



November 1999

ACFC/SR(1999)014

**REPORT SUBMITTED BY UKRAINE  
PURSUANT TO ARTICLE 25, PARAGRAPH 1  
OF THE FRAMEWORK CONVENTION FOR  
THE PROTECTION OF NATIONAL MINORITIES**

---

**(Received on 2 November 1999)**

---

**The report of Ukraine  
on implementation of the provisions  
of the Framework Convention  
for the Protection of National Minorities**

\* \* \*

CONTENTS

PART I

*General information*

*Brief review of Ukraine's historical background*

*Main economic indicators*

*Demographic situation*

*Public policy regarding the protection of national minorities*

*Activities directed at implementation of the Framework Convention provisions*

*Informing the public of the Framework Convention*

PART II

Article 1

Article 2

Article 3

Article 4

Article 5

Article 6

Article 7

Article 8

Article 9

Article 10

Article 11

Article 12

Article 13

Article 14

Article 15

Article 16

Article 17

Article 18

Article 19

Articles 20, 21

Article 30

\* \* \*

## PART I

### *General information*

Ukraine is a member country of the European Council with total area 603.7 thousand sq. km. and population 50.5 million people (1998). Ukraine borders on Russia, Belarus, Moldova, Poland, Slovak Republic, Hungary and Romania.

Ukraine is a unitary State with single citizenship. Ukraine includes the Autonomous Republic of Crimea, 24 Oblasts and the cities of Kyiv and Sevastopol which have a special status. The Autonomous Republic of Crimea is an integral part of Ukraine which has the right to decide upon the issues of its concern within its own authority stipulated by the Constitution of Ukraine and the Constitution of the Autonomous Republic of Crimea.

The largest Ukrainian cities are Kyiv (the capital), Kharkiv, Dnipropetrovsk, Odesa, Donetsk, Zaporizhzhia, Lviv, Kryviy Rig.

The President of Ukraine is the Head of the State. The only legislative authority in Ukraine is the Verkhovna Rada of Ukraine, a one-chamber parliament with its 450 deputies elected for the term of four years. The higher executive authority is the Cabinet of Ministers of Ukraine. In Oblasts and districts executive power is exercised by local state administrations.

Ukraine is a State with polyethnic national composition. According to the estimates of the latest census (1989), Ukraine's population included 37.4 million Ukrainians which makes 72.7% of the total population of the country and 14.0 million (27.3%) members of other nationalities. The Russians are the largest national minority in the country (11.4 million people or 22.1% of the total population). Eight other ethnic groups include from 100.000 up to 500.000 persons each, as follows: 486.3 thousand Jews (0.9% of the total Ukraine's population), 440 thousand Belorussians (0.9%), 342.5 thousand Moldovans (0.6%), 233.8 thousand Bulgarians (0.5%), 219.2 thousand Poles (0.4%), 163.1 thousand Hungarians (0.3%), 134.8 thousand Romanians (0.3%). According to the 1998 year's estimates, over 250 thousand Crimean Tatars have returned to the Autonomous Republic of Crimea, mainly in the last decade. Thirteen other ethnic groups include 10.000 to 100.000 persons each, particularly Greeks, Armenians, Gipsies, Germans, Azerbaijanians, Gagauzes, Georgians, Chuvashes, Uzbeks, Mordvinians, Lithuanians and Kazakhs. The rest of nationalities have population less than 10 thousand persons each.

Among Ukraine's administrative and territorial units, with the exception of the Autonomous Republic of Crimea and the city of Sevastopol, the absolute majority belongs to Ukrainians. The Autonomous Republic of Crimea and the city of Sevastopol have Russians as their absolute majority, whose population in these regions totals 67.0% and 74.4%, respectively. The minority- within-a-minority situation also takes place in a number of districts within Oblasts, as well as in certain territorial communities. Thus, Romanians make up the majority of the population in the Hertsajiv district of Chernivtsi Oblast, while Bulgarians are in the majority in the Bolgrad district of Odesa Oblast, and Hungarians are the largest nationality residing in the Berehiv district of Transcarpathian Oblast. Besides, on the level of certain territorial communities there exists quite a big number of living quarters with other ethnic groups making up the majority of population, particularly Belorussians, Creeks, Gagauzes, Moldovans, Poles, Crimean Tatars.

### ***Brief review of Ukraine's historical background***

In the 9th century in Eastern Europe there appeared a State named Kyiv Rus, its centre being a town called Kyiv. At that time it included a good portion of today's territory of Ukraine, Bilorus and the European part of Russia.

Following the 1237-1241 Mongolian invasion, the territory of Kyiv Rus turned out to be in vassalage under the Golden Horde. Only the western lands of today's territory of Ukraine, which then belonged to the Galychyna-Volyn Principality, were independent for a certain period of time.

The Ukrainian lands, weakened and deserted as a result of the Mongolian invasion, were quick to become part of other States - the Polish Kingdom, the Great Lithuanian Principality, the Crimean Khanate, the Hungarian Kingdom, the Moskow State and the Ottoman Empire.

In 1569, when Poland and the Great Lithuanian Principality joined together to become a single State named Rich Pospolita, the majority of Ukrainian lands turned out to be under the Polish rule. Despite the territorial dismemberment of the Ukrainian lands, the period from the 14th to 17th century becomes the final stage of *the Ukrainian community* formation with their own identity, language and traditions. The religious and national pressure on the part of the Polish authorities have led to the nation-wide Liberation War of the Ukrainian people, which was initiated in 1648 by Ukrainian Hetman Bogdan Khmelnytsky. However, the independence gained by Ukraine in the course of war, was lost shortly afterwards.

Making use of the situation formed as a result of the military alliance concluded in 1654 between Ukraine and Russia, the latter enters the struggle for power in Ukraine. The struggle burst out after Khmelnytsky's death. Gradually limiting Ukraine's sovereignty, the Russian State first makes the Left-Bank Ukraine (Ukrainian lands on the left bank of Ukraine's largest river Dnieper) a part of its territory. In late 18th century the same destiny befalls the Right-Bank Ukraine (Ukrainian lands on the right bank of the Dnieper). As a result of divisions which took place within the Rich Pospolita, Ukraine's western lands have become a part of the Austrian Empire.

Since the end of the 18th century, the contemporary Ukrainian nation becomes to get formed on the Ukrainian lands. This process was especially active in the second half of the 19th century in the Russian Empire, at the time when rapid social and economic modernisation of society began. At the threshold of the 19th and 20th century, the Ukrainian intellectuals are considering the idea that the creation of an independent State is required according to the Ukrainian national interests.

The struggle for independence was in fact resumed in 1917, when a revolution broke out in the Russian Empire. In November 1917 the creation of the Ukrainian People's Republic was proclaimed in Kyiv, with the borders of the newly-created State being outlined as well.

It was in this period of time that the meeting of ethnic and cultural needs of Ukraine's national minorities for the first time began to constitute a national policy trend. The fundamental principle of this policy was proclaimed as being the recognition of equality of rights and the rights for unconstrained development at all ethnic communities residing on the territory of the Ukrainian State. To pursue the national ethnic policy, a specialised national body - the Secretariat for Nationalities' Cases - has been formed, together with creation of several local

national bodies, particularly Jewish, Polish and Russian. Ukrainian, Polish, Jewish and other educational institutions, as well as national theatres and libraries, prohibited at the times of Empire, resume their activity. Cultural and educational societies get founded, as well.

The period from 1917 to 1920 was the time of civil war which resulted in establishment of the Soviet power on the major part of Ukraine's territory. In 1922 Ukraine became part of the USSR as one of Soviet republics, with the exception of the western territories which then belonged to other States. During the first years of the establishment of Soviet power the Government, in fact, continued to pursue the national minorities policy, initiated at the times of the People's Republic of Ukraine. A network of specialised institutions has been created. Their aim was dealing with the national minorities issues. The institutions were as follows: the National Minorities Department at the People's Commissariat of Internal Affairs, the Central Commission for National Minorities' Cases at the All-Ukrainian Central Executive Committee, the Council of National Minorities at the People's Educational Commissariat, the State Publishing House of National Minorities, etc.

In late 1920s, at the final stage of the Stalin totalitarian regime establishment in the USSR, radical changes are taking place in the national policy sphere: there is repression against the members of Ukrainian community and national minorities. Deportations of Ukrainians, Poles and members of other ethnic groups from the places of their permanent residence are gaining a massive character, in particular those are deportations outside Ukraine - to especial settlement) based in Kazakhstan and to remote regions of Russian Federation.

In 1932-1933 in reply to the resistance showed by Ukrainian villagers against the collectivization policy (consolidation of individual village farms into collective farms), the whole grain stock belonging to Ukrainian villagers was taken away from them by representatives of the totalitarian regime, who also initiated the blockade of Ukrainian villages, having forbidden any shipments of provisions thereto. As a result of the artificially caused famine, several million Ukrainian villagers have died. In the course of massive repression initiated by the Stalin regime, millions of Ukrainian people have been either killed or subjected to detention in concentration camps.

In 1939-1940 the west Ukrainian lands, North Bukovyna and South Bessarabia, mainly populated by Ukrainians, became part of the Ukrainian Soviet Socialist Republic.

In 1941-1944 the whole territory of Ukraine became the arena of severe hostilities which were taking place during World War II. The Ukrainian lands occupied by the Germans were seized with terror. All the Jews and Gipsies were subject to extermination. The same concerned all those suspected of being unloyal to the German occupational regime.

Over 6 million Ukrainian people have participated in the hostilities of 1941-1945, three million of which died. The total number of Ukrainian citizens who have lost their lives in the war amounted to some 8 million.

During the war, the representatives of the Stalin regime have carried out deportation of Germans from the territory of Ukraine (with total number of deported people of German nationality close to 400 thousand) to the eastern regions of the USSR. In 1944 the same fate has befallen some 180 thousand Crimean Tatars, as well as Greeks, Bulgarians and Armenians.

During the post-war period, the global “Russia-oriented policy” and denationalisation of ethnic groups was purposefully conducted in Ukraine, as well as in other republics of the former Soviet Union under the slogans of “proletarian internationalism” and creation of the new society of “soviet people”.

