and belief is one of the fundamental freedoms of a person and includes the right to practice a religion or any belief of one’s choice, both individually and together with others, publicly or privately, in worship, rituals, through education without coercion or discrimination. This right is subject only to such limitations as are prescribed by law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others.

Norms of international law are a component of national legislation at the constitutional level (Article 35, Article 11 of the Constitution of Ukraine) and of legislative acts regulating state activity in the ethno-confessional sphere. Article 8 of the profile Law of Ukraine “On National Minorities (Communities) of Ukraine” stipulates the following:

- Person belonging to a national minority (community) has the right to freedom of observance and expression of views and beliefs, thought, speech, conscience and religion (clause 1).
- Person belonging to a national minority (community) can practice any religion or not practice any religion, freely conduct individual or collective religious cults and ritual ceremonies, conduct religious activities, establish religious organizations in the manner established by the law (clause 2).

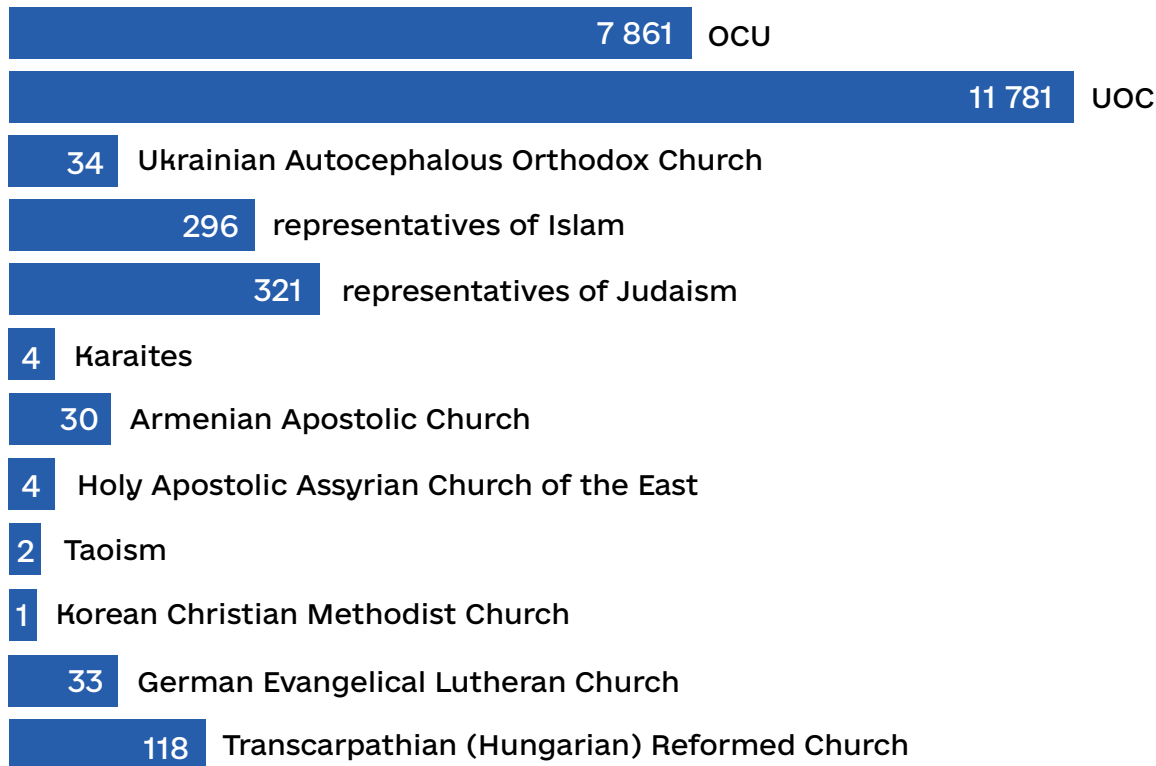
According to the assessment of human rights organizations⁴² a characteristic feature of the Ukrainian religious landscape is the diversity and dense network of religious organizations, and therefore the situation with religious pluralism in Ukraine is qualitatively different from the situation in Russia.

41 Universal Declaration of Human Rights (<https://is.gd/NEcfUO>); International Covenant on Civil and Political Rights (<https://is.gd/Ilvpvf>); Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (<https://is.gd/ofnf1l>); Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (<https://is.gd/GDQt6l>); European Convention on Human Rights (<https://is.gd/vgb4G5>); Charter of Fundamental Rights of the European Union (<https://is.gd/GptAJK>).

42 Religion on Fire (<http://surl.li/qmqyh>).

According to SSEPFC⁴³ as of 1 January 2023*, the following were registered in Ukraine:

36 657 religious associations and independent religious organizations



The geography of distribution of ethno-confessional communities covers all regions of the state. In particular, Jewish communities operate in all regions of Ukraine, the German Evangelical Lutheran Church operates in 16 regions, the Armenian Apostolic Church operates in 20 regions. A certain number of ethno-confessional religious organizations are localized in places of compact residence of the respective national minorities (communities):



*In response to the request of the Commissioner, SSEPFC reported the absence of data as of the end of 2023

43 Report on the network of religious organizations in Ukraine as of 1 January 2023 (according to regional state (military) administrations) (<http://surl.li/qmqyu>).

As part of ensuring freedom of religion and belief in Ukraine, national legislation does not prohibit the activities of unregistered religious associations, the number of which is constantly increasing. Also evidence of religious pluralism in Ukraine is the absence of a monopoly in the religious environment at the national level. Thus, the religious situation with the realization of religious rights and freedoms is significantly different from the situation in Russia. In particular, in Ukraine no church has a monopoly position, in contrast to the privileged status of the Russian Orthodox Church in Russia. Defending its independence and territorial integrity, Ukraine also defends the religious pluralism of Ukrainian society, freedom of religion and beliefs of Ukrainian citizens.

In accordance with the norms of international law, the Oslo Recommendations on the Language Rights of National Minorities, the recommendations⁴⁴ of the OSCE High Commissioner for National Minorities, in particular, the right to practice one's religion in the language of national minorities (communities) and indigenous peoples is ensured in Ukraine. For example, according to the information received from the Chernivtsi regional military administration as of 31 December 2023, there are **more than 114 Romanian Orthodox parishes**, in Ukraine, a large part of which is subordinate to the Chernivtsi-Bukovyna Diocese of the UOC. Divine services in Orthodox churches and monasteries are held in the Romanian language. In the process of changing the canonical subordination, upon the transition of church communities to the Orthodox Church of Ukraine, national minorities (communities) have the right to freely choose the language of worship⁴⁵.

At the same time, Russian aggression causes significant losses to the religious diversity of Ukrainian society, which consists in the destruction of religious objects, limiting the possibility of religious practices, demographic losses and the disintegration of religious groups of national minorities (communities) and indigenous peoples in Ukraine.



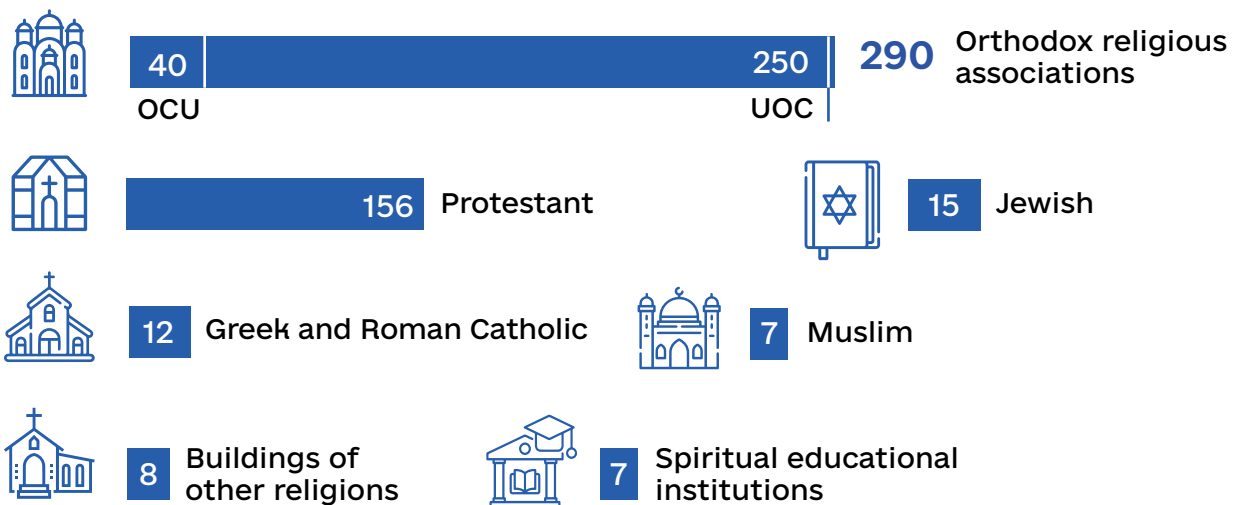
The destroyed Church of the Blessed Virgin Mary "Joy of All Sorrowful" in the village of Bohorodychne, Donetsk region

44 Oslo recommendations on language rights of national minorities and explanatory note (<http://surl.li/qmqze>).

45 The Orthodox Church of Ukraine promised national minorities a free choice of the language of worship (<http://surl.li/qmqzm>).

The actions of the Russian side on TOT of Ukraine lead to the complete emasculation of the religious diversity of Ukrainian society through the use of structural discrimination, systematic persecution, the kidnapping of religious leaders and the establishment of complete control over those religious organizations that are acceptable to the Russian dominant ideology of the so-called Russian world.

According to the “Religion on Fire” monitoring of the Congress of National Communities of Ukraine in partnership with the Workshop of Academic Religious Studies, **495** religious objects were damaged or destroyed in Ukraine between 24 February 2022 and 24 November 2023:



During the Russian aggression, many facts of destruction (complete or partial) of religious buildings of various religious communities of Ukraine were documented. There is a practice of seizing religious buildings to further use them as Russian military bases or to cover the firing positions of Russian troops. This tactic of the Russian military provokes an increase in the scale of destruction of religious objects in Ukraine.



A half-ruined church in the village of Lukashivka, Chernihiv region

Human rights organizations, note that during the Russian aggression, various religious communities suffer but the most vulnerable are small religious communities, the damage to religious buildings of which can lead to the termination of the activity of the community altogether or for a long time. In particular, due to constant shelling, the local Karaite community of Kharkiv was forced to stop holding religious services in the only kenasa operating outside Crimea. Consequently, the entire indigenous people of Ukraine were left without 100% of functioning religious buildings, and members of the community largely had to leave the city due to the danger to their lives.

The destruction of religious buildings is accompanied by human losses. In particular, during a repeated attack on 19 June 2022, the mosque at the Islamic cultural centre “Bismillah” in Sievierodonetsk was completely destroyed with at least 20 people present in it, who died as a result of shelling.



Islamic cultural centre “Bismillah” in Sievierodonetsk, Luhansk region

The disappearance of communities of religious minorities from the map of Ukraine as a result of the Russian invasion is a threat to pluralism and freedom of conscience, which characterize the structure of Ukrainian society.

1.4. The right to participate in political, economic, and social life

The need to create appropriate conditions for the effective participation of persons belonging to national minorities (communities) in cultural, social and economic life and in state affairs, in particular those that concern them, corresponds to Ukraine’s international obligations in accordance with Article 15 of the Framework Convention on protection of national minorities. The Law of Ukraine “On National Minorities (Communities) of Ukraine” guarantees participation in the political, economic and social life of national minorities (communities) in accordance with Article 5, Clause 4, as well as Article 9, which reads “Persons belonging to national minorities (communities) are entitled to participate in elections and referenda, to elect and be elected to representative governmental bodies and local Self-Governance bodies, have equal access to public service and service in local Self-Governance bodies, as well as equal participation in the economic and social life of the country, including in matters related to the preservation and popularization of the culture, traditions and identity of the national minority (community), to which they belong.”

One of the effective mechanisms for ensuring the right to active participation is the creation and ensuring the effective functioning of consultative and advisory structures at state authorities of various levels, as well as the performance by state authorities of consultative functions on issues concerning representatives of national minorities (communities) and indigenous peoples.

An important principle of the implementation of ethno-national policy in compliance with the principles of ensuring active participation is the holding of consultations of state authorities with NGOs, representatives of national minorities (communities) and indigenous peoples on issues concerning them. It also implies compliance with

the principle of timely informing interested parties about decisions related to national minorities (communities) and indigenous peoples.

The right to participate in solving issues concerning indigenous peoples is regulated by Law of Ukraine dated 1 July 2021 No. 1616-IX “On Indigenous Peoples of Ukraine”. According to Article 8, Clause 2 of the law, acts and decisions of executive bodies on issues of language development, culture, ensuring the rights of indigenous peoples of Ukraine to education in the language of indigenous peoples, media activities in the languages of indigenous peoples of Ukraine, integration of indigenous peoples of Ukraine are adopted after consultations with representative bodies. Also, in the cases provided for by this and other laws of Ukraine, which require consultations with representative bodies, such consultations are conducted with the representative bodies of those indigenous peoples of Ukraine whose rights, interests and obligations are affected by the raised issue (clause 3 of the Law).

To ensure this provision of the law, the Cabinet of Ministers of Ukraine in August 2022 adopted resolutions No. 936 “On approval of the Procedure for establishing the legal status of the representative body of the indigenous people of Ukraine and deprivation of such status” and No. 1018 “On approval of the Procedure for conducting consultations of executive authorities with representative bodies of indigenous peoples of Ukraine”⁴⁶.

According to SSEPFC⁴⁷, the said regulatory legal instruments open the way for further exercise by indigenous peoples of Ukraine of their legal capabilities and legitimate interests in all spheres of public life, requiring the executive authorities to conduct mandatory consultations with representative bodies of indigenous peoples of Ukraine on draft regulatory and other acts concerning the rights and interests of indigenous peoples of Ukraine. Besides, these instruments ensure institutional capacity of indigenous peoples of Ukraine to represent themselves and guarantee efficient protection of their rights and freedoms.

At various levels of executive power bodies, public councils act as consultative and advisory bodies, other consultative, advisory and auxiliary bodies may also be created. Persons belonging to national minorities (communities) and indigenous peoples of Ukraine have the right to join such bodies. Specialized consultative and advisory structures are also functioning in Ukraine to solve urgent issues of protecting the rights and freedoms of national minorities (communities) and indigenous peoples of Ukraine.



Under the Representative of the Commissioner for Equal Rights and Freedoms, the Rights of National Minorities, Political and Religious Views, there is an Expert Council on National Minorities and Indigenous Peoples, established in accordance with Order No. 97.15/22 dated 2 November 2022⁴⁸. The main task of the Expert Council is interaction with representatives of national minorities (communities) with the aim of carrying out a systematic analysis of ensuring the rights and freedoms of national minorities (communities) and indigenous peoples, preparing proposals for preventing their violation or promoting their renewal, making proposals for improving national legislation and implementation of international legal norms in the field of protection of the rights of national minorities (communities) and indigenous peoples.

46 The Cabinet of Ministers of Ukraine. Resolution “On Approval of the Procedure for Consolidating the legal status of the representative body of the indigenous people of Ukraine and Deprivation of Such Status” (<http://surl.li/qmrau>); Cabinet of Ministers of Ukraine. Resolution “On Approval of the Procedure for Consultations of Executive Authorities with Representative Bodies of Indigenous Peoples of Ukraine” (<http://surl.li/qmrba>).

47 Report on the results of the work of the civil service of Ukraine on ethnopolitics and freedom of conscience (<http://surl.li/qmrpa>).

48 Ukrainian Parliament Commissioner for Human Rights. Order “On the Formation of the Expert Council on National Minorities and Indigenous Peoples under the Representative of the Ukrainian Parliament Commissioner for Human Rights on Equal Rights and Freedoms, National Minority Rights, Political and Religious Views” (<http://surl.li/qmrba>).



Meeting of the Expert Council on National Minorities and Indigenous Peoples under the Representative of the Commissioner for Equal Rights and Freedoms, National Minority Rights, Political and Religious Views in 2023

On 2 March 2023, the founding Meeting of the Expert Council on National Minorities and Indigenous Peoples under the Representative of the Commissioner for Equal Rights and Freedoms, National Minority Rights, Political and Religious Views⁴⁹ was held. At the meeting, among the 30 members of the Expert Council, its co-chairperson – Ashot Avanesyan, the chairperson of the NGO “Council of National Communities of Ukraine”, the honoured figure of culture of Ukraine, ambassador of peace – and its secretary – Liudmyla Kovalenko, chairperson of the Council of Representatives of Public Associations of Indigenous Peoples and National Minorities of Ukraine at the Ministry of Education and Science – were unanimously elected. The members of the Expert Council are fully involved in the activities of the Commissioner’s Secretariat, in particular, they participate:

- in conducting monitoring visits and inspections regarding the observance of the rights of national minorities (communities) and indigenous peoples of Ukraine;
- in discussions, development of regulations regarding the observance of the rights of national minorities (communities) and indigenous peoples of Ukraine;
- in the study of the state of observance of the rights of national minorities (communities) during the martial law in Ukraine;
- in conducting joint events, round tables, and information campaigns regarding the state of observance of the rights of national minorities (communities) and indigenous peoples of Ukraine.

⁴⁹ The founding meeting of the Expert Council under the Representative of the Commissioner for Equal Rights and Freedoms, Rights of National Minorities, Political and Religious Views was held (<http://surl.li/qmrc1>).

On 5 July 2023, during the meeting of the Expert Council⁵⁰ the representatives of national minorities (communities) present discussed the latest opinion of the Venice Commission regarding the Law of Ukraine “On National Minorities (Communities) of Ukraine”, which entered into force on 1 July 2023. On 1 December 2023, the final meeting of the Expert Council, was held during which the latest recommendations of the Venice Commission regarding changes to the Law of Ukraine “On National Minorities (Communities) of Ukraine” were discussed, as well as a report on the work of the Secretariat of the Commissioner for monitoring the observance of the rights of national minorities (communities) and indigenous peoples for 2023⁵¹ was presented.

At the central body of executive power, which ensures the formation and implementation of state policy in the field of national minorities (communities), – SSEPFC – and the Advisory Council on Indigenous Peoples, the Public Council, the Expert Council on Ethnopolitics and the Expert Council on Freedom of Conscience⁵² operate. Among the representatives of the public council, the representative of the union of citizens’ associations “Council of Germans of Ukraine”, the Association of Jewish Organizations and Communities of Ukraine (Vaad of Ukraine), the NGO “African Council in Ukraine”, the NGO “Fund for Research and Support of the Indigenous Peoples of Crimea”, the Federation of Greek Societies of Ukraine, NGO “Diaspora of the Chechen People”, NGO “Czech National Council of Ukraine” are implemented. SSEPFC also conducts field consultation activities at the regional level, in particular, with the Institute of Civil Society of the Hungarian Community of the Zakarpattia Region⁵³.

Improvement of national legislation in the field of state ethnopolitics is carried out in cooperation with institutions of civil society, representatives of national minorities (communities) and indigenous peoples. Such consultations were held both at the central and regional levels, where representatives of national minorities (communities) live compactly. In 2023, the discussion of the project of amendments to the Law of Ukraine “On National Minorities (Communities) of Ukraine” in the context of implementing the recommendations of the Venice Commission took place on 10 August with the participation of SSEPFC, specialized committees of the VRU, the Commissioner’s Secretariat, representatives of national minorities (communities) and experts of the Council of Europe. In total, from the beginning of 2023 until the adoption of the draft law, more than 20 meetings were held with national minorities (communities) of Ukraine.

The Ministry of Education and Science of Ukraine also implemented measures to ensure the effective work of the consultative and advisory body – the Council of Representatives of Public Associations of Indigenous Peoples and National Minorities of Ukraine⁵⁴. The body performs a representative and communication function in cooperation between the Ministry of Education and Science and organizations of national minorities (communities) and indigenous peoples in the process of developing state policy in the field of education. At the time of the creation of the council, it included 30 representatives of public associations of indigenous peoples and national minorities (communities) of Ukraine. Based on the results of the consultations held during 2022 and in accordance with the proposals made by the representatives of public associations of the Hungarian national minority (community), with the aim of improving the learning of the state language, mother tongue, and other languages by students of classes with

50 Meeting of the Expert Council on National Minorities and Indigenous Peoples, timed to the anniversary of the Commissioner’s activity (<http://surl.li/qmrcw>).

51 The final meeting of the Expert Council on National Minorities and Indigenous Peoples under the Representative of the Commissioner for Equal Rights and Freedoms, the Rights of National Minorities, Political and Religious Views was held today in the Secretariat of the Ukrainian Parliament Commissioner for Human Rights (<http://surl.li/qmrwk>).

52 Advisory Council on Indigenous Peoples (<http://surl.li/qmrum>); Public Council (<http://surl.li/qmrue>); Expert Council on Ethnopolitics (<http://surl.li/qmrvc>); Expert Council on Freedom of Conscience (<http://surl.li/qmrvs>).

53 Equality and non-discrimination of national minorities in Ukraine: European standards (<http://surl.li/qmrwt>).

54 Council of Representatives of Public Associations of Indigenous Peoples and National Minorities of Ukraine (<http://surl.li/qmrwz>).

instruction in the languages of national minorities (communities), the Ministry of Education and Science has made changes to the state standard of basic secondary education regarding the increase in the number of hours for the study of the linguistic and literary field of education (CMU resolution dated 30 August 2022, No. 972)⁵⁵.

During 2023, the main issue for discussion was the realization of the right to education in one's mother tongue, learning one's mother tongue, and learning the state language. Issues of legislative regulation and implementation of state policy on ensuring the rights of national minorities (communities).

In the field of media, the participation of national minorities (communities) is realized through Dmytro Ananiev, the representative of the Supervisory Board of NPBC (NGO "Council of National Communities of Ukraine")⁵⁶. As a member of the Supervisory Board in the field of ensuring the rights of national minorities (communities), he was elected at the request of seven public organizations of national minorities (communities) ("Melitopol National Cultural Karaite Society 'Jamaat'", "Georgian-Ukrainian Cultural and Artistic Centre", "All-Ukrainian Association of Koreans", "All-Ukrainian Society of Meskhetian Turks 'VATAN'", "National Congress of Armenians of Ukraine", NGO "Council of National Communities of Ukraine", "All-Ukrainian Assembly of Tatars").

To further improve state ethnopolitics in accordance with the norms of European law and Ukraine's obligations, further proper implementation of consultative and advisory mechanisms at the regional and local levels is required. As of January 1, 2023* according to the SSEPFC data⁵⁷ there are 17 specialized councils under regional state administrations and 2 under city state administrations operating in Ukraine. Their number has remained virtually unchanged since Ukraine submitted the Fifth Periodic Report of Ukraine on the Implementation of the Framework Convention from September 2021⁵⁸.

According to the information provided by the Zakarpattia Regional State Administration, regional authorities maintain a constant dialogue with public organizations of ethnic communities in the format of meetings, sessions, and discussions, during which topical issues of ensuring the rights of national minorities (communities) are discussed. For example, on 10 November 2022, a scientific and practical discussion "Conceptual approaches to reforming the legislation on national minorities (communities) in the process of preparing Ukraine to join the European Union: analysis, assessments" was held. During 2023, consultations were held on the formation and implementation of the state ethnopolitics.

In particular, on 27 December 2023, Transcarpathia summarized the results of 2023 regarding the implementation of state policy in the Zakarpattia region in the field of protection of the rights and freedoms of persons, belonging to the Roma national minority⁵⁹. Special attention was paid to taking measures to ensure the safety of Roma and public order in the settlements where they live compactly. The representative of the Commissioner in the Zakarpattia region demonstrated

*In response to the request of the Commissioner, SSEPFC reported the absence of data as of the end of 2023

55 Information on the activities of the Council of Representatives of Public Associations of Indigenous Peoples and National Minorities of Ukraine under the Ministry of Education and Science of Ukraine in 2021–2022 (<http://surl.li/qmrxc>).

56 Dmytro Ananiev is a newly elected member of the Supervisory Board in the field of ensuring the rights of national minorities (<http://surl.li/qmzdt>).

57 Report on the number of public associations, the state of ensuring the rights of national minorities and indigenous peoples in Ukraine (as of 1 January 2023) (<http://surl.li/qmmgv>).

58 Fifth periodic report of Ukraine on the implementation of the Framework Convention of the Council of Europe for the Protection of National Minorities (<http://surl.li/qmzhb>).

59 In Transcarpathia, the 2023 results of the implementation of the state policy in the field of protection of the rights and freedoms of persons belonging to the Roma national minority in the Zakarpattia region were compiled (<http://surl.li/qmzhv>).

negative cases of discrimination and violation of the rights of representatives of the Roma community to the participants of the reporting event, told about the measures taken by the Commissioner's Secretariat to restore the violated rights of representatives of national minorities (communities).



Participation of the Representative of the Commissioner in the Zakarpattia Region in the round table on summarizing the implementation of state policy in the Zakarpattia Region in the field of protection of the rights and freedoms of persons belonging to the Roma national minority (community) during 2023

There is no specialized commission on issues of national minorities (communities) at the Public Council of the Zakarpattia regional state and military administration and the tentative plan for holding consultations with the public for 2023 did not envisage consultative activities with representatives of national minorities (communities)⁶⁰.

Adherence to the principle of proper consultation and timely information is especially important in places where national minorities (communities) live compactly at the local level. Such mechanisms should also be applied at the level of activities of city and town state authorities, as, for example, in the case of the decision of the Mukachevo Town Council dated 13 October 2022 regarding the dismantling of the eagle-turule, significant for the Hungarian minority (community), from the Palanok bastion.

The main mechanism of interaction of representatives of national minorities (communities) and indigenous peoples with state authorities at the regional level is direct appeals of national minorities (communities) and indigenous peoples to regional state/military, city and town state/military administrations. The relevant appeals concerned both current issues of the activities of national and cultural associations of national minorities (communities) and indigenous peoples, as well as issues of consolidation and cooperation in countering Russian military aggression, implementing volunteer projects, supporting vulnerable groups, in particular from among national minorities (communities) and indigenous peoples.

There is a practice of holding online meetings as a form of communicative and consultative interaction between representatives of state authorities and representatives of national minorities (communities), in particular in front-line regions, part of whose territory is under temporary occupation. In particular,

60 Composition of the Public Council under the Zakarpattia Regional State Administration (<http://surl.li/qmzjf>); Tentative plan for conducting consultations with the public for 2024 (<http://surl.li/qmzkc>).

according to the data of the Zaporizhzhia state military administration, on 27 April 2022, a meeting was held with representatives of the national and cultural societies of the Zaporizhzhia region in zoom format on the topic “Activities of societies during the war.” During the discussion of the problems that have arisen in the new realities of the activities of the groups of national minorities (communities), they focused on the possibility of uniting and coordinating efforts to provide humanitarian aid to refugees, residents of occupied territories, and the needy. In addition, the issue of unity during the war by all nationalities for the sake of victory was raised.

The Council on Ethnonational Policy under the Luhansk State Administration holds regular meetings on average twice a year and more often if necessary. At the meetings of the council, the prospects for the activity of national and cultural societies, financing and holding of international events are discussed. Problematic issues that exist in individual communities are identified, and ways to solve them are developed. Draft legislative acts in the field of state ethno-politics are also discussed at council meetings. According to data from the Luhansk Regional State Administration, on 30 September 2022, a council meeting was held online. On the other hand, in the Chernivtsi region, despite the presence of a significant multi-ethnic population, the Chernivtsi Regional State Administration received only one appeal for the entire year 2022, which concerned the granting of a permit to the NGO “‘Golgotha’ Society” for the restoration of several tombstones that are part of the memorial complex. In the Chernivtsi Regional State Administration, a project of the Regional Program for the Support of Institutes of Civil Society of Ethnic Orientation for 2023–2025 was developed, which will contribute to better ensuring the principle of active participation of local national minorities (communities).

As part of the program, in 2023, working meetings were held with representatives of national minorities (communities), in particular, with the participation of the heads of the State Service of Ukraine for Ethno-politics and Freedom of Conscience, the regional state administration (regional military administration), literary and artistic evenings dedicated to the anniversary of the birthday and the day of the death of the Romanian poet M. Eminescu (“Emineschiana”); the Romanian Spring Festival “Mercishore”; commemoration of Holocaust Remembrance Day; the traditional Romanian holiday “Limba noastră chia romine” (“Our Romanian mother tongue”); celebration of the annual Romanian festival of Christmas customs and carols “Florile dal-be”, celebration of traditional religious and national holidays, etc. The amateur folk groups of the region took part in the Bukovyna Meetings festivals, which are held in Poland, Romania, Hungary, and Ukraine. Also in the region, events were held to mark the International Mother Tongue Day.

The implementation of the reform of decentralization of state power in Ukraine has greatly expanded the opportunities for participation of persons belonging to national minorities (communities) in socio-political, cultural and social life, in particular in issues that concern them, at the regional and local levels. This involves the implementation of mechanisms to ensure their active participation both at the stage of creation and functioning of consultative and advisory structures at the regional and local levels, and at the stage of participation in local Self-Governance.

According to Article 3 of the Law of Ukraine “On Local Self-Governance in Ukraine”⁶¹ the right of citizens to participate in local Self-Governance is exercised by citizens of Ukraine by belonging to the relevant territorial communities, based on the principles of non-discrimination. District and regional councils in places of compact residence of persons belonging to national minorities (communities) delegate to the relevant local state administrations the authority to prepare and submit to the council projects of programs of national minorities (communities) for their national and cultural development (Article 44, clause 1).

61 The Law of Ukraine “On Local Self-Governance in Ukraine” (<http://surl.li/qmzna>).

Representatives of national minorities (communities) and indigenous peoples are represented in elected bodies of state power by national parties. In places of compact residence of ethnic communities, persons belonging to national minorities (communities), or who speak their languages, are represented at the level of regional and district state administrations, councils, and at the level of management of the united territorial community. For example, the Hungarian community, the largest among the national minorities (communities) of the Zakarpattia region, is represented in the Zakarpattia Regional Council of the 8th convocation by 8 deputies of the KMKS Party of Hungarians of Ukraine⁶², as well as at the level of heads of district councils (Berehovo district) and heads of town councils (Berehovo town council). The Democratic Party of Hungarians of Ukraine⁶³ is represented by 7 deputies at the level of the Berehovo town territorial community, 3 deputies of the Berehovo district council, 1 deputy each from Velyki Berehy, Velyka Dobron, and Koson village territorial communities, as well as a representation of 3 deputies in Vylok, Pyiterfolvo rural and Chop town territorial communities. The full-scale invasion of the Russian Federation and the introduction of a legal regime of martial law in Ukraine make it impossible to hold any election processes in the country.



The Commissioner draws attention to the need to ensure the participation of national minorities (communities) and indigenous peoples of Ukraine in social and political life in accordance with Lund recommendations of the OSCE⁶⁴, which provide for the introduction of special institutions and mechanisms at various levels of state power, organization of elections and at the level of local self-governance.

Active socio-political participation of young people, in particular from among national minorities (communities) and indigenous peoples, includes not only electoral rights but also opportunities to participate in public decisions that affect their lives, and to make them at the European, national, regional, and local levels. In accordance with the Law of Ukraine “On the Basic Principles of Youth Policy”⁶⁵ (clause 1, subclause 1), the principles of youth policy are implemented on the basis of the principle of non-discrimination. Measures to involve youth from the environment of national minorities (communities) and indigenous peoples should be included in the national youth policy, in particular, in the National Youth Strategy until 2030⁶⁶, and also aimed at the creation and effective functioning of youth councils under the Regional State Administration.

Ukraine, as a democratic and legal state, is interested in supporting the effective participation of youth, in particular from among national minorities (communities) and indigenous peoples, in accordance with the recommendations on the active political participation of youth of national minorities in the member states of the Council of Europe (2021)⁶⁷.

62 KMKS Party of Hungarians of Ukraine (<http://surl.li/qmzrn>).

63 Democratic Party of Hungarians of Ukraine / Democratic Union of Hungarians of Ukraine (<https://umdp.info>).

64 Lund recommendations on the effective participation of national minorities in social and political life with explanatory notes (<http://surl.li/qmzwf>).

65 The law of Ukraine “On Basic Principles of Youth Policy” (<http://surl.li/qmzxd>).

66 Decree of the President of Ukraine “On the National Youth Strategy until 2030” (<http://surl.li/annux>).

67 Study on the active political participation of national minority youth in Council of Europe member states (2021) (<http://surl.li/qmzzg>).

1.5. The right to use the languages of persons belonging to national minorities (communities), indigenous peoples

The language rights of persons belonging to national minorities (communities) are guaranteed by the Constitution of Ukraine and the laws of Ukraine. In particular, Article 10 of the Basic Law of Ukraine specifies that the state ensures the comprehensive development and functioning of the Ukrainian language in all spheres of public life throughout the territory of Ukraine. Free development, use and protection of languages of national minorities (communities) of Ukraine is guaranteed in Ukraine. The Constitution of Ukraine granted the status of the state language to the Ukrainian language (part one of Article 10). Article 10 of the Framework Convention for the Protection of National Minorities recognizes that every person belonging to a national minority has the right to free and unhindered use of the language of his or her minority (community), privately and publicly, orally and in writing. The Law of Ukraine “On the Ratification of the European Charter for Regional or Minority Languages” (Document 802-IV) defines the application of the European Charter for Regional or Minority Languages (1992)⁶⁸. In particular, the provisions of the Charter apply to the languages of the following national minorities (communities) of Ukraine: Belarusian, Bulgarian, Gagauz, Greek, Jewish, Crimean Tatar, Moldavian, German, Polish, Russian, Romanian, Slovak, and Hungarian. Law of Ukraine “On Ensuring the Functioning of the Ukrainian Language as a State Language”⁶⁹ dated 25 April 2019, No. 2704-VIII, in Article 2, Clause 3 defines that the procedure for the use of the Crimean Tatar language and other languages of the indigenous peoples, national minorities (communities) of Ukraine in the relevant spheres of public life is determined by the law on the procedure for the implementation of the rights of the indigenous peoples, national minorities (communities) of Ukraine, taking into account the features defined by this law. The Law of Ukraine “On Ensuring the Functioning of the Ukrainian Language as a State Language” guarantees that, in accordance with the procedure and under the conditions determined by the law regarding the procedure for the realization of the rights of indigenous peoples and national minorities of Ukraine, the distribution of election campaign materials performed in the languages of the relevant indigenous peoples and national minorities of Ukraine and dubbed in the state language is allowed. Article 4 of Law of Ukraine “On Civil Service” dated 10 December 2015 No. 889-VIII⁷⁰ indicates that one of the principles of civil service is fluency in the state language and, if necessary, the regional language or the language of national minorities (communities), which is determined in accordance with the law. The improvement of mastery of the languages of national minorities (communities) and indigenous peoples during public service is also guaranteed.



It is worth noting that from December 2023, the modernization of the legislation in the field of ensuring the rights of persons belonging to national minorities (communities) entrusts the Commissioner within the powers granted to him by the Constitution of Ukraine and the law of Ukraine “On the Ukrainian Parliament Commissioner for Human Rights”⁷¹, with exercising parliamentary control over the observance of the right of national minorities (communities) to use the languages of national minorities (communities) (Art. 10, Clause 13 of Law of Ukraine “On National Minorities (Communities) of Ukraine” dated 13 December 2022 No. 2827-IX, as amended by Law of Ukraine dated 21 September 2023 No. 3389-IX).

68 Law of Ukraine “On the Ratification of the European Charter for Regional or Minority Languages” (<http://surl.li/qnaaw>); European Charter for Regional or Minority Languages (<http://surl.li/xuua>).

69 Law of Ukraine “On Ensuring the Functioning of the Ukrainian Language as the State Language” (<http://surl.li/qnago>).

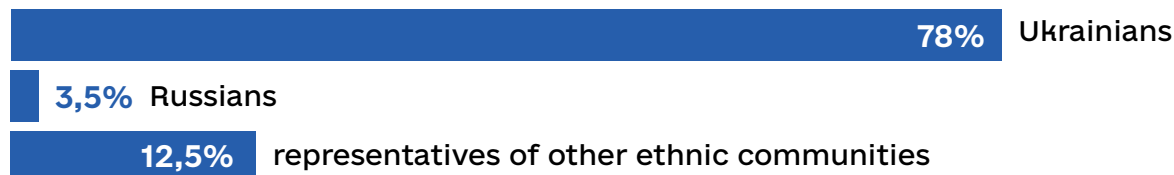
70 Law of Ukraine “On Civil Service” (<https://is.gd/bbEJIM>).

71. Law of Ukraine “On the Ukrainian Parliament Commissioner for Human Rights” (<http://surl.li/fwcrb>).

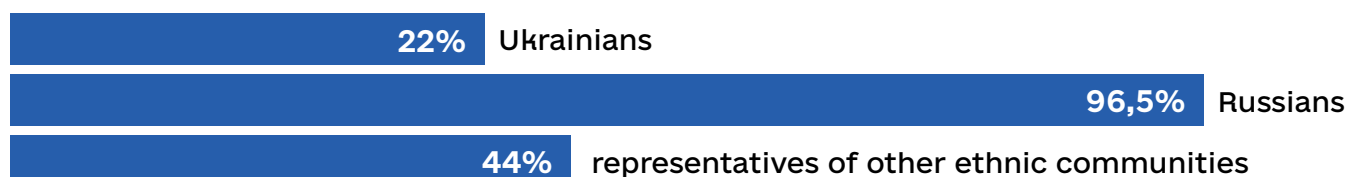
Back in 2001, according to the population census, only **57%** of representatives of national minorities (communities) and ethnic communities (except for ethnic Russians) considered the mother tongue the one of their people. The consequences of the systemic policy of linguistic Russification of national minorities (communities) and indigenous peoples of the USSR and the Russian Empire were obvious.



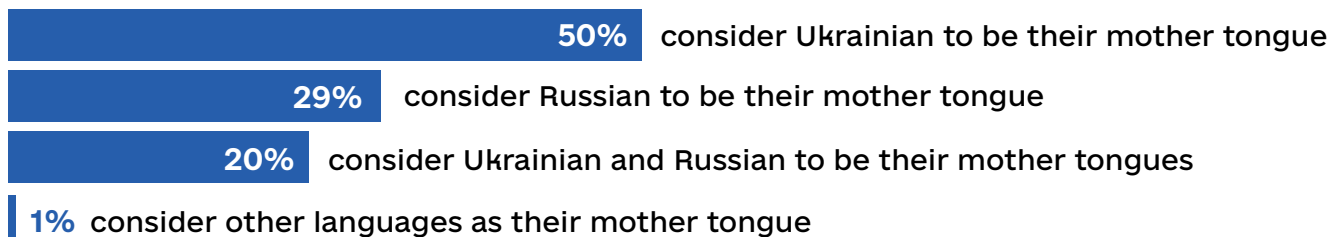
Ukrainian was the mother tongue for **58,5%** of citizens:



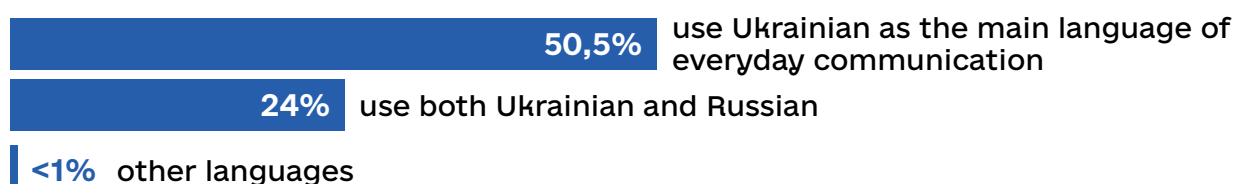
Russian – for **39,5%**, in particular, for:



Data from a survey conducted 11 years later (in May 2012) by the sociological group “Rating” showed that:



In 2017, according to the same “Rating”, the population of Ukraine:



In 2022–2023, the dynamics of the language preferences of Ukrainian citizens gradually changed in Ukraine, in particular, this concerns the survival ratio of the Russian and Ukrainian languages. The Ukrainian language increasingly plays an integrative role for Ukrainian society as a whole. According to the sociological survey of the “Rating” agency “Ukraine’s Sustainability Formula: The main components during the war and in the post-war period (6–11 June 2023)”⁷², the majority of respondents (**over 75%**) did not experience personal criticism or disapproval because of their political preferences, language of communication, or nationality. However, **13%** of respondents indicated that during the last year they faced criticism because of the language of communication.

