



# THE SITUATION OF THE HUNGARIAN MINORITY IN UKRAINE

12/18/2023

## KMKSZ Statement on the amendment of Ukrainian laws affecting the rights of national minorities (communities) in certain areas in conjunction with Council of Europe Recommendations



The Cultural Alliance of Hungarians in Sub-Carpathia (KMKSZ) consistently and continuously supports the integration efforts of Ukraine into the European Union. Therefore, it welcomes the numerous legal amendments by the Supreme Council of Ukraine on December 8, 2023, concerning the rights of national minorities, which point in the direction of the realization of these ambitions.

Some parts of the law can be considered forward-looking, as they restore some of the linguistic rights previously granted to the Hungarian minority, with particular regard to education, the production and distribution of printed products, and the area of media use.

It is a positive step that the law concretizes certain previously undefined legal categories. In drafting the text of

the legislation, some recommendations of the Venice Commission were taken into account, and national minority organizations were also consulted.

In a significant step forward, Article 7 of the Education Act guarantees the right of certain minorities, including the Hungarian minority, to study in their native language. In another positive development, children who began their studies in Hungarian prior to the 2018 school year may continue to study in Hungarian until they finish secondary education.

At the same time, we note with regret that the adopted law still does not allow the use of minority languages at the level of higher administrative units (district, county). At the local settlement level, use of language rights remains subject to the majority decision – meaning that enforcement of language rights will not be implemented in most locales.

The law links linguistic rights to the concept of “traditional” settlement of the minority and sets the minimum level at 10%. Accordingly, in locations where the minority population does not reach this threshold (i.e. those in diaspora) will have no language rights at all, which further accelerates their assimilation.

The legislation affects only the linguistic rights of minorities; other minority rights are completely left out. The law still does not provide for the free use of national symbols, nor does it provide the conditions to ensure political representation for minorities.

Several clauses of the law are discriminatory or merely declarative, which can lead to arbitrary interpretation. The meaning of several legal terms remains unclear. This raises further questions, primarily relating to the right to native-language education alongside the state language.

The law still does not comply with all the recommendations of the Venice Commission; does not ensure the rights guaranteed to minorities in the Constitution and other international documents; and does not restore the full range of previously existing minority rights.

We trust that this amendment to the law is only the first step in the process of restoring the full range of nationality rights previously exercised by the Hungarian minority in Transcarpathia. KMKSZ continues to support Ukraine’s integration with Europe, and we look forward to Ukraine becoming a European, democratic state under the rule of law, in which human and national rights are respected.

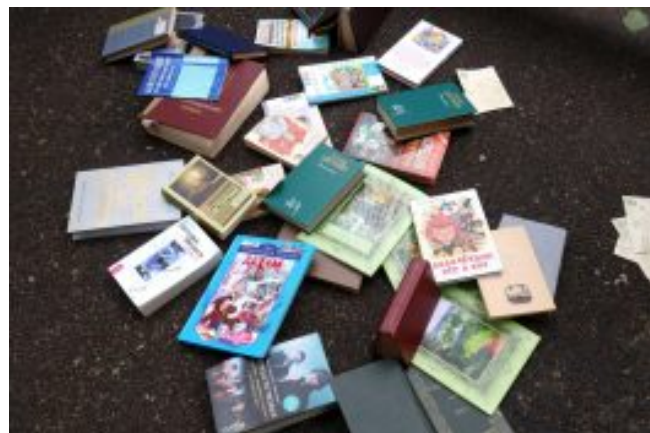
*Uzhhorod (Ungvár), December 18, 2023*

[DOWNLOAD STATEMENT IN PDF](#)

11/11/2023

# Caught in the crossfire: Minority languages in Ukraine

By Ágnes Dinnyés, Roma Programmes Assistant at Minority Rights Group Europe



‘The Russian language is banned in Ukraine’, Russian Foreign Minister Sergey Lavrov [told](#) the BBC in April 2022. But it isn’t.

The [repeated](#) claim, part of Russia’s [pretext for invasion](#), is a reminder of the [fraught political context of language policy](#) in Ukraine. Russian is not banned in the country, but the use of Ukrainian is indeed compulsory in most aspects of public life. Efforts to solidify the use of Ukrainian are part of broader attempts to reinforce national identity after varying

degrees of suppression and Russification dating back to even before the Soviet period.

Although Ukraine’s Constitution guarantees the free use of Russian and other minority languages, and anyone is free to speak their language in private, legislation severely curtails the usage of minority languages in public life. 81 per cent of Ukrainians speak Ukrainian in their personal life, 34 per cent speak Russian, with 19 per cent speaking both languages and many speaking Surzhyk, a hybrid form of the two. Other minorities include Belarussians, Crimean Tatars, Moldovans, Jews, Hungarians, Romanians and many heterogenous Roma communities, all speaking different languages.

In 2022, a new law was passed in Ukraine – the *Law on National Minorities (Communities)*. It reflects on the expanded compulsory usage of Ukrainian in the public sphere already affected by previous legislation, by introducing rules on using minority languages in ‘communication with authorities’, although without sufficient concreteness or precision. In Ukraine, all publicly available information, including announcements, signs and captions must be in Ukrainian with vague exceptions for when to duplicate such general information in minority languages. Private publishing houses must print, and bookstores sell, at least half their books in Ukrainian. National and regional mass media must distribute 90 per cent of content in Ukrainian. In the case of cultural, artistic or entertainment-related events organized in a minority language, the organizer must provide translation into Ukrainian ‘if requested by at least one participant.’ Elections are conducted in Ukrainian, and all campaigning material, regardless of format, must be in Ukrainian or when in a minority language, accompanied

by the Ukrainian version. Moreover, electoral campaigning in minority languages is restricted to ‘settlements with an important minority population.’

Postponed to 1 September 2023, an educational reform was to be **implemented** in Ukraine, which significantly reduces teaching in minority languages. Members of national minorities only have the right to receive education in their own language up to the primary level at public institutions. At the secondary level, **the language of instruction** is Ukrainian, with some subjects allowed to be taught in official EU languages (including English). Non-EU languages, such as Russian, Belarusian, Yiddish, Gagauz or Romani for instance, can only be offered as *subjects*; their speakers cannot study *in* their own language.

Since language is central to identity, access to **education in the mother tongue** is a vital frontline for cultural survival as well as academic attainment. Indeed, the Venice Commission, a Council of Europe advisory body on constitutional matters, **noted** in June 2023 that a significant reduction in instruction in minority languages is ‘putting at risk the survival of minority schools, the proficiency in the minority language and thus even the linguistic identity of the minority’.

Much of the Commission’s published opinion was given over to the reiteration of recommendations previously given on the 2017 *Law on Education* and the 2019 *Law on State Language*, since part of this legislation remains untouched by the 2022 law. Though the Commission did recognize the complexity and sensitivity of language policy in Ukraine, noting especially the current context of the Russian invasion, it nevertheless reiterated that the need to promote Ukrainian after decades of repression did not justify the marginalization of minority languages.

Its key recommendations included the removal or reconsideration of restrictions on events and publishing and selling books in minority languages, to ensure more legal certainty regarding the possibility of having official inscriptions and general information in a minority language, and to ensure the use of minority languages in contact with administrative authorities.

The Commission noted numerous instances where Ukrainian legislation on language may fall foul of the principle of non-discrimination. It further observed that ‘the differential treatment of the different minority languages – the languages of the indigenous peoples, the languages of national minorities that are EU-languages and the languages of minorities that are not EU languages – which, without a convincing justification, has to be qualified as a discrimination.’

Linguistic freedom is more than the ability to use a language freely. It has significant impacts on freedom of expression and the survival of identity and culture. Its impacts on political participation mean that speakers of minority languages are left with fewer tools to challenge the discrimination they face, linguistic or otherwise. The sidelining of minority languages could therefore have far-reaching consequences on minority rights at large in

Ukraine.

In Ukraine, the Russian language isn't going anywhere, for now at least. But as war wages on, the language issue looks like it will remain a battleground. More and more Russian-speaking Ukrainians are choosing to learn Ukrainian and cast off the '[language of the oppressor](#)'. A study found that the number of Ukrainians who use Russian exclusively or most of the time in their everyday life fell 11 per cent between 2017 and 2022. In July 2022, Kyiv issued a temporary [ban](#) on Russian-language culture. It's not only the Russian language that's at risk of getting caught in the crossfire; Bucharest and Budapest have [criticised](#) the 2022 law's impact on the rights of Ukraine's Romanian and Hungarian communities.

All minority or indigenous languages in Ukraine must be protected from discrimination. Ukraine must fully implement the Commission's recommendations to ensure linguistic freedom for all. Linguistic freedom must not become collateral damage in the fight for Ukraine's freedom.

09/21/2023

## Olivér Várhelyi Meets with Minority Leaders in Kyiv

*Hungarian organizations in Transcarpathia have two proposals*



**Olivér Várhelyi, European Commissioner for Enlargement and Neighborhood Policy, was in Kyiv to discuss Ukraine's accession to the European Union. He held consultations with, among others, Speaker of the House Ruslan Stefanchuk, as well as with the leaders of national minorities, including the Cultural Alliance of Hungarians in Sub-Carpathia (KMKSZ) and the Association of Hungarians in Kyiv. The EU Commissioner acknowledged that Kyiv has made good progress in several of the seven conditions for accession, but further steps are needed in**

**the areas of corruption, money laundering, the fight against oligarchies, and protection of national minorities.**

On October 2, as part of his Kyiv program, the EU Commissioner met with representatives from organizations representing the interests of national minorities in Ukraine at the Intercontinental Hotel, where the EU Foreign Ministers' Forum was also held. The meeting was attended by representatives of Hungarian, Romanian, Bulgarian, and Polish minority organizations, among others. We, Hungarians, were represented by József Barta,

Vice President of KMKSZ, and Gyula Petneházy, President of the Association of Hungarians in Kyiv. During a phone call, we asked József Barta about what was said at the meeting:

“At the meeting, we were joined by representatives of the Romanian, Bulgarian, and Polish minorities, and we were able to explain how we see the situation of our national communities in the current legal environment. Our position was completely in line with that of Gyula Petneházy, which is that we can offer two options to resolve the situation of rights as minorities.

One of the things we have been saying for years is that we are asking for the rights that we had previously, which are constitutional rights, as well as enshrined in Ukraine’s international treaties and commitments. Moreover, they are in line with European standards, about which the Venice Commission has also made proposals. So, we are not asking for anything new, just for the restoration of our rights, specifically in the areas of education, media, and language use, which were previously in place but have been eroded by recent legislation. Várhelyi also confirmed that the European Union also believes that Ukraine should settle these issues in line with the Venice Commission’s proposals.

The other option would also be good for us. On August 2, when Volodymyr Zelensky, the President of Ukraine, visited Beregszász (Berehovo) and met with us, the representatives of the Hungarian minority as well, he made a very important promise. He said that Ukraine is willing to guarantee national minorities living on its territory the same rights as Ukrainian minorities have in their home countries. He specifically referenced Hungary and said that Ukraine would grant Hungarians in Transcarpathia all the rights that Ukrainians have living in Hungary. **President Zelensky reiterated this statement on August 23 when he met with Hungarian President Katalin Novák in Kyiv.** We have collected information on the rights of national minorities in Hungary, what is guaranteed by the Fundamental Law, the laws and regulations developed on its basis. This solution would also benefit us significantly, granting us a broader range of rights than we enjoyed previously. These are the proposals that we could accept, which I had opportunity to present, and which I also handed in writing to the EU Commissioner in English and Ukrainian. This is what we are asking for; this is what we insist on.

Olivér Várhelyi said that the Ukrainian leadership seems intent on resolving this issue before the serious EU accession negotiations begin.

We are pleased that a working committee has been set up to address the problems in education and that positive progress was made at its meeting in Budapest. We are also pleased that enforcement of Article 7 of the Education Act has been postponed for a year as regards us. This has bought us time, which can be used to resolve the issues that we have been struggling with,” said the KMKSZ vice-president, who added: “We fully support Ukraine’s Euro-integration efforts. We would like to see this happen as soon as possible. At the same time, we insist on preserving of our minority rights, since we consider ourselves to still be Hungarians living in

Ukraine. The Hungarian community is fulfilling all its civic obligations; hundreds of Hungarians from Transcarpathia are fighting in the ranks of the Ukrainian army and, unfortunately, we have already had to bury dozens of them. We have welcomed and cared for refugees from Eastern Ukraine and helped organize their lives here. We are helping the regions of Ukraine that are in a much more difficult situation than we are, and those who have had to come to us. So, we are loyal to the authorities in everything; we, the Hungarians of Transcarpathia, are fulfilling our human obligations as well as our civic ones, but we will not stop fighting to regain our rights that were taken away. The Ukrainian political elite should not be condemning us, but trying to understand us, and since there is opportunity to secure the rights we request, they should be guaranteed either through legislative amendments or bilateral agreements,” said József Barta, from Kyiv.

Zsolt Badó

Original Hungarian language article: <https://karpataljalap.net/2023/10/03/kisebbsegi-vezetokkal-targyalt-varhelyi-oliver-kijevben>

## Financial Times: “Ukraine open to minority rights concessions in quest to join EU”

The September 12, *Financial Times* article [“Ukraine open to minority rights concessions in quest to join EU”](#) addresses one of Ukraine’s major hurdles to EU membership. Read the full text below with HHRF commentary, fact checks and context.

**FINANCIAL TIMES**

SEPTEMBER 12, 2023

**Ben Hall**

### **UKRAINE OPEN TO MINORITY RIGHTS CONCESSIONS IN QUEST TO JOIN EU**

***Kyiv prepared to change rules on languages used in schools to unlock accession talks***

Ukraine is prepared to make changes to its laws on minority rights to unlock EU agreement later this year on opening accession talks, its deputy prime minister has said.

**HHRF**

- *Good, because since 2015, every law adopted by Ukraine affecting education, language and other rights for ethnic minorities has eliminated existing rights.*

## FINANCIAL TIMES

Olga Stefanishyna, who is in charge of Ukraine’s **drive to join the EU**, told the Financial Times Kyiv was prepared to make “additional amendments” to rules on secondary education in minority languages, including Hungarian, as long as a balance was struck with teaching in Ukrainian.

## HHRF

- *Good, because in 2017 and 2019, respectively, the Venice Commission already gave recommendations for changing the laws on education and the state language that Ukraine has ignored.*

## FINANCIAL TIMES

The issue has become the biggest potential obstacle to the start of formal EU membership negotiations with Kyiv. The bloc’s leaders are due to decide in December whether to begin talks, but Hungary’s prime minister Viktor Orbán has repeatedly threatened to veto the process over the minority rights issue, accusing Kyiv of “Hungarophobia”.

