

Ukraine's Quest for Mature Nation Statehood

Roundtable XVI: Ukraine and the National Minorities Question

1 October 2015

Theme: A Special Look at the Ukrainian Minority in the Russian Federation

I wish to thank the organizers of this conference for the opportunity to present the situation of the Ukrainian minority in the Russian Federation, which is in stark contrast to the state of national minorities in Ukraine. Although the Ukrainian minority in the Russian Federation has never enjoyed the fundamental freedoms and human rights afforded the Russian minority in Ukraine, the situation has significantly deteriorated since the illegal occupation of Crimea by Russian forces in March 2014 and the subsequent invasion of Eastern Ukraine by Russia-backed terrorists and Russian military forces.

Historically, Ukrainians settled in the Russian Federation either by force or by need.

According to unofficial statistics, there are over 10 million Ukrainians living in the Russian Federation, which makes it the largest Ukrainian diaspora in any country in the world.

As for the official numbers, according to the 2010 census in the Russian Federation, over 1.9 million citizens identified themselves as Ukrainians compared to over 2.9 million according to the 2002 census. Ukrainians make up the third largest ethnic group following ethnic Russians and Tatars.

The decline of over one million Ukrainians in only eight years is testimony to forced assimilation by the Russian authorities and the fact that numerous Ukrainians hid their nationality for fear of reprisals. This tendency increased following the Orange Revolution in 2004 when a fierce information campaign was launched and denigration of the Ukrainian people became commonplace in the media.

According to the statistics of Ukraine's Ministry of Foreign Affairs pertaining to the 2013-2014 school year:

- a) there were 1,275 schools in Ukraine with Russian as the language of instruction but not even one school in the Russian Federation with Ukrainian as the language of instruction (according to the Russian Ministry of Foreign Affairs there were eight schools with Ukrainian language classes in the Russian Federation);

- b) in Ukraine 1.2 million students were learning the Russian language as a school subject, whereas in the Russian Federation only 75 students were learning Ukrainian as a school subject.

In 2014, there were about 30 Ukrainian Sunday schools organized by Ukrainian communities in the Russian Federation.

Regarding access to information, Ukraine's Ministry of Foreign Affairs indicates that over 2,300 newspapers publishing exclusively in the Russian language and about 3,600 in Russian and another language are registered in Ukraine, whereas there are only seven regional newspapers and inserts in local newspapers in Ukrainian in the Russian Federation.

As for the situation of Ukrainian churches in the Russian Federation, I would like to highlight one concrete example of the modern day persecution of the Ukrainian Church in the Russian Federation that was recently reported to the Ukrainian World Congress. Metropolitan Adrian Staryna of the Ukrainian Orthodox Church of the Kyiv Patriarchate was publicly slandered on flyers hung up around the city of Noginsk, where he resides, asserting that this "*batiushka*" belongs to a false church and does not consider it a sin to kill those who live in the Donbas and Moscow. Subsequently, the flyer incites fear in the residents of Podmoskovie and Noginsk, claiming they should beware of what to expect from him. Such provocation is obviously meant to intimidate Metropolitan Adrian and puts him at risk.

The freedoms of speech and assembly, including organized community life, have also been severely curtailed.

For instance, in 2011 and 2012, Russian authorities liquidated the two most prominent Ukrainian NGOs in the Russian Federation, namely:

- a) the Union of Ukrainians in Russia, a national umbrella organization that was formed in 1992; and
- b) the Federal National Cultural Autonomy of Ukrainians of Russia formed in 1998.

The conduct of Russian authorities during this liquidation process demonstrated that they were politically motivated by the desire to undermine any meaningful activities of the Ukrainian national

minority and to effectively impede the preservation of the Ukrainian culture in the Russian Federation.

In May 2012, a general assembly held in Moscow by Ukrainian community organizations resolved to establish a new national organization under the name “*Ukrainian Congress of Russia*.” However, all attempts to register this NGO were denied by Russian authorities.

Another casualty of the persecution of the Ukrainian minority in the Russian Federation by the authorities was the Library of Ukrainian Literature in Moscow. On 21 December 2010, officials from the Russian Interior Ministry Anti-Extremism Department seized over fifty books containing the word “*nationalism*” from the library in order to conduct psycho-linguistic tests on them. Three days later, on 24 December 2010, when many in the Western world were celebrating Christmas (a time of year often taken advantage of by authoritarian regimes to act with impunity), a second search for so-called extremist materials was conducted and Russian authorities confiscated computer hard disks and readers’ membership cards and then arbitrarily closed the library. The Ukrainian World Congress brought this issue to the forefront and, after some international pressure, the library was reopened.

In 2015, Russian authorities created a “*patriotic stop list*” that aims to ban the activities of “unwelcome” foreign NGOs in the Russian Federation, including the Ukrainian World Congress. Also included on the preliminary “*patriotic stop list*”, prepared by the Upper House of the Russian Duma and submitted for further examination by the Prosecutor General’s Office, Ministry of Foreign Affairs and Ministry of Justice of the Russian Federation, were prominent organizations including Freedom House, Open Society Institute, National Endowment for Democracy, National Democratic Institute for International Affairs, International Republican Institute and East European Democratic Center.

One obvious reason to target the Ukrainian World Congress, the international coordinating body for Ukrainian communities in the diaspora with member organizations and contacts in 48 countries in the world, is to cut off the Ukrainian minority in the Russian Federation from the rest of the Ukrainian diaspora and Ukraine, as participation in the activities of an “*unwelcome*” organization on the “*patriotic stop list*” could lead to criminal prosecution, fines and even imprisonment of up to six years.

