

**Alternative Report submitted to the United Nations Human Rights  
Committee at its 108th Session during the consideration of the  
Seventh Periodic Report of Ukraine**



**Submitted by:**

Unrepresented Nations and Peoples Organization

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## **Unrepresented Nations and Peoples Organization**

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## Section A: Introduction to the Report

### **Unrepresented Nations and Peoples Organization**

This alternative report was submitted by the Unrepresented Nations and Peoples Organization (UNPO) on the occasion of the 108th Session of the United Nations Human Rights Committee (henceforth, “the Committee”) during which the Seventh Periodic Report of Ukraine will be considered.

The Unrepresented Nations and Peoples Organization is a democratic, international membership organization. Its Members are indigenous peoples, nations, minorities and independent States or territories who have joined to protect their human and cultural rights, preserve their environments and find non-violent solutions to conflicts that affect them.

### **Methodology**

The framework of this report will comment upon relevant articles of the International Covenant on Civil and Political Rights sequentially. The final section of the report raises questions that should be raised and recommendations regarding concerns which are intended to inform the discussions taking place within the International Covenant on Civil and Political Rights (henceforth, “CCPR” or “the Covenant”) and between the Country Report Task Forces and the Ukrainian delegation at the 108th Session.

This alternative report will focus on the situation of the Crimean Tatar people in Ukraine and the Ukrainian government’s compliance with and implementation of the provisions in the International Covenant as it affects this particular group. The major issues discussed in this report are religious-discrimination, discrimination, racism, land disputes, language preservation and the protection of their cultural and historical heritage.

*The Hague, June 2013*

## Section B: Introduction to the Crimean Tatars

The Crimean Tatars are indigenous to the area within Ukraine currently known as the Autonomous Region of Crimea. The Crimean Tatars trace their origins in Crimea to the 9th century when Turkish peoples and Mongol Tatars entered the region and established their nation in 1441. It was during this time that the Crimean Tatar identity and culture was established and flourished within a Crimean Khanate that formed part of the Ottoman Empire. Following Crimea's annexation to Russia in 1783, and subsequent failed attempts at regaining their independence, mass emigration took place as Crimean Tatars fled the peninsula due to violence and starvation caused by the Soviet collectivization campaign. This eventually made the once majority Crimean Tatars a minority in their own homeland.

In 1921 the Crimean Autonomous Soviet Socialist Republic was established and Crimean Tatars were continuously subjected to forced assimilation, marginalization and exile by the Soviet regime. In the 1940s, the Crimean Tatars were unjustly scapegoated and eventually labeled as traitors by the Soviet regime.

In 1944, the entire Crimean Tatar population was forcibly deported to the Urals, Siberia and Uzbekistan. Around 46% of the population died in the process of deportation while, Soviet authorities systematically destroyed most of the Crimean Tatars identity and denied them an existence. This included the demolishing of buildings and monuments, and names of places were Russified. The United Nations Treaty on the Prevention and Punishment of Genocide defines genocide in Article II as "acts committed with intent to destroy in whole or in part, a national, ethnical, racial or religious group." These acts include "deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or part." Therefore, Crimean Tatars largely consider themselves to be victims of genocide under the Soviet regime. The history of demographic manipulation through mass deportation is at the origin of the many challenges the Crimean Tatars face today.

The Crimean Tatars have been trying to return to their homeland since 1967. Even though they were officially granted with the right to return in 1989, they still face systematic discrimination and violations of their human rights. At the root of the problems is the confiscation of Crimean Tatar land and property which followed their deportation. Crimea is a highly valued area, both commercially and politically, for Ukraine and Russia, which causes Crimean Tatar interests and enforcement of

their human rights to be left unaddressed or willfully neglected. This affects the approximately 250,000 Tatars living in Crimea, which comprises 12% of the regional population.

The Mejlis (parliament) of the Crimean Tatar People is the supreme executive body underpinned by a network of district and local “mejlises”, which are formed in every settlement where the Crimean Tatars live. The Mejlis are elected for 5 years through nationwide voting based on a mixed electoral system. The Government of Ukraine does not recognize these traditional institutions of the Crimean Tatars.

