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Events of 2015

Throughout 2015, Ukraine remained in a situation of protracted conflict, first triggered by the annexation of the Crimean peninsula by Russia in early 2014 and the subsequent military escalation by Russian-supported separatists and Russian troops in the Donetsk and Luhansk regions in eastern Ukraine. Following the Second Minsk Ceasefire Agreement on 11 February 2015, the frontline stabilized and the level of military operations reduced. Nevertheless, despite these negotiations, violence in the east of the country continued throughout the year. Furthermore, the agreement and subsequent talks failed to include essential minority rights protections in the parts of eastern Ukraine that are controlled by pro-Russian forces, nor address the ongoing humanitarian crisis in Crimea.

As a result of the conflict, more than 1.4 million civilians from eastern Ukraine and Crimea are now officially registered as internally displaced persons (IDPs). Around 750,000 IDPs are concentrated in non-occupied parts of Donetsk and Luhansk regions, meaning they are still in practice residing in the conflict zone but have registered to preserve their legal status and secure state aid. Though more than 100,000 are based in Kyiv city, and a sizeable number in other parts of central and, to a lesser extent, western Ukraine, the majority of the IDPs are based in eastern parts of the country. A large proportion of these IDPs originate from the Russian-speaking urban areas of eastern Ukraine and are now residing in Ukrainian-speaking territory, often in rural areas. For a long period, the Ukrainian government provided minimal assistance to IDPs, many of whom found themselves in an administrative limbo due to their uncertain legal status. However, following a veto by President Petro Poroshenko of proposed IDP legislation in November 2015, a revised law was passed by parliament in December 2015 and approved by Poroshenko in January 2016. Recognizing the long-term reality of internal displacement for these groups, the legislation was intended to provide better access to legal documentation and essential services to those who had fled the fighting.

The Ukrainian authorities tried to negotiate during the year with Russia on the enforcement of the International Convention on the Elimination of All Forms of Racial Discrimination in the conflict zone. In August 2015, the government lodged an interstate claim before the European Court on Human Rights (ECtHR) against Russia, alleging systematic violations of the rights of ethnic Ukrainians, minorities and indigenous people to freedom of religion, expression, peaceful

assembly and association. According to the submission, there have been cases of disappearances and arbitrary arrests of members of the Crimean Tatar indigenous people as well as opposition activists. The Ukrainian government accuses armed groups controlled by Russia of torture and ill-treatment. This followed two earlier applications concerning Crimea and eastern Ukraine, lodged before the ECtHR by the Ukrainian government against Russia.

In other Ukrainian regions during the year there was little in the way of substantive change in relation to minority rights. State financing of media for traditional minorities in their own languages was in fact reduced during 2015, while a survey of the implementation of the Strategy of Defence and Integration for the Roma National Minority, adopted in 2013, suggested that there had so far been little in the way of concrete impact for the community. In these circumstances, the problems facing traditional minorities in frontier zones, such as Bulgarians, Gagauzes and Moldovans in Odessa, and Hungarians and Romanians in Transcarpatia, are ongoing. A positive step for minorities nevertheless took place in Transcarpatia, where the Ukrainian Party of Hungarians (UPH) participated successfully in local elections in October 2015. Though no special quota system was in place, UPH took eight seats (12.5 per cent of the total) on the regional council and secured a significant number of deputy places in the region.

Religious relations in Ukraine have also become a hostage of the conflict. After the election of the new Metropolitan in August 2014, the Ukrainian Orthodox Church (UOC) of the Moscow Patriarchate is increasingly perceived to be influenced by the Russian government. The other UOC of the Kyiv Patriarchate, as well as the Ukrainian Greek-Catholic Church, support Ukraine in the conflict, but now struggle to operate in the territories controlled by Russia. On the Ukrainian mainland, conflicts in local communities between followers of the different UOC Patriarchates have become more frequent since 2014. Tensions in traditional Muslim communities have also increased after the Spiritual Administration of Muslims of Crimea declared its public support in November 2014 for the Russian occupying authorities and against the Crimean Tatar *Mejlis* as well as other activists supporting the anti-Russian blockade.