The reforms initiated by M.Horbachov in 1985 gave new momentum to the national revival in the USSR.

On July 16,1990 the Verkhovna Rada of Ukraine adopted Declaration On State Sovereignty of Ukraine.

On August 24, 1991 the Verkhovna Rada of Ukraine approved the Act On Declaration of Independence of Ukraine. On December 1,1991 the All-Ukrainian Referendum took place, which was aimed at approval of the Independence Declaration Act. 90.3% of the persons who participated in the Referendum gave a positive assessment. At the same time, the elections of the first President of Ukraine took place, ending up in having elected Leonid Kravchuk as the first President.

In 1994 today's President of Ukraine Leonid Kuchma was elected.

On June 28,1996 the Verkhovna Rada of Ukraine have adopted the Constitution of Ukraine.

### ***Main economic indicators***

After declaration of independence, Ukraine has faced a number of negative factors: the system crisis inherited from the Soviet society, the difficulties of transition from directed economy to market economy, breach or cutback of relations between the former Soviet republics caused by economic or political reasons.

In 1997 gross domestic product (GDP) in effective prices amounted to 92.5 billion hryvnias, the same per capita: 1824 Hr. Consumer price index (December 1997-December 1998) amounted to 110.1%.

In 1998 the average monthly cash income per capita amounted to 91.7 Hr.

As of January 1, 1999 the number of the officially registered unemployed was 1032.3 thousand persons.

### ***Demographic situation***

The tough social and economic situation in Ukraine affects the demographic situation in the State. In 1993, for the first time during the post-war period, there was estimated a decrease in the population rate of Ukraine, and it continues to take place. In 1997 alone, the population rate decreased by 0.4% and as of January 1, 1998 it amounted to 50.5 million people, while urban population made up 67.9% (34.3 million persons) and rural population made up 32.1% (16.2 million persons).

The percentage of population by the sex factor was as follows: women 53.5%, men 46.5%.

According to the preliminary data, Ukraine's available population as of January 1, 1999 was an estimated 50.1 million people.

The birth rate has decreased from 12.1 persons per 1 thousand people in 1991 to 8.3 persons in 1998, while the death rate has increased from 12.9 to 14.2 persons, respectively.

The reduction of the birth rate has led to negative changes in Ukraine's population average age toward the older age. During the last decade, the average age of Ukraine's population has increased from 36.7 to 37.8, while the percentage of persons aged 60 and over has increased by 0.8% to become 19.5%.

Life expectancy in 1994-1995 was 67.2 years, in 1997 it dropped down to 67 years, particularly 62.2 years for men and 73.2 years for women.

### ***Public policy regarding the protection of national minorities***

The legal base for formation of the state ethnic policy, including the activities aimed at meeting the needs of national minorities, has become provided for by the *Declaration on State Sovereignty of Ukraine*, the *Act on Declaration of Ukraine's Independence*, *Declaration on the Rights of Ukraine's Nationalities* (of November 1, 1991), Ukraine's *Law On National Minorities in Ukraine* (of 1992), the Constitution of Ukraine and other legislative acts adopted by the Verkhovna Rada of Ukraine.

The state ethnic policy is conducted in accordance with the following: the Universal Declaration of Human Rights, the International Pact on Civil and Political Rights supplemented with the Optional protocol, the Declaration of the 47th UN General Assembly Session on the Rights of Persons Belonging to National, Ethnic, Religious and Language Minorities, the human rights section from the Final Act of the Meeting on Security and Co-operation in Europe (Helsinki, August 1, 1975), the Final Document of the Copenhagen meeting held within the Conference on the OSCE public dimension, the Hague recommendations regarding the rights of national minorities for education, the Oslo recommendations regarding the language rights of national minorities, and other international documents.

Ukraine signed the Framework Convention for the Protection of National Minorities (hereinafter referred to as 'the Framework Convention') on September 15, 1995. On December 9, 1997 the Framework Convention was ratified by the Verkhovna Rada of Ukraine and on May 1, 1998 it entered into force. According to Article 9 of the Constitution of Ukraine, the Framework Convention has become part of our country's national legislation. Ratification by the Verkhovna Rada of Ukraine of the European Charter for Regional or Minority Languages has to become one more step towards implementation of the world standards in the sphere of ensuring the national minorities' rights.

The relations which are established when Ukrainian citizens are implementing the rights and freedoms connected with their belonging to national minorities are regulated by the Constitution of Ukraine, Ukraine's *Law On National Minorities in Ukraine* and other legislative acts and international agreements approved as being necessary by the Verkhovna Rada of Ukraine.

Control over the observance of the effective legislation in the sphere of ensuring the national minorities' rights is conducted by the Constitutional Court of Ukraine and courts of general jurisdiction, the Committee for human rights, national minorities and international relations at

the Verkhovna Rada of Ukraine, Human rights envoy of the Verkhovna Rada of Ukraine (Ombudsman).

A special central executive body for international relations and national minorities' rights - Ukraine's State Committee for nationalities and migration - is functioning in Ukraine. According to the tasks it is entrusted with, the Committee works out and implements the activities directed at preservation of world peace and harmony, at getting rid of the preconditions for ethnic conflicts. It participates in the development of the public policy and provides for its implementation in the international relations sphere, prepares drafts of the relevant laws and other legislative acts, conducts operative analysis of the situation which takes place in social and economic, demographic and cultural life of Ukraine's national minorities; provides for co-ordination of the executive bodies' activity aimed at meeting the spiritual and educational needs of Ukraine's ethnic communities; provides for establishing of control over observance of the effective legislation in the international relations sphere; promotes the activity of national minorities' public organisations in Ukraine.

The issue of ensuring the national minorities' rights is the object of constant attention on the part of the President and Government of Ukraine.

On February 24, 1999 a regular meeting between the President of Ukraine and leaders of all-Ukrainian national minorities' public organisations took place. In his speech, the President pointed out that one of the main achievements of Ukraine for the years of its independence has been preservation of peace and harmony between the countries' nations, and also the fact that all the existing problems in this sphere have been solved in a civilised manner, due to the deliberate ethnic policy pursued by the State.

The President entrusted the central executive bodies with the tasks including farther implementation of national legislation improvement in the inter-ethnic relations sphere, consideration of the involvement of Ukraine's national minorities' members in official delegations and joint intergovernmental commissions for protection of national minorities' rights, more comprehensive assistance to national minorities' public organisations in reflecting their activity in the mass media, tightening of control over preservation and due supervision of national minorities' historical memorials, allocation of financial and material funds to promote the activity of national minorities' public organisations.

### ***Activities directed at implementation of the Framework Convention provisions***

Implementation of the Framework Convention is carried out by means of approximation of the national legislation to its main requirements, use of its principles in the practical activity of state power bodies. The steps taken by Ukraine in the international relations sphere, including the ones which comply with recommendations of the Framework Convention, have provided for establishment of international peace, protection, meeting the needs and national revival of national minorities.

### ***Informing the public of the Framework Convention***

Ukrainian people are being constantly informed of international legal documents on human rights and national minorities protection.

The Cabinet of Ministers of Ukraine have adopted a Comprehensive Program for raising the levels of political culture and legal education among the representatives of Ukraine's national



minorities and religious organisations for 1999-2000, which provides for giving the national minorities' representatives information about the principle documents on protection of their rights, including the Framework Convention. Ukraine's State Committee for Nationalities and Migration jointly with the Council of Europe have held a Conference on implementation of the Framework Convention in the legal field of Ukraine. Representatives of legislative, executive and juridical bodies and mass media had been invited to participate in the Conference. The text of the Framework Convention was published in the Information Bulletin issued by Ukraine's State Committee for Nationalities and Migration, in the bulletin issued by the Ukrainian-American Bureau for Protection of Human Rights, as well as in other national and private publishing offices.

## PART II

### Article 1

**The protection of national minorities and of the rights and freedoms of persons belonging to those minorities forms an integral part of the international protection of human rights, and as such falls within the scope of international co-operation.**

On issues concerning ensuring the exercise of rights of national minorities Ukraine co-operates with the following international organisations: the UN, the OSCE, the Council of Europe, the International organisation on migration (IOM), UNESCO, other organisations.

Ukraine is the Party to the following international multilateral treaties that concern the protection of rights of national minorities:

- International pact on civil and political rights,
- Convention of International Labour Organisation on discrimination in the field of labour and studies,
- International pact on economic, social and cultural rights;
- Convention for the Prevention of genocide crime and punishment for it;
- Convention of UNESCO against discrimination in the field of education;
- International convention on abolition of all forms of racial discrimination;
- Convention for protection of human rights and fundamental freedoms;
- Convention on Child rights;
- Convention on abolition of all forms of discrimination concerning women;
- Framework convention for the protection of national minorities;

Ukraine signed but has not yet ratified the European Charter for Regional or Minority Languages and the European Social Charter (revised).

Ukraine is the member of the Council of Europe since November 1995. On bilateral international treaties look through the information to Article 18.

According to Article 24 of the Constitution of Ukraine, all citizens have equal constitutional rights and are equal before the law.

Taking into account that the rights of national minorities form an integral part of human rights, a possibility to apply to justice authorities on issues of protection of their rights is guaranteed to persons belonging to national minorities. Article 55 of the Constitution of Ukraine proclaims that "human and citizens' rights and freedoms are protected by the court.

Everyone is guaranteed the right to challenge in a court the decisions, actions or omission of bodies of state power, bodies of local self-government, officials and officers.

Everyone has the right to appeal for the protection of his or her rights to the Authorised Human Rights Representative of the Verkhovna Rada of Ukraine.

After exhausting all domestic legal remedies, everyone has the right to appeal for the protection of his or her rights and freedoms to the relevant international Judicial institutions or to the relevant bodies of international organisations of which Ukraine is a member or participant”.

## **Article 2**

**Provisions of this Framework Convention are used conscientiously, in the spirit of mutual understanding, tolerance and in accordance with principles of good-neighbour, friendly relations and co-operation between countries.**

According to Article 9 of the Constitution of Ukraine where pointed out: “International treaties that are in force, agreed to be binding by the Verkhovna Rada of Ukraine are part of the national legislation of Ukraine”.

