

**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  
Romania, Bucharest, 7 - 8 June 2007  
Plenary Session 2**

**To the Organization for Security and Co-operation in Europe**

**APPEAL of Crimean Tatar People**

Presented by the Dp. Ayder Mustafayev (NAMUS ORGANISATION)

“Protect us from discrimination – help us restore our rights!”

Crimean Tatar peoples is an indigenous population of Crimea and one of the European peoples that for over 500 years had been a part of the European State-political system on behalf of its sovereign State – Crimean Khanate. After abolishment of its Statehood and annexation of its national territory by Russian Empire in 1783 the peoples has been suffering systematic colonial oppression, political pressure, genocide and ethnocide for over two centuries. The culmination of its suffering was the total deportation of all Crimean Tatars from their Homeland to Central Asia, regions of Russia and Kazakhstan. As a result of this action, being both ethnic cleansing and genocide, Crimean Tatars lost over 46% of their population.

In 1954 when all deported Crimean Tatars were kept under surveillance in special settlements some thousand kilometers from their Homeland the territory of Crimea was transferred from Russian Soviet Federative Socialistic Republic to Ukrainian Soviet Socialistic Republic. Ukrainian State obtained not only land and natural resources of Crimea but also remained property of Crimean Tatars they were deprived of when deported. Ukraine owns, uses and disposes these lands, property and natural resources till now. It was logical to expect that the independent Ukrainian State not bound up with chains of totalitarian ideology, class and national hatred will take necessary urgent and effective measures to restore violated rights and freedoms of Crimean Tatars whose national territory is now under Ukrainian jurisdiction.

But the reality is different.

Ukrainian State has not adopted any legal act on restoration of rights of Crimean Tatar people.

In 1997 Crimean Tatar people had a mass petition campaign appealing to the President and the Parliament of Ukraine, UN High Commissioner on Human Rights, OSCE. There were about 100 thousand signatures collected. In that petition we wrote about our problems and possible solutions. There was no feedback from the international organizations and the Ukrainian State did not pay attention to the Appeal, moreover it intensified discrimination and forced assimilation of Crimean Tatars.

It is significant that Ukrainian State ignores not only our legal demands but also recommendations of international organizations membership status of which it enjoys: UN, CoE, OSCE committees and agencies. When asked about the situation of Crimean Tatars Ukrainian diplomats abroad either slur over the real situation or lie. They try to dissolve the problems of the indigenous people of Crimea – Crimean Tatars – among the problems of the national minorities of Ukraine, though their situations are incommensurable.

First of all we ask you to pay attention to the following problems:

Depriving Crimean Tatars of land as a result of de-governmentalisation.

Before the deportation Crimean Tatars had about 1 million hectares of agricultural land in use. Ukrainian acts on de-governmentalisation deprived those Crimean Tatars who returned of any opportunity to claim it back neither in full nor to the equal extent with other inhabitants of Crimea. Thus, the land taken away from Crimean Tatars is finally transferred into private property by settlers of other nationalities.

Ukraine frankly ignored Council of Europe recommendations (Recommendation 1455 (2000) and Repatriation and Integration of Tatars of Crimea, Order #565 (2000)) and practically organized apartheid against Crimean Tatars in form of ban on owning land by a certain ethnic group.

Lack of compensation for the property withdrawn in the period of deportation

According to the official data, when deported in 1944 Crimean Tatars were taken of over 80 350 private houses with property, 127 500 heads of cattle, 357 000 heads of sheep and goats, over 34 000 hectares of farmland (78 455 plots), all stock of food, seeds, forage for domestic animals, constructional material, over 4 000 tons of wheat, maize, barley, over 13 999 carts, 4 tons of tobacco, 90 000 liters of wine, 31 400 kilos of dries fruits, 43 200 pieces of sheepskin, 544 tons of fleece.

According to incomplete data, the cost of the private property withdrawn from Crimean Tatars constitutes over 6 billion USD. The cost of the property belonged to collective farms and cooperatives founded by Crimean Tatars constitutes 1,2 billion USD.

