



Security Council

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Letter dated 22 May 2019 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council

I have the honour to refer to the letter dated 17 May 2019 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council ([S/2019/408](#)) as well as to his statement made at the Security Council on 20 May 2019.

The request of the Russian Federation to hold a Security Council meeting to discuss the Ukraine Law on Ensuring the Functioning of the Ukrainian Language as the State Language is another attempt by Russia to manipulate the Minsk agreements and to distract the Security Council from the ongoing Russian aggression against Ukraine. The meeting was requested in pursuit of one thing: to give the Russian delegation a stage to spread its propaganda about the “plight” of Russian speakers in Ukraine. Adding insult to injury, it is coming from a delegation which is going out of its way in the Council to impede any consideration of really urgent human rights situations – in Syria, Venezuela, the Democratic People’s Republic of Korea or elsewhere.

The reality is that the adoption of Ukraine’s law on the functioning of the State language has absolutely nothing to do with the Package of Measures for the Implementation of the Minsk Agreements. Ukraine categorically rejects any attempts to link that law to the documents negotiated in Minsk on 11 February 2015 by leaders of Ukraine, France, Germany and the Russian Federation and subsequently endorsed by the Security Council in its resolution [2202 \(2015\)](#). It is Ukraine’s internal matter and the Council, tasked with maintenance of international peace and security, has no standing to address the issue of functioning of the State language in Ukraine.

On 20 May 2019, the Council heard a very strained interpretation by the Russian delegation as to how the above-mentioned law allegedly undermines the Minsk agreements and violates the Constitution of Ukraine.

The real situation is the opposite. Indeed, paragraph 11 of the Minsk agreements provides for adoption of the law on the special status for certain areas of the Donetsk and Luhansk regions and a relevant footnote mentions that this law should also have a provision for a right to linguistic self-determination. In this regard, it has to be emphasized that such a law was already adopted in Ukraine. It is called “Law on the Special Order of Local Self-governance in Certain Areas of the Donetsk and Luhansk Regions”. Paragraph 4 of the law specifically addresses the language issue. It provides for self-determination by each resident of his or her native language, choice of the



language for communication and the free use of any language in the public and private spheres.

Moreover, the law foresees that local authorities facilitate the use of Russian and other languages in the spheres of education, mass media and public life and create conditions for their use in the work of State bodies and local authorities.

I also would like to recall that, during previous meetings of the Security Council on the subject of the Russian-Ukrainian conflict, the Russian delegation stressed the importance of sequential implementation of steps prescribed in the Minsk agreements. In this regard, it is worth pointing out that paragraph 11 of the Package of Measures for the Implementation of the Minsk Agreements is preceded by many other provisions on the security situation, an exchange of prisoners, restoring socioeconomic ties and a few other measures.

Since the Russian delegation requested the Security Council meeting to discuss paragraph 11, by the Russian logic it should mean that the progress on all those issues has been achieved or is within reach. That a comprehensive ceasefire holds. That Ukrainian prisoners like Oleh Sentsov, Volodymyr Balukh, Oleksandr Kolchenko and dozens of others, including the 24 Ukrainian sailors, are coming home soon. That all foreign armed formations – in fact the armed formations of the Russian Federation – military equipment, as well as mercenaries are being withdrawn from the territory of Ukraine.

Unfortunately, this is not the case.

Nevertheless, for the purpose of informing the Council members and the wider United Nations membership about the Ukraine Law on Ensuring the Functioning of the Ukrainian Language as the State Language, I would like to provide you with some observations about the substance of this document and the main reasons for its adoption.

First, the law does not discriminate against languages of national minorities and foreign languages in the territory of Ukraine. On the contrary, it guarantees the rights of national minorities and indigenous peoples to use their languages for pre-school and primary education, along with the State language.

Its adoption was a requirement of the Constitution of Ukraine, which, back in 1996, provided that Ukrainian was the only State language, and that its use should be further determined by law. Until now, Ukraine has not had any law to regulate the use of its State language, Ukrainian, and needed to codify the rules for its use in the public sphere.