Overwhelming majority of obligations concerning ensuring of political, social, cultural and language rights of national minorities, that in accordance with the Framework Convention and other international and legal documents Ukraine assumed, have already been reflected in its national legislation: in the Constitution of Ukraine, the laws of Ukraine On National Minorities in Ukraine, On Education, in Foundations of legislation of Ukraine on culture stipulated in civil and criminal legal proceedings.

Activity programme of the Cabinet of Ministers of Ukraine on 1999 provided further improvement of existing political and legal base of regulating ethnic and national processes in addition it was pointed out the necessity “to adapt the national legislation to relevant international and legal documents in the field of inter-ethnic relations and protection of minorities rights, in particular, the Council of Europe's Framework Convention for the Protection of National minorities and the European Charter for Regional or Minority Languages”.

In order to bring national legislation into line with international standards in the field of protection of national minorities projects of the Law of Ukraine on Changes in and Amendments to the Law of Ukraine on National Minorities in Ukraine” (submitted to Verkhovna Rada of Ukraine) and the Conception of the state ethnic policy of Ukraine have been worked out in the national legislation of Ukraine.

Provisions of the Framework Convention found their reflection also in the articles on protection rights of national minorities in inter-state agreements of Ukraine (look through the Information to Article 18).

## **Article 3**

**1. Every person belonging to a national minority shall have the right freely to choose to be treated or not to be treated as such and no disadvantage shall result from this choice or from the exercise of the rights which are connected to that choice.**

**2. Persons belonging to national minorities may exercise the rights and enjoy the freedoms flowing from the principles enshrined in the present framework Convention individually as well as in community with others.**

Paragraphs 1, 2

In the preamble of the Constitution of Ukraine it is pointed out that Ukrainian people are citizens of Ukraine of all nationalities. (According to the Constitution of Ukraine the term “the Ukrainian people” means the citizens of Ukraine of all nationalities and the term “the Ukrainian nation” - the citizens of the Ukrainian nationality). Recognising the polyethnic Ukrainian people as bearers of sovereignty and the only source of power in Ukraine the Constitution at the same time determines the structural components of the Ukrainian society - the Ukrainian nation, national minorities and indigenous peoples and places a duty on the state to promote the development of their ethnic, cultural, linguistic and religious identity (Article 11).

The national legislation does not contain the list of groups of citizens belonging to national minorities. In Article 3 of the Law of Ukraine On National minorities in Ukraine it is pointed out that “the groups of citizens of Ukraine who are not Ukrainians by nationality, express the sense of national self-awareness and community between themselves belong to national minorities”. We shall point out that in accordance with adopted by Ukraine of so called “zero variant”, all citizens of the former USSR who at the moment of proclamation of independence of Ukraine (August, 24, 1991) lived in its territory and also all persons regardless of race, colour of skin, ethnic origin, social and demographic and other signs, who at the moment of acquiring in force of the Law of Ukraine On citizenship of Ukraine (November, 13, 1991) resided in the territory of Ukraine and were not the citizens of other states became its citizens. Thus, all citizens of Ukraine of non- Ukrainian nationality got the right as they wish to determine as national minorities. Taking into account that representatives above 130 nationalities reside in Ukraine, the data about the most numerical nationalities of Ukraine on the territory of residence on materials of the last census of population of 1989 are given (look through the appendix).

Article 11 of the Law of Ukraine On national minorities in Ukraine proclaims: “The citizens of Ukraine have the right freely to choose or restore a nationality”. Forcing citizens in any way to renunciation of their nationality is not allowed. According to the Article 13 of this Law “Citizens belonging to national minorities are free in choosing scale and form of realisation of rights which are given them by the legislation in force and realise them personally and also through relevant state bodies and set up public associations”.

Ethnographic (sub-ethnic) groups of the Ukrainian ethnos in small numbers are formed in Ukraine owing to peculiarities of historical development and geographical conditions. They are boiks, hutsuls, lamks (the western regions of Ukraine) and lytvyn and polishchuks (Polissia). Overwhelming majority of representatives of these ethnographic groups identifies itself as the Ukrainians.

Representatives of some ethnographic groups of the Ukrainian people, in particular, boiks, hutsuls and lamks reside also over the borders of Ukraine. (Eastern Slovakia, Hungary, Poland, Union Republic of Yugoslavia, Croatia, Canada, the USA) and have relevant citizenship of these countries. Part of representatives of these ethnographic groups owing to isolation from processes of consolidation of the Ukrainian nation that happened in the

territory of Ukraine preserved ancient own name of the Ukrainians - Rusyny (the information of ethnic and political situation in environment of this part of the Ukrainian population is given in Appendix "Sub-ethnic groups of the nationalities of Ukraine").

The State Committee of Statistics of Ukraine is the central body of the executive power that is responsible for collecting demographic data. Statistic data concerning an ethnic complement of a population are collected only during census of the population. The last census took place in 1989 when Ukraine was the part of the USSR. The next census of the population of Ukraine is planned to conduct in 2001.

#### **Article 4**

**1. The Parties undertake to guarantee to persons belonging to national minorities the right of equality before the law and or equal protection of the law. In this respect, any discrimination based on belonging to a national minority shall be prohibited.**

**2. The Parties undertake to adopt, where necessary, adequate measures in order to promote in all areas of economic social, political and cultural life, full and effective equality between persons belonging to a national minority and those belonging to the majority. In this respect, they shall take due account of the specific conditions of the persons belonging to national minorities.**

**3. The measures adopted in accordance with paragraph 2 shall not be considered to be an act of discrimination.**

Paragraphs 1, 2, 3

The right of equality before the law in all fields of economic, social, political and cultural life was fixed by Article 24 of the Constitution of Ukraine: "Citizens have equal constitutional rights and freedoms and are equal before the law. There shall be no privileges or restrictions based on race, colour of skin, political, religions and other beliefs, sex, ethnic and social origin, property status, place of residence, linguistic of other characteristics." The right of equality before the law and prohibition of discrimination on ethnic characteristics were also fixed in the Law of Ukraine. "On National Minorities in Ukraine". Thus, in Article 1 of this Law was pointed out: "Ukraine guarantees the citizens of the republic regardless of the republic regardless of their national origin equal political, social, economic and cultural rights and freedoms, supports development of national self-awareness and self-manifestation. All citizens of Ukraine enjoy protection of the state on equal grounds. When ensuring the rights of persons belonging to national minorities, the state proceeds from that they are an integral part of recognised human rights." In accordance with Article 9 of this Law "Citizens of Ukraine belonging to national minorities have the right, accordingly, to be elected or nominated on an equal footing on any posts to bodies of legislative, executive and judicial power, local and regional self-government, in the army, at enterprises, in institutions and organisations." Article 18 of this Law proclaims: "Any direct or indirect restriction of the rights and freedoms of citizens on national characteristic is prohibited and punished by the law."

The President of Ukraine, the Cabinet of Ministers of Ukraine and other bodies of the executive power, in particular, the Ministry of Justice of Ukraine, Representative of the Verkhovna Rada of Ukraine on human rights (Ombudsman) exercise control on adhering to

mentioned provisions of national legislation and Framework convention within their authorities.

The Declaration of the rights of nationalities of Ukraine, adopted on November, 1, 1991 by the Verkhovna Rada of Ukraine is the main political document which proclaimed equal rights of national minorities with the ethnic majority and determined foundations of state policy in the field of international relations.

## Article 5

**1. The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage.**

**2. Without prejudice to measures taken in pursuance of their general integration policy, the Parties shall refrain from policies or practices aimed at assimilation of persons belonging to national minorities against their will and shall protect these persons from any action aimed at such assimilation.**

### Paragraph 1

Maintenance and development of cultures of national minorities is considered by a state as an important component part of national cultural development. In accordance with Foundations of legislation of Ukraine on culture recognition of culture as one of the main factors of the identity of the Ukrainian nation and national minorities, equality of rights and possibilities of citizens regardless of social state and national belonging to in creation, use and dissemination of cultural values (Article 2) belong to main principles of cultural policy of Ukraine: development of cultures of national minorities is the priority direction of state policy in the field of culture (Article 3).

The right for maintenance of ethnic, cultural, language and religious identity fixed by Article 11 of the Constitution of Ukraine “The State promotes the consolidation and development of the Ukrainian nation, of its historical consciousness, traditions and culture, and also the development of the ethnic, cultural and religious identity of all indigenous peoples and national minorities of Ukraine”. It is fixed the refusal from assimilation policy by this Article 6 of the Law of Ukraine On National minorities in Ukraine proclaims: “The State guarantees all national minorities the rights for national and cultural autonomy: using and studying a native language or learning a native language in state educational institutions or through national cultural societies, development of national cultural traditions, using national symbols, celebration of national holidays, professing own religion, satisfaction of needs in literature, arts, mass media, creation of national cultural and educational institutions. Monuments of history and culture of national minorities, in the territory of Ukraine are protected by the law”.

In accordance with Article 35 of the Constitution of Ukraine “The Church and religions organisations in Ukraine are separated from the State, and the school - from the Church. No religion shall be recognised by the State as mandatory”, so, there is no state religion. The legislation of Ukraine did not establish the list of recognised religious by the state. In accordance with mentioned article of the Constitution of Ukraine the right “to profess or not to profess any religion, to perform alone or collectively and without constraint religious rites and ceremonial rituals, and to conduct religious activity.”

The status of single state language is attached to the Ukrainian language by law. It is determined by this very article: "In Ukraine, the free development, use and protection of Russian, and other languages of national minorities of Ukraine, is guaranteed." In accordance with Article 4 of Foundations of the Legislation of Ukraine on Culture, "equal rights and possibilities concerning using languages of all national minorities, who reside in the territory of Ukraine, in the field of culture, are guaranteed by the state.

The President of Ukraine, the Cabinet of Ministers of Ukraine and other bodies of the executive power, in particular, the State Committee of Ukraine in religions affairs, the Representative of the Verkhovna Rada of Ukraine on human rights (Ombudsman) exercise control on adhering mentioned provisions of national legislation and Framework convention within their powers.