Later on these land and property were distributed among or sold to settlers brought in by the State in places previously inhabited by Crimean Tatars, used for founding agricultural enterprises and other purposes.

All lands, property and houses owned by Crimean Tatars before the deportation were used by Ukraine. Material resources produced by Crimean Tatars worked for the national economics of Ukraine. Houses previously owned by Crimean Tatars have been till now on occupied by and rented by tourists from settlers brought in according to special programs on settlement of Crimea by non-Crimean Tatar population.

This situation brings up issues of responsibility, restitution and compensation according to approaches elaborated and in theory and practice of the international law.

Nonetheless:

courts absolutely arbitrarily refuse to consider claims on restitution of property Crimean Tatars were illegally deprived of referring to the fact that there is no special law on restitution of property to formerly deported Crimean Tatars;

majority of Crimean Tatars was excluded from the process of privatization of State and municipal property because before 1999 they could not obtain Ukrainian citizenship and had no record of service in State enterprises of Ukraine due to the decades spent in the places of deportation.

Till now over 86% of Crimean Tatars living in rural areas have now rights to participate in the process of agricultural land because they didn't work for the State enterprises as new settlers did and after their return in 1990s they were discriminated being not given employment there.

Lying to the UN Committee on the Elimination of All Forms of Racial Discrimination Leonid Efimenko, 1st Vice-Minister of Justice of Ukraine, at the meeting of the Committee on 10 March 1998 stated that fulfilled all its obligations regarding restitution of property to all formerly deported persons and those who underwent repressions. Compensation was paid and all persons were rehabilitated. Cases on which unjustified judgments were pronounced are being reconsidered. This is frank lie and concealment of apartheid in the form of ban over owning property individually and jointly with others, and also in the form of depriving of hereditary rights for property withdrawn at the time of deportation but existing till now.

3. Crimean Tatars are discriminated when applying for job placement and taking up post at the State service.

Among Crimean Tatars over 60% have no employment or permanent income. The average percent of Crimean Tatars in the State bodies of Crimea is lower than 5% though Crimean Tatars constitute almost 13% of the whole population of Crimea. The authorities explain it by the fact that there are no good specialists among Crimean Tatars and they are not competitive. This is a frank lie. This is conscious and deliberate racial discrimination.

Crimean Tatar language is excluded from the public life of Ukraine and Crimea.

Before the Deportation Crimean Tatar language was one of the State languages of Crimean Autonomous Soviet Socialist Republic, it was used in clerical work, in court, for official and notarial documents, signboards and announcements, official seals. Every day radio programs in Crimean Tatar language were broadcasted for 6 hours, over 40 000 Crimean Tatar children received education in their native language, there were vocational schools and institutes. Belle-lettres, scientific and special literature was published in mass edition.

Abroad the authorities boast of 15 Crimean Tatar schools they opened. This is not true. They did not open them – they just did not manage to prevent their opening due to persistent activity of parents and teachers – Crimean Tatars. Before the deportation there were over 300 schools, these buildings are still being used for other purposes.

Approving new Crimean Constitution the Ukrainian authorities have excluded Crimean Tatar language from the list of official and State languages, keeping only Ukrainian and Russian as such. The authorities try to convince the international community that as though they promote the language of the retrograde illiterate nation. Crimean Tatar nation has been literate for ages, this was never the fact either for Russian or for Ukraine before XX century. The current policy of the Ukrainian authorities is aimed at annihilating the language of Crimean Tatars and imposing Russian and Ukrainian languages on them instead of their native one.

Even ratification of the European Charter of Regional and Minority Languages did not introduce any changes to the State policy with regard to Crimean Tatar language. This is an excellent example of Ukraine lying to the European community when concluding agreements it was not going to implement.

Annihilation of the cultural heritage of Crimean Tatars.

From the beginning of Russian presence in Crimea there was systematic activity aimed at annihilation of the cultural heritage of Crimean Tatar peoples carried out.