Ukraine has dozens of minorities — Zakarpattia province in western Ukraine is home to an estimated 80,000 ethnic Hungarians — and protecting their rights is one of seven reform benchmarks demanded by the EU before it opens membership talks.

## HHRF

- *Correct except that the last official census counted 156,000 ethnic Hungarians. Even given an unofficial estimate of a probable 20 percent decrease in population, there is no way the community’s number is half.*
- *EU reform benchmarks is why Ukraine adopted a new law on national minorities (communities) in December 2022 that unfortunately fails to achieve the purpose, but further strips minorities of their rights while ignoring their recommendations.*

## FINANCIAL TIMES

Ukrainian officials will this week begin bilateral talks with Hungary and Romania to try to iron out an agreement on the balance of Ukrainian and minority language education in secondary schools.

## HHRF

- *The Hungarian community has consistently asked for effective tools to teach Ukrainian. During Zelensky’s August 2 visit to Zakarpattia oblast, the head of the Teachers Association, Ildikó Orosz, handed over a written statement asking Ukraine to finally resolve this issue like other European countries have. The Venice Commission also points out this deficiency.*

## FINANCIAL TIMES



“We will amend the legislation on national minorities, and we can put additional amendments [into law] if needed, but we need to have the [bilateral] negotiations first,” Stefanishyna said.

## HHRF

- *Bilateral discussions are important but so is Ukraine fulfilling its minority rights obligations assumed in international instruments, for example, the [European Charter for Regional or Minority Languages](#) or the [Framework Convention for the Protection of National Minorities](#).*

## FINANCIAL TIMES

However, the deputy prime minister said ethnic minority Ukrainians needed to be taught enough Ukrainian so they could pursue further education or job opportunities outside minority areas. She said the current rules that had introduced more mandatory Ukrainian language teaching were working well: “A balance has been found and it is working. So we really need to assess that.”

## HHRF

- *No, the “current rules“ are not working well. The real issue is not more Ukrainian language teaching, but less teaching in the [minority] language. The Ukrainian constitution guarantees choice of education language.*
- *In fact, the Ukrainian government recently postponed until September 1, 2024, implementation of education law provisions that would gradually decrease the number of subjects taught in a minority’s language.*

## FINANCIAL TIMES

Officials in Kyiv and Brussels fear Orban, an ally of Moscow, has no interest in finding a solution to the education issue and will use it as an excuse to block the start of accession talks in December.

## HHRF

- *Hungary has every “interest in finding a solution to the education issue.” It is in fact Hungary that initiated the bilateral meeting on September 15 where no progress was made. Meanwhile, this forum has been available to Ukraine since 1991 when the two countries signed a basic treaty explicitly guaranteeing the right of the Hungarian minority to education, in Hungarian, from elementary school to the university level.*

## FINANCIAL TIMES

The Venice Commission, an advisory body on constitutional law attached to the Council of Europe, has also said Ukraine should protect the language rights of Russian speakers. Stefanishyna has previously expressed confidence the EU would not hold up the start of talks over that issue.

## HHRF

- *In its June Opinion, the Commission does state that Ukraine should further postpone and revise its planned changes to the minority-language school system, aligning with the Commission’s 2017 recommendation.*

## FINANCIAL TIMES

The European Commission said Ukraine had fully met two of the seven benchmarks for starting talks: on media freedom and judicial reform. It will assess progress on the other five — minority rights, anti-corruption reforms, anti money laundering rules, anti-oligarch laws and constitutional court reform — later this autumn.

09/07/2023

# Council of Europe’s Venice Commission Publishes Opinion on Ukraine’s New Law on National Minorities (Communities)

[Download PDF here](#)

## Introduction

In December 2022, the Verkhovna Rada of Ukraine adopted the “Law on National Minorities (Communities).”

On June 12, 2023, the Venice Commission of the Council of Europe<sup>[i]</sup> issued an [Opinion](#) on this Law.<sup>[ii]</sup> In addition to providing a comprehensive analysis of the Law’s compliance with existing international instruments, the Venice Commission highlights specific concerns regarding freedom of expression, discrimination against national minorities, and challenges in implementation.

The Commission also suggested amendments to ensure that minority rights are explicitly protected, and to remove or reconsider potentially discriminatory provisions.

As Ukraine moves forward in its accession to the EU, implementing the Commission’s suggestions could help create an inclusive society that respects and safeguards the rights of national minorities.

**This document, prepared by the Hungarian Human Rights Foundation ([HHRF](#)), summarizes the Opinion’s findings, and provides commentary and context where applicable.**

**In this document you will find:**

## **Findings of the Venice Commission**

## **Previous Opinions and Recommendations**

## **Consultation with Minority Representatives**

## **Terminology and Scope of the Law on Minorities**

## **On Rights, Freedoms, and Responsibilities**

## **On Linguistic Rights**

## **Education in National Minority Languages**

## **Public Policy in the Sphere of National Minorities**

## **International Cooperation and Foreign Relations of National Minorities**

## **Final and Transitional Provisions**

## **Conclusions and Recommendations of the Venice Commission**

## **Summary and Reaction by the Hungarian Minority in Ukraine**

# Findings of the Venice Commission

The Venice Commission Opinion begins by highlighting Ukraine's constitutional and legislative framework for protecting the rights of national minorities. It cites several clauses of the Ukrainian Constitution that ensure the unrestricted growth, utilization, and safeguarding of languages belonging to national minority groups. The Constitution also emphasizes the advancement of ethnic, cultural, linguistic, and religious identities. According to the Constitution, the rights of indigenous peoples and national minorities are determined exclusively by Ukrainian law.

The Commission focuses on the Law's compliance with international instruments and standards, including the Framework Convention for the Protection of National Minorities (Framework Convention), the European Charter for Regional or Minority Language (the Language Charter), relevant articles of the International Covenant on Civil and Political Rights (ICCPR), and the European Convention on Human Rights (ECHR).

## Previous Opinions and Recommendations

The Venice Commission Opinion repeatedly cites previous opinions that specifically addressed two preceding Ukrainian laws relating to national minorities: the Law on Education<sup>[iii]</sup> and the Law on Supporting the Functioning of the Ukrainian Language as the State Language. <sup>[iv]</sup>

The Venice Commission Opinion also cites a report<sup>[v]</sup> by the United Nations Human Rights Monitoring Mission in Ukraine, which analyzed the bill on national minorities (communities) of Ukraine on December 14, 2022, and extensively referenced the Venice Commission’s previous opinions.

**In its prior opinion (2017) on the Law on Education**, the Venice Commission provided recommendations including amending certain provisions to address potential discriminatory treatment of minority languages. The Commission recommended ensuring a sufficient level of teaching in official languages of the European Union, maintaining a sufficient proportion of education in minority languages at primary and secondary levels, improving the quality of teaching of the state language, allowing more time for gradual reform, exempting private schools from new language requirements, and engaging in dialogue with national minority representatives.

**In its prior opinion (2019) on the State Language Law**, the Venice Commission recommended that the Language Law’s provisions be postponed until the Law on Minorities was adopted. Other recommendations included revising the State Language Law to ensure compliance with international commitments, removing differential treatment between languages, reconsidering the complaint and sanctions mechanism, safeguarding the rights of linguistic minorities, and entrusting a responsible institution with monitoring the implementation of language provisions.

In the current Opinion, the Venice Commission reiterates that its previous recommendations on education and the state language remain valid, as they have not been incorporated into the 2023 Law on National Minorities:

*“The new Law on national minorities (communities) does not amend the legislation on education and the state language. The recommendations made by the Venice Commission in previous opinions in the field therefore remain valid, to the extent that they have not been adequately met in subsequent special laws.”<sup>[vi]</sup>*

## Consultation with Minority Representatives

Regarding the question of procedure, the Commission suggests initiating consultations concerning laws that may impact national minorities, as mandated by international conventions and the recommendations of the United Nations Human Rights Council. The Ukrainian authorities claim to have engaged in broad consultations

with stakeholders, including minority associations. However, the extent of consensus is difficult to evaluate, says the Commission, and is contested by the minorities themselves – for example, the Romanian minority of Ukraine. [\[vii\]](#)

## Terminology and Scope of the Law on Minorities

A potential problem lies in the terminology used in the Law, namely, the inclusion of the term “communities” alongside “national minorities.” According to the Venice Commission, Ukrainian officials state that they added the term “communities” due to concerns of some who view the word “minorities” as offensive and evocative of the Soviet period. The Commission emphasizes that “minorities” is the term used in international law but acknowledges that utilizing both terms interchangeably does not contravene international standards.

The Commission praises the preamble of the Law on National Minorities for its reference to international treaties and principles regarding the rights of national minorities, and its mention of the need for proper conditions, preservation of identity, full development, diversity, intercultural dialogue, and equality regardless of ethnic origin. However, the Commission raises concern regarding the exclusion of indigenous peoples from the definition of national minorities, and they recommend clarification on how the Law on National Minorities applies to indigenous people.

Article 2(2) of the Law states that if there is an international treaty approved by the Verkhovna Rada that establishes different rules from those in the Law on National Minorities, the provisions of the international treaty take precedence. The Commission appreciates this provision and acknowledges the inclusion of state guarantees for minority rights, the prohibition of discrimination, as well as the potential for affirmative action.

However, the Law’s provision on affirmative action is narrower compared to the corresponding provision in the Framework Convention for the Protection of National Minorities (Framework Convention). Therefore, the Commission suggests considering amendments to ensure that the Law fully aligns with the Framework Convention in this aspect.

## On Rights, Freedoms, and Responsibilities

Section II of the Law on National Minorities lists the rights, freedoms, and responsibilities of individuals belonging to national minorities (communities). The Commission finds this list of rights comprehensive but not exhaustive.

The list of obligations includes compliance with the constitution and laws, defense of state sovereignty, respect for the Ukrainian nation, and promoting the integration of national minorities into Ukrainian society.

The Venice Commission welcomes the concept of “integration of society” – a formulation of the Framework Convention. It means that diversity and respect for differences should be recognized and encouraged through mutual accommodation and engagement. However, the Venice Commission notes that while the Law’s clause on the limitation of fundamental rights aligns with international conventions on human rights, it fails to specify the legitimate aims required for any restriction.

Article 5(7) focuses on the “propaganda of the aggressor state”<sup>[viii]</sup> in the context of the Russian aggression against Ukraine. The Venice Commission recommends relocating this provision to criminal legislation or specific legislation related to the emergency situation.

Regarding the right to self-identification, Article 6, limits this right to citizens of Ukraine, which is contrary to the Framework Convention. However, the Law ensures that nobody can be forced to declare their affiliation to a national minority, and the exercise of national minority rights is also not tied to conditions. Article 6(3) concerning names, surnames, and patronyms aligns with the Framework Convention, but the Venice Commission notes that “official recognition” of names in minority languages should be made more explicit.

Articles 7 and 8 protect freedom of public associations, peaceful assembly, expression, religion, and thought, in line with the Framework Convention and the European Convention on Human Rights (ECHR).

Article 9 aims to implement Article 15 of the Framework Convention, which addresses participation in political, economic, and social life. However, the Law falls short of the Framework Convention by not explicitly stating how conditions for effective participation can be created. The Venice Commission recommends further development in the Law to address this aspect.

## On Linguistic Rights

Article 10(1) of the Law recognizes the right of individuals belonging to national minorities to freely use their language without hindrance or discrimination. Nevertheless, the Commission notes that this recognition is limited, because the rights are conditioned upon compatibility with existing legislation – they are recognized only “to the extent not contradicting the law”.<sup>[ix]</sup>

The Venice Commission acknowledges that it could not review all restrictions on the use of minority languages covered by this condition.<sup>[x]</sup> Nonetheless, the Commission, in its earlier opinions evaluated specific limitations of the Ukrainian State Language Law, which has been in effect since July 16, 2019. The new Law on National Minorities has not changed these limitations, and, in Article 10(1), appears to implicitly confirm them:

**“Therefore, the Venice Commission finds it appropriate to repeat the criticism on these provisions it**

## ***expressed in its Opinion on the Law on the Ukrainian Language as the State Language [...]”[\[xi\]](#)***

These criticisms, not addressed by the new Law, are found primarily in the areas of (1) violations of freedom of expression, (2) discrimination against national minorities, and (3) challenges in implementing the provisions.

The following are the specific key issues and recommendations by the Venice Commission in the area of linguistic rights:

### **Freedom of Expression and Academic Freedoms (Art. 22(2))**

The Venice Commission considers the provision requiring scientific publications to be made public in the State language, English, and/or other official languages of the European Union as a violation of freedom of expression and academic freedoms. They view the differential treatment between languages as unjustified.

### **Language of Domestic Film Distribution and Screening (Art. 23(6))**

The Venice Commission criticizes the requirement for Ukrainian language in domestic film distribution and screening, with exceptions for the Crimean Tatar language and other indigenous languages, for imposing additional costs and work. They believe that the lack of adequate funding could potentially disrupt cultural events in minority languages, and they consider it a violation of the principle of non-discrimination.

### **Language of Tourist and Sightseeing Services (Art. 23(8))**

The provision declaring the State language as the language for tourist and sightseeing services, with other languages allowed for foreigners or stateless individuals, violates freedom of expression. The legitimacy of this provision is questionable, and its implementation presents serious challenges, especially in situations involving mixed populations of citizens and non-citizens. In such situations, service providers face difficulties in determining language use when both local citizens and international tourists or stateless individuals are present, making it challenging for them to comply with the provision.

### **Language Requirements in Advertising (Art. 32(1))**

The Venice Commission criticizes the requirement to use Ukrainian language in advertising, with exceptions for EU official languages. The Commission argues for the protection of the freedom of advertisers to choose the language of their advertisements, including minority languages, and advocates for equal guarantees for non-official EU languages to be provided by the Law on Minorities.

## Language Requirements for Sporting Events (Art. 34)

The Venice Commission considers the complete disallowance of languages other than Ukrainian in national or local sporting events as a violation of the right to freedom of expression. Furthermore, the absence of an exception for minority languages contradicts Ukraine's obligations under international frameworks such as the Framework Convention and the Language Charter.

## Language Requirements for Political Parties and Entities (Art. 37)

While acknowledging the legitimate aim of maintaining public order, the Venice Commission emphasizes the need for clarity regarding which documents and decisions are necessary to exercise legitimate public functions.

