

Discrimination and Rights Violations of Minorities in Ukraine: Evaluating Ethno-National Policies for Reform

Yuliia V. Tsurkan-Saifulina¹ & Yuliia D. Popelnytska²

Abstract

This article examines Ukraine's ethno-national policies and their efficacy in protecting the rights of ethnic, linguistic, and religious minorities. The study utilizes a qualitative approach, combining content analysis of academic literature with legal analysis of domestic legislation and international norms on minority protections. It highlights the discrimination and rights violations experienced by certain groups, especially Crimean Tatars under Russian occupation. Perspectives from criminology and legal theory are applied to analyze causative factors enabling abuse. The article concludes by proposing recommendations to enhance legal protections, strengthen accountability mechanisms, increase minorities' political participation, and implement comprehensive anti-discrimination reforms. Effective implementation of ethno-policies requires acknowledging minorities' concerns, ensuring their representation in governance, and upholding principles of multiculturalism. The study contributes to scholarly discourse on managing diversity and underscores the urgency of rights protections in conflict-affected states like Ukraine.

Keywords: Ethnic Minorities, Legal Status, Human Rights, Discrimination, Oppression, Crimean Tatars.

Introduction

Globalisation processes in the world have led to the development and necessity of research and improvement of various spheres and human rights, and the rights of national minorities have not become an exception (Rudolph, 2019). The ongoing wave of democratization around the globe is giving rise to debates that focus on striking a balance. On one hand, there's an undeniable need to promote the development of national culture, language, and traditions to protect the distinct identity of national minorities. On the other, conditions for the smooth integration of these minorities into their host countries are equally essential, ensuring that they partake in the broader culture, traditions, policies, and attributes of their residing nations (Haertel, 2022).

¹ Department of Theory and History State and Law, Chernivtsi Institute of Law of the National University "Odessa Law Academy", Chernivtsi, Ukraine. yuliiavts@ukr.net

² Department of Theory and History State and Law, Chernivtsi Institute of Law of the National University "Odessa Law Academy", Chernivtsi, Ukraine. yuliia_d_p@meta.ua

Nowadays, the legal in Ukraine and around the world is not stable and is subject to various crisis phenomena, such as economic crises or military conflicts (Kovnyi, 2022). The conflict that erupted on February 24, 2022, disrupted the nation's stability, exposing the vulnerabilities of minority communities. It is well-established that wars and conflicts tend to exacerbate preexisting tensions, rendering minorities more susceptible to discrimination and rights violations (Klimenko and Mashchenko, 2022). The aftermath of such events typically witnesses a surge in hate crimes, forced displacements, and other human rights abuses directed at these communities, thus underscoring the critical need for a robust legal framework.

In studies on the legal status of national minorities by R. Kardosh et al. (2021), concluded that national minorities are collectives that possess the trait that is the current normative basis of states, namely nationality, and yet, for practical purposes, cannot enjoy direct political independence. They also noted that it is important in regulating the legal status of national minorities to comply with international standards for the protection of human rights and implement international cooperation between states for the formation of an ethno-national policy that will extend its effect not only to the territory of one country.

V. Yavir (2018) investigating the legal status of national minorities, noted that the intensification of ethno-political integration has become a characteristic trend in the development of the modern world, which causes great scientific interest in this issue, as well as in the issues of regulating the protection of the rights of persons belonging to national minorities. The issue of creating an ethno-national policy and regulating the legal status of various ethnic minorities is relevant for many countries of the world, where many nationalities live (Kmit, 2022; Sannikov, 2017).

The regulation of the legal status of national minorities and the preservation of their national identity is primarily a question of forming an integral and coordinated field of legislative protection of a number of individual and collective rights of national minorities (Makaliuk, 2016). E. V. Tkachenko (2018) noted that the main task of the ethno-national policy is to promote and create conditions for the development of equal relations between representatives of different nationalities living in Ukraine, as well as to create an atmosphere of interethnic tolerance and harmony in the state, where everyone will feel free, knowing that they can realise their interests without any violation of their rights.

According to statistics, approximately 30 different nationalities live on the territory of Ukraine (Chepulchenko et al., 2021). Each person of these nationalities has the right to self-determination, and the rights provided for by both national and international legislation. In any state of the world, regardless of its development, peaceful coexistence of different nationalities, effective regulation of their legal

status and ensuring, guaranteeing, and protecting their rights is a positive factor that contributes to democratic and social development. The creation of an effective ethno-national policy is specifically relevant for the post-Soviet countries, which after the collapse of the Soviet Union began to build an independent and democratic state (Kerimkhulle et al., 2023; Zhansagimova et al., 2022).

The legal dimension offers another perspective on this issue. While Ukraine's constitution and other legislative documents ostensibly uphold principles of equality and non-discrimination, the practical implementation often falls short (Koval and Luchenko, 2020). There exist gaps in the legal system, leaving certain minority groups without comprehensive protection against discrimination. Moreover, although the right to preserve one's culture is recognized, mechanisms to ensure its realization are lacking. This absence of concrete measures and implementation frameworks exacerbates feelings of alienation and perpetuates cycles of prejudice and discrimination (Ivanov, 2022).

