

Suppression by the Suppressed: Ukraine's Restrictions on Minority Rights | Opinion

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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.

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