[xii]

## Organization of Public Events and Interpretation Services (Art. 10(2-3))

The Venice Commission raises concerns about provisions related to organizing public events and providing interpretation services. It criticizes the restrictions on the freedom of association and the burden placed on organizers to provide interpretation services for cultural/artistic or entertainment events as disproportionate and against the principles of language protection. The Venice Commission recommends amending the Law and allowing organizers of private events to freely decide the language without imposing mandatory translation/interpretation.

## Implementation and Vagueness

The Venice Commission questions the Ukrainian authorities' argument of proportionate application and prevention of abuses through secondary legislation [xiii]. It emphasizes that legislation should not be applied in force, and secondary legislation cannot suppress rights provided in primary legislation. The vagueness of certain provisions is highlighted as potentially hindering freedom of speech.

## Financial Support and Distribution of Books

Article 10(5) of the Law on National Minorities confirms that publications in the languages of national minorities funded by the state and/or local budgets are exempt from the requirement in Article 26(1) to publish at least 50% of all book titles in the State language. Specialized bookstores established for the rights of national minorities



are also exempt from the requirement in Article 26(2) to have no less than 50% of books in Ukrainian, according to Article 10(5). However, the Commission raises concerns that this provision may potentially discourage and restrict the distribution of books in regional or minority languages and recommends that the term “specialized bookstores” be clarified.

## Expansion of Language Use in Emergency Situations (Art. 10(6))

The Venice Commission recommends expanding this provision to include institutions for the elderly and emergency services for victims of domestic violence. The Commission recommends that certain words in the provision need to be removed to ensure an unconditional right to emergency assistance in the language of the minority.

## Duplication of Official Names and General Information (Art. 10(7) and 10(8))

The Law provides that the inscriptions of official names on the signs of local self-government bodies and municipal enterprises in the state language may be duplicated in the languages of national minorities. The Venice Commission welcomes this provision but recommends that terms such as “traditionally inhabited” and “significant part of the population” should be clarified for legal certainty. Additionally, the legislation should establish clear criteria for local authorities to make decisions on inscriptions in minority languages. The Commission also recommends explicitly allowing the use of minority languages in place names and other topographical indications<sup>[xiv]</sup> in areas where these languages are traditionally spoken.

## Language Requirements in Predominantly Minority-Populated Areas (Art. 10(8))

The Commission raises concerns about the potential burdens on communication and freedom of expression due to conflicting requirements. Article 10(8) of the Law on National Minorities mandates the duplication of general information in the language of national minorities in relevant settlements, but the State Language Law requires such information to be available in Ukrainian even in settlements with an almost exclusively minority population.

In its earlier opinion on the Law of the State Language, the Venice Commission urged authorities to reconsider this requirement in light of the principle of proportionality, as it could place a heavy burden on those wishing to communicate with the public and potentially hinder the freedom of expression. In that opinion, the Commission

“invited the authorities to re-examine the provision in the light of the principle of proportionality. This invitation still applies.”[\[xv\]](#)

## Use of Minority Languages in Election Campaigns (Art. 10(9))

The requirement for election campaign materials in municipalities with minority populations to be available in Ukrainian appears as a disproportionate restriction on freedom of expression. The Venice Commission recommends revising this provision and proposes that if authorities desire materials in Ukrainian, the state should offer financial support for translation, dubbing, or subtitling.

## Use of Minority Languages in Communication with Authorities (Art. 10(10))

The provision stipulating the use of minority languages in communication with authorities lacks precise rules. The Venice Commission recommends revising Article 10(10) to define the essential elements of the right to use minority languages and incorporate relevant commitments under the European Charter for Regional or Minority Languages.

Previous legislation lacked rules regarding the use of minority languages in interactions with administrative authorities, which was criticized by the Venice Commission. The new Law now includes provisions for the use of minority languages in communication with authorities, based on relevant international conventions. However, the Law does not provide specific rules[\[xvi\]](#) for using minority languages in contact with the administration; instead, it delegates the development of a “methodology” to the Cabinet of Ministers [10 (10)]. This methodology is expected to determine the specifics of language use in areas where national minorities reside and where they constitute a significant part of the population. It may also address the translation requirements for cultural events organized by public associations of national minorities.

The Venice Commission suggests that essential criteria for language use should be defined within the Law itself and should incorporate the commitments made under international conventions.

The Law on National Minorities states that the right to use minority languages applies in areas traditionally inhabited by national minorities or where they constitute a significant part of the population, based on the request of individuals and meeting real needs. The Venice Commission recommends providing a clear and concrete definition of “real needs” to avoid unjustifiable limitations on the provision’s effect.

*“Finally, the Venice Commission reiterates the recommendation made in its Opinion on the Law on State Language*

*of 2019, that the Law should grant the possibility for civil servants, in responding to private individuals who address public authorities, to answer also in minority languages, if they can do so (paras 59-61).”[\[xvii\]](#)*

## Education in National Minority Languages

Article 11(1) of the Law on National Minorities addresses the reform of the Ukrainian education system and refers to the existing Law on Education.

Regarding this Law on Education, in 2017, the Venice Commission issued an opinion expressing its concerns and recommendations for the protection of minority languages in education in Ukraine.

In its current Opinion, the Venice Commission again refers to these concerns, including:

- The lack of qualified teachers and suitable resources for teaching the Ukrainian language,
- a considerable reduction in teaching in minority languages, which puts minority schools and linguistic identity at risk,
- and the unequal treatment of different minority languages, which is considered discrimination without proper justification.

**“These concerns and recommendations remain valid to the extent they were not adequately met in the subsequent special laws.”[\[xviii\]](#)**

In its current Opinion, the Commission recommends that Article 11(1) of the Law on Minorities guarantees the right of national minorities to be educated in their language when reasonably required, particularly in areas where minorities traditionally or substantially reside.

In Point 62, the Venice Commission acknowledges that it has not fully assessed the current situation or examined the Law on Comprehensive Secondary Education adopted in March 2020, which includes education models for national minorities. The Commission also acknowledges a constitutional court judgment from October 2019, stating that the Law on Education created conditions for the realization of rights for national minorities and indigenous peoples to study their mother tongue and receive education in the state language, regardless of their origin.

## Implementation of Planned Education Reform

The implementation of the education system reform, involving the transformation of the secondary minority language school system into a state-language school system, has been postponed until September 1, 2023[\[xix\]](#).

The Commission explicitly recommends further postponing the implementation of the education law and reconsidering its provisions in light of the Commission’s earlier recommendations from 2017.

Article 11(2) of the Law highlights the promotion of training and qualification improvement for pedagogical and academic workers in minority languages. The Venice Commission acknowledges the efforts made by Ukrainian authorities to provide adequate textbooks and support for teaching the Ukrainian language. However, it suggests adding an obligation for the state to provide textbooks and educational materials in the minority language to ensure compliance with international standards.

Article 11(3) pertains to the language of education in private education institutions providing full, general secondary education in Ukraine. The key points are as follows:

**The Right to Choose Language:** According to Article 11(3), private education institutions offering full general secondary education have the right to select the language in which they conduct education.

**Exception for Institutions Receiving Public Funds:** However, there is an exception to this entitlement. Educational institutions that receive public (government) funds are not allowed to freely choose the language of instruction.

**Language Obligations for Publicly Funded Institutions:** Publicly funded educational institutions are obliged to ensure that students are proficient in the state language (in this case, Ukrainian) as per state standards. This means that the language used for instruction must be the state language, and students are required to attain a certain level of proficiency in it.

**Limitation on Public Funding:** To clarify further, any private education institution that uses a language of the minorities for instruction cannot receive public funding. In other words, if a private school chooses to conduct classes in a language other than the state language (Ukrainian), it will not be eligible for financial support from the government.

**Compliance with the Commission’s Recommendations:** The provision in Article 11(3) is said to partly comply with one of the recommendations made by the Commission in its 2017 Opinion. The context of this recommendation is not mentioned, but it likely relates to language policies and education.

**Scope of “Secondary Education” and Language Choice:** The text of the Law might give the impression that the language choice is only applicable to secondary education, excluding primary and higher education. However, Ukrainian authorities informed the Venice Commission that in Ukrainian law “secondary education” encompasses what is commonly referred to as primary education. Additionally, specific legislation is in place for higher education.

Venice Commission's Response: The Venice Commission acknowledges and accepts the explanation provided by the Ukrainian authorities, expressing satisfaction with the clarification regarding the scope of "secondary education" and the language provisions.[\[xx\]](#)

## Public Policy in the Sphere of National Minorities

Section III of the Law focuses on public policy in the realm of national minorities (communities). The Venice Commission generally welcomes these provisions. However, it suggests introducing an additional objective to ensure the linguistic survival of endangered languages.

Article 14 outlines financial support from the state budget for activities related to the rights and freedoms of national minorities and their public associations, a provision that the Commission views positively.

The Commission recommends reinstating a rule that empowers local self-government bodies to provide for topographical indications (signs with place names) in minority languages.

Article 19 of the Law addresses centers for national minorities, encompassing their establishment, direction, and forms of activity. The Commission suggests clarifying the composition, powers, and tasks of these centers in the Law.

## International Cooperation and Foreign Relations of National Minorities

The Commission generally welcomes Section IV on international cooperation and foreign relations of national minorities. However, Article 21(2) prohibits individuals belonging to national minorities and their associations from cooperating with foreign entities that undermine Ukraine's security, among other activities. The Commission recommends that these restrictions, related to the armed aggression against Ukraine, be included in transitional provisions or criminal legislation to avoid excessive restrictions on freedom of association without specifically targeting persons belonging to national minorities.

## Final and Transitional Provisions

In Section V of the Law, under final and transitional provisions, certain rights, such as peaceful assembly and state funding for events related to the exercise of minority rights, may be temporarily restricted during martial law and six months after its termination. The Venice Commission acknowledges the possibility of derogation from freedom of assembly and association during times of armed aggression but highlights that any restrictions

should not be discriminatory.

*“To the extent that the temporary restrictions are only applicable to persons belonging to national minorities, the Venice Commission endorses the stance taken by the United Nations High Commissioner on Human Rights that ‘the measures envisaged by paragraph 3 of the transitional provisions appear to be discriminatory and therefore not in line with Article 4 of the ICCPR.’<sup>[xxi]</sup>*

The Opinion suggests specifying a list of issues to be regulated at the secondary legislation level and defining the scope of these matters.

## Conclusions and Recommendations of the Venice Commission

The Commission recommends the amendment or reconsideration of parts of the Law on National Minorities to ensure full compliance with international standards. Key recommendations include:

- Extend the right to organize events in minority languages to all individuals.
- Remove the obligation to provide interpretation into Ukrainian at public events, or at least reconsider it to avoid disproportionate burdens.
- Clarify the obligations and terminology related to the language of book publications, to avoid discriminatory restrictions against regional or minority languages.
- Ensure legal certainty regarding official inscriptions and general information translated into minority languages.
- Revise the Law to ensure the use of minority languages in interactions with administrative authorities.

The Venice Commission also reiterates its earlier recommendations concerning other laws, which explicitly or implicitly referred to by the Law on National Minorities (Communities):

- Reconsider provisions in other laws that limit the freedom to use minority languages, and their differential treatment.
- Ensure access to mass media in minority languages by removing quotas<sup>[xxii]</sup> that limit the percentage of mass media that are broadcast in minority languages.
- Further postpone the transformation of the minority language school system, considering the recommendations from their 2017 Opinion.

The Venice Commission expresses its willingness to provide further assistance to the Ukrainian authorities and

the Parliamentary Assembly.

## Summary and Reaction by the Hungarian Minority in Ukraine

The Venice Commission underscores the importance of aligning the Ukrainian Law on Minorities with international standards. Their recommendations stress the importance of revising specific sections of the Law to ensure explicit and legally precise protections for minority language right. Furthermore, they advocate for the removal of onerous mandates concerning the use of the state language, which disproportionately burdens minorities. With respect to minority language education, the Commission reiterates its earlier stance: the planned transformation of the minority-language school system should be postponed and revised in accordance with the Commission's earlier recommendations from 2017.

The cooperation and dedication of the Ukrainian authorities to engage in constructive dialogue with the Venice Commission will be pivotal for the successful implementation of the recommendations.

Equally important is that Ukrainian authorities involve national minorities in consultations for assessing and implementing the Venice Commission's Opinion.

The **Cultural Alliance of Hungarians in Sub-Carpathia (KMKSZ)** expressed its appreciation for the Commission's Opinion on the Law on National Minorities and for the Commission's emphasis on Ukraine's international commitments and European standards for minority protection. With regard to education and language rights, KMKSZ conveyed its disappointment that Ukrainian authorities failed to make recommended corrections in these areas prior to the adoption of the Law.

According to **KMKSZ President László Brenzovics**:

*“The recent laws in Ukraine prohibit minorities from practicing the rights they used to have, years before the EU enlargement process began – rights they have already acquired. Instead of losing these acquired rights, they should be able to fully exercise them in a 21st-century European Union, especially in a Ukraine that is at the doorstep of the European Union. We also observe that in Brussels, in many cases, there is a lack of awareness regarding the true situation of the Hungarian, Romanian, or Bulgarian minorities living in Ukraine and what is actually taking place.”* [\[xxiii\]](#)

**KMKSZ welcomes the Ukrainian Parliament's decision to postpone the enforcement of Article 7 of the Education Act by one year**[\[xxiv\]](#) but notes that further amendments to legislation related to minorities will

**be necessary to achieve a satisfactory resolution. In the interim, KMKSZ stresses the need for full implementation of the Venice Commission’s recommendations.**

**On August 10**, KMKSZ and the Democratic Alliance of Hungarians in Ukraine (UMDSZ) released a joint [statement](#) expressing “support for efforts to amend the Law on National Minorities (Communities) in Ukraine and to expand the rights of minorities in line with the recommendations of the Venice Commission and the Committee of Experts of the European Charter for Regional or Minority Languages.”

The organizations raise objections to the procedural aspect of the proposed amendment. Specifically, the motion was introduced shortly before the debate, which prevented them from conducting a thorough legal analysis, crafting substantive proposals, or engaging in meaningful communication.

In addition, they express regret that none of the constructive recommendations they made during the nearly one-year deliberation period prior to the adoption of the Law were included in the amendment. Moreover, the amendment is slated to be adopted by the Ukrainian Parliament in mid-September leaving no time for substantive discussion nor to submit well-substantiated recommendations.