The peculiarities of the use of languages of national minorities and indigenous peoples will also be determined by a separate law in accordance with the obligations of Ukraine pursuant to the European Charter for Regional or Minority Languages. Such a draft will be prepared within the next six months.

The law does not apply to the sphere of private communication and religious rights. It does not prohibit speaking Russian or any other language in any sphere of private use; it does not prohibit holding religious rituals in Russian or any other language; it does not prohibit the use of Russian or any other language in the public and customer service sectors; it does not prohibit a doctor from communicating in Russian or any other language on a patient's request, etc. The law does not envisage any criminal liability for not speaking the State language, nor does it prescribe any changes to the Criminal Code of Ukraine.

Second, the Russian representative tried to convince the Council that the law prohibits the Russian language. However, in reality, the word "prohibition" is never used in the text of the law, while the word "protection" is contained in dozens of

provisions. In its 45 pages, 17,391 words, it does not mention “Russian language” even once.

The law gives the Ukrainian language the necessary protection for its further development. In general, it is about ensuring that Ukrainian citizens in Ukraine should have no obstacles with learning Ukrainian and communicating in it, thus overcoming centuries of discrimination and the Russification legacy of Tsarist Russian and Communist Soviet rule.

Here are some facts of Russification of Ukraine, which give a historical context as to why the Ukrainian language requires protection:

- 1720: Russian Tsar Peter I bans books in Ukrainian and all texts in Ukrainian from church books
- 1763: Empress Catherine II bans teaching in Ukrainian at the Kyiv Mohyla Academy, Ukraine’s major educational institution
- 1769: the Russian Orthodox Church prohibits the printing and use of the Ukrainian ABC primer
- 1804: by decree of the Tsar, all Ukrainian-language schools are closed
- 1863: Valuev circular, a secret directive prohibiting the issuing of permits for publication of Ukrainian-language religious and educational books
- 1876: the Ems decree of Alexander II prohibits printing any books in Ukrainian and the import of any Ukrainian-language publications
- 1888: Alexander III bans Ukrainian in official institutions and the use of Ukrainian names in baptizing ceremonies
- 1911: Russian adopted as the only language in education throughout the Russian Empire
- 1914: Nicholas II bans all Ukrainian press
- 1933: Stalin’s telegram to stop the “Ukrainization” in Ukraine and in the Kuban region of Russia. All 300 Ukrainian schools, all Ukrainian-language newspapers and cultural institutions closed in the Kuban
- 1938: the Union of Soviet Socialist Republics switches to the “compulsory study of the Russian language in schools of national republics and regions”
- 1978: the Union of Soviet Socialist Republics takes “measures to further improve the study and presentation of the Russian language in the Union republics”. Practically all Ukrainian language kindergartens disappear, students at schools are “encouraged” to write in Russian, instruction at universities is conducted predominantly in Russian
- 1983: the Union of Soviet Socialist Republics takes “additional measures to improve learning of the Russian language in secondary schools and other educational institutions of the Union republics”
- 1989: The decree of the Central Committee of the Communist Party of the Soviet Union “On the Legislative Consolidation of the Russian Language Nationwide”

It is only natural that a question may arise as to why the Russian authorities are so preoccupied with attempts aimed at eliminating the Ukrainian language. The answer is simple. Because the Ukrainian language and identity were and still are perceived by Moscow rulers as an existential threat to the idea of a “Russian world”. From this perspective, it’s not that surprising that the Russian delegation brought this

issue to the Security Council. However, as the procedural vote has clearly demonstrated, the Council is not the place where Moscow should bring its internal insecurities. Instead, Russia should focus on restoring, building and developing relations with its neighbours based on the principles of respect for national sovereignty and non-interference in internal affairs.

I would appreciate your kind assistance in having the present letter distributed as a document of the Security Council.

(Signed) Volodymyr **Yelchenko**
Ambassador
Permanent Representative