The colonial period is characterized by destruction of towns, burning of palaces, annihilation of mosques and other objects of material culture. One hundred years before the Nazis according to the decision of the Russian Government all books were withdrawn from Crimean Tatar population, later they were cruelly burnt. Final stage of the annihilation of Crimean Tatar cultural heritage was after the total deportation of Crimean Tatars.

Cemeteries were razed to the ground, houses, toilets and other constructions were built using gravestones. Mosques, sacred constructions, historical-architectural ensembles left were either destroyed or used for household purposes.

Archeological objects, jewelry, objects of material and spiritual culture were taken from museums to other republics.

In the contemporary Ukraine regardless of the legal base and the State structures called upon to provide for preservation of the cultural heritage the rights of Crimean Tatar people are systematically violated. Many sacred constructions are still being used not for their purpose or transferred to other confessions. The land where historical-architectural constructions of archeological objects are located and ancient cemeteries or sacred places are privatized by private persons who will exploit them for their own gain. Many historical monuments are knowingly not registered that will ultimately lead to their final destruction. Such treatment by the State can be classified as annihilation of the cultural heritage of Crimean Tatar people, its historical presence in Crimea.

Distortion and fixing of russified toponymy in Crimea.

The names of geographical objects in Crimea (settlements, mountains, rivers, locations) were historically formed and bore cultural memory and dignity of Crimean Tatar people. Literally 98% of towns and settlements names were replaced by 3 decrees of USSR Supreme Council in 1945-1948 by Russian ones. After Ukraine gained its independence we repeatedly addressed the State bodies with request to restore the historical toponymy because it is an important part of our history, cultural heritage and national self-consciousness.

Ukrainian authorities refuse to do this suggesting instead to referendums in Crimea among all population on the issue, as they say, of changing names. Ukrainian State perfectly understands that Russian settlers brought up in the spirit of Russian chauvinism constitute majority literally in all settlements of Crimea and will never agree with return of historical non-Russian names.

At the same time the authorities carrying out the policy of supporting Ukrainian language in the State having not asked anyone and without organizing any referendums put all geographical names into Ukrainian version. The State again confirmed the policy of double standards and deliberate annihilation of the indigenous Crimean Tatar people's historical traces. Thus Ukrainian State absolutely deliberately supports the policy of ethnocide and cultural-linguistic assimilation started by Tsar and Soviet Russia.

7. Evasion of legal securing of status of Crimean Tatar people in Ukraine and restoration of rights.

Ukrainian State is not willing to pass laws securing the status of Crimean Tatar people as one of indigenous peoples of Ukraine though in 1996 Constitution there is direct provision on this issue in articles 11 and 92.

In the parliament of Ukraine there were several acts about so called restoration of rights of deported persons drafted but we decidedly protested against their approval with the content that was suggested because in fact they were new acts of judicial discrimination against us. They contradict the letter and spirit of the international Human Rights law but were advertised to the international community as concern of the State about Crimean Tatars.

Only knowing the situation, origins of the problem and our opinion on every article of these draft laws it is possible to understand how dangerous they are and oriented against the international Human Rights standards they are. At the same time all initiatives of Crimean Tatar people having elaborated several draft laws based on those acknowledged in the international law, among them the European Charter on Human Rights and the UNO standards, were rejected by Ukrainian State. Summing up we declare that Ukrainian State during all years of return and resettlement practically prevented and is preventing from restoration of our rights as of a group of individuals and an integral European people. Thus we have to state that Ukrainian State aims at completing the colonization policy of Russia on annihilation of Crimean Tatar nation.

We do hope that our Appeal will reach you and attract your attention inducing to interfere in the situation so inadmissible in our time – beginning of the III millennium – in a country having pretensions of being called European . We no longer believe the State of Ukraine but we still believe in the possibility of solving our problems with active involvement of the international community. With a view to preventing the oncoming threat of interethnic conflict in Crimea we ask you to establish a compound commission of the international organizations representatives having no common interests with Ukraine or Russia for inspection of the situation and controlling how Ukraine implements those recommendations that were already made by your organizations on the issue of restoration of Crimean Tatar people's rights