As regards the substance of the proposed amendment [\[xxv\]](#), the statement points out problems with the content, specifically

- the mere declaratory nature of additions, some of which duplicate other legal documents,
- the use of undefined concepts with little relevance to the enforcement of the law yet allowing for arbitrary interpretation, and
- failure to consider Council of Europe Recommendation No. 1201, namely, that an important criterion for the definition of national minorities is that their representatives “traditionally live on the territory of Ukraine within its internationally recognized borders,” would be deleted from Article 1 of the Law, if adopted. Consequently, all citizens of Ukraine who are not ethnic Ukrainians (or members of indigenous peoples) would be included in the category of national minorities.
- In their view, several passages of the draft are discriminatory and violate fundamental human rights, and they, therefore, recommend revision and/or deletion.

**Dr. László Brenzovics** and **Dr. László Zubánics, president of UMDSZ**, conclude by stating that “as a whole, the proposed amendment does not restore all the rights of minorities guaranteed by the Constitution of Ukraine, and moreover, it does not serve to restore the minority rights that existed previously.”



[i] The Venice Commission, consisting of independent constitutional lawyers, is an advisory body of the Council of Europe. The EU is the main institutional partner of the Council of Europe.

[ii] Ukraine CDL-AD (2023)021 – Opinion law on national minorities (Communities) – Adopted by the Venice Commission at its 135th Plenary Session, Venice, 9-10 June 2023.

[iii] Venice Commission, CDL-AD(2017)030, Ukraine – Opinion on the provisions of the Law on Education of 5 September 2017, which concern the use of the State Language and Minority and other Languages in Education.

[iv] Venice Commission, CDL-AD(2019)032, Ukraine – Opinion on the Law supporting the Functioning of the Ukrainian Language as the State Language.

[v] On 14 December 2022, the United Nations Human Rights Monitoring Mission in Ukraine (HRMMU) provided an analysis of Bill No. 8224 “On national minorities (communities) of Ukraine,” which had been adopted in final reading by the Parliament the previous day and was signed by the President’s on 29 December. This analysis, which relies extensively on the previous opinions of the Venice Commission, will be referred to where appropriate.”

[vi] Ukraine CDL-AD (2023)021 – Opinion Law on National Minorities (Communities) – Adopted by the Venice Commission at its 135th Plenary Session, Venice, 9-10 June 2023, p. 7.

[vii] “The Romanian Ministry of Foreign Affairs considers it regrettable that the law was adopted without adequate consultation with the representatives of the Romanian community in Ukraine, as requested by the Romanian side.” Source: Comunicat de presă – Ministerul Afacerilor Externe, [www.agerpres.ro](http://www.agerpres.ro).

[viii] “Article 5(7), concerning the “popularization and propaganda of the terrorist state (aggressor state)” and similar actions, is clearly to be seen in the context of the present Russian aggression against Ukraine.” CDL-AD(2023)021, p.10.

[ix] “Article 10(1) of the Law recognizes to every person belonging to a national minority the right to free and unimpeded use of the language of his/her national minority. This right is, however, only recognized ‘to the extent not contradicting the law.’ While such a formulation appears acceptable as such, it should not be interpreted as only allowing those restrictions by legislation as are in conformity with the Constitution and international treaties.” CDL-AD(2023)021, Point 37., p. 11.

[x] CDL-AD(2023)021, Point 37., p. 11.

[xi] CDL-AD(2023)021, Point 38., p. 11.

[xii] When the Venice Commission refers to "documents and decisions which are necessary in order to exercise legitimate public functions," they are recommending that the requirement to adopt documents and decisions in Ukrainian should be limited to those essential for carrying out their official activities and interactions with the government. The Venice Commission is suggesting that not all documents and decisions of these entities need to be in Ukrainian, as this could be seen as a limitation on the freedom of association and self-organization.

[xiii] The laws of Ukraine are the highest normative acts in Ukraine. The secondary legislation of Ukraine comprises other normative acts, including decrees, resolutions, and orders issued by the President of Ukraine, Cabinet of Ministers of Ukraine, National Bank of Ukraine, ministries, and other state agencies.

[xiv] Topographical indications refer to names or terms that are used to identify specific geographical locations, landmarks, or places. These indications are often associated with natural features, such as mountains, rivers, valleys, and other geographical elements, as well as man-made structures like cities, towns, villages, and historical sites.

[xv] CDL-AD(2023)021, Point 54, p. 17.

[xvi] The Law does not provide specific and detailed rules for how these minority languages should be used in administrative interactions. Instead of providing exact rules itself, the Law delegates the task of creating a "methodology" to the Cabinet of Ministers. The Venice Commission, in its recommendations, suggests that the Law should include clear rules, rather than leaving it to be decided later by the Cabinet of Ministers.

[xvii] Ukraine CDL-AD (2023)021 – Opinion Law on National Minorities (Communities) – Adopted by the Venice Commission at its 135th Plenary Session, Venice, 9-10 June 2023, p. 19.

[xviii] Point 63 of the current Opinion.

[xix] HHRF notes that in June 2023 the Supreme Council of Ukraine approved Law No. 9332 on postponing the transition to the Ukrainian language until September 1 2024 in schools where teaching is conducted in the language of one of the EU member states.

[xx] CDL-AD(2023)021, p. 21.

[xxi] United Nations, High Commissioner's Office, Opinion on the draft law, p. 22.

[xxii] Ukraine CDL-AD (2023)021 – Opinion law on national minorities (Communities) – Adopted by the Venice Commission at its 135th Plenary Session, Venice, 9-10 June 2023, p. 23, point 80.

[xxiii] Statement at the Seminar on Minority Rights in the EU Enlargement Process, May 23, 2023, at the European Parliament.

[xxiv] See footnote [xix](#).

[xxv] The amendment was drafted by the State Service of Ukraine on Ethnopolitical and Freedom of Conscience Issues (as the supreme executive body competent in this matter) and the Committee of the Supreme Council of Ukraine on Human Rights, De-Occupation and Reintegration of Occupied Territories of Ukraine, National Minorities and Interethnic Relations; and sent one day before the public debate on August 8th.

8/2/2023

## Ildikó Orosz: Unspoken Speech to Volodymyr Zelenskyy

On August 2, Ukrainian President Volodymyr Zelenskyy briefly visited Berehovo (Beregszász), where he met with representatives of the ethnic Hungarian minority in Transcarpathia, including Ildikó Orosz, president of the Hungarian language II Ferenc Rákóczi Transcarpathian Hungarian College. During the brief meeting, she was not given the floor, but did manage to give the President a written version of her speech, as well as an analysis of the Hungarian minority's situation, documents containing recommendations, and the Transcarpathian Hungarian Pedagogical Alliance's (KMPSZ) prior studies.

### **Below is Ildikó Orosz's unspoken speech.**

Dear Mr. President,

I welcome you to Transcarpathia as the delegate of the Transcarpathian County Council of the Transcarpathian Hungarian Cultural Association. It is an honor for me to also represent the II Ferenc Rákóczi Transcarpathian Hungarian College, as well as the educators of Hungarian language schools.

Our community, like all communities in the region, has done everything in our power on its own front since the first day of the Russian aggression. We have taken in refugees, our teachers and students have continued to provide assistance and translation services at the borders and in the various rest camps, and we have also taken

an active role in the organization of the National Multidisciplinary Test in Hungary.

As an educator and now a sixth-time re-elected member of the Transcarpathian County Council, I have always worked in the Committee on Education and National Minorities. As a result, I am well acquainted with the opinions, positions, and problems of the national minorities in our region, especially in the field of education and use of languages in public life.

On behalf of the national minorities of the county, I would like to thank you for postponing the implementation of Article 7 of the Law of Ukraine on Education for one year. However, it is important to emphasize that this measure does not provide a permanent solution to the existing problem. The educational rights of national minorities in our region are still restricted. The current law on education restricts our right to choose the language of education in our county, a right with a 150 year tradition and which all states in power have guaranteed us.

Our colleagues, the teachers of the region, have repeatedly drawn attention to this problem and continually proposed solutions. I urge you to accept these ideas, which have already been presented in our previous evaluation. I will now take this opportunity to briefly outline the essence of the analysis, what we would like to achieve, and how we can make it happen.

Last week, I attended a forum on the Education of National Minorities in the European Union, where I learned about the new laws on public education and higher education in Romania. These laws in Romania give national minorities all the rights that we would ultimately be happy with.

According to the new law in Romania, Romanian as the state language will be taught in the same methodology as teaching a foreign language in the mother tongue educational institutions of national minorities. The Ministry of Education is to launch a special national program to help minority students learn the state language. The law also guarantees the functioning of minority schools, provided that if the number of students is less than 300, they will be provided with all the necessary resources.

Legislators have also taken into account the interests of national minority youth who wish to continue their studies in higher education. When applying for university admissions, students can use the language they studied in high school, with the exception of courses related to national security. In fields of study where there is no higher education in a minority language, students from national minorities receive a special quota.

Thus, following Slovakia, Hungary, and Serbia, the situation of minority language education has now also been resolved in Romania. However, Ukraine continues to remain on the sidelines. It is time to settle this issue. Our legislators should consider amending the Ukrainian Education Law or the Law on National Minorities

(communities), as has already been done in Hungary. Hungary, in its National Minorities Act adopted in 2011, listed the officially recognized national minorities in Hungary, including Ukrainians, giving them the right to establish their own mother tongue education system with state funding and to delegate a representative or spokesperson of their choice to parliament.

We, the national minority communities of the region, want nothing more than what the Ukrainian people have for centuries been struggling: to learn in our mother tongue in the land where we have lived for more than a millennium. Therefore, we ask you to solve this problem, which is a source of international conflict for our country.

The representatives of our region's national minorities – Hungarians, Romanians, Slovaks – are fighting and dying on the frontline for Ukraine, and they want nothing more than for them, their children, and their families to have the opportunity to live, speak and learn in their mother tongue in Ukraine.

I wish for peaceful skies over all of us.

August 2, 2023, Berehovo (Beregszász)

Ildikó Orosz

*Translated from Hungarian as appeared in [Karpatalja.ma](https://www.karpatalja.ma), August 4, 2023.*

02/10/2023

## **Newsweek Opinion: Suppression by the Suppressed: Ukraine's Restrictions on Minority Rights | Balázs Tárnok**

[DOWNLOAD IN PDF](#)

As Ukraine faces ongoing conflict and strives for [EU](#) and [NATO](#) accession, the government in Kyiv has drawn criticism from international organizations for its restrictions on the rights of ethnic minorities, including those who have made the ultimate sacrifice for the nation's freedom.



As Russia was dropping missiles on Ukraine by the dozens in mid-December of last year, the Ukrainian parliament [adopted](#) a new [Law on National Minorities](#), in order to comply with the EU's accession criteria of protecting national minorities. What this new law does, however, is exactly the opposite: Kyiv strips from its ethnic minorities rights which they had previously enjoyed.

Ethnic minorities, for instance Poles, are not guaranteed under the new legislation to freely use their ethnic-national symbols, even though they are fighting on the front lines, and Poland provides the biggest possible support to Ukraine. They are provided less time to air Polish-language media content and can barely use their mother tongue in schools or outside their homes, even though they were free to do so since the independence of Ukraine.

Now the Venice Commission—the constitutional advisory body of Europe's leading human rights organization—is formally examining whether the law is up to par with international human rights standards.

Spoiler alert: it isn't.

This isn't the first time Kyiv's treatment of its national minority population has come under scrutiny. After the annexation of Crimea by Russia in 2014, Ukraine radically changed its minority policy. In 2017, the Ukrainian Parliament passed a [Law on Education](#) which severely limited the existing rights of ethnic minorities to be educated in their native language. Two years later, a new [State Language Law](#) literally prohibited the use of historic minority languages in all spheres of public life. These were an embattled nation's knee-jerk reactions to Russian aggression. It's the kind of ethnophobic neo-nationalism that harkens back to Europe's darkest decades.

Although the intended target of these policies was the Russian-speaking population in Eastern Ukraine, they affected all other ethnic minority groups, too—including Bulgarians, Poles, Romanians, and Hungarians. At the time several international organizations, including the [Council of Europe](#), the [European Union](#), and [NATO](#), raised serious concerns about the new legislation and called for Ukraine to safeguard the fundamental rights of all members of its population—but to no effect.

The concerns over Ukraine's newly adopted Law on Minorities are the same; while the aim to strengthen Ukraine as a nation, especially at a time of war, is perfectly legitimate, stripping previously existing rights away from Ukraine's ethnic minority populations and totally disregarding international standards for minority rights must not be an acceptable method of nation-building. Ukraine's Bulgarians, Poles, Romanians, and Hungarians—who are now being denied even the use of their native language in daily life—are dying on the front lines the same way ethnic Ukrainians are.

As Ukraine fights a David-and-Goliath battle to maintain its independence, it must not trample on significant portions of its own population. The West, which has shown overwhelming and unwavering support for Kyiv, must make clear that if Ukraine is serious about Western integration, it must show respect for its own minorities, its neighboring countries who are supporting partners, and international organizations. Harassing its ethnic minority citizens, many of whom have shed their blood for Ukraine, is no way to build a successful democratic nation.

The most obvious legal solution for Ukraine is to restore all previously existing rights of those ethnic groups who speak an official language of the EU, including Bulgarians, Poles, Romanians, and Hungarians. Given that Ukraine's EU accession will one day require the unanimous consent of all EU member states, it is also the only viable political way forward for Kyiv.

Ukraine's ethnic minorities rightly feel betrayed and thrown to the wolves by their political leadership. How can you ask citizens to die for their country when their own leaders seek to erase their cultural, linguistic and ethnic identity?

The war in Ukraine is not only about territorial integrity and independence. It is also Ukraine's war to preserve its own national identity. Russia is certainly in the business of canceling Ukrainian identity as such. But in its fight to push back against Russian aggression, Ukraine cannot win this war and lose its soul. If Ukraine is to emerge from this bloody war to preserve its own nationhood and become a strong, confident, and prosperous European country, it must respect the fundamental rights of its own minority populations.

*Dr. Balázs Tárnok is Managing Director of the [Europe Strategy Research Institute](#) at the University of Public Service, Budapest; and co-founder of the [Freedom and Identity in Central Europe \(FICE\)](#). In 2021, he was [Hungary Foundation](#)'s Visiting Research Fellow at the University of Notre Dame. Twitter: @TarnokB*

*The views expressed in this article are the writer's own.*

Source: <https://www.newsweek.com/suppression-suppressed-ukraines-restrictions-minority-rights-opinion-1779946>

01/27/2023

## **Hungarian Flags, Inscriptions and Heads of Institutions Removed in Mukachevo Region,**

# Ukraine

The party representing the 150,000-strong Hungarian minority in Ukraine has protested official action against the display of minority symbols and Hungarian-language inscriptions, all protected by law.



