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**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**

**(VENICE COMMISSION)**

**CONCEPT OF THE STATE ETHNIC AND  
NATIONAL POLICY OF UKRAINE**

**(Comments by Mr F. Matscher, Member, Austria)**

The Concept shall serve as a guidance for the establishment of the State Ethnic and National Policy of Ukraine.

It enumerates a series of very general principles which, as such, sound fair and meet no objections, but it has to be seen how they will be realised.

The main purpose seems to be the development of the Ukrainian Nationality by an integration of all structured ethnic and national components of the Ukraine society into the Ukrainian nationality.

The Concept recognises the multi-ethnic character of the Ukrainian society and confirms the right of each of its members to maintain and to promote their cultural heritage.

As constituents of the Ukrainian society are mentioned the Ukrainian nationality, indigenous population, and national minorities.

The Concept gives the following definition of minorities: “The national minorities are defined as entities of the citizens of Ukraine who are not Ukrainians by their nationality, numerically smaller than Ukrainians, manifest the sense of national self-identification and of community between them and freely maintain and develop their ethnic and cultural identity”.

The Concept describes the Principle directions and mechanism of the State ethnic and national policy. In this context special attention should be paid to the development and functioning of the Ukrainian language as the State language in all spheres of social life in Ukraine and major efforts should be made to create favourable conditions for mastering the State language by the whole population and to increase the social prestige of that language.

The cultural identity of the minorities living in Ukraine should be preserved by guaranteeing to them *inter alia* cultural autonomy and promoting education in their language (the Russian language has been specially mentioned).

The Ukrainians living in the Diaspora should be supported in order to enable them to preserve their language. The State should promote free and organised return to Ukraine for persons who have been displaced from the territory of Ukraine.

All other persons belonging to national minorities who have been displaced from the territory of Ukraine as well as their descendents who like to return to their former places of residence should be guaranteed equal treatment with the Ukrainian citizen.

The politics regarding national minorities should be constructed in conformity with the principles of generally recognised rules of international law, utilising to their full extent the relevant frameworks of the United Nations, of the Council of Europe, the OSCE and in co-operation with the bureau of Democratic Institutions in Warsaw and with all other institutions of international co-operation.

The whole is a very ambitious programme governed by general principles whose bearing is partly difficult to be understood. As it has been said before, an overall assessment is hardly possible and it will be necessary to see how these principles will be realised by concrete legal rules and political measures.