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Excellency,

The Committee on the Elimination of Racial Discrimination wishes to inform you that, at its 67th session held from 2 to 19 August 2005, it considered on a preliminary basis the request submitted by the Research and Support of Indigenous Peoples of Crimea Foundation, asking the Committee to act under its early warning and urgent action procedure on the situation of the Crimean Tatars in Crimea.

The Committee recalls the provisions of paragraph 15 of its concluding observations adopted following the examination of Ukraine's fifteenth and sixteenth periodic reports in 1998 (CERD/C/304/Add.48 §15):

“The Committee recommends that the State party continue to take all necessary steps to fully restore the rights of repatriated members of minorities, including the Crimean Tatars, and to afford them just and adequate reparation where appropriate. The Committee also further recommends that issues relating to the citizenship of the repatriated members of minorities, including the Crimean Tatars, be solved as soon as possible in a just manner. In this regard, and in light of article 5 (d) (iii) of the Convention, the Committee suggests that the State party consider the possibility of acceding to the international instruments on statelessness.”

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The Committee also draws the attention of the State party to its concluding observations adopted in 2001 (A/56/18 §374) providing that:

“...The Committee reiterates its concern regarding the difficulties experienced by the Crimean Tatars in acquiring Ukrainian citizenship. At the same time it was felt that resettlement should not generate new ethnic tensions that might lead to conflict between Crimean Tatars and other minorities. The Committee recommends that the State party review its legislation and practices in this regard and make any revisions required by the Convention.”

In accordance with article 9 (1) of the Convention and article 65 of its rules of procedure, the Committee draws the attention of the State party to the following list of questions to which it wishes to receive a response at the latest by 31 December 2005, so that the matter can be discussed at its 68th session, to be held from 20 February to 10 March 2006:

1. What measures has the State party adopted to follow up on the Committee’s recommendation that the State party review its legislation and practice regarding, *inter alia*, the acquisition of Ukrainian citizenship by the Crimean Tatars?
2. Please report on the content of Ukraine’s Law on National Minorities and provide information, in particular, on the protection it provides to the Crimean Tatars in the enjoyment of civil, political, economic, social and cultural rights. To what extent do Crimean Tatars participate in the conduct of public affairs in Crimea?
3. Please describe the current situation as to the resettlement and rehabilitation of the Crimean Tatars. Has the State party taken any steps towards restitution to the Crimean Tatars of their property, or afforded them just and adequate reparation where appropriate if such restitution has not been made?
4. According to some information, the Crimean Prime Minister, Anatoliy Matviyenko, stated that “the procedure for allocating land plots not only for the resettlement of Crimean Tatars but also for other Crimeans will be agreed upon by the end of the week” (Black Sea TV, Simferopol, 12 July 2005) Please provide the Committee with updated and comprehensive information in this regard.
5. According to some information, Ukraine’s Land Code requires that applicants for agricultural land plots be members of collective farms. Such a requirement excludes Crimean Tatars from the process of land allocation, since, according to the same source, they cannot become members of collective farms. In this regard, how does the State party comply with its obligations under article 5 (d) (v) of the Convention to guarantee the right of everyone, without discrimination, to own property alone as well as in association with others?
6. In light of article 5 (d) (iii) of the Convention, does the State party envisage acceding to the Convention relating to the Status of Stateless Persons of 1954 and

the Convention on the Reduction of Statelessness of 1961? If not, what are the obstacles encountered by the State party impeding such accession?

I would like to reiterate the wish of the Committee to pursue the constructive dialogue with your Government, and to underline that this request for further information is made with a view to ensuring the implementation of the Convention in cooperation with your Government. The Committee further reminds the State party that the seventeenth and eighteenth periodic reports of Ukraine, to be submitted in one document, were due on 6 April 2004. The Committee therefore strongly encourages the State party to submit its overdue periodic report as soon as possible.

Yours sincerely,

Mario Yutzis
Chairman, Committee on the
Elimination of Racial
Discrimination