**In Mukachevo (Munkács) and some villages of the surrounding sub-region, where the majority of the population is ethnic Hungarian, national flags and signs in Hungarian were removed from public institutions. Well-respected heads of several Hungarian institutions were also dismissed. The actions appear to be locally driven.**

Beginning January 13, the leaders of local institutions in and around Mukachevo were instructed to remove the Hungarian national flag and Hungarian inscriptions from the buildings of their institutions. In at least one case, the Mukachevo municipal police carried out the act without force.

Furthermore, on January 17, **István Schink**, the 17-year veteran director of the II. Hungarian language Ferenc Rákóczi Secondary School in Mukachevo, and **Valéria Korolovics**, head of the Cultural Center of Dercen for 18



years, were both dismissed from their positions without cause.

Mindful that these acts can show Ukraine in a negative light, on January 26, representatives of the Hungarian minority addressed their concerns to Ukrainian President Volodymyr Zelenskiy at a meeting in the Transcarpathian County Council. **József Barta**, executive vice-president of the **Cultural Alliance of Hungarians in Sub-Carpathia (KMKSZ)**, said in his speech that the Hungarian national symbols were removed without consultation with the Hungarian community, and without approval by representatives of the Mukachevo Regional Council.

Previously, on January 24, the leadership of KMKSZ had issued a statement protesting these actions which come upon the heels of consternation caused by the removal of a significant Hungarian symbol, the Turul statue, from Mukachevo castle.

### **Statement by the Cultural Alliance of Hungarians in Sub-Carpathia (KMKSZ)**

The Board of the KMKSZ protests against the removal of the heads of Hungarian educational and cultural institutions belonging to the Mukachevo microregion and considers the unjustified dismissal of the director of Mukachevo II. Ferenc Rákóczi Secondary School to be an illegal measure that threatens the quality of Hungarian-language education.

The nationalities law currently in force ensures the free use of the national symbols of minorities, such as the flag. The provisions of the Language Act allow the posting of public signs in minority languages in addition to the state language in settlements inhabited by minorities. Therefore, the Presidency considers the removal of Hungarian flags and inscriptions in the settlements of the Mukachevo micro-region to be an arbitrary move, contrary to the laws in force, and will take official legal action.

*Uzhhorod, January 24, 2023*

[READ Original in Hungarian](#)

### **Hungary and Romania Join Forces in the Council of Europe For Review of the New Ukrainian Law on National Minorities**

At a joint Hungarian-Romanian initiative, the monitoring committee of the Parliamentary Assembly of the Council of Europe (CoE) unanimously decided to ask the CoE's constitutional advisory body, the **Venice Commission**, to examine whether the Ukrainian minority protection law is in line with international standards.

**Zsolt Németh**, chairman of the Foreign Affairs Committee of the Hungarian Parliament stated that despite Ukraine's obligations and pronouncement, it did not in fact hold consultations with the Venice Commission or the representatives of the national minorities before adopting the law. *"The fundamental condition for Ukraine's integration into the EU is compliance with international minority protection legislation, which is also required by the Copenhagen criteria for accession,"* emphasized Zsolt Németh.

Sources:

MTI/kmksz.com/karpat.in.ua/karpataljalap.net/karpatalja.ma

<https://politic.karpat.in.ua/?p=67630&lang=hu>

<https://politic.karpat.in.ua/?p=68447&lang=hu>

<https://politic.karpat.in.ua/?p=68325&>

[fbclid=IwAR3prjyb3eCYDU9uwBDZ6Svn\\_OUx4Wmyr1j9t3DPAUGX8XbCwLtmb9e7epk&lang=hu](fbclid=IwAR3prjyb3eCYDU9uwBDZ6Svn_OUx4Wmyr1j9t3DPAUGX8XbCwLtmb9e7epk&lang=hu)

<https://karpatalja.ma/karpatalja/oktatas/menesztettek-a-munkacsi-magyar-iskola-igazgatojat/>

Photo: Kárpátalja.ma <https://karpatalja.ma/karpatalja/kozelet/turulmadar-munkacs-kisterseg-magyarellesseg/>

# New Ukrainian Law on National Minorities Misses the Mark

12/19/2022

## Hungarian Minority Parties Issue Critical Statement

Political parties representing the interests of the 150,000-strong Hungarian national minority in Ukraine published the following joint statement, expressing their disappointment with the Ukrainian Parliament's new law on national minorities. The law "fails to guarantee adequate institutional foundations or legal mechanisms for implementing and protecting the rights of national minorities."

We ask the United States Congress and Administration, NATO, the EU, and all other stakeholders to heed the concerns of the affected communities, and to urge the Ukrainian government to fulfill its international and Constitutional commitments to protect the rights of national minorities.

Hungarian Human Rights Foundation

---

## **Joint statement of the Cultural Alliance of Hungarians in Sub-Carpathia (KMKSZ) and the Democratic Alliance of Hungarians in Ukraine (UMDSZ) Regarding the Law on National Minorities (Communities) of Ukraine**

On December 13, 2022, by a vote of 324, the Verkhovna Rada of Ukraine adopted the law “On National Minorities (Communities) of Ukraine” in the second reading. Legislators completely ignored the constructive proposals that were made earlier by Hungarian and other minority group organizations. The legislation not only strengthens all the restrictions that were previously codified in the Education and State Language Acts, but implements new ones as well. For example, it does not guarantee the preservation of compact ethnic settlement areas, or the use of one’s national symbols. The law interprets minority rights exclusively as rights that can be exercised individually by persons belonging to a minority group, which deprives national minorities (their communities, organizations) of any institutionally exercisable political, educational, and language rights, and therefore the ability to influence their own destiny.

In our opinion, the law in its current form is not suitable as an acceptable Ukrainian legislative instrument to implement neither the Constitution’s provisions, nor Ukraine’s international legal obligations as regards the protection of the rights of national minorities. The adopted law does not guarantee adequate institutional foundations or legal mechanisms for the implementation and protection of the rights of national minorities.

Uzhhorod, December 14, 2022

[READ Original in Hungarian](#)

[Download PDF here](#)

---

November 22, 2022

## **Ukrainian Town Officials Remove Hungarian Minority Symbol**



## Unnecessary Provocation against the Transcarpathian Hungarian Minority

On October 13, the Turul statue was removed suddenly from the obelisk of Mukachevo (Munkács) Castle by the Executive Committee of the Mukachevo City Council.<sup>1</sup> By October 25, the three-pronged harpoon serving as the Ukrainian national coat of arms was in its place.<sup>2</sup> Mukachevo is a historically significant cultural center for the 150,000-strong Hungarian minority in Ukraine. The Turul, a mythical bird, is a universal Hungarian symbol.

The legality of the removal of the statue is being investigated by the prosecutor's office, following a complaint filed by the Cultural Alliance of Hungarians in Transcarpathia.<sup>3</sup>

The statue was removed surreptitiously within hours of the decision. Its current condition and location are not known to the Hungarian community.

The circumstances surrounding the decision by the Executive Committee of the City Council are shrouded in mystery.

### Hungarian Minority Members of Council Evaded

In their October 18 [protest statement](#), 18 representatives of the City Council emphasized that the decision was **made not by elected members**, but by the city's Executive Committee. "Socially significant issues must be resolved in the meeting room by the representatives who have been entrusted with these powers, not by the executive committee, which has no representative function and assumes no responsibility for its decisions,"<sup>4</sup> holds the statement. Moreover, according to **Imre Pákh**, the Hungarian-American businessman from Mukachevo who financed the cost of the monument erected in 2008, the ethnic Hungarian members of the Executive Committee were not notified of any proposal to remove the statue.<sup>5</sup>

The legal and historic preservation status of the monument is unclear. According to the sources in the October 22 Telex article, many historically and culturally significant Hungarian monuments in Transcarpathia are in a similar limbo. What is clear, according to **Viktor Baloha**, the region's representative in the Rada is that "a political

decision was made” to use monuments as pawns in local and regional power struggles, and in bilateral relations with Hungary, all at the expense of the Hungarian minority in Ukraine.<sup>6</sup>

### **Hungarian Transcarpathian Organizations Protest**

**The Cultural Alliance of Hungarians in Transcarpathia** (KMKSZ) and the **Democratic Union of Hungarians in Ukraine** (UDMSZ) have vigorously protested the removal of the Turul Statue, which was returned to its original place “in the spirit of the common historical past and the peaceful coexistence of nationalities,” in 2008, after an 84-year absence. The leadership of the Democratic Union points out in its October 13 statement<sup>7</sup> that **for the first time in the history of independent Ukraine**, “does a Transcarpathian municipality deny permission for erecting or restoring a monument significant to the culture and history of Hungarians, rather orders its destruction.” The organization has called on the members of the Executive Committee of the Mukachevo City Council to rescind their decision effective immediately.<sup>8</sup>

### **Governor of Transcarpathia Non-Committal**

**Viktor Mikita**, the governor of Transcarpathia Oblast (Region) addressed the incident in his press conference<sup>9</sup> on October 18 stating the need for “meaningful dialogue” as regards the monument, in which regional representatives will also participate. According to the governor, after the decision, the case was examined from several points of view, concluding that the monument should not have been removed in such a hasty manner. He emphasized that decisions of this kind must be discussed with the local community.<sup>10</sup>

### **State Secretary János Árpád Potápi expresses Hungary’s exasperation**

“It is unfortunate that in the middle of a war, the most important thing for the leadership of the city of Mukachevo is to dismantle the monument, which is considered one of the prominent symbols of the local and Transcarpathian Hungarians, while Hungary is carrying out the largest humanitarian aid operation in the history of Hungary to help the war refugees in Ukraine. **This step is extremely ill-considered and untimely when armed aggression is raging in Ukraine**, which may work against the stability of the multi-ethnic Transcarpathia,”<sup>11</sup> State Secretary János Árpád Potápi wrote on social media.

### **HHRF Position Statement**

The Hungarian Human Rights Foundation (HHRF) strongly condemns the removal of the Turul statue in Mukachevo, Ukraine on October 13. This decision is an affront to the historical and cultural patrimony of Ukraine’s Hungarian minority, and undermines the peaceful co-existence of nationalities in the Transcarpathian region. As one of the community’s leaders, Andrea Bocskor has stated “*It is part of European principles and values that we mutually respect historical monuments and symbols.*”<sup>12</sup> Accordingly, HHRF calls upon the appropriate Ukrainian officials to immediately rescind their decision, reveal the statue’s location and condition; and forthwith return it to its original location in the spirit of mutual respect and respect for the rule of law.

<sup>1</sup> <https://kiszona.net/2022/10/19/85997/>

<sup>2</sup> <https://magyarnemzet.hu/kulfold/2022/10/felavattak-az-ukran-nemzeti-cimert-a-ledontott-turul-helyen>

<sup>3</sup> <https://magyarnemzet.hu/kulfold/2022/10/brenzovics-laszlo-felaborito-es-elitelendo-a-barbar-cselekedet>

<sup>4</sup> <https://kiszona.net/2022/10/20/turul-ugy-tiltakozik-a-munkacsi-varosi-tanacs-tobbsege/>

<sup>5</sup> <https://magyarnemzet.hu/belfold/2022/10/pakh-imre-a-munkacsi-turulszobor-eltavolitasa-provokacio-es-uszitas?fbclid=IwAR2Lx1e26MgUloTuRLgR0h-aBOcjHYHQSAyEvU9nB76nOhlNFd6h11fgrsQ>

<sup>6</sup> <https://telex.hu/kulfold/2022/10/22/turul-levetele-munkacs-baloha-ukrajna-magyar-kormany>

<sup>7</sup> <https://kmksz.com.ua/2022/10/13/a-karpataljai-magyar-kulturalis-szovetseg-nyilatkozata-2/>

<sup>8</sup> <https://kiszona.net/2022/10/13/tiltakoznak-a-munkacsi-turulszobor-eltavolitasa-ellen-a-karpataljai-magyar-szervezetek/>

<sup>9</sup> Youtube Video – TV21 Ungvár Híradó Esti Hírek Október 18

<sup>10</sup> <https://karpatalja.ma/karpatalja/nezopont/mikita-ertelmes-parbeszed-szukseges-a-munkacsi-turul-emlekmu-kapcsan/>

<sup>11</sup> <https://www.facebook.com/photo.php?fbid=662503981911915&set=a.435182417977407&type=3>

<sup>12</sup> <https://www.facebook.com/BocskorAndreaEP/posts>

[/pfbid0kigvJikMyiWPcjtApMVM5nzY6E5tzXaoyGMVgfhFTNDDDYTrywHU41b7AYagVzzl](https://www.facebook.com/BocskorAndreaEP/posts)

## Eltávolították a munkácsi vár obeliszkjéről a Turul-emlékművet



### Fölösleges provokáció a kárpátaljai magyar kisebbség ellen

Rekordgyorsasággal távolították el a Turul-emlékművet a munkácsi vár obeliszkjéről a Munkácsi Városi Tanács Végrehajtó Bizottságának október 13-ai határozatára<sup>1</sup> hivatkozva, melynek helyére október 25-én már ki is helyezték az ukrán címer háromágú szigonyát, a trizubát.<sup>2</sup> A szobrot a döntést követően órákon belül titokban távolították el, melynek a jelenlegi állapota és elhelyezkedése a magyar közösség számára ismeretlen. A szobor eltávolításának törvényszerűségét az ügyészség vizsgálja, a Kárpátaljai Magyar Kulturális Szövetség feljelentése

nyomán.<sup>3</sup>

### **A Városi Tanács Végrehajtó Bizottságának döntésének körülményeit rejtély övezi**

A Munkácsi Városi Tanács többsége az október 18-ai tiltakozó nyilatkozatában kiemelte, hogy a döntést nem a megválasztott képviselők, hanem a városi Végrehajtó Bizottság hozta meg, azonban a „társadalmilag jelentős kérdéseket az ülésteremben a képviselőknek kell megoldaniuk, akiket felhatalmaztak ezen jogkörökkel, nem pedig a végrehajtó bizottságnak, amelynek nincs képviseleti funkciója, és nem vállal felelősséget döntéseiért”<sup>4</sup> – áll a közleményben. Továbbá, **Pákh Imre**, munkácsi magyar származású, Amerikában élő üzletember szerint, aki az emlékmű költségeit finanszírozta 2008-ban, a Végrehajtó Bizottság magyar nemzetiségű tagjait nem is értesítették a szobor eltávolítására irányuló javaslatról.<sup>5</sup>