Crimean Tatars face racism and xenophobia in Ukraine. The committee has identified the Crimean Tatars as a population in need of protection and has recognized the need for targeted assistance from the State.

## Section C: Compliance with the ICCPR

### Article 1.1 – The Right to Self-Determination

***“Article 1.1 - All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.”***

The Crimean Tatars are not adequately represented in politics. In the 2012 elections, the Crimean Tatars were not able to win any seats through majority elections even though they did propose candidates. A change in the electoral system makes the chances of minority candidates to get elected extremely small, which can have a deep impact on the situation of the Crimean Tatars in the future.<sup>1</sup> The steps that both the Ukrainian government and the representatives in Crimea have taken are fostering tensions. There is a decreasing presence of Crimean Tatars in local government bodies. This year, only seven seats of the 100-member Crimean parliament were won by Crimean Tatars.<sup>2</sup> The Crimean Tatars are also underrepresented in legislative and executive authoritative bodies of the Autonomous Republic of Crimea, including within the Supreme Council.<sup>3</sup>

The Ukrainian State is neither communicating with nor acknowledging the wishes of the Crimean Tatars. For instance the Mejlis has requested that the Crimean Presidential Council of the Crimean Tatar People should be elected instead of appointed and this request was ignored. In the beginning of 2013, government officials removed Remillyasov, who is the deputy to the Mejlis head Mustafa Cemilev, as chairman of Crimea’s parliamentary commission on inter-ethnic relations and problems of deported citizens, and chose Enver Abduraimov to be chairman, even though he is reported to have a difficult relationship with the Mejlis.<sup>4</sup>

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<sup>1</sup> OSCE. (2012). *Ukraine Parliamentary Elections 28 October 2012. OSCE/ODIHR Election Observation Mission Final Report.*

<sup>2</sup> U.S. department of State. (2013). *Ukraine, 2012 Country Report on Human Rights Practices*. Bureau of Democracy, Human Rights, and Labor. Retrieved from: <http://www.state.gov/j/drl/rls/irf/2012/eur/208378.htm>

<sup>3</sup> UNPO. (2009). *The Crimean Tatars: Overview and Issues*. Retrieved from: [http://www.unpo.org/images/2009\\_Presidency/crimean%20tatars,%20overview%20and%20issues,%20october%202009.pdf](http://www.unpo.org/images/2009_Presidency/crimean%20tatars,%20overview%20and%20issues,%20october%202009.pdf)

<sup>4</sup> World Bulletin. (2013). *Political manoeuvres by Kiev seen as provocation by Crimean Tatars*. Retrieved from: <http://www.worldbulletin.net/?aType=haber&ArticleID=104119>

The Crimean Tatars once owned around 1 million hectares of agricultural land before they were deported. Years later, many Crimean Tatars returned back to Ukraine. Unfortunately, they had no opportunity to claim back their land which had been taken over by other Ukrainian inhabitants, who often made the land their private property. Still today, Crimean Tatars have not been able to reclaim the lands their families owned before the deportation. The authorities have done little to help the Crimean Tatars in retrieving their property.<sup>5</sup> There has still been no form of compensation by the Ukrainian state for the property loss that occurred during and after the deportation.

Every year on the 17<sup>th</sup> and 18<sup>th</sup> of May, the Crimean Tatars remember the victims of the Deportation of the Crimean Tatar People, where millions were executed, imprisoned and deported. A remembrance event is held in Simferopol in Crimea every year. However this year the authorities have refused to agree with remembrance measures and events organized by the Mejlis of the Crimean Tatars.<sup>6</sup> The Committee on Human Rights, National Minorities and Inter-Ethnic Relations has spoken out and called for President Yanukovich to help solve this conflict between the Crimean Government and the Mejlis of the Crimean Tatar People, stating that the Crimean authorities should not make changes to the remembrance event without consulting the Mejlis.<sup>7</sup>