Crimea

Since the forcible annexation of Crimean by Russian forces in 2014, the region – while legally remaining part of Ukrainian territory – has been under the *de facto* control of the Russian authorities. The *de facto* authorities have initiated a clampdown on the Crimean Tatar population, which has long struggled for recognition as indigenous people in the region. The *Mejlis*, the representative body of the Crimean Tatars, which denounced the Russian annexation as illegal, has been virtually forced to stop its social and political activities given the pressure placed upon its members, who have faced intimidation, detention and charges of extremism. A variety of pro-Russian 'self-defence' militias have also intimidated Crimean Tatars and other people who tend to hold pro-Ukrainian views. There have been instances of abductions and disappearances, including of Crimean Tatars.

The *de facto* authorities have also cracked down on cultural gatherings by Crimean Tatars, especially commemorative events. This affected events that the *Mejlis* attempted to organize during the year, such as a traditional ceremony commemorating the deportation of Crimean Tatars on 18 May that was denied permission in 2015 on public safety grounds. Instead, the *de facto* authorities held their own event with loyal Crimean Tatar organizations. While other key celebrations were also cancelled, such as Crimean Tatar Flag Day in June, events initiated by Crimean Tatars but with a pro-Russia orientation were authorized.

All seven Ukrainian-medium schools that operated in Crimea at the time of the annexation have been closed; in other schools, Ukrainian classes were generally replaced with Russian language and literature. Some parents have reportedly been too intimidated to request instruction in

Ukrainian. Provision has been made for education in Crimean Tatar, yet in practice the right to receive an education in this language has been restricted.

Aspects of Ukrainian cultural and religious identity have also been repressed in Crimea. As is the case with Crimean Tatar flags, the display of Ukrainian flags at events has led to interrogations, fines and prosecution for extremism. Activists of the Ukrainian Cultural Centre have also been arrested, fined and sentenced to community work. In February, the Museum of Ukrainian *Vyshivanka* (traditional Ukrainian embroidery) in Crimea was closed, and in March three people were fined for celebrating *Vyshivanka* Day, a date honouring traditional Ukrainian embroidery. An event on the 201st birthday of Ukrainian poet Taras Shevchenko, also in March, had to be held in the outskirts of Simferopol as permission for it to be held in the city centre was denied. There were instances of harassment against religious minorities too, such as the UOC, the Greek-Catholic Church and the Muslim community, including the seizure of places of worship. The *de facto* authorities have also targeted pro-Ukraine NGOs and silenced independent human rights organizations.

Since March 2014, Ukrainian channels in Crimea have been jammed and replaced with broadcasts originating from the Russian Federation. The Russia-controlled media has presented a highly skewed portrayal of the events in the peninsula, while websites providing independent information have at times been blocked. All Crimean Tatar media outlets but one – the newspaper *Yeni Dunya* – were forced to close down on 1 April 2015, as they could not re-register under Russian law (as required by the *de facto* authorities in April 2014). While Russian-language media outlets generally received new licences, Crimean Tatar-language media outlets – such as the news agency QHA, the television channel ATR, as well as the children's television channel Lale – were denied re-registration, despite repeated attempts. The denials were routinely linked to technicalities, leaving the media outlets no option but to close down to avoid facing substantial fines and criminal charges. Instances of harassment of minority media in Crimea include a raid on the Crimean Tatar television channel ATR on 26 January 2015 by an armed police unit that confiscated materials, as well as issuing warnings about broadcasting 'extremist' information.

Even before the Russian annexation, Crimean Tatars have long struggled to achieve formal status as an indigenous people. While Russia still does not recognize their claim, in March 2014 the Ukrainian parliament finally adopted a resolution designating Crimean Tatars as an indigenous people. However, Ukraine has subsequently failed to adopt the national legislation on indigenous peoples that was promised to Crimean Tatars. Even a draft bill, recognizing the non-numerous peoples of the Crimea, such as Crimean Karaites and Krymchaks, as indigenous peoples, fell short of being passed by the Ukrainian parliament in June 2015.

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