Az emlékmű jogi és műemlékvédelmi státusza nem tisztázott. A Telex október 22-i cikkének forrásai szerint sok történelmi és kulturális szempontból jelentős magyar műemlék van hasonló helyzetben. **Baloha Viktor**, a régió radai képviselője szerint egyértelmű, hogy „politikai döntés született”, mivel az emlékműveket a helyi és regionális hatalmi harcokban, valamint a Magyarországgal való kétoldalú kapcsolatokban politikai játékszerként használják, mindezt az ukrajnai magyar kisebbség rovására.<sup>6</sup>

### **Tiltakoznak a magyar kárpátaljai szervezetek**

A turul eltávolítása ellen nyilatkozatban tiltakozott a **Kárpátaljai Magyar Kulturális Szövetség (KMKSZ)** és az **Ukrajnai Magyar Demokrata Szövetség (UMDSZ)** is. A KMKSZK megdöbbenéssel értesült a döntésről, hiszen Munkács egyik jelképének számító turulszobor a város vezetésének kezdeményezésére került vissza eredeti helyére 84 év szünet után, 2008-ban, „a közös történelmi múlt és a nemzetiségek békés egymás mellett élésének jegyében” – emlékeztet a KMKSZ nyilatkozata.<sup>7</sup> Az UMDSZ elnöksége pedig nyilatkozatában rámutat, hogy a független Ukrajna évtizedei alatt először fordul elő, hogy „egy kárpátaljai önkormányzat nem arról dönt, hogy a magyarság kultúrájával, történelmével kapcsolatos emlékmű felállítását, netán helyreállítását engedélyezi, hanem éppen ellenkezőleg, annak lerombolásáról dönt.” A szervezet “határozott tiltakozását fejezi ki a döntéssel kapcsolatban” és felszólítja a Munkácsi Városi Tanács Végrehajtó Bizottságának tagjait, hogy vonják vissza a határozatukat.<sup>8</sup>

### **Kárpátalja kormányzója a párbeszéd szükségességéről**

**Viktor Mikita**, Kárpátalja kormányzója Október 18-ai sajtóbeszélgetésén tért ki a sajnálatos esetre<sup>9</sup>, ahol kijelentette, hogy értelmes párbeszédre van szükség a munkácsi Turul-emlékmű kapcsán ahol a kistérség képviselői is részt vesznek. A kormányzó szerint a határozat után több szempontból is meg lett vizsgálva az ügy, arra a következtetésre jutva, hogy nem lett volna szabad ilyen hirtelen formában eltávolítani az emlékművet. Hangsúlyozta, hogy az ilyen jellegű döntéseket mindenképp meg kell vitatni a helyi közösséggel is.<sup>10</sup>

### **Potápi Árpád János államtitkár Magyarország elkeseredésének ad hangot**

A magyar kormány részéről **Potápi Árpád János**, a Miniszterelnökség nemzetpolitikáért felelős államtitkára megdöbbenőnek, felháborítóknak, és sajnálatosnak nevezte, hogy egy háború kellős közepén Munkács vezetése számára az a legfontosabb, hogy lebontsa a helyi, valamint a kárpátaljai magyarság egyik kiemelt jelképének számító Turul-emlékművet, miközben Magyarország története legnagyobb humanitárius segélyakcióját hajtja végre az ukrajnai háborús menekültek megsegítésére. Az államtitkár mindemellett kiemelte, hogy „egy európai értékeket valló országban alapvető fontosságú a történelmi emlékművek és emlékhelyek kölcsönös tisztelete és megőrzése, a nemzeti kisebbségek vonatkozásában, hiszen ez az egyik fokmérője az adott ország kisebbségpolitikájának. Ez a lépés az Ukrajnában dúló fegyveres agresszió idején rendkívül átgondolatlan és időszerűtlen, amely a soknemzetiségű Kárpátalja stabilitása ellen hathat.”<sup>11</sup>

### HHRF Állásfoglalás

A Hungarian Human Rights Foundation (HHRF) határozottan elítéli a Turul-emlékmű eltávolítását Munkácson. A döntés sérti az ukrajnai magyar kisebbség történelmi és kulturális örökségét, és aláássa a nemzetiségek békés együttélését Kárpátalján. Bocskor Andrea, kárpátaljai magyar politikus és európai parlamenti képviselője kijelentette, hogy *“az európai alapelvek és értékek része, hogy kölcsönösen tiszteletben tartjuk a történelmi emlékeket és szimbólumokat is.”*<sup>12</sup> Ennek értelmében a HHRF felszólítja az illetékes ukrán tisztviselőket, hogy a kölcsönös tisztelet és a jogállamiság tisztelete jegyében haladéktalanul vonják vissza döntésüket, fedjék fel a szobor helyét és állapotát, és helyezték vissza eredeti helyére.

---

<sup>1</sup> <https://kiszozet.net/2022/10/19/85997/>

<sup>2</sup> <https://magyarnemzet.hu/kulfold/2022/10/felavattak-az-ukran-nemzeti-cimert-a-ledontott-turul-helyen>

<sup>3</sup> <https://magyarnemzet.hu/kulfold/2022/10/brenzovics-laszlo-felhaborito-es-elitelendo-a-barbar-cselekedet>

<sup>4</sup> <https://kiszozet.net/2022/10/20/turul-ugy-tiltakozik-a-munkacsi-varosi-tanacs-tobbsege/>

<sup>5</sup> <https://magyarnemzet.hu/belfold/2022/10/pakh-imre-a-munkacsi-turulszobor-eltavolitasa-provokacio-es-uszitas?fbclid=IwAR2Lx1e26MgUloTuRLgR0h-aBOcjHYHQSAyEvU9nB76nOhlNFd6h11fgrsQ>

<sup>6</sup> <https://telex.hu/kulfold/2022/10/22/turul-levetele-munkacs-baloha-ukrajna-magyar-kormany>

<sup>7</sup> <https://kmsz.com.ua/2022/10/13/a-karpataljai-magyar-kulturalis-szovetseg-nyilatkozata-2/>

<sup>8</sup> <https://kiszozet.net/2022/10/13/tiltakoznak-a-munkacsi-turulszobor-eltavolitasa-ellen-a-karpataljai-magyar-szervezetek/>

<sup>9</sup> Youtube Video – TV21 Ungvár Híradó Esti Hírek Október 18

<sup>10</sup> <https://karpatalja.ma/karpatalja/nezopont/mikita-ertelmes-parbeszed-szukseges-a-munkacsi-turul-emlekmu-kapcsan/>

<sup>11</sup> <https://www.facebook.com/photo.php?fbid=662503981911915&set=a.435182417977407&type=3>

<sup>12</sup> <https://www.facebook.com/BocskorAndreaEP/posts>

[/pfbid0kigvJikMyiWPcjtApMVM5nzY6E5tzXaoyGMVgfhFTNDDDYTrywHU41b7AYagVzsl](https://www.facebook.com/BocskorAndreaEP/posts)



February 17, 2022

## **The Fifth Periodic Report of Ukraine on the Implementation of the Framework Convention for the Protection of National Minorities**

*Written comments submitted February 17, 2022 by Hungarian Researchers and NGOs in Subcarpathia, Ukraine*

This report focuses on the problematic and unsolved issues surrounding minority language use in Ukraine despite the ratification of the Framework Convention for the Protection of National Minorities. The written comments by the Hungarian Researchers and NGOs in Subcarpathia conclude in this report that, though Hungarians do not seek extra rights as a minority group they do seek to preserve their basic minority rights in order to maintain their language and cultural identity. They go on to conclude that if European organizations do not make a stand against the restrictions that Ukraine has set forth for minority rights, then Europe is setting a dangerous precedent which allows any country to build a homogeneous nation.

Read the executive summary [HERE](#).

---

# Politics

## HEALTH

### Pair of vaccine regulators to leave the FDA

#### Biden administration defends campaign for booster shots

By Tom Howell Jr.

The White House defended its COVID-19 vaccine booster shot campaign Tuesday after outside advisers complained of limited data on the need for third doses and senior Food and Drug Administration officials abruptly retired amid criticism of President Biden's decision to trumpet the plan before regulators had signed off on it.

The booster decision "was made by and announced by the nation's leading public health officials," White House COVID-19 coordinator Jeff Zients said, rattling off a list that included leaders at the Centers for Disease Control and Prevention, the National Institutes of Health and acting Food and Drug Commissioner Janet Woodcock.

Mr. Biden wants to begin giving third doses of the Pfizer-BioNTech or Moderna vaccine to people who received their second dose eight months prior. He said the FDA and the CDC's Advisory Committee on Immunization Practices (ACIP) must sign off on the plan but he announced a start date of Sept. 20, anyway, leading to charges he preempted experts.

ACIP members on Monday said data on the need for boosters is limited, signaling they might limit their blessing to a plan that protects health workers, older adults and people with preexisting conditions until they get data on the general population.

On Tuesday, FDA employees learned that Marion Gruber, director of the FDA's Office of Vaccines Research and Review, plans to retire on Oct. 31 after a 32-year career at the agency and Deputy Director Philip Krause will leave in November.

Peter Marks, chief of the FDA's Center for Biologics Evaluation and Research, did not provide a reason for their departures in a letter to agency employees.

But a former senior FDA official told Endpoints News they were upset that CDC advisers were involved in decisions that are normally the FDA's purview. The clincher, the official said, was the White House getting ahead of the FDA on booster shots.

Mr. Zients said the administration wanted to be upfront with people about signs of waning immunity in vaccinated people and fears it could lead to hospitalizations down the road, even if the shots are largely staving off severe illness for the vaccinated now.

"We announced our approach in order to stay ahead of the virus, give states and pharmacies time to plan, and to be transparent with the American people — as to the latest data and expert clinical judgments from the team — to give them time to do their own planning," Mr. Zients said. "This is pending FDA conducting an independent evaluation and CDC's panel of outside experts issuing a booster dose recommendation."

Dr. Marks said the departure of Dr. Gruber, the OVRD director since 2011, is a "huge loss" and that Dr. Krause's "keen insight and experience" will be sorely missed.

"We are confident in the expertise and ability of our staff to continue our critical public health work, including evaluating COVID-19 vaccines," said FDA spokeswoman Stephanie Caccamo.

Still, the high-level departures come at a critical juncture in the COVID-19 fight, as the delta variant rips through poorly vaccinated areas and sparks fears of "breakthrough infections" in the fully vaccinated.

Mr. Biden, seven months into his presidency, hasn't nominated a permanent FDA commissioner. The agency is now deciding whether to approve COVID-19 vaccines for children aged 5 to 11.

Critics say the booster plan, meanwhile, could distract from the main goal of getting all eligible people vaccinated — only 52% of the U.S. population had completed their vaccine course as of Tuesday.

The World Health Organization also warned richer countries for rolling out booster shot programs

## ECONOMY

### Pandemic eats into Social Security's solvency

By Stephen Dinan

Social Security's revenue will begin to decline this year, crossing a critical fiscal threshold as the program begins a slide toward depletion of its trust funds in little more than a decade, the program's trustees said in a stark report Tuesday.

And both of Social Security's benefit programs, Old-Age Survivors Insurance for older adults, and Disability Insurance for those unable to work, failed the trustees' tests of short-range financial adequacy.

The revenue decline had been predicted in previous reports, but its arrival is still a stark warning sign in the federal government's fiscal health checkup.

The trustees said that while the trajectory has been grim for some time, the coronavirus pandemic and the economic downturn it spawned took a significant toll on Social Security, slicing a year off the deadline for when the trust funds will be depleted and the program will no longer be able to pay out full promised benefits.

The new deadline is 2034, and payments will be reduced to 78% of what was promised, the trustees said.

"The pandemic and precipitous recession have clearly had significant effects on the actuarial

status of the OASI and DI Trust Funds, and the future course of the pandemic is still uncertain," the trustees said.

Medicare was also slammed by the pandemic, said the trustees, as income plummeted and expenses surged, with payments for testing and treatment of an older population particularly ravaged by the disease.

But Medicare beneficiaries also put off procedures amid the pandemic, "more than offsetting" the new costs, the trustees said in a separate report on Medicare, the federal health program for those 65 and older.

The 2021 reports are the first to take full stock of the pandemic.

Social Security is funded by a payroll tax applied to wages earned. It is not a welfare program but is instead supposed to be a type of pension, in which Americans across the income spectrum pay into it and get benefits commensurate with those payments.

The program's finances have been declining for years, with annual payroll tax income insufficient to cover the program's benefit payments since 2010.

This year will be the first that the combined income from payroll taxes and interest won't cover promised benefits, the trustees said. That imbalance

will continue for the rest of the century, with the two combined trust funds depleted in 2034.

Under the law, Social Security then will have to cut its payments to meet income, and will pay out 78 cents on each dollar the program has promised to pay. By 2095, the end of the 75-year actuarial period the trustees studied, the program will pay out 74 cents of each dollar promised.

"If we wanted to fix the system and we wanted to act immediately, we would have to cut benefits 21% next year," said Chuck Blahous, who used to serve as one of the public trustees for Social Security. Underlying the imbalance is the ratio of workers supporting retirees.

From 1974 to 2008, the ratio was 3.2 to 3.4 workers per beneficiary. That began to decline with the Great Recession, and is now down to 2.7 workers per beneficiary. By 2035, when baby boomers will mostly have retired, it will be 2.3 workers per beneficiary. Efforts to overhaul Social Security have gone nowhere on Capitol Hill over the years, with Democrats' demands for bigger benefit checks sunk by the fiscal realities of paying for them.

Mr. Blahous said the numbers are so bad that both sides of the ideological spectrum must give — conservatives will have to embrace tax increases, and liberals will have to stomach benefit cuts.

Advertisement

Advertisement

## U.S. Strategy for Ukraine Must Include Minority Rights

### says leader of the Hungarian minority, László Brenzovics

On September 1st, Ukrainian President Volodymyr Zelensky will meet President Biden at the White House to discuss ways to expand strategic cooperation between Ukraine and the U.S. This cooperation, however, must be based on shared universal values — including respect for the fundamental rights of ethnic minorities.

Since the dissolution of the Soviet Union 30 years ago, Ukraine has been an independent, multiethnic country. The largest minority are the Russians, but there are significant communities of ethnic Bulgarians, Hungarians, Poles, Romanians, and others such as the Crimean Tatars.

