

A stylized map of Ukraine composed of a grid of grey dots, with several dots highlighted in red to represent specific locations or regions.

# Diversity and Tolerance Issues in Ukraine: The Year 2012 and Beyond

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May 2012

- In 2012, successful co-hosting of the European Football Championship in June and free and fair conducting of the October parliamentary elections are both historical landmarks that will determine the readiness of Ukraine as a democratic European state, capable of upholding values of diversity, tolerance and intercultural dialogue and enhance its eligibility for an association agreement with the European Union.
- The daunting task during this period for all stakeholders is to adhere to democratic standards, human rights, reasonable living standards for people, transparency in an atmosphere of socio-economic crisis and to cope with inequality and a related rise in regional intolerance, right-wing extremism and populist politics.
- Mere formalistic approaches of existing good framework legislation are not enough for a rule of law state. A fully functional system of reward and retribution, checks and balances should be implemented to advance equal opportunities and social capital.
- Bridging the gap between state and civil society, building alliances for dialogue among academic circles especially in the pre-election period is important to prevent polarization, intolerance and hate speech on issues of history.
- The role of the international and the European community is crucial in helping political forces, media and civil society to reach consensus on the inadmissibility of right-wing extremists to mainstream politics.

## Introduction

The present paper is an update of an earlier research<sup>1</sup> on diversity and tolerance in the context of Euro-2012 and the situation of right-wing extremism in Ukraine, and focuses on prevention strategies (including institutions and counterparts). Issues of tolerance and growth of right-wing extremism are analyzed in this paper in the context of co-hosting the European Football Championship in 2012 (Euro-2012) in Ukraine and the upcoming parliamentary elections in autumn 2012. The paper mainly emphasizes the potential for improvement in the areas of diversity and tolerance which, in their turn, will have a positive influence on labor and social standards, human rights, environment, healthy lifestyle, transparency and openness. And these will enhance the infrastructural, economic, investment and commercial perspectives of the country.

Combating extremism and promoting tolerance is not possible without due attention and adherence to concepts of social equality, human rights and participation, making them meaningful to the daily needs of people. Both non-state and state sectors as well as public and private sectors should be brought together for this purpose. Companies with CSR-policies, non-governmental organizations, media, consumers, academia, think tanks, and trade unions all to the promotion of tolerance and diversity.

The importance of using best practices and past experiences during 2008-2011, continuing social inclusion of the vulnerable youth, participation and preventing right-wing extremism in the football fan movement serve as background for overcoming the problems of anti-Semitism, discrimination and xenophobia, especially through innovative youth-friendly tools. This study analyzes such experiences.

Other important aspects are linkages between the grassroots and the national level, transfer of knowledge and public vigilance of right wing extremism during and beyond 2012.

Thus, the paper thus throws light on the importance of tolerance issues in view of Ukraine's striving towards European integration policies.

## Ukraine's Development Trends and the Situation with Tolerance and Extremism

Amidst the world economic crisis the Ukrainian GDP growth rate of 5.2 percent claims to be one of the highest in Europe in 2011, as reported by the State Statistics Committee of Ukraine<sup>2</sup>. In addition to high GDP growth, Ukrainian economy boasted 4.6 percent growth in price and tariffs - country's lowest in the last eight years. The combination of favourable macroeconomic indexes caused Ukraine's purchasing power parity to grow 15 percent in 2011 compared to that in 2010. Notably, according to Anders Aslund, economist of the US-based Peterson Institute for International Economics, Ukraine could double the growth rate and catch up with Turkey's GDP of 9 percent in 2011. Similar optimism was voiced by financial analyst Eric Nayman, Executive partner of Capital Times, that Ukrainian economic growth in 2012 would be the best in Europe. Modest estimates show that the economic growth of Ukraine in 2012 is predicted to be higher than that of the EU (projected to be 2.1 percent in 2012). For instance, Ukrainian state budget for 2012 expects 3.9 percent of GDP growth, whereas IMF and the European Bank for Reconstruction and Development (EBRD) projected the maximum GDP growth in Ukraine to reach 3.5 percent in 2012.

Thus, based on the above statistics, Ukraine seems to emerge from the 2009 economic and financial crisis, but with serious structural weaknesses. Fiscal imbalances, large social transfers, inefficient public services and considerable quasi-fiscal subsidies threaten sustainability. Despite export-led recovery over the past two years, Ukraine's 2011 growth rate is still below pre-crisis levels and the economy remains vulnerable to volatile commodity prices and dependent on export and foreign financing. The public sector is large, but the quality of many public services has been deteriorating. Ukraine's economic recovery is under strain also due to international developments. Many members of the European Union, the country's most important trading partner, are struggling with their own economic challenges. Last spring, the International Monetary Fund froze a lending program to Ukraine over its failure to increase household gas prices and cut government expenditure. The Ukrai-

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1. FES Study Diversity and Tolerance in Ukraine in the context of Euro-2012 by Mridula Ghosh, May 2011

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2. <http://www.ukrproject.gov.ua/node/829>

nian government is in continued, protracted negotiations with Russia over imports of natural gas. The growth rate did not yet translate into real term benefits for the people, did not generate jobs or fill the budget with resources. Surveys conducted on the eve of Ukraine's 20th anniversary of independence in the summer of 2011, along with social protests, reveal widespread discontent with the economic situation and with poor public governance.