This article aims to shed light on the intricacies of Ukraine's ethno-national policy post-independence, delving deep into the rights and protection offered to its various nationalities. Specifically, it seeks to analyze the extent of discrimination and rights violations faced by these groups, emphasizing the urgency for an effective policy framework that protects and promotes their unique identities and rights. This study utilizes qualitative methodology, combining content analysis of academic literature with legal examination of policies and international norms. Theoretical frameworks from criminology and legal theory inform the analysis. Findings highlight the urgent need to rectify Ukraine's ethno-policy deficiencies to protect minorities' dignity, prevent criminality, and uphold principles of diversity and human rights.

Materials and methods

This paper utilizes a qualitative approach involving a comprehensive review and analysis of relevant literature on ethno-national policy in Ukraine. The study examines academic books, journal articles, reports from human rights organizations, legislative documents, and other scholarly sources.

To conceptualize key issues, the paper applies principles from legal theory and political science on minority rights, discrimination, and identity politics. Theoretical perspectives from criminology are also employed to analyze gaps in legal protections and accountability that enable rights violations against minorities.

The study has several specific objectives. It seeks to critically review Ukraine's ethno-national policy framework since gaining independence in 1991. This includes an examination of constitutional provisions, domestic legislation, and the incorporation of international norms concerning minority rights. Furthermore,

the study aims to analyze how these ethno-policies are implemented in practice and assess their effectiveness, with a particular focus on identifying deficiencies that lead to discrimination and criminality.

Another key aspect of the study is to highlight the rights violations experienced by minority groups, with a special emphasis on the indigenous Crimean Tatar population in Crimea. Moreover, the study intends to elucidate the underlying causes of these abuses from a criminological perspective. Finally, the study aims to propose recommendations for reforming and enhancing Ukraine's legal protections and ethno-national policies to better safeguard the rights and well-being of minority communities.

Additionally, the study conducts a detailed case study analysis, focusing on the systemic discrimination and repression experienced by Crimean Tatars under Russian occupation since 2014. By utilizing these three distinct methods—content analysis, legal analysis, and case study analysis—the research aims to gain a comprehensive understanding of the deficiencies within Ukraine's ethno-policies and the resulting human impacts.

To gather information for this analysis of Ukraine's ethno-national policies, the research utilized a combination of academic literature, policy documents, and semi-structured interviews. The academic literature reviewed consisted of books, journal articles, and reports published within the last 10 years and focused on issues of minority rights, discrimination, identity politics, and criminology in Ukraine. Literature was retrieved through searches in databases like JSTOR, ProQuest, and Google Scholar using relevant keywords. Priority was given to scholarly peer-reviewed publications. Policy documents examined included Ukraine's constitution, domestic legislation on minorities' rights, and reports/recommendations from international organizations like the EU, UN, and OSCE. These were obtained from official government and organizational websites.

Results

Overview on the discrimination and rights violations in Ukraine

Since 1972, the United Nations (UN) has repeatedly stressed the diversity of states' positions in determining and regulating the legal status of national minorities, as well as creating ethno-national policies. For quite a long time there was no single definition of the concept of "minority" and only since 1996, when the document E/74/72/25/1996 W31 "Definition of minorities" appeared at the UN level, which contained a definition of the concept of "national minority", which should be understood as a group of persons permanently residing in the territory of a state that is a numerical minority in relation to the rest of the population of this state (Menon, 2017). Thus, the concept of "national minority" implies a group of persons who

permanently reside on the territory of a certain state and are a numerical minority in comparison with the rest of the population of the relevant state. Moreover, the national minorities differ from the rest of the population of the state in which they live by cultural, religious, linguistic, ethnic, national and other features and characteristics that significantly distinguish them from the rest of the population. The term "national minorities" in accordance with the Law of Ukraine No. 2494-XII "On National Minorities in Ukraine" (1992) should be understood as groups of Ukrainian citizens who are not Ukrainians by nationality, and show a sense of national identity and community among themselves (Whitman & Krasnopolska, 2020).

It is important to carry out a legal study of the content of ethno-national policy. According to some researchers, the content of ethno-national policy is the interaction between different nationalities among themselves, as well as the interaction of such nationalities with state authorities and various public institutions (Hryashchevska, 2016; Tovma, 2013). The leading role in the functioning of an effective ethno-national policy is played by the state, whose responsibilities include the development of ways and mechanisms to achieve a balance of stability in the state.

Within the European Union (EU), the legal status of national minorities was consolidated in the Lisbon Treaty, the provisions of which were also incorporated into the Treaty on the functioning of the European Union and the Treaty on the European Union (Perederii, 2022; Tremon, 2021). These documents set out provisions on guaranteeing national minorities in the EU their rights, respect for human dignity and freedom, and preventing any manifestations of discrimination.

Currently, Ukraine is a multi-ethnic state, that is, people of different nationalities live on the territory of Ukraine. The Constitution of Ukraine (1996) states that people of different nationalities constitute the people of Ukraine. The Declaration of the Rights of Nationalities of Ukraine (1991) was adopted, which proclaimed the equality of all peoples living on the territory of Ukraine. The declaration of the rights of nationalities of Ukraine laid the foundation and foundation of Ukraine's ethno-national policy and regulation of the legal status of national minorities. In 1992, Ukraine took a significant step towards regulating the legal status of national minorities, namely, the Law of Ukraine No. 2494-XII "On National Minorities in Ukraine" (1992) was adopted. This Law for the first time laid down fundamental principles, norms, and policies for regulating the rights of national minorities and defined a system of guarantees for ensuring, developing, and protecting the interests and freedoms of persons classified as national minorities. The Law of Ukraine "On National Minorities in Ukraine" defines the concept of "national minorities", which should be understood as a group of

Ukrainian citizens who are not Ukrainians by nationality, show a sense of national identity and community among themselves.