The issue of protection and development of culture of national minorities is the object of a constant attention from the side of the government of Ukraine in which programme of activities for 1999 recorded the necessity "to promote a development of ethnic culture, language and religious identity of national minorities in Ukraine". Among measures which were planned to realise in this direction an elaboration and realisation of Comprehensive measures concerning development of cultures of national minorities of Ukraine for the period to 2001 year (confirmed by the Cabinet of Ministers of Ukraine on March, 1,1999).

The state gives organisational and financial assistance to national minorities in conducting of mass cultural and culturological measures - festivals, days of culture, conferences, seminars etc. With the help of local bodies of power public organisations of national minorities are given premises for conducting cultural and educational activities.

Above 1150 amateur, theatrical, musical and folk-lore bodies created and the natural and cultural communities, particular; theatres- 107, signing bodies -292, dancing companies - 277, musical companies - 233 have been numbered in Ukraine on January, 1,1999. Polish company "Yaskulki" and Polish company "Poliski Sokoly" from the town of Zhytomyr (the latter has got the title of People's Choir of Ukraine), the German chamber choir "Oranta", Jewish children folk-lore company "Banim Banot", Tatar vocal company "Shatlyk", Greek company "Sartanski Samotsvity", the Korean Youth Choir "Osana", etc. The Jewish theatres "Mazltov", "Shtern", the Jewish chamber theatre (Kyiv), the Gypsy theatre "Romans" (Kyiv", the Crimean and Tatar theatre in the town of Simferopol, the Hungarian theatre in the town of Lviv, more than 30 Russian theatres of Ukraine present the cultural and art traditions of their ethnoses. The departments of literature operate by languages of national minorities (without taking into account of the libraries of the Russian literature as far as 24382 mass and universal libraries to the services of Russians) in the 367 libraries of Ukraine

The Chernihiv oblast can be as an example of the polyethnic region. 76 palaces of culture and clubs 87 libraries, 6 music-schools and 19 of their branches, 23 Art Schools act in the settlements where the Moldavans and Rumanians live.

Protection of monuments of history and culture of national minorities is guaranteed by Article 6 of the Law of Ukraine On National Minorities. The halls of national minorities, in which about 1100 monuments of history and culture are opened in the 120 museums of Ukraine (besides the city of Kyiv).

The issue of literature by languages of ethnic communities is carried out by the chief specialised editorial board of the publishing house of literature by the languages of national minorities and relevant editorial boards of regional State Publishing Houses. About 350 titles of editions by the 22 languages of national minorities have been published during the last 3 years.

Cultural and are carried out regularly: annual Holiday of the Slav written language and culture, festivals of Jewish culture "Sholom, Ukraine", Chech "Ples", all-Ukrainian festival "We all are your children, Ukraine!", All-Ukrainian festival "Chusok", Rumanian holidays "Mertsishor", "Limba noastre" etc.

Realisation of cultural and educational interests of national minorities is provided by special allocations for cultural services in the state budget.

#### Paragraph 2

Proceed from polyethnic of its population, taking into account the traditions of peaceful cohabit on its territory of different groups in ethnic, cultural, language and religious respect, Ukraine headed for formation of multicultural society. National identity of the members of such society is based not on the ethnic affiliation but under the circumstances of territorial patriotism and ethnic pluralism.

In this connection in Ukraine the integration policy has not been pursued, there are no legislative acts subject to "general integration policy" and relevant governmental institutions, the draft of the State programme of adaptation and integration into the Ukrainian society of deported Crimean Tatars and also persons of other nationalities revival and development of their culture and education is the exception to this action. The need in development of this programme that at present has been turns over to the Verkhovna Rada for approval is stipulated by the importance of including into economic, social, political and cultural life of the country of the mass of repatriates who return to Ukraine from the places of deportation.

#### Article 6

**1. The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those person's ethnic, cultural, linguistic of religious identity, in particular in the fields of education, culture and the media.**

**2. The Parties undertake to appropriate measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity.**

#### Paragraph 1

Article 2 of the Law of Ukraine On National Minorities in Ukraine proclaimed: "the citizens of Ukraine of all nationalities are obliged to adhere the Constitution and the Law of Ukraine, protect its state sovereignty and territorial integrity, respect languages, cultures, traditions, customs, religious originality of the Ukrainian people and all national minorities". The duty of the citizens to respect the culture, the language, the traditions, the customs and rituals of national minorities also have been consolidated by Article 11 of the Fundamental of the Law

of Ukraine On Culture. In accordance with Article 56 of the Law of Ukraine On Education, pedagogical and scientific and pedagogical employees are bound "to prepare pupils and students for intelligent life in the spirit of mutual understanding, peace, harmony between all peoples, ethnic, national religious groups".

Great attention is paid by the state to the development of co-operation of national minorities. The representatives of national minorities jointly discuss and make decision in the advisory body - the Council of the representatives of public associations of national minorities, which functions at the State Committee of nationalities and migration affairs - the central body of the executive power in the sphere of regulating interethnic relations; advisory councils of the representatives of national minorities function at the local bodies of the executive power; Association of national societies and communities of the Crimea acts in the Crimea; the Confederation of national and cultural societies of the Western Ukraine have been created; the 1st International congress at which the joint position of national minorities on issues of national and cultural development of Ukraine has been elaborated, has been held in 1991; in 1999 the 2<sup>nd</sup> International congress is being planned; national minorities issue the joint independent newspaper "My Motherland".

The representatives of public organisations of national minorities jointly held conferences "Education of national minorities in Ukraine" and "Social security in national societies of Ukraine", in which about 18 public organisations took part, over last two years.

New scientific and practical groups on elaboration of the issues of polycultural education, bringing up of mutual respect between representatives of different ethnoses, prevention and settlement of conflict situations on national and religious basis have been created on the instructions of the Ministry for Education of Ukraine at the Ministry of Education of the Autonomous Republic of the Crimea, departments of education of regional, Kyiv and Sevastopol municipal state administrations.

All-Ukrainian festival "We all your children, Ukraine", in which about 30 amateur bodies of national minorities take part, occurs once in two years in Ukraine.

## Paragraph 2

Protection of national minorities from acts of discrimination is guaranteed by relevant provisions in a number of legislative acts of Ukraine. So, Article 24 of the Constitution of Ukraine proclaims that "there shall be privileges or restrictions based on race, colour of skin, political, religious and other beliefs, sex, ethnic, and social origin, property status, place of residence, linguistic or other characteristics". Similar provision has been fixed in a number of other laws, in particular, in Article 3 of the Law of Ukraine "On Local Self-government in Ukraine".

Article 34 of the Constitution of Ukraine prohibits activities of political parties and public organisations programme aims or activities of which aimed at rousing interethnic, racial, religious hatred. Similar provision is in Article 66 of the Criminal Code of Ukraine where responsibility for rousing of national hatred, depreciation of national honour and dignity, restriction of rights depending on national belonging of citizens has been stipulated. Article 3 of the Law of Ukraine On Mass Media in Ukraine prohibits using mass media for rousing racial, national, religious hatred.



On the initiative of public associations of national minorities. Article 18 of the Law of Ukraine in force On National Minorities in Ukraine (“Any direct or indirect restriction of rights and freedoms of citizens based on nationality is prohibited and punished by the Law”) in the draft of its new wording has been changed for the following: “Any direct or indirect restriction of rights and freedoms of citizens based on nationality and race and also actions aimed at rousing interethnic race, religious hatred, are prohibited and punished by the Law”.

Statistical data concerning discrimination acts, animosity or violence owing to ethnic, linguistic, cultural differences are absent. At the same time there are data concerning publications in press that insult national dignity of some national minorities. So, according to the data of the public organisation the Institute of Judaic, that exercises the monitoring of publications of anti-Semitic orientation, about 260 such publications appeared in 1998. At the same time, increasing of the number of publications, which blame anti-Semitism, is established. Publishing houses of different political orientation came out in against manifestation of anti-Semitism, a number of publications of conceptional nature increased (publications of leading politicians, employees of the National Academy of Sciences of Ukraine, professors of the universities, etc.).

Solving of issues connected with acts of discrimination of national minorities belongs to the competence of a court, central (the Ministry of Justice of Ukraine) and local bodies of the executive power.

Persons, who offend national dignity, are made judicially answerable: proceedings have been instituted concerning anti-Semite publications in the newspaper “Idealist” by the Lviv region prosecutor's office, the Ministry of Information of Ukraine addressed the newspaper “Za vilnu Ukrainu” with the requirements to stop anti-Semitic publications, the chief editor of the newspaper “Stolytsia” has been dismissed by Kyiv Municipal State Administration after anti-Semitic publications appeared, financing the newspaper “Panorama” has been stopped by the Kharkiv Oblast state administration for similar facts.

In his speech President of Ukraine L.Kuchma, who called all citizens of Ukraine, all political parties and organisations to create in the society the atmosphere of intolerance to such disgraceful actions, blamed manifestations of national intolerance. The President pointed out that actions aiming at fomenting of inter-ethnic enmity is even more insulting against the background of such a great work done during recent years by the Ukrainian state as for preservation, maintenance and development of national identity relative to Polish, Jewish, Hungarian, Romanian and other national minorities' representatives.

## **Article 7**

**The Parties shall ensure respect for rights of every person, who belongs to a national minority, to freedom of: peaceful meetings, associations, expression of views, thinking, conscience and religious worship.**

Building of a democratic and socially-oriented legal state is a matter of common interest for all the Ukrainian people, i.e. Ukrainian nation and national minorities. Only such a state could ensure rights and freedoms, well-being and security for all citizens on the basis of a weighed balance of interests of all social, social-demographic and ethnic groups of the society.

Taking this into account, one has legally guaranteed in Ukraine such basic democratic rights and freedoms that help forming and strengthening a democratic public society in Ukraine.

Full-fledged taking part in this processes by the national minorities' representatives is considered as a necessary condition of developing democracy in Ukraine.