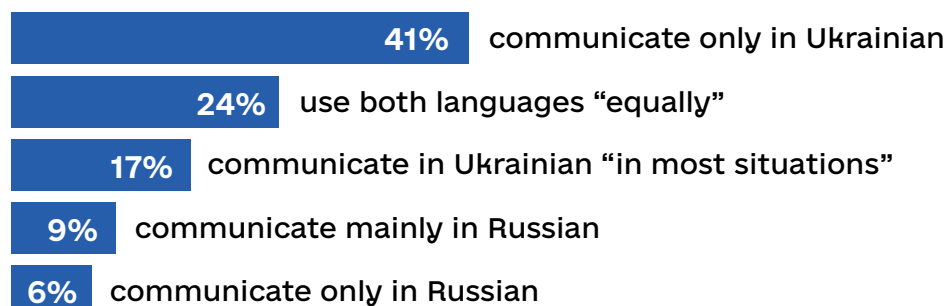
72. Ukraine’s Sustainability Formula: The main components during the war and in the post-war period (6–11 June 2023) (<http://surl.li/mmhhs>).

Data from sociological studies on the language preferences of Ukrainian citizens, starting from March 2022, show a noticeable decrease in the use of the Russian language in everyday life.



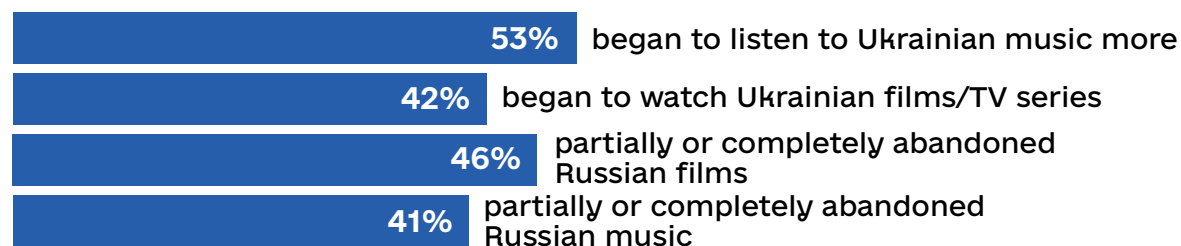
IDPs and refugees living abroad more often use both languages for communication or speak Russian. However, more than 70% of IDPs and refugees consider Ukrainian to be their mother tongue. (Sociological research for Independence Day: ideas about patriotism and the future of Ukraine, 16–20 August 2023).

According to sociological research, conducted in 2022,



Compared to 2017, the share of those who fully use the Ukrainian language **increased by 8%**, and the share of Russian speakers **decreased by 11%**. Cultural content underwent changes and transformations⁷³.

According to sociological research half of the respondents



At the same time, films and TV series are the only category in which the percentage of those who abandoned Russian products exceeded the percentage of those who switched to Ukrainian consumption. In general, **9%**, stopped watching films, **6%**, stopped listening to music. The share of those whose consumption of the other four cultural products studied has not changed is significantly higher, at **27-30%**.

Started consuming more content of:



⁷³ Kulyk V. Language and identity in Ukraine at the end of 2022 (<http://surl.li/qnbge>).

On the other hand, Russian bloggers were rejected by **26%**, websites by **27%**, books and YouTube channels by **31%** each. The vast majority of respondents

consider themselves Ukrainians **96%**

3% Russians

2% other national minorities (communities)⁷⁴

In Ukraine, measures are being implemented to support languages that are in danger of disappearing. In particular, on 23 February 2022, Crimean Tatar Language Development Strategy for 2022–2032 and the operational plan for it were approved. The Crimean Tatar language, as the language of one of the indigenous peoples of Ukraine, was recognized as an element of the identity and ethno-cultural integrity of the Ukrainian nation, and operational and strategic goals and tasks for its development were proposed.

The issue of ensuring the language rights of national minorities (communities) is in the focus of Ukraine's bilateral relations. On 18 October 2023, Ukraine recognized that the state language of the Republic of Moldova is Romanian. In a joint statement on the strengthening of cooperation between the Ukrainian and Romanian governments⁷⁵, it was indicated that, based on the discussions between the presidents of Ukraine and Romania, which took place on 10 October 2023, the Romanian side welcomes the decision made by the government of Ukraine to urgently resolve the issue of the artificial separation between the Romanian and "Moldovan" languages by implementing appropriate practical measures with due consideration of all legal aspects. The relevant decision requires further dialogue and communication with representatives of the Moldovan national minority (community) in Ukraine.

According to the requirements of international law, the Oslo Recommendations on Linguistic Rights of National Minorities, the recommendations of the OSCE High Commissioner for National Minorities (of a recommendatory nature) (1998), state authorities must ensure that all persons who have been arrested, charged and brought to trial responsibility, are informed in a language understandable to them about the nature and reason of the accusations brought against them and about all other issues of the court proceedings. If necessary, such persons should receive the free assistance of an interpreter. Despite the lack of relevant provisions in the law on national minorities (communities) of Ukraine, the national legislation of Ukraine ensures the right of persons belonging to national minorities (communities) and indigenous peoples to the possibility of using their mother tongue in administrative, civil, and criminal proceedings.

Ukraine needs further coordination of state policy regarding the priorities of the Council of Europe and the EU in the field of preserving linguistic diversity on the continent

The coexistence of many languages in Europe is a powerful symbol of the EU's desire to be united in diversity. Linguistic diversity is enshrined in Article 22 of the Charter on Fundamental Rights of the European Union⁷⁶. Respect for the rights of persons belonging to minorities (communities) is a fundamental element in the European Charter for Regional or Minority Languages⁷⁷ of the Council of Europe.

⁷⁴ Cultural practices of the population of Ukraine: behaviour and attitude: results of a sociological survey (<http://surl.li/qnbht>).

⁷⁵ Joint statement of the Prime Ministers of Ukraine and Romania on the results of the first meeting of the governments of the two countries (<http://surl.li/micom>).

⁷⁶ Charter of Fundamental Rights of the European Union (<http://surl.li/ewiek>).

⁷⁷ European Charter for Regional or Minority Languages (<http://surl.li/qndgh>).

Enshrined in the national legislation of Law of Ukraine dated 15 May 2003 No. 802-IV “On Ratification of the European Charter for Regional or Minority Languages”, the translated text does not correspond to the spirit and purpose of the European Charter for Regional or Minority Languages, which is aimed at preserving languages that are in danger of disappearing. The incorrect translation of the Charter became the cause of political speculation by pro-Russian forces in Ukraine on the issue of national language legislation.

Ensuring the informational rights of national minorities (communities) and indigenous peoples

The dissemination of information in the languages of minorities (communities) corresponds to Ukraine's international obligations, in particular within the framework of Ukraine's European integration progress and the fulfilment of the provisions of Art. 9 of the Framework Convention ratified by Ukraine on ensuring the rights of national minorities to receive and disseminate information in the language of their national minority, ensuring access to mass media, ensuring the possibility of creating and using their own mass media, in particular printed media.

Article 10 of Law of Ukraine “On National Minorities (Communities) of Ukraine” dated 13 December 2022 No. 2827-IX, as amended by Law of Ukraine dated 21 September 2023 No. 3389-IX states that in settlements where persons belonging to national minorities (communities) traditionally live, or in which such persons make up a significant part of the population, the distribution of internal and external advertising in the languages of the relevant national minorities (communities) is allowed with a mandatory dubbing in the state language. The dubbing text in the state language must reproduce the content of the dubbed advertisement and is executed in a font no smaller than the text of the dubbed advertisement. In audio and audiovisual media of the local category, it is allowed to distribute advertising made in the languages of national minorities (communities), while in audiovisual media such advertising is subtitled in the state language.

The Law of Ukraine “On Media”⁷⁸ adopted on 3 December 2022 (art. 3) contains provisions on granting state support targeted state support to entities in the field of media that deliberately support development of the languages and cultures of national minorities (communities) and indigenous peoples of Ukraine.

The concept of “Broadcasting for and about national communities and indigenous peoples” is implemented as part of the activities of NPBC. The Coordination Centre for the Broadcasting of National Minorities (Communities) operates at NPBC, the purpose of which is to ensure the informational rights of national communities and indigenous peoples of Ukraine. NPBC also produces content about national minorities (communities) to objectively and impartially cover issues related to national communities and indigenous peoples in Ukrainian society.



To fulfil the provisions of part ten of Article 10 of the Law of Ukraine “On National Minorities (Communities) of Ukraine” and to fulfil mandate of the Prime Minister of Ukraine dated 10 January 2023 No. 36215/1/1-22, SSEPFC developed the Methodology for the use of languages of national minorities (communities) of Ukraine in settlements where persons belonging to national minorities (communities) of Ukraine traditionally live, or where such persons make up a significant part of the population⁷⁹.

⁷⁸ Law of Ukraine “On Media” (<http://surl.li/gfiht>).

⁷⁹ The Cabinet of Ministers of Ukraine. Resolution “On approval of the Methodology for the use of languages of national minorities (communities) of Ukraine in localities where people belonging to national minorities (communities) of Ukraine traditionally live, or in which such people constitute a significant part of population” (<http://surl.li/qndkl>).

On 2 November 2023, the Commissioner received a draft resolution of the Cabinet of Ministers of Ukraine “On approval of the Methodology for the use of languages of national minorities (communities) of Ukraine in localities where people belonging to national minorities (communities) of Ukraine traditionally live, or in which such people constitute a significant part of population” for approval. On 9 November 2023, the relevant draft resolution was approved by the Commissioner. As of December 2023, the draft resolution has not been adopted, the Cabinet of Ministers of Ukraine is recommended to approve the resolution as soon as possible.

In the 1st quarter of 2024, the Commissioner, in cooperation with the SSEPFC, the Ministry of Foreign Affairs, the Ministry of Culture and Information Policy, and other central bodies of the executive power, and the National Academy of Sciences of Ukraine, plan to develop and submit to the Cabinet of Ministers in accordance with the established procedure a draft act on the approval of the list of languages of national minorities (communities) that are in danger of disappearing.

Ensuring information rights within the framework of the activities of the national public broadcaster

As part of the implementation of the NPBC Concept “Broadcasting for and about national communities and indigenous peoples”⁸⁰ before the full-scale Russian invasion, the projects of the Centre in the languages of national minorities (communities) were active, which were broadcast on various platforms of the NPBC: on TV channels, radio stations and YouTube channels of regional branches of the national public broadcaster. In particular, the projects “Common Goal” (in Romanian, once a month), “Voice of Bulgarians” (in Bulgarian, once a month), “With Your Own Eyes” (in German, once a month), “A Word in Hungarian” (in Hungarian, once a month), “Romano Jivipen” (in Romani, once a month), “At a Romanian Home” (in Romanian, once a month) were broadcast.

Russia’s full-scale invasion of Ukraine negatively affected the possibilities of ensuring the informational rights of national minorities (communities) and indigenous peoples and the right to receive socially important information in their mother tongue. In 2022 the production of planned projects in the activity of NPBC was suspended, in particular, due to inadequate state funding⁸¹. In particular, despite the funding of NPBC guaranteed by national legislation at the level of 0.2% of all state expenditures in 2022–2023, state funding of NPBC did not reach 0.1%, which is due to the sequestration of state expenditures in favour of supporting Ukraine’s defence capabilities in the conditions of the Russian-Ukrainian war⁸².

The reduction in funding of NPBC had a negative impact on the release of television content in the mother tongue of national minorities (communities). As of 2023, it was possible to restore only the news television broadcast in the Romanian language “Public News. Chernivtsi.”

It was possible to preserve the programs in the mother tongue on the waves of the regional radio stations of the Public Broadcaster. Regional “Suspilne” radio stations broadcast news in Romanian in Uzhhorod and Chernivtsi. The radio station of the NPBC branch “Suspilne Odesa” broadcasts programs in Hungarian, Slovak, Bulgarian, and Gagauz languages. The regional branch of NPBC “Zakarpattia Regional Directorate” (state form of ownership) is working on the gradual restoration of the work of newsrooms in the languages of national communities.

80 Concept of PJSC on Broadcasting on the topic of national minorities (<http://surl.li/qnegi>).

81 Annual (general) report on the activities of NPBC JSC for 2022 (<http://surl.li/qnegw>).

82 Naumova O. “The main thing that the state can do for NPBC is to give money and not get involved in the work” (<http://surl.li/qnehq>).

NPBC also continued the implementation of national projects about national minorities (communities) and indigenous peoples, broadcast in the Ukrainian language, namely: “Shades of Ukraine”, “Visual code”, “My Crimea”, “Another profession”, “Shades of Ukraine. War”, “Doors”, and others.

Proper functioning of NPBC is an important condition for compliance with European standards and principles in the information sphere and a reliable channel for ensuring informational inclusion of national minorities (communities) and indigenous peoples, especially in the conditions of the Russian-Ukrainian war. In particular, in September 2023, Nicolo Gasparini, the press attaché of the EU Representation in Ukraine noted that ‘Public broadcasting provides Ukrainians with free access to quality and reliable sources of news, especially during wartime, when disinformation and information manipulation remain widespread⁸³.’

Access to national information broadcasting, in particular in the languages of national minorities (communities), is unsatisfactory in the border territories of Ukraine with a compact population of national minorities (communities) of Ukraine. The situation in the Zakarpattia region remains difficult, in particular in the territories with a compact residence of the Hungarian national minority (community). According to 2021 Report of the representative of the National Council of Ukraine on Television and Radio Broadcasting in the Zakarpattia region, the region has unsatisfactory provision of digital broadcasting to the population, which negatively affects the informational provision of the rights of local residents of compact living of national minorities (communities) of Ukraine⁸⁴. The number and location of the digital broadcasting information infrastructure network do not correspond to the specifics of the geographical terrain. The most difficult situation is in the Berehovo district with a compact residence of the Hungarian national minority (community), whose inhabitants are actually completely segregated from the domestic information space of Ukraine.

According to the request of the Secretariat of the Commissioner to the National Council for Television and Radio Broadcasting, as of October 2023, the optimization of the region’s information infrastructure was not carried out.

Mass media in the languages of national minorities (communities) and indigenous peoples

The Simferopol regional information and entertainment TV channel ATR⁸⁵, broadcasts in the Crimean Tatar language. It broadcasts from Kyiv due to the temporary occupation of the Crimean peninsula. The TV channel stopped broadcasting from 31 March 2015 to 17 June 2015 due to political pressure from the occupying authorities in Crimea. Throughout 2022, the TV channel experienced systemic difficulties with providing satellite broadcasting. The media holding also includes radio station Meydan FM⁸⁶ and TV channel for children Lale⁸⁷. Accordingly, against the background of Russia’s full-scale invasion of Ukraine, the provision of broadcasting in the Crimean Tatar language in Ukraine has deteriorated.

According to the State Scientific Institution “Ivan Fedorov Book Chamber of Ukraine”, in 2022 in Ukraine, 2 editions were published in Polish, 4 were published in Hungarian. In addition, 140 editions were published in Russian.

83 ‘Save “Suspilne” and ensure its financing,’ international partners (<http://surl.li/qneiu>).

84 Report of Volodymyr Ivanovych Tsapovskyi, representative of the National Council of Ukraine on Television and Radio Broadcasting in the Zakarpattia region, for 2021 (<http://surl.li/qnekp>).

85 ATR. Simferopol regional information and entertainment TV channel (<http://surl.li/qnemf>).

86 Meydan FM. Simferopol Crimean Tatar music and information radio station (<http://surl.li/qnens>).

87 LALE. Crimean non-state satellite and cable children’s television channel (<http://surl.li/qnene>).

In particular, 4 Hungarian-language newspapers were published in *the Zakarpattia region*. Three weekly newspapers, *Karpatalja*, *Karpatino* and *Naplopo*, were published in the town of Berehovo, and the newspaper *Karpati Igaz Szo* was published three times a week in the city of Uzhhorod. According to the data of the Zakarpattia Regional State Administration, the Uzhhorod local non-state information and entertainment TV channel *21 Uzhhorod* also broadcasts in the Ukrainian and Hungarian languages in the region.

In the *Ivano-Frankivsk region*, the regional newspaper *Kurier Galicejski* was published twice a month in Ukrainian and Polish. According to the data of the Ivano-Frankivsk Regional State Administration, radio CKPiDE, the Internet radio programs of which are broadcast in Polish and Ukrainian, and the newspaper *Kurier Stanislawovski* are also present in the region. *Monitor Wołyński* (in Polish/Ukrainian) is published fortnightly in Lutsk (Volyn region). It is aimed at residents of Volyn, Rivne and Ternopil regions. It is distributed in churches, Polish societies, schools and diplomatic institutions.

The city newspaper “Thiya” is published by the Chernihiv regional association of Jewish communities of the charitable Jewish foundation “Hesed Ester.” Also, with the support of the Ministry of Foreign Affairs of the Republic of Poland and the Vinnytsia regional program to support the activities of national and cultural societies of the region, the NGO “Christian-Democratic Union of Poles in Vinnytsia” publishes the newspaper *Słowo Polskie* in Polish. In the first half of 2022, *Słowo Polskie* was published in PDF format in electronic form (slowopolskie.org), since September of this year it has been printed in paper form.

In the Chernivtsi region, the weekly local publication “New Day” (Monitorul de Hliboca) and *Gazeta de Herta* are published in Romanian. The NGO “A. Mickiewicz Chernivtsi Regional Society of Polish Culture” published the monthly newspaper *Gazeta Polska Bukowiny* in Ukrainian and Polish. The regional weekly “Va-Bank” was also published in Chernivtsi in Ukrainian and German. Most of these publications have their own Internet site and conduct their activities on Facebook social network. Besides, since 2020, Monitorul Bucovinean has been published in the Chernivtsi region *with the support of the Department of Romanian Affairs of the Government of Romania*. Its editors created a website (monitorbuk.com.) at the end of 2022, thanks to which its content became available online.

According to the data of the *Lviv Regional State Administration*, three publications of private and non-state ownership are published in the region in the language of national minorities (communities)/indigenous peoples: “Shofar” newspaper of the Sholom Aleichem Lviv Society of Jewish Culture (language of publication is Yiddish/Ukrainian), bulletin of the All-Ukrainian Jewish Charitable Fund “Hesed-Arye” (Ukrainian/Hebrew), “Kurier Galicyjski” newspaper (Polish/Ukrainian). *Kurier Galicyjski* (*Radio Kurier Galicyjski*⁸⁸) in Lviv is supported by the Office of the Prime Minister of the Republic of Poland. The editors of the publication publish a fortnightly magazine and a magazine for children, record a radio program broadcast on the Polish radio *Wnet*⁸⁹ and the Ivano-Frankivsk station *Vezha*⁹⁰, and also shoot news stories that are shown on the *Polonia*⁹¹ TV channel.

In Ukraine, there is a tendency to reduce print media publications in the languages of national minorities (communities) compared to the data, presented in the Fifth Periodic Report of Ukraine on the implementation of the provisions of the Framework Convention for 2020⁹².

88 Radio Kurier Galicyjski – 06.09.2023 (<http://surl.li/qneyg>).

89 Wnet.fm (wnet.fm).

90 Vezha. Exclusive content portal (vezha.org).

91 TV Polonia (polonia.tvp.pl).

92 Fifth Report submitted by Ukraine (<http://surl.li/qngdm>).

In particular, according to the data of the Odesa Regional State Administration, since 2019, as a result of amendments to the relevant legislation, it has become impossible to finance the publication of 5 newspapers in the languages of national minorities (communities) from the regional budget, namely:

- “Roden Krai” (All-Ukrainian state cultural and educational bulletin of the Bulgarians of Ukraine),
- “Luchaferul” (a newspaper of the All-Ukrainian National-Cultural Moldavian Association with nationwide circulation),
- “Armenian Herald” (the newspaper of the Odesa regional Armenian community of the city of Odesa and the public organization “Union of Armenians of Ukraine”),
- “Odissos” (the newspaper of G. G. Marazli Odesa regional community of Greeks),
- “Bulgarians yesterday, today, tomorrow” (regional cultural and educational bulletin of Bulgarians of Ukraine).

The editors of these newspapers submitted an appeal to the CMU, VRU and MCIP regarding a possible solution to the issue by amending the Law of Ukraine “On State Support of Mass Media and Social Protection of Journalists.”



The commissioner notes that in the conditions of 2022–2023 and likely future blackouts due to the Russian-Ukrainian war, the importance of printed mass media in the languages of national minorities (communities) and indigenous peoples remains relevant and calls on local self-governance bodies within the limits of their powers and capabilities to promote the preservation of publications in the languages of national minorities (communities) and indigenous peoples in their places of compact residence.

Despite the challenges of a full-scale invasion, according to the data of the State Scientific Institution “Ivan Fedorov Book Chamber of Ukraine”, throughout 2022 and in the first half of 2023, book production in the language of indigenous peoples and other languages of national minorities (communities) of Ukraine is being published in Ukraine.

Information of the bibliographic register of book products⁹³

Types of publications	2023		2022	
	Number of editions, print. unit	Circulation, thousand	Number of editions, print. unit	Circulation, thousand
 Books and brochures:	15187	24664,0	9691	11553,2
in Ukrainian	12688	22612,8	7968	10503,8
in the language of the indigenous peoples of Ukraine	3	1,1	—	—
in other languages	2496	2050,1	1723	1049,4
 Art publications:	1193	4112,3	858	2406,3
in Ukrainian	1098	3985,7	599	1828,5
in other languages	95	126,6	259	577,8
 Notes publications:	140	23,1	111	25,4
in Ukrainian	133	21,9	95	22,4
in other languages	7	1,2	16	3,0
 Maps publications:	63	95,1	65	60,6
in Ukrainian	61	92,1	59	49,6
in other languages	2	3,0	6	11,0

93 Information of the bibliographic register of book products (ukrbook.net).

Publication of books and brochures in the languages of the nations of the world (first half of 2023)⁹⁴

Language of publication	2023	
	Number of editions, print. unit	Circulation, thousand
In total, including:	5946,0	5694,6
 English	184	67,6
 Spanish	4	1,2
 Crimean Tatar	1	0,5
 Latin	1	0
 German	10	3,5
 Polish	3	0,2
 Russian	331	142
 Romanian	6	1,2
 Old Slavonic	2	0
 Hungarian	2	0,2
 Ukrainian	4927	5266,8
 French	2	2
 Czech	1	0,1
 In several languages of the peoples of the world, including editions in Ukrainian and other languages	472	209,1



The Commissioner draws attention to the need to comply with the OSCE Tallinn Guidelines on National Minorities and Media in the Digital Age⁹⁵, which provide for supporting and/or facilitating the production of content by national minorities (communities) and for national minorities (communities), in particular in their languages, as well as the distribution of this content through various media platforms. He also points to the importance of ensuring access to objective informational content for audiences from among national minorities (communities) and indigenous peoples under martial law. Such access for national minorities (communities) and indigenous peoples should include the possibility of obtaining information not only through television and radio broadcasting but also through access to socially important information in their mother tongue on the internet and social networks.

⁹⁴ Publication of books and brochures in the first half of 2023 (<http://surl.li/qngtli>).

⁹⁵ Tallinn Guidelines on National Minorities and Media in the Digital Age and Explanatory Note (<http://surl.li/qngvf>).

1.6. The right to education in the languages of persons belonging to national minorities (communities), indigenous peoples

In Ukraine, the right to education is guaranteed (Art. 53 of the Constitution of Ukraine). Ukraine has ratified the UN Convention on the Rights of the Child, the Principles of Language and Education (UNESCO), the Convention on Discrimination in Education (UNESCO), the Declaration of the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (UN)⁹⁶. The educational rights of national minorities (communities) are guaranteed by the Framework Convention (in particular, by Art. 12). Protection of educational rights and freedoms of persons belonging to national minorities (communities), indigenous peoples is also guaranteed by the Law of Ukraine “On National Minorities (Communities) of Ukraine” and the Law of Ukraine “On Education”⁹⁷, as well as by special laws in the specified area. Decentralization reforms have expanded the realization of the rights of national minorities (communities) to effective participation in the context of the transfer of powers on matters concerning national minorities (communities) (such as access to education, support of national culture, representation at the local level) to the level of local self-governance.

Legislative issues regarding the provision of the process of teaching in the languages of national minorities (communities) have caused critical comments from organizations of national minorities (communities), international organizations, and governments of various countries. In particular, in December 2017, the Venice Commission published a conclusion to the provisions of Article 7 of the Law of Ukraine “On Education”⁹⁸, noting that promoting the strengthening of the state language and making it mandatory for all citizens is a legitimate and even laudable goal of the state (clause 118). At the same time, the Venice Commission recommended making this article more balanced. It saw an opportunity for flexibility: the current law on education is a framework document, and the future law on general secondary education, which has yet to be adopted, could provide for more detailed and balanced solutions. To implement the recommendations of the Venice Commission, the Ministry of Education and Science of Ukraine held numerous consultations and in previous years adopted the Roadmap for the implementation of Article 7 of the Law of Ukraine “On Education” in general secondary education institutions for the years 2019–2023 (Order of the Ministry of Education and Science dated 27 March 2019 No. 399)⁹⁹. The tasks and measures of the document contained the principles for creating qualitatively new conditions in classes with instruction in the languages of national minorities alongside the state language and ensuring a balance between strengthening the status of the state language and preserving the ethnic identity of national minorities (communities) of Ukraine.

It is worth noting that in decision of the Constitutional Court of Ukraine dated 16 July 2019 No. 10-p/2019, the Law of Ukraine “On Education” was recognized as being compliant with the Constitution of Ukraine. In particular, “Ukrainian as the state language is mandatory throughout the territory of Ukraine in the state sphere, as well as in public spheres of social life, in particular in the sphere of education.” Knowledge of the Ukrainian language as the state language contributes to the socialization and comprehensive self-realization of a person and is a means of preventing discrimination. The transitional periods regarding the implementation of the provisions of the Law of Ukraine “On Education” have been repeatedly

96 Convention on the Rights of the Child (<https://is.gd/pnpWQG>); Convention on the Elimination of Discrimination in Education (<https://is.gd/mBLmef>); Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (<https://is.gd/ofnfl1>).

97 Law of Ukraine “On Education” (<https://is.gd/v1Y9K6>).

98 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, adopted by the Commission at its 113th Plenary Session (Venice, 8-9 December 2017) (<http://surl.li/qnhaf>).

99 Order of the Ministry of Education and Science of Ukraine “On approval of the roadmap for the implementation of Article 7 of the Law of Ukraine “On Education” in general secondary education institutions for 2019–2023” (<http://surl.li/xuts>).

prolonged in response to the appeals of all interested parties. On 10 June 2023, the Law of Ukraine “On Amendments to Chapter XII “Final and Transitional Provisions” of the Law of Ukraine “On Education” regarding the regulation of certain issues of educational activity under martial law”¹⁰⁰ was adopted. The main goal of the Law is to ensure the rights of persons who belong to national minorities (communities) of Ukraine, whose languages are official languages of the European Union, and who started general secondary education before 1 September 2018 in the language of the respective national minority (community)¹⁰¹. The corresponding decision extended the transition period regarding the increase in the number of hours of learning the state language for educational institutions where teaching is conducted in the languages of national minorities (communities) to ensure the educational process.

The further improvement of the normative and legal regulation of the educational rights of national minorities (communities) in their mother tongue continued. On 15 September 2023, representatives of Ukraine and Hungary held the fourth meeting of the Hungarian-Ukrainian intergovernmental working group on education¹⁰², in Budapest, during which they discussed the rights of Hungarians in Transcarpathia. According to the assessment of the head of the permanent commission on education, science, spirituality and national minorities of the Zakarpattia regional military administration¹⁰³, there is positive progress in the development of the curriculum, which not only meets the requirements of Ukrainian legislation but also contributes to the preservation of Hungarian identity. A number of issues remained unresolved, such as, for example, ensuring the necessary conditions for passing a multidisciplinary exam in the Hungarian language.

At the same time, changes were made to Ukrainian legislation in 2023, in particular, in accordance with the recommendation of the Council of Europe regarding the provision of educational rights in the languages of national minorities (communities). In particular, Law of Ukraine “On Ensuring the Functioning of the Ukrainian Language as a State Language”¹⁰⁴ dated 25 April 2019 No. 2704-VIII, stipulates that the language of the educational process in educational institutions is the state language. In classes (groups) with instruction in the languages of national minorities, which are official languages of the European Union, the right to use the language of the respective national minority in the educational process is guaranteed alongside the state language.

The right to education in one’s mother tongue is guaranteed by Article 7 of the Law of Ukraine “On Education” No. 2145-VIII dated 5 September 2017. Amendments to the law dated 8 December 2023, part 1 of Art. 7 provide that the language of the educational process in educational institutions is the state language. In classes (groups) with instruction in the languages of national minorities, which are official languages of the European Union, the right to use the language of the respective national minority in the educational process is guaranteed alongside the state language. Corresponding changes to the transitional provisions of the law (clause 19) state that persons who belong to national minorities of Ukraine, whose languages are official languages of the European Union, and who started general secondary education before 1 September 2018 in the language of the relevant national minority of Ukraine, until completion of obtaining Comprehensive General Secondary Education have the right to continue obtaining such an education in accordance with the rules that were in effect before this law came into force.

100 The Law of Ukraine “On Amendments to Chapter XII “Final and Transitional Provisions” of the Law of Ukraine “On Education” regarding the regulation of certain issues of educational activity under martial law” (<http://surl.li/qnhwf>).

101 Explanatory note to the draft Law of Ukraine “On Amendments to Chapter XII “Final and Transitional Provisions” of the Law of Ukraine “On Education” regarding the regulation of certain issues of educational activity under martial law” (<http://surl.li/qnhxl>).

102 “The most difficult dialogue”: The government talked about consultations with Hungary on the educational issue (<http://surl.li/qnhzu>).

103 Orosz Ildikó beszámolója a Magyar-Ukrán Oktatási Munkacsoport negyedik üléséről (<http://surl.li/qnibg>).

104 Law of Ukraine “On Ensuring the Functioning of the Ukrainian Language as the State Language” (<https://is.gd/hzQ221>).



During bilateral meetings in September 2023 held in Krakow during the forum “Protection of National Minorities in Ukraine: from the improvement of the legislative framework to its effective implementation in accordance with the standards of the Council of Europe”, Commissioner Dmytro Lubinets discussed with Petra Rother, the Head of the Advisory Committee of the Framework Convention for the Protection of National Minorities, existing challenges and possible solutions related to the reform of legislation regarding national minorities (communities) in the context of the experience of European Union policy, standards and recommendations of the Council of Europe against the background of Russia’s aggression against Ukraine, which continues to this day. The commissioner noted that despite the ongoing war, Ukraine is making every effort to ensure the rights and freedoms of national minorities (communities) and indigenous peoples, the necessary conditions for the development of their linguistic, cultural, ethnic, and religious identity.

Article 5 of the Law of Ukraine “On Comprehensive General Secondary Education”¹⁰⁵ dated 16 January 2020 No. 463-IX stipulates that in classes (groups) with education in the languages of national minorities, which are the official languages of the European Union, the right to use the language of the respective national minority is guaranteed in the educational process alongside the state language. Persons who belong to the national minorities of Ukraine, whose languages are official languages of the European Union, and who exercise the right to study in the relevant languages in state, communal or corporate educational institutions, may obtain: basic secondary education in the relevant languages of national minorities, with the exception of academic subjects (integrated courses) related to the study of the Ukrainian language, Ukrainian literature and the history of Ukraine, which are taught in the state language; specialized secondary education in the relevant languages of national minorities, with the exception of academic subjects (integrated courses) related to the study of the Ukrainian language, Ukrainian literature, history of Ukraine and defence of Ukraine, which are studied in the state language. It is guaranteed that the list of educational subjects (integrated courses) to be studied in the state language in classes (groups) with instruction in the languages of national minorities, which are official languages of the European Union, can be expanded at the decision of the educational institution.



The Commissioner highlights that obtaining a Comprehensive General Secondary Education in accordance with the rules that existed before the entry into force of this law endangers the quality and level of mastery of the state language of persons belonging to national minorities of Ukraine, whose languages are official languages of the European Union, and who started general secondary education before 1 September 2018 in the language of the relevant national minority.

This, in turn, can lead to negative consequences in terms of the impossibility of such persons to pass an external independent assessment, and therefore endangers the acquisition of a Comprehensive General Secondary Education by such persons and their further admission to higher educational institutions in Ukraine.

¹⁰⁵ Law of Ukraine “On Comprehensive General Secondary Education” (<http://surl.li/qnieg>).

In addition, the improvement of national legislation on ensuring the linguistic and educational rights of national minorities (communities) provides for the introduction of cumulative bilingual education¹⁰⁶, which is aimed at promoting a high level of mastery of both the minority (community) and the official languages. Such a model is a priority in the system of language education approaches of the EU and the Council of Europe. Cumulative bilingual education in Ukraine is carried out within the framework of an innovative educational project on the topic “European integrated school model with the Hungarian language of instruction.” In 2022, a decision was made to implement the II stage of the project and expand the base of project implementation until November 2026 (Order of the Ministry of Education and Science dated 29 August 2022 No. 770)¹⁰⁷.

In the State target national and cultural program “Unity in Diversity” until 2034, the provision of educational rights is defined as a priority, in particular the planned tasks and measures for the support and development of educational processes at various levels in the languages of national minorities (communities) and indigenous peoples of Ukraine in accordance with the legislation.

According to the Ministry of Education and Science, the preparation of a national multi-subject test in the languages of national minorities (communities) and indigenous peoples was not foreseen in 2023. In accordance with the Procedure for conducting the national multi-subject test in 2023, approved by the order of the Ministry of Education and Science, the certification works were completed in the state language (except for assignments in foreign languages). At the same time, in 2024, entrants will have the opportunity to complete the tasks of certification papers of the national multi-subject test in the languages of national minorities (communities) and indigenous peoples (except for tasks in Ukrainian literature and tasks in foreign languages), in particular in Crimean Tatar, Romanian and Polish languages.

Regionally, according to the Ministry of Education and Science, the teaching and learning of the Romanian language is carried out only in institutions of general secondary education in Zakarpattia and Chernivtsi regions. Only students of such institutions of the Zakarpattia region study Hungarian or study in Hungarian.

During the covered period, the share of students who study this language as optional or in groups decreased

 from **1 281 people** in academic year 2019/2020
 to **911 people** in academic year 2022/2023.

On the other hand, the number of students studying in the Hungarian language has increased

 from **17 192 people** in academic year 2019/2020
 to **17 733 people** in academic year 2022/2023.

and the number of those who study Hungarian as a subject increased

 from **2 139 people** in academic year 2019/2020
 to **2 524 people** in academic year 2022/2023.

Such a redistribution of students from optional language learning in favour of learning it as a subject is explained by the measures of the Ministry of Education and Science regarding language policy, namely teaching in the languages of national minorities (communities) along with teaching in the state language. It is worth noting that the

¹⁰⁶ Good practice of multilingual education and teaching in minority languages (<http://surl.li/qniez>).

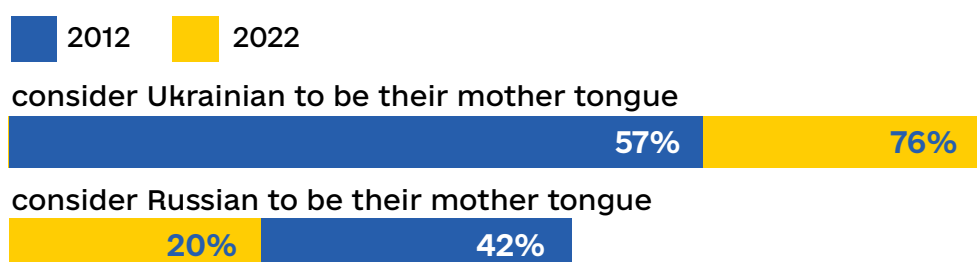
¹⁰⁷ Order of the Ministry of Education and Science of Ukraine “On the completion of the implementation and (organizational and preparatory) stage of the innovative educational project on the topic “European integrated school model with the Hungarian language of instruction” for October 2021 – May 2022 and the expansion of the base of the innovative educational project on the topic “European integrated school model with the Hungarian language of instruction” for October 2021 – November 2026” (<http://surl.li/qnigi>).

corresponding dynamics are observed despite the indicators of displacement of citizens and persons belonging to national minorities (communities) outside Ukraine due to Russian aggression. In particular, according to the Ministry of Education and Science of Ukraine, as a result of Russia's full-scale military aggression against Ukraine, the number of students in educational institutions in the east, south and north of the country has decreased. The outflow of students occurred primarily due to forced relocation abroad and changing the place of study. Another reason for the decrease in the number of students was their move to another region of Ukraine.

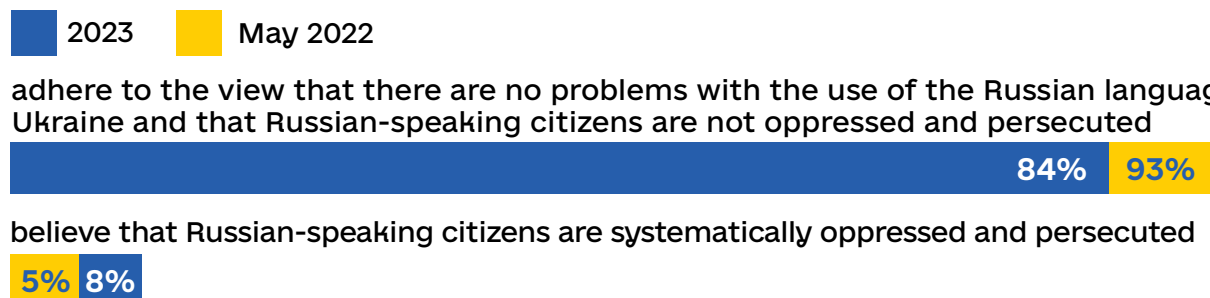
At the same time, some students are forced to study at the TOT. The study of the quality of the organization of the educational process in the conditions of war in the 2022/2023 academic year was conducted in December 2022 – January 2023 by the State Service for the Quality of Education of Ukraine with the support of the initiative “Preserving access to school education”¹⁰⁸. According to the survey of the Ministry of Education and Science, the psycho-emotional state of students has worsened, for example, the number of high school students who feel safe has decreased by **20%**. A year earlier, **81%** of students in villages and **85%** in cities and towns said they felt safe, in January 2023, **65%** in cities and towns and **69%** in villages said so.

According to the results of consultations of members of the Advisory Committee of the Framework Convention with representatives of national minorities (communities)¹⁰⁹, which took place with the participation of the Commissioner, the complication of the implementation of the educational process against the background of a full-scale invasion was noted. In particular: education in minority languages is difficult to sustain amid destroyed school buildings, internal displacement of teachers and students, the constant risk of shelling, and online education interrupted by power outages. Besides, representatives of national minorities (communities) are among the millions of Ukrainian refugees currently living in other countries.

In general, according to sociological studies¹¹⁰, the linguistic identification of citizens is undergoing changes, which can also affect the choice of the language of instruction. In particular, according to the research of the sociological group “Rating” in 2022, over the last decade, there has been a steady increase in the number of those who consider the Ukrainian language to be their mother tongue:



In this dynamic, it is worth paying attention to the following trends. Noticeable changes in language self-identification took place primarily between 2012–2016. According to sociological surveys conducted by the Kyiv International Institute of Sociology in 2023, the absolute majority of Ukrainians:



¹⁰⁸ Study of the quality of the organization of the educational process in the conditions of war in the 2022/2023 academic year (<http://surl.li/mesbd>).

¹⁰⁹ Advisory Committee met with national minority representatives from Ukraine (<http://surl.li/qmpek>).

¹¹⁰ Sixth national survey: the language issue in Ukraine (March 19, 2022) (<http://surl.li/chnuc>).

At the same time, according to the Ministry of Education and Science, Russia's military aggression against Ukraine caused a significant reduction in the share of students in their total (**from 22.9% to 0.2%**), who have a desire to study it in one or another format (according to the analytical note of the Ministry of Education and Science regarding information on the prevalence of studying foreign languages and languages of national minorities in secondary education institutions).