The Crimean Tatars are often not recognized as being the Indigenous People of Ukraine whilst they have lived on the territory of Ukraine for centuries and have no ancestral homeland outside of Crimea. Their language and culture is different than that of the Ukrainian majority and traditional institutions such as the Crimean Tatar parliament “Mejlis” is still actively functioning. Even though the Ukrainian Constitution states that “*the State shall promote the consolidation and development of the Ukrainian nation, its historical consciousness, traditions, and culture, as well as development of ethnic, cultural, linguistic, and religious identity of all indigenous peoples and national minorities of Ukraine*”<sup>8</sup>, it is not evident in practice. This lack of recognition extends to the very status of the Crimean Tatars. So far, the Ukrainian government has refused to recognize the Crimean Tatars as one of the indigenous peoples of Ukraine, even though the Ukrainian Constitution of 1996 contains provisions on this issue in articles 11 and 92. Instead, the Crimean Tatars are recognized as a “national minority”. This contradicts their right to self-identification as an indigenous people of

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<sup>5</sup>Collinn,M. (2010). *Crimean Tatars fear for future.Ukraine's Muslim minority say anti-Tatar propaganda increasing under pro-Russian government*. Aljazeera. Retrieved from: <http://www.aljazeera.com/focus/2010/08/201087102453222638.html>

<sup>6</sup>Kharkiv Human Rights Protection Group. (2013). *Provocation over Crimean Tatar Deportation anniversary*. Retrieved from Human Rights in Ukraine website: <http://khpg.org/index.php?id=1362006047>

<sup>7</sup>Kharkiv Human Rights Protection Group. (2013). *Parliamentary Committee call for intervention in Crimean conflict*. Retrieved from Human Rights in Ukraine website: <http://khpg.org/en/index.php?id=1362775408>

<sup>8</sup> Constitution of Ukraine. (2011). *Article 11*. English translation of Ukrainian Constitution. Retrieved from Official website of the President of Ukraine: <http://www.president.gov.ua/en/content/constitution.html>

Crimea and enables the State to overlook its obligations towards them in international treaties, notably regarding land and language rights.<sup>9</sup>

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<sup>9</sup>UNPO. (2012). *Individual Stakeholder Submission to the Office of the High Commissioner for Human Rights regarding the Universal Periodic Review of Ukraine during the 14th Session*. Retrieved from: <http://www.unpo.org/downloads/449.pdf>



## Article 2.1 – The Right to an Equal treatment

***“Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”***

The Ukrainian state does not fully ensure that all individuals in Ukraine receive equal treatment. There is a high unemployment rate amongst Crimean Tatars and many have no stable income. Although around 12% of Crimea’s population consists of Crimean Tatars, only around 5 % of those employed in Crimean State bodies are Crimean Tatars. The Crimean Tatars are often discriminated against and this is seen as a reason for the low percentage of Crimean Tatars working for the government and the overall high unemployment rate amongst Crimean Tatars.<sup>10</sup>

Consequently, the majority of the Crimean Tatars is in a difficult economic position. This also comes forth from the consequences of the deportation from their homeland. When the Crimean Tatars returned to Ukraine, they were excluded from the privatization process. Article 25 from the 2001 Land Code states that lands of collective and State farms can only be owned by former workers of these enterprises. This excludes the Crimean Tatars from participating in the redistribution process as they were in exile at that time. This has negative consequences for them as around 86% of the Crimean Tatars live in rural areas and now have no access to agricultural land. There is no law on the restitution of property that was confiscated before the deportation, and so the Crimean Tatars cannot bring their claims to court.<sup>11</sup>

Ukrainian law specifies that official election materials should only be available in Ukrainian as stated in Article 12 of the language law. Through this measure, it is likely that many minorities cannot fully participate in the process.<sup>12</sup>

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<sup>10</sup>Mustafayev, A. (2007). *Appeal of Crimean Tatar People. OSCE Conference on Combating Discrimination and Promoting Mutual Respect and Understanding - Follow-up to the Cordoba Conference on Anti-Semitism and Other Forms of Intolerance*. Retrieved from: <http://www.osce.org/cio/25563>

<sup>11</sup> Head of Mejlis of the Crimean Tatar People Mustafa Dzhemilev. (2010). *Speech delivered to the European Parliament in Brussels, Stability in Crimea: Problems and Prospects*, March 2010.