For the first 25 years of its recent independence, Ukraine ensured the fundamental rights of ethnic minorities: the right to be educated in their native language and, within reasonable limits, to use minority languages in public affairs.

However, things changed in 2014, with Russia's annexation of Crimea. To counteract Russian influence in eastern Ukraine, the Ukrainian government radically changed its minority policy. While these measures primarily target the Russian-speaking population in eastern Ukraine, the radical restrictions on native language use have devastated other ethnic groups, too.

- Since 2017, new laws on education and the state language severely restrict ethnic minorities in using and studying in their native language.
- As of July 1, 2021, a new law limits the definition of 'indigenous' minorities. The law not only contravenes common sense, but is also highly discriminatory. While certain indigenous peoples including the Bulgarians, Hungarians, Romanians, and Poles—and of course, the Russians — are not recognized, nor are their language rights.
- The current draft Law on National Communities, too, is built upon vague concepts that limit rather than protect existing rights. Instead of 'minorities,' it talks about "communities" — an apparent bid to evade Ukraine's existing commitments to internationally recognized minority rights instruments.

The Venice Commission, an advisory body of the Council of Europe in which the U.S. is represented, established that Ukraine has failed to ensure the linguistic rights of minorities, and recommended that Ukraine implement measures to ensure a sufficient level of teaching in minority languages. The Council of Europe's Parliamentary Assembly and the High Representative of the EU for Foreign Affairs and Security Policy called on Ukraine to ensure the rights and non-discrimination of national minorities. So far, Ukraine has completely ignored the Council of Europe recommendations.

Hate speech and hate crimes against ethnic minority groups continue to be tolerated. Over the past three years, ultra-nationalist groups set fire to the office of the Cultural Alliance of Hungarians in Subcarpathia; posted 'stop the separatists' billboards with photos of Hungarian community leaders, including me; and run a website that lists the addresses of ethnic Hungarian community leaders, branding them 'enemies of Ukraine' — all with impunity.

Ukrainian authorities themselves also intimidate the Hungarian minority. Last year, based on false charges, armed security commandos raided several Hungarian minority institutions in Subcarpathia. President Zelensky has intentionally encouraged anti-Hungarian sentiment, publicly comparing the Hungarian ethnic community to the situation in the Donetsk Basin — knowing full well that the comparison is absurd.

National minorities in Ukraine are not new arrivals; this region has been our home for more than a thousand years. As Hungarians in Subcarpathia, we do not want special or privileged treatment. We do not want to be labeled as enemies of the state; we have always been loyal to Ukraine. We only want to be recognized as the indigenous national minority we are; to preserve our language and cultural identity; and to work together with the majority



White House COVID-19 Response Coordinator Jeff Zients said the decision to have booster shots "was made by" the "nation's leading public health officials."

instead of sharing their doses with poor nations that need to start vaccinations. CDC Director Rochelle Walensky defended the plan amid skepticism from her agency's own panel of outside advisers.

She said the ACIP reviewed data that "looked at increased waning with regard to the vaccine effectiveness for infection and some suggestion there was increased waning vaccine effectiveness against hospitalization," she said. "The ACIP did not review international data that actually has led us to be even more concerned about increased risk of vaccine effectiveness warning against hospitalization, severe disease and death. They will be reviewing that as well." She said the complete package of data showed it was critical to "plan ahead to remain ahead of the virus."

population as equals to ensure a successful future for Ukraine.

President Biden has said that the United States should be able to 'walk and chew gum at the same time' - that is, to implement a foreign policy based on both national interest and principles of human rights. In engaging with Ukraine, this means that the U.S. must also insist upon respect for the rights and equal treatment of ethnic minorities.

*László Brenzovics is president of the Cultural Alliance of Hungarians in Subcarpathia, which represents the 150,000-strong ethnic Hungarian minority in Ukraine. Born in 1964, in the village of Zápszony, Ukraine, he holds a doctorate in history and has been active in local and national community affairs since 1990.*

Paid for by Hungarian Human Rights Foundation.

September 1, 2021

## Expanded cooperation with Ukraine should include minority rights:

### Message from the leader of the Hungarian minority to Presidents Biden and Zelensky.

Read the text in the Washington Times [here](#).

On September 1st, Ukrainian President Volodymyr Zelensky will meet President Biden at the White House to discuss ways to expand strategic cooperation between Ukraine and the U.S. This cooperation, however, must be based on shared universal values – including respect for the fundamental rights of ethnic minorities.

Since the dissolution of the Soviet Union 30 years ago, Ukraine has been an independent, multiethnic country. The largest minority are the Russians, but there are significant communities of ethnic Bulgarians, Hungarians, Poles, Romanians, and others such as the Crimean Tatars.

For the first 25 years of its recent independence, Ukraine ensured the fundamental rights of ethnic minorities: the right to be educated in their native language and, within reasonable limits, to use minority languages in public affairs.

However, things changed in 2014, with Russia's annexation of Crimea. To counteract Russian influence in eastern Ukraine, the Ukrainian government radically changed its minority policy. While these measures primarily target the Russian-speaking population in eastern Ukraine, the radical restrictions on native language use have devastated other ethnic groups, too.

- Since 2017, new laws on education and the state language severely restrict ethnic minorities in using and studying in their native language.
- As of July 1, 2021, a new law limits the definition of 'indigenous' minorities. The law not only contravenes common sense, but is also highly discriminatory. While certain indigenous peoples are recognized, the Bulgarians, Hungarians, Romanians, and Poles—and of course, the Russians – are *not* recognized, nor are their language rights.

- The current draft Law on National Communities, too, is built upon vague concepts that limit rather than protect existing rights. Instead of ‘minorities,’ it talks about “communities” – an apparent bid to evade Ukraine’s existing commitments to internationally recognized minority rights instruments.

The Venice Commission, an advisory body of the Council of Europe in which the U.S. is represented, established that Ukraine has failed to ensure the linguistic rights of minorities, and recommended that Ukraine implement measures to ensure a sufficient level of teaching in minority languages. The Council of Europe’s Parliamentary Assembly and the High Representative of the EU for Foreign Affairs and Security Policy called on Ukraine to ensure the rights and non-discrimination of national minorities. So far, Ukraine has completely ignored the Council of Europe recommendations.

Hate speech and hate crimes against ethnic minority groups continue to be tolerated. Over the past three years, ultra-nationalist groups set fire to the office of the Cultural Alliance of Hungarians in Subcarpathia; posted ‘stop the separatists’ billboards with photos of Hungarian community leaders, including me; and run a website that lists the addresses of ethnic Hungarian community leaders, branding them ‘enemies of Ukraine’ – all with impunity.

Ukrainian authorities themselves also intimidate the Hungarian minority. Last year, based on false charges, armed security commandos raided several Hungarian minority institutions in Subcarpathia. President Zelensky has intentionally encouraged anti-Hungarian sentiment, publicly comparing the Hungarian ethnic community to the situation in the Donetsk Basin – knowing full well that the comparison is absurd.

National minorities in Ukraine are not new arrivals; this region has been our home for more than a thousand years. As Hungarians in Subcarpathia, we do not want special or privileged treatment. We do not want to be labeled as enemies of the state; we have always been loyal to Ukraine. We only want to be recognized as the indigenous national minority we are; to preserve our language and cultural identity; and to work together with the majority population as equals to ensure a successful future for Ukraine.

President Biden has said that the United States should be able to ‘walk and chew gum at the same time’ – that is, to implement a foreign policy based on both national interest and principles of human rights. In engaging with Ukraine, this means that the U.S. must also insist upon respect for the rights and equal treatment of ethnic minorities.

---

**László Brenzovics** is president of the Cultural Alliance of Hungarians in Subcarpathia, which represents the 150,000-strong ethnic Hungarian minority in Ukraine. Born in 1964, in the village of Zápszony, Ukraine, he holds a doctorate in history and has been active in local and national community affairs since 1990.

August 30, 2021

## **HHRF Statement**

# **Minorities in Ukraine: Questions to Ask President Zelensky**

**The upcoming White House meeting between Presidents Biden and Zelensky** will focus on expanded strategic cooperation between the U.S. and Ukraine. Yet little attention is paid to the fact that the rights of **Ukraine's minorities** have been continually eroded since 2014.

To counteract Russian influence in eastern Ukraine following Russia's annexation of Crimea, the government of Ukraine radically changed its minority policy. As a result, the **ethnic Bulgarian, Hungarian, Polish, Romanian and Crimean Tatar minorities**, among others, have become collateral damage.

To ensure stability, any viable foreign policy strategy and bilateral relationship must stress universal values, including fundamental human and minority rights.

***We urge President Biden, State Department officials, Members of Congress and the media to vigorously address the neglected issue of minority rights and pose these vital four questions:***  
**1. Why do Ukrainian authorities continue to tolerate, rather than condemn hate speech and hate crimes against ethnic minority groups?**

- In 2018, ultra-nationalist groups set fire to the office of the Cultural Alliance of Hungarians in Sub-Carpathia.
- Overnight, billboards also appeared, with photos of community leaders branded as “separatists” in the region, which is home to the **150,000-strong Hungarian minority**.
- The still-functioning extremist [Myrotvorets website](#), which has evident ties to government officials, listed the addresses of ethnic Hungarian community leaders and branded them as “enemies of Ukraine.”
- In November 2020, in a politically motivated intimidation campaign, armed security commandos raided a home and several Hungarian minority institutions.
- In May 2021, graffiti appeared warning ethnic Hungarians to leave the country lest they or “be poisoned like rats.”

**2. Why does the new law, adopted July 1, 2021, fail to recognize the Bulgarians, Hungarians, Romanians, Russians and Poles as ‘indigenous’ minorities?**

On numerous occasions, the Council of Europe's advisory Venice Commission, among others, has told Ukraine

that it is unacceptable to establish different levels and degrees for the rights of persons belonging to national minorities versus indigenous peoples. Despite Ukrainian assertions to the contrary, the new law does not meet the ILO definition of “indigenous”, as nowhere does Convention 169 establish lack of a kin-state as part of this definition, yet this is precisely what the Ukrainian law hinges upon.<sup>1</sup> The clear intent of the law is to circumvent the established minority rights of the affected communities.

### **3. Why does your government ignore objections by NATO, Council of Europe, Venice Commission, and European Union to the latest updates to the Laws on Education and the State Language, which further restrict native language education and use of minority languages in public administration?<sup>2</sup>**

The two updated versions of prior laws rescind and curtail rights granted in the prior 25 years and have a devastating impact on the cultural survival of Ukraine’s smaller national minorities.

### **4. Why does the recent draft law, intended to replace the law on national minorities in force since 1992, omit the very term “minority” from its title?**

Hungarian minority representatives have pointed out that the current draft Law on National Communities is unconstitutional and possibly a bid to evade Ukraine’s commitments to international minority rights instruments, by using the non-legally binding term “communities” instead of “minorities”. Since the draft law ignores the recommendations submitted by the affected minorities, the parliament should now at least consider the proposed amendments recently submitted by national minorities.

For additional details see letters from [László Brenzovics](#) and the [president](#) of the **Hungarian Teachers Association of Subcarpathia** to President Zelensky dated June 9, 2021 and May 26, 2021; along with László Brenzovics’s [letter](#) and [attachment](#) to Commissioner for Human Rights Mijatovic of the Council of Europe.

<sup>1</sup> “peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonization or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.”

<sup>2</sup> Venice Commission Opinion (902/2017) on the Law on Education and Venice Commission Opinion (960/2019) on the Law Supporting the Functioning of the Ukrainian Language as the State Language.

---

*June 9, 2021*

## **Ukrainian Bill Excludes Hungarian Minority**

## **HHRF ALERT: Ukrainian President Zelensky's Bill on Indigenous Peoples Excludes Hungarian Minority**

### **ILO Convention, Venice Commission Ignored**

In an inexplicable move, the bill submitted by **President Zelensky** on Indigenous Peoples in the Ukraine excludes the **150,000 Hungarian community** which has inhabited the Subcarpathia region of the country for over 1,000 years.

Meanwhile, the Council of Europe advisory Venice Commission, among others, has consistently called on Ukraine to apply constitutional norms regarding the equal treatment of all indigenous peoples and national minorities.

In a May 26 letter to the president, the head of the **Hungarian Teachers Association of Subcarpathia, Ildikó Orosz**, appealed to Zelensky to equally apply the ILO Convention 169 (1989) definition of “indigenous people”<sup>[1]</sup> to the Hungarian minority and not just the Crimean Tatar, Karaite, and Krymchak peoples. The bill justifies excluding the Hungarian minority because they have an outside co-national state (“kin state”) to support their cultural development. Once again the Ukrainian leadership has rejected Venice Commission recommendations specifically stating *“that it is unacceptable to establish different levels and degrees of the rights of persons belonging to national minorities versus indigenous peoples based on whether the group has a kin state, and/or whether the kin state is a member of particular international alliances,”* notes Orosz.

Far from being a semantic fine point, the definition and application of the term “indigenous peoples” has real-time impact on whether or not, and to what extent the members of the Hungarian minority can use and study in their native language. Key laws have been adopted in recent years without defining the concept and ignoring international obligations in the area of minority rights. For example, in 2017 and 2019, the Venice Commission criticized the Law on Education as noted above<sup>[2]</sup>, and the Law Supporting the Functioning of the Ukrainian Language as the State Language,” calling on Ukraine to repeal discriminatory provisions in the latter. <sup>[3]</sup>

Should the bill on Indigenous Peoples recognize the Hungarian minority, it could effectively settle the legal issues regarding Hungarian-language education in Subcarpathia, emphasizes Orosz. The otherwise highly minority rights-restrictive Law on Education (2017) states in Article 7 that students who are members of an indigenous people have the right to education in their native language at all levels, until the completion of secondary school. Such a move would comply with the Venice Commission's recommendations on the Law on Education, and be a significant step in halting Ukraine's course, since 2017, of reversing already acquired rights for its minorities (see a brief analysis in [Minority Rights-Ukraine's Gateway to the West](#)).

***The Hungarian Human Rights Foundation urges President Zelensky to support the amendment requested by the Hungarian minority for the Verkhovna Rada to classify them as an indigenous people, and thereby comply with relevant human rights instruments.***

1 “peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonization or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.”

2 Venice Commission Opinion (902/2017) on the Law on Education states in paragraph 110: “the reason invoked by the Ukrainian authorities – the absence of kin-states – is generally not considered to be acceptable under applicable European standards; any differentiation must be based on other grounds such as, e.g., different degrees of vulnerability or need of state support.”