The Commissioner did not receive appeals from citizens, public organizations aimed at protecting the educational rights of national minorities (communities), indigenous peoples regarding the closing of schools in the free territory of Ukraine. The Commissioner participates in the dialogue regarding guaranteeing and ensuring the educational rights of national minorities (communities). The further process of implementation of the updated legislation in the field of ensuring the educational process in the languages of national minorities (communities) will be in the field of constant attention of the Commissioner.

1.7. The right to preserve the cultural identity of persons belonging to national minorities (communities), indigenous peoples

A democratic and plural society is based on the principles of respect for the ethnic, cultural, linguistic and religious identity of every person belonging to a national minority (community). A mandatory component of this is the creation of appropriate conditions for the discovery, preservation and development of this identity, as indicated in the Framework Convention. Cultural diversity should become a source of enrichment for society as a whole. Article 15 of the International Covenant on Economic, Social and Cultural Rights, recognizes the right of every person to participate in cultural life¹¹¹. Article 12 of the Law of Ukraine “On National Minorities (Communities) of Ukraine” guarantees the right to preserve the cultural identity of a national minority (community). In particular, persons belonging to national minorities (communities) have the right to preserve and develop their cultural, linguistic, religious identity, traditions and customs, to use the achievements (assets) of their culture, to preserve and multiply their cultural heritage. In addition, the right to mark (celebrate) events related to the history and culture of the national minority (community) is guaranteed. Law “On Indigenous Peoples of Ukraine” dated 1 July 2021, No. 1616-IX guarantees that the state promotes the development of the ethnic, cultural, linguistic and religious identity of the indigenous peoples of Ukraine and takes care of meeting the national, cultural and linguistic needs of their representatives living abroad of Ukraine.

Challenges to the preservation of objects of cultural heritage of persons belonging to national minorities (communities) and indigenous peoples as a result of Russian aggression

Cultural heritage is an important component of identity of persons belonging to national minorities (communities), indigenous peoples. In particular, in accordance with the provisions of the Framework Convention, the parties undertake to create the necessary conditions for persons belonging to national minorities to have the opportunity to preserve and develop traditions and cultural heritage. The “Convention on the Protection and Promotion of the Diversity of Cultural Expressions” (UN, 2005)¹¹² also highlights the importance of the viability of cultures, in particular for persons belonging to minorities (communities) and indigenous peoples, which is

¹¹¹ International Covenant on Economic, Social, and Cultural Rights (<https://is.gd/X2fAEF>).

¹¹² Convention on the Protection and Promotion of the Diversity of Cultural Expressions (<https://is.gd/cZRfOr>).

manifested in their freedom to create, disseminate and transmit, and have access to their traditional forms of cultural expression in order to use them for their own development.

The Russian invasion in 2022 caused further damage and destruction of objects of material heritage related to the history and culture of national minorities (communities) and indigenous peoples. The rights of national minorities (communities) and indigenous peoples regarding the right to use the cultural relics of their people, the right to master and use their language, the right to maintain ethno-cultural ties with the titular nations of other states with which they are related by national, ethnic, religious or linguistic rights are violated (Article 2 of the “Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities”).

It is worth noting that Russia continues to take measures to destroy the Ukrainian identity, which manifests itself in the destruction and demolition of the cultural heritage of the Ukrainian people as a whole.

According to MCIP, as of 25 December 2023, damage to cultural heritage sites in Ukraine as a result of Russian aggression is recorded.

In total, during the period from 24 February 2022 to 25 December 2023, the following were damaged or destroyed:

24 February 2022

25 December 2023



872 objects of cultural heritage

120 of national importance

of local importance

682

70 newly discovered

among them:

architectural sights **279**

sights of architecture and urban planning **255**

sights of history **203**

33 sights of architecture and history

19 sights of monumental art

17 sights of urban planning and monumental art

18 sights of archaeology

38 sights of architecture and urban planning, of history

5 sights of urban planning

2 sights of science and technology

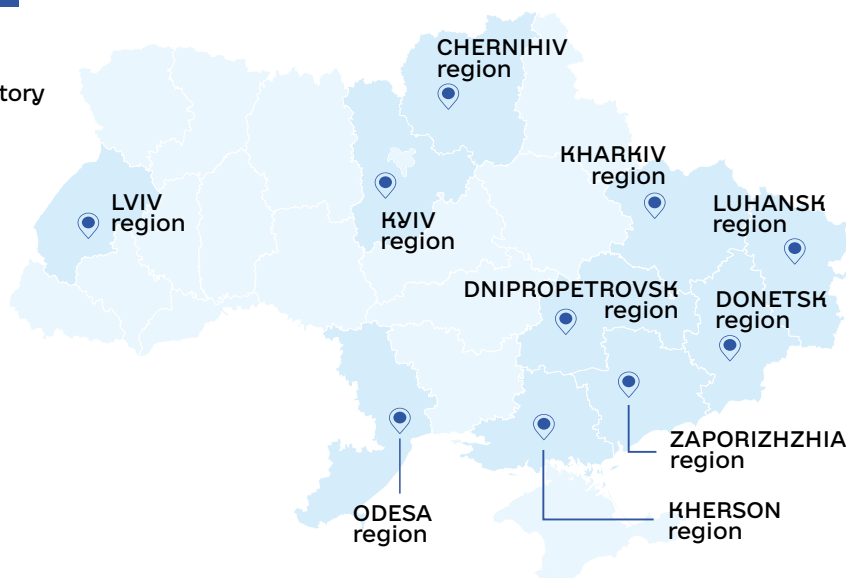
1 sights of garden and park art

1 sights of architecture, urban planning and monumental art

1 sights of architecture and monumental art



Regions that suffered the greatest losses and damages in the cultural network:



According to the data of the regional military administrations:



672 sights are partially damaged



177 sights – the extent of the damage remains unknown



23 sights are completely destroyed

As of 13 September 2023, UNESCO confirmed damage to **289** objects of cultural heritage of Ukraine



120 religious objects



19 monuments



27 museums



13 libraries



109 buildings with historical or artistic value



1 archive¹¹³



At the request of the Commissioner, the MCIP provided information on at least 24 damaged and destroyed objects of cultural heritage, cultural institutions, cult and religious buildings of representatives of national minorities (communities) and indigenous peoples of Ukraine as of 28 August 2023*, among which there are premises of organizations of national minorities (community) and religious institutions. The corresponding data do not take into account the loss of museum collections related to the history of national minorities (communities), indigenous peoples in temporarily occupied territories, private collections, the fate of many artefacts remains unknown.

The human losses of the carriers of local cultures of the Ukrainian people are catastrophic, which threatens the possibility of hereditary transmission and the revival of their ethnic identity. In particular, the old Swedish village of Zmiivka (village of Gammalsvenskby)¹¹⁴ is still under intense aerial bombardment in the front-line zone. After 9 months of occupation, the settlement, the centre of the language group (Old Swedish dialect)¹¹⁵, is actually completely destroyed. Only about 200 residents of the usual 2,400 remained in the settlement.

The cultural heritage of national minorities (communities), including their places of memory and worship, is being destroyed. According to HeMo Ukrainian Heritage Monitoring Lab¹¹⁶ monitoring data, the explosion of the Kakhovska HPP on 6 June 2023, led to the destruction of the Museum of the Jews of the Kherson region, i.e. the Hesed Shmuel Centre (the city of Kherson) and the Vahorlytske settlement archaeological site (the village of Ivanivka) which was an ancient Greek settlement and a component of the cultural heritage of the Greek minority (community) of Ukraine.

As in the historical periods of Nazi and Soviet cultural destruction, the cultural heritage of the Jewish minority (community) is suffering in Ukraine. The actions of the Russian forces, according to the chief rabbi of Ukraine Moshe Reuven Asman¹¹⁷, are identical to the Nazis. Under the slogans of “denazification”, Russian rockets destroy places of remembrance and worship of the Jewish community of Ukraine. Cult objects in the conditions of Russian aggression also acquired the cognitive role of shelter. In particular, the Great Synagogue of Kharkiv, which is the second

*In response to the request of the Commissioner, MCIP reported the absence of data as of the end of 2023

¹¹³ Damaged cultural sites in Ukraine verified by UNESCO (<http://surl.li/kargx>).

¹¹⁴ Svenskbyborna (<http://surl.li/qnmeq>).

¹¹⁵ Swedes of Ukraine. Who are they? Ukraïner (<http://surl.li/qnmfm>).

¹¹⁶ Consequences of explosion at the Kakhovska HPP dam for cultural heritage (<http://surl.li/qnmgm>).

¹¹⁷ ‘Russian forces act like Nazis,’ Moshe Reuven Asman (<http://surl.li/qnmhh>).

largest in Europe, was destroyed during the attack on 10 March 2022. When the Russian missile exploded near the synagogue, there were more than 100 Jews in it. Drobytskyi Var¹¹⁸ near Kharkiv is damaged and mined. It is a memorial to the victims of the Holocaust, which came under fire from Russia in the spring of 2022. It remains 80% demined, two monuments are damaged, and shell holes are visible on the territory. Due to Russian shelling, the Jewish cemetery in Hlukhiv in the Sumy region¹¹⁹ was destroyed, and the Jewish cemetery in Bila Tserkva was damaged.



Jewish cemetery, town of Hlukhiv, Sumy region



The menorah in Drobytskyi Var, damaged by shelling

Even in the face of a full-scale invasion, Ukraine is still making efforts to overcome the consequences of the destructive influence of the Soviet government in matters of restoration of the cultural heritage of national minorities (communities). In particular, in Sniatyn (Ivano-Frankivsk region) the creation of a lapidary (exhibition of samples of ancient writing on stone slabs) was initiated from the matzes (Jewish gravestones) that were used to pave one of the town's streets during Soviet times¹²⁰.

In the village of Oliiv of the Zboriv community in the Ternopil region, the restoration and arrangement of the Polish cemetery, is underway, where the local residents, together with the participants of Polish NGOs, organized a toloka – form of mutual collective assistance – and plan to include the object in the tourist routes of the region¹²¹. This is also cooperation with a Jewish organization regarding the restoration of the roof of the Great Synagogue in Dubno in the Rivne region¹²², which is an architectural monument of local significance from the 16th century, one of the oldest and largest synagogues in western Ukraine.

At the same time, to preserve the cultural heritage of national minorities (communities) and indigenous peoples as a component of the cultural heritage of the Ukrainian people, the organization of maintaining a register of lost/damaged cultural values of ethnic communities and the implementation of projects aimed at the digitization of their cultural heritage are required.

118 80% of the territory is mined: how Drobytskyi Var is being restored in the Kharkiv region (<http://surl.li/qnmib>).

119 In Sumy region, a Russian missile hit a Jewish cemetery (<http://surl.li/qnmjb>).

120 In Ciscarpathia, the Jewish tombstones that lined the street were moved to the cemetery (<http://surl.li/qnmkg>).

121 The Polish cemetery is being restored in Ternopil region (<http://surl.li/qnmkz>).

122 In Rivne region, the roof of one of the oldest and largest synagogues in western Ukraine is being repaired (<http://surl.li/qnmlx>).

Support of cultural and artistic programs of national minorities (communities), indigenous peoples in conditions of war at the national level

At the national level, cultural and artistic projects are supported by the Ukrainian Cultural Fund state institution. According to the report of UCF, in 2022¹²³, at the national level, grant support for the implementation of cultural and artistic projects was suspended due to the full-scale invasion of Russia into Ukraine. In accordance with Resolution of the CMU dated 10 March 2022 No. 245¹²⁴, funds in the amount of UAH 583 million, provided for the implementation of cultural and artistic projects in 2022, were directed to meet the needs of the Armed Forces of Ukraine to counter aggression from Russia. UCF, as a state institution, continued to work normally but the grant season for 2022 was suspended.

In 2023, in its activities, the UCF noted among its priorities¹²⁵ the support of cultural diversity (projects of ethnic communities, national minorities and indigenous peoples, including unique ethnic cultures that are in a threatening situation) and cultural and artistic projects aimed at strengthening cultural tolerance and respect, which will contribute to citizens' feeling of belonging to Ukraine (priority No. 5).

Within the framework of the competition program "Culture. Regions" of the UCF, the budget of which for 2023 was UAH 22 million, the possibility of grant support for cultural and artistic projects of the cultural diversity of Ukrainian society is provided within the framework of sub-projects LOT 1 "Local culture" and LOT 2 "Culture of indigenous peoples and unique ethnic cultures of the Azov and Black Sea regions."

One of the priorities of LOT 1. Local culture¹²⁶ is the promotion of local culture, cultural diversity and values of national minorities and ethnic groups, their harmonious coexistence. Out of 144 submitted applications within the LOT, only 46 passed the technical selection. However, according to the results of the competitive selection in 2023, provided to the Commissioner's Secretariat, cultural and artistic projects aimed at the implementation of this priority were not covered by grant support.

LOT 2. Culture of indigenous peoples and unique ethnic cultures of the Azov and Black Sea regions¹²⁷ is designed to ensure the preservation and promotion of the culture of the indigenous peoples of Crimea (Crimean Tatars, Krymchaks and Karaites) and unique ethnic cultures of the Azov and Black Sea regions, which are in a threatening state (Upper Azov Greeks, Meskhetian Turks, Urums, Rumeis, etc.). Out of 36 submitted applications within the LOT, 22 passed the technical selection. In 2023, the projects of the NGO "Crimean Family", the Crimean Institute of Strategic Studies and the NGO "Hromadske Radio" received grant support within the framework of the LOT. At the same time, the grant program does not cover projects related to the preservation and promotion of the ethnic cultures of the Azov and Black Sea regions, which are in a threatening state (Upper Azov Greeks, Meskhetian Turks, Urums, Rumeis, etc.), in particular, from organizations representing these target groups.

¹²³ Annual report of the Ukrainian Cultural Fund for 2022 (<http://surl.li/qnmnr>).

¹²⁴ The Cabinet of Ministers of Ukraine. Resolution "On directing funds to the reserve fund of the state budget" (<http://surl.li/qnmow>).

¹²⁵ Report for the II quarter of 2023 (<http://surl.li/qnmqv>).

¹²⁶ LOT 1. Local culture (<http://surl.li/exczt>).

¹²⁷ LOT 2. Culture of indigenous peoples and unique ethnic cultures of the Azov and Black Sea regions (<http://surl.li/qnmsw>).

Support and development of identity at the regional level: processes and challenges



According to the Commissioner's requests in 2022–2023 regarding the state of observance of the rights of national minorities (communities), indigenous peoples, and religious communities in the conditions of martial law in the regions of Ukraine, cooperation of authorities of various levels was observed, and measures aimed at the task of social integration were implemented. At the same time, during the martial law regime caused by Russian aggression, there is a limitation of resources, in particular at the region and district levels for the implementation of various measures to support the institutional capacity of organizations of national minorities (communities).

According to SSEPFC¹²⁸ annual expenditures for the needs of national minorities (communities), indigenous peoples during 2022 roky* amounted to **UAH 4409209**, which cannot fully contribute to the development of CSOs of national minorities (communities), indigenous peoples, to solve the problem of systemic support for linguistic and cultural development, integration of society, respond to humanitarian challenges. At the level of individual regions, special regional target programs have been adopted, which provide for tasks and measures to support and develop the identity and culture of persons belonging to national minorities (communities).

In a number of regions, regional target programs regarding the support of cultural diversity have been adopted. According to Article 3 of Law of Ukraine “On Culture” dated 14 December 2010 No. 2778-VI¹²⁹, the basic principles of state policy in the field of culture include the recognition of culture as one of the main factors of the identity of the Ukrainian people, citizens of Ukraine of all nationalities. The second part of Article 4 establishes that the state, in priority order, creates conditions, among other things, for the development of the culture of the Ukrainian nation, indigenous peoples and national minorities. At the same time, culture is understood in all its diversity, supporting the values of dialogue and communication.

Before the Russian invasion, as of 1 January 2021, there were 107 cultural centres of national minorities (communities) operating in Ukraine, the most numerous of which were: Jewish (17), Polish (16), German (23) minorities (communities), as well as 13 multinational (those that unite several national minorities (communities)). In 2022, their number decreased to 94, at the beginning of 2023* the number of the centres was 100. Accordingly, despite the challenges of the war, the basic network of centres has been preserved and is gradually being restored.

*In response to the request of the Commissioner, SSEPFC reported the absence of data as of the end of 2023

128 Report on the number of public associations, the state of ensuring the rights of national minorities and indigenous peoples in Ukraine (as of 1 January 2023) (<http://surl.li/qmmgv>).

129 Law of Ukraine “On Culture” (<http://surl.li/ukii>).

For example, the following targeted regional programs were implemented in 2022–2023:

- Targeted national and cultural program to support and promote the development of ethnic communities of the Mykolaiv region for 2022–2024;
- Program “Cultural Centre of National Minorities of Transcarpathia” for 2021–2025, and Program for the Support of National Minorities and the Development of Interethnic Relations in the Zakarpattia Region for 2021–2025¹³⁰;
- “Program for supporting the activities of national and cultural societies of the region, ensuring inter-religious harmony and spiritual and moral development of Vinnytsia region and cooperation with Ukrainians abroad for 2021–2024”¹³¹;
- “Regional target program for the social and cultural development of national minorities for 2018–2022”¹³² in the Volyn region (due to the introduction of the martial law provision, non-priority expenses for the implementation of regional program measures have been suspended/limited);
- support for the development of the ethnic, cultural and linguistic identity of all indigenous peoples and national minorities (communities) was included in the Cultural Development Program of the Rivne region until 2022, the regional program “Culture of the Rivne region” was added for 2023–2027;
- the project of the regional program for the development of international and state-church relations until 2027 in the Kirovohrad region was developed. The program for the development of international and state-church relations until 2027 in the Kirovohrad region was approved by the decision of the Kirovohrad regional council by order No. 391 dated 6 October 2023. The Department of Finance of the regional state administration provides funds in the regional budget for financing the activities of the Program.

During 2022–2023, there was a reduction in the number of events and actions of organizations of national minorities (communities), formats of cooperation with authorities due to the displacement of citizens, financial challenges, and challenges of a large-scale Russian invasion.

Carried out/partially carried out, provided funding:

- in the Donetsk region, cultural activities are held online due to active hostilities in the territory of the region, which poses a real threat to the life and health of the civilian population of the region.
- In Luhansk region in 2022, a number of events were held in an online format with the participation of representatives of national minorities (communities) within the framework of the Regional target complex program for the development of the sphere of culture for 2022–2025. During 2023, events in the regions were held online. In particular, these are events for the Day of Remembrance of the Victims of the Holodomor, the International Day of Remembrance of the Victims of the Holocaust and the celebration of the World Day of Cultural Diversity for Dialogue and Development.
- In Odesa region, as part of the regional comprehensive program “Culture of Odesa Region for 2020–2022”¹³³ (approved by decision of the Odesa Regional Council dated 20 December 2019 No. 1166-VII), the regional budget provided for expenditures to support the activities of national minorities (communities). On 21 December 2023, the validity period of the regional comprehensive program “Culture of Odesa Region for 2020–2023” was extended again until 2024.

130 About the program “Cultural Centre of National Minorities of Transcarpathia for 2021–2025” (<http://surl.li/qnmwi>); About the Program for the Support of National Minorities and the Development of Interethnic Relations in the Zakarpattia Region for 2021–2025 (<http://surl.li/qnmwz>).

131 List of regional programs (<http://surl.li/gpsox>).

132 List of programs operating in the Volyn region (<http://surl.li/qnmzj>).

133 Regional comprehensive program “Culture of Odesa region for 2020–2022” in action (<http://surl.li/qnnad>).

■ On 1 January 2022, a new regional Targeted national and cultural program to support and promote the development of ethnic communities of the Mykolaiv region for 2022–2024¹³⁴ began to operate in the Mykolaiv region, within the framework of which several events were held already in 2022, in particular for the International Day of Remembrance of the victims of the Holocaust and to the anniversary of the Babyn Yar tragedy.

In 2023, 13 meetings were held, the participants of which were officials from various countries of the world, scientists and active public of the region and Ukraine. In 2024, it is planned to continue the implementation of program measures. Besides, the Department of Culture, Nationalities and Religions of the Mykolaiv region is currently developing a new regional Targeted national and cultural program for the support, promotion and development of national minorities (communities) of the Mykolaiv region for 2025–2027.

■ In Chernihiv region, despite the difficult security and humanitarian situation, in 2022, activities were carried out with the participation of minority organizations (communities), in particular, on the occasion of the Independence Day of Ukraine, the Day of the State Flag, the Day of Remembrance of the Victims of the Holodomor of 1932–1933, on 18 November with the participation the Jewish community of Chernihiv, a memorial event for the 81st anniversary of the beginning of the execution of Jews by the Nazi occupiers in the Berezovyi Riv tract in Chernihiv was held.

In 2023, the following events were held in Chernihiv region with representatives of national minorities (communities): International Holocaust Remembrance Day (27 January 2023, Chernihiv, Berezovyi Riv tract), Remembrance Day of the Victims of the Genocide of the Crimean Tatar People (18 May 2023, Chernihiv, Krasna Square), Remembrance Day of the Victims of the Nazi Genocide of the Roma (Chernihiv, memorial sign to the dead Roma in the Astra neighbourhood), commemoration to the memory of the victims of Babyn Yar (29 September 2023, Chernihiv, Berezovyi Riv tract), presentation of the photo exhibition “The German Trace in the History of Ukraine” (12 October 2023, Chernihiv, Gregory Galagan Art Museum), Open Day of the German Cultural Centre “Interaction” (13 October 2023, Chernihiv, Gregory Galagan Art Museum), commemoration of the victims of the mass shooting of Jews in Chernihiv (17 November 2023, Chernihiv, Berezovyi Riv tract).

Representatives of national minorities (communities) were also invited to celebrate the Independence Day of Ukraine (24 August 2023), the Day of Ukrainian Statehood (28 July 2023) and commemoration of the Holodomor victims (25 November 2023).

Not carried out:

■ in Zaporizhzhia region in 2022, the measures of the Program to Support the Development of Cultures of National Minorities in Zaporizhzhia region for 2018–2022 were not implemented due to the occupation of most of the region and mass evacuation of the population, in particular, representatives of national minorities (communities) and indigenous peoples of the region.

However, it should be noted that during 2023, officials of the Zaporizhzhia Regional State Administration held a number of meetings with representatives of national minorities (communities) in offline and online formats. In particular, to the Day of Resistance to the Occupation of the Autonomous Republic of Crimea on 25 February 2023, a meeting was held in which representatives of the Crimean Tatar societies, NGO “Ani Yurt”, NGO “Jamaat” took part. On 20 April 2023, a round table was held with representatives of Muslim communities of the Zaporizhzhia region, and on 26 July 2023, with the participation of representatives of national and cultural societies, including Bulgarian, Polish, and Roma, a round table meeting on the topic “Ukrainian statehood and national communities” was held. To implement the Strategy for Promoting the

Realization of the Rights and Opportunities of Persons Belonging to the Roma National Minority in Ukrainian Society Until 2023, on 25 October 2023, a working meeting was held online with the International Charitable Organization “Roma Women’s Fund ‘Chirikli’”, NGO “Zaporizhzhia Roma centre ‘Lacho Drom’”, Nataliia Kyrylova, adviser to the head of the regional military administration on issues of displaced persons, and with representatives of structural divisions of the regional state administration. Also, on 8 November 2023, the deputy head of the regional state administration held a working meeting with the chief rabbi of the Zaporizhzhia region, Nohum a-Cohen Erentroi, and representatives of the Jewish community.

■ In the Kherson region, cultural events have been temporarily suspended due to the occupation of part of the territory, hostilities, complex security threats, in particular in institutions of general secondary education, where education was carried out in the Crimean Tatar language.

During 2023, the holding of events was not resumed

■ In Poltava region, due to the introduction of martial law, in 2022 funding was not provided under the direction “Development of inter-religious and international relations” within the framework of the comprehensive Program for the Development of Culture and Art in Poltava region for 2021–2025¹³⁵.

During 2023, funding under the direction “Development of interfaith and international relations” was not renewed.

Potentially updated legislation on ensuring the rights of persons belonging to national minorities (communities) provides for the development of implementation mechanisms, which should correct the situation with resource provision of needs. At the same time, work continued on implementation tools for the development of legislation on ensuring the rights of national minorities (communities), realizing the rights to identity, supporting and developing the cultures of organizations of national minorities (communities). Potential implementation mechanisms will be expanded by the State target program “Unity in Diversity” (approved by Order of the CMU dated 26 September 2023 No. 850-p).

Policy in the field of toponymy regarding national minorities (communities) and indigenous peoples

The implementation of the laws of Ukraine “On the condemnation of communist and national socialist (Nazi) totalitarian regimes and the prohibition of propaganda of their symbols” and “On the condemnation and prohibition of propaganda of Russian imperial policy in Ukraine and decolonization of toponymy”¹³⁶ contribute to the revival of historical memory about the contribution of representatives of groups of various ethnic origin in the cultural heritage of Ukraine. In particular, for the results of the Odesa topographical commission and the electronic voting on the renaming of 39 toponymic objects in Odesa, which ended on 1 October 2023¹³⁷. Instead, it was not possible to rename Lev Tolstoy Square, which was proposed to be named after one of the founders of Jewish literature, Mendeley Mochev Sforim, probably due to the lack of a sufficient information campaign about him among the townspeople.

¹³⁵ Poltava Regional Council. Decision On making changes to the Comprehensive Program for the Development of Culture and Art in the Poltava Region for 2021–2025 (<http://surl.li/qnncd>).

¹³⁶ Law of Ukraine “On the condemnation of communist and national socialist (Nazi) totalitarian regimes in Ukraine and the prohibition of propaganda of their symbols” (<https://is.gd/qBMSic>); Law of Ukraine “On the condemnation and prohibition of propaganda of Russian imperial policy in Ukraine and decolonization of toponymy” (<https://is.gd/1CIsfH>).

¹³⁷ With Lobanovskiy Lane, but without Mendeley Mochev Sforim Square: in Odesa, voting on renaming 39 toponyms was completed (<http://surl.li/qnnfe>).

The interaction of the Chernivtsi toponymic commission with the Romanian community of the city continues. The latter proposes to rename more than 30 streets in Chernivtsi¹³⁸ in honour of famous scientists, doctors, politicians and cultural figures of their community. However, the implementation of the proposals is currently incomplete.

Street renaming processes in the settlements of the Zakarpattia region also contribute to the restoration of the names of prominent local figures, in particular those of Hungarian and Romanian origin.

At the local level, the interaction and consideration of the proposals of representatives of national minorities (communities) with state authorities and within communities have a different nature of inclusiveness and non-conflict.

CASE

In February 2023, representatives of the Association of Gagauz Societies of Ukraine and the All-Ukrainian public organization “Union of Gagauz of Ukraine” appealed to the Commissioner regarding the position of local authorities on the issue of returning the historical name Kurchu (the name of the pre-Soviet period in the Gagauz language) of the village of Vynohradivka of the Bolhrad Town Council of the Odesa Region. In response to the appeal of the Commissioner’s Secretariat, the Bolhrad town council of the Odesa region informed about the return of its historical name to the locality but the decision of the local authorities was contested by some activists from among the local population. In case No. 420/6880/23, by its decision dated 28 June 2023¹³⁹ the Odesa District Court confirmed the legality of the procedures for renaming the settlement.

Thanks to the active position of Gagauz activists in the Odesa region, a number of settlements and street names were renamed in places where Gagauz people live compactly in Ukraine. In the appeal of the All-Ukrainian Gagauz community¹⁴⁰ in March 2023, it was noted that the issue of restoration of historical memory is important for representatives of national minorities (communities) who, as citizens of Ukraine, are today fighting for Ukraine to survive as a state, for it to restore its historical memory so that any ethnic group on its territory has the opportunity to return to its origins, to preserve itself as a people and to develop.

The issue of restoring the historical toponymy of Crimea as a component of restoring justice to the Crimean Tatar people and the tools for the de-occupation of the peninsula is timely and important. On 10 October 2023, experts of the Crimean Tatar Resource Centre presented 10 principles of restoration of authentic toponyms of Crimea¹⁴¹.

Instead, the reverse processes take place in the Russian-controlled territories of Ukraine. According to the data of the representatives of national minorities (communities), obtained through the requests of the Commissioner, the Russian military-territorial administration renamed the streets of occupied Melitopol: instead of Hetmanska Street there is Lenina Street, University Street became Daria Duhina (Russian propagandist) Street, Dmytro Dontsov became Zakharchenko (terrorist) Street, Interkultura Street became Yekaterina Velikaya Street,

138 In Chernivtsi, more than 30 streets are proposed to be named after Romanian figures: who they are and what they said about Ukrainians (<http://surl.li/qnnfu>).

139 Decision dated 29 June 2023 in case 420/6880/23, Odesa District Administrative Court (<http://surl.li/qnnngl>). To the public (<http://surl.li/qnnhe>).

140 The All-Ukrainian community of Gagauz spoke about the renaming of the village of Vynohradivka in the Bolhrad community (<http://surl.li/qnnhe>).

141 Yes to the decolonization of toponyms of Crimea! (<http://surl.li/mjghf>).

Hrushevskiy Street became Karl Marx Street, Heroes of Ukraine became Kirov Street. Bolharska (Bulgarian) Street, Yevreiska (Jewish) Street, Karaim Professor Tanatar Street have disappeared. The renaming of streets in favour of representatives of military groups of Russia, which directly participate in armed aggression against Ukraine, continues in the Autonomous Republic of Crimea. Russia uses toponymic names for ideological purposes to eradicate the historical memory of the Ukrainian people, in particular, the national minorities (communities) of Ukraine.

1.8. Prohibition of discrimination based on nationality

According to national legislation, citizens of Ukraine, regardless of racial/ethnic origin, are guaranteed equal civil, political, social, economic, cultural and linguistic rights and freedoms. Equality of constitutional rights and freedoms, as well as the absence of privileges and restrictions based on racial/ethnic characteristics, is enshrined in Article 24 of the Constitution of Ukraine.

CASE

The Commissioner received an appeal from the Coalition of Roma non-governmental public organizations of Ukraine regarding the use of ethnic profiling by law enforcement agencies against representatives of the Roma national minority (community).

During August–September 2022, in the city of Zaporizhzhia and in Toretsk, Donetsk region, armed guards stopped representatives of the Roma nationality at checkpoints without official explanations and handed them over to police stations. In police departments, ethnic profiling was used against representatives of the Roma national minority (community), which is a gross violation of human rights.

As a result of the Commissioner's response, the police conducted an official investigation in the specified areas and undertook to prevent violations of citizens' rights based on ethnicity or any other reason in the future. After that, the persecution of Roma at checkpoints stopped.

The international obligations undertaken by Ukraine within the framework of ratification are determined by the Association Agreement between Ukraine, on the one hand, and the European Union, the European Atomic Energy Community and their member states, on the other hand. In particular, Article 14 stipulates: the parties attach special importance to the establishment of the rule of law and the strengthening of institutions of all levels in the field of general management and law enforcement and judicial bodies; and clause "m" of Art. 420 is on overcoming discrimination in all its forms and manifestations.

Article 4(A) of the International Convention on the Elimination of All Forms of Racial Discrimination (dated 4 February, 1994 No. 995_105)¹⁴² declares any dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of a different skin colour or ethnic origin, as well as providing any assistance to racist activities, including its financing an offence punishable by law;

¹⁴² International Convention on the Elimination of All Forms of Racial Discrimination (<http://surl.li/accjy>).

According to Article 6, Clause 2 of the Framework Convention on the Protection of National Minorities (dated 9 December 1997 No. 703/97-BP) the parties undertake to take appropriate measures to protect persons who may be subjected to threats or acts of discrimination, hostility or violence on the basis of their ethnic, cultural, linguistic or religious identity.

Access to justice for national minorities (communities) and indigenous peoples

According to the report of the UN Secretary General The Rule of Law and Justice of the Transitional Period in Conflict and Post-Conflict Societies (23 August 2021)¹⁴³ in all conflict and post-conflict situations, minority groups (communities), particularly ethnically, are among the most vulnerable sections of society, which leads to element of the urgency of the imperative to restore the rule of law.

Regarding ensuring the principle of the rule of law in the conditions of challenges of Russian aggression, it is important to take into account the consequences of the armed conflict for representatives of national minorities (communities) and indigenous peoples and ensure their access to justice. This is one of the important prerequisites for establishing a just peace in Ukraine.

According to remote monitoring data of the Commissioner “Ensuring the Rights and Freedoms of National Minorities (Communities) in the Conditions of Military Aggression and Martial Law in Ukraine”, executive structures at the regional and local level do not record and accumulate up-to-date statistical data on violations of the rights and freedoms of national minorities and others vulnerable ethnic communities in conditions of open military conflict.

The current situation with the lack of systematic work on recording crimes in Russia against representatives of national minorities (communities) and indigenous peoples can lead to a massive loss of evidence in crimes committed by the Russian Federation based on factors of discrimination (ethnic origin, skin colour, religion, and language). A significant barrier to the effective work of local units is also the lack of competent specialists in their staff who would be able to carry out permanent legal monitoring of the ethnic environment.

In 2022 the Verkhovna Rada of Ukraine introduced criminal liability for “manifests of anti-Semitism”¹⁴⁴. Such manifestations include hateful attitudes towards persons of Jewish origin, anti-Jewish propaganda, denial of the Holocaust, destruction of Jewish buildings, religious structures or monuments. Previously, such crimes were classified as vandalism or hooliganism. According to the legislative changes, manifestations of anti-Semitism are punishable by a fine from UAH 3,400 to UAH 8,500, or restriction of liberty for a period of up to 5 years, with deprivation of the right to hold certain positions or engage in certain activities for a period of up to 3 years.

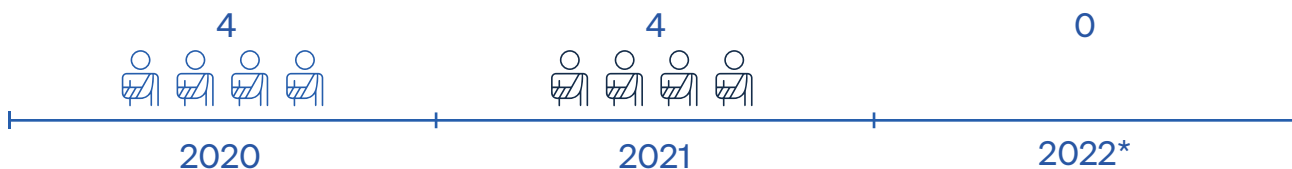
According to the data of human rights NGOs, there is a trend of decreasing hate crimes for manifestations of anti-Semitism in Ukrainian society. In particular, the Freedom House Report on hate crimes in Ukraine for 2022¹⁴⁵ did not record violent incidents on the basis of anti-Semitism, and there is a trend of decreasing manifestations of anti-Semitic vandalism:

143 The rule of law and transitional justice in conflict and post-conflict societies: Report of the Secretary-General (<http://surl.li/qnqgj>).

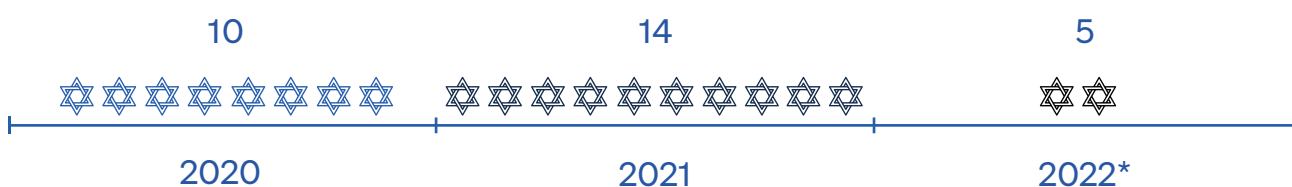
144 Draft Law on Amendments to Article 161 of the Criminal Code of Ukraine to implement the provisions of the Law of Ukraine “On Prevention and Counteraction of Anti-Semitism in Ukraine” (<http://surl.li/qnqgs>).

145 Freedom House on hate crimes in Ukraine (<http://surl.li/qnqhk>).

Victims of violent incidents based on anti-Semitism



Cases of anti-Semitic vandalism – physical damage (including the application of ideological graffiti) to Jewish infrastructure, religious and public buildings, places of remembrance and worship.



In 2022:

- On 19 January, a monument to the victims of the Holocaust was destroyed in Lysychansk;
- On 28 January, a monument to the victims of the Holocaust was desecrated in Dnipro;
- On 16 May, in Khmelnytskyi, an unknown vandal painted a sign resembling a swastika on the blinds at the entrance to the Jewish community centre “Thiya”;
- On 4 October, in Ivano-Frankivsk, vandals tore the Star of David from the metal fence at the old Jewish cemetery. They also damaged the fence around the memorial plaque and painted red paint over the metal structure;
- On 12 December, a window was broken in a synagogue in Kropyvnytskyi.

In 2023:

On 29 August, representatives of the Monitoring Group for the Rights of National Minorities recorded the first manifestation of anti-Semitic vandalism – the desecration of a memorial to the victims of the Holocaust, located on the outskirts of the town of Radomyshl, Zhytomyr region¹⁴⁶. An act of anti-Semitic vandalism was also recorded on 26 October in the city of Mykolaiv – red paint was poured over the synagogue building¹⁴⁷.

The tendency to decrease manifestations of anti-Semitism, which was recorded by public organizations, correlates with the data announced by the Minister of Internal Affairs Ihor Klymenko¹⁴⁸. Over the past three years, the number of criminal proceedings on the facts of anti-Semitism and manifestations of anti-Semitism in Ukraine has been decreasing. According to the data, 18 criminal proceedings against anti-Semitism were opened in 2020, 13 – in 2021, and 12 – in the military year of 2022. Despite the decrease in the level of anti-Semitism in Ukrainian society, according to the latest Global 100 edition of the Anti-Defamation League’s anti-Semitic index¹⁴⁹, the issue of countering anti-Semitic stereotypes remains relevant in Ukrainian society.

*As of the end of 2023, the Freedom House report on hate crimes in Ukraine for 2023 is missing

¹⁴⁶ The first case since the beginning of the year... (<http://surl.li/qnqhy>).

¹⁴⁷ In Mykolaiv, red paint was poured over the synagogue building (<http://surl.li/qnqif>).

¹⁴⁸ KJF-2023: ‘The number of proceedings for anti-Semitism in Ukraine decreased to 12 per year’ the minister (<http://surl.li/qnqja>).

¹⁴⁹ Index Scores by Select Demographic (<http://surl.li/qnqjj>).

Ukraine faces systematic anti-Semitic attacks from the Russian side against the background of unprovoked armed aggression. These include public statements of official representatives of the Russian state of an anti-Semitic nature towards representatives of the Ukrainian people, the spread of prejudices and negative stereotypes, and sabotage attacks by Russian special services. In particular, in April of this year, the Security Service of Ukraine prevented attempts to destabilize the internal political situation in the west of Ukraine by inciting anti-Semitic sentiments in the Zakarpattia region through anti-Semitic graffiti and threats to the leader of the local Jewish community. Another attempt to incite manifestations of anti-Semitism in Ukraine was prevented by the SSU in October 2023. Russian special services tried to recruit Ukrainian teenagers for anti-Semitic provocations in Zhytomyr region, as well as in Dnipro, Lviv, and Vinnytsia¹⁵⁰.

Problems of countering hate speech and prejudice crimes

Against the background of the war crimes committed by the Russian side in Ukraine, the national law enforcement agencies record a greater number of crimes committed out of intolerance. In particular, according to the statistics of the General Prosecutor's Office 145 criminal crimes committed on the grounds of racial, national or religious intolerance were recorded in the current year, for January–August. Whereas for the entire period of 2022 there were 126¹⁵¹.

The peculiarity of keeping national statistics on crimes motivated by intolerance is that it does not reflect the record of crimes in which the motive of intolerance is an aggravating circumstance, nor does it distinguish the most vulnerable groups from among the victims of such crimes. In particular, the Criminal Code of Ukraine provides for the criminalization of actions for violation of the equality of citizens depending on their racial, national, regional belonging, religious beliefs, disability and on other grounds (art. 161)¹⁵². Also, the motive of “racial, national or religious intolerance” is an aggravating circumstance when committing the criminal offence “Encroachment on the territorial integrity and inviolability of Ukraine” (Art. 110) and criminal offences against the life and health of a person: “*Wilful killing*” (Article 115); “*Wilful grave bodily injury*” (Article 121); “*Wilful bodily harm of medium gravity*” (Article 122); “*Beating and mutilation*” (Art. 126); “*Torture*” (Art. 127); “*Threat to kill*” (Art. 129).