<sup>12</sup>OSCE. (2012). *Ukraine Parliamentary Elections 28 October 2012*. OSCE/ODIHR Election Observation Mission Final Report. Office for Democratic Institutions and Human Rights. Warsaw. Retrieved from: <http://www.osce.org/odihr/elections/98578>

## Article 9.1 – Right to liberty and security

**Article 9 –“Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.”**

In 2012, it was reported that Crimean Tatars faced violence from neo-Nazi groups.<sup>13</sup> Especially in the area of Crimea, racially motivated violence against the Crimean Tatars has been on the rise. Neo-Nazi groups in this area have committed acts of violence against the Crimean Tatars as well as destroying property and cemeteries<sup>14</sup>.

For the last ten years, there have been incidents of vandalism of Muslim cemeteries and Crimean Tatar historical and cultural sites. In May 2012 in the Bakhchisarai District in Crimea, vandals destroyed the tombstone of the grave of the important Muslim leader Eskender.<sup>15</sup> In August 2012, purple swastikas were painted on 4 memorial stones with the names of the places to which Crimean Tatars were deported. The vandals appear to continue their crimes under the confidence that they will go unpunished.<sup>16</sup>

In 2012 and 2013, there have also been several provocations against the Crimean Tatars, believed to disrupt the Crimean Tatars and to provoke violence. In January 2013, in Simferopol, an influential Crimean Tatar activist of the Crimean Tatar national movement, also an official of the National Assembly of the Crimean Tatar People (Kurultay), was attacked and severely beaten.<sup>17</sup>

Relations between the Crimean Tatars and Ukrainian institutions are strained, especially with the police forces and the judiciary. Police abuse is widespread against the Crimean Tatars, while crimes committed by the police or individuals are not properly investigated despite clear rises in racially-

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<sup>13</sup> Human Rights Watch. (2013). *World Report 2013 – Ukraine*. Retrieved from:

<http://www.refworld.org/docid/510fb4c9c.html>

<sup>14</sup> European Commission against Racism and Intolerance. (2008). *Third Report on Ukraine, February 12, 2008*. Retrieved from: [http://www.coe.int/t/e/human\\_rights/ecri/1-ecri/2-country-by-country\\_approach/Ukraine/](http://www.coe.int/t/e/human_rights/ecri/1-ecri/2-country-by-country_approach/Ukraine/)

<sup>15</sup> U.S. department of State. (2013). *Ukraine, 2012 Report on International Religious Freedom*. Bureau of Democracy, Human Rights, and Labor. Retrieved from: <http://www.state.gov/j/drl/rls/irf/2012/eur/208378.htm>

<sup>16</sup> The Kharkiv Human Rights Protection Group. (2013). *Yet another Muslim cemetery desecrated in the Crimea*. Retrieved from: <http://khpg.org/en/index.php?id=1360967089>

<sup>17</sup> The Kharkiv Human Rights Protection Group. (2013). *Mustafa Dzhemiliev: Assault on Kurultay representative threatens Crimean stability*. Retrieved from: <http://khpg.org/en/index.php?id=1359236515>

motivated attacks.<sup>18</sup> On several occasions the police and the judiciary have failed to react to acts of violence against the Crimean Tatars. This comes as no surprise considering the low representation of the Crimean Tatars in those institutions: they constitute just 4% of the police forces and are almost completely absent from the judiciary. Despite this situation, the State refuses to implement any linguistic and/or ethnic recruitment policies<sup>19</sup>.

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<sup>18</sup> Human Rights Watch. (2012). *Country Summary: Ukraine*.

<sup>19</sup> This issue was highlighted by OSCE High Commissioner on National Minorities Knut Vollebaek in 2009 during a visit to Ukraine. See OSCE, OSCE High Commissioner brings police and minorities together in Crimea, February 2009.