Ukraine's legislation guarantees all the citizens the right to freedom off peaceful meetings, associations, expression of views, thinking, conscience and religious worship:

"Everyone is guaranteed the right to freedom of thought and speech, and to the free expression of his or her views and beliefs. Everyone has the right to freely collect, store, use and disseminate information by oral, written or other means of his or her choice" (Article 34 of the Constitution of Ukraine);

"Everyone has the right to freedom of personal philosophy and religion. This right includes the freedom to profess or not to profess any religion, to perform alone or collectively and without constraint religious rites and ceremonial rituals, and not to conduct religious activity" (Article 35 of the Constitution);

"Citizens have the right to assemble peacefully without arms and to hold meetings, rallies, processions and demonstrations, upon notifying in advance the bodies of executive power or bodies of local self-government" (Article 39 of the Constitution of Ukraine),

"Citizens of Ukraine have the right to freedom of association in political parties and public organisations for the exercise and protection of their rights and freedoms and for the satisfaction of their political, economic, social, cultural and other interests, with the exception of restrictions established by law in the interests of national security and public order, the protection of the health of the population or the protection of rights and freedoms of other persons" (Article 36 of the Constitution of Ukraine).

Some documents and legislative acts especially stipulate the rights and freedoms of persons pertaining to national minorities:

Article 6 of the Declaration of the rights of Ukraine's nationalities says that "Ukrainian state guarantees all the nationalities the right to establish their cultural centres, societies, friendly associations, and unions. These organisations may carry out any activity directed to development of national culture, take mass measures in the order, established by the Law, promote setting up of national newspapers, magazines, publishing houses, museums, art groups, theatres, and cinema studios";

Article 13 of the Law of Ukraine "On national minorities in Ukraine": "Citizens pertaining to national minorities, are free in their choice of extent and form for executing the rights, delivered to them by the legislation in force, and realise them personally or through the corresponding state authorities and establish public associations. Taking or not taking part, by a citizen of Ukraine, pertaining to the national minority, in the public association of this minority cannot serve as a ground for restricting his (her) rights".

Control over observance of above mentioned provisions of national legislation and Framework Convention is carried out by the President of Ukraine, Cabinet of Ministers of Ukraine and other executive bodies within their authority, and by the Verkhovna Rada's authorised person on human rights (Ombudsman).

According to Articles 7 and 8 of Basic laws of Ukraine on culture, citizens may establish national cultural associations, creative unions, funds, associations, centres and other public

organisations, cultural and artistic institutions, schools, and both mass media and publishing houses as well.

Control over observance of the above mentioned provisions of national legislation and Framework Convention is carried out by the President of Ukraine, Cabinet of Ministers of Ukraine and other executive bodies within their authority, and by the Verkhovna Rada's authorised person on human rights (Ombudsman).

According to the programme of activity of Ukraine's Cabinet of Ministers for 1999, guaranteeing the constitutional rights and freedoms of national minorities was determined to be one of priority directions of its activity.

Exercising their right of assembly, national minorities in Ukraine established more than 400 public organisations, 24 of them having the all-Ukrainian status (at the early 1995 nearly 260 national-cultural associations were functioning, among them -18 all-Ukrainian ones).

National minorities freely hold meetings of their organisations. During recent years, meetings and congresses of the Jewish Council of Ukraine, all-Ukrainian Congress, Associate Jewish Community of Ukraine, Jewish Confederation of Ukraine, Congress of Jewish Organisations and Communities of Ukraine, Federation of Greek Societies of Ukraine, Association of Germans of Ukraine "Wiedergeburt", Poles of Ukraine, National Movement of Crimean Tatars, Kurultai of Crimean Tatar People and others took place.

## **Article 8**

**The Parties shall ensure respect for the right of every person belonging to a national minority to freedom of religion or thought and establish religious institutions, organisations and associations.**

The Ukrainian State, in its attitude to religion and church, shall proceed from generally accepted international standards, recognising equality of all religions, faiths and religious organisations, and rendering maximum support to the activity of these organisations. According to the Constitution of Ukraine (Article 35), the church and religious organisations had been separated from the state and thus they do not receive financial or other direct or indirect assistance on the part of the state.

Today's Ukraine is a multi-denominational country where about 21.5 thousand religious communities, 80 confessions, trends and schools are functioning officially, realising the constitutional provision on world-outlook and creed.

Overwhelming majority of Ukraine's population, including Russians, Belorussians, Moldavans, Romanians, Bulgarians, Greeks, are members of the Orthodox Church.

Divine service is done in various languages. So, the Roman Catholic Church uses Polish, Ukrainian, Russian, Czech, German, and Hungarian languages as liturgical ones.

There is noticeable growth in number of Moslem communities, to which the representatives of Azerbaidjan, Uzbek, Tatar, Dagestani, Ossetian, Turkmen, and Crimean-Tatar national minorities belong. Divine service in the Moslem communities is done in Arabic, as well as in languages of these national minorities.

Overwhelming majority of the Jewish national minority's representatives pertain to Judaic communities, being now in Ukraine more than 100 in number. Here the divine service is done in Hebrew.

The Hungarian Reformed Church uses, together with Hungarian, Ukrainian and Russian, and the Romanian Protestant Church uses Romanian, Russian and Ukrainian.

Article 4 of the Declaration of national minorities' rights of Ukraine says: " The right to profess their religion, to use their national symbols and to celebrate their national holidays, as well as to participate in traditional ceremonial rites of their peoples is guaranteed to Ukraine's citizens of each nationality".

Provisions of this political document are confirmed by Article 6 of the Law of Ukraine "On national minorities in Ukraine", which guarantees the national minorities' right to preservation of their religious originality.

The central executive body. State Committee of Ukraine on religion, has been charged with issues of settling the religious relations between the state and church.

#### **Article 9**

**1. The Parties undertake to recognise that the right to freedom of expression of each person belonging to a national minority includes freedom to adhere to his (her) opinion, as well as to receive and disseminate information and ideas in their national minority's language without interference on the part of the state and independently of the borders. The Parties ensure, within the framework of their legal systems, that persons belonging to a national minority be not subjected to discrimination in their access to mass media.**

**2. Paragraph 1 shall not prevent the Parties from demanding licensing, without any discrimination and on the basis of objective criteria, of the broadcasting, TV or cinema-enterprises.**

**3. The Parties shall not prevent the persons belonging to a national minority from establishing and using printed mass media. Within the framework of the legislation, regulating broadcasting and television, they, if possible, guarantee the persons belonging to a national minority, with due account of provisions of the paragraph 1, a possibility to establish and use their own mass media.**

**4. Within their legal systems, the Parties shall take necessary measures to facilitate access to mass media for persons belonging to a national minority in order to promote deepening of tolerance and development of cultural pluralism.**

Paragraphs 1 to 4

The Constitution of Ukraine guarantees the right to collect, keep, use and disseminate information in any way (Article 34). In order to guarantee the right to receive and disseminate information in their languages to the national minorities, as well as to deepen the processes of democratisation, international co-operation and tolerance in the society, the state assists in development and renders material support to the mass media of the national minorities, allots broadcasting time on the state TV- channels and radio stations, and issues literature in national minorities' languages.

According to the legislation in force, national minorities have the right to establish their own mass media and receive a licence for their functioning. Article 8 "National minorities' rights in the sphere of culture" of Ukraine's basic laws on culture declares that citizens of any nationality have the right to "establish mass media and publishing houses".

The right to use national minorities' languages in the mass media (radio, TV, press) is specified by Article 6 of Ukraine's Law "On national minorities in Ukraine" and by Article 33, Part 4 of Ukraine's Law "On languages in Ukraine": "Other nationalities' languages also may be the languages of official mass media".

The State Committee on information policy of Ukraine and State Committee on radio and television of Ukraine are charged with providing the minorities with information.

The programme of activities of the Cabinet of Ministers of Ukraine for 1999 provides that "the programmes transmitted by the Oblast TV and radio broadcasting corporations in national minorities languages be a subject of improvement."

Every year the special programmes for national minorities and in their languages are transmitted during 1,229 hours on TV and 1,988 hours on radio. Almost two thirds of the whole amount of broadcasting time on the TV and radio channels are occupied by transmissions and films in Russian; the Jewish "Yahad" ("Together") programme is transmitted through the all-national TV channel during 5 years, Jewish programmes are also transmitted by the regional TV and radio broadcasting corporations in Chernivtsi, Lviv, Donetsk, Sevastopol and some other cities of Ukraine; annual amount of TV programmes in German in the Autonomous Republic of Crimea covers 32 hours; radio-broadcasting - 48 hours; the "Yednist" transmission is issued by the Zhytomyr Oblast radio one time per month in Polish, and the "Chervona kalyna" TV programme - by the oblast TV channel; the everyday TV and radio programmes are transmitted in Zakarpattia Oblast in Hungarian, and the V and radio programmes are received from Hungary on the whole territory of the Oblast. In the Chernivtsi oblast where ethnic Romanians are residing in a compact manner (10.7 per cent of region's population), more than 30 per cent of the total volume of the Oblast state TV corporation's and 25 per cent of the Oblast radio corporation's broad casting time is in Romanian.

In Ukraine's regions, where considerable groups of the national minorities representatives reside in a compact manner; specialised editorial boards have been established on the basis of state TV and radio corporations and permanently function in national minorities' languages. So, the "Krym" State TV and radio corporation prepares and issues transmissions in German, Armenian, Crimean - Tatar, and Russian. Total amount - 1,154 hours per year. The Zakarpattia Oblast state TV and radio and broadcasting in Hungarian, Romanian, and German; the Odessa one - in Romanian, Bulgarian, and Gagauz; the Chernivtsi one - in Romanian and Jewish; and the Zhytomyr one - in Polish. All the Oblast state TV and radio broadcasting corporations prepare sufficient numbers of programmes in Russian.

The first inter-regional festival of TV and radio programmes of national minorities took place in 1998 in the town of Izmail (Odesa Oblast). The representatives of the Gypsy, Romanian, Polish, Azerbaidjanian, Armenian, Czech, and Moldavan national minorities took part in the festival.