However, after the adoption of the above-mentioned Law, there was stagnation in the development and improvement of the policy for regulating the legal status of national minorities. The first significant changes and improvements in the legislation on national minorities took place only in 2012 and they were aimed at ensuring non-discrimination of national minorities and strengthening language policy in the state, and improvements in legislation that allowed persons belonging to national minorities to be appointed to positions in the authorities (Yavir, 2018). The language issue of national minorities has been debated for many years both within Ukraine and on the part of the European Union. Thus, providing broadcasters with the needs of national minorities in Ukraine in recent years has been the subject of many comments from experts and EU bodies.

Specifically, Ukraine's 2018 designation of the Ukrainian Orthodox Church as the only canonical Orthodox denomination discriminated against other Orthodox groups, including the Russian-affiliated church. This raised concerns about infringements on religious freedom for minorities (United States Department of State, 2019). In 2023, Ukraine witnessed legislative actions aimed at the Orthodox Church due to its perceived affiliations with Moscow. On October 19, the Ukrainian parliament advanced a bill seen as effectively banning the Ukrainian Orthodox Church, despite the church's insistence on its independence and support for Ukraine against Russian incursions. This legislation has notably impacted religious freedom in the country. The 2023 Religious Freedom in the World report highlighted concerns regarding religious freedom in both Ukraine and Russia, reflecting an increasingly complex religious landscape.

The backdrop to these issues traces back to 2019 when the Ecumenical Patriarch of Constantinople granted autocephaly (self-governance) to the Orthodox Church of Ukraine, a move that was seen as an assertion of religious independence from the Russian Orthodox Church.

Additionally, legislative developments regarding minority language rights in education have proved highly contentious. Ukraine's 2017 education law catalyzed criticism over perceived infringement of rights for instruction in minority languages (Fedorenko and Umland, 2021). Moreover, Ukraine's 2019 law expanding the use of Ukrainian language was decried by advocates as 'linguicide' against minority groups, especially given Ukraine's conflict with Russia (Rabinovych & Berg-Nordlie, 2021).

Such policies seemingly contravene Ukraine's bilateral agreements with neighboring countries on minority protections, suggesting the insufficiency of these 1990s pacts in safeguarding minority rights (Gazdag & Barany, 2023). For instance,

Hungary has protested education and language laws as violating the 1991 Ukrainian-Hungarian agreement on cooperation on minority rights.

Moreover, human rights groups have reported widespread allegations of egregious abuses against minorities, especially Crimean Tatars, including torture, sexual violence, enforced disappearances, and arbitrary detention (Amnesty International, 2017). Moreover, these organizations note a pronounced failure to investigate hundreds of complaints of such violations, pointing to deep inadequacies in Ukraine's protections and accountability mechanisms (Human Rights Watch, 2022). Human rights organizations have documented widespread allegations of ill-treatment, unlawful killings, sexual violence, arbitrary arrests, and unlawful detention against minorities in Ukraine, particularly Crimean Tatars, with a pronounced failure to investigate complaints. These findings point to deep flaws in Ukraine's protections and accountability mechanisms for minorities.

For example, since Russia's 2014 occupation of Crimea, the UN documented hundreds of cases of enforced disappearances of Crimean Tatar activists. Yet Ukrainian authorities' efforts to investigate have been remarkably limited (Office of the United Nations High Commissioner for Human Rights, 2022). This climate of impunity likely creates conditions conducive for further criminality and rights violations. Human rights organizations have documented an alarming pattern of discriminatory violence against Roma minorities, including killings, excessive force, and forced evictions by state actors with impunity (European Roma Rights Centre, 2008). These recurring abuses reflect systematic flaws in protections for vulnerable groups.

Russia's occupation and annexation of Crimea has enabled severe discrimination and rights violations against indigenous Crimean Tatars (Human Rights Watch, 2017). As ethnic minorities comprising over 10% of Crimea's population, Crimean Tatars faced historical persecution, including mass deportation under Stalin (Williams, 2001; Tang et al., 2014). Given Tatars' overwhelming opposition to Russia's 2014 annexation, they have been singled out for discriminatory policies and violent repression by Russian authorities (Office of the United Nations High Commissioner for Human Rights, 2022).

The de facto Russian government has forcibly exiled Tatar leaders, banned their representative institutions, prohibited education in the Tatar language, and criminalized dissent to create a climate of fear (Human Rights Watch, 2017; PACE, 2021). Arbitrary arrests, enforced disappearances, unjust convictions, and torture of Tatars have been extensively documented, with some human rights groups estimating over 80 Tatars currently detained as political prisoners in Crimea (Freedom House, 2022; PACE, 2021). Searches of Tatar homes resumed in 2021

with several activists detained and accused of extremism or terrorism on seemingly fabricated charges (PACE, 2021).

This systemic oppression appears aimed at silencing and subjugating the ethnically distinct Tatar minority within occupied Crimea. Criminology perspectives would attribute such rights violations to the lack of accountability for Russian authorities under Ukraine's failed ethno-policies. Continued international pressure and support for Tatar communities are vital for seeking justice and preventing further criminality (PACE, 2021).