Accordingly, the presented statistical information does not reflect the existing challenges regarding the array of crimes committed by the Russian side, committed on the grounds of prejudice on national and other grounds in Ukraine. There is no definition of “hate crime” in the national legislation, and the current legal norms make it difficult to properly qualify hate crimes and, accordingly, prosecute those responsible for their commission in Ukraine.

There is no definition of “hate speech” and “crimes based on intolerance” in national legislation, which necessitates the harmonization of the conceptual apparatus of the national legal framework with international norms. Among the shortcomings of the Ukrainian state's response to crimes based on intolerance, the Council of Europe points out the need for a clear distinction between the concepts of hate crimes and hate speech¹⁵³.

150 The SSU exposed the special services of the Russian Federation for recruiting Ukrainian teenagers for anti-Semitic provocations in various regions of Ukraine (<http://surl.li/qnqjn>).

151 On registered criminal offences and the results of their pretrial investigation (<https://is.gd/xkGSg0>).

152 Criminal Code of Ukraine (<https://is.gd/FwyT84>).

153 Data collection system on hate crimes, hate speech and discrimination in Ukraine: recommendations for improvement and application of a joint approach and situational analysis (<http://surl.li/qnqlz>).

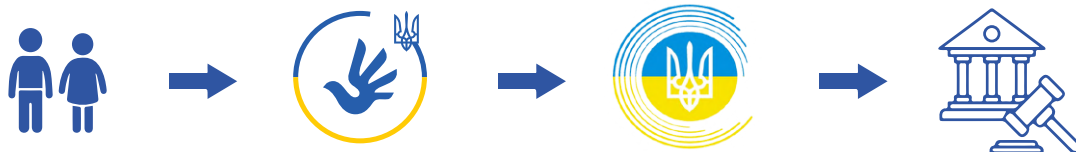
In Ukraine, there is also no proper legal framework for countering hate speech and the possibility of administrative prosecution for the spread of hate speech in Ukraine. One of the most common means of combating “hate speech” remains bringing a person to criminal liability under Art. 161 of the Criminal Code of Ukraine. However, there are no clear criteria for criminal liability for spreading hate speech.

At the central level, the development and implementation of state ethnopolitics is carried out in compliance with the principles of active participation of representatives of national minorities (communities) and indigenous peoples.

The National Council on Television and Radio Broadcasting, in cooperation with the Commissioner and in cooperation with representatives of national minorities (communities) and indigenous peoples, continues to develop criteria for classifying information as violating the requirements of the law on the prohibition of hate speech. The development of criteria is carried out in accordance with the Law of Ukraine “On Media”, hate speech in the media space is prohibited. The National Council is empowered to impose sanctions on violators.



To respond in a timely manner within the framework of the law, an agreement was reached between the Secretariat of the Commissioner and the National Council regarding the prompt notification of discovered violations or filed complaints in cases of the spread of stereotypes and expressions that can inflame and provoke hate speech.



CASE

In a television broadcast published on the YouTube channel, employees of the Commissioner’s Secretariat found information that may have signs of violation of equality and non-discrimination against representatives of the Roma national minority (community).

As a result of the Commissioner’s response, the National Council established that the video posted on the YouTube channel contains statements that have signs of violation of the current legislation of Ukraine, namely clauses 2 and 3 of the first part of Article 36 of the Law “On Media.”

In view of the above, the National Council sent a letter to stop the distribution of this information, which is still freely accessible to YouTube users, and a request to inform about the measures taken.

Besides, in accordance with clause 14 of the first part of Article 90 of the Law of Ukraine “On Media”, the National Council sent a letter to the head office of YouTube, LLC (San Bruno, California, USA) with a request to limit the distribution of the specified broadcast, which is posted on the YouTube channel.

On 9 February 2022, the UN Human Rights Committee adopted Concluding Observations on the 8th periodic report of Ukraine on the implementation of the International Covenant on Civil and Political Rights¹⁵⁴. The Committee notes with concern the lack of information from Ukraine on steps taken to overcome stigma and discrimination against many groups, including ethnic minorities. The Committee is also concerned by reports that most hate crimes against members of minority groups are not classified as such under Article 161 of the Criminal Code. The Committee recommended that Ukraine adopt comprehensive anti-discrimination legislation.

In the field of combating hate speech and hate crimes, the Committee recommended Ukraine the following:

- to consider revising its legislation to explicitly prohibit hate crimes in accordance with the Covenant and strengthen its efforts to combat intolerance, stereotyping, prejudice and discrimination against members of vulnerable and minority groups;
- to encourage the reporting of hate crimes and hate speech and ensure the detection and registration of such crimes, including through the creation of a comprehensive disaggregated data collection system;
- to strengthen the capacity of law enforcement officers to investigate hate crimes and hate speech cases, including online, strengthen the training of judges and prosecutors and ensure that all cases are systematically investigated, that the perpetrators are prosecuted with punishments that are proportionate to the seriousness of the crime and that the victims have access to a full refund.



The Commissioner draws attention to the need to implement comprehensive anti-discrimination legislation, in particular, to combat hate crimes and hate speech. At the national level, in accordance with international and European norms, it is necessary to implement a policy of systematic support for victims of such crimes. Mechanisms for proper qualification (mandatory consideration of motives of intolerance, in particular as an aggravating circumstance) also need improvement, as well as accounting of hate crimes taking into account the circumstances of the crime (location, groups of victims, etc.).

¹⁵⁴ Concluding observations on the 8th periodic report of Ukraine: Human Rights Committee (<http://surl.li/qnqms>).

SECTION 2

**VIOLATION OF THE RIGHTS OF NATIONAL
MINORITIES (COMMUNITIES) LIVING IN THE
TEMPORARILY OCCUPIED TERRITORIES
OF UKRAINE**

Materials were collected during the monitoring of the state of observance of the rights of national minorities (communities) and indigenous peoples, which is carried out by the Secretariat of the Commissioner with the support of the Office of the Council of Europe in Ukraine within the framework of the project “Supporting the implementation of European standards on combating discrimination and the rights of national minorities in Ukraine.”

2.1. The situation in the temporarily occupied territories: the rights of national minorities (communities), indigenous peoples, the right to identity, violations of international humanitarian law

Since 2014, Russia has been implementing a policy of imposing Russian identity and the physical and ideological displacement of indigenous peoples and national minorities (communities), as well as the concept of a separate Ukrainian people and the idea of a Ukrainian civil national identity, in the TOT of Ukraine.



The situation regarding the provision of complex rights of persons belonging to national minorities (communities) and indigenous peoples significantly worsened after the beginning of the Russian large-scale invasion of Ukraine on 24 February 2024. The large-scale invasion of the Russian Federation in Ukraine in 2022 has actualized the complex challenges and threats regarding the realization of the rights of national minorities (communities) and indigenous peoples to identity, cultural development, and protection against assimilation in the TOT even more. In particular, communities in the east and south of Ukraine, where representatives of national minorities (communities) and indigenous peoples lived, were located in the war zone, which caused human casualties, mass displacement of citizens in Ukraine and beyond, and unprecedented humanitarian challenges. Groups of national minorities (communities) and indigenous peoples, Ukrainians as a minority within a minority (AR Crimea), are under occupation today and are subject to systematic oppression, are under the influence of the policy of assimilation and colonization by the Russian Federation, the displacement of Ukrainian children from among national minorities (communities), cultural, educational, social, political rights, the right to life are restricted, representatives of indigenous peoples are being drafted into the military groups of the Russian Federation.

Since 2014, since the beginning of the aggression against Ukraine, Russia has violated the Hague and Geneva Conventions on the Protection of Civilian Population in Time of War, the European Convention on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Protection of Cultural Property in the Event of Armed Conflict¹⁵⁵ and many other international regulations. During this time, the Russian Federation violated almost 400 different treaties of international law.

According to the Ministry of Reintegration of the Temporarily Occupied Territories of Ukraine, 109,045 sq. km of the territory of Ukraine is still occupied by the Russian Federation, which is about 18% of the area of the entire country. Almost 3,700 cities and villages of Ukraine are under Russian occupation.

The regions of eastern and southern Ukraine with a significant multi-ethnic population are on the line of active hostilities:



According to the approved List of territories where hostilities are being waged or which are temporarily occupied by the Russian Federation (amended by Order of the Ministry of Reintegration dated 22 September 2023 No. 254), a significant number of settlements with compact residences of representatives of national minorities (communities) and indigenous peoples remain in the TOT, in particular:

- **Crimean Tatars** (Novooleksiivka, Rykovo, Shchaslyvtsevo, Partyzany of Henichesk district of Kherson region; Novotroitske district of Kherson region; Makiivka, Myrnohrad of Donetsk region; Anthratsyt of Luhansk region);
- **Bulgarians** (Ozeriany of Henichesk District of Kherson region; Rainivka, Viacheslavka, Hiunivka, Zelenivka, Inzivka, Sofiivka (Kolarivka), Manuilivka, Marynivka, Preslav, Baniivka, Troiany, Radolivka, Petrivka, Lozuvatka of Berdiansk District of Zaporizhzhia region; Botiieve, Bohdanivka, Hannivka, Stepanivka Druha, Strohanivka of the Melitopol district of the Zaporizhzhia region; Velyka Ternivka of the Yakymivka district of the Zaporizhzhia region);

¹⁵⁵ Geneva Convention for the Protection of the Civilian Population in Time of War (<https://is.gd/oCFWLX>); European Convention on Human Rights (<https://is.gd/vgb4G5>); International Convention on the Elimination of All Forms of Racial Discrimination (<https://is.gd/tSWS8X>); Executive Regulations of the Convention on the Protection of Cultural Property in the Event of Armed Conflict (<https://is.gd/X0p5bf>).

■ **Greeks** (Mariupol, Sartana, Maloianysol, Sartana, Urzuf, Kremenivka, Chermalyk, Yalta, Manhush, Staryi Krym of the Mariupol district of the Donetsk region; Volnovakha of the Donetsk region; Buhas, Starohnativka, Velyka Novosilka, Rozdolne, Hranitne, Komar, Staromlynivka, Ulakly, Bohatyr of the Volnovakha district of the Donetsk region; Styla, Starolaspa, Starobesheve of the Kalmius district of the Donetsk region);

■ **Romas** (Bakhmut, Krasnohirka, Kramatorsk, Vuhledar, Toretsk, Chasiv Yar, Kropyvnytske, Stritenka, Novotroitske, Olhinka and Dmytrivka of the Volnovakha district; Mariupol and Mariupol District; Lysychansk, Kreminna and Swatove districts of Luhansk region);

■ **Meskhetian Turks** (Khrestivka, Baltazarivka, Morozivka of the Chaplynka district of the Kherson region; Sloviansk of the Donetsk region).

In the conditions of military aggression and martial law in Ukraine, a large number of representatives of national minorities (communities) and indigenous peoples remain in the zone of active hostilities and daily experience massive violations of human rights and freedoms, from urbocide campaigns and “filtering” measures to cases of illegal kidnappings, torture, sexual and gender-based violence, illegal detentions, murders and show executions, politically motivated criminal prosecutions. The Russian Federation commits crimes against the provisions of international humanitarian law in the TOT, which violate the rights to identity, cultural identity, and involve the policy of Russian colonization of the TOT of Ukraine.

International organizations record such violations of IHL by the Russian Federation in temporarily occupied territories as:



torture and intentional killings



sexual violence



illegal attacks on the civilian population



attacks on civilian objects (attacks on specially protected objects) preventing the access of humanitarian aid



forcible displacement of the civilian population



розграбування та експропріація власності



looting and expropriation of property



the use of human attack shields that caused serious environmental consequences



war crimes, injury or killing of civilians



torture, physical violence, rape, inhuman treatment or deprivation of liberty



deportation and forcible transfer of the population



forcing citizens to participate in military operations against their own state



damage or destruction of civilian infrastructure, as well as looting of the civilian population



destruction of cultural and educational institutions



damage/destruction of religious buildings (temples, mosques, synagogues, etc.) and so on.

Since the beginning of the Russian invasion in 2014, in the TOT of Ukraine, the Russian authorities have been taking systematic measures to destroy the tangible and intangible cultural heritage of representatives of indigenous peoples and national minorities (communities), which are an integral part of the all-Ukrainian national heritage. The relevant actions systematically violate IHL, the provisions of the Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict of 1954, the Convention on the Protection of the World Cultural and Natural Heritage of 1972, the Convention on the Protection of the Intangible Cultural Heritage of 2003, the Convention on the Protection and Promotion of the Diversity of Forms of Cultural Expression¹⁵⁶. Measures are being taken to eradicate the Ukrainian language from everyday life, education, science, and the media. The aggressor is destroying the national historical memory common to Ukrainian society, confiscating books, banning any sources of information that declare Ukrainian-oriented or any alternative to the Putin regime view of the history, state, and community of Ukraine.

In the TOT, the Russian Federation purposefully pursues a systematic policy of destroying Ukrainian civil identity and linguistic identity. In the TOT, national minorities (communities) suffer from crimes committed by the Russian Federation against IHL and war crimes. Simultaneously, the rights of national minorities (communities), indigenous peoples to identity are violated, the practice of forced assimilation and Russification, restrictions on the support and development of culture are applied. Throughout the period of occupation, in the TOT of the Crimea and the city of Sevastopol, the Russian Federation implements the policy of colonization of the temporarily occupied territory and militarization of public life.



Celebration of 1 September on the temporarily occupied territory of Ukraine

The leading goal of the Russian political leadership, set for the occupation administrations of the Donetsk, Luhansk, Kherson, and Zaporizhzhia regions, is to “strengthen the all-Russian civic identity” and introduce a “complex system of social and cultural adaptation of foreign citizens¹⁵⁷.” This involves a well-thought-out system of measures on the part of the Russian Federation to replace the all-Ukrainian civic identity with the use of tools of educational, language, and cultural policy against the background of systemic repression against Ukrainian citizens who are in the TOT, in particular in settlements where representatives of national minorities (communities) and indigenous peoples traditionally live.

156 Second Protocol to the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954 (<https://is.gd/gDeDf0>); Convention on the Protection of World Cultural and Natural Heritage (<https://is.gd/LFfQmx>); Convention on the Protection of Intangible Cultural Heritage (<https://is.gd/qtKxZP>); Convention on the Protection and Promotion of the Diversity of Cultural Expressions (<https://is.gd/K2LBE4>).

157 Meeting of the Council on Inter-National Relations (<http://surl.li/qnqqp>).

In December 2022, the UN General Assembly adopted a resolution on the human rights situation in the temporarily occupied Crimea and the city of Sevastopol¹⁵⁸, which was supported by 82 countries. The resolution continued and developed the provisions of General Assembly resolution 68/262 dated 28 March 2014 “Territorial integrity of Ukraine”, where the General Assembly confirmed the status of TOT of the Autonomous Republic of Crimea and the city of Sevastopol and other TOTs by the Russian Federation as integral parts of the territory of Ukraine.

In the 2022 resolution on the situation with human rights in the TOT of the Autonomous Republic of Crimea and the city of Sevastopol, the demographic and colonial policy of the Russian Federation was condemned, in the framework of which the latter is criminally changing the demographic composition of the peninsula; torture of illegally detained Ukrainian and Crimean Tatar activists; enforced disappearances, groundless searches and criminal convictions against citizens of Ukraine; violation of economic, cultural and other rights of Ukrainians and representatives of the indigenous people, i.e. Crimean Tatars. During the years of temporary occupation, representatives of citizens of Ukraine, representatives of national minorities (communities) and indigenous peoples were subjected to oppression and repression in the TOT.

2.2. Right to Life

Russia's full-scale invasion of Ukraine in February 2022, Russia's use of prohibited means and methods of waging war, and systematic violation of humanitarian law put the issue of preserving the lives of the Ukrainian civilian population on the agenda. A complete picture of the victims among representatives of national minorities (communities) is impossible today due to military actions and the occupation of Ukrainian regions by the Russian Federation. However, cases of pressure, abductions, murders of citizens of Ukraine from among national minorities (communities) are recorded

According to the Office of the United Nations High Commissioner for Human Rights, due to Russian aggression against Ukraine from 24 February 2022 to September 2023, in Ukraine:



more than 9,6 thousand civilians died



more than 17,5 thousand people were injured¹⁵⁹.

These indicators take into account confirmed losses, which do not include data from temporarily occupied territories. It is still unknown how many Ukrainians died in the virtually destroyed Sievierodonetsk, Lysychansk, Popasna, Mariupol, Volnovakha, Bakhmut and other settlements, including persons belonging to national minorities (communities). The vast majority of cases of death or injury of civilians occurred due to the use of heavy artillery in populated areas, in particular, rocket salvo systems, as well as missile and air strikes. Besides, Russian troops committed a number of extrajudicial executions and indiscriminate killings of civilians, including children. None of the state institutions currently has complete and reliable statistical data on the ethnic origin of the dead and missing, prisoners, internally displaced persons and migrants, their number and places of stay/burial.

158 Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine : resolution / adopted by the General Assembly (<http://surl.li/qnqqx>).

159 Ukraine: civilian casualty update 11 September 2023 (<http://surl.li/qnqrj>).

The facts of repressions, murders, and torture by the Russian Federation against representatives of national minorities (communities), indigenous peoples are recorded, in particular, relevant processes have been taking place since 2014 in the temporarily occupied territories. After the Russian large-scale invasion in 2022, they acquired a massive, systematic character, in particular, in the territories of the south and east of Ukraine, which were occupied during 2022.



The ruined city of Mariupol, Donetsk region

The Greeks of the Azov region are under threat of extinction. They are the third largest ethnic group in the Donetsk region and the largest centre of compact settlement of Greeks in the territory of the entire post-Soviet space. Within the boundaries of one ethnic community, two unique language groups have been preserved to this day: **Rumeis, who speak the Rumei dialect of Greek, and Urums, whose language belongs to the group of Turkic languages.**

Since 2014, almost all the settlements of the Azov Greeks have suffered catastrophic destruction and numerous human casualties among the civilian population, as they were in the front-line zone on the line of fire.

Since February 2022, the situation has worsened due to the occupation and the humanitarian situation in Mariupol and other Greek settlements, where approximately 100,000 Greeks lived:



As a result of an airstrike on 26 February 2022, the death of 10 Greeks was recorded in the suburbs of Mariupol (villages of Sartana and Buhas). It is also known about the death of Nataliia Kharakoz, a writer, journalist, and public figure¹⁶⁰, who came from a Greek family and lived in Mariupol all her conscious life. The woman refused to leave the occupied city with her family and died at the age of 87 from the terrible conditions in which she had to live. After the destruction of her house, she spent several weeks in the basement of a nearby apartment building without contact with loved ones, in cold, hungry, dirt, without water or medicine. Locals buried Nataliia Kharakoz in the yard. A neighbour put a note in her pocket with her name and date of death. Thanks to this, the relatives who remained in the occupied territory were able to find the burial place of Nataliia Kharakoz in a mass grave at the Staryi Krym cemetery.



Nataliia Kharakoz, her destroyed house and burial place

According to the confirmed data of the mayor of Mariupol, more than 20,000 civilians died in the city during the occupation period. According to unofficial data, this figure may exceed 100,000 people. The estimate of losses among the local population, in particular, among representatives of the Greek community, is not accurate due to the complexity of the organization of data accounting.

Minors Nikita Khanganov and Tigran Ohannisyan, Armenians by origin, were killed by the Russian occupiers, accused by the local occupying authorities of Berdiansk (temporarily occupied territory of Zaporizhzhia region) of “anti-Russian and terrorist activities.”

According to the Media Initiative for Human Rights¹⁶¹, the criminal prosecution of the teenagers began on 30 September 2022, after several months of harsh interrogations and torture. On 24 May 2023, the Investigative Committee of the Russian Federation charged the teenagers with allegedly planning sabotage on the railway in Melitopol. They faced arrest and up to 20 years in prison under Article 281 of the Russian Criminal Code. On 26 June 2023, the occupation authorities of the Zaporizhzhia region confirmed the death of Tigran Ohannisyan and Nikita Khanganov, who “*were blocked and destroyed as a result of coordinated and operative actions of law enforcement agencies.*” Members of the European Parliament called on the EU to include those involved in violence against teenagers, in particular, investigators of the “temporary directorate of the Russian Ministry of Internal Affairs for the Zaporizhzhia region”, on the sanctions list for human rights violations¹⁶².



Teenagers Nikita Khanganov and Tigran Ohannisyan, who were killed by the Russian occupiers

¹⁶⁰ War with words, war with weapons: In Memoriam for journalists who died in the war (<http://surl.li/qnqsb>).

¹⁶¹ The Russians are planning a trial of Ukrainian children. 16-year-old Tigran Ohannisyan and Nikita Khanganov are threatened with 20 years in prison (<http://surl.li/qnqsq>).

¹⁶² The European Parliament condemned torture and persecution of Ukrainian teenagers by Russia (<http://surl.li/qnqtl>).

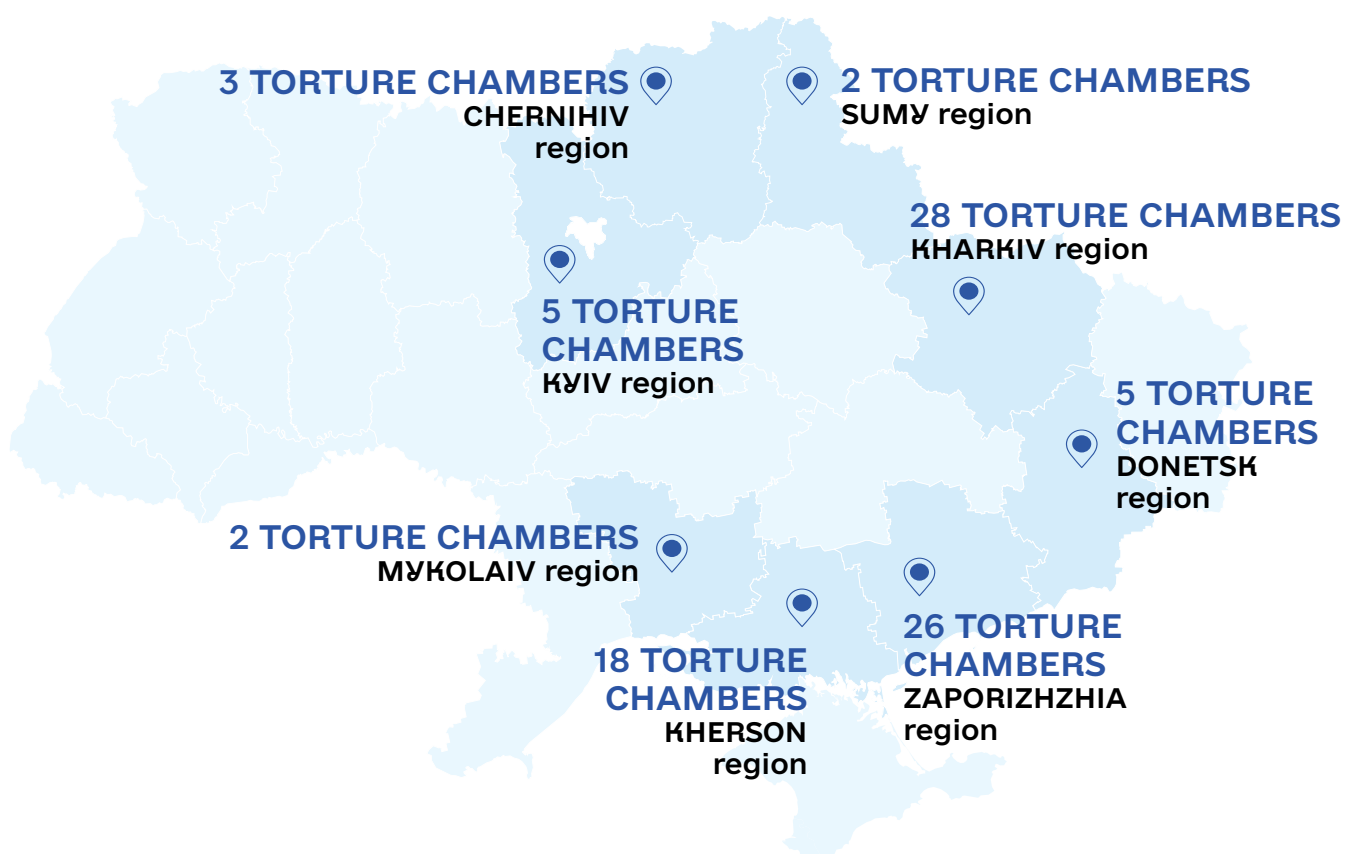


The Commissioner interpreted the murder of two minor boys in Berdiansk as an extrajudicial execution. When the teenagers received suspicions from the Investigative Committee of the Russian Federation, the Commissioner immediately appealed to Russia. First, to get all the information about them. Secondly, to return the Ukrainian children home. He also appealed to the International Committee of the Red Cross to urgently visit the boys and do everything to return them to Ukraine. Unfortunately, this could not be done. And the Russian side once again acted as a terrorist.

It is also known about human losses among the Roma population.

Based on the results of questionnaires and interviews, data on the death of 4 people (1 military, 3 civilians, including a woman and a child) and 2 missing persons (1 military and 1 civilian) were confirmed, according to the Express Report on the Assessment of the Situation of Roma in Ukraine and the impact of the current crisis on it.

As of 30 December 2023, the National Police of Ukraine discovered 88 places of illegal detention and torture of citizens in the de-occupied territories:



At least one case of torture was officially recorded, which was additionally motivated by ethnic and religious intolerance on the part of Russian Muslim soldiers¹⁶³.

¹⁶³ Crimes committed by the Russian military during the full-scale invasion of Ukraine (as of 30 December 2023) (<http://surl.li/qnrcv>).

The war caused colossal damage to the health care system of Ukraine. According to the estimates of the World Bank, during the military aggression of the Russian Federation against Ukraine, **at least 978 medical facilities, 650 ambulances and 596 pharmacies were damaged or destroyed**¹⁶⁴.



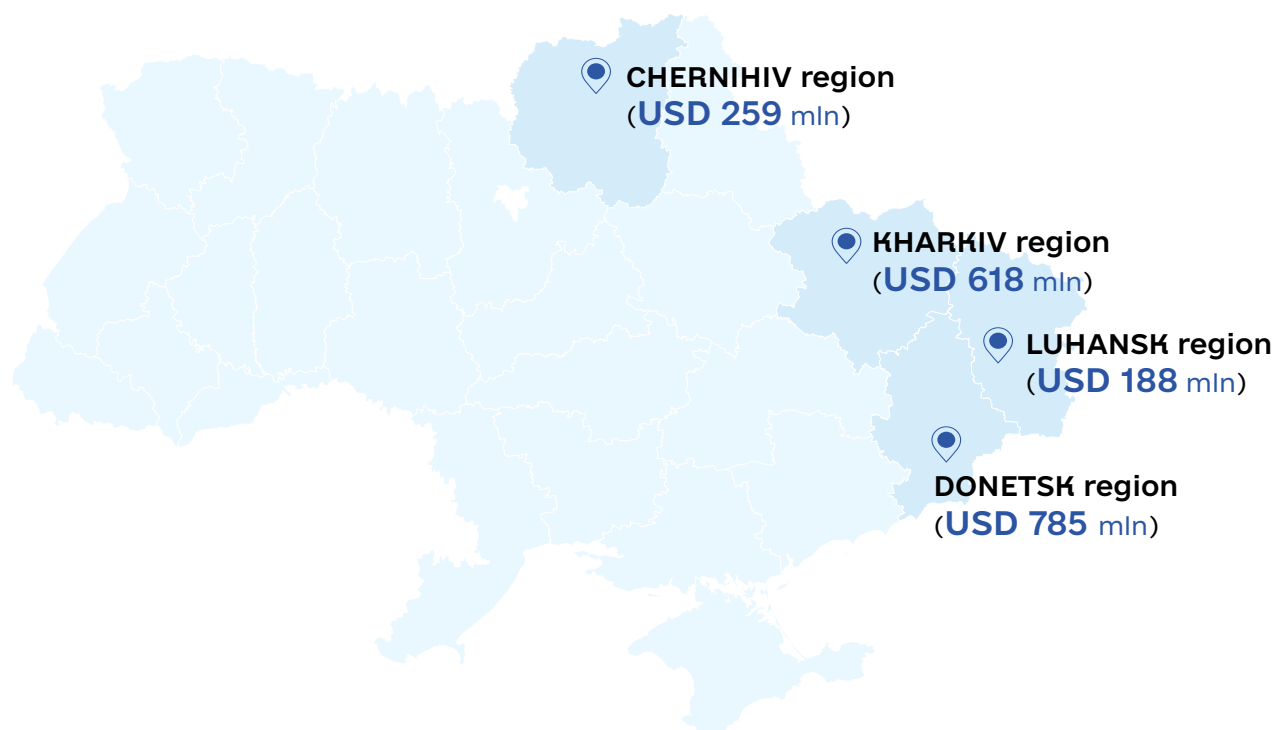
An ambulance, fired upon in the Kharkiv region



Central Pharmacy No. 1 in the walls of the Palace of Labour in Kharkiv after the shelling of the city centre with missiles



The largest destructions were recorded in the following regions (estimation of destructions in monetary terms):



At the same time, according to the report of the Ukrainian Health Care Centre “Healthcare at war: The Impact of Russia’s full-scale invasion on the healthcare system in Ukraine”, most medical workers left Luhansk (**68%**), Kherson (**33%**) and Donetsk (**28%**) regions.

¹⁶⁴ Healthcare at War: The Impact of Russia’s full-scale Invasion on the Healthcare in Ukraine (<http://surl.li/jbzwt>).

Mass bombings of hospitals, torture of medical workers and attacks on ambulances are war crimes and can potentially amount to crimes against humanity.



A destroyed hospital in Volnovakha, Donetsk region

In the TOT of Ukraine, the situation with the provision of medical services to the population remains catastrophic. The occupying administration directs medicines for the treatment of Russian soldiers and prohibits the provision of free medical care to people who have not received Russian passports or have not applied for these documents. According to representatives of national minorities (communities), there is a shortage of medicines and lack of access to primary medical care. Updated images of Google maps with new mass burials testify to the high mortality rate among local residents in the TOT.



Mass burials in the city of Mariupol, Donetsk region

In particular, a large sector of fresh graves was discovered at the Staryi Krym cemetery in Mariupol, Manhush, Novotroitske, and Staryi Krym. Petro Andriushchenko, an adviser to the mayor of Mariupol, commented on this situation and noted that these burials appeared already during the occupation of settlements, when the Ukrainian authorities did not have access to cemeteries. One of the reasons he called the critical level of medicine, which leads to high mortality among the civilian population.

2.3. The right to respect for dignity

The legislation of Ukraine clearly defines dignity as a constitutional human right and as a value. Article 28 of the Constitution of Ukraine guarantees everyone the right to respect for their dignity, and Article 41 establishes the duty of everyone “*not to encroach on the rights and freedoms, honour and dignity of other people.*” Human dignity is also mentioned in most major international documents. In particular, Article 7 of the International Covenant on Civil and Political Rights of 1976 states that “no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.” Murder, torture, cruel and inhuman treatment, insult to human dignity, in particular, humiliating and offensive, corporal punishment, mutilation, rape and other forms of sexual violence, taking hostages, enforced disappearance and arbitrary deprivation of liberty are prohibited by Art. 75 of Additional Protocol I to the Geneva Conventions. Intentional murder, torture and inhuman treatment, illegal imprisonment of a civilian is a serious violation of Art. 147 of the Fourth Geneva Convention and a war crime within the meaning of the Rome Statute of the International Criminal Court (Art. 8 (a) (i), (ii), (vii)). Besides, the Rome Statute, in particular, considers insulting and humiliating treatment as a war crime and violation of human dignity (Art. 8 (2) (b) (xxi)).

All the listed types of crimes are recorded today in large numbers in the occupied and de-occupied territories of Ukraine. According to the data of human rights organizations of Ukraine, four categories of the local population suffered the most cases of violations of human dignity¹⁶⁵:

- civilians who directly or indirectly cooperated with the Ukrainian army while the territory was under the control of Russian military groups;
- persons who were openly disloyal to Russian military groups and expressed their position publicly (local public activists, volunteers, entrepreneurs, etc.);
- managers and senior officials of local authorities who refused to cooperate with Russian military groups;
- managers and senior officials of local authorities who refused to cooperate with Russian military groups;
- family members of the specified categories of civilians. Representatives of these groups are victims in 48% of documented cases of torture.

One of the most traumatic and widespread human rights violations in the temporarily occupied territories of Ukraine is conflict-related sexual violence against civilians by the Russian aggressors. It is a legal term that refers to rape, sexual slavery, sexual torture or humiliation, intentional transmission of sexually transmitted diseases, coercion to watch sexual violence against other people, and other forms of sexual violence that are carried out with political or socio-economic intentions relevant to the goals of the conflict.

¹⁶⁵ Torture and other forms of ill-treatment committed in the context of armed conflict by the representatives of the Russian Federation in the territory of Ukraine (<http://surl.li/qnrffj>).

Conflict-related sexual violence (CRSV) is another type of sexual violence that is not related to rape (including types such as: rape, mutilation or violence against genitals, forced exposure, threats and attempted rape, coercion to watch sexual abuse of loved ones, etc.).

According to the Office of the Prosecutor General of Ukraine, as of 31 December 2023, since the beginning of the full-scale military aggression of the Russian Federation, the following have been recorded:



258 facts of the CRSV



men – **96**



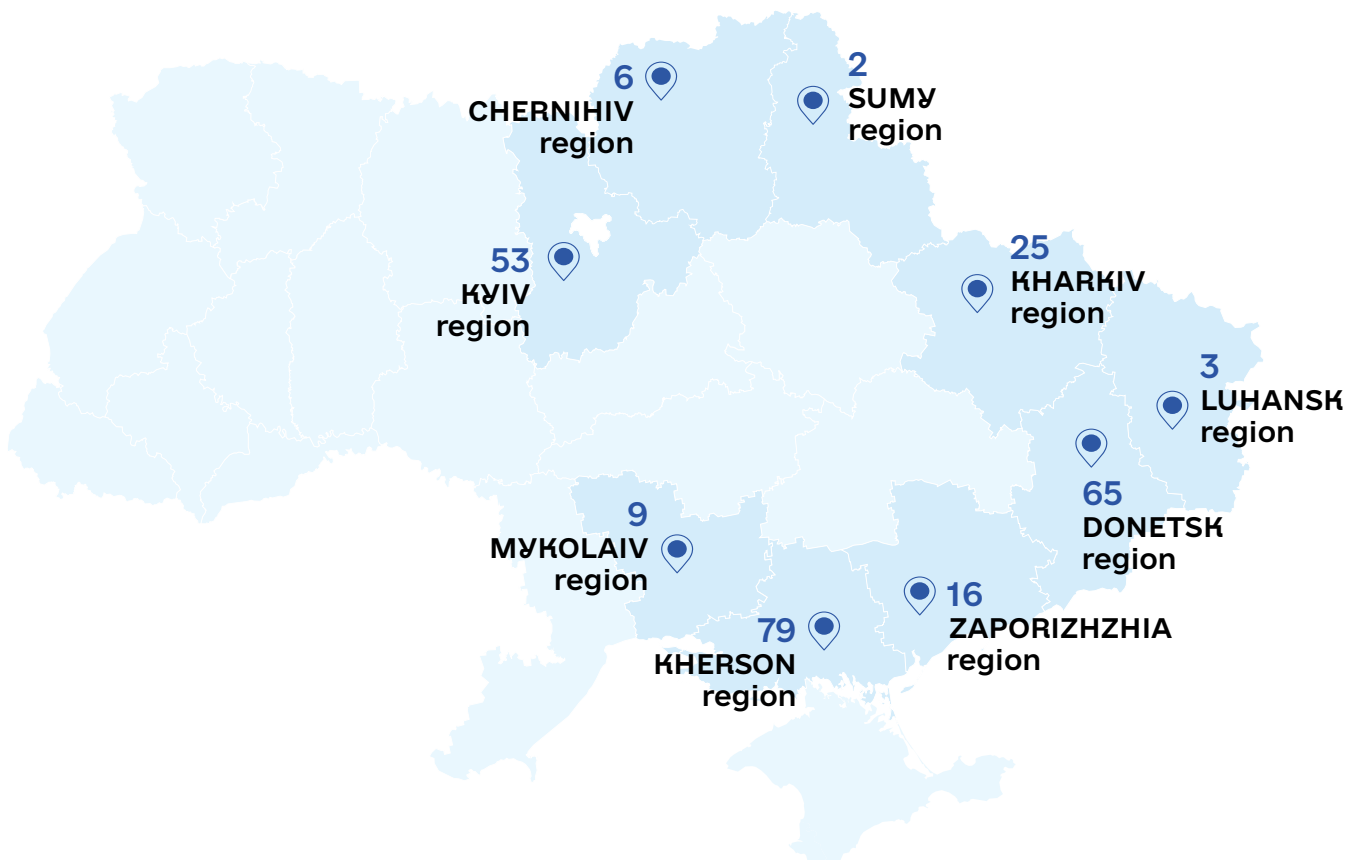
women – **162**

among them:



minors – **13**,
(**12** girls and **1** boy)

The largest number of cases of sexual violence was recorded in the following regions:



Statistics on the ethnicity of victims of conflict-related sexual violence have not yet been recorded by the prosecutor's office.



According to the monitoring data of the Secretariat of the Commissioner from open sources, information about the facts of such violence against citizens of various ethnic origins belonging to national minorities (communities) has been revealed.

One case of the stay of civilians in a specialized torture chamber for long-term illegal detention in the city of Kherson was recorded. The victim, who has Bulgarian roots (the father is an ethnic Bulgarian), said that he was sent to the pre-trial detention centre for participating in protests, volunteering and publishing pro-Ukrainian content on social networks. The man was held in a pre-trial detention centre for 38 days on charges of extremism and terrorism, threatening imprisonment from 10 to 15 years. All this time he was in a very cramped cell, almost without sleep, food and water. After the Russian capture, the man was diagnosed with a concussion, three broken ribs, numerous haematomas, hand injuries, and burns. During the interview, he mentioned that he was subjected to various tortures, like beatings with a rubber stick, electric shocks, and other types of physical abuse.

Another example is the story of a Korean family from the Kherson region, which the occupiers kept in the basement of their own house for more than a month. The Vaughn family [name and surname changed at the request of the respondent] lived in the town of Chaplynka, Kherson Region, since 1989 and had their own family agribusiness, a melon and onion farm. At the time of the full-scale invasion of the Russian occupation forces into Ukraine, they were at home and decided not to leave the household.

Leyla Ibragimova, a representative of the Crimean Tatar people, director of the Melitopol City Local Lore Museum, deputy of the Zaporizhzhia Regional Council, spoke about illegal interrogations during her speech on the platform of the 21st UN Permanent Forum on Indigenous Peoples. On 10 March 2022, Russian soldiers broke into the house of Leyla Ibragimova, a deputy of the Zaporizhzhia Regional Council, the director of the Melitopol City Local Lore Museum, a member of the Coordinating Council of Representatives of National Cultural Societies under the Executive Committee of the Melitopol City Council of the Zaporizhzhia Region, and a representative of the indigenous Crimean Tatar people, in Melitopol, they conducted a search, seized phones, and also took her to an unknown destination. After searches and interrogations Leyla Ibragimova was released¹⁶⁶. At the same time, representatives of the occupation authorities stole a valuable collection of exhibits from the Melitopol City Local Lore Museum.



2.4. The right of a person to privacy and physical integrity, non-interference in his or her personal and family life, to secrecy of correspondence, telephone conversations, telegraphic and other correspondence, etc.