As of 1 January 1998, more than 1.3 thousand newspapers in Russian and about 95 newspapers (in 1995 - 48 newspapers) in other national minorities' languages satisfy information requirements of national minorities (see Supplement).

Among them: the newspaper of the Association of Jewish organisations and communities of Ukraine "Khadashot. Novosti" (Kyiv), Jewish information review "Bensiakh. Sobesednik" (Kharkiv), Jewish popular newspaper "Vozrozhdenie-91" (Kyiv), newspaper of the Jewish council of Bukovina "Chernovitskiie listki", Belorussian newspaper "Bilorus Galychyny", Polish "Gazeta Lvuvska", Tatar newspapers "Salam" and "Minaret", German "Deutschekanal", magazines (in Romanian) "Arkaciul", "Plai Romanesc" and others. Magazines are also issued in Hungarian.

According to the Law of Ukraine "On state support of mass media and social protection of journalists": "The State renders address help to the mass media which purposefully promote development of languages and cultures of national minorities in Ukraine".

As an addition to the parliamentary newspaper "Holos Ukrainy", 6 newspapers are issued for national minorities, particularly, "Rodan Krai" (for Bulgarians), "Dziennik Kijowski" (for the Poles), "Yevreiskiiie vesti" (for Jews), "Aragats" (for Armenians), "Concordia" (for Romanians), "Golos Kryma" (for Crimean Tatars). "Holos Ukrainy" finances 50 per cent of expenses for maintaining and issuing these supplements and provides logistics for the process of edition. In the places of national minorities' compact residence, in particular, in Zakarpattia, Odessa and Chernivtsi Oblasts, the local authorities issue district newspapers in Romanian and Hungarian.

## Article 10

- 1. The Parties undertake to recognise the right of each person, belonging to a national minority, to use freely and without any restrictions their minority's language, privately or publicly, orally or in writing.**
- 2. In localities where the persons belonging to national minorities traditionally reside or compose a significant part of population, on such persons' request, provided that such a request meets real demands, the Parties intend to ensure, as much as possible, the conditions which allow using the corresponding minority's language in such persons' contacts with each other and with administrative authorities.**
- 3. The parties undertake to guarantee each person, belonging to a national minority, first the right of being immediately informed, by means of an understandable language, about the grounds of his (her) arrest, about the nature and reasons of any claim against his (her), and second, the right to defend himself (herself) in this language with the use, if necessary, of free interpreter's service.**

### Paragraph 1

According to Article 92 of the Constitution of Ukraine, order of using the languages is determined exclusively by the laws of Ukraine.

The right of free use of national minorities' languages is declared in the Constitution of Ukraine: "In Ukraine, the free development, use and protection of Russian, and other languages of national minorities of Ukraine, is guaranteed" (Article 10); the right to receive

instruction in the native language or to study it is guaranteed too (Article 53); and any privileges or restrictions based on linguistic characteristics are prohibited (Article 24).

Article 53 of the Constitution of Ukraine and Article 6 of the Law of Ukraine “On national minorities in Ukraine” guarantee the citizens who belong to national minorities the right to receive instruction in their native language, or to study their native language in state and communal educational establishments and through national cultural societies.

#### Paragraph 2

A number of Ukraine's laws declares national minorities' right to use their native language along with Ukrainian in social and public life.

Article 8 of Ukraine's Law “On national minorities in Ukraine” establishes that” in the work of state authorities, public associations, as well as enterprises, institutions and organisations, situated in the places where the majority of population is formed by a national minority, its language may be used along with the state Ukrainian language”. This norm is specified also in Article 3 of the Law “On languages in Ukraine”.

#### Paragraph 3

According to Article 18 of the Law “On languages in Ukraine”, the national minorities' languages may be used in legal proceedings: “legal proceedings may be conducted in the national language of the major part of people residing in one or another locality, and in cases mentioned in the part 3 of the same Article, - in the language, acceptable for the population of this locality. When conducting criminal/civil legal proceedings, persons who take part in proceedings and do not know the language thereof, enjoy the right to familiarise themselves with the material of the case, to take part in legal proceedings with help of an interpreter, and to appear for the defence in the court in their native language. Investigation/court documents are given to persons, taking part in legal proceedings, on their request in translation into their native language or another language which they know”.

#### Article 11

**1. The Parties undertake to recognise the right of each person belonging to a national minority to use his (her) surname (patronymic) and first names in the minority language, as well as the right to official recognition of them under the conditions, provision for which was made by their legal systems.**

**2. The Parties undertake to recognise the right of each person, belonging to a national minority, to display in his or her minority language signs, inscriptions and other information of a private nature visible to the public.**

**3. In areas traditionally inhabited by substantial numbers of persons belonging to a national minority, or where they form a considerable part of population, the Parties shall endeavour, in the framework of their legal system, including, where necessary, agreements with other States, and taking into account their specific conditions, to display traditional local names, street names and other topographical indications intended for the public also in the minority language when there is a sufficient demand for such indications.**

### Paragraph 1

The right to use one's surname and first name in the minority language is contained in Article 12 of the Law of Ukraine “On national minorities in Ukraine”: “Each citizen of Ukraine has the right to use his (her) national surname, first name and patronymic. The citizens have the right of renewing, in the established order, their national surname, first name and patronymic.”

According to Article 39 of the Law “On languages in Ukraine”, the citizens enjoy the right to be named according to national traditions. Their names are spelled in Ukrainian by means of the transcription.

According to the legislation in force, only the first name and surname are inscribed in the documents of the representatives of national minorities which do not have traditionally the patronymics.

### Paragraph 2, 3

The right to inscribe the toponyms, sign-boards, legends and other information in the national minority's language is guaranteed by Articles 35 and 38 of the Law “On languages in Ukraine” where it was mentioned that, along with the Ukrainian, “the toponyms may also be reproduced by means of the national language spoken by the majority of population in one or another locality” (Article 38), and in announcements “along with the text in Ukrainian, its translation into another one may be placed” (Article 35).

According to Article 26 of the Law of Ukraine “On local self-government in Ukraine”, “decision, taken in compliance with the law, on the language (languages) used by the Rada and its executive body, as well as in official announcements,” is under the exclusive competence of village, settlement or town Radas.

Beginning from 1990s, the process has been developed in Ukraine on giving the historical names back to settlements in places of national minorities' compact residence. Decisions about this are taken by the executive bodies and local self-government. Till now, more than 30 settlements in Zakarpattia and Chernivtsi Oblasts have received their historical national names; such work is also done in other Ukrainian Oblasts.

### Article 12

**1. The Parties, if necessary, shall take measures in the areas of education and scientific research in order to promote studying the culture, history, language and religion of their national minorities and major part of the population.**

**2. In this connection, the Parties, besides, shall guarantee proper conditions for training the teachers and access to training appliances, as well as promote contacts between pupils and teachers belonging to different communities.**

**3. The Parties undertake to give persons belonging to national minorities equal opportunities for access to education on all the levels.**



### Paragraph 1

The right of national minorities to learn in their native language is proclaimed in the Declaration of the rights of nationalities in Ukraine, and secured in the laws of Ukraine “On national minorities in Ukraine”, “On languages in Ukraine”, “On education”, and Main laws of Ukraine on culture. Exercise of this right is done in accordance with the “ State Programme of revival and development of national minorities' education till 2000”.

The Programme of activities of the Cabinet of Ministers of Ukraine for 1999 stipulates as follows: "to farther develop the net of state teaching and educational, and Sunday schools, where teaching and education are carried out in national minorities' languages, in conformity with the ethnic composition of population in the regions."

The Enactment of the Cabinet of Ministers of Ukraine of 1 March 1999 approved the Comprehensive measures on development of national minorities' culture for the period to 2001. The main goal of these measures is to create proper conditions for preservation and development of national minorities' culture in Ukraine, particularly scientific research on problems of satisfying the ethnocultural needs of ethnic communities, training the staff, opening the cultural centres, holding the cultural/educational meetings, and developing the mass media (see Supplement).

Courses of local lore, history of native land, history of Hungarian, Romanian, Slovak, and Moldavan peoples are taught in schools providing general education.

### Paragraphs 2, 3

Persons who belong to national minorities have the same opportunities for access to education on all the levels as the ethnic majority has. The Law of Ukraine “On education” (Article 3) declares: “The citizens of Ukraine have the right to free education in all the state schools irrespective of the sex, race, nationality, social or property condition, kind and character of activity, world outlook, membership of a party, attitude to religion, faith, state of health, residence or other circumstances”.

At the same time, Ukraine creates the conditions for satisfying specific cultural/educational needs of national minorities. Especially, it was stated in Article 7 of the Law of Ukraine “On national minorities in Ukraine” that “the state takes measures for training the pedagogical, cultural/educational and other national personnel through a net of educational institutions. The state bodies promote national minorities in training the specialists in other countries on the base of inter-state agreements”.

The Programme of activity of the Cabinet of Ministers of Ukraine for 1999 envisages that one needs “to expand training of highly qualified personnel being of national minorities' origin with due account of concrete needs of minorities' ethnocultural development”.

In order to satisfy cultural/educational needs of pupils being of national minorities' origin on the base of the annual State Programme of issuing literature in national minorities' languages, about 170 official editions, text-books and manuals, as well as phrase-books, were issued in 19 languages of ethnic communities. Particularly, text-books or manuals of 26 titles were issued for pupils of the 1st and 2nd forms in Polish, Romanian, German, and Hungarian. In

common with the Hungarian and Romanian sides, manuals on history of Hungarian and Romanian peoples have been published.

The state organises and finances training of the pedagogical staff for schools where teaching is done in national minorities' languages. Such specialists are trained in 15 higher schools of the country: in the Ternopil State Pedagogical Institute at the faculty of philology - specialists on Polish language and literature; in Zakarpattia Pedagogical Institute (town of Beregove) - pedagogical staff for educational institutions where teaching is done in Hungarian, in Lviv State University named after I. Franko - teachers of Polish language; in Izmail Pedagogical Institute - teachers of Bulgarian and Moldavian languages; in Uzhhorod State University - teachers of Slovak, Hungarian and Roumanian; in Volyn State University named after Lesia Ukrainka - teachers of Polish; in Zhytomyr Pedagogical Institute - teachers of Polish; in Mariupol Humanitarian Institute - teachers of new Greek language and literature; in Cherkassy State University - teachers of Russian language and literature; in Chemivtsi State University - teachers from schools with teaching in Romanian; in Chemivtsi High Pedagogical School - specialists in Romanian; in Prykarpattia State University - specialists on Slav philology; Mukacheve Pedagogical School - teachers from elementary school and educators from pre-school institutions where teaching is done in Romanian and Hungarian.