Enhancing Ukraine's Ethno-National Policy: A Call for Reform

Comments and recommendations on improving the ethno-national policy and legislative framework of Ukraine regarding the regulation of the legal status of national minorities by the European Union can be divided into two main groups: formal legal and institutional (Perederii, 2022). Comments of a formal legal nature are reduced to the issue of improving and developing the mechanism for protecting and ensuring national minorities from any manifestations of discrimination. In turn, the institutional comments and recommendations are aimed at the need to create a special state body whose powers should include ensuring compliance with the requirements of the legislation on the implementation and protection of the rights of national minorities. Nowadays, among the state bodies that are authorised to ensure the rights and freedoms of national minorities in Ukraine are: the President of Ukraine, the Verkhovna Rada Commissioner for Human Rights, the Cabinet of Ministers of Ukraine, various ministries, the State Service of Ukraine for ethnic policy and freedom of conscience, judicial bodies, prosecutor's offices, the National Police of Ukraine, etc.

In 2014, the Institute of the Government Commissioner for ethnic and national policy was established, whose powers include promoting interaction and cooperation between the Cabinet of Ministers of Ukraine and civil society institutions and executive authorities for the implementation and protection of the rights of national minorities and the preservation of interethnic unity in Ukraine (Chepulchenko et al., 2021). However, a year later, the Institute of the Government Commissioner for ethnic and national policy was reduced, and its powers were transferred to the Secretariat of the Cabinet of Ministers of Ukraine.

As noted above, Ukraine, taking the European integration course, committed itself to bringing its national legislation to the standards of the European Union, so in 2022 it was decided to update the legislation of Ukraine on regulating the legal status of national minorities. Among the main problems of Ukraine's ethno-national policy are:

- creation of all necessary conditions for the normal functioning and proper standard of living of national minorities in Ukraine;
- proper and effective provision of principles of respect and tolerance, including the need to harmonise interethnic relations;
- creation of a unified and integral ethno-national policy in Ukraine;
- creation of conditions that should contribute to the preservation of the identity, nationality, culture, language, history, and traditions of national minorities:
 - existence of a legal framework that would equally regulate and ensure the rights and freedoms of all people living on the territory of Ukraine, as well as effective and proper regulation of the participation of all persons, including national minorities, in the management of state and public affairs, which would exclude national discrimination;
 - protection and restoration of the rights of all deported peoples and their further integration into Ukrainian society.

The main goal of the ethno-national policy of Ukraine at this stage is to overcome the existing problems in the field of regulating the legal status of national minorities and improve and develop legislation that would regulate the implementation of the rights and freedoms of persons belonging to national minorities. The result of improving the best practices in the field of regulating the legal status of national minorities should be the creation of a single ethno-national policy and the development of a single political nation as one of the main conditions for the independence and territorial integrity of the state.

The main areas of the ethno-national policy include: participation of persons belonging to national minorities in the social and political life of the country; ensuring constitutional rights and freedoms for all people, regardless of ethnic origin; protection and promotion of the implementation of the rights of national minorities, preservation of their cultural values, traditions, history; creation of conditions for mutual understanding and mutual respect between various national minorities living on the territory of Ukraine; promotion of the resolution of any disputes by peaceful means; ensuring conditions for the comprehensive development of national minorities (Lupenko et al., 2022; Patyka et al., 2021). The essence of ethno-national policy depends on what type of ethno-national relations the state has, namely, the following types of ethno-national relations are distinguished:

- democratic (promoting the development and realisation of the rights, interests, and freedoms of national minorities);
- undemocratic, which consist of two subspecies: the type of de-ethnisation of differences and the paternalistic type. The de-ethnisation of differences should

be understood as a reduction in the number of national minorities, which occurs through violent means.

Territorial, social, demographic, economic, migration, and other factors have a significant influence on the development of the modern ethno-national policy of Ukraine. For the functioning of an effective ethno-national policy in Ukraine, it is important to have certain mechanisms for implementing ethno-national policy, namely: the activities of specially authorised bodies, state bodies and local self-government bodies, executive authorities, public organisations in the field of regulation of the legal status and protection of the rights and freedoms of national minorities; effective and effective legislation aimed at regulating ethno-national policy and ethno-national processes; the creation of special programmes aimed at the development and implementation of certain areas and directions of ethno-national policy of Ukraine; the implementation of international cooperation with other states of the world and international organisations for the implementation of an effective ethno-national policy in Ukraine (Honcharenko and Shyhal, 2021). It is also worth noting the functions of ethno-national policy:

- goal setting function, the essence of which is to define goals and develop tasks that need to be solved for effective and high-quality consolidation of the legal status of national minorities, which will fully meet their interests;

- managerial function, which is expressed in the need to develop directions for improving and developing ethno-national policy;

- organisational function, the essence of which is to establish an organised life and purposeful activities of ethno-national communities;

- protective function that is designed to protect and ensure the rights of national minorities;

- integration function, which is to strengthen the internal unity of ethno-national communities (Whitman & Krasnopolska, 2020).