One of the most acute problems in the temporarily occupied territories of Ukraine is the protection of a person's right to the inviolability of personal life, to the secrecy of correspondence, telephone conversations, telegraphic and other correspondence. Among the wide range of war crimes committed by Russia's military groups in Ukraine, special attention is drawn to filtering points where human rights were massively violated. "Filtration" is a form of mandatory checking by the Russian military of Ukrainian citizens who tried to leave the temporarily occupied territories of Ukraine or the war zone. The filtering process was organized through punitive

¹⁶⁶ 'They put me in a car, put a black bag on my head,' Leyla Ibragimova about her detention (<http://surl.li/qnrffy>).

and humiliating methods, which in particular violated people's rights to privacy and physical integrity.

Report of the international human rights organization Human Rights Watch states that the biometric data of civilians, including fingerprints and facial images, were routinely collected in the filtration camps; searches of personal belongings and phones were conducted with scrutinizing contacts, messages, photos, and social media posts, and in some cases recording the phone's unique IMEI serial number; interrogations about political views were carried out. The men's bodies were subject to inspection for tattoos that indicated a connection with Ukrainian military or nationalist groups, as well as for signs of carrying weapons (for example, bruises from body armour). According to respondents, authorized persons did not ask for their consent to the collection of personal data, including biometric data, and did not inform them of the reasons why these data were collected.



Inspection by military personnel of the Russian Federation for tattoos or signs of carrying weapons

The National Police recorded **27** filtration camps and prisons in the temporarily occupied territories of Ukraine and **7** – in the territory of the Russian Federation¹⁶⁷. The largest filtration points in the Donetsk and Luhansk regions are located in places of compact residence of national minorities (communities), in particular Greeks, such as Manhush, Sartana, Starobesheve, Dokuchaievsk, Amvroshivka, Bezimenne, Donetsk, Kachkarske, Kozatske, Khomutove, Nikolske, Novoazovsk, Pervomaisk, Shyrokyne, and Uspenka.

Representatives of national minorities (communities) evacuating from the war zone in eastern Ukraine passed through the above-mentioned filtering checkpoints. They all reported having to wait in line for days, weeks and even months, staying in schools, community centres, government buildings, tents or vehicles in deplorable conditions with limited food and appalling sanitation. Mass violations of human rights to privacy, physical integrity, and secrecy of correspondence were also recorded in the south, in particular, in the temporarily occupied territories of Zaporizhzhia.

According to eyewitnesses, there were not a large number of specially arranged filtration camps but those who left had to pass up to 30 checkpoints on their way. In particular, one of the interviewees reported that she evacuated from Melitopol in April 2022 through Tokmak, Polohy and Orikhiv, as the checkpoint in Vasylivka was closed from December 2022.

¹⁶⁷ 'The National Police documents 95% of all war crimes: the main thing is to hold Russian servicemen accountable,' Maksym Tsutskiridze (<http://surl.li/qnrmq>).

From the first days of the full-scale war, the Russian military interfered in the private lives of Ukrainian civilians, checking their phones and conducting warrantless searches of their personal belongings. In rural areas, such raids were carried out by visiting residential buildings and seizing phones from local residents to check them for the presence of pro-Ukrainian content on social networks, Ukrainian applications (“PrivatBank”, “Diia”) and subscriptions to Ukrainian mass media and Telegram channels. Depending on the revealed information, a person received a warning, a fine, or was held criminally liable. In cities, such checks could be carried out directly on the street and applied to anyone.

2.5. Political and electoral rights, compulsion to acquire citizenship

The political rights of citizens constitute the organic basis of a civilized society, create the basis for the legitimation of a democratic political regime and the ruling elite. Political rights and freedoms of a person and a citizen traditionally include: the right to participate in all-Ukrainian and local referenda (Art. 38, Art. 140–145 of the Constitution of Ukraine, the Law of Ukraine “On the All-Ukrainian Referendum”); the right to freely elect and be elected to state authorities and local self-governance bodies (Art. 38, 70, 71 of the Constitution of Ukraine, the Election Code of Ukraine¹⁶⁸).

Russia implements a practice of imposing Russian ethnic identity and the physical and ideological displacement of indigenous peoples and national minorities (communities), as well as the concept of a separate Ukrainian people and the idea of a Ukrainian civil national identity

As a result of the occupation of the most multi-ethnic regions of Ukraine (Donetsk, Luhansk, Zaporizhzhia, Kherson regions and Autonomous Republic of Crimea), representatives of national minorities (communities) and indigenous peoples became targets because of real, attributed or assumed Ukrainian national identity. Discrimination against them is manifested in many aspects of everyday and public life in combination with other violations, such as disappearances, illegal searches, restriction of freedom of expression, attacks on cultural institutions and deprivation of language rights. Despite the fact that representatives of national minorities (communities) and indigenous peoples identify themselves with various aspects of Ukrainian national identity, discriminatory legal boundaries, in fact, are now applied to residents of the entire TOT of Ukraine, accordingly creating risks for various population groups. The political and electoral rights of Ukrainians in the temporarily occupied territories were grossly violated during pseudo-referendums and the organization of so-called elections.



Holding a referendum in the temporarily occupied territories of Ukraine

168 Election Code of Ukraine (<https://is.gd/3sKnNe>).

The Russian Federation attempted to annex the temporarily occupied Ukrainian territories of the Kherson, Zaporizhzhia, Donetsk, and Luhansk regions, held so-called “referenda”, the results of which were not recognized by the international community. Resolution ES-11/4 of the UN General Assembly¹⁶⁹ was adopted in support of the territorial integrity of Ukraine on non-recognition and condemnation of all actions of the Russian Federation regarding the organization of “illegal so-called referenda by the Russian Federation in the regions located within the internationally recognized borders of Ukraine, and the attempted illegal annexation of Donetsk, Zaporizhzhia, Luhansk and Kherson regions of Ukraine after the organization of the aforementioned referenda.” The Russian Federation organized so-called “referenda” against the backdrop of repression against Ukrainian citizens in the temporarily occupied territories, where representatives of national minorities (communities) and indigenous peoples also live.

It is worth noting that the absolute majority of Ukrainian citizens ignored this illegal vote despite the intense psychological and physical pressure of the occupiers. There were representatives of national minorities (communities) among them. On 1-10 September 2023, the Russian Federation held mock elections in the temporarily occupied territories of Donetsk, Zaporizhzhia, Luhansk, and Kherson regions. On 31 August 2023, fake elections began in the Donetsk and Zaporizhzhia regions. The European Union, the Council of Europe, members of the G7, and the United States characterized the so-called “elections” as legally void, violating the principles of international law, human rights, sovereignty and territorial integrity of Ukraine.

In the TOT, the Russian Federation enforces compulsion to acquire Russian citizenship, because citizens of Ukraine in the TOT are deprived of social, educational, medical and other rights. According to the so-called decree of the President of the Russian Federation “On the peculiarities of the legal status of certain categories of foreign citizens and stateless persons in the Russian Federation” dated 27 April 2023, the deportation of Ukrainians without a Russian passport is allowed after 1 July 2024.



A separate clause of this decree concerns residents who advocate “*forcible change of the fundamentals of the constitutional system*” in Russia, finance terrorist and extremist activities or participate in “*unauthorized*” actions – they will be deported and banned from entering the country. This way, Russia carries out a policy of forced

169 Territorial integrity of Ukraine : defending the principles of the Charter of the United Nations : resolution / adopted by the General Assembly (<http://surl.li/qnrnp>).

naturalization of Ukrainians, which seriously violates the norms of IHL. The procedure for acquiring Russian citizenship is non-selective and applies to all residents of the TOT of Ukraine, regardless of their ethnicity, statelessness, citizenship, resident status, age or length of residence.

In the temporarily occupied Melitopol, lawyers are calling on citizens to change their Ukrainian surnames to Russian ones when receiving Russian passports. Petro Andriushchenko, adviser to the mayor of Ukrainian Mariupol, reported this in one of the Telegram channels. He posted a photo of the corresponding advertising poster. 'Are you changing your passport? Change your surname too! Let's get rid of imposed Ukrainian Nazism!' the invaders call¹⁷⁰.



Calls of the occupiers in the temporarily occupied part of the Zaporizhzhia region to change Ukrainian surnames

It is noted that the last name is changed "officially, quickly, without a queue" and legal advice and support are provided¹⁷¹. 'Such legal services are advertised in occupied Melitopol. Modern racism systematically adopts all Soviet and Nazi methods of fighting against Ukrainians,' P. Andriushchenko stated.

As reported, the invaders complain about the reluctance of TOT residents to receive Russian passports of the Russian Federation. Forced passporting has been going on for over a year and a half but the occupiers are not satisfied with its pace. This is confirmed by the testimony of representatives of national minorities (communities)

from the occupied territories. International organizations, such as the Office of the United Nations High Commissioner for Human Rights, cites the facts that 'in some cases, the authorities of the Russian Federation imposed citizenship on persons deported or forcibly transferred from long-term care facilities in Ukraine to long-term care facilities in the Russian Federation¹⁷².' The Russian Federation is clearly aware of the connection between ethnicity and citizenship legislation. In particular, the forced passporting of Ukrainians shows the desire to apply the law on citizenship to form a politicized Russian ethnicity. However, as shown by numerous monitoring, studies, and interviews conducted in the Ukrainian TOT, Ukrainian national identity has inseparable ethnic and political dimensions, especially under the conditions of occupation. Obtaining a Russian passport can be considered by Ukrainians as a security component, but not as a factor of integration into Russian civil society.



Ukraine does not recognize forced passporting in the TOT¹⁷³. Forced passporting with Russian documents of residents of the temporarily occupied territories of Ukraine is illegal and does not constitute grounds for loss of Ukrainian citizenship.

¹⁷⁰ Such legal services are advertised in occupied Melitopol. (<http://surl.li/qnrub>).

¹⁷¹ In Zaporizhzhia, the occupiers are urging residents to change their Ukrainian... surnames (<http://surl.li/qnrub>).

¹⁷² Overview of the situation in the field of human rights in Ukraine. 1 February – 30 April 2023 (<http://surl.li/qnrub>).

¹⁷³ Comment of the Ministry of Foreign Affairs of Ukraine regarding the entry into force of a regulatory act in the Russian Federation that violates the legal rights of Ukrainian citizens (<http://surl.li/jbzfq>).

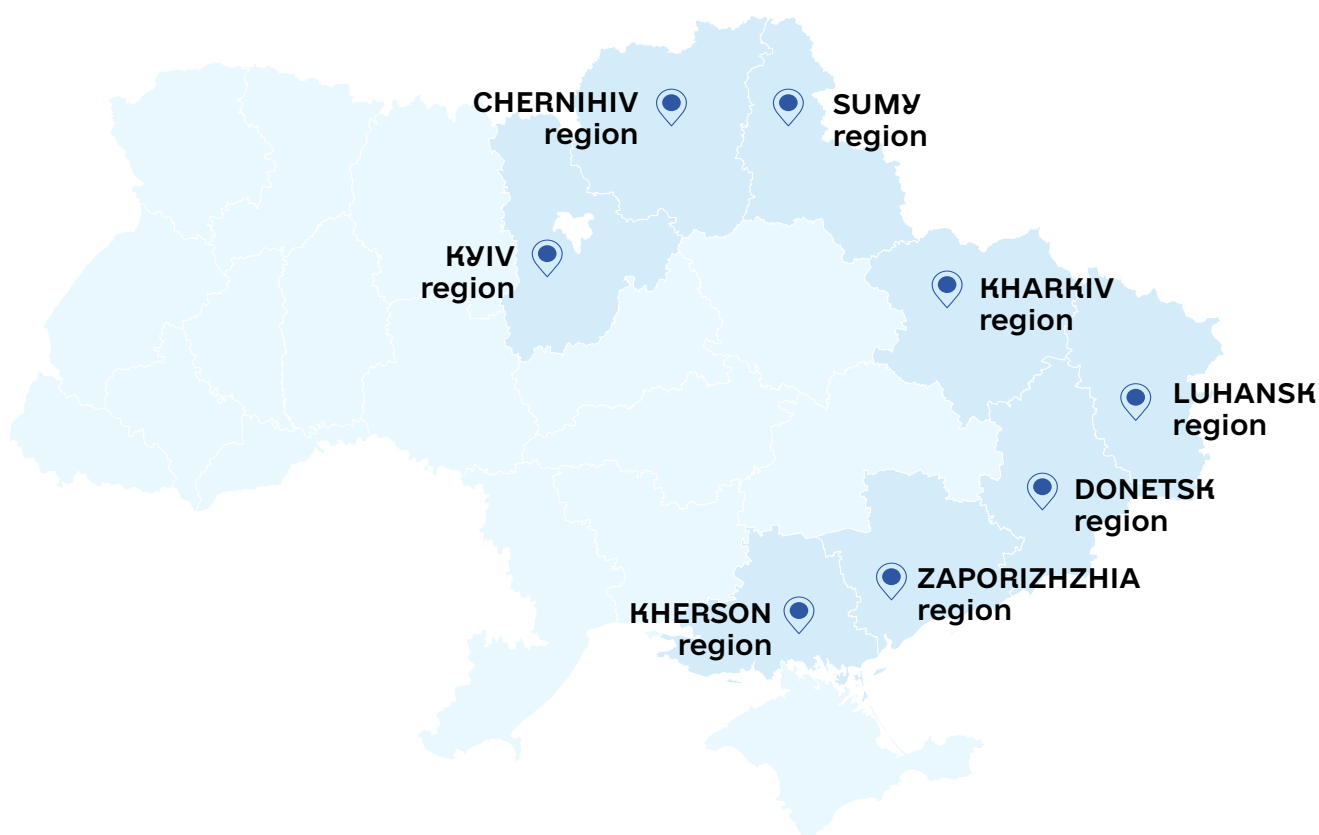
2.6. Forced transfer (deportation) of citizens of Ukraine, representatives of national minorities (communities), indigenous peoples

According to Article 7 of the Rome Statute of the International Criminal Court, “deportation or forcible transfer of population” means the forcible transfer of persons who have undergone eviction or other coercive measures from the area in which they are legally present, without grounds permitted by international law.

Already from the beginning of March 2022, Ukrainian lawyers and human rights defenders began to receive information about the forced removal of Ukrainian citizens to the territories that were occupied before 24 February 2022, and later, about their deportation to the territory of the Russian Federation and the Republic of Belarus. There are no accurate statistical data on the ethnicity of Ukrainian citizens who were deported by the aggressor country.

Deportations took place from the territories of the east and south of Ukraine, where representatives of national minorities (communities) traditionally lived

The removal took place from areas of active hostilities, as well as from settlements occupied by the Russian army in various regions:



Coercion occurs both through direct intimidation, abduction of civilians, and through indiscriminate shelling, destruction of buildings in residential areas. Besides, civilians were often deprived of the information and choice necessary for decision-making: the evacuation routes to the territory under the control of the government of Ukraine were blocked by representatives of the armed forces of the Russian Federation.

Any cultural differences were ignored by the Russian side. TOT were used as bridgeheads for further colonization of regions of Ukraine by Russia. The illegal transfer of minor citizens from Ukraine to the TOT of the Autonomous Republic of Crimea under the guise of their recovery continued. Minors who are involuntarily in the TOT of the Autonomous Republic of Crimea are integrated into the educational system of preschool, school and out-of-school education of the Russian Federation.

According to the Office of the United Nations High Commissioner for Refugees, as of 3 October 2022*, there are 2.852 million Ukrainian citizens in the territory of the Russian Federation, and another 15,932 citizens of Ukraine are in the territory of the Republic of Belarus. At the same time, according to data from the Russian side, as of 3 October 2022, more than 4.5 million people arrived on the territory of the Russian Federation.

During 2022–2023, the mission of the Organization for Security and Cooperation in Europe of the Bureau for Democratic Institutions and Human Rights “found serious allegations that the Russian Federation seriously and repeatedly violated the right of children who were deported from Ukraine to Russia to identity, which is also confirmed in the reports of other international mechanisms. In most cases, these deportations took place without taking into account the best interests of the children”, Ukrainian children were forced to speak Russian, it was determined that “Ukrainian and Belarusian are just dialects of the Russian language¹⁷⁴”.

2.7. Illegal conscription of the citizens of Ukraine, representatives of national minorities (communities) and indigenous peoples into military groups of the Russian Federation

The Russian Federation carried out an illegal conscription of Ukrainian citizens in the temporarily occupied territories. Forced mobilization in several waves takes place on the territory of the ORDLO, where the Russian Federation forcibly attracts Ukrainian citizens of various ethnicities.

As of the fall of 2023, 17 illegal conscription campaigns were carried out, not including the illegal so-called “partial mobilization” that took place on the territory of the temporarily occupied Crimea. These violations of IHL during the illegal occupation of Crimea were repeatedly pointed out by international organizations. For example, in the fifth report of UN Secretary General Antonio Guterres “Situation in the field of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine” in 2021, it was indicated that the total number of residents of Crimea, called up for military service since 2015 during 12 military drafts, was no less than 26,200 people¹⁷⁵.

During each campaign, a contingent of conscripts from Crimea is seconded to bases located on the territory of the Russian Federation. Among the conscripts, there were representatives of national minorities (communities) and indigenous peoples. During the large-scale aggression, the Russian Federation purposefully recruited Crimean Tatars in the course of the so-called “partial mobilizations” in the peninsula’s TOT. On 21 September 2022, the President of the Russian Federation Putin announced a “partial mobilization”, including in the territory of Crimea. According to human rights organizations, “summonses” were handed out specifically to Crimean Tatars in their places of compact residence.

*After 3 October 2022, data on Russia and Belarus stopped being updated.

174 Organization for Security and Cooperation in Europe. Office for Democratic Institutions and Human Rights. 180/2023. Verbal note (<http://surl.li/qnrwf>).

175 Situation in the field of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine (<http://surl.li/qnrww>).



The head of the public organization “Council of National Communities of Ukraine”¹⁷⁶ appealed to the Commissioner regarding the partial mobilization in the Russian Federation announced by Vladimir Putin on 21 September 2022, which disproportionately affected representatives of national minorities (communities) and indigenous peoples. The temporarily occupied territories of Ukraine, where conscription into the army is prohibited under international law, were no exception to this yet another Kremlin crime.

To ensure an effective response to the appeal, on 30 September 2022, the Commissioner held a round table with representatives of public and international organizations of national minorities (communities) of Ukraine to discuss the current situation.

On the initiative of organizations of national minorities (communities) and indigenous peoples of Ukraine, following the results of the round table, a joint statement of the Commissioner and the public was adopted for the international community and international organizations with a call to all peoples living on the territory of the Russian Federation: to ignore the mobilization, lay down arms and go over to the side of the Armed Forces of Ukraine.



Participants of the round table “Mobilization in the Russian Federation as a challenge for representatives of national minorities (communities) and indigenous peoples”

In November 2022, Ukrainian human rights organizations stated that, according to the observations of the Crimean Tatars, “most summonses are handed to representatives of their people, who have been subjected to repression by Russia for many years. The Crimean Tatars regard this as another tool used by Russia within its policy of extermination of the indigenous population”¹⁷⁷. This practice, which violates the principles of IHL, was condemned by representatives of international organizations. An EU spokesperson statement in November 2022 stated that Crimean Tatars are being deliberately and disproportionately targeted during Russia’s mobilization order and forcibly involved in Russia’s war of aggression against Ukraine, their traditional homeland. This is stated in the statement of the spokesperson of the EU, published on the website of the European External Action Service¹⁷⁸.

¹⁷⁷ Statement of human rights organizations regarding the forced mobilization of Ukrainian citizens to the Russian army in occupied Crimea (<http://surl.li/qnryf>).

¹⁷⁸ Ukraine: Statement by the Spokesperson on Russian conscription and mobilisation in Crimea (<http://surl.li/qnryl>).

2.8. The right to peaceful public assembly and freedom of expression

The right to peaceful assembly is a central element of the functioning of democratic systems, closely related to other fundamental principles of democracy and pluralism. It is enshrined in the main international documents on human rights, in particular, in Article 21 of the International Covenant on Civil and Political Rights, Article 11 of the Convention on the Protection of Human Rights and Fundamental Freedoms. These provisions guarantee everyone the right to freedom of peaceful assembly, protect organized and unorganised (spontaneous) gatherings of private individuals who, in this way, try to achieve a common goal, in particular, to formulate and express a certain position on this or that issue of public or state life. Part 1 of Article 39 of the Constitution of Ukraine states that *“Citizens have the right to gather peacefully, without weapons, and to hold meetings, rallies, marches and demonstrations, the executive authorities or local Self-Governance bodies are notified of their holding in advance.”* In Ukrainian legislation, this is one of the constitutional guarantees of a citizen’s right to freedom of his or her worldview and religion, thoughts and words, to the free expression of views and beliefs, to the use and dissemination of information orally, in writing or in another way, at his or her own choice, the right to the free development of his or her personality.

Restrictions on the right to peaceful public assembly particularly affected residents of the temporarily occupied territories of Ukraine. During March and April 2022, numerous protests took place in areas controlled by military groups of the Russian Federation in Kyiv, Kherson, and Zaporizhzhia regions. The Office of the UN High Commissioner for Human Rights documented a number of cases, when Russian military units dispersed peaceful gatherings, resorting to inappropriate or disproportionate use of force, for example, using tear gas, stun grenades, and firearms (from which they fired over the heads of the participants)¹⁷⁹. The vast majority of these incidents occurred in the Kherson region, others were recorded in the cities of Enerhodar, Melitopol, Tokmak, and Berdiansk in the Zaporizhzhia region and in Slavutych in the Kyiv region.



Protests in areas controlled by military groups of the Russian Federation

Representatives of national minorities (communities) who expressed a public protest against the Russian invasion and blocked the movement of military equipment in the Zaporizhzhia and Kherson regions actively participated in such actions. Attempts to stop the pro-Ukrainian resistance found a legal basis in the Russian law, which deprives “foreign agents” (that is, persons considered to be under the influence of foreign states, individuals or international organizations) of

179 Report on the situation with human rights in Ukraine. 1 February – 31 July 2022 (<http://surl.li/evylz>).

the opportunity to organize public gatherings. Its application in the TOT of Ukraine seriously undermined the right to freedom of association and expression of views, respect for private life and participation in public affairs.

In particular, the report of the Office of the UN High Commissioner for Human Rights provides information that law enforcement agencies in Crimea continue to issue written “warnings” to human rights defenders, members of Crimean Tatar institutions and other active citizens about the inadmissibility of participation in vaguely defined “extremist” or other “illegal” activities. The document states that Crimean Tatar activists consistently receive an average of five warnings per year, usually before key Crimean Tatar and Ukrainian commemorative dates. They see these warnings as an attempt to suppress initiatives on the ground to organize gatherings or other public events.

According to the human rights organization “Crimea SOS”, at least 35% of sentences for victims of politically motivated criminal prosecutions in Crimea were passed after the start of the full-scale invasion¹⁸⁰. Crimean Tatar activists are usually publicly advertised as extremists and terrorists. On the basis of falsified propaganda campaigns, they are attributed as belonging to the “Hizb ut-Tahrir al-Islami” organization banned in the Russian Federation or the Noman Chelebijikhan volunteer Crimean Tatar battalion¹⁸¹.



Crimean Tatars sentenced to imprisonment in the Hizb ut-Tahrir al-Islami case

180 CrimeaSOS: about 35% of the sentences of current Crimean political prisoners were announced after the start of the full-scale invasion (<http://surl.li/qnrzj>).

181 Noman Chelebijikhan battalion (<http://surl.li/qnrzu>).

As of 11 December 2023 it is known that the occupiers are in Crimea illegally



imprisoned **191** persons, including **123** Crimean Tatars.

From the total number



28 – are arrested (including **21** Crimean Tatars)



146 – are prisoners (including **102** Crimean Tatars)



17 are without status

2.9. Economic and social rights and freedoms

Socio-economic rights occupy a leading place in the structure of the constitutional and legal status of a person, ensuring economic freedom and developing the ideals of a free human personality. The Constitution of Ukraine guarantees the right to work (Art. 43), to rest (Art. 45), to strike (Art. 43), the right to property (private) (Art. 41), to entrepreneurial activity (Art. 42), to healthcare (Art. 49), to social protection (Art. 46), to housing (Art. 47), to education (Art. 53), to an adequate standard of living (Art. 48), to safe environment (Art. 50).

Since the outset of Russia's full-scale armed aggression against Ukraine, the issue of the protection of social human rights has become especially urgent, given the loss of homes, property, employment and means of livelihood by many people, damage to physical and psychological health. The most acute humanitarian needs are recorded in areas located near the demarcation line, where active hostilities have been or are being conducted for a long time. In the temporarily occupied territories, people are cut off from basic public services like banking, social benefits, transport services, water, electricity and heat supply, as well as local administration services. As the security situation worsened, supply chains were disrupted for a long time.

Based on the results of content analysis, focus group discussions and in-depth interviews¹⁸², until mid-2022, representatives of national minorities (communities) who remained in the areas of hostilities or temporary occupation had difficulties in receiving social payments and pensions through the banking system of Ukraine.

182 Ethnic communities and community: guarantee of public activity and trust (<http://surl.li/ovvct>).

Due to the termination of Ukrainian Post's work in the temporarily occupied territories of Ukraine on 1 August 2022, it has become impossible to receive pensions there. The situation worsened significantly in January–February 2023, when the Russian Federation began to actively implement the so-called policy of “denazification” of Ukrainians in the captured territories at the legislative level. This was done primarily through the adoption of laws and regulations that affect people's realization of their socio-economic rights. In particular, the integration of the temporarily occupied regions of Luhansk, Donetsk, Zaporizhzhia, and Kherson regions involves the transition of the population to the Russian pension and social security system, which is possible on the condition of obtaining a passport of the Russian Federation.



The branch of Ukrainian Post in the village of Bobrovytsia, Chernihiv region, destroyed by the Russians



Attempts of the Russian Federation to integrate TOT into its own economic space

Representatives of national minorities (communities), who could not meet their humanitarian needs without having a “Russian passport” talk about the comprehensive pressure on local residents.

Russia's large-scale invasion led to the destruction of labour market institutions, which ceased to function effectively. The growth of unemployment, social exclusion, gender inequality, discrimination in the workplace, particularly among young people, and the spread of poverty are some of the main negative social consequences of the war. Many representatives of national minorities (communities) who remained in the temporarily occupied territories lost their jobs and are on the verge of survival. Teachers remain a vulnerable group. There are many representatives of national minorities (communities) among them. In the temporarily occupied territories of Kherson and Zaporizhzhia regions, teachers en masse refuse to work according to Russian curricula and teach in Russian.

The Russian authorities continue to intimidate and oppress Crimean human rights defenders, in particular lawyers who have official certificates of the right to practice law. On 20 March 2023, after a more than six-month trial, the local court in Simferopol revoked the right to practice law for two well-known Crimean Tatar human rights defenders who were legal representatives of Ukrainian citizens accused of terrorism and extremism in Crimea and the Russian Federation. The order on deprivation of the right to practice law was the culmination of a long campaign of intimidation, and also continued the line of limiting guarantees of human rights and legality in the Crimean Autonomous Republic.

2.10. The human right to freedom of worldview and religion

The Russian occupation of part of the Ukrainian territories significantly affected the situation with respect for the rights of religious organizations and freedom of religion. The occupying administrations, led by the collaborationist authorities and separatist gangs, resorted to introducing a campaign of systematic religious persecution in the regions under their control, where the limits of religious freedom are determined by the willingness of religious communities to cooperate with the Putin regime and/or publicly demonstrate their loyalty to it. The vast majority of other denominations faced serious obstacles in the process of their activities and cruel discrimination.

Under the guise of fighting “sects” and “extremists”, pro-Russian forces are conducting an active attack on religious organizations, using an arsenal of inhumane and illegal means, including forcible seizure of religious buildings, contrived refusal to register/re-register statutes, intimidation, kidnapping, torture of believers, etc. First of all, [the Orthodox Church of Ukraine, part of the Crimean Tatar Muslim community, a number of Protestant denominations, and Jehovah’s Witnesses](#) fell into the category of “unwanted” religious structures.

In their report dated 9 April 2023 specialists of the Institute for the Study of War report that since the full-scale invasion of Ukraine by Russia:



Russian soldiers committed at least **76 acts of religious** persecution in Ukraine,



killed or captured at least **29 clergymen** and religious leaders¹⁸³.



Russian authorities have closed, nationalized or forcibly transferred at least **26 places of worship** to the Kremlin-controlled Russian Orthodox Church,



desecrated or intentionally destroyed at least **13 religious buildings** in the occupied Ukraine.

According to experts, these cases of religious repression are not isolated incidents, but rather part of a targeted campaign to systematically eradicate “undesirable” religious organizations in Ukraine and promote the influence of the Russian Orthodox Church.

One of the most vulnerable religious communities in the territories of Ukraine controlled by the Russian Federation is the community of Jehovah’s Witnesses, whose activities in the Russian Federation have been declared extremist. In the territories of Ukraine controlled by the Russian Federation, representatives of Jehovah’s Witnesses experience systematic discrimination and oppression. According to the Commissioner’s data the Russian Federation initiated **more than 100 criminal cases against Crimeans on religious grounds, 17 of which were against representatives of Jehovah’s Witnesses**¹⁸⁴. in the TOT of the Crimea alone. Russia continues to ignore UN General Assembly Resolution 74/168, in which the international community calls on the Russian Federation to ensure freedom of religion and belief without any discrimination.

¹⁸³ Russian Offensive Campaign Assessment, April 9, 2023 (<http://surl.li/qnsaw>).

¹⁸⁴ Commissioner, Russia continues repression on religious grounds in the Ukrainian Crimea. (<http://surl.li/qnspe>).

Available reports from open sources indicate that the most common victims of religious persecution, after the Ukrainian Orthodox, are Protestants, in particular Evangelical Baptist Christians. Protestants of all denominations were victims in **34% of the cases**, recorded by ISW. Baptists accounted for **13% of the victims**, it is the largest single group after the Ukrainian Orthodox. ISW monitored reports of persecution of Baptists near the occupied cities of Sievierodonetsk, Lysychansk, Mariupol, and Melitopol. According to the Church of Evangelical Christian Baptists, **400 out of 2.5 thousand communities have completely ceased to exist**, which is connected not only with the destruction of prayer houses but also with human losses.

Russian troops mostly persecute Protestants in the south of Ukraine, in particular in Kherson (**35%**) and Zaporizhzhia regions (**48%**). As an example, ISW cites the story of the seizure of the Kherson Educational Institution of Ukrainian Evangelical Christian Baptists, where a garrison and a crematorium for the cremation of killed Russian soldiers were located from March to November 2022.

The Office of the All-Ukrainian Union of Evangelical Christian-Baptist Churches reported similar cases in Chkalovo and Melitopol, Zaporizhzhia Region, where armed soldiers raided during the evening service, declaring that after the so-called referendum there would be no sect in the village, and only the Orthodox Church would remain. In particular, the Ministry of Youth and Sports was first opened in the building of the Melitopol Christian Church, which is one of the most modern buildings in Melitopol, and later it was transferred to the regional branch of the “Young Guard of United Russia.” According to pastor Viktor Serhieiev, the church was looted and church relics were damaged, in particular, in addition to expensive modern equipment, musical instruments were taken away and the cross that stood in the yard in front of the house was cut down.



“Grace” Evangelical Church in Melitopol before and after it was captured by the Russian invaders

Religious organizations that serve the needs of Muslims suffer no less. As part of the program *“supporting religious organizations in the integration into the Russian socio-cultural space”*, the occupation administrations are actively implementing alternative management structures with the aim of sowing division among Muslim religious communities. In particular, in the territory of the temporarily occupied Donetsk region (the so-called “Donetsk People’s Republic”), representatives of local Muslim centres are forced to submit to the spiritual administration of the Muslims

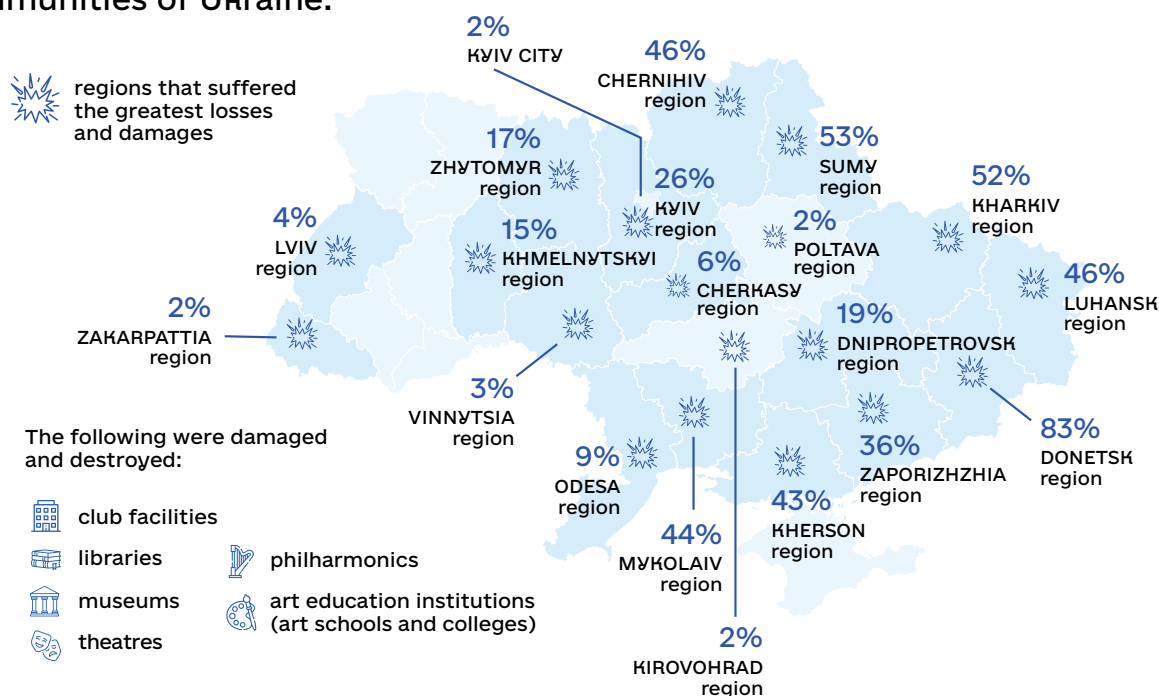
of Russia and to carry out their activities under its canonical administration¹⁸⁵. In particular, on 22 April 2022, the imams of Horlivka, Torez, Shakhtarsk, Snizhne, Makiivka, and Donetsk were gathered in the town of Shakhtarsk for the purpose of holding a constitutive meeting and creating a spiritual administration of Muslims of the so-called “DPR”, as well as electing a council of imams and a council of elders.

A similar situation occurred in the Luhansk region, where the muftiyat of the so-called “Luhansk People’s Republic” adopted a decision to withdraw from the Spiritual Administration of Muslims of Ukraine and allegedly expressed a desire to join the spiritual assembly of Muslims in Russia. The appeal was signed by 10 imams¹⁸⁶.

On the initiative of the “Tavrian muftiyat”, a religious centralized organization “spiritual administration of the Muslims of Malorosiiia” was formed, which united more than 60 Muslim communities, in particular, its founders were “Barakyat” (Henichesk), “Sary Bulat” (Novotroitske) and “Salyam” (Melitopol). The newly created structure extends its jurisdiction to the temporarily occupied districts of Kherson and Zaporizhzhia regions¹⁸⁷.

2.11. The right to preserve cultural heritage

As of 25 December 2023, according to the MCIP data 1907 objects of cultural infrastructure were damaged by the actions of the Russian army, of which 306 were destroyed. The cultural network suffered the greatest losses and damages in the Donetsk, Kharkiv, Kherson, Kyiv, Mykolaiv, Luhansk, Zaporizhzhia regions and the city of Kyiv. Club institutions, libraries, museums, theatres, philharmonics, art education institutions (art schools and colleges) in the territory of 274 territorial communities were damaged and destroyed. This is 18.7% of territorial communities of Ukraine:



At the same time, it is worth noting that official statistics refer only to the most well-known facts. Beyond their borders, there are hundreds of other crimes against cultural heritage and thousands of cases of destruction and looting of cultural values, including private property: family icons, old prints, paintings and other family heirlooms.

It is already known for certain that among the physically destroyed, damaged and stolen objects of cultural heritage there are significant monuments of architecture,

¹⁸⁵ From now on, the activities of Muslims of the DPR will be regulated by the FSB (<http://surl.li/qnspz>).

¹⁸⁶ The muftiyat of the LPR decided to join the Spiritual Assembly of Muslims of Russia (<http://surl.li/qnsqn>).

¹⁸⁷ The “Spiritual Administration of the Muslims of Malorosiiia” was created in the occupied territories (<http://surl.li/qnsqy>).

art and literature, which were created by representatives of national minorities (communities) of Ukraine.

Currently, the most multi-ethnic regions of the country are under occupation, where a significant number of cultural artifacts from different times are located

Losses of material cultural heritage as a result of the aggression of the Russian Federation in 2014 were also recorded.

■ TOT of the Luhansk and Donetsk regions: at the beginning of 2014, 88 objects were entered into the State Register of immovable sights of Ukraine in the Donetsk region, among them 75 are historical and 4 are of monumental art; in Luhansk region, there were 497 such objects, among which 403 are history and 28 are of monumental art. 49 state museums are located in the TOT, including the largest museums of the region with a significant part of the Museum Fund of Ukraine.

■ TOT of the AR Crimea and the city of Sevastopol: before the occupation, there were 34 museum institutions subordinate to the Ministry of Culture of Ukraine, with 917,477 objects that were part of the state part of the Museum Fund of Ukraine. There are 5 museum institutions in Sevastopol with 320,163 objects, which were also part of the state part of the mentioned fund. There are 3,800 immovable sights of culture on the peninsula, including one of the Ukrainian objects included in the UNESCO World Heritage List – the city of Chersonesus Tavri and its choir. A number of objects were included in the preliminary lists, for example, the Bakhchisarai Palace of the Crimean Khans and Chufut Kale, the complex of monuments of the Sudak Fortress of the VI–XVI centuries, the Crimean Astrophysical Observatory, posts and fortifications on the trade routes of the Genoese from the Black Sea to the Mediterranean Sea, the cultural landscape of the “cave cities” of Crimean Gothia (Mangup-Kale and Eski-Kermen).

The occupation authorities are carrying out the so-called “restoration” of the objects of cultural heritage of the indigenous Crimean Tatar people in the TOT of the Autonomous Republic of Crimea. In particular, such “restoration” leads to the actual destruction of the Bakhchisarai Palace of the Crimean Khans. Under the guise of reconstruction, the Golden Cabinet of the Khan’s Palace was destroyed. The authentic roof and an ensemble of coloured stained-glass windows were dismantled. The consequences led to serious deformations. Currently the walls of the architectural ensemble of the Khan’s Palace are covered with cracks. A crack appeared on the eastern minaret of the mosque, which before the repair work had a slight slope. As a result of lack of protection from mechanical impact, cracks also appear on some tombstones of the Khan cemetery. An important loss is the damage to the paintings on the southern and western façades of the mosque, which were done by master Omer (XVIII century). In general, we can talk about serious violations of the aesthetic integrity of the object, its uniqueness, authenticity, original appearance, and in some cases about the historical decontextualization of the cultural heritage of the Crimean Tatars (for example, celebrating Christian holidays).



The condition of the Bakhchisarai Palace of the Crimean Khans after “restoration” by the occupation authorities

The Chersonese settlement is a cultural heritage site of the ancient Greek civilization, the only fully preserved example of an ancient city in Europe with an agricultural district (chorus), which demonstrates how the territory was distributed among the citizens of the ancient city and how economic activity was organized. Chersonesus was one of the most developed Hellenic colonies.



The ancient city of Chersonesus Tavri

In 2015, deliberately violating the principles and norms of international law, the occupying authorities of the Republic of Crimea started a project to create an entertainment complex “New Chersonesus”, which involved large-scale reconstruction on the territory of the reserve. The latest glaring facts of the destructive actions of the Russian occupiers on the territory of the ancient city of Chersonesus Tavri was the holding of the international music festival “Opera in Chersonesus.” For this purpose, 15 trucks of metal constructions and a diesel-generator power station were brought to the territory of the reserve, four stages, three screens, a grandstand for spectators with a total weight of 500 tons, light and sound equipment with a capacity of 50 kilowatts were installed. All this was mounted directly on the ancient ruins and created an extremely negative anthropogenic load on the monument. During the preparation for the entertainment event, medieval arch stones and an ancient column were thrown away as garbage, communications were laid on the remains of archaeological objects, construction was carried out where research and restoration work had not yet been completed, heavy machinery moved through the cultural layer and the unexcavated part of the settlement.



