



UKRAINIAN AMERICAN BAR ASSOCIATION

Асоціація Українських Правників Америки

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RUSSIA'S DISINFORMATION CAMPAIGN REGARDING UKRAINIAN LANGUAGE POLICY

The Russian government is deceitfully attempting to justify its invasion of Ukraine under a pretext that ethnic Russians who reside in Ukraine are discriminated against because of their use of the Russian language and their ethnic background. The Kremlin disingenuously claims that the new Ukrainian government recently passed legislation "banning" the Russian language. The Kremlin's disinformation campaign is clearly intended to foment ethnic tensions and destabilize Ukraine. Regrettably, Western media has been blindly reciting this disinformation as if it were fact without doing any due diligence whatsoever as to its accuracy.

The "Ukrainian Law on Language Policy" was unconstitutionally adopted in July of 2012 and signed by then Pres. Yanukovich. The Hon. Knut Vollebaek, High Commissioner on National Minorities with the Organization for Security and Cooperation in Europe (OSCE), told the Ukrainian Parliament that the 2012 legislation **did not** meet European standards since its "*approach to language policy is deeply divisive and is likely to lead to future polarization of society. Indeed, the disproportionate favoring of the Russian language, while also removing most incentives for learning or using Ukrainian in large parts of the country, could potentially undermined Ukraine's very cohesion*". Hon. Knut Vollebaek, also expressed his concern that the 2012 legislation was not properly adopted in accordance with existing Ukrainian constitutional and procedural law. Prior to its alleged passage, the 2012 "Ukrainian Law on Language Policy" law was severely criticized by leading Ukrainian legal scholars, the National Academy of Sciences of Ukraine and other institutes of higher learning, and numerous ministries within the Yanukovich government itself, as divisive and failing to protect the rights of all Ukrainians irrespective of their ethnic background. The Venice Commission of the Council of Europe, in reviewing the 2012 "Ukrainian Law on Language Policy" legislation in comparison to European standards, stated that **it failed** to provide a proper balance between the development and use of a state language as a unifying factor in society and the development and protection of minority languages in accordance with European standards.

On February 23rd 2014, the Ukrainian Parliament repealed - in one sentence - the 2012 "Ukrainian Law on Language Policy". There is absolutely no mention in this legislation of banning anything.

In an effort to deescalate the ethnic tensions resulting from the Kremlin's disinformation campaign, [which has been fueled by erroneous Western media reporting], the Ukrainian Interim President Oleksandr Turchynov vetoed the February 23, 2014 repeal legislation and the Ukrainian Parliament will be drafting new legislation to comport with European standards so as to properly safeguard the rights of **all minorities and all citizens of Ukraine**.

Western media – especially those with international reach – must fulfill their journalistic obligations and stop being unwitting enablers of disinformation talking points emanating from the Kremlin and its public relations firms in the West, and must do independent due diligence as to the accuracy of their reporting. Failure to do so will only artificially create ethnic tensions in Ukraine thus fulfilling the goal of the Russian government to destabilize Ukraine so as to camouflage its invasion of Ukraine in full violation of all international standards and law.

Internet links to sources for the above referenced documents are in the Appendix below;

For further information, please contact

Myroslaw Smorodsky, Esq.

Counsellor at Law

730 West Saddle River Rd., Ho-Ho-Kus, NJ 07423

Tel: 201-507-4500; Direct dial; 201-857-2714; Fax; 201-882-2498; Email; myroslaw@smorodsky.com; Website; www.smorodsky.com

Communications Director of the Ukrainian American Bar Association (UABA)

Immediate Past Chairman of the Board of Governors of the UABA,

Former Public Member of the United States Delegation to the Conference on Security and Cooperation in Europe (CSCE) Madrid, 1980

Appendix

- **February 23rd 2014 repeal legislation**

http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=45291

- **July 2012 Criticism of the 2012 legislation by Ukrainian scholars**

<http://uaba.org/resources/Documents/Blog%20Docs/12-07-18%20Open%20Letter%20to%20President%20of%20Ukraine%20Viktor%20Yanukovich.pdf>

- **Venice Commission report 2011**

[http://www.venice.coe.int/webforms/documents/?pdf=CDL-REF\(2011\)001-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL-REF(2011)001-e)

- **Venice Commission report 2012**

[http://www.venice.coe.int/webforms/documents/?pdf=CDL\(2011\)101-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL(2011)101-e)

- **Hon. Knut Vollebaek, High Commissioner on National Minorities with the Organization for Security and Cooperation in Europe (OSCE)**

http://uaba.org/resources/Documents/Blog%20Docs/12-08-23%20Amb%20Vollebaek%20Letter%20to%20Ukrainian-Am%20%20Bar%20Assoc_16%20Aug.pdf