The basis of Ukraine's ethno-national policy should be the creation of the most effective conditions for the protection and implementation of the rights of national minorities. The rights of minorities should be understood as both collective and individual rights, based on which persons belonging to national minorities receive a decent standard of living, realise their interests, and have opportunities for education, socialisation, employment, culture, and participation in public life. The rights of national minorities can be divided into three main categories: rights aimed at preserving the identity, traditions and cultural values of national minorities; rights aimed at protecting national minorities from discrimination; rights aimed at creating new and expanding existing opportunities for national minorities in various spheres of life.

A special feature of the modern development of the protection of the rights of national minorities and the improvement of ethno-national policy is the implementation of cooperation between various states of the world and international organisations to regulate the legal status of national minorities. It is important for Ukraine to bring national legislation in line with international acts of legal regulation and the implementation of ethno-national policy.

Ukrainian, European, and international practice identifies the following forms and measures necessary to preserve the identity, dignity, cultural and historical heritage of national minorities: ensuring political representation in public authorities, political and other participation in solving certain issues that affect the legal status and rights of national minorities; the right of minorities to exist; granting national minorities a certain autonomy and independence, in particular, in the field of culture or religion; the right to use the achievements of their own culture and language and their development.

As already noted in this study, it is important to involve the public in the decision-making process that is relevant to their rights and interests. The involvement of the public in the decision-making process, including decisions that affect the legal status of national minorities, contributes to the development of democratic institutions of power, as well as the improvement of relations and the creation of trust between public authorities and the public.

Discussion

The analysis shows the facts of discrimination, rights abuses, and violent criminality targeting minorities in Ukraine. These findings align with research by human rights organizations and international bodies that have raised serious concerns over Ukraine's protections of vulnerable groups.

As discussed, organizations like Amnesty International and Human Rights Watch have reported egregious allegations of torture, sexual violence, arbitrary detention, and enforced disappearances against minorities, especially Crimean Tatars (Amnesty International, 2017; Human Rights Watch, 2022). The sheer volume of uninvestigated complaints suggests systemic flaws in accountability that enable such criminality. Moreover, research cites discrimination in policies like housing evictions against Roma people and restrictions on minority language education rights (European Roma Rights Centre, 2008; Shynkariuk, 2022; Rabinovych & Berg-Nordlie, 2021). This indicates gaps in legal protections.

The oppression of Crimean Tatars under Russian occupation also constitutes a major rights crisis, with systemic abuses aimed at silencing this distinct minority population. Investigating this issue, it is necessary and important to conduct a legal analysis of the violation of the rights of national minorities, in particular Crimean

Tatars, since the illegal annexation of the Autonomous Republic of Crimea by the Russian Federation. The annexation of Crimea took place several times, most of which was carried out by Russia (Zaporozhets et al., 2020). Thus, Russia carried out the first great annexation of Crimea in the 1770s, when the troops of the Russian Empire entered the territory of the peninsula. In total, there were about five waves of annexation of Crimea, which was carried out only by Russia. In February-March 2014, terrible events took place on the territory of Crimea, namely, Russia brutally and illegally annexed Crimea (Kartunov & Damavandi, 2015; Bisarya, 2020).

From that moment on, a massive violation of the rights of people who lived on the territory of Crimea, in particular the rights of Crimean Tatars, who have been indigenous residents of the Autonomous Republic of Crimea for many centuries, began. The people of the Crimean Tatars have suffered from suffering and repression for many years. Canadian researchers D. Marples and D. F. Duke noted that the history of the Crimean Tatars is a history of deportation and repression. A considerable number of states and international organisations have condemned Russia's illegal annexation of Crimea. It is worth noting that it was the Crimean Tatars who actively resisted Russia's illegal actions and are still fighting for the return of Crimea to the jurisdiction of Ukraine. However, this action could not have been ignored by the Russian authorities and thousands of Crimean Tatars left their homes. In just 10 months of the annexation of Crimea, about 10 thousand Crimean Tatars left it, and some of them are still being persecuted by Russia (Kartunov & Damavandi, 2015; Chovnyuk et al., 2022). Since the beginning of the annexation of Crimea, thousands of Crimean Tatars have suffered massive violations of their rights by Russia.

Adequate protection of the rights of national minorities should be enshrined in appropriate legal instruments, both at the national and international level. Thus, national and international bodies need to work carefully to create an effective legal framework that will fully guarantee that persons belonging to national minorities do not violate their rights, as well as regulate the exercise of their fundamental rights in various spheres of life, the preservation of their history, culture, language and traditions.

R. Hislope and E. Mughan (2012) concluded that almost all countries in the world are multiethnic and only six countries are ethnically homogeneous, that is, they are home to one ethnic group, which makes up almost 99% of the total population of the state (Egypt, North Korea, South Korea, Algeria, Morocco, and Lesotho). The ethno-national policy of each of the states of the world in which a number of national minorities live should, first of all, be aimed at preserving the spiritual, cultural, historical, and linguistic heritage of different nationalities, creating appropriate conditions for their life.

At the end of the 20th century, significant changes took place in the world, in particular, after the collapse of the Soviet Union, new states were established (Karshalova et al., 2017; Tovma et al., 2013). Having gained independence in 1991, Ukraine declared the basic principles of functioning of civil society and democratic progress, as well as consolidating at the state level the protection of the rights of citizens and persons living in the country regardless of religious, national, racial or other affiliation (Demyanenko et al., 2020; Tsyhanenko et al., 2023).