## Article 18.1 – Right to freedom of thought, conscience and religion

**Article 18 – “Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.”**

The Crimean Tatars face a lot of difficulties and often lack the freedom to express their religion. The majority of Ukraine is Russian Orthodox and the Crimean Tatars are Sunni Muslims. Because of their religious differences, they face waves of religious discrimination and xenophobia. Although planning permissions for churches are given out easily, receiving permission to build Mosques has been a real challenge, as they face a great deal of resistance. For example, authorities in Crimea have recently blocked permission for the Crimean Tatars to construct a new Mosque.<sup>20</sup>

The Spiritual Directorate of Muslims of Ukraine reported that they face problems when registering new religious Muslim communities in Crimea, and that this is caused by political bias of local authorities.<sup>21</sup> Another example of this is when a Muslim community in the Lenino area of Crimea was against the construction of a diving center as it was being built on a historic Muslim cemetery. The local authorities ignored the objections the Muslim community had.<sup>22</sup>

Islamophobia is also on the rise in Ukraine, which is noticeable by the religious violence occurring against the Muslims and the demolishing of Muslim cemeteries and religious buildings and sites.<sup>23</sup>

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<sup>20</sup>Collinn, M. (2010). *Crimean Tatars fear for future. Ukraine's Muslim minority say anti-Tatar propaganda increasing under pro-Russian government*. Aljazeera. Retrieved from: <http://www.aljazeera.com/focus/2010/08/201087102453222638.html>

<sup>21</sup>U.S. department of State. (2013). *Report on Ukraine*. Retrieved in May 2013 from: <http://www.state.gov/documents/organization/171728>

<sup>22</sup>U.S. department of State. (2013). *Ukraine, 2012 Report on International Religious Freedom*. Bureau of Democracy, Human Rights, and Labor. Retrieved from: <http://www.state.gov/j/drl/rls/irf/2012/eur/208378.htm>

<sup>23</sup>U.S. department of State. (2013). *Report on Ukraine*. Retrieved in May 2013 from: <http://www.state.gov/documents/organization/171728>

## Article 26 – Non discrimination

**Article 26 – “All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”**

There has been an increase in discrimination against the Crimean Tatars. According to Human Rights Watch, Crimean Tatars have faced frequent acts of violence from neo-Nazi groups in 2012.<sup>24</sup> In recent years, there have also been several cases of discrimination and violence based on religion, such as vandalism of religious property and anti-Muslim discrimination.<sup>25</sup> Several cases of vandalism of Muslim cemeteries have also been reported. For example, in the village of Aksyoro Kionrat (Kondratyev), a Crimean Muslim cemetery has been vandalized. This is just one of many acts of vandalism in recent years. There is a lack of investigation into these crimes, which allows for these acts to continue as people know they will go unpunished.<sup>26</sup> In 2008, the Crimean Tatar Mejlis and the UNHCR already expressed their concern about these ongoing acts.<sup>27</sup>

Other examples of a racist or religious act of violence is when in Simferopol in December 2012, Molotov cocktails were thrown at a building site that was going to be used to build a new mosque.<sup>28</sup> During the latest election campaign there were cases of xenophobic statements against minority groups in Ukraine.<sup>29</sup>

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<sup>24</sup> Human Rights Watch. (2013). *World Report 2013 – Ukraine*. Retrieved from: <http://www.refworld.org/docid/510fb4c9c.html>

<sup>25</sup> U.S. department of State. (2013). *Report on Ukraine*. Retrieved in May 2013 from: <http://www.state.gov/documents/organization/171728>

<sup>26</sup> Kharkiv Human Rights Protection Group. (2013). *Yet another Muslim cemetery desecrated in the Crimea*. Retrieved from Human Rights in Ukraine website: <http://khpg.org/en/index.php?id=1360967089>

<sup>27</sup> Human Rights First. (2008). *Ukraine - 2008 Hate Crime Survey*. Human Rights First, USA. Retrieved from: <http://www.humanrightsfirst.org/wp-content/uploads/pdf/fd-080924-ukraine-web.pdf>