Installation of the stage for the international music festival “Opera in Chersonesus”

The scenarios of treatment of the cultural heritage of national minorities (communities) in the TOT of the Kherson, Zaporizhzhia, Donetsk, and Luhansk regions turned out to be even more shameful

Cultural values are completely destroyed in the combat zone and in the front-line territories, for example, in places where Greeks live compactly in the Azov region, the destruction of historical buildings reaches up to 90% (Mariupol, Lysychansk, Sievierodonetsk, Rubizhne).

In Lysychansk, as a result of rocket fire, the largest complex of Belgian cultural heritage located outside Belgium was partially destroyed. Currently, it is known about the complete destruction of the building of the Lysychansk gymnasium, which housed barracks for unmarried employees of the soda factory 100 years ago. As a result of the fire, the premises of the former hospital were also partially damaged. All objects represented the composition of the Belgian architectural ensemble of the city of Lysychansk¹⁸⁸. This European cultural heritage consisted of 33 buildings that were built in the 19th century in the Art Nouveau style.



Lysychansk gymnasium after rocket fire by Russian troops

The cultural heritage of the Azov Greeks (Mariupol Greeks), the third largest ethnic community in the Donetsk region, suffered the greatest damage. Mariupol was the centre of Hellenism in Ukraine and the cultural pearl of the eastern region. It was in this Ukrainian city that the Cultural Centre of the Federation of Greek Societies of Ukraine was located – an organization that unites 96 Greek societies throughout Ukraine. At the Mariupol State University, there was the only modern Greek language department in Ukraine, as well as the editorial office of the all-Ukrainian newspaper “Hellenians of Ukraine”, the only printed mass media of the Greeks of Ukraine. Every year, a huge number of cultural events took place in Mariupol, which helped to get to know the traditions of the Greek diaspora better.



The destroyed Mariupol State University in Donetsk region

188 European Donbas. What did the Belgians do in Lysychansk? (<http://surl.li/qnsrh>).

In the east of Ukraine, there were many notable places related to the famous Mariupol Greeks, in particular, the Arkhip Kuindzhi Art Gallery, one of the most famous Ukrainian artists of Greek origin. More than 950 graphic and 650 painting works, 150 sculptures and about 300 works of decorative and applied art were collected in the museum's collection – a total of about 2,000 exhibits.



Arkhip Kuindzhi Art Gallery after the rocket attack

Important centres of culture that represented the cultural heritage of the Mariupol Greeks were the Mariupol Local Lore Museum and the Museum of History and Ethnography of the Azov Greeks in the town of Sartana. It was these museum institutions that kept very rare and valuable collections of books, documents, household items and clothes of the Mariupol Greeks. In particular, the Mariupol Local Lore Museum had seven exhibition halls and a scientific library with a collection of 17,000 books. The general fund of the museum included more than 53,000 exhibits, including material, art, written (handwritten and printed), numismatic, archeological, photo-documentary, natural and other exhibits. Among them, the letter of Catherine II to the Greek Christians who were expelled from the Crimean Khanate in 1778–1780 and settled in Northern Azov, the shroud of 1760, and the Gospel of 1811 were of particular value.



Mariupol Local Lore Museum

Unfortunately, all the aforementioned cultural centres of the Greeks were destroyed and looted by Russian military groups during the siege of Mariupol. Currently, it is not known for sure how many museum exhibits were burned, but a small part of the surviving items was taken to occupied Donetsk. Among them is the Gospel of 1811, produced by a Venetian printing house for the Greeks of Mariupol; a hundred-year-old Torah scroll that belonged to the city's Jewish community; the originals of three paintings by Arkhip Kuindzhi "Red Sunset", "Autumn. Crimea" and "Elbrus", the original painting by Ivan Aivazovsky "Near the shores of the Caucasus", the originals

of two works by Mykola Dubovsky “The Sea” and “Night on the Baltic Sea”, the original posthumous portrait of Kuindzhi in 1910 by Hryhorii Kalmykov, the bust of Arkhip Kuindzhi by the sculptor Volodymyr Beklemishev; three unique icons of the end of the 19th century, objects of decorative and applied art.

The cultural heritage of other representatives of national minorities suffered significant losses. The Armenian khachkar (cross-stone) in Mariupol¹⁸⁹, built in memory of the innocent victims of the Ukrainian and Armenian peoples, was partially destroyed.

For Armenians, khachkar is of high spiritual significance, because according to the canons of the Armenian Apostolic Church, khachkars are consecrated, and it is near them that the most significant events in the life of every Armenian take place. It is also worth noting that in November 2010, the art of creating khachkars with the wording “Symbolism and craftsmanship of khachkars, Armenian stone crosses” was included in the UNESCO representative list of the Intangible Cultural Heritage of Humanity.



A partially destroyed Armenian khachkar in the city of Mariupol, Donetsk region

The Czech room was damaged as a result of the bombing of the Malyniv educational complex “Preschool General educational institution of I-III degrees” in the village of Malyn, Zhytomyr region.

As a result of the shelling, the main building of the estate of L. Koenig, a sight of architecture and urban planning of national importance in the town of Trostianets, Sumy region, where the museum and exhibition centre “Trostianetskyi” was located¹⁹⁰, was damaged. The estate was built in 1762 in the neoclassical style but after 1874 its architectural ensemble was significantly changed by the family of the German sugar magnate Leopold Koenig. In particular, baroque forms were added to the façades of the complex, they were decorated with pilasters and bas-reliefs in the form of angels and chimeras. Unfortunately, direct shelling by Russian tanks and a fire in the building significantly damaged the façade, destroyed the roof and ceiling, destroyed the interiors, and broke out the windows. The unique samples of parquet, which were manufactured at the southern plant of Koenig, as well as the library, which included more than 15 thousand books, dated from the end of the 19th to the beginning of the 20th century, have been lost forever.

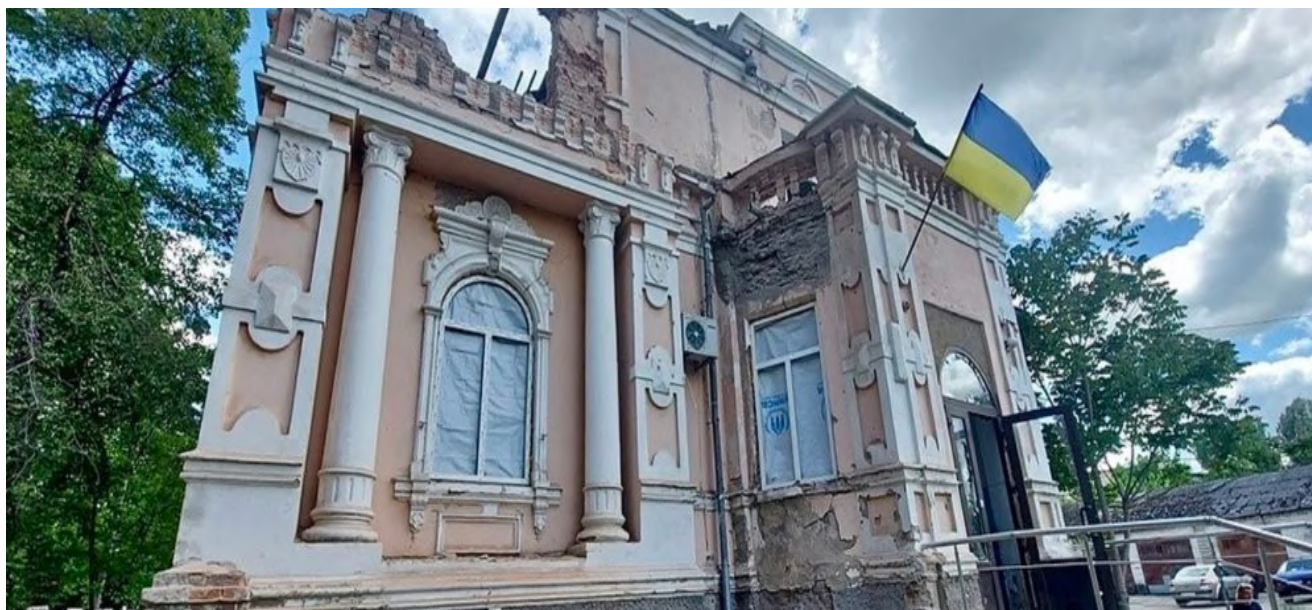


The main building of the estate of L. Koenig after the shelling

¹⁸⁹ Russians destroyed an Armenian khachkar in Mariupol. This is a monument to the innocent victims of all wars (<http://surl.li/qnsro>).

¹⁹⁰ The storage of the Koenig manor in Trostianets, Sumy region, has been lost forever (<http://surl.li/noqar>).

Among the German cultural monuments damaged by the Russians it is worth paying attention to the estate of Heinrich Jantzen in the city of Orikhiv, Zaporizhzhia region, which presented the architecture of the end of the 19th century¹⁹¹. Heinrich Jantzen was one of the German Mennonites who moved to Ukrainian lands and made a significant contribution to their development. In particular, representatives of the Jantzen family built the first steam mill, a 14-bed hospital, a school for Mennonite children, participated in the construction of shopping malls, a cinema, and residential buildings. Heinrich Jantzen was the first mayor of the town and was continuously elected to the position of mayor of Orikhiv for 25 years. The Orikhiv Town Council was located in the two-story house of the Jantzen family. As a result of the Russian attack, the windows of the estate were damaged, the entrance door was smashed, the walls and ancient stucco were cut with fragments, part of the roof and the first floor were completely destroyed.



The damaged estate of Heinrich Jantzen in the town of Orikhiv, Zaporizhzhia region



The destroyed Peter Dick's 4-story steam mill in the village of New York, Donetsk region

In May 2022, Russian troops used incendiary shells and destroyed Peter Dick's 4-story steam mill, a sight of industrial architecture of the beginning of the 20th century in New York of the Bakhmut district of the Donetsk region, which was left behind by German colonists¹⁹². Built in 1903, it became one of the largest in the community.

As can be seen from the examples given, the Russian occupation army is causing great damage to objects of national-cultural and ethnic-historical heritage throughout the territory of Ukraine.

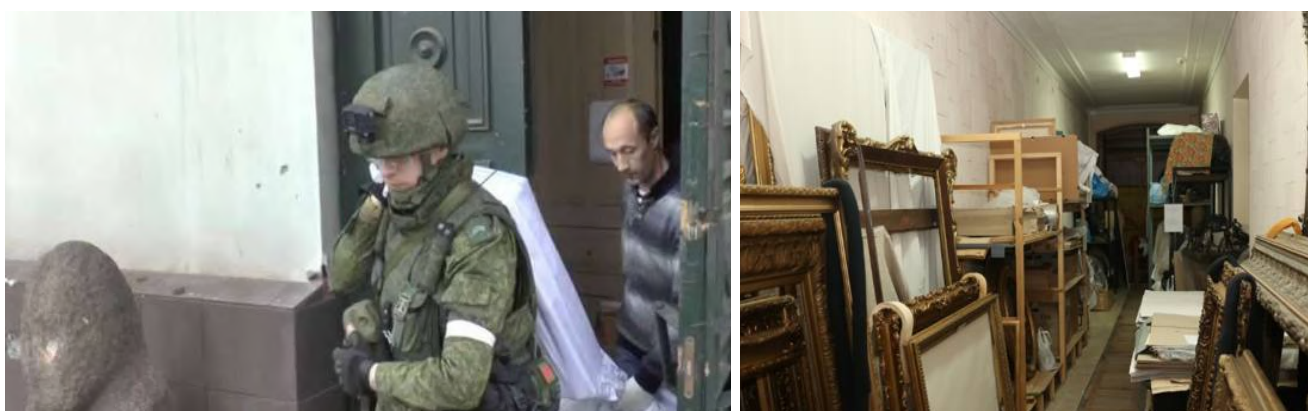
The specified actions constitute a crime under Art. 438 of the Criminal Code of Ukraine (violation of the laws and customs of war), because it is a direct violation

¹⁹¹ In Orikhiv, the occupiers bombed the historical Mennonite estate (<http://surl.li/qnsse>).

¹⁹² In Ukrainian New York, the old Dick's Mill of Mennonite heritage burned down (<http://surl.li/qnssm>).

of the Convention on the Protection of Cultural Property in the Event of Armed Conflict (The Hague Convention) of 1954 and additional protocols thereto, as well as the Convention on Measures to Prohibit and Prevent Illegal import, export and transfer of ownership of cultural values of 1970.

Objects of Ukrainian cultural heritage and the heritage of national minorities are being exported to the aggressor country. In general, according to the data provided in the analytical report of the National Institute of Strategic Studies “Cultural Heritage and National Security”¹⁹³, in 2023, the removal of movable cultural property from the museum funds of Ukraine to the Russian Federation from the territories occupied after 24 February 2022 was carried out by the Russian occupiers from almost 40 Ukrainian museums. In particular, under the guise of “evacuation” of cultural values from the combat zone, the Russian Federation removed and illegally appropriated a number of museum collections. Some of these artefacts are objects of cultural heritage of national minorities (communities) and indigenous peoples of Ukraine. In particular, in the city of Mariupol: more than 2,000 exhibits were stolen and taken away from museums. Among the most valuable items were ancient icons, a unique handwritten Torah scroll, a 200-year-old Bible and more than 200 medals. The collection of the Arkhip Kuindzhi Art Museum fund was taken out, the museum building was destroyed on 21 March 2022 Melitopol: collection of the museum fund of the local history museum, which contained a collection of Scythian gold from the excavations of the Melitopol barrow. Kherson: the collection of funds of the local history museum, which housed artefacts from the Scythian and ancient Greek periods and works of the XVII–XX centuries. Of more than 13,000 exhibits, 80% were stolen.



Objects of Ukrainian cultural heritage and the heritage of national minorities are being exported to the aggressor country

2.12. The right to create public organizations and activities of national and cultural societies

The right to freedom of association, along with other fundamental rights and freedoms, is the foundation for the creation and functioning of a modern democratic society. Public associations of national minorities (communities) are one of the means of national and cultural self-determination of persons who belong to a separate ethnic community, as well as a collective form of realization of their special rights at the national and regional levels.

Unfortunately, with the beginning of full-scale Russian aggression, the vast majority of public associations of national minorities (communities) that found themselves under occupation were forced to stop their activities or continue their activities in another safe place in the territory controlled by Ukraine

¹⁹³ Cultural heritage and national security (<http://surl.li/mrpwl>).

Many cultural centres created by ethnic communities were damaged by enemy shelling or looted by the Russian military. The NGO “Melitopol Society of Greeks” and the NGO “Melitopol National-Cultural Karaite Society ‘Jamaat’” also suffered property losses. It is known that in March 2022, as a result of hostilities caused by the Russian invasion, the premises of the Greek Cultural Centre “Meotyda” of the Mariupol Society of Greeks suffered significant damage. It was a spiritual and cultural centre where anyone could learn the modern Greek language, there were traditional Greek dance groups, a library and a large assembly hall for various events. According to eyewitnesses, windows, doors, facades, walls and interiors were damaged.



Greek cultural centre “Meotyda” in the city of Mariupol, Donetsk region

Also, during the occupation of the city by Russian troops in June–July 2022, the building of the Cultural Centre of the Federation of Greek Societies in Mariupol was partially destroyed. As a result, its unique library, furniture, and equipment were destroyed, a collection of paintings by Ukrainian artists of Greek origin, archival materials of the Mariupol Society of Greeks, and other cultural relics were stolen. The network of rural branches of the Federation of Greek Societies in the Donetsk and Zaporizhzhia regions has completely ceased its activities. The building of the Greek Medical Centre “Hippocrates” was half-destroyed, and expensive medical equipment was completely destroyed.



The destroyed building of the cultural centre of the Federation of Greek Societies in Mariupol, Donetsk region



The damaged monument to Saint Metropolitan Ignatius, one of the founders of Mariupol, in the yard of the Greek cultural centre “Meotyda”

Additional attention is drawn to other problems related to active processes of integration of the TOT public sector into the Russian propaganda discourse. This, in particular, was discussed in the speech of the President of the Russian Federation during the meeting of the Council of International Relations, which took place on 19 May 2023¹⁹⁴. One of the main tasks he set for the occupation administrations of the Donetsk, Luhansk, Kherson, and Zaporizhzhia regions, was to “strengthen the all-Russian civic identity” and introduce a “complex system of social and cultural adaptation of foreign citizens.” To this end, the Kremlin is creating a network of socio-cultural centres, which it uses as a tool of “soft power” to destroy the self-identification of an entire generation of Ukrainians. The involvement of regional associations of national minorities in the enemy’s initiatives is also observed, often with the use of threats and force. In particular, it became known about the forcing of children from the People’s Greek Folklore Ensemble of the song and dance “Sartana Gems” and the soloist of the vocal ensemble “Hellenians” D. Khadzhyanova to perform in Moscow¹⁹⁵.

At the same time, cases of collaboration among representatives of national minorities (communities) were recorded. These data are confirmed, in particular, by the head of the Federation of Greek Societies of Ukraine, Oleksandra Protsenko-Pichadzi, who said that new self-proclaimed “leaders” of the Greeks appeared in Donetsk, Mariupol, and Volnovakha. According to her, their activity is illegal, as the procedure for registering the change of heads of these public associations was not followed. There were no general meetings, voting for new candidates for heads, preparation of minutes, etc. Instead, they received full recognition from the occupying military administrations and, on their instructions, began to agitate the local population to cooperate under the patronage of the Russian Federation. One of the results of this policy can be considered the participation of the delegation of the Greek societies of Sartana, Manhush and Urzuf in the folklore festival in the city of Kursk (RF). The Federation of Greek Societies of Ukraine does not recognize the activities of fake public structures and strongly condemns traitors.

Similar processes are taking place in the TOT of the Zaporizhzhia region. One of the activists of the Jewish community, together with his wife, participates in an information campaign in favour of the Russian Federation and promotes a high level of social assistance from the occupation authorities¹⁹⁷. Another example concerns Bulgarian activists, with whose participation the first national and cultural associations of Greeks, Bulgarians, Jews and Karaites of the Zaporizhzhia region were registered in the legal field of the Russian Federation. Olena Trakai, a representative of the Karaite people, who led the integration social movement of national minorities in Melitopol¹⁹⁷, was recognized as a collaborator. According to Zaporizhzhia RMA, the following are also suspected of collaborationist activities: head of the NGO “National and Cultural Society ‘Molokany of Novovasylivka Region’” (Melitopol district); head of the NGO “Melitopol Ukrainian-Polish Cultural and Educational Society ‘Polonia’” (the city of Melitopol); head of the NGO “Armenian community ‘Masis’” (the city of Melitopol); head of the regional public organization “Fund for the Support of Bulgarian Culture in Tavria” (the city of Melitopol); head of the Prymorsk Bulgarian Cultural and Educational Society ‘Spivdruzhnist’” (the town of Prymorsk); head of the Melitopol Society of Greeks (the city of Melitopol).

194 Meeting of the Council on Inter-National Relations (<http://surl.li/qnqqp>).

195 Upper Azov Greeks in resistance to Russian aggression (<http://surl.li/kokjq>).

196 In Melitopol, the husband of a collaborator, who promoted the Holocaust, actively praises the Russian world (<http://surl.li/qnsuu>).

197 Alona Trokai (<http://surl.li/qnsva>).

2.13. Violation of linguistic and educational rights of persons belonging to national minorities (communities), indigenous peoples: challenges of Russian aggression

Preservation of the linguistic environment of indigenous peoples and national minorities (communities) takes on a new meaning in the conditions of the full-scale invasion of the Russian army into Ukraine. In the TOT, the policy of the Russian Federation is aimed at supplanting the Ukrainian language and the languages of national minorities (communities) and indigenous peoples from all spheres of life with the aim of complete Russification of the population. The commissioner for the protection of the state language called the crimes against the Ukrainian language and the languages of minorities (communities) purposeful linguistic aimed at the destruction of Ukrainian identity.

Russian aggression led to the deterioration of Ukraine's ability to ensure the informational rights of national minorities (communities) and indigenous peoples in connection with hostilities and the occupation of part of the territory of Ukraine. A number of information infrastructure objects were destroyed and damaged to varying degrees or are under Russian occupation. In the occupied territories, the Russian side informationally isolates the local population from sources of reliable information, in particular from the international and Ukrainian information space.

In the occupied territories of Ukraine, the Russian side organized the broadcasting of Russian TV channels, as well as broadcasting programs of TV channels specially created by the occupying authorities. In the information space under the control of the Russian Federation, disinformation and the promotion of hate speech are spreading, particularly on the basis of national and ethnic affiliation.

Russian aggression had catastrophic consequences for the Greek community of the Azov region, which are the descendants of two unique language groups – the Urums (Turkophones) and the Rumeys/Romeys (Hellinophones) of the Crimean Peninsula. Greeks moved to the southeastern regions in the 18th century, creating communities, primarily based on linguistic features. The area where the Urum language was spoken was 29 villages in the Donetsk region, one village in the Zaporizhzhia region and the city of Mariupol. The number of Urums was about 40,000 people. The geography of the use of the Rumei language was much smaller. These are the Velyka Novosilka, Volnovakha, Volodarka, Manhush and Starobesheve districts of the Donetsk region. As noted by the historian V. Piskizhova in her work “On the problem of preservation and popularization of the cultural (linguistic) heritage of the Upper Azov Greeks in independent Ukraine”, in 2018 Urum and Rumei were included in the “Atlas of the world's languages under threat” (UNESCO).



According to the Levels of endangerment scale, the Urum language is “*definitely endangered*”, while the Rumei language is “*in serious danger*.”

The Maloianysol dialect of the Rumei language is included in the list of intangible cultural heritage of the Donetsk region. Only a few villages of the Nikolske district were determined by the geography of the modern lifestyle of the specified element, namely Maloianysol, Kremenivka, Novoianysol, Kasianivka, and Kyrylivka.

The physical destruction of Mariupol by the Russian army and its subsequent occupation became tragic pages in the history of Ukraine

A significant proportion of its residents were of Greek origin (**21,9 thousand people or 4,3%**), and the city itself has always been the main centre of the national and cultural life of ethnic Greeks, where their leading public institutions were located, in particular the headquarters of the Federation of Greek Societies of Ukraine.

Mariupol State Humanitarian University was the only Ukrainian institution of higher education where the Faculty of Greek Philology and Translation worked. The Examination Centre of the Ministry of Education and Religion of Greece for obtaining an international certificate in the Modern Greek language, the Research Centre for the Study and Development of the Greek Culture of the Black Sea Countries, and the Archive-Library for the Study of Dialects and Culture of the Ethnic Greeks of Upper Azov were created on the basis of the faculty. Every year, the All-Ukrainian Student Olympiad and the All-Ukrainian Contest of Student Scientific Papers on the Modern Greek Language and Literature, as well as a Prof. Vasos Karageorghis competition of works in the Modern Greek language were held. The library of Hellenistic studies “Konstantinos Levendis”¹⁹⁸ was widely known in Ukraine and beyond as the most modern and best equipped library on Hellenistics. The Faculty of Greek Philology and Translation was very popular among the youth of the eastern and southern regions of Ukraine, which had Greek roots.



The premises of the Mariupol State Humanitarian University before the occupation and after the Russian shelling

Most of the places of compact residence of the Azov Greeks are currently under the control of the occupying forces

There is no exact information on the number of general education institutions that operate in the TOT and the number of children who attend them. Languages of representatives of national minorities (communities) are not taught, and teachers often become victims of persecution and torture. There is a practice of abducting representatives of national minorities (communities) in the TOT because of their pro-Ukrainian position.



In particular, on 4 October 2022 through media monitoring, the Commissioner became aware of the abduction and captivity of a teacher of the Modern Greek language (citizen T., who is an ethnic Greek, a member of the Urzuf Society of Greeks)¹⁹⁹. She was detained in occupied Urzuf, Donetsk region. The reason for her detention and arrest was the woman's pro-Ukrainian position, which she did not hide from anyone, even when she was in occupied Urzuf. At first, the woman was kept in the district office in Manhush. Exercising the right to an interpreter, citizen T. asked to provide her with an interpreter from Ukrainian into Russian. After that, the woman was taken from Manhush in an unknown direction. On 5 October, information appeared on the Facebook page of the Federation of Greek Societies of Ukraine that, according to relatives, citizen T. was released and was at home²⁰⁰. She refused to comment on the mentioned events. Citizen T. also asked to remove publications about her detention from social networks.

198 Mariupol State University. Faculty of Greek Philology (<http://surl.li/qnsvm>).

199 The occupiers are holding a Modern Greek teacher from Urzuf captive (<http://surl.li/qnswa>).

200 Modern Greek teacher released (<http://surl.li/qnswi>).

The representatives of national minorities (communities) of the temporarily occupied city of Melitopol also speak about linguistic oppression:

God forbid we speak our mother tongue here, if one of the orcs or collaborators hears it, I don't know how everything will end... both the state language and the languages of the national communities are prohibited here' (Aryna)²⁰¹.

Russian aggression caused security challenges, destruction of educational infrastructure, mass displacement of citizens, occupation of a part of the sovereign Ukrainian territory, which has a negative impact on the possibility of realizing the educational rights of persons belonging to national minorities (communities) and indigenous peoples. The large-scale Russian invasion has more than aggravated the issue of observing the right to education in the languages of national minorities (communities) of indigenous peoples in the temporarily occupied territories, in particular those where the occupation took place after the beginning of the Russian large-scale invasion on 24 February 2022.

In general, according to the MES data, due to the military aggression of the Russian Federation:



180 schools are totally destroyed



over 1,3 thousand educational institutions were damaged, among them there are also schools where education was conducted in the languages of national minorities (communities) and indigenous peoples²⁰²

According to the data of the Kherson Military and Civil Administration and the monitoring of the Commissioner, communities where people belonging to national minorities (communities) and indigenous peoples traditionally lived were destroyed and damaged:



17 educational institutions of communal ownership (where **797 children** were educated) are destroyed



52 preschool educational institutions of communal ownership (where **2894 children** were educated) are damaged

In the de-occupied territory, there are:



33 damaged institutions (**1848 children**)

In the TOT, there are:



19 damaged preschool education institutions (**1046 children**)

The situation regarding the realization of the educational rights of the Crimean Tatar people remains difficult. The majority of preschool education institutions are located in the temporarily occupied territory or close to areas of active hostilities.

²⁰¹ Ethnic communities and community: guarantee of public activity and trust (<https://is.gd/ZwPgnN>).

²⁰² The Ministry of Education and Science of Ukraine told how many schools the Russian Federation destroyed in Ukraine (<http://surl.li/qnsxa>).

According to the information of the Donetsk Military and Civil Administration, before the events of 24 February 2022, children of the Roma and Greek national minorities (communities) were included in preschool education and involved in participation in contests, competitions, clubs, in the work of the “Future First Graders” school, etc. Children attended holidays and entertainment in accordance with the schedule of preschool education institutions. Parents of pupils from national minorities (communities) were involved in joint work: individual consultations and conversations were held constantly, the topics of which were chosen individually, depending on the needs that arose; workshops, master classes, etc. were held once a month. After 24 February 2022, cultural events in preschool education institutions were not held due to the occupation of the territories of the Donetsk region and the conduct of hostilities in the territories where the compact living centres of representatives of national minorities (communities) – Greek and Roma minorities (communities) – are registered. The right to study in the Greek language appeared to be under threat, in particular, due to the catastrophic consequences of Russian aggression and occupation for the Greek national minority (community). For example, the Mariupol State Humanitarian University was the only Ukrainian institution of higher education where the Faculty of Greek Philology and Translation worked, the Examination Centre of the Ministry of Education and Religion of Greece for obtaining an international certificate in the Modern Greek language, the Research Centre for the Study and Development of the Greek Culture of the Black Sea Countries, and the Archive-Library for the Study of Dialects and Culture of the Ethnic Greeks of Upper Azov functioned.

An analysis of the educational process in the TOT of eastern and southern Ukraine, which was temporarily occupied by the Russian Federation after 24 February 2022, demonstrates the complete absence of the study of the languages of national minorities (communities) in the curricula of the occupied educational institutions

In particular, during the so-called “mother tongue” lessons, students learn the Russian language. The same applies to the study of the Ukrainian language, which has been completely displaced by the Russian occupation side from the educational process in the south and east of Ukraine (Kherson, Zaporizhzhia, Luhansk, Donetsk regions, territories temporarily occupied by the Russian Federation). There is a systematic change in the context of education, in particular with regard to subjects of the humanitarian cycle, history, literature, the possibility of studying the Ukrainian language, history, literature, language and literature of Ukrainian national minorities (communities) is completely absent.

A threatening situation regarding educational rights is also observed in the TOT of the AR Crimea, the possibility of learning the Ukrainian language is being destroyed.

According to the data of the Russian occupying side, in 2021–2022, **547** general educational institutions of all forms of ownership operated on the territory of the Crimean Peninsula, where **218 974** schoolchildren studied:



212 090 (96.9% of the total number) were educated in Russian



6700 (3%) were educated in Crimean Tatar



214 (0.1%) were educated in Ukrainian

among them:



162 students study in Ukrainian in school No. 20 of the city of Feodosiia



52 students study in three Ukrainian-speaking classes of the Simferopol Academic Gymnasium (which before the occupation had the name “Ukrainian School-Gymnasium”).

Moreover, the analysis of curricula shows that the number of hours in different classes regarding the study of Crimean Tatar as a subject is equal to or less than the study of the Russian language, in general, instruction is in the Russian language²⁰³. There are processes of purposeful militarization of the educational process, male and female students in the territories of Kherson, Zaporizhzhia, Luhansk, Donetsk regions, the TOT of the AR Crimea and the city of Sevastopol are massively involved by the occupying Russian regime in the activities of military Russian children's and youth organizations, including representatives of national minorities (communities). These actions of the occupying Russian authorities have been repeatedly condemned by international organizations. For example, on 7 December 2020, the UN General Assembly adopted resolution 75/29, which, in particular, condemns "the use of education of children in Crimea to provide training, which is the basis for further entry into the armed forces of the Russian Federation." The processes of Russification of the educational process (language), militarization of education, and changes in the context of education are being observed in the TOT.



An example of the Russification of the educational process and the militarization of education

In the TOT of the Autonomous Republic of Crimea, the Ismail Gasprinsky occupation media centre, subordinate to the occupation state committee for international relations of the so-called Republic of Crimea, declares its support for 14 "national" mass media of Crimea and the publication of book products. On 20 September 2022, Ismail Gasprinsky media centre accepted applications for the publication of books in the languages of national minorities (communities) for 2023, with the exception of publications of scientific and educational literature, abstracts, reports, as well as books that contain regulatory and legal documents on production and practical issues²⁰⁴. The publication is carried out within the framework of the Russian federal program. There is no information on any alternative funding opportunities for mass media and publishing books in the language of national minorities (communities). Accordingly, the possibilities for the use and further development of the languages of minorities (communities) in various spheres of their lives and the right to have their own media are maximally narrowed in the TOT of the Autonomous Republic of Crimea. Most publications are published in Russian or retransmit the Russian propaganda to specific target audiences from among ethnic communities on the Crimean peninsula. In particular, the only Ukrainian-language printed publication "Krymskyi Visnyk" and the Ukrainian-language Internet platform "Pereiaslavska Rada 2.0" systematically broadcast Russian ideological narratives of a historical and socio-political nature, demonising Ukraine, its defence forces, public, cultural and political representatives, and also justify and support the armed aggression of the Russian Federation against Ukraine.

In the conditions of security challenges (countering disinformation and hate speech) and proper provision of the informational rights of national minorities (communities) and indigenous peoples in Ukraine, it is advisable to continue making all possible efforts to ensure access of all Ukrainian citizens to socially important information, in particular in the language of national minorities (communities) and indigenous peoples in Ukraine.

203 "‘Universal soldier’ or education as a tool of Russia in the occupied south of Ukraine" (<http://surl.li/qnsxf>).

204 Acceptance of applications for the publication of works for authors and publishing houses for 2023 (<http://surl.li/qnsxq>).

SECTION 3

**THE STATE OF OBSERVANCE OF THE RIGHTS
OF THE CRIMEAN TATARS AS AN INDIGENOUS
PEOPLE OF UKRAINE IN THE CONDITIONS
OF THE ARMED AGGRESSION OF THE
RUSSIAN FEDERATION AGAINST UKRAINE**

The State furthers consolidation and development of the Ukrainian nation, its historical conscience, traditions and culture as well as development of the ethnic, cultural, linguistic and religious identity of all the indigenous peoples and national minorities of Ukraine, as defined by the Constitution of Ukraine (Art. 11). The rights of indigenous peoples and national minorities are determined exclusively by the laws of Ukraine (Art. 92 of the Constitution of Ukraine). Ukraine officially supports the UN Declaration on the Rights of Indigenous Peoples²⁰⁵. In particular, on 22 May 2014, during the 13th session of the UN Permanent Forum on Indigenous Peoples, the Ukrainian delegation made a statement to that effect. On 13 April 2022, Ukraine was elected to the UN Permanent Forum on Indigenous Peoples (UNPFII²⁰⁶) for the first time. The position of the state, it was announced that within the framework of the Permanent Forum, Ukraine will make maximum efforts to ensure the rights and freedoms of representatives of indigenous peoples, in particular in the TOT²⁰⁷. As part of the Forum, the Ukrainian side will continue to implement the collective rights of indigenous peoples and develop recommendations for the full application of the provisions of the UN Declaration on the Rights of Indigenous Peoples.

3.1. General description of the situation of the Crimean Tatar people: historical and socio-cultural realities

The indigenous peoples of Ukraine, which formed in the territory of the Crimean Peninsula, are the Crimean Tatars, Karaites and Krymchaks. The indigenous people of Ukraine, the Crimean Tatars, were subjected to mass deportation during the Soviet period, which had catastrophic consequences for the preservation of the Crimean Tatars as a group. The consequence of the mass deportation and genocide against the Crimean Tatars in the 20th century was the decline of culture, language, and education. Since Ukraine gained state independence, the Crimean Tatar people began to return to the Crimean Peninsula from places of forced deportation.

According to the 2001 census in Ukraine, Crimean Tatars accounted for almost 12.1% of the population of the Crimean Peninsula. Already in 2013, according to data provided by the, OSCE High Commissioner for National Minorities Crimean Tatars accounted for 13.7% of the population of the Crimean Peninsula²⁰⁸.

The question of restoring the culture of indigenous peoples and creating conditions for its further development arose. As of 2014, **400** Krymchaks lived on the territory of Ukraine. According to the population census, in 2001, **1196** Karaites, lived in Ukraine, most of them lived on the territory of the Crimean Peninsula.



On 12 May 2015, the deportation of Crimean Tatars from Crimea in 1944 was recognized in Ukraine as genocide of the Crimean Tatar people. In Ukraine, 18 May was declared the Day of Remembrance of the Victims of the Genocide of the Crimean Tatar People²⁰⁹. In the conditions of the illegal occupation of the Republic of Crimea and the city of Sevastopol by the Russian Federation in February 2014, the realization of the rights of indigenous peoples regarding the preservation and development of language, culture, and protection against discrimination has become more than a difficult task, in particular, given the systematic policy of the Russian Federation regarding rights violations on identity, violation of IHL in relation

205 Resolution 61/295, adopted by the General Assembly on 13 September 2007. United Nations Declaration on the Rights of Indigenous Peoples (<https://is.gd/D8XLg8>).

206 United Nations Permanent Forum On Indigenous Issues (UNPFII) (<http://surl.li/qnszm>).

207 Ukraine was elected to the membership of three bodies within the Economic and Social Council of the United Nations (<http://surl.li/qntam>).

208 Integration of previously deported persons in Crimea, Ukraine (<http://surl.li/qntaz>).

209 Resolution of the Verkhovna Rada of Ukraine "On recognition of the genocide of the Crimean Tatar people" (<http://surl.li/mslfy>).

to indigenous peoples of Ukraine. In Ukraine, the violations of rights by the Russian Federation against representatives of the Crimean Tatar people, their persecution for political reasons, their illegal transfer to the territory of the Russian Federation, the destruction of fundamental rights and freedoms on the temporarily occupied Crimean peninsula, including freedom of speech, worldview and religion, violation of family unity of many families, mainly from among the Crimean Tatar people, the forced conscription of Ukrainians and Crimean Tatars into the Russian army through the mechanism of the forced imposition of Russian citizenship, the destruction of the cultural heritage of the indigenous people²¹⁰ are emphasized.

During 2021–2023, legislation on ensuring the rights and freedoms of indigenous peoples and tools for its implementation were developed in Ukraine. In 2021, the Law of Ukraine “On Indigenous Peoples of Ukraine” dated 1 July 2021 No. 1616-IX was adopted. The law regulates the legal status of the indigenous peoples of Ukraine, the Karaites, Krymchaks, and Crimean Tatars, and establishes legal guarantees for the full possession of all human rights and fundamental freedoms of persons belonging to the indigenous peoples of Ukraine. The law developed the corresponding resolutions of the Verkhovna Rada (2014) on the recognition of the Crimean Tatar people as an indigenous people of Ukraine.

According to the law of Ukraine, an indigenous people of Ukraine is an autochthonous ethnic community that was formed on the territory of Ukraine, is the bearer of an original language and culture, has traditional, social, cultural or representative bodies, considers itself an indigenous people of Ukraine, constitutes an ethnic minority in its population and does not has its own state entity outside of Ukraine

One of the goals of the National Strategy in the field of human rights, approved by Decree of the President of Ukraine dated 24 March 2021 No. 119, is to ensure and protect the rights of indigenous peoples and national minorities in Ukraine in accordance with international, in particular, European human rights standards. The Strategy for deoccupation of the AR Crimea and the city of Sevastopol (2021)²¹¹ defined the key areas of protection of the rights of indigenous peoples and national minorities living in the territory of the Crimean Peninsula, developed a plan for its implementation, which also contained steps to protect the rights of indigenous peoples.

The law states that the indigenous peoples of Ukraine and their representatives have the right collectively and individually to full possession of all human rights and fundamental freedoms defined in the UN Charter, the Universal Declaration of Human Rights, the United Nations Declaration on the Rights of Indigenous Peoples and in international treaties, consent to the binding nature of which was granted by the Verkhovna Rada of Ukraine, as well as those provided for in the Constitution and Laws of Ukraine. The right to equal legal protection, the prohibition of discrimination, and enhanced support measures has been granted. They are temporary measures taken by the state to overcome negative social, legal or cultural phenomena for indigenous peoples through the creation of special favourable mechanisms for the realization of the rights, freedoms and needs of indigenous peoples. In accordance with the law, measures of enhanced support were introduced by the Cabinet of Ministers of Ukraine at the request and after consultations with representative bodies. To ensure this provision of law

210 Resolution of the Verkhovna Rada of Ukraine “On the Appeal of the Verkhovna Rada of Ukraine to the national parliaments of the participating states of the First Parliamentary Summit of the International Crimean Platform in the context of nine years of temporary occupation and the attempted illegal annexation of the Autonomous Republic of Crimea and the city of Sevastopol by the Russian Federation in order to consolidate actions aimed at further opposition to the temporary occupation of the Crimean peninsula and overcoming its consequences after the end of the occupation” (<http://surl.li/qntcx>).

211 Decree of the President of Ukraine “On the decision of the National Security and Defence Council of Ukraine dated 11 March 2021 ‘On the Strategy of Deoccupation and Reintegration of the Temporarily Occupied Territory of the Autonomous Republic of Crimea and the City of Sevastopol’” (<http://surl.li/qnten>).