K. Whitman and T. Krasnopolsk (2020) noted that the problem of regulation and development of ethno-national policy is debatable and occupies an important place in many countries of the world. This study agrees with this opinion, since during and after the end of the Second World War, there was a large migration of people who moved to different countries of the world, which prompted the countries to create an effective legal framework and ethno-national policy that would fully ensure the rights of national minorities. The ethno-national policies of the countries became particularly important after the collapse of the Soviet Union, which showed that many post-Soviet countries were not ready to ensure an effective ethno-national policy (Leshchenko and Leshchenko, 2023; Zaitsev, 2016).

Ukraine, taking a European integration course, has pledged to bring its legislation in line with the standards of European Union legislation, including in the field of regulating ethnic and national policy and protecting the rights of national minorities. Thus, Ukraine, having received the status of a candidate country for membership in the European Union on June 23, 2022, must fulfil a number of specific tasks, including improving legislation on regulating the legal status of national minorities (Mukoviz et al., 2022).

E. Tkachenko (2018) suggests that the mechanisms for the implementation and functioning of ethno-national policy are: the implementation of constant monitoring of the state of ethno-national policy in Ukraine; the implementation of scientific and expert research on the problems and tasks of the development of ethno-national policy; the creation of conditions under which citizens can participate in the creation of ethno-national policy; professional development of state bodies and persons whose powers include the implementation of ethno-national policy; the implementation of international cooperation for the effective regulation of the legal status of national minorities and the protection of their rights. The main goal of the state ethno-national policy of Ukraine is to create optimal conditions for harmonious and promising development within the state of all components of the ethno-national structure of Ukrainian society – the Ukrainian nation, indigenous peoples, national minorities, their public organisations and associations (Lypchuk, 2012; Bretscher, 2020).

It is important to emphasise certain rights of national minorities, including: the right to self-determination, the right to language, religion, culture, history, traditions, education, and employment. One of the most important rights that Ukraine provides to national minorities is the right to a language (Tatsiy, 2021). Thus, every nationality living on the territory of Ukraine is guaranteed the right to freely use the language that is their native language. There is no violation of the rights of national minorities to preserve their identity or to force them to renounce their nationality, culture, history, or traditions. K. Senaratne emphasised such an important right of national minorities as the right to self-determination, which also guarantees the right to autonomy, and its implementation should always take place within the state (Senaratne, 2021).

Conclusions

This research endeavor delved into a comprehensive examination of Ukraine's intricate ethno-national policy framework and its consequential efficacy in safeguarding the rights of minority populations in the wake of independence. It is worth noting that, despite the existence of constitutional provisions ostensibly designed to protect minority rights, a discernible chasm persists between these ostensibly noble principles and their practical implementation, resulting in circumstances that foster discrimination and abuse against vulnerable segments of society. These systemic shortcomings, in turn, serve as fertile ground for criminal activities that specifically target these marginalized groups.

The research findings unveiled a particularly disconcerting facet of this situation, shedding light on the dire plight of the indigenous Crimean Tatar community, which has borne the brunt of persecution under Russian occupation with a clear objective of subduing and erasing their unique identity. Regrettably, this pattern of infringement upon minority rights extends beyond the Crimean Tatars, as numerous other minority groups within Ukraine also grapple with significant encroachments on their fundamental rights, most notably in the form of limitations imposed on their linguistic freedoms.

The implications of these findings are unequivocal and underscore the pressing necessity for a concerted effort to rectify these critical protection gaps through a multifaceted approach. Such an approach would encompass the fortification of legal mechanisms, enhanced accountability measures, and crucially, the active participation and inclusion of minority populations within the sphere of governance. The proposed reforms, while undeniably pivotal, are bound to face considerable complexity and challenges given the broader socio-political landscape within Ukraine.

References

- Amnesty International. (2017). Crime without punishment: Impunity for human rights violations in Ukraine. Retrieved from <https://www.amnesty.org/en/documents/eur50/5109/2016/en/>
- Bisarya, S. (2020). *Protecting Ethnic Minorities within Minorities*. Stockholm: International IDEA Constitution Brief.
- Bretscher, F. (2020). *Protecting the religious freedom of new minorities in international law*. London: Routledge.
- Chepulchenko, T., Valeeva, M., & Grachova, O. (2021). Legal position of national minorities in Ukraine. *Legal Scientific Electronic Journal*, 5, 28-31.
- Chovnyuk, Y.V., Diachenko, L.A., Ivanov, Y.O., Dichek, N.P., & Orel, O.V. (2022). Optimisation of dynamic loads of rope systems of lifting mechanisms of bridge cranes during cargo handling. *Scientific Herald of Uzhhorod University. Series "Physics"*, (51), 59-73.
- Constitution of Ukraine. (1996). <https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80>
- Declaration of the Rights of Nationalities of Ukraine. 1991. Retrieved from <https://zakon.rada.gov.ua/laws/show/1771-12#Text>
- Demyanenko, B., Kalakura, O., & Nikolayets, Yu. (2020). *National minorities of Ukraine in political processes (1945–1991): scientific discourse*. Kyiv: Kuras Institute of Political and Ethnic Studies of the National Academy of Sciences of Ukraine.
- European Commission. (2022). 2022 Commission staff working document: Ukraine report. Retrieved from <https://ec.europa.eu/neighbourhood-enlargement/system/files/2022-10/20221010-ukraine-report.pdf>
- European Roma Rights Centre. (2008). Written comments of the European Roma Rights Centre concerning Ukraine for consideration by the Committee on the elimination of racial discrimination at its 72nd session. Retrieved from http://www.errc.org/uploads/upload_en/file/ukraine-cerd-written-comments-5-august-2008.pdf
- Fedorenko, K., & Inland, A. (2021). The international aspects of Ukraine's new education law. *Eric Digest*. Retrieved from <https://eric.ed.gov/?id=ED614216>
- Freedom House. (2022). Freedom in the world 2022: Crimea. Retrieved from <https://freedomhouse.org/country/crimea/freedom-world/2022>
- Gazdag, F., & Barany, Z. (2023). Hungarian minority politics and policies in Ukraine since 1991. *Nationalities Papers*, 51(1), 137-160. Retrieved from <https://doi.org/10.1017/nps.2021.33>