<sup>28</sup> U.S. department of State. (2013). *Ukraine, 2012 Report on International Religious Freedom*. Bureau of Democracy, Human Rights, and Labor. Retrieved from: <http://www.state.gov/j/drl/rls/irf/2012/eur/208378.htm>

<sup>29</sup> OSCE. (2012). *Ukraine Parliamentary Elections 28 October 2012*. OSCE/ODIHR Election Observation Mission Final Report. Office for Democratic Institutions and Human Rights. Warsaw. Retrieved from: <http://www.osce.org/odihr/elections/98578>

Many schools in Ukraine use textbooks that contain inaccurate and even discriminating information on the history of the Crimean Tatars. Although the Mejlis and human right organizations in Ukraine have tried to address this issue, no action has yet been taken by the government.<sup>30</sup>

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<sup>30</sup> U.S. department of State. (2013). *Report on Ukraine*. Retrieved in May 2013 from: <http://www.state.gov/documents/organization/171728>

## Article 27 – Minority Rights

**Article 27 – “In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.”**

Crimean Tatars still face difficulties integrating into society as they face discrimination and lack significant access to an education in their native language.<sup>31</sup> The Crimean Tatar language has the status of an official language in Crimea. However, the policy is not implemented adequately which means their language is endangered. The Crimean Tatar language is therefore also listed by UNESCO as a severely endangered language.<sup>32</sup> During the period of deportation, it was forbidden to speak the Crimean Tatar language. When the Crimean Tatars came back to Ukraine, the government did not try to revive the language and still today the State is not taking proactive steps to preserve the language.

In the past, the Ukraine has tried to contribute to promote cultural and educational material in the Crimean Tatar language. There are, for example, two newspapers in the Crimean Tatar Language: *Qirim* and *Yany Diuania*. The government also allocates 7% of the state television’s broadcasting time to programs in the Crimean Tatar language. However, in the past years this has gone down as the State has been inconsistent in its funding. An example of this was the temporary stop in funding from the State to the Crimean Tatar newspaper *Qirim*, which is why the newspaper was unable to be published for several months in 2011.<sup>33</sup>

For the younger generation of Crimean Tatars, it is difficult to preserve their native language, as the amount of people who speak it continues to decline. There is hardly any available educational material in the Crimean Tatar language and there are few schools where education is given in the Crimean Tatar language. The only educational textbooks available in the Crimean Tatar language are at primary school level. All educational literature for secondary schools is only available in Ukrainian

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<sup>31</sup>Human Rights Watch. (2010). *Ukraine Country Summary*. Retrieved from: [http://www.hrw.org/sites/default/files/related\\_material/ukraine\\_0\\_0.pdf](http://www.hrw.org/sites/default/files/related_material/ukraine_0_0.pdf)

<sup>32</sup>Moseley, Christopher (ed.). 2010. *Atlas of the World’s Languages in Danger*, 3rd edn. Paris, UNESCO publishing. Online version: <http://www.unesco.org/culture/en/endangeredlanguages/atlas>

<sup>33</sup>Bekir, A. (2011). *Issue of newspapers ‘Qirim’ and ‘KrymskaSvitlytsia’ to be resumed, presidential aide says*. Crimean News Agency. Retrieved from: <http://qha.com.ua/issue-of-newspapers-qirim-and-krymska-svitlytsia-to-be-resumed-presidential-aide-says-97596en.html>

or Russian.<sup>34</sup> According to the First Vice Chairman of the Crimean Tatar Mejlis, in 2012 only 1 in 10 Crimean Tatar children attended a Crimean Tatar school. He also stated that at least 40 to 50 schools were needed in order to guarantee all Crimean Tatar children to receive education in their own language. Many children thus do not receive an education in their native language, a result of the lack of action from the State.<sup>35</sup>

Crimean Tatar historical heritage is endangered because of the lack of action by the Ukrainian Government. Before the deportation, many towns, villages, mountains, rivers and other locations had Crimean Tatar names, as they were culturally and historically formed by the Crimean Tatars. However, after the deportation, these names were replaced with Russian names. When Ukraine gained its independence, the Crimean Tatars asked for the restoration of these historical names. These requests, however, have been refused. Nevertheless, authorities have replaced the Russian names with names in the Ukrainian language, thus ignoring the historical facts and violating the minority rights of the Crimean Tatars.<sup>36</sup>

