**Statement of Hungary on Ukraine**

**28th Session of the UPR Working Group, 15 November 2017**

**Mr. President,**

Hungary welcomes the delegation of Ukraine and expresses thanks for the detailed national report and update. We take note of the positive steps of the Government to promote and protect human rights. We appreciate that Ukraine in 2016 had amended the Constitution creating the legal conditions for an independent judiciary, and that the Ombudsperson’s Office had been re-accredited with “A” status. We also recognize that the Government has begun preparations for the ratification of the Rome Statute of the ICC.

**Hungary recommends that the Government**

* Revoke Article 7 of the new Education Act adopted on 5th of September 2017.
* Take steps to end impunity for perpetrators of human rights violations.
* Address the root causes of corruption as a matter of priority.
* Enhance efforts to better integrate the Roma community into society.

The right of national minorities to receive education in their mother tongue is a self-evident fundamental right recognized in international human rights instruments. Until now, this right has been recognized also by the laws of Ukraine, and enjoyed by its national minorities. Interestingly, point 167 of the national report of Ukraine submitted for this present UPR proudly stipulates that in Ukraine pre-school education is provided in 6 minority languages, secondary education in 8 minority languages, and that entry exams to higher education this year were available in 6 minority languages. Contrary to the rosy picture that Ukraine itself had painted in August of this year, Article 7 of the new Education Act, while continuing to allow the mother tongue to be the language of instruction for pre-school and elementary school, limits this right for students of secondary schools (grade 5 and higher) and students of higher education. For the latter schools and institutions, language of the education shall be the Ukrainian, with some possible exceptions.

Hungary recognizes the role of state languages and the education of a state language as a key instrument for integration of individuals into society and opening up new perspectives for better life for all citizens and groups of citizens, including national minorities. Enhancing the role of a state language and its education, however, under no circumstances can justify limitations on existing linguistic rights of national minorities. As the impugned law at hand, in particular Article 7, substantially restricts the already acquired rights of national minorities in receiving education in their mother tongue, we believe that the means employed by Ukraine place excessive burden on national minorities and are not proportionate to the aim pursued. As such, the law on education violates a number of normative acts and international obligations of Ukraine. Hungary therefore respectfully calls on Ukraine not to restrict the substance of fundamental rights of minorities with a view to prevent the violation of their rights already acquired.

**Thank you, Mr. President!**