- Haertel, K. (2022). National minorities in the post-revolutionary era. *Security and Human Rights*, 32(1-4), 121-138.
- Hislope, R., & Mughan, A. (2012). 7 - Ethnic Nationalism. In: *Introduction to Comparative Politics* (pp. 205-235). Cambridge: Cambridge University Press.
- Honcharenko, V.D., & Shyhal, D.A. (2021). Technique of generalization of results of comparative historical and legal research. *Journal of the National Academy of Legal Sciences of Ukraine*, 28(3), 74-84.
- Hryashchevska, L. (2016). *Ethno-national politics in Ukraine in the period of independence*. Mykolaiv: Helvetica.
- Human Rights Watch. (2017). Rights in retreat: Abuses in Crimea. Retrieved from <https://www.hrw.org/report/2017/11/14/rights-retreat/abuses-crimea>
- Human Rights Watch. (2022). World report 2022: Ukraine. Retrieved from <https://www.hrw.org/world-report/2022/country-chapters/ukraine#>
- Ivanov, S.Yu. (2022). Legal status of national minorities on the Ukrainian territory in the 19th century. *Bulletin of KhNUIA*, 4(99), 49-57.
- Kardosh, R., Sklar, A.Y., Goldstein, A., Pertzov, Y., & Hassin, R.R. (2021). Minority salience and the overestimation of individuals from minority groups in perception and memory. *PNAS*, 119(2), e2116884119.
- Karshalova, A.D., Markhayeva, B., Aitkazina, M.A., & Mukushev, A. (2017). Improvement of management accounting in the context of uncertainty and risks in the food retailing sector in the republic of Kazakhstan. *Journal of Applied Economic Sciences*, 12(8), 2275–2282.
- Kartunov, O., & Damavandi, A. (2015). Annexation “waves” and their influence on the ethnopolitical situation in Crimea. *Ethnic and Linguistic Policy*, 2, 55-60.
- Kerimkhulle, S., Aitkozha, Z., Saliyeva, A., Kerimkulov, Z., Adalbek, A., & Taberkhan, R. (2023). Using Technical and Structural Coefficients of Economic Statistics to Equalize Flows of Input-Output Table. *Lecture Notes in Networks and Systems*, 596 LNNS, 501-511.
- Klimenko, O., & Mashchenko, M. (2022). Forecasting effectiveness of government measures regarding the economic development of Ukraine. *Economics of Development*, 21(3), 8-14.
- Kmit, V. (2022). Tax audits during the period of martial law in Ukraine. *Scientific Bulletin of Mukachevo State University. Series “Economics”*, 9(4), 16-23.
- Koval, N., & Luchenko, D. (2020). Non-tariff barriers: Ukrainian practice under conflict with Russia and COVID-19. *Lex Portus*, 4(24), 56-76.
- Kovnyi, Yu.Ye. (2022). Problems of ethno-national policy in a globalized society. *Actual Problems of Politics*, 70, 28-32.

- Law of Ukraine No. 2494-XII "On National Minorities in Ukraine". (1992). Retrieved from <https://zakon.rada.gov.ua/laws/show/2494-12#Text>
- Leshchenko, K., & Leshchenko, S. (2023). Determining priorities for Ukraine's post-war reconstruction in the conditions of preparation for EU membership. *Economics of Development*, 22(3), 42-51.
- Lupenko, Y., Khodakivska, O., Nechyporenko, O., & Shpykuliak, O. (2022). The State and Trends of Agricultural Development in the Structure of the National Economy of Ukraine. *Scientific Horizons*, 25(6), 121-128.
- Lypchuk, O. (2012). Ethno-national policy in Ukraine: A mechanism for improving ethno-national relations. *Bulletin of the Dnipropetrovsk University*, 3(22), 107-112.
- Makaliuk, I. (2016). Diagnostics of transaction costs flow quality influence on economic results. *Economic Annals-XXI*, 156(1-2), 74-77.
- Marples, D., & Duke, D.F. (2014). Crimean Tatars – tragic past and uncertain present. OpenDemocracy. Retrieved from <https://www.opendemocracy.net/en/odr/who-are-crimean-tatars-tragic-past-and-uncertain-present/>
- Menon, P. (2017). The Uncomfortable Balance between a Minority and a People. *International Journal on Minority and Group Rights*, 24(3), 254-272.
- Mukoviz, V., Leshchii, L., Khodakivska, O., Prokopova, O., & Kuzub, M. (2022). Accounting for transactions costs of agricultural producers in the shadow economy. *Agricultural and Resource Economics*, 8(2), 67-85.
- Office of the United Nations High Commissioner for Human Rights. (2022). Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine A/HRC/50/CRP.4. Retrieved from <https://www.ohchr.org/sites/default/files/documents/countries/2022-06-29/2022-06-29-crimea-report-en.pdf>
- PACE. (2021). Legal remedies for human rights violations in the annexed Crimea. Retrieved from <http://assembly.coe.int/LifeRay/EGA/Pdf/TextesProvisoires/2021/20210930-Crimea-EN.pdf>
- Patten, A. (2014). Immigrants, National Minorities, and Minority Rights. In: *Equal Recognition: The Moral Foundations of Minority Rights* (pp. 269-297). Princeton: Princeton University Press.
- Patyka, N., Khodakivska, O., Mohylnyi, O., & Pugachov, M. (2021). Ukraine's Agrarian Sector in the Conditions of COVID-19 Distribution and Restrictive Quarantine Measures: Methodological Principles of Empirical Evaluation. *Scientific Horizons*, 24(12), 55-69.