No. 1616, in August 2022, the Cabinet of Ministers of Ukraine adopted resolution No. 936 “On approval of the Procedure for establishing the legal status of the representative body of the indigenous people of Ukraine and deprivation of such status” and resolution No. 1018 “On approval of the Procedure for conducting consultations of executive authorities with representative bodies of indigenous peoples of Ukraine”²¹². In accordance with this, consultations with representative bodies are held regarding draft acts on the following issues:

- increased support for indigenous peoples of Ukraine;
- formation of a list of places and objects of religious and cultural significance of the indigenous peoples of Ukraine, the procedure for using these objects, the funding and obtaining income from activities related to the use of such objects;
- restoration of historical toponymy of indigenous peoples of Ukraine;
- determination of the order of application of the languages, history and culture of the indigenous peoples of Ukraine in the educational process;
- determination of the procedure for providing support to mass media in which the representative bodies independently directly own at least 51% of the authorized capital and/or voting rights of shares of the mass media, in the event that such mass media, in accordance with the license for broadcasting or permission for temporary broadcasting carry out at least 50% of the broadcast in the languages of the indigenous peoples of Ukraine and/or devote at least 50% of the broadcast to issues of the realization of the rights of the indigenous peoples of Ukraine in accordance with the Law of Ukraine “On Indigenous Peoples of Ukraine”;
- determination of the order of interaction of executive authorities with representative bodies on issues of environmental protection, ensuring effective and fair use of land, water, forest and other natural resources located in the territory of the AR of Crimea and the city of Sevastopol;
- reservation of agricultural and other lands for representatives of indigenous peoples of Ukraine returning to the territory of Crimea and the city of Sevastopol, allocation of land plots and their accounting;
- development of languages, culture, ensuring the rights of the indigenous peoples of Ukraine to education in their languages, activities of mass media in the languages of the indigenous peoples of Ukraine, integration of the indigenous peoples of Ukraine. In accordance with regulations, the results of consultations with representative bodies are taken into account by the executive authority when adopting the relevant act or in the further work of such a body.

During 2022–2023, measures were taken to further ensure the rights and further development of the indigenous peoples of Ukraine

The state introduced tasks and measures to support indigenous peoples. On 23 February 2022 Crimean Tatar Language Development Strategy for 2022–2032 and the operational plan for it were approved. The Crimean Tatar language, as the language of one of the indigenous peoples of Ukraine, was recognized as an element of the identity and ethno-cultural integrity of the Ukrainian nation, and operational and strategic goals and tasks for its development were proposed.

212 The Cabinet of Ministers of Ukraine. Resolution “On Approval of the Procedure for Consolidating the legal status of the representative body of the indigenous people of Ukraine and Deprivation of Such Status” (<http://surl.li/qm-rau>); Cabinet of Ministers of Ukraine. Resolution “On Approval of the Procedure for Consultations of Executive Authorities with Representative Bodies of Indigenous Peoples of Ukraine” (<http://surl.li/qmrba>).

As part of the implementation of the Strategy for the Development of the Crimean Tatar Language, the National Corpus of the Crimean Tatar Language was created, which was presented on 23 November 2023. This is an electronic array of texts, thanks to which it is possible to study the Crimean Tatar language as a database. The platform will perform the function of an open database of educational, scientific and other materials in the Crimean Tatar language. The corpus allows you to analyse a large volume of language materials in a few clicks. In particular, for example, the service processes an array of texts of 20,000 pages in a matter of seconds. Work on the project lasted a year and united about 30 participants in different parts of Ukraine and the world. During the year, more than 900 materials were analysed, including fiction and scientific literature, periodicals, etc.



The draft Decree of the President of Ukraine “On establishing the Day of the Crimean Tatar language and literature” was sent to the Commissioner for approval. The draft decree is aimed at implementing the provisions of the European Charter for Regional or Minority Languages, the UN Declaration on the Rights of Indigenous Peoples, the Constitution of Ukraine, the laws of Ukraine “On National Minorities in Ukraine”, “On Indigenous Peoples of Ukraine”, clause 25 of the Operational Plan of the Strategy for the Development of the Crimean Tatar Language for 2022–2032, approved by Order of the CMU dated 23 February 2022 No. 224-p “On the approval of the Crimean Tatar language development strategy for 2022–2032.” The draft of the Decree was supported by the Commissioner.

During 2023, decisions were made regarding the restoration of toponymic names in the Autonomous Republic of Crimea. In particular, the Law of Ukraine “On Condemnation and Prohibition of Propaganda of Russian Imperial Policy and Decolonization of Toponymy” provided for work on changing toponyms in the temporarily occupied Crimea within a six-month period. In particular, in accordance with the procedure established by law, to hold consultations with the representative bodies of the indigenous peoples of Ukraine and to submit to the Verkhovna Rada for consideration proposals regarding the renaming of settlements on the territory of the Crimean Peninsula, the names of which contain symbols of Russian imperial policy. This decision will restore the toponyms of the indigenous peoples, which were changed by the Russian and Soviet authorities during the forced deportation of the Crimean Tatars by the Soviet regime on 18 May 1944.

On 23 August 2023, the Law of Ukraine “On Amendments to Certain Legislative Acts of Ukraine Regarding the Resolution of Certain Issues of the Administrative and Territorial System of the Autonomous Republic of Crimea”²¹³ was adopted, which puts into effect the Resolution of the Verkhovna Rada “On Renaming Certain Settlements and Districts of the Autonomous Republic of Crimea and the City of Sevastopol”, which contains a list of restored historical names in Crimea, including toponyms of indigenous peoples.

213 Law of Ukraine “On Amendments to Certain Legislative Acts of Ukraine Regarding the Resolution of Certain Issues of the Administrative and Territorial System of the Autonomous Republic of Crimea” (<http://surl.li/qntgh>).

3.2. Violation of the rights of indigenous peoples in the temporarily occupied territories of the Autonomous Republic of Crimea and the city of Sevastopol by the Russian Federation

Politically motivated persecution of the Crimean Tatars in the TOT of the Autonomous Republic of Crimea

As of 25 December 2023, the total number of political prisoners held in Crimea or the Russian Federation is:



191 people



123 citizens of Ukraine from among political prisoners are Crimean Tatars

According to the Crimean Tatar Resource Centre, for 9 months of 2023, the following were recorded in the temporarily occupied Crimea:



154 detentions
(including 112 Crimean Tatars)



182 arrests
(112 are Crimean Tatars)



over **915 years**²¹⁴ is the cumulative term of sentences for Crimean political prisoners during the war

Persecution of the Crimean Tatars by the occupation authorities has a systemic nature. According to human rights organizations, **up to 75% of illegal searches carried out by Russian security forces in Crimea take place in the homes of Crimean Tatars, and at least 110 of the more than 186 victims of politically motivated persecution are representatives of the Crimean Tatar people**²¹⁵.

There are frequent cases of non-provision of medical aid by the occupation authorities to Crimean political prisoners, Crimean Tatars who are in temporarily occupied Crimea or have been staged to prisons on the territory of Russia. At the beginning of this year, two Ukrainian political prisoners, Kostiantyn Shyrinh and Dzhemil Gafarov, died in Russian prisons due to a lack of medical care.



Kostiantyn Shyrinh and Dzhemil Gafarov, Ukrainian political prisoners who were murdered in a Russian prison



Commissioner Dmytro Lubinets appealed to the Commissioner for Human Rights in the Russian Federation Tetiana Moskalkova with a demand to provide official information about the deaths of Ukrainian citizens Kostiantyn Shyrinh and Dzhemil Gafarov and their causes²¹⁶.

The Commissioner emphasized that the world should know about the Russian Federation's systematic violation of human rights, the Geneva Conventions and other norms of international law. The Convention for the Protection of Civilian Population in Time of War prohibits the use of any measures that may cause the physical suffering or extermination of protected persons under their authority.

²¹⁴ 'The cumulative term of sentences for Crimean political prisoners during the war amounted to more than 915 years,' CrimeaSOS (<http://surl.li/qntgo>).

²¹⁵ Persecuted and detained. CrimeaSOS and partners spoke about the critical situation regarding persecution in Crimea within the framework of the OSCE conference (<http://surl.li/qntgz>).

²¹⁶ Dmytro Lubinets (<http://surl.li/qnthg>).

The Russian Federation should have conducted an effective and impartial investigation into the circumstances of the death of political prisoners Kostiantyn Shyrinh and Dzhemil Gafarov and reported their results to the Commissioner.



The commissioner notes that the inhumane treatment of citizens of Ukraine illegally imprisoned by Russia, failure to provide them with proper medical care, is a violation of fundamental human rights, norms of international law and amounts to torture.

Crimean Tatar activists are convicted by the Russian occupation regime on trumped-up charges of allegedly belonging to terrorist and extremist organizations or participating in so-called illegal armed formations, allegedly preparing sabotage, espionage, and illegal possession of weapons or explosives, in particular, part 2 of Article 208 of the Criminal Code of the Russian Federation (participation in an illegal armed formation that operates for purposes contrary to the interests of the Russian Federation), Art. 275.1 (cooperation on a confidential basis with a foreign state, international or foreign organization), Part 1 of Article 208 (financing of armed formations).

On 4 March 2022, the Russian Federation introduced criminal liability for the dissemination of information that supposedly discredits the armed forces of the Russian Federation. The Criminal Code of the Russian Federation was supplemented by Article 207.3, which provided for the punishment for spreading “deliberately false information about the use of the armed forces of the Russian Federation” from a fine to imprisonment for a term of up to fifteen years.

Regarding Crimeans, Crimean Tatars, the administrative article of the Code of Administrative Offences of the Russian Federation on “public actions aimed at discrediting the Russian army” is applied (Art. 20.3.3). The maximum penalty is a fine of up to 100,000 roubles.

As of 20 December 2023, in the proceedings of the so-called “courts” in the TOT of the AR of Crimea, at least 625 cases of receipt of materials compiled under Art. 20.3.3 (public actions aimed at discrediting the use of the armed forces of the Russian Federation for the purpose of protecting the interests of the Russian Federation and its citizens, maintaining international peace and security, or the performance by the state bodies of the Russian Federation of their powers for the specified purposes) were recorded.

They include:



548 cases when a decision was made to impose an administrative penalty in the form of a fine



17 cases when the consideration of materials was continued **17,45** mln Russian roubles is the minimum total amount of applied fines

During 2022–2023, there were no changes regarding the renewal of the activities of the representative bodies of the Crimean Tatars in the TOT of Crimea on the part of the occupying Russian regime

About 30 members of the Mejlis were persecuted by the Russian Federation during the years of occupation of the peninsula

Law enforcement and judicial structures of the Russian Federation have stepped up measures against the politically motivated persecution of Crimean Tatar activists, journalists, and human rights defenders in the Autonomous Republic of Crimea. In particular, the Mejlis of the Crimean Tatar people – the

representative body of the Crimean Tatar people – remains banned by the Russian Federation as an allegedly extremist organization²¹⁷. The activities of the representative bodies of the Crimean Tatars, the Mejlis of the Crimean Tatar people, were banned by the Russian Federation back in 2016 (the so-called “appeal ruling” of the Judicial Collegium on Administrative Cases of the Supreme Court of the Russian Federation dated 29 September 2016 No. 27-АПГ16-4). This happens despite the decision of the International Court of Justice of the United Nations. On 19 April 2017, the International Court of Justice of the United Nations in the case “Ukraine v. Russian Federation” obliged Russia to “refrain from adopting or maintaining restrictions on the ability of Crimean Tatars to maintain their own representative institutions, including the Mejlis of the Crimean Tatar people” and “to ensure the availability of education in the Ukrainian language”²¹⁸, however, this decision was not implemented in five years. On 24 May 2023, the premises of the Mejlis of the Crimean Tatar people in Simferopol were “nationalized” by the occupation authorities²¹⁹. There is a campaign to discredit the representative body of the Crimean Tatars in the propagandistic occupation media. On 26 May 2022, the appellate instance of the illegal occupation of the so-called “Supreme Court of Crimea” changed the previous sentence of Mustafa Dzhemilev, the Soviet human rights defender and dissident, Ukrainian politician, one of the leaders of the Crimean Tatar national movement, the head of the Mejlis of the Crimean Tatar people in 1991–2013, sentencing him in absentia to 3 years of imprisonment and a fine of 20,000 Russian roubles.

In 2022, Nariman Dzhelyalov, the first deputy chairman of the Mejlis of the Crimean Tatar people, was sentenced to 17 years in prison on a fabricated case. The occupation court of the Russian Federation sentenced one of the leaders of the Mejlis of the Crimean Tatar people on false charges of planning a terrorist act. Earlier, Nariman Dzhelyalov openly participated in the founding summit of the International Crimean Platform in August 2021. Nariman Dzhelyalov was detained immediately after returning from Kyiv, where at the summit of the Crimean platform, the leaders of the countries discussed the issue of the deoccupation of Crimea, as well as, among other things, the violation of the rights of the Crimean Tatars by the Russian Federation.



217 Appellate decision of the Judicial Collegium on Administrative Cases of the Supreme Court of the Russian Federation dated 29 September 2016, No. 27-АПГ16-4 (<http://surl.li/qnthl>).

218 Comment of the Ministry of Foreign Affairs of Ukraine regarding the Russian Federation’s disregard of the Order of the International Court of Justice of the United Nations (<http://surl.li/qntif>).

219 The “mejlis” building in Simferopol will be nationalized (<http://surl.li/qnthv>).

The Russian Federation is implementing illegal military conscription of Crimeans and Crimean Tatars, both as conscripts and as part of the so-called “partial mobilization” to participate in hostilities against Ukraine. On the part of the Russian Federation, there is a systematic violation of the norms of international humanitarian law, namely, the provisions of Art. 51 of the Convention on the Protection of the Civilian Population in Time of War due to the forced enlistment of the population of the occupied territories to service in the army of the occupying state. The actions of persons who implement such a policy are a war crime according to Art. 8 of the Rome Statute of the International Criminal Court. It is known that in the temporarily occupied Crimea, after Putin announced the so-called “partial mobilization” in the Russian Federation, representatives of the Crimean Tatar people were handed at least 1,500 summonses from the occupying Russian regime. Such actions are a direct and gross violation of the Geneva Conventions of 1949 and other norms of international humanitarian law. As of 30 September 2023, the Crimean Human Rights Group documented at least [493 criminal cases](#) under Art. 328 of the Criminal Code of Russia (evasion of service in the armed forces of the Russian Federation), transferred to the “courts” on the occupied peninsula²²⁰. Among such cases may be implementation against representatives of indigenous peoples. Of them, for the period from 1 July to 30 September 2023, at least **25** criminal cases under Art. 328 of this code are recorded, for **24** of them guilty verdicts were passed ([fines from 15 to 50 thousand roubles](#)). Payment of the fine does not exempt from service. Cases of summonses being served to Crimean Tatars near mosques or near judicial institutions where so-called “trials” against Crimean Tatar activists were held were recorded. For example, on 25 August 2023, near the building of the occupation “Kyiv District Court” [special purpose police unit officers detained 23 Crimean Tatars](#)²²¹. The forces of the occupation forces tried to serve summonses to the detainees.

The Russian Federation blocks and devalues the possibility of celebrating Crimean Tatar holidays. In particular, in June 2023, the so-called “official events for the day of the Crimean Tatar flag” in the TOT of the Autonomous Republic of Crimea were combined with the celebration of the “day of Slavic unity” to minimize the informational and cultural resonance of the national holiday of the Crimean Tatars. Also, the power forces of the occupation authorities detained and [fined Crimean Tatars for displaying Crimean Tatar flags on private cars](#)²²².



Detained Crimean Tatars near the building of the occupation “Kyiv District Court”

220 Monitoring review of the human rights situation in Crimea for July – September 2023 (<http://surl.li/qntik>).

221 Attempts were made to serve summonses to Crimean Tatars detained near the “court” building (<http://surl.li/qntir>).

222 Crimean Tatars were detained for flying flags on cars and fined 40,000 roubles (<http://surl.li/qntjk>).

Crimean Tatars are subjected to systematic oppression in the religious sphere

Abuse of the legal basis of the Russian Federation in the field of religion leads to repression and discriminatory treatment by law enforcement agencies. Waves of mass roundups, arrests, and searches have been recorded in Muslim mosques in Crimea. On 12 May 2023, representatives of the illegal “counter-extremism centre” and special purpose police unit raided the Suvuk-dere mosque (Simferopol), during which they massively checked the documents of believers²²³. In January 2023, the imam, who did not agree to cooperate with the spiritual administration of the Muslims of Crimea and Sevastopol, was issued an administrative protocol under Article 5.26 of the Code of Administrative Violations of the Russian Federation on “illegal missionary activity.”

The Council of Europe report “The Struggle of Crimean Tatars for Human Rights” dated 18 April 2023²²⁴ also mentioned cases where mosques associated with the Crimean Tatars were denied permission to re-register in accordance with the new rules imposed on religious organizations by the Russian occupation authorities. At the same time, the subordination of all religious objects to the central religious organizations under the control of the Russian Federation continues. In particular, representatives of the spiritual administration of the Muslims of the Republic of Crimea and the city of Sevastopol are trying to take under their control all the mosques in the TOT of the Autonomous Republic of Crimea.



Representatives of the illegal “counter-extremism centre” and special purpose police unit in Suvuk-dere mosque (Simferopol)

Religious communities of about 10 mosques outside the control of the so-called “spiritual administration” are under threat of forced liquidation and persecution. The occupying forces are persecuting the leaders and representatives of these communities.

The policy of the Russian Federation in relation to the Crimean Tatars and representative bodies of the Crimean Tatars violates the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention of the Council of Europe on the Protection of Human Rights and Fundamental Freedoms, as well as the right of the indigenous people of Ukraine and Crimea to representation and self-governance, which is granted by the Declaration on the Rights of Indigenous Peoples UN, adopted on 13 September 2007.

On the part of the Russian Federation, the principles of IHL are systematically violated, the systematic oppression of the indigenous people of Ukraine, the Crimean Tatars, is being observed, the historical monuments of the Crimean Tatar people are being damaged and destroyed, and the illegal conscription of persons belonging to the indigenous peoples of Ukraine to the military groups of the Russian Federation and the occupying state continues. In the conditions of the illegal occupation of the Republic of Crimea, the situation with the rights and freedoms of the indigenous peoples remains extremely difficult, it significantly worsened after the full-scale invasion of the Russian Federation into Ukraine.

²²³ Occupiers raided a mosque in temporarily occupied Simferopol (<http://surl.li/qntkm>).

²²⁴ Crimean Tatars' struggle for human rights (<http://surl.li/qntls>).

SECTION 4

**THE STATE OF OBSERVANCE OF THE ROMA
RIGHTS IN THE CONDITIONS OF THE ARMED
AGGRESSION OF THE RUSSIAN FEDERATION
AGAINST UKRAINE**

4.1. The normative and legal framework of Ukraine regarding the realization of the right to self-identification of representatives of the Roma national minority (community)

The development and implementation of a policy to ensure equality, integration and participation of the Roma community in Ukrainian society is conditioned by the fulfilment of Ukraine's international obligations in accordance with the International Convention on the Elimination of All Forms of Racial Discrimination and the Framework Convention on the Protection of National Minorities. The need to develop an effective policy regarding equality, integration and participation of the Roma community corresponds to Ukraine's European integration aspirations. In particular, the Strategic Action Plan of the Council of Europe for the Inclusion of Roma and Travellers for 2020–2025²²⁵ is built on three main directions of action: the fight against anti-gypsyism and discrimination, as well as the support of real and effective equality; supporting democratic participation and promoting public trust and accountability; supporting access to inclusive quality education and training.

On 12 March 2021, the Council of the EU adopted the Recommendation on the equality, integration and participation of Roma in all member states²²⁶. EU Member States will report on the implementation of national strategic frameworks for Roma every two years starting in 2023, including measures to promote equality, inclusion, and participation.

The need to strengthen the support of the Roma community with the help of a specific and targeted action plan is emphasized in the conclusions of the European Commission on EU enlargement in the context of Ukraine's application for EU membership dated 8 November 2023²²⁷. It is important to intensify the processes of development and implementation of the Action Plan of the Strategy for Facilitating the Realization of the Rights and Opportunities of Persons Belonging to the Roma National Minority in Ukrainian Society Until 2030.

With the aim of further implementation of policies regarding the inclusion of Roma in Ukraine, on 28 July 2021, the CMU approved the “Strategy for promoting the realization of the rights and opportunities of persons belonging to the Roma national minority in Ukrainian society until 2030”²²⁸. The strategy provides for such policy areas as legal protection and anti-discrimination; access to quality education; access to health care services; improving the quality of living conditions; employment and employment; Social Protection; Roma culture, history, art, and language.

At the beginning of 2022, the State Service for Ethnopolitics and Freedom of Conscience developed but did not approve the Plan for the implementation of the Strategy due to the full-scale invasion of the Russian Federation in Ukraine and the sequestration of budget funds for the needs of ensuring the defence capability of the Ukrainian state.

The Commissioner initiated a review of the Strategy for Facilitating the Realization of the Rights and Opportunities of Persons Belonging to the Roma National Minority in Ukrainian Society Until 2030, and also raised the issue of adopting the corresponding Action Plan for it. The Commissioner noted that in the conditions of a large-scale Russian invasion, the provisions of the Strategy and the Plan for its implementation should be revised in accordance with the updated humanitarian challenges for the Roma community caused by Russian aggression.

225 Council of Europe Strategic Action Plan for Roma and Traveller Inclusion (2020–2025) (<http://surl.li/qntnw>).

226 Council Recommendation of 12 March 2021 on Roma equality, inclusion and participation 2021/C 93/01 (<http://surl.li/qntod>).

227 Key findings of the 2023 Report on Ukraine (<http://surl.li/qlppr>).

228 The Cabinet of Ministers of Ukraine. Order “On the approval of the Strategy for promoting the realization of the rights and opportunities of persons belonging to the Roma national minority in Ukrainian society until 2030” (<http://surl.li/qntph>).

In accordance with the Conclusion of the European Commission regarding Ukraine's application for membership in the European Union dated 17 June 2022, the State Service for Ethnopolitics and Freedom of Conscience, the Ministry of Culture and Information Policy together with the interested central bodies of the executive power, taking into account the comments and suggestions of the Commissioner, made adjustments to the Draft Plan measures for the implementation of the Strategy to promote the realization of the rights and opportunities of persons belonging to the Roma national minority in Ukrainian society until 2030 for 2024–2025.



The draft Action Plan was sent to the Commissioner for approval. Based on the results of the analysis and processing by the Commissioner's Secretariat, comments were made on the goals and objectives of this plan, in connection with the change in the situation in the country related to the martial law, the transfer of the time frame for its implementation and the new conditions faced by the representatives of the Roma national minority (communities). It was also stated that to properly pass the project of the act of interdepartmental agreement, it is necessary to ensure the creation of a separate budget program, provided for in clause one of Article 14 of the Law of Ukraine "On National Minorities (Communities) of Ukraine." The Commissioner supported the draft of the CMU Order "On the approval of the plan of measures for the implementation of the Strategy to promote the realization of the rights and opportunities of persons belonging to the Roma national minority in Ukrainian society until 2030 for 2024–2025" and the project of the Plan of measures for the implementation of the Strategy for 2024–2025, taking into account the comments provided.

4.2. Parliamentary control over the observance of the rights of representatives of the Roma national minority (community) in the conditions of martial law in Ukraine

The Roma community remains one of the most vulnerable social groups in Ukrainian society. In Ukraine, according to the All-Ukrainian population census of 2001, the number of Roma was 47,917. Accordingly, according to the data of public organizations, by 2023, 200,000 to 400,000 Roma lived in Ukraine.

The largest number of Roma by region:



The full-scale invasion of the Russian Federation into Ukraine led to an increase in the vulnerability of the Roma community in Ukrainian society. The problems of internally displaced persons, citizens of Ukraine of Roma origin are complex, there are still problems of integration, discrimination, access to the labour market and ensuring the financial independence of displaced families, information, and children's access to education.

■ According to the data of Roma organizations more than 70,000 Roma have become refugees and are currently outside the borders of Ukraine²²⁹. In 2022, there are facts of manifestations of prejudice against Ukrainian citizens of Roma origin in the countries where they are trying to find temporary protection.

■ According to consultations of members of the Advisory Committee of the Framework Convention with the participation of the Commissioner in December 2022, Roma IDPs especially faced difficulties in finding housing in other parts of the country²³⁰. The question was raised about the lack of state funds aimed at improving the humanitarian situation of Roma, in particular from international donors.

According to experts' assessment, almost 30,000 Roma in Ukraine do not have appropriate identification documents²³¹, which may result in limited access to humanitarian aid and shelter for displaced members of the community.

According to the data of "Experience of internally displaced Roma during the war" survey (ICO "Chirikli", December, 2022), half of the surveyed respondents have experience of evacuation due to the war. Half of them continue to be in the place where they managed to evacuate. The vast majority were evacuated to safe settlements within Ukraine. The other **17%** are abroad. Among them, the largest number of persons benefit from temporary protection in Germany and Poland. Others (**1% each**) are in Ireland, Italy, Germany, Poland, USA, Hungary, Czech Republic, Switzerland, and Sweden. **84%** of respondents have a negative experience of being in an evacuation (**11%** in connection with the negative attitude of other internally displaced persons), which was manifested in the refusal to help, prejudiced attitudes based on ethnic grounds in public places, during hiring or finding temporary housing²³².

Half of the respondents have damaged or destroyed property. Almost **90%** of the destruction and damage was caused by the military (combat) actions of the Russian troops. The second reason is looting. About a third of respondents with property losses indicated that their residential property was completely destroyed and they had nowhere to return. To the same extent, the respondents also noted the degree of damage to the buildings: minor or major damage.

Almost all respondents (**95%**) received assistance in the form of food. A little less (**89% each**) in the form of medicines, medical supplies and basic necessities. More than half received help with transportation, free accommodation or a place to stay the night. About a third received building materials, furniture, legal advice, help in restoring documents or help from a psychologist. Charitable organizations provided the most of all the listed types of assistance. Representatives of the state and local authorities were most active in providing assistance in transportation (**18%**) and restoration of documents (**16%**).

229 'Roma Strategy 2030 needs adaptation to the conditions of war,' human rights defenders (<http://surl.li/qntpl>).

230 Advisory Committee met with national minority representatives from Ukraine (<http://surl.li/qmpek>).

231 Double discrimination. How the full-scale war in Ukraine exacerbated the problems of the Roma (<http://surl.li/qntpy>).

232 Experiences of internally displaced Roma during the war (as of December 2022) (<http://surl.li/qntqd>).

Also, **35%** of the surveyed children do not have the opportunity to attend classes and/or study at school due to the territorial distance of the school from the place of residence, lack of necessary gadgets and internet connection for distance learning, power outages, lack of free places in the educational institution, and lack of textbooks.

CASE

Due to the response of the Commissioner, the right of a Roma family with children to housing and social protection was renewed. The Commissioner's Secretariat received a request for protection against ethnic discrimination, which resulted in a violation of the right to housing and social protection.

The applicant S. noted that she, together with other IDPs, lived in the premises of one of the schools in the city of Uzhhorod. However, in connection with the beginning of the academic year, all IDPs who lived there were relocated to another, renovated place of compact accommodation. The applicant's family was refused resettlement because they are representatives of the Roma national minority (community) of Ukraine. The official refusal was justified by the lack of free places in an alternative place of compact accommodation. At the same time, it was also not possible to stay at the previous place of residence. Besides, the applicant's family includes 3 minor children, including a newborn girl. To immediately solve the problem, the Commissioner promptly contacted the regional military administration and local self-governance bodies. As a result, the woman and her children were placed in a mother and child social centre. Help to obtain the child's birth certificate was also provided, and humanitarian aid in the form of a washing machine and a cot, stroller, clothes and diapers for the baby was also provided. Therefore, **the family's right to housing and social protection was renewed**²³³.

The realization of constitutional rights and freedoms by representatives of national minorities (communities) and indigenous peoples of Ukraine is impossible without documents certifying identity and citizenship

In the conditions of large-scale military aggression of the Russian Federation against Ukraine, millions of Ukrainians, including representatives of national minorities (communities) and indigenous peoples of Ukraine, were forced to leave their homes. Taking into account the loss or destruction of documents confirming their legal relationship with Ukraine, the question of restoring the lost documents suddenly arose. An important issue is the issue of the procedure for the identification of a person, without which no person can be documented.

Today, there is a complication with the identification and further documentation with a passport of a citizen of Ukraine of persons who were born in the temporarily occupied territory of Ukraine, as well as among persons of Roma nationality who were born in the temporarily occupied territory of Ukraine or the territory of the Russian Federation, and at the time of occupation did not reach the age of 14 or upon reaching such age were not documented by a passport of a citizen of Ukraine.

The basis of the implementation of the policy of overcoming structural discrimination is to ensure access to justice and intensify efforts to solve the problems of documenting Roma, since the lack of personal documents makes it impossible to enjoy basic human rights and the right to self-realization in Ukrainian society, as well as opportunities to access humanitarian, legal and social help.

²³³ Due to the response of the Commissioner, the right of a Roma family with children to housing and social protection was renewed (<http://surl.li/qntqq>).

It is worth noting that since the beginning of the armed aggression of the Russian Federation against Ukraine, the state authorities have had no systematic information about persons from vulnerable groups, in particular Roma, who applied for a passport of a citizen of Ukraine in the form of an ID card for the first time late, upon reaching the age of 18, and are subject to the procedure of establishing and confirming citizenship. There is also no systematic accounting of the replacement of lost, damaged or expired passports of citizens of Ukraine of the 1994 model of citizens of Ukraine who were in the temporarily occupied territory or the territory where hostilities are (were) taking place. Such a situation complicates the possibility of documenting these persons and may cause violations in which one person can be identified several times using different identification data.

An important issue is the accommodation and registration of persons from among vulnerable groups, in particular representatives of national minorities (communities), in particular Roma who were in the temporarily occupied territory or the territory where hostilities are (were) taking place, their accounting and documentation, identification of their needs (social, domestic, medical, and cultural) and directing efforts to meet such needs.

According to the research on the mapping of the needs of Roma IDPs (ICO “Chirikli”, May 2023), problems of integration, discrimination, access to the labour market and ensuring the financial independence of families of migrants, information, children’s access to education remain. The situation is particularly difficult in the Dnipropetrovsk and Zaporizhzhia regions.

The issue of Roma access to education remains one of the key among a number of legal, social, and economic problems of Roma inclusion in Ukrainian society. The educational level of the Roma population in general remains extremely low. Roma NGOs surveys show, that about 20% of the adult population have no education and have never attended school²³⁴. Local school closures and difficulties accessing distance education disproportionately affect Roma, and Russian aggression will further widen existing gaps in access to education.

On 9 February 2022, the UN Human Rights Committee adopted Concluding Observations on the 8th periodic report of Ukraine on the implementation of the International Covenant on Civil and Political Rights²³⁵. The conclusions state that the Committee is concerned about cases where Roma cannot access the courts to defend their rights because they do not have identity documents. The Committee is also concerned by reports that most hate crimes against members of minority groups are not classified as such under Article 161 of the Criminal Code. It deplores the very low number of complaints, investigations and convictions for hate crimes and notes the slow pace of investigations and the lack of relevant convictions, particularly regarding attacks on Roma settlements in Ukraine. The Committee recommended Ukraine to step up work on providing assistance to Roma in obtaining identity documents.

234 About 20% of the adult population of the Roma community have no education and have never attended school (<http://surl.li/qntqu>).

235 Concluding observations on the 8th periodic report of Ukraine: Human Rights Committee (<http://surl.li/qnqms>).



One of the first monitoring visits carried out by employees of the Department of the Rights of National Minorities, Indigenous Peoples and Religious Views in September 2022 with the aim of verifying the observance of the rights and freedoms of representatives of the Roma national minority (community) under martial law were visits to Roma settlements in various regions of Ukraine:



The results of these visits showed that, due to the lack of documents, it is difficult for Roma to get a job, receive medical assistance, or receive IDP status and humanitarian assistance. The war also affected Roma children: they do not always have devices for distance learning using digital technologies. That is why the state's assistance in obtaining preschool and higher education for Roma is extremely necessary. There is also a need to continue to conduct information campaigns on issues of non-discrimination of the Roma community.



Monitoring visit to the Roma settlement in Berehovo, Zakarpattia region

To implement the recommendations provided by the Secretariat of the Commissioner based on the results of monitoring visits in the regions:

- local self-governance bodies have established communication with representatives of charitable and public organizations that take care of the problems of representatives of the Roma national minority at the local level;
- in the Zakarpattia region, measures are being taken in the field of providing identity documents and confirming Ukrainian citizenship, legal protection and security, access to education and medical services, employment and social protection, improvement of living conditions, and development of national culture.

Due to the military aggression of the Russian Federation against Ukraine, the situation of access to obtaining administrative services is deteriorating, especially for obtaining identification documents

According to unofficial data of Roma public organizations in the Zakarpattia region, the number of undocumented persons may reach 10,000. That is why, from 20 to 24 March 2023, employees of the Commissioner's Secretariat together with representatives of the Roma Women's Foundation "Chirikli" conducted a monitoring visit to the Zakarpattia region with the aim of verifying the observance of the rights and freedoms of representatives of the Roma national minority (community) under martial law and their further documentation.



Monitoring visits to Roma settlements in the town of Mukachevo and the village of Radvanka, Zakarpattia region; meeting with Tiberius Jonas and his students at the art school "Rom Art"

With this in mind, as part of the Council of Europe project “Supporting the reform of the legal framework regarding national minorities and the stability of national minorities and Roma in Ukraine” **in June 2023, the Commissioner initiated the implementation of the pilot project “Documentation of persons from the Roma national minority and the development of legal mechanisms to simplify this procedure” for 2023–2024 in the town of Mukachevo, Zakarpattia region.** The Secretariat of the Commissioner for Human Rights has united all the stakeholders of this issue.

The project is implemented with the participation of:

Initiators:



Partners:



The project envisages two main areas of activity:

- conducting monitoring visits, consulting/documenting individuals. Collection of data for detailed legal analysis of issues;
- development and approval of the algorithm for simplifying the passporting procedure for undocumented persons of the Roma national minority (community).

Expected results from the pilot project:

- systematic work on consulting and documenting persons of the Roma national minority (community) has been launched;
- an analysis of the documentation process and problematic issues faced by representatives of the Roma national minority (community) was carried out;
- proposals were developed and submitted to the authorized bodies to improve the legislation to simplify the passporting procedure for undocumented persons.

As of 31 December 2023, within the Mukachevo community:



dossiers on **271** persons of the Roma national minority (community) were collected and processed



62 persons are documented with passports of citizens of Ukraine

During the implementation of monitoring visits within the framework of the implementation of the pilot project on documentation of persons of the Roma national minority within the framework of the Council of Europe project “Supporting reforms of the legal framework regarding national minorities and the stability of national minorities and Roma in Ukraine”, it was established that it was impossible to exercise the rights of persons who lost their documents as a result of the large-scale military aggression of the Russian Federation against Ukraine, to the application for the renewal of legal records by undocumented adults. It is worth noting that the possibility of exercising their rights by such persons is significantly limited, since they cannot apply to the authorities on their own in the absence of identity documents, and the application of other persons, parents of an adult or a representative of the free legal aid bureau is not defined by the current legislation of Ukraine.

Also, employees of the Commissioner’s Secretariat collected information about the Roma of Transcarpathia, who did not receive any birth documents at all for several generations. The State Migration Service of Ukraine does not keep statistics on such persons who do not have identification documents, which in turn complicates the procedure for establishing and confirming citizenship.



The commissioner proposes to create a “Register of persons who do not have documents certifying their identity and citizenship” and the procedure for issuing temporary certificates to undocumented persons for the period of their documentation in the bodies of the State Migration Service of Ukraine and judicial authorities, which would speed up and simplify the documentation procedure in the future.

Access to professional legal aid is a fundamental constitutional right that cannot be limited or abrogated

In terms of the issue of documenting persons from vulnerable groups, in particular Roma, access to professional legal assistance appears even more acute, since the current norms of national legislation require the possibility of providing professional legal assistance with a written refusal from the authorities of the State Migration Service of Ukraine. In view of the above, it is appropriate to introduce mandatory written refusals by the territorial bodies of the State Migration Service of Ukraine to prepare, issue and exchange a passport of a citizen of Ukraine in the form of a card for the persons specified in clause 13 of part one of Article 14 of the Law of Ukraine “On Free Legal Aid.”

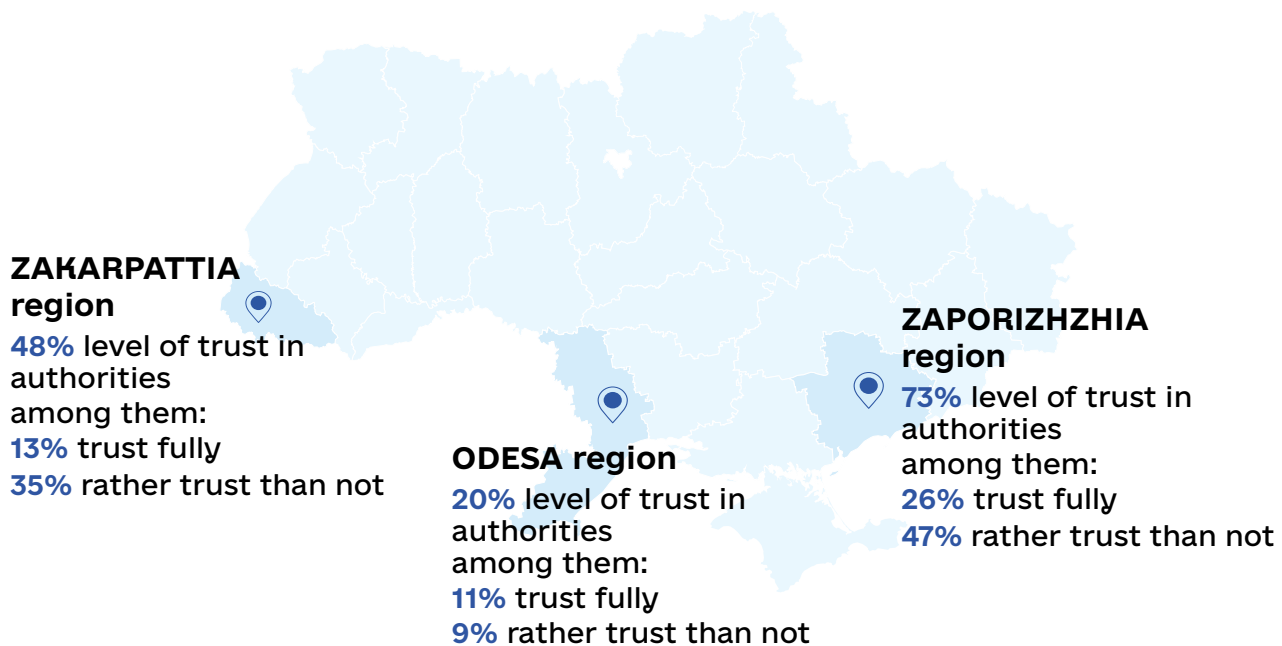
Ukraine is a multinational legal welfare state whose people are formed from numerous ethnic groups and national communities. The Law of Ukraine “On the Citizenship of Ukraine” defines the basic principles of acquiring Ukrainian citizenship, which do not exclude birth outside of Ukraine.

Since the beginning of the large-scale military aggression of the Russian Federation against Ukraine, foreign diplomatic institutions of the aggressor country, as well as the Republic of Belarus, have stopped their activities in the territory of Ukraine. This situation creates conditions under which persons (primarily of the Roma national community) born on the territory of the Russian Federation or the Republic of Belarus cannot confirm or deny the absence of citizenship of these states. This, in turn, complicates the possibility of identifying them as citizens of Ukraine or starting the procedure for obtaining Ukrainian citizenship.

CASE

Due to the response of the Commissioner, the right of a woman, a representative of the Roma national minority (community), to receive a passport of a citizen of Ukraine was renewed. The Commissioner's Secretariat received an appeal from a public organization in the interests of a person of the Roma national minority regarding documenting a citizen of Ukraine with a passport for the first time. The appeal stated that the woman was injured as a result of the full-scale military aggression of the Russian Federation against Ukraine. At the beginning of hostilities, she lived in the city of Mariupol, from where she was evacuated to the territory under the control of the government of Ukraine. The person was documented only by a birth certificate issued by the competent state authority of Ukraine, other documents were lost. The woman was 9 months pregnant, and due to the lack of a passport of a citizen of Ukraine, she could not go to a medical institution to register for pregnancy monitoring. As part of the consideration of the specified appeal, the Commissioner sent response letters to the State Migration Service of Ukraine. On 5 October 2023, the woman was issued a passport of a citizen of Ukraine due to the response of the authorized territorial body of the State Migration Service of Ukraine. Therefore, **due to the response of the Commissioner, the right of a person to receive a passport of a citizen of Ukraine was renewed.**

The level of trust in the authorities and the presence of prejudice experienced by representatives of the Roma community has regional differences in accordance with the needs of internally displaced persons from among the Roma population in Zakarpattia, Zaporizhzhia, and Odesa regions (ICO "Chirikli", 25 May – 12 June 2022) and it the following:



Prejudiced attitudes based on ethnicity were experienced in public places, medical and educational institutions, state authorities, and at work²³⁶:

61% Odesa region
 20% Zakarpattia region
 48% Zaporizhzhia region

236 The Roma immigrants situation during the war. Survey (<http://surl.li/qntrs>).

The Roma community is one of the most vulnerable communities in Ukrainian society, with a characteristically high level of inter-ethnic prejudice and social distance. This is evidenced by the data of the Kyiv International Institute of Sociology sociological survey for September 2022²³⁷. Accordingly, countering hate speech and negative ethnic stereotypes regarding the Roma community in Ukrainian society remains relevant.