A large part of the cultural heritage of the Crimean Tatars, such as historical buildings, ancient cemeteries and sacred places, were either destroyed after the deportation period, acquired by private persons, or are now in use for entirely different purposes. Many of these places and buildings were of significant value to the Crimean Tatars. As many of these historical buildings are not registered, it makes it even more difficult to preserve their cultural heritage.<sup>37</sup> There are also many unsettled restitution claims from Muslim leaders concerning historic mosques in the cities of Alushta, Dnipropetrovsk, Masandra and Mykolayiv.<sup>38</sup>

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<sup>34</sup>Human Rights Watch. (2011). *Country summary – Ukraine*. Retrieved from: [http://www.hrw.org/sites/default/files/related\\_material/ukraine\\_0\\_0.pdf](http://www.hrw.org/sites/default/files/related_material/ukraine_0_0.pdf)

<sup>35</sup>Mejlis of the Crimean Tatar People. (2012). *Report on a meeting with the secretary of the US embassy to Ukraine and RefatChubarovc of the Mejlis of the Crimean Tatar People*. Retrieved from: <http://www.unpo.org/article/14618>

<sup>36</sup>Mustafayev, A. (2007). *Appeal of Crimean Tatar People*. OSCE Conference on Combating Discrimination and Promoting Mutual Respect and Understanding - Follow-up to the Cordoba Conference on Anti-Semitism and Other Forms of Intolerance. Retrieved from: <http://www.osce.org/cio/25563>

<sup>37</sup>Mustafayev, A. (2007). *Appeal of Crimean Tatar People*. OSCE Conference on Combating Discrimination and Promoting Mutual Respect and Understanding - Follow-up to the Cordoba Conference on Anti-Semitism and Other Forms of Intolerance. Retrieved from: <http://www.osce.org/cio/25563>

<sup>38</sup>U.S. department of State. (2013). *Report on Ukraine*. Retrieved in May 2013 from: <http://www.state.gov/documents/organization/171728>



## Section D: Recommendations

- *Adopt legislation to restore collective and individual rights of the Crimean Tatars as violated by the mass deportation committed in May 1944 and the subsequent decades of exile;*
- *Provide the Crimean Tatars with the opportunity to commemorate the deportation of the Crimean Tatars;*
- *Improve the living conditions in the Crimean Tatar settlements, including construction of adequate infrastructures, facilities, and development of communications and transportation networks;*
- *Increase the political representation of the Crimean Tatars, including a reform of the electoral law and special measures as described in article 2 of the International Convention on the Elimination of All Forms of Racial Discrimination;*
- *Take measures to increase the level of employment of the Crimean Tatars in the private and public sectors, including special measures as described in article 2 of the International Convention on the Elimination of All Forms of Racial Discrimination;*
- *Formally recognize the Crimean Tatars as an indigenous people, and respect the distinct rights afforded to them by the U.N. Declaration on the Rights of Indigenous Peoples;*
- *Formally endorse and ratify the United Nations Declaration on the Rights of Indigenous Peoples;*
- *Ensure equality of all Ukrainian citizens regardless of their religious views;*
- *Investigate thoroughly, and take punitive action where appropriate, all reported instances of racial violence and discrimination against the Crimean Tatars;*
- *Take further measures to ensure that law enforcement officials, prosecutors and judges involved in enforcing the law relating to hate crimes and other violent acts of racial discrimination and xenophobia fully understand the nature of such crimes and that they are investigated properly;*
- *Adopt measures to further respect for religious rights, including allocation of land for the constructions of places of worship and measures for adequate protection of sacred sites;*
- *Adopt measures to further respect for cultural rights, including construction of schools, development of quality scientific and educational material in the Crimean Tatar language, development of digital and print media in the Crimean Tatar language, registration and renovation of Crimean Tatar heritage.*