The forceful and illegal occupation by the Russian Federation of Crimea and the invasion by Russian military forces of Eastern Ukraine has resulted in more brazen violations

of the fundamental civil, political and human rights and freedoms of Ukrainians and all residents of the Crimean peninsula and the territories in Eastern Ukraine under Russian occupation.

As documented in a report entitled Human Rights Abuses in Russian-occupied Crimea by Andriy Klymenko and published by The Atlantic Council and Freedom House, these violations include the imposition of Russian citizenship or residency permits on Ukrainian citizens, restrictions on freedom of speech and assembly, the takeover of private and Ukrainian state property, clampdowns on independent media outlets, persecution of occupation critics and proponents of Ukrainian unity, and harassment of religious and ethnic groups perceived as disloyal to the new Russian order.

All major Ukrainian TV and radio stations were shut down, Ukrainian internet service providers replaced and journalists subjected to an ongoing campaign of harassment, violence and threats.

Today, challenging Crimea's status as part of the Russian Federation or supporting its return to Ukraine - in the media, on social networks, or in a public place - is a crime punishable by fines corresponding to two years of the convicted person's wages and imprisonment of up to five years.

Moreover, of the 600 schools in Crimea that offered instruction fully in Ukrainian - not even one remains, and only twenty have separate Ukrainian classes.

The current invasion of Ukraine by the Russian Federation has also resulted in the persecution and incarceration of contemporary political prisoners.

In May 2014, Ukrainian citizens, well-known filmmaker Oleh Sentsov, Oleksandr Kolchenko, Gennady Afanasyev and Oleksy Chirniy were abducted by the Federal Security Service of the Russian Federation on the territory of the illegally-occupied Crimea and were taken to a detention facility in Moscow. A criminal case was instituted against them on charges of alleged terrorist activities. In order to bring about false confessions, the arrested Ukrainians were subjected to torture.

Prominent human rights defenders in the Russian Federation have endorsed a stark warning that the Russian Federation "*has again taken the road of political repression.*" In a statement published on 9 September 2015, they wrote:

“The fabricated trial of Sentsov and Kolchenko on charges of terrorism which ended in a monstrous sentence can only be compared to the political trials of the Soviet era. This trial was open and all the circumstances are known to the public. There was no crime, as in, no acts of terrorism. An arson attack on a door, the only specific action which the defendants were charged with (without sufficient grounds and proof) would, according to Russian legislation, be at very most treated as hooliganism. The rights of all the defendants were seriously violated, with this even including beating and torture during and following their arrest. The main witness for the prosecution stated in court that he had been tortured and retracted his testimony given under torture.

What is this, if not ideologically motivated state terror? The aim is to intimidate and suppress any peaceful resistance in Crimea from those who regard themselves as citizens of Ukraine and oppose Russia’s annexation of Crimea.”

The highest profile case of modern political repression is that of Nadiya Savchenko - a senior lieutenant of the Armed Forces of Ukraine, Member of Ukraine’s Parliament and Member of the Ukrainian delegation to the Parliamentary Assembly of the Council of Europe. While participating in the anti-terrorist operation in Eastern Ukraine as a volunteer, she was captured by pro-Russian separatists near the city of Luhansk, kidnapped, taken across the border and imprisoned in the Russian Federation. The Russian authorities then charged her with murder of Russian journalists in Ukraine.

Her counsel released a video demonstrating convincingly that Nadiya Savchenko could not have committed the crime on the basis of her whereabouts and those of the journalists using mobile phone tracking. Since then, the defense attorneys for Nadiya Savchenko have themselves been threatened with criminal proceedings by Russian authorities for publicly disclosing information on her case.

The international community has been calling for the release of Nadiya Savchenko and of all political prisoners being held illegally by Russian authorities in accordance with the Minsk agreements of 5 September 2014, 19 September 2014 and 12 February 2015.

Despite this, the prosecution of Nadiya Savchenko, and all political prisoners who remain incarcerated with no judicial recourse, continues. Their only hope is a political resolution as a result of persistent and robust international pressure.

These international kidnappings, illegal imprisonments, torture, show trials and scandalous court sentences demonstrate that we have entered a new phase of political persecution of the Ukrainian people in the Russian Federation.

Freedom of expression is one of the most fundamental freedoms enshrined in several international covenants. Indeed, article 19 of *The Universal Declaration of Human Rights*, adopted by the United Nations General Assembly on 10 December 1948, states that: “*Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.*”

A similar protection of the freedom of expression is found in the *International Covenant on Civil and Political Rights* (article 19) and the *Convention for the Protection of Human Rights and Fundamental Freedoms* (article 10), both signed and ratified by the Russian Federation.

For Ukrainians being detained, tortured and persecuted in Russian prisons for their belief in the right of Ukraine and its people to independence, sovereignty and territorial integrity, this freedom of expression remains a declaration on paper only as Russian authorities continue to violate their international obligations with respect to basic human rights and freedoms.

That is why we have an obligation to be the voice of the oppressed and to ensure that the Russian Federation does not continue to slide back into its Soviet authoritarian past.

This conference serves such purpose and that is why I wish to thank all of the organizers and, in particular, Dr. Walter Zaryckyj, Chair of the Ukrainian World Congress Scholarly Council, for your important work in advancing fundamental freedoms and democracy throughout the world.

Eugene Czolij

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