In addition, the specialists for Ukraine's ethnic minorities' educational institutions are trained in private educational institutions, such as the International Solomon's University and Kyiv Institute named "Slav University". International ties are developing in the field of education, particularly with the neighbouring countries. So, on the basis of the agreement between the Ministries of Education of Ukraine and Romania in 1997 to 1998 and 1998 to 1999 school years, the numbers of persons admitted to educational institutions of both countries every year on the basis of mutuality are as follows: to 20 persons - for secondary education (including professional training); to 50 persons- for higher education; to 3 persons - for post-graduate studentship; to 40 persons - for receiving the student allowances for work on probation during 3 to 4 months each. Similar agreements were signed with several other countries.

The system of improving the professional skills of the teachers from the schools providing general education for national minorities has been created. So, in the Zakarpattia Oblast the teachers of such schools are involved in training and education, as well as in improving their professional skills of pedagogical staff Teachers and scientists from Romania, Hungary and Slovakia are invited to deliver lectures. Also, on the basis of inter-state agreements with ministries of education of Hungary, Moldova, Poland and Romania, teachers from the schools of general education, specialists from institutions of higher education, and educators from pre-school educational institutions improve their professional skills in educational institutions of these countries.

### **Article 13**

**1. Within the framework of their educational systems, the Parties shall recognise the right of persons belonging to national minorities to establish their own private educational / training institutions and to direct them.**

**2. Exercise of this right does not impose any financial obligations on the Parties.**

## Paragraph 1

The right to establish own private institutions has been stipulated by the draft Law “On changes and additions to the Law of Ukraine “ On national minorities in Ukraine” (Article 7), presented for consideration of the Verkhovna Rada of Ukraine. At the same time, first steps in this direction have been already done: there exist the International Solomon's University, Kyiv Institute named “Slav University” and Zakarpattia Pedagogical Institute in the town of Beregove and private higher schools in Ukraine.

## Article 14

**1. The Parties shall be obliged to recognise that every person who belongs to national minority has the right to study the language of own minority.**

**2. If the localities where the persons who being to the national minorities traditionally reside or where they constitute a considerable part of population, in case of sufficient necessity the Parties try to provide, if possible and within the framework of their educational systems, for the persons who belong to these minorities, the proper conditions for teaching the language of the relevant minority or education in this language.**

**3. Paragraph 2 of this Article is used without prejudice to study official language or this language.**

## Paragraphs 1, 2

Article 52 of the Constitution of Ukraine declares the right to receive instruction in the native language. “Citizens who belong to national minority are guaranteed in accordance with the law the right to receive instruction in their native language, or to study their native language in state and communal educational establishments and through national cultural societies”. This right is also fixed by the above-mentioned article 6 of Ukraine' s Law “On national minorities in Ukraine” (information to Paragraph 1 of Article 5 of Framework convention) and article 25 of the Law “On languages in Ukraine”: Ukraine “guarantees the right to education and to receive instruction in the native language to every child. This right is ensured by creation of the network of pre-school educational establishments and schools with education and teaching in Ukrainian and other national languages”.

Ukraine's citizens regardless of sex, racial, national belonging, social and property status, place of residence, etc, have the right to education. Besides, Ukraine's citizens who belong to national minorities have the possibilities to satisfy their national educational and cultural needs, namely - in Ukraine there are schools with native language of education, bilingual schools (Ukrainian - Russian, Ukrainian - Romanian, Ukrainian - Hungarian, Ukrainian - Slovakian, etc.) and also schools the curriculum of which envisages to study as the subjects of native language, literature, culture, folk traditions of national minorities. According to the national composition of the population of the regions, the planned process of increasing the number of the educational establishments with Ukrainian language of teaching and education takes place in the system of education, which guarantees the right of citizens of the different nationalities to become proficient in state language.

According to the data of Ukraine's State Committee on Statistics, to realise the right of Ukraine's citizens to education in 1998/1999 in Ukraine there are 21.246 educational establishments of general education, including with Ukrainian language of teaching 16.032 (4.421.265 pupils), Russian - 2.561 (2.313.901 pupils), Romanian - 108 (27.776 pupils), Moldavian - 18 (4.509 pupils), Hungarian - 65 (21.214 pupils), Crimean - Tatar - 6 (4.071 pupils), Polish - 3 (1.109 pupils).

Besides, there are 2.469 mixed educational establishments of general education, in particular 2.394 - Ukrainian - Russian, 28 - Ukrainian - Hungarian, 7 - Ukrainian - Romanian, 9 - Russian - Romanian, etc. In 90 % of establishments of general education the Russian language is studied as a subject. At the same time Crimean - Tatar language as a subject is studied by 38.146, Hungarian - 2.484, Polish - 1.489, Romanian - 1.433, Hebrew - 1.246, Bulgarian - 13.893, modern Greek - 650, Gagauzian - 788.

The following languages are being studied optionally: Crimean - Tatar, Hungarian, Polish, Romanian, Turkish, Hebrew, Bulgarian, Gagauzian, modern Greek, Slovakian, Czech, German.

Article 26 of the Law "On languages in Ukraine" declares: "Children's pre-school institutions where education is performed in their national or other language may be established in the localities of compact residence of citizens of other nationalities". Under article 27 of this Law "Schools of general education, teaching and educational work in which is performed in their national or other language may be established in the localities of compact residence of citizens of other nationalities". In these localities "schools of general education may have separate classes in which teaching and educational work is performed in Ukrainian language or in language of population of other nationality, respectively".

Ukraine's Law "On local self-government in Ukraine" (Article 32) determines, that "securing the accessible and free of charge education and medical service in the relevant territory within the limits of the given authorities, possibility of education at schools in state and native languages, studying the native language in state and communal educational establishments or through the national and cultural societies" belongs to the competence of the executive bodies of village, settlement, town councils.

## **Article 15**

**Parties shall create required conditions for the effective participation of the persons who belong to national minorities, in cultural, social and economic life and in state affairs, in particular those which them concern.**

Article 9 of Ukraine's Law "On national minorities in Ukraine" declares: "Ukraine's citizens who belong to national minorities, have the right, respectively, to be elected or assigned at equal principles at any positions to the bodies of legislative, executive, judicial power, local and regional self-government, in the Army, at enterprises, in establishments and organisations".

As of January 1, 1998 in the composition of 412 National Deputies of Verkhovna Rada of Ukraine there were 97 representatives of national minorities (23.5 % of National Deputies), including: 78 Russians, 6 Jews, 2 Belorussians, 2 Bulgarians, 2 Poles as well as Adygei, Karaites, Moldavian, German, Romanian, Hungarian, Chuvash.

Article 5 of Ukraine's Law "On national minorities in Ukraine" provides for taking into consideration of the interests and needs of national minorities by the legislative and executive power, by bodies of local self-government through the permanently acting commissions on international relations and deliberate bodies from the representatives of national minorities. In particular, such deliberate body as Council of the representatives of public associations of national minorities - is functioning at the State Committee of Ukraine on nationalities and migration - central body of the state executive power in the sphere of settlement of interethnic relations.

The Council activity aim is to further the development of draft laws and other normative acts on international relations and development of cultures, languages and traditions of national minorities, rendering organisational and practical assistance to the public organisations of national minorities at the places of their residence, participation in holding conferences, meetings, seminars and other measures which contribute to the spiritual regeneration of national minorities. Similar deliberate bodies exist at places of compact settling of national minorities at the local authorities.

Ukraine's Cabinet of Ministers activity programme for 1999 envisages: "to increase the role of consultative - advisory bodies of public associations of national minorities in settling by executive power bodies and local self-government authorities of the issues concerning the protection of rights and satisfaction of legal interests of national minorities".

Meetings of heads of associations of national minorities with the President of Ukraine regularly take place, at which the state of satisfaction of needs of national minorities, ways of their solutions are being discussed. According to these meetings the President gives the relevant instructions to Ukraine's Government.

The Verkhovna Rada of Ukraine, in particular its Committee on human rights, national minorities and inter-national relations; Administration of the President of Ukraine, Cabinet of Ministers of Ukraine (Administration on science and humanitarian development); State Committee of Ukraine on nationalities and migration as well as its subdivisions at the places; administrations of a number of ministries of Ukraine within the limits of their competence devote great attention to the issues of participation of national minorities in cultural, social and economic life of the country.

Ukraine's state authorities take measures as to return the deported during the years of the Second World war Crimean Tatars, persons from the number of other national minorities at places of their previous residence, in particular to Crimea, providing for their participation in economic, social, cultural life of the country. At present more than 250 thousand Crimean Tatars and about 12 thousand Armenians, Bulgarians, Greeks and Germans returned and reside in the Crimea, All the costs related to the return and settlement of the forcibly displaced Crimean Tatars and persons of other nationalities were taken by Ukraine.

The return and settlement of the forcibly displaced persons is being realised on the basis of a number of the resolutions and programmes adopted by the Cabinet of Ministers of Ukraine as well as by the Government of the Autonomous Republic of the Crimea. The central body in the settlement of the issues of the return and settlement of the forcibly displaced persons is the State Committee of Ukraine on nationalities and migration and in the Autonomous Republic of the Crimea - Republican Committee on nationalities and forcibly displaced citizens. The Republican Commission on the forcibly displaced nations of the Crimea, Intergovernmental Ukrainian - German Commission on the forcibly displaced Germans who return to Ukraine

(the Ukrainian part of the latter is permanently acting body) have been set up to solve the problems of interdepartmental and international nature existing in this sphere. Special subdivisions of the Verkhovna Rada and the Government of the Autonomous Republic of the Crimea perform the concrete work in the Crimea.