The policy of combating discrimination against Roma should be implemented as part of a set of measures to overcome structural discrimination, which is one of the main factors of their social isolation. The priority approach at the level of developing European policies regarding Roma is defined as a comprehensive approach, which involves combining special programs for the integration of Roma with the inclusion of Roma issues in the implementation of broader policies in various areas (access to education, combating poverty, combating gender discrimination, etc.). The issue of Roma inclusion should also become a component of the policy of sustainable post-war recovery of Ukraine. Budgetary support for Roma inclusion measures should be carried out both in accordance with target programs and within the framework of other country development programs at the central and regional/local levels. Participation in EU policy programs on Roma integration can contribute to attracting diversification of financial resources for effective implementation of Roma inclusion policy at the national level.



On the initiative of the Commissioner, in July 2023, the Cabinet of Ministers of Ukraine updated the provisions of the Roma strategy for the period until 2030, adapting it to the new realities of a full-scale war with the Russian Federation. According to SSEPFC the implementation of the Strategy will contribute to the improvement of the situation of Roma in Ukrainian society and their integration into European values and standards²³⁸.

On **22 December 2023**, the CMU adopted Order No. 1197 “On approval of the plan of measures for the implementation of the Strategy to promote the realization of the rights and opportunities of persons belonging to the Roma national minority in Ukrainian society until 2030 for 2024–2025”²³⁹.

The document envisages further development and implementation of regional action plans taking into account the specifics of the situation, needs, and ethno-cultural characteristics of persons belonging to the Roma national minority (community). The document also introduced the practice of reporting to the responsible state authority for the implementation of the action plan on a systematic basis. The action plan approved by the government provides for the provision of equal rights and opportunities for Roma in all spheres of public life, in particular in the sphere of education, health care, housing and communal services, labour and employment, social sphere, culture and art, namely:

- updating and detailing statistical information about the Roma national minority of Ukraine;
- ensuring legal protection and countering discrimination against people belonging to the Roma national minority (community) of Ukraine
- enhancing access of people belonging to the Roma national minority of Ukraine to quality education;

²³⁷ Interethnic prejudice in Ukraine, September 2022 (<http://surl.li/qntrrz>).

²³⁸ The government approved the plan of measures for the Roma strategy for 2024–2025 (<http://surl.li/qntsm>).

²³⁹ The Cabinet of Ministers of Ukraine. Order “On approval of the plan of measures for 2024–2025 for the implementation of the Strategy to promote the realization of the rights and opportunities of persons belonging to the Roma national minority in Ukrainian society until 2030” (<http://surl.li/opqgk>).

- enhancing access of people belonging to the Roma national minority of Ukraine to healthcare services;
- improving the quality of living conditions for people belonging to the Roma national minority of Ukraine;
- ensuring and increase in the level of employment for people belonging to the Roma national minority of Ukraine;
- ensuring social security for people belonging to the Roma national minority of Ukraine;
- support for ensuring the cultural and linguistic identity of the Roma national minority of Ukraine.

Framework documents of the EU and the Council of Europe regarding the development and implementation of the inclusion policy indicate the need for the participation of Roma in the design and implementation of state policy measures regarding integration in various spheres. The involvement of Roma consultants and Roma mediators in the development and monitoring of national Roma integration programs contributes to the effectiveness of the inclusion policy and the adaptability of state programs to the needs of specific Roma population groups. Compliance with the principle of effective participation of Roma in the development of the state policy of Roma inclusion is a necessary condition for the implementation of effective measures to improve their position in Ukrainian society. The possibility of participation of representatives of public associations of the Roma national minority in the work of the Interdepartmental Working Group on Coordination of the Implementation of the Strategy is enshrined in Resolution of the CMU dated 3 October 2023 No. 1047. To form the personnel of the Interdepartmental Working Group, SSEPFC collects applications from representatives of public associations of the Roma national minority (community) of Ukraine for their further inclusion in the Interdepartmental Working Group.



The issue of properly ensuring the rights of the Roma national minority (community) in Ukraine within the framework of the implementation of the Strategy and the plan of measures for it will continue to be in the field of constant attention of the Commissioner.

Guaranteeing and ensuring the rights of persons belonging to national minorities (communities) and indigenous peoples is an inseparable component of the support and development of democracy in Ukraine, respect for human rights, and European integration. The issue of preventing and countering discrimination is in the field of constant attention of the Commissioner for Human Rights of the Verkhovna Rada of Ukraine. Modernization and updating of the legislation regarding ensuring the rights and freedoms of persons belonging to national minorities (communities) and indigenous peoples are ongoing. At the same time, in the conclusions of the European Commission, in the context of Ukraine's application for EU membership, it is indicated that Ukraine must implement the rest of the recommendations of the Venice Commission from June 2023 and the subsequent opinion (of the Commission) from October 2023, in particular regarding the strengthening of support for the Roma community with the help of specific and targeted action plan.

On 8 December 2023, the Parliament adopted the Law of Ukraine "On Amendments to Certain Laws of Ukraine Regarding Taking into Account the Expert Assessment of the Council of Europe and Its Bodies Regarding the Rights of National Minorities (Communities) in Certain Areas." The changes were adopted during consultations with experts, representatives of national minorities (communities), and international organizations. The changes provide for the further improvement of the legislative regulation of implementation of the rights and freedoms of persons belonging to national minorities (communities) in accordance with provisions of the European Convention on Human Rights 1950, the Council of Europe Framework Convention for the Protection of National Minorities 1995, the European Charter for Regional or Minority Languages 1992, as well as the Venice Commission recommendations. Amendments were introduced to the laws of Ukraine "On local Self-Governance in Ukraine", "On higher education", "On education", "On ensuring the functioning of the Ukrainian language as a state language", "On Comprehensive General Secondary Education", "On national minorities (communities) of Ukraine" and "On media." On 14 December 2023, the European Council decided to start official negotiations with Ukraine on its accession to the European Union.

From December 2023, the further modernization of the legislation in the field of ensuring the rights of persons belonging to national minorities (communities) entrusts the Commissioner within the powers granted to him by the Constitution of Ukraine and the law of Ukraine "On the Ukrainian Parliament Commissioner for Human Rights", with exercising parliamentary control over the observance of the right of national minorities (communities) to use the languages of national minorities (communities) (Art. 10, Clause 13 of Law of Ukraine "On National Minorities (Communities) of Ukraine" dated 13 December 2022 No. 2827-IX, as amended by Law of Ukraine dated 21 September 2023 No. 3389-IX). The relevant tasks will be implemented in the further activities of the Commissioner in accordance with the laws of Ukraine.

The reform of Ukrainian legislation was carried out during the large-scale Russian aggression, which caused unprecedented humanitarian and security challenges and risks for civilians, including representatives of national minorities (communities) and indigenous peoples. The directions and tasks of the implementation mechanisms for ensuring the implementation of the provisions of the law have been approved, and regulatory acts aimed at achieving the goals of the State target national and cultural program "Unity in Diversity" until 2034 have been developed. This lays the groundwork for proper development and protection of rights because the program was adopted with the involvement of organizations of national minorities (communities). The program provides for the development and support of the institutional capacity of organizations of national minorities (communities), the government, local self-governance bodies to ensure the protection of the rights and freedoms of national minorities (communities). The implementation of the tasks and activities of the program involves the support of linguistic, educational, cultural, and informational

rights of persons belonging to national minorities (communities), including Roma and indigenous peoples. The Commissioner's Secretariat will continue to carry out monitoring measures to guarantee and ensure the rights of persons belonging to national minorities (communities) and indigenous peoples regarding the observance of their rights during the implementation of the reformed legislation.

It is also important to involve Roma and pro-Roma organizations in monitoring the implementation of the Strategy and the action plan in the field of achieving the inclusion of the situation of Roma in Ukraine. The Roma national minority (community) remains one of the most vulnerable social groups in Ukrainian society, the realization of its constitutional rights and freedoms is impossible without documents certifying identity and citizenship. The Commissioner will continue to work on overcoming discrimination and solving the problems of documenting Roma, since the lack of personal documents makes it impossible to enjoy basic human rights and the right to self-realization in Ukrainian society, as well as opportunities to access humanitarian, legal and social help.

As for the application of an inclusive approach to the formation and implementation of policy in the relevant sphere, this will require further open dialogue, communication with organizations of national minorities (communities), indigenous peoples, and the attraction of resources for such activities.

Improvement of national legislation in the field of state ethnopolitics is carried out in cooperation with institutions of civil society, representatives of national minorities (communities) and indigenous peoples. Such consultations were held both at the central and regional levels, where representatives of national minorities (communities) and indigenous people live compactly. At the same time, there is a need to improve the mechanisms for implementing the right to active participation of representatives of national minorities (communities) in matters that concern them, at the level of implementation of the policy of regional authorities and local self-governance bodies in the territories controlled by Ukraine. The disproportionate nature of the interaction of local authorities and local self-governance bodies with representatives of national minorities (communities) and indigenous peoples does not always depend on the security situation on the ground but often presupposes the presence of a certain level of competence in managing diversity on the ground.

In the field of anti-discrimination, the Commissioner will monitor manifestations of prejudice, discrimination (overt and hidden) against persons belonging to national minorities (communities) and indigenous peoples. Measures of increased support for Ukrainian Roma should be provided, in particular, with regard to the elimination of the consequences of the war and social integration. National legislation in the field of anti-discrimination needs further improvement.

There are systematic, permanent violations by the aggressor country of the rights of persons belonging to national minorities (communities) and indigenous peoples, violations of the principles of international humanitarian law and human rights in the temporarily occupied territories. This requires constant monitoring and appropriate response from the Ukrainian authorities and international organizations.

The monitoring of the Secretariat of the Commissioner demonstrated that in the conditions of Russian invasion, security risks of persons belonging to national minorities (communities) and indigenous peoples could move to other territorial communities. This will require the development of a policy regarding their comprehensive integration in the new conditions of temporary displacement and ensuring their rights. In the future, crimes against citizens in the temporarily occupied territories will be recorded in cooperation with various institutions.

The cultural heritage of national minorities (communities) and indigenous peoples of Ukraine suffers loss, damage, and threats as a result of the actions of the Russian side in the temporarily occupied territories, which is a violation of international humanitarian law. The occupying power of the Russian Federation is purposefully distorting the objects of the cultural heritage of the Crimean Tatars in the Autonomous Republic of Crimea. In the temporarily occupied territories, human rights and the principles of international humanitarian law are violated, there are repressive measures, abductions, attempts of Russian language and cultural assimilation of persons belonging to national minorities (communities) and indigenous peoples by the occupying country in the temporarily occupied territories.

The armed aggression of the Russian side threatens the complete destruction of the centres of distinctive cultures and language groups of the Ukrainian people, citizens of Ukraine of various ethnicities. Against the background of the armed aggression of the Russian Federation, representatives of national minorities (communities) experience losses of material and non-material pillars of their cultural heritage, loss of connection with their historical places, significant for groups of national minorities (communities), religious buildings and objects of cultural heritage, emigration of their public centres, the irreversible human losses of the bearers of local cultural identities are catastrophic, which threatens the possibility of hereditary transmission and the revival of their ethnic identity.

Russian aggression limited the capabilities of the Ukrainian state, in particular, in its ability to ensure the implementation of programs for the realization of cultural and educational rights of national minorities (communities) and indigenous peoples. Due to the need to ensure the defence capability of the state and the humanitarian needs of the war-affected population, there has been a reduction in resources for cultural and artistic events, information programs in the languages of national minorities (communities), and access to education has deteriorated.

The occupying Russian political leadership denies the right of the Ukrainian people, citizens of Ukraine of different ethnicities, to Ukrainian civic identity and national identity. The Commissioner's Secretariat will constantly monitor violations of human rights, persons belonging to national minorities (communities) and indigenous peoples in the temporarily occupied territories, and respond to relevant cases.

An important aspect of respecting the rights of national minorities (communities) and indigenous peoples is the development of further dialogue, the formation of inclusive policies to combat discrimination and prejudice on ethnic grounds, the fight against hate speech, informational fakes that can lead to the appearance of tension in Ukrainian society regarding national minorities (communities) and indigenous peoples. A relevant component of the observance of the cultural and informational rights of national minorities (communities) is the further policy of including the history of national minorities (communities) and indigenous peoples in Ukrainian cultural and historical narratives for the development of multicultural dialogue and tolerance in society as a whole.

In the conditions of Russian aggression, national minorities (communities) and indigenous peoples are in an extremely vulnerable position. The lack of systematic work on recording crimes in Russia against representatives of national minorities (communities) and indigenous peoples can lead to a massive loss of evidence in crimes committed by the Russian Federation based on factors of discrimination (ethnic origin, skin colour, religion, and language). National legislation needs to be improved in accordance with international legal norms in the field of combating

the crime of genocide, as well as crimes motivated by hatred and hate speech in order to properly protect justice in wartime and ensure sustainable peace in the postwar period.

The inter-ethnic consolidation of representatives of the majority and minority in Ukrainian society against the background of resistance to Russian aggression demonstrates unity around European values and the democratic foundations of the development of the Ukrainian state. Socio-political processes to eliminate the consequences of long-term Russian domination (decommunization and decolonization) contain significant opportunities for the revival of cultures and historical memory of national minorities (communities) and indigenous peoples in Ukraine at the general, regional, and local levels. The threat of the disappearance of unique cultural and linguistic groups in Ukrainian society requires increased support measures to overcome the negative consequences of the war in its disproportionate impact on certain groups in Ukrainian society.

It is important that when recording and investigating crimes committed by the Russian Federation, motives of prejudice, particularly on national, ethnic and religious grounds, should be taken into account. The introduction of comprehensive anti-discrimination legislation in Ukraine will contribute to overcoming the consequences of Russian aggression against Ukraine and ensuring the stability of Ukrainian society.

Control over the observance of the rights and freedoms of national minorities (communities) and indigenous peoples, response to violations, manifestations of prejudice and discrimination will continue to remain among the priority areas of further activity of the Commissioner and his Secretariat.



Омбудсман України
Ombudsman of Ukraine

Based on the results highlighted in this special report on the observance of the rights of national minorities (communities) and indigenous peoples in the conditions of the armed aggression of the Russian Federation against Ukraine, the Ukrainian Parliament Commissioner for Human Rights **RECOMMENDS**:

To the Verkhovna Rada of Ukraine

- to organize and hold parliamentary hearings on the situation with respect for the rights and freedoms of national minorities (communities) and indigenous peoples in the temporarily occupied territories of Ukraine. Based on the results of the discussion, prepare a report and send it to the UN, PACE, and OSCE offices;
- to initiate the development, review and approval of the program for the protection of witnesses of particularly serious war crimes committed by the Russian army in the territory of Ukraine;
- to initiate the development, consideration, and adoption of amendments to Article 442 of the Criminal Code of Ukraine with the aim of harmonizing criminal legislation with the provisions of international law to increase the effectiveness of the investigation of international crimes and cooperation with the International Criminal Court;
- to speed up consideration and adoption of the draft Law of Ukraine “On Amending the Code of Ukraine on Administrative Offences and the Criminal Code of Ukraine with regards to Combating Manifestations of Discrimination” (dated 13 May 2021, No. 5488);
- to continue the development of comprehensive anti-discrimination legislation in accordance with the recommendations of the OSCE, the UN Human Rights Committee on countering hate speech and hate crimes in Ukraine.

To the Cabinet of Ministers of Ukraine

- To approve the draft Resolution “On approval of the Methodology for the use of languages of national minorities (communities) of Ukraine in localities where people belonging to national minorities (communities) of Ukraine traditionally live, or in which such people constitute a significant part of population”;
- to initiate consideration and approval of a verified translation of the European Charter of regional languages or minority languages into the state language;
- to ensure implementation of systematic monitoring, documentation of violations of the rights of persons belonging to national minorities (communities) and indigenous peoples from the Russian Federation;
- to ensure financing of the State target national and cultural program “Unity in Diversity” until 2034 regarding the development of institutional capacity and stability of public associations of national minorities (communities) and representative bodies of the indigenous peoples of Ukraine in the perspective of their sustainable and long-term development;
- to ensure systematic and regular educational events, events for improving the qualifications of civil servants, officials of local self-governance bodies on issues of ensuring the rights of persons belonging to national minorities (communities) and indigenous peoples, countering hate speech and preventing discrimination, clarifying the procedure on implementation of the provisions of the laws of Ukraine and regulations regarding the issues of ensuring the cultural, educational, and language rights of citizens, and toponymy;
- to ensure a systematic dialogue with organizations of national minorities (communities) and indigenous peoples, promote the strengthening of participation of persons belonging to national minorities (communities) and indigenous peoples at the national and regional levels in the processes of policy formation and implementation in the field of international relations, national minorities (communities) and protection of the rights of the indigenous peoples of Ukraine, through the development of relevant consultative and advisory bodies;

- to ensure the creation of centres of national minorities (communities) in the regions of Ukraine in accordance with the provisions of the Law of Ukraine “On National Minorities (Communities) of Ukraine”;
- to develop a project of the act and initiate amendments to the Election Code of Ukraine in order to promote the exercise of the right to vote by illiterate citizens, in particular Roma;
- to ensure the resumption of the production of news television blocks in the languages of national minorities (communities) and indigenous peoples in the activities of regional branches of the national public broadcaster;
- to provide access to socially important information in the native language of national minorities (communities) and indigenous peoples in social networks, as well as on the Internet portals of the national public broadcaster, which have editorial offices in the languages of national minorities (communities) and indigenous peoples.

To the Ministry of Foreign Affairs

- to intensify the work of intergovernmental commissions on questions for consultation on solving the urgent problems of persons belonging to national minorities (communities);
- to strengthen informational influence at the international level in matters of covering the participation of representatives of national minorities (communities) and indigenous peoples of Ukraine in countering the armed aggression of the Russian Federation, promptly respond to the spread of hostile informational narratives in the world;
- to strengthen informational influence at the international level in matters of covering the participation of representatives of national minorities (communities) and indigenous peoples of Ukraine in countering the armed aggression of the Russian Federation, promptly respond to the spread of hostile informational narratives in the world;
- to contribute to the systematic work of the Crimean Platform, in particular in actualizing issues of violation of the rights of persons belonging to national minorities (communities) and indigenous peoples, informing the international community about relevant violations in the temporarily occupied territories.

To the Ministry of Culture and Information Policy of Ukraine

- to create a Register of objects of cultural heritage of representatives of national minorities (communities) and indigenous peoples, which were destroyed or suffered as a result of the armed military aggression of the Russian Federation against Ukraine;
- to develop measures to preserve and grant protected status to places of memory of representatives of national minorities (communities) and indigenous peoples (old cemeteries, historical architectural monuments, memorials);
- to create a single database of funds of museum, archival and scientific institutions of representatives of national minorities (communities) and indigenous peoples, to promote the process of digitization of linguistic, historical, and cultural heritage of national minorities (communities) and indigenous peoples;
- to create a virtual Museum of the history and culture of national minorities (communities) and indigenous peoples of Ukraine;
- to open a separate program to support projects for representatives of national minorities (communities) and indigenous peoples of Ukraine at the Ukrainian Cultural Fund;

- to strengthen coverage of the experience of participation of persons belonging to national minorities (communities) and indigenous peoples in countering the armed aggression of the Russian Federation against Ukraine, in particular, create podcasts and other types of media products about their contribution (service in the ranks of the Armed Forces of Ukraine and other defence forces, volunteer front, partisan movement, humanitarian missions, public information campaigns) in common victory;
- to promote the creation of a new national narrative in which representatives of national minorities (communities) and indigenous peoples are presented as an integral part of the Ukrainian political nation;
- to ensure dissemination of information among public associations of national minorities (communities) about the possibilities of grant support by the Ukrainian Cultural Fund for cultural and artistic initiatives.

To the Ministry of Education and Science of Ukraine

- to ensure the continuation of the dialogue with interested parties regarding the further improvement of the implementation of state policy in the languages of national minorities (communities) and the introduction of relevant proposals for the improvement of national legislation in the field of education;
- to ensure the further implementation of the innovative educational project “European integrated school model with the Hungarian language of instruction”, as well as other languages of national minorities (communities);
- to ensure the further implementation of cumulative multilingual education and the scaling of relevant practices in schools with teaching in the languages of national minorities (communities) of Ukraine in dialogue with persons belonging to national minorities (communities);
- to ensure the opening of specialized faculties for the study of Modern Greek on the basis of higher educational institutions of Ukraine (by analogy with the faculty of Greek philology and translation, which worked at the Mariupol State Humanitarian University);
- to ensure the development and approval of the Roadmap for creating conditions for improving the quality of education in the state language and the languages of indigenous peoples and national minorities (communities) in general secondary education institutions of Ukraine for 2023–2027;
- to strengthen pedagogical support for teachers who teach in the languages of national minorities (communities) and indigenous peoples of Ukraine;
- to supplement the educational subject “Ukrainian literature” with a section “Literature of representatives of national minorities (communities) and indigenous peoples of Ukraine”, within the framework of which children will be able to study the works of Ukrainian writers of various ethnic origins;
- to ensure the study of the history and culture of national minorities (communities) and indigenous peoples of Ukraine within the framework of the “History of Ukraine” main educational component.

To the Ministry of Justice of Ukraine

- to develop and approve amendments to the Rules for making changes to civil status records, their renewal and annulment, approved by Order of the Ministry of Justice of Ukraine dated 12 January 2011 No. 96/5 in the part of determining the possibility of submitting an application for changes to the act record of civil status or renewal of act record of civil status by one of the parents of a person, including

an adult, in respect of whom the act record was drawn up and determining the possibility of representing interests and submitting procedural documents in the interests of persons who do not have documents certifying identity and confirming the citizenship of Ukraine by subjects of provision of free secondary legal aid, in accordance with clauses 2 and 3 of part two of Article 13 and clause 13 of part one of Article 14 of the Law of Ukraine “On Free Legal Aid”;

- to develop amendments to the Law of Ukraine “On Free Legal Aid” in terms of supplementing the list of subjects entitled to free secondary legal aid for persons who have suffered from hate crimes based on race, colour, political, religious and other beliefs, gender, disability, ethnic and social origin, property status, place of residence, on linguistic or other grounds, provided for in Article 161 of the Criminal Code of Ukraine, and to submit relevant legislative initiatives to the Verkhovna Rada of Ukraine.

To the State Service of Ukraine for Ethnic Policy and Freedom of Conscience

- to ensure constant monitoring of the violations of the rights and freedoms of national minorities (communities) and indigenous peoples representatives in the temporarily occupied territories of Ukraine;

- to develop and submit in the prescribed manner to the Cabinet of Ministers of Ukraine a draft act on approval of the list of languages of national minorities (communities) that are in danger of disappearing;

- to develop and submit in the prescribed manner to the Cabinet of Ministers of Ukraine a draft act on the procedure for determining the list of settlements of Ukraine in which persons belonging to national minorities (communities) traditionally live, or in which such persons constitute a significant part of the population;

- to develop and submit in the prescribed manner to the Cabinet of Ministers of Ukraine a draft order of the act on approving the procedure for the establishment and functioning of the Centre for National Minorities (Communities) of Ukraine;

- to introduce a telephone hotline for representatives of national minorities (communities) and indigenous peoples in cases of violation of their rights;

- to initiate events to discuss current issues in the field of international relations and develop the new strategies for protecting the rights and freedoms of national minorities (communities) and indigenous peoples in the conditions of the armed military aggression of the Russian Federation and the subsequent de-occupation of the territory of Ukraine;

- to prepare project measures for the integration of Upper Azov Greeks and other national minorities (communities) into Ukrainian society after the de-occupation of the territories of the Northern Azov region;

- to develop and approve the State Program for the Preservation and Development of the Unique Languages of the Greeks of the Northern Azov Region (by analogy with the Strategy for the Development of the Crimean Tatar Language);

- to develop and approve a road map (methodological recommendations) regarding the implementation of constant monitoring of the violation of the rights and freedoms of representatives of national minorities (communities) and indigenous peoples in the temporarily occupied territories of Ukraine for the profile structural subdivisions of the Kherson, Zaporizhzhia, Donetsk, Luhansk regional/military state administrations and AR Crimea;

■ to develop and submit to the Cabinet of Ministers of Ukraine in accordance with the established procedure the Action Plan for the Implementation of the Roma Strategy until 2027 and updating the provisions of the Strategy for Facilitating the Realization of the Rights and Opportunities of Persons Belonging to the Roma National Minority in Ukrainian Society until 2030 in accordance with actual challenges to their inclusion caused by Russian aggression.

To the State Migration Service of Ukraine

■ to develop and submit to the Cabinet of Ministers of Ukraine for approval the concept of creating a “Register of persons who do not have documents certifying their identity and citizenship” and the procedure for issuing temporary certificates to undocumented persons for the period of their documentation in the bodies of the State Migration Service of Ukraine and judicial authorities;

■ to create a working group with the involvement of the public sector and develop a concept of intensification of the processes of providing representatives of vulnerable groups, in particular Roma, with documents certifying identity and belonging to citizenship;

■ to develop and submit for approval to the Cabinet of Ministers of Ukraine amendments to clause 24 and clause 101 of the Procedure for preparing, issuing, exchanging, forwarding, withdrawing, returning to the state, invalidating and destroying the passport of a citizen of Ukraine, approved by Resolution of the Cabinet of Ministers of Ukraine dated 25 March 2015 No. 302 regarding the introduction of mandatory written refusals by the territorial bodies of the State Migration Service of Ukraine to prepare, issue, and exchange a passport of a citizen of Ukraine in the form of a card for persons specified in clause 13 of part one of Article 14 of the Law of Ukraine “On Free Legal Aid”;

■ to develop and submit for approval to the Cabinet of Ministers of Ukraine amendments to clause 26 of the Procedure for consideration of applications for recognition as a stateless person, approved by Resolution of the Cabinet of Ministers of Ukraine dated 24 March 2021, No. 317 regarding the receipt of information about non-belonging to the citizenship of the state of previous permanent and long-term residence of the subject of the appeal and/or of the state whose citizenship is held by the family members of such subject of the appeal, in the part regarding persons who were born on the territory of the aggressor country, or if family members of such a person were born or documented by passport documents of the aggressor country;

■ to carry out information and educational campaigns on the importance of obtaining identification documents and civil status registration certificates for vulnerable sections of the population, in particular after the introduction of simplified and accelerated procedures for providing access to personal documents;

■ to develop a mechanism of inter-institutional cooperation regarding the practice of on-site detection of undocumented persons and their documentation in places of compact and spontaneous residence of the Roma national minority (community);

■ to develop a mechanism to prevent re-documentation using other identification data of the same persons from among vulnerable groups, in particular Roma, who were in the temporarily occupied territory or the territory where hostilities are (were) taking place;

■ to initiate simplification of procedures for identification of persons from vulnerable groups, in particular Roma, submission and receipt of documents by

them by introducing special procedures in cases where applicants are illiterate or do not have a sufficient command of the Ukrainian language, in particular, with the permission of the applicant's relative or a third person to write an explanation on behalf of the applicant, without carrying out the procedure of engaging a qualified licensed translator for the same purpose;

- to initiate the simplification of the identification procedure of persons from among vulnerable groups, in particular Roma, who were in the temporarily occupied territory or the territory where hostilities are (were) taking place, taking into account the impossibility of confirming the fact of permanent residence in the territory of Ukraine and the loss of contacts of persons who can confirm their person using video, conference communication, lack of technical possibility to carry out identification of a person using video or conference communication;

- to start a systematic collection of information on persons from among vulnerable groups, in particular Roma, who applied for a passport of a citizen of Ukraine in the form of an ID card for the first time late, after reaching the age of 18 and are subject to the procedure of establishing and confirming citizenship;

- to start a systematic collection of information regarding the replacement of lost, damaged or expired passports of citizens of Ukraine of the 1994 model of citizens of Ukraine who were in the temporarily occupied territory or the territory where hostilities are (were) taking place;

- to develop the concept of registration of citizens of Ukraine from among persons of the Roma national minority (community) in their places of compact residence by local self-governance bodies, on the territory of which the places of compact residence of such persons are located.

To the National Police of Ukraine

- to develop and implement a methodology for documenting hate crimes and criminal hate expressions and ensure the detection and registration of such crimes, including through the creation of a comprehensive disaggregated data collection system;

- to ensure the strengthening of the capacity of law enforcement officers to investigate hate crimes and criminal expressions of hate, in particular online;

- to ensure systematic and regular training activities for law enforcement officers on the issues of ensuring the rights of persons belonging to national minorities (communities) and indigenous peoples, educational activities to combat hate speech and negative ethnic stereotypes regarding national minorities (communities) and indigenous peoples.

To the National Council of Television and Radio Broadcasting of Ukraine

- to take measures for the national information space (in particular, digital television and radio broadcasting) regarding its proper provision in the territories of traditional residence of national minorities (communities) in the Zakarpattia region, in particular in Berehovo district;

- to hold consultations with representatives of Hungarian, Romanian and other national minorities (communities) within the framework of preparation of criteria for prohibited dissemination of information to counter the spread of negative stereotypes and hate speech against this community.

To the State regional/military administrations

- to increase the number of civil servants whose sphere of competence includes issues of protection of the rights of representatives of national minorities (communities) and indigenous peoples at the local level;
- to make changes to regional community development strategies, supplementing them with a section on the vision of the work of state authorities in the field of protecting the rights and freedoms of national minorities (communities) and indigenous peoples at the local level, taking into account the ethno-national characteristics of specific regions;
- to provide funds in regional budgets for subsidized lease of state and communal property for the needs of public associations of representatives of national minorities (communities) and indigenous peoples who have lost their premises in the temporarily occupied territories of Ukraine and are resuming their activities as IDPs;
- to promote the activities of representatives of national minorities (communities) and indigenous peoples who are involved in humanitarian missions, volunteer movement, informational resistance, preservation of cultural and historical heritage, and provision of material and psychological assistance to war victims;
- to promote the participation of national minorities (communities) and indigenous peoples of Ukraine in social and political life, respectively, through the formation of consultative and advisory bodies or the participation of representatives of national minorities (communities) in public councils of state authorities and local self-government;
- to carry out further implementation of consultative mechanisms of state authorities and local self-government bodies with representatives of national minorities (communities) and indigenous peoples, in particular in matters that concern them;
- to ensure the inclusion of issues of national minorities (communities), in particular their youth, and the principle of diversity in regional development programs, in particular in the socio-cultural sphere;
- to promote the creation of centres of national minorities (communities) in the regions of Ukraine in accordance with the provisions of the Law of Ukraine “On National Minorities (Communities) of Ukraine.”

To Kherson, Zaporizhzhia, Donetsk, and Luhansk regional/military state administrations and the Representation of the President of Ukraine in the Autonomous Republic of Crimea

- to monitor the violations of the rights and freedoms of national minorities (communities) and indigenous peoples representatives in the temporarily occupied territories of Ukraine on an ongoing basis;
- to prepare quarterly detailed reports on the situation with violations of the rights and freedoms of representatives of national minorities (communities) and indigenous peoples in the temporarily occupied territories of Ukraine for specialized state institutions and international organizations;
- to introduce telephone hotlines for representatives of national minorities (communities) and indigenous peoples who have suffered from various types of crimes by military groups of the Russian Federation, need help or quick communication with state authorities and local self-government bodies.

Distribution of institutions by language of instruction and their students and classes*

Indicator name	Line No.	Language code	Quantity of institutions, units	Number of students there, people	Number of classes in institutions, units	Number of classes by language of instruction, units			
						total	including		
							Grades 1-4	Grades 5-9	Grades 10-12
A	B	B	1	2	3	4	5	6	7
Total (sum of data lines 02–15)	01		12648	4003173	195541	195541	76692	96023	22826
Ukrainian	02	25	12442	3954644	192584	193298	75789	94936	22573
English	03	2	0	0	0	2	2	0	0
Bulgarian	04	4	0	0	0	2	2	0	0
Crimean Tatar	05	14	0	0	0	0	0	0	0
Moldovan**	06	16	0	0	0	140	43	74	23
Polish	07	18	3	709	35	54	21	24	9
Russian	08	19	4	181	26	86	28	41	17
Romanian	09	20	59	12478	778	963	387	462	114
Slovak	10	21	0	0	0	4	4	0	0
Hungarian	11	24	69	11913	715	983	412	482	89
German	12	17	1	34	9	9	4	4	1
Several languages	15		70	23214	1394	0	0	0	0

Information about institutions where instruction is conducted in two or more languages

Indicator name	Line No.	Language code	Number of institutions with Ukrainian and other languages of instruction, units	Number of students there, people	of them study in this language	Number of institutions with Russian and other languages of instruction, units	Number of students there, people	of them study in this language
A	B	B	1	2	3	4	5	6
Total (sum of data lines 02–20)	01		70	23214	23214	0	0	0
Ukrainian	02	25	0	0	12750	0	0	0
English	03	25,2	1	112	13	0	0	0
Bulgarian	04	25,4	1	301	34	0	0	0
Crimean Tatar	05	25,14	0	0	0	0	0	0
Moldovan	06	25,16	16	4471	1983	0	0	0
Polish	07	25,18	3	730	307	0	0	0
Russian	08	25,19	4	2451	1181	0	0	0
Romanian	09	25,20	17	6114	2785	0	0	0
Slovak	10	25,21	1	338	121	0	0	0
Hungarian	11	25,24	27	8697	4040	0	0	0
Russian, Crimean Tatar	12	25,19,14	0	0	0	0	0	0
Russian, Romanian	13	25,19,20	0	0	0	0	0	0
Russian, Hungarian	14	25,19,24	0	0	0	0	0	0
Russian, Moldovan	15	25,19,16	0	0	0	0	0	0

* Information provided by the Ministry of Education and Science of Ukraine is used here and further in the annexes.

** Here and further in the annexes, the information was obtained before the Ukrainian government decided to use the term “Romanian language” instead of “Moldovan language.”

Distribution of institutions by languages studied as an independent subject and the number of classes there, units.

Indicator name	Line No.	Language code	Number of institutions where languages are studied	Number of classes there where languages are studied	From column 1, number of institutions where a second language is studied
A	B	B	1	2	3
Total (sum of data lines 02–27)	01		12556	276905	3820
Ukrainian	02	25	206	2244	0
English	03	2	12291	223475	755
Bulgarian	04	4	45	471	2
Gagauz	05	6	6	68	0
Hebrew	06	31	20	320	13
Spanish	07	10	112	1119	108
Chinese	08	12	19	189	17
Crimean Tatar	09	14	0	0	0
Latin	10	15	3	48	1
Moldovan	11	16	21	206	0
German	12	17	3827	35839	2790
Modern Greek	13	7	5	46	4
Polish	14	18	548	4743	461
Russian	15	19	29	191	0
Romanian	16	20	18	152	0
Turkish	17	23	3	21	3
Hungarian	18	24	25	152	19
French	19	26	791	7269	627
Japanese	20	28	4	46	4
Albanian	21	36	0	0	0
Roma	22	37	0	0	0
Italian	23	11	6	65	5
Korean	24	13	3	48	0
Slovak	25	21	4	28	3
Czech	26	27	5	67	4
other	27		6	98	5

Damaged and destroyed objects of cultural heritage of representatives of national minorities (communities) and indigenous peoples of Ukraine

Event Date	Object Name	Address	Cause of destruction	Degree of damage
			 hostilities  shelling  blast wave	light  insignificant  significant  impossible to determine  determine
February 2022	The building of the “Ukrainian New York” innovative community centre	Donetsk region, Bakhmut district, New York settlement		 The building is located in a zone of active hostilities
2022	“Hesed Zikaron Charitable Foundation” building	Donetsk region, Bakhmut district, Bakhmut 35, Myru Street		 The building is located in a zone of active hostilities

March 2022	“Hippocrates” Greek Medical Centre Building	Donetsk region, Mariupol district, Mariupol 65, Hretska Street		● Occupied territory, extent of damage cannot be detected
March 2022	Greek Cultural Centre	Donetsk region, Mariupol district, Mariupol 63, Hretska Street		● Occupied territory, extent of damage cannot be detected
March 2022	Premises of the public organization “Mariupol Society of Germans ‘Wiedergeburt’”	Donetsk region, Mariupol district, Mariupol 10, Fontanna Street		● Occupied territory, extent of damage cannot be detected
March 2022	Lutheran Church. 1848–1852. <i>(Used by the German Evangelical Lutheran religious community)</i>	Mykolaiv region, Mykolaiv district, Mykolaiv 12 Admiralska Street		● Slight damage, usable
01 March 2022	The mosque and adjacent commercial premises	Donetsk region, Kramatorsk district Kostiantynivka, 23 Vysokovoltna Street		● Light damage
9 March 2022	Kharkiv Choral Synagogue	The city of Kharkiv 12 Pushkinska Street		● Broken windows, suitable for further use as intended
11 March 2022	Mosque of Sultan Suleiman and Roksolana	Donetsk region, Mariupol district, Mariupol 41 Nakhimova lane		● Occupied territory, extent of damage cannot be detected
23 March 2022	Ukrainian-Polish memorial	Kharkiv region, Kharkiv district Kharkiv, Kharkiv highway, Forest park, 6th block		● Slight damage
26 March 2022	“Drobytskyi Yar” Memorial complex	Kharkiv region, Kharkiv district Vilkhivka territorial community, the village of Mala Rohan		● Significant damage
April 2022	Premises of the Greek Cultural Centre “Meotyda” of the Mariupol Society of Greeks	Donetsk region, Mariupol district, Mariupol, 127 Budivelnkyiv Avenue		● Occupied territory, extent of damage cannot be detected
5 April 2022	The ancient building of the former choral synagogue, built at the beginning of the 20th century (not on the register)	Donetsk region, Mariupol district, Mariupol 28 Mykolaivska Street		● Occupied territory, extent of damage cannot be detected

April–May, 2022	Regional Charitable Fund “Hesed Ner” (rented premises)	Luhansk region, Sievierodonetsk 41, Hvardiiskyi avenue, Apt. 52		● Windows and doors were broken, the façade was destroyed; the property of the organization is lost
April–May, 2022	Public organization “Union of Armenians of Luhansk region” (the building is owned by the public organization)	Luhansk region, Lysychansk, 1, Kooperativnyi lane		● Broken windows and doors, destroyed roof and walls of the first floor; the property of a public organization is lost
2 May 2022	An ancient residential building of the beginning of the 20th century, which housed the Mariupol Synagogue	Donetsk region, Mariupol district, Mariupol, 35 Myru Avenue		● Occupied territory, extent of damage cannot be detected
15 May 2022	Al-Qadar Mosque	Donetsk region, Bakhmut district, Bakhmut, 8, Studentska Street		● Average damage
20 May 2022	The building of the Muslim religious community “Sunna”	The city of Kharkiv 36, Barabashova Street		● Damaged windows and doors, suitable for further use as intended
8–9 August 2023	Kherson region, Boryslav district, village of Zmiivka	German Church of St. Peter and Paul		● The roof, bell tower, façade of the building were damaged
1 December 2022	Catholic Church of Our Lady Queen of the Holy Rosary	Donetsk region, Bakhmut district, Bakhmut, 8, Soborna Street		● The building is located in a zone of active hostilities

PERSONAL COMPOSITION OF THE AUTHOR GROUP FOR THE PREPARATION OF THE SPECIAL REPORT OF THE UKRAINIAN PARLIAMENT COMMISSIONER FOR HUMAN RIGHTS

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