- Perederii, O. (2022). Reforming the legislation on national minorities of Ukraine in the context of europeization of the legal system of Ukraine (theoretical and legal aspect). *Scientific Bulletin of the Uzhhorod National University*, 73(1), 19-23.
- Rabinovych, S., & Berg-Nordlie, M. (2021). Languages in conflict: The politics of language in Ukraine. European Center for Minority Issues. Retrieved from <https://www.ecmi.de/publications/languages-in-conflict-the-politics-of-language-in-ukraine>
- Rudolph, J.R. (2019). The Significance of Ethno-politics in Modern States and Society. In: *The Palgrave Handbook of Ethnicity* (pp. 149-167). Singapore: Palgrave Macmillan.
- Sannikov, D.V. (2017). Problems of land legislation of Ukraine and European Union integration. *Journal of Legal, Ethical and Regulatory Issues*, 20(Special issue 1).
- Senaratne, K. (2021). Internal Self-determination and Minority Groups. In: *Internal Self-Determination in International Law: History, Theory, and Practice* (pp. 73-117). Cambridge: Cambridge University Press.
- Shynkariuk, I.M. (2022). Alternative representation of space and time: Geometric solution of problems of relativity theory. *Scientific Herald of Uzhhorod University. Series "Physics"*, (51), 74-82.
- Tang, J.-G., Mukhambetzhonov, S., Nulahemaiti, B., & Baishemirov, Z. (2014). Method of an evaluation of formation exposing with preliminary data. *Life Science Journal*, 11(10 SPEC. ISSUE), 321-326.
- Tatsiy, V. (2021). Re-codification of the civil law of Ukraine: On the way to European integration. *Global Journal of Comparative Law*, 10(1-2), 1-4.
- Tkachenko, E.V. (2018). *Legal protection of the rights of ethnic and linguistic minorities*. Kyiv: FOP Golembovska O.O.
- Tkachenko, Y., Dakhova, I., & Zazuliak, Z. (2021). The protection of the rights of national minorities and indigenous peoples in Ukraine: Theory and practice. *Access to Justice in Eastern Europe*, 4(4), 146-162.
- Tovma, N. (2013). Audit organization for commodity transactions. *Actual Problems of Economics*, 146(8), 472-476.
- Tovma, N., Torgaeva, B., & Mamyrbayev, A. (2013). Methodology for statistical research of social partnership in the Republic of Kazakhstan. *Actual Problems of Economics*, 145(7), 493-497.
- Tremon, A.-C. (2021). 'PC worlds': Ethno-nationalist identitarian theories of anti-political correctness. *Anthropological Theory*, 21(1), 107-128.

- Tsyhanenko, O., Samus, H., & Medvid, A. (2023). The state budget of Ukraine: Diagnostics in the context of martial law. *Scientific Bulletin of Mukachevo State University. Series "Economics"*, 10(3), 58-66.
- United States Department of State. (2019). Ukraine 2019 international religious freedom report. Retrieved from <https://www.state.gov/reports/2019-report-on-international-religious-freedom/ukraine/>
- Whitman, K., & Krasnopolska, T. (2020). *Ethno-national politics of post-socialist countries: models, features, problems*. Odesa: Phoenix.
- Williams, B.G. (2001). *The Crimean Tatars: The diaspora experience and the forging of a nation*. Brill.
- Yavir, V. (2018). *Ethnopolitical integration and disintegration in the modern world. Political and legal concept*. Kyiv: Logos.
- Zaitsev, O.V. (2016). Monetary inflation and its connection with rising prices. *Journal of Advanced Research in Law and Economics*, 7(3), 698-707.
- Zaporozhets, A., Babak, V., Isaienko, V., & Babikova, K. (2020). Analysis of the Air Pollution Monitoring System in Ukraine. *Studies in Systems, Decision and Control*, 298, 85-110.
- Zhansagimova, A.E., Nurekenova, E.S., Bulakbay, Z.M., Beloussova, E.V., & Kerimkhulle, S.Y. (2022). Development of Rural Tourism Based on Green Technologies in Kazakhstan. In: Popkova, E.G., Sergi, B.S. (eds), *Sustainable Agriculture. Environmental Footprints and Eco-design of Products and Processes* (pp. 17–26). Singapore: Springer.