The resolution of the Cabinet of Ministers of Ukraine "On measures concerning the settlement of political and legal, social and economic and ethnic problems in the Autonomous Republic of the Crimea" of August 11, 1995 has become an important document which intensified the activities of the state authorities and was the basis of the programmes of the concrete actions as to ensuring the repatriation of the previously forcibly displaced persons to their historical motherland. On the basis of this document on 18 March 1996 the Programme of top priority measures as to settling in a new place and settlement of the forcibly displaced Crimean Tatars and persons of other nationalities who returned and reside in the Autonomous Republic of the Crimea. The programme was devoted to the solution of the urgent vital needs of the forcibly displaced Crimean Tatars and persons of other nationalities - to ensure dwelling-houses, establishments of social and everyday purpose and engineering communications.

At the same time it should be recognized that the situation with the settlement of the forcibly displaced persons remain rather complicated. In spite of Ukraine's efforts as to the solution of the pressing social problems of the forcibly displaced persons, at present only 128 thousand persons (51%) have an adequate dwelling, the volumes of financing the social and cultural sphere do not correspond to the needs; engineering and technical equipment of the territories is insufficient. The above-stated problems placed Ukraine before the necessity to search the sources of financing alternative to the State Committee on nationalities and migration takes measures to involve the CIS member - countries, other foreign states, international organizations and funds in solution of the problems of the forcibly displaced persons.

The Programme of the Cabinet of Ministers' activities for 1999 envisages "to finance the measures related to the return and settlement of the forcibly displaced persons who returned to Ukraine, and to continue the search of the alternative sources of financing with attraction of international financial assistance. To initiate signing the bilateral agreements between the Government of Ukraine and governments of the CIS member countries on co-operation in contribution to voluntary return to Ukraine of the forcibly displaced persons".

Much attention is given to the revival and development of education and culture of previously deported Crimean Tatars. Thus, it is already today in the Autonomous Republic of the Crimea there are 7 schools with the Crimean - Tatar language of teaching, the quantity of Sunday - schools and optional subjects to study Bulgarian, German, Armenian and Greek languages is being increased. They are functioning almost in every district centre of the autonomy.

Complex solution of the issues of ensuring the cultural and educational needs of deported persons formed the basis of the draft of the state programme of adaptation and integration into Ukrainian society of deported Crimean Tatars and persons of other nationalities, revival and development of their culture and education. Recently this project has been submitted to be approved by the Verkhovna Rada of Ukraine.

Under the legislation in force, foreigners and expatriates who stay in Ukraine, have no right to take part in elections and referenda.

## Article 16

**Parties shall refrain from taking measures which change the proportional composition of population in localities where persons reside who belong to national minorities, and aimed at restrictions of rights and freedoms that follow from principles declared in this Framework convention.**

Ukraine does not take measures aimed at restrictions of rights and freedoms of national minorities. Under Article 22 of the Constitution of Ukraine "the content and scope of existing rights and freedoms shall not be diminished in the adoption of new laws or in the amendment of laws that are in force".

Also, the measures which change the proportional composition of the population in localities where the persons reside who belong to national minorities shall not be taken. The exception is only the measures related to the repatriation of previously deported persons to the places of their former residence (more detailed information see Article 15).

Article 10 of Ukraine' s Law "On national minorities in Ukraine" declares: "State guarantees to the national minorities the right to preserve vital environment at the places of their historic and current settling. The issues on the return to the territory of Ukraine of the deported nations shall be solved by the relevant legislative acts and treaties of Ukraine with other states".

The Law "On local self - government in Ukraine" was adopted in Ukraine in 1997. This Law determined the system and guarantees of local self- government, principles of organisation and activity of its bodies. Under Article 3 of this Law "any restrictions of the right of Ukraine's citizens to take part in local self - government depending on their race, colour of skin, political, religious and other convictions, sex, ethnic and social origin, property status, term of residence on the relevant territory, on language or other signs shall be prohibited".

According to this Law the local state administrations have the authorities concerning preparation and submission for consideration of the local councils of the draft programmes of social and economic and cultural development of the relevant districts and Oblasts, purpose-oriented programmes on other issues and in the places of compact residence of national minorities - programmes of their national development.

## Article 17

**1. Parties shall be obliged not to prevent the realisation of the right of the persons who belong to national minorities, to establish and maintain free and peaceful transfrontier contacts with persons who on the legal principles stay in other states, in particular, with those persons with which they are united by common ethnic, cultural, language or religious features or common cultural heritage.**

**2. Parties shall be obliged not to prevent the realisation of the right of the persons who belong to national minorities to take part in activity of non-governmental organisations both at national and international levels.**

### Paragraph 1

The Ukrainian legislation guarantees the right as to free transfrontier contacts of national minorities with persons with whom they are united by common ethnic, cultural, language or religious features or cultural heritage.

Under Article 15 of Ukraine's Law "On national minorities in Ukraine" "citizens who belong to national minorities, national public associations have the right in the order established in Ukraine to freely establish and maintain relations with the persons of their nationality and their public associations outside Ukraine, to obtain assistance from them for satisfaction of language, cultural, spiritual needs, to take part in activity of international non-governmental organisations".

These rights are realised in practice. For instance, Chernivtsi Oblast state administration established contacts of national minorities with ethnic motherlands, international co-operation of scientific, educational establishments, artistic collectives. Close relations were established with Suchava and Botoshansk districts of Romania with which the protocols on economic and cultural co-operation were signed. The contacts established by the Chernivtsi Oblast administration with Austrian federal land Karantia and Shwabiz district in Germany contribute to the solution of the problem of German population. Contacts were established with Polish provinces.

### Paragraph 2

Ukraine does not prevent realisation of the right of persons who belong to national minorities, to take part in the activity of non-governmental organisations both at national and at international levels. At national level the following non-governmental organisations function: All-Ukrainian Jewish Congress which unites about 160 Jewish organisations and communities; United Jewish community of Ukraine (292 organisations and communities); Jewish confederation of Ukraine (about 300 Jewish organisations and communities); Association of national societies and communities of the Crimea (15 organisations); Confederation of national and cultural societies of Western Ukraine (about 10 organisations), etc. At international level All-Ukrainian Jewish Congress takes part in activity of the World Jewish Congress, Christian-democratic alliance of Rumanians in Ukraine is a member of Federal union of national minorities of Europe (FUEV).

### Article 18

**1. In case of necessity. Parties shall try to conclude bilateral agreements with other states, in particular, neighbouring ones, aimed at ensuring the protection of the persons who belong to relevant national minorities.**

**2. In case of necessity. Parties shall take measures to encourage the transfrontier co-operation.**

**Ukraine's Law "On national minorities" (Article 17) declared that "Ukraine contributes to the development of international co-operation in securing and protection of the rights and interests of national minorities, in particular, by means of conclusion and realisation of multilateral and bilateral treaties in this sphere".**



Guarantees of rights' protection of national minorities take an important place in interstate agreements of Ukraine, the relevant articles of which were developed taking into account the main requirements of the Framework convention (interstate treaties with the Russian Federation, Romania, Agreement between Ukraine and FRG on co-operation on matters of the persons of German origin who reside in Ukraine). In particular, in the first part of Article 13 of the Treaty on good-neighbourly relations and co-operation between Ukraine and Romania, the Framework convention was mentioned the first among the international documents, norms and standards which will be observed by the Parties in protection of Ukrainian minority in Romania and Romanian minority in Ukraine. The activities of bilateral commissions have become an important element of Ukraine's international co-operation (Mixed Ukrainian - Hungarian commission on protection of the rights of national minorities of the rights of national minorities. Intergovernmental Ukrainian - Slovak commission on national minorities, education and culture; Mixed intergovernmental Ukrainian - Romanian commission on securing the rights of national minorities).

Ukraine's State Committee on nationalities and migration has concluded the agreements on co-operation on the issues of inter-national relations and protection of national minorities with the relevant governmental structures of the Republic of Moldova, Lithuanian Republic and Russian Federation.

#### **Article 19**

**1. The Parties shall be obliged to respect and realise principles declared in this Framework convention, in case of necessity, going into only such restrictions or deviations from obligations which were envisaged by international legal documents, in particular, by the Convention for the Protection of Human Rights and Fundamental Freedoms, which may be applied to the rights and freedoms that follow from the above-mentioned principles.**

Ukraine has ratified the Framework convention without reservations. In such a case Ukraine's national legislation did not envisage the deviations and restrictions concerning the obligations envisaged in this international document.

#### **Articles 20, 21**

**Article 20. While realising the rights and freedoms which follow from the principles declared in this Framework convention, any person who belongs to national minority, respects the national legislation and rights of other persons, in particular those who make up the majority of population or belong to other national minorities.**

**Article 21. Noting in this Framework convention can be interpreted as such that envisages any right to be engaged in any activity or to realise any actions which contradict the main principles of the international law and, in particular, principles of sovereign equality, territorial integrity and political independence in states.**

Article 2 of Ukraine's Law "On national minorities in Ukraine" declared: "Ukraine's citizens of all nationalities are obliged to observe the Constitution and laws of Ukraine, to defend its state sovereignty and territorial integrity, to respect languages, cultures, traditions, customs, religious originality of the Ukrainian people and all national minorities".

**Article 30**

- 1. Any state during signing or depositing its instrument of ratification or its document on acceptance, approval or accession, may determine the territory (territories), for international relations of which it bears the responsibility and to which this Framework convention shall be applied.**
- 2. Any state may at any other time after this by the application addressed to Secretary - General of the Council of Europe to spread the action of this Framework convention on any; other territory determined in this application. As to such territory the Framework convention shall enter into force in the first day of the month which comes after termination of three-month period from the date of receipt of such application by the Secretary - General.**
- 3. Any application made according to the two previous items, as to any territory determined in this application, may be recalled by means of forwarding notification addressed to the Secretary - General. The recall shall enter into force in the first day of the month that comes after termination of three-month period from the date of receipt of such notification by the Secretary - General.**

The Framework convention provisions shall be applied to the whole territory of Ukraine