3 Venice Commission Opinion (960/2019) on the Law Supporting the Functioning of the Ukrainian Language as the State Language” provides a specific recommendation in paragraph 139, point 3: “to repeal the provisions of the Law providing for a differential treatment between the languages of indigenous peoples, the languages of national minorities which are official languages of the EU and the languages of national minorities which are not official languages of the EU to the extent that the distinction between those languages is not based on an objective and reasonable justification (see §§39-44, 69-82, 87, 89, 93, 94, 99-102, 110, and 111)

December 1, 2020

## **HHRF ALERT: UKRAINIAN SECURITY FORCES RAID HUNGARIAN MINORITY INSTITUTIONS ON FALSE CHARGES**

On Monday, November 30, armed commando units of the Ukrainian Security Forces (SBU) raided top Hungarian minority institutions throughout the Subcarpathian region, as well as the home of leader László Brenzovics.



In a statement released yesterday, the **Cultural Alliance of Hungarians in Subcarpathia (KMKSZ)** condemned the heretofore unprecedented official assault against the 150,000-strong minority community emphasizing that “*what we’re witnessing is a meticulously coordinated campaign based on fabricated political charges intended to destroy Hungarian community institutions and intimidate the Hungarian minority and its leaders in Subcarpathia.*”

The **raids** were carried out at the Charitable Foundation for the Hungarian College in



Subcarpathia, the Egan Ede Subcarpathian Economic Development Center, headquarters of the KMKSZ in Uzhhorod/Ungvár, and the home of KMKSZ President László Brenzovics.

Commando units claimed to be looking for evidence of money laundering, accounting and contract fraud, activities aimed at dismantling the territorial integrity of the country, attempts to change the country's borders by force, and damaging the state. [According to the Cultural Alliance](#), the legal contrivance was an ongoing criminal investigation by the Zaporizhzhya Court alleging “separatism,” which originated with journalist **Glagola Vitalij**, and a website, [madyar.info](#), well-known for disseminating false, virulently anti-Hungarian propaganda.

Previous attempts to intimidate the Hungarian minority include the to-date unsolved February 2018 fire-bombing on KMKSZ headquarters in Uzhhorod, as reported by [HHRF](#).

**The Hungarian Human Rights Foundation (HHRF) calls on the competent Ukrainian authorities to immediately cease the politically based, unfounded and unprovoked assault against the persons and institutions of the Hungarian national minority. Specifically, all confiscated materials should be returned to the victims, and charges dropped against all persons and institutions targeted by the November 30, 2020 raid.**

You can read details about the legal contrivance in the [attachment](#) to Brenzovics's December 9 [letter to the Council of Europe](#) alerting the human rights commissioner to the atrocities.

---

*November 1, 2019*

## **HHRF ALERT: Speak Up for the Hungarian Minority in Ukraine! Tell the *New York Times* and *Washington Post* They Are Misinformed**

[OPEN REPORT IN PDF](#)

Here are some examples you can refer to:

- Numerous illegal activities and undemocratic policies surrounded the July 2019 parliamentary elections in which the Hungarian minority community lost its sole representative in the Rada. There is now no one at the national level to speak up for the community.

- In April 2019, the Ukrainian president signed a law curtailing the Hungarian minority's use of their mother tongue, in violation of their own constitution.
- No student enrolled in the Mukachevo/Munkács State University's Hungarian Department in September 2019. The country's anti-Hungarian, coupled with unfair entrance exams and changes to the education law, have driven Hungarian language education into the ground.
- Billboards falsely labeling Hungarians "separatists" littered the Subcarpathian countryside in October 2018.
- In September 2018, the Ukrainian parliament's website hosted a petition to deprive dual Ukrainian-Hungarian citizens of their citizenship and deport them.
- "There are no Hungarians living in Subcarpathia, only Ukrainians of Hungarian origin," proclaimed the president of Subcarpathian State Administrative Office, Ihor Bondarenko, in October 2019.
- The headquarters of the Cultural Alliance of Hungarians in Subcarpathia (KMKSZ) in Uzghorod/Ungvár was firebombed in February 2018. The perpetrators have yet to be identified or charged.
- An extremist website, Myrotvorets, that in 2018 revealed the personal data of hundreds of ethnic Hungarians it deemed "enemies of the state" is still up and running.

**Please stand up for human rights and submit comments to both newspapers.**

*July 18, 2019*

## **HHRF ALERT: Police Raid Homes of Hungarian Minority Leaders in Ukraine to Intimidate Voters**

### **Sole Parliamentary Representative for the Community Appeals to European Parliament**

Following armed raids at the homes of ethnic Hungarian community leaders in Subcarpathia, Ukraine, the president of the Cultural Alliance of Hungarians in Subcarpathia (KMKSZ) called on the newly-elected European Parliament president to "demand that Ukraine observe the Law on Elections, in order to give minorities at least a fair chance to have their interests represented at the parliamentary level." In his July 15 letter to EP President Sassoli, László Brenzovics wrote about "numerous illegal activities and undemocratic policies," which threaten

the fairness” of the July 21 parliamentary elections and the future of his community.

In a show of solidarity, locals rushed to the home of ethnic Hungarian **Károly Rezes** - an elected official on the Subcarpathia County Council – on Monday when police stormed his Szőlősgyula (Diula) house with a warrant falsely accusing him of buying votes. A hearing is scheduled in Kiev on July 19. Earlier that day, police also raided the home of Salank (Shalanky) mayor, **Viktor Aljohin**.

Brenzovics told karpatalja.net on Tuesday that “Accusations of us buying votes is absurd and nothing other than attempts to intimidate the activists and representatives of the Hungarian community in Subcarpathia...we emphatically protest the fact that authorities are harassing us instead of pursuing the real perpetrators of election fraud.” Moreover, the Hungarian community stands to lose any and all representation in the Rada with the rejection of a Subcarpathian voting constituency in violation of Article 18 on the Law on Elections to the Supreme Council of Ukraine.

“The intimidation and harassment of Hungarian community leaders, journalists, teachers, and organizations continues unabated,” states the appeal for help to Sassoli and the use of his good offices on behalf of minority rights and democratic practices. In fact, none too soon, the Hungarian Cultural Alliance learned, via Twitter, on Thursday, July 18, that acting Foreign Minister Jehor Bozsok had instructed the Ukrainian Security Service to begin criminal proceedings against KMKSZ. The charges? Apparently using the “Hungarian colors” of red-white-green on a map in its publication to indicate those election districts of concern for ethnic Hungarians in Subcarpathia is tantamount to “inciting separatism” and threatening “the inviolability of Ukraine’s territorial integrity” per Article 110, Section 2 of the penal code. Brenzovics denounced the foreign minister’s actions as those fomenting anti-Hungarian sentiments on the heels of the election, and appealed to the central authorities for normalized relations between the communities.

Read the entire letter below.

**ГРОМАДСЬКА ОРГАНІЗАЦІЯ  
„ТОВАРИСТВО УГОРСЬКОЇ  
КУЛЬТУРИ ЗАКАРПАТТЯ.”**

88 000 м. Ужгород, Православна наб. 5,  
Закарпатська обл., Україна

Tel./fax: (380 312) 61 72 79, (380 312) 61 32 54



**KÁRPÁTALJAI MAGYAR  
KULTURÁLIS SZÖVETSÉG**

88 000 Ungvár, Pravosláv part 5.,  
Kárpátalja, Ukrajna

e-mail: elnok@kmksz.com.ua

www.kmksz.com.ua

**H.E. Mr. David Sassoli**  
**President of the European Parliament**  
**Brussels**

1399/2019

July 15, 2019

**Dear Mr. President,**

First, allow me to congratulate you on your election as President of the European Parliament, and to wish you success and patience in your new position.

In less than a weeks' time, on July 21, Ukraine will hold parliamentary elections. As a leader of the Hungarian minority in Ukraine, I must call your attention to numerous illegal activities and undemocratic policies, which threaten the fairness of these elections and thereby the future of my community.

Just as during the previous parliamentary elections in 2014, the Central Election Committee has once again rejected a proposal that would have created a Sub-Carpathian voting constituency in an area with a high concentration of ethnic Hungarians. The failure to ensure such a constituency is a direct violation of Article 18 of the Law on „Elections to the Supreme Council of Ukraine.” This failure of the authorities to enforce the law deprives the Hungarian community of the opportunity to elect a Parliamentary representative to the Ukrainian Verkhovna Rada.

As the elections approach, we have observed other violations which make a farce of the democratic process. As in earlier years, some political parties are buying the votes of the people by offering them money – usually a small sum, which is nevertheless significant for a poor family.

In addition, parties are resorting to another well-established method of dividing the vote: by running a candidate with a similar name. Usually this „candidate” lacks any political background and is uninterested in holding office; he runs simply because he is paid to do so, to win away votes from a candidate with similar name.

Following Mr. Zelenskyi's recent presidential victory, the previously unrelenting anti-Hungarian propaganda, which branded the minority as an „enemy,” has largely receded from the forefront of Ukraine's mass media. However, the intimidation and harassment of Hungarian community leaders, journalists, teachers, and organizations continue unabated.

We believe that ethnic Hungarians in Ukraine deserve treatment, rights and opportunities, both in school and everyday life, equal to those of the majority nationality. We do believe in human rights, even though we live outside the European Union. We are committed to a common European future of our

though we live outside the European Union, we are committed to a common European future of our nations, in which people can practice their constitutional rights as in any other European country.

I would like to ask your help and the use of your good offices to impress upon the government of Ukraine that the restriction of minority rights and democratic processes undermines stability, not only in our region but elsewhere in the country. In addition, we ask the European Parliament to demand that Ukraine observe the Law on Elections, in order to give minorities at least a fair chance to have their interests represented at the parliamentary level.

The protection of minority rights and democratic processes, and the other pillars of international law, would encourage Ukraine's integration into Western international institutions and alliances – a goal fervently shared by the Hungarian national minority.

I look forward to your reply.

Your sincerely,


Vasyl Brenzovych  
President  
Cultural Alliance of Hungarians in Sub-Carpathia

# Kárpátalja

XIX. évfolyam, 28. (964.) szám 2019. július 16. Ára 3 hrvnyva



## „Magyarország az új ukrán elnökben új reményt lát”



**2** Választások  
Hárompólusúvá válhat az ukrán politikai élet

**3** Aktuális  
A pénzosztók helyett a magyar összefogás embereit próbálják besározni

**6** Oktatás  
Sikerrel zárult a Kőlcsey-pedagógusakadémia

### A hét

**Hét turista életét veszítette** múlt esztendőre virradóra Görögországban a heves jégesők, szélviharok és esőzések miatt. A rendőrség szerint a viharok szerdán este vonultak végig az ország északi részén található – turisták körében közkezeletű – Halkidiki-félszigeten. Egy család házára akkor esett le az ég, amikor lakócsinijukat a heves széllelőések magukkal rántották. Egy orosz férfinak és a fiának az életét egy kicsavart fa oltotta ki Potidea városában. Egy román nő és egy nyolcvéves gyereket pedig a vihar következtében leszakadt tetőelemek tüntek kőföldre a Plagiaszban egy éteremben. A tűzoltóság szerint hátszan kerültek kórházba az illetéid miatt. Egy klinika viszont azt közölte, hogy 60-70 embert is el kellett látniuk, többnyire esztendőresek miatt. A Halkidiki-félszigeten jelenleg több tútizer – főleg kelet-európai államokból érkezett – turista üdül. (MTI/vajna.info/Kárpátalja)

**Tizenhárom éves gyerek** robbantotta fel magát a kelet-afgansztáni Nangarhar tartományban egy esküvőn múlt pénteken, a merénylőnek legalább öt halotja és több mint negyven sebesülte van – köztük helyi hatóságú források. Rendőrségi források szerint az esküvőt egy kormánybarát milícia parancsnokának a családijában tartották. A merénylőt egyelőre senki nem vállalta magára, a kormányellenes, szélsőséges tiltók tagadják, hogy ők lettek volna az elkövetők. A pakisztáni határhoz közeli Nangarharban több szélsőséges iszlamista fegyveres csoport is aktív, m található az Iszlám Állam nevű terroristavezet egyik központja is. A merénylőt néhány nappal a Dohában tartott afgánközi békekonzferencia után hajtották végre, amelyen az afgán kormány delegációja, a tiltók küldöttsége és afgán civil és politikai szereplők vettek részt. A kétnapos tárgyalás végén elfogadott nyilatkozat értelmében a felek a jövőben nem indítanak támadásokat vallási központok, iskolák, kórházak, oktatási központok, piacok, gátak és munkahelyek ellen, hogy nullára csökkentsék a civil áldozatok számát. (MTI/Kárpátalja)

**Legalább tíz halálos áldozata** van annak a fegyveres támadásnak, amelyet iszlamista fegyveresek hajtottak végre múlt pénteken este Kismayo szómáliai kikötőváros egyik szállodájában. Az áldozatok többsége a vendégek közül került ki. A szálloda kedvelt találkozóhelye a sűbbsége a vendégek közül került ki. A szálloda kedvelt találkozóhelye a sűbbsége a vendégek közül került ki. A szálloda kedvelt találkozóhelye a sűbbsége a vendégek közül került ki.

A rendőrség elítélte azt, hogy gépkocsiba rejtett pokolgép robbant a szállodánál, amelyben helyi vénék és törvényhozók tanácskoztak a kőszobánál regionális választásokról. A támadás elkövetőjeként tak a szómáliai központi kormány megbuktatására törekvő al-Shabaab iszlamista terroristavezet jelentkezett, és közölte, hogy harcosai tönkretettek a szállodát. Az al-Shabaabot

# Talpra, magyar!



**Július 21-én**  
**menjünk el**  
**szavazni!**



Please follow and like us:



MISSION STATEMENT & ACCOMPLISHMENTS

IN MEMORIAM LÁSZLÓ HÁMOS

ABOUT HUNGARIAN MINORITIES

BECOME A SPONSOR

RECONNECT HUNGARY

ON THE RADAR



Contact us



Offices



Follow us



Donate now

SUBSCRIBE OUR NEWSLETTER

First name

Last name

e-mail

Sign up

Mission Statement & Accomplishments

In memoriam László Hámos

About Hungarian Minorities

Become a sponsor

ReConnect Hungary

On the Radar

Disclaimer (c) Hungarian Human Rights Foundation, 2019. Hungarian Human Rights Foundation reserves the right to change the contents of this website. Registered 501(c)(3). EIN: 13-3254319.