



## **Unrepresented Nations and Peoples Organization (UNPO) Communication Universal Periodic Review: Ukraine**

### ***Crimean Tatars***

Crimean Tatars live mainly in the Autonomous Republic of Crimea in Ukraine and they comprise 12% of the population in Crimea. Deported during the World War II from Crimea by the Soviet regime, the Crimean Tatars have been allowed to return to Crimea since the collapse of the Soviet Union, which quite a significant number did (with approximately 250.000 now living in Ukraine). While we note the positive steps the government took to facilitate the acquirement of Ukrainian citizenship and to create projects to integrate the Crimean Tatars, they remain discriminated against, especially on the issue of representation, recognition and land rights.

#### **Representation**

Despite having won two parliamentary seats in the Ukrainian Parliament, Crimean Tatars remain underrepresented in public spaces in the Autonomous Republic of Crimea and in the Autonomous Republic of Crimea (ARC) Parliament, as confirmed by the Report of Committee on the Elimination of Racial Discrimination of February 2007. In this respect, the government of Ukraine and the parliament of the Autonomous Republic of Crimea should ensure the appropriate representation of Crimean Tatars, by adopting special measures, as it is stated in article 4 in Section II of the Framework for the Protection of National Minorities of the Council of Europe which Ukraine ratified in 1998: *“the Parties undertake to adopt, where necessary, adequate measures in order to promote, in all areas of economic, social, political and cultural life, full and effective equality between persons belonging to a national minority and those belonging to the majority.”* Therefore, UNPO calls for the adoption of special measures which would facilitate the representation of Crimean Tatars in the Autonomous Republic of Crimea Parliament, for a territory where they constitute a significant part of the population.

#### **Recognition**

According to the Ukrainian government, Crimean Tatars are labelled as an ‘ethnic minority’. However, having historically lived in the Crimea peninsula before their deportation during the World War, Crimean Tatars do see themselves as indigenous people of Crimea and seek recognition of their history in Crimea. The term indigenous people was recognised by the Soviet Union in 1920 for the Crimean Tatars. Moreover, article 4 of the Declaration of the Rights of Indigenous People states that *“Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.”* However, though Crimean Tatars are considered a national minority, the Crimean Tatars Parliament is not recognized by Ukrainian authorities. Article 11 of the Ukrainian Constitution underlines that the state shall promote *“... the development of the ethnic, cultural, linguistic and religious identity of all indigenous peoples and national minorities of Ukraine.”* However, there is no mention of political development and ensuring political representation of the minority or indigenous people. UNPO calls for a greater recognition of the historical realities of the Crimean Tatars nation in terms of political status and inclusion in state publications.

#### **Land Rights**

According to the article 47 of the Ukrainian Constitution, *“everyone has the right to housing”* and *“citizens in need of social protection are provided with housing by the State and bodies of local self-government”*. However, only 20% of the population of Crimean Tatars have been allocated plots of lands and mainly in areas which are considered undesirable. A system for compensation of the loss of their former property as a consequence of their deportation would be required to enable equal access to housing. Moreover, article 33 of the Ukrainian Constitution states that *“Everyone who is legally present on the territory of Ukraine is guaranteed freedom of movement, free choice of place of residence, and the right to freely leave the territory of Ukraine, with the exception of restrictions established by law.”* The fact that Ukraine legislation limits land distribution and the rights to land plots to former Soviet collective farm workers, excludes in practice Crimean Tatars who were then deported. Furthermore, recently Crimean Tatars claiming for land rights have been heavily repressed by the police in the Autonomous Republic of Crimea. UNPO, therefore, urges all parties involved to adequately address the issue of land rights for Crimean Tatars in Crimea, by means of land allocation or by appropriate compensation for the loss of the lands and calls for a halt to police repression of protests.