Based upon surveys and global rankings by various international organizations, NGOs and news media, a report published by the Ukrainian Foundation for Democracy on January 20, 2012 shows the country to be still struggling to modernize its economy and establish rule of law<sup>3</sup>. The most alarming findings are that the HIV infection rate, incidents of human trafficking and deaths in coal mines – all increased from 2010 to 2011. The conditions for doing business became negative from 2010 to 2011. Ukraine dropped seven places in both the World Bank's investment climate ranking and Forbes magazine's conditions for business index; the business climate ranks persistently as the weakest in the region. The report also highlights a marked decline in small and medium-sized enterprises and an increase in the proportion of Ukrainians living beneath the poverty level from 12.5 percent in 2008 to 13.8 percent in October 2011. However, the government had to cut the budget for the Ministry of Social protection by 17.16 percent for 2012 whilst spending almost a billion dollars for the Euro 2012 football tournament and increasing budget expenditures for state administration by USD 45 million. Politically, negative assessments by Reporters Without Borders, a press freedom group, and the Economist Intelligence Unit's yearly Democracy Index show that Ukraine fell from 67th in 2010 to 79th place in 2011, entering into the 'partly free' country category. The EU has been sharply critical of developments in Ukraine; in particular over what it considers being the "politically motivated" trials of former government officials, especially of Ex-Prime Minister Yulia Tymoshenko, who was convicted of abuse of office. Ukraine failed to fight corruption as it fell from 134th to 152nd place in the world in Transparency International's Corruption Perception Index, ranking it the lowest in Europe after Russia.

3. <http://www.euractiv.com/europes-east/report-paints-bleak-picture-ukraine-news-510265>

Indicators for inter-ethnic and inter-regional tolerance also decreased, according to monitoring of the Institute of Sociology of the National Academy of Sciences of Ukraine, conducted annually since 1992<sup>4</sup>. Data shows that, while one third of the Ukrainians were tolerant (criterion – willingness to accept into family or as a friend) towards Jews during 1992-1994, in 2002 there were a sharp drop in this indicator – 3 times, and since then this value has not increased. Further decrease in tolerance levels is seen vis-à-vis groups, towards which Ukrainians usually were not tolerant, such as the Roma (from 11 percent to 2 percent), as well as groups, towards which Ukrainians had the highest levels of tolerance, the Russians (from 80 percent to 45 percent).

Another research on the level of tolerance has been done by the Kyiv International Institute of Sociology (KIIS) within the framework of cooperation with the Institute of Human Rights and Prevention of Extremism and Xenophobia (IHRPEX) in June 2011, including a sample of adult population of Ukraine<sup>5</sup> (2040 respondents) on the problem of extremism and regional tolerance in Ukraine.

According to this study, almost half of Ukrainians (44 percent) consider that there are no regions in Ukraine, where the population is politically intolerant. However, 11 percent of adult residents of Ukraine called Halychyna (West) to be such a region, 7 percent – Donbas (East), 5 percent – Bukovyna (Southwest). Residents of Western Ukraine more frequently called territories of Southern and Eastern Ukraine (18 percent of residents of the West called Donbas and 9 percent called Crimea) politically intolerant, and the residents of the latter two regions called Western Ukraine (23 percent of residents of Southern region and 31 percent of residents of Eastern region called one of the territories of Western Ukraine) politically intolerant. Residents of Central Ukraine approximately equally mentioned both Western Ukraine (14 percent), and Southern/Eastern Ukraine (11 percent) as intolerant.

If, in February 2011, 38 percent of respondents in Southern Ukraine considered that there are some politically intolerant regions, then, in June 2011, the number of such

4. <http://tourguide.com.ua/2012/03/the-ukrainians-are-becoming-big-xenophobes/>

5. [http://www.ihrpex.org/en/article/2055/the\\_summary\\_of\\_the\\_report\\_regional\\_tolerance\\_and\\_extremism\\_in\\_ukraine](http://www.ihrpex.org/en/article/2055/the_summary_of_the_report_regional_tolerance_and_extremism_in_ukraine)



respondents reduced to 27 percent. Instead, in the East of Ukraine the number of such people increased from 28 to 35 percent. In addition, the number of residents of Eastern Ukraine, who called Halychyna intolerant increased from 15 to 21 percent.

The majority of Western Ukraine’s residents think that attitudes of people of the South and East hamper the transformation of Ukraine into a modern European state. In addition, almost half of them (42 percent) consider that Southern and Eastern opinions are close to Stalinism and are dangerous for the integrity of Ukraine. Only 6 percent did not express their opinion and 12 percent said that life in Ukraine would be better without the Eastern regions. Although the residents of Central Ukraine do not consider that people in South/East Ukraine have fascist or Stalinist views, however, 40 percent are convinced that the opinions of the majority in South/East hamper the transformation of Ukraine into a modern European state.

Overall, in comparison with February 2011, regional intolerance has noticeably increased. Thus, the number of those who consider that the opinions of residents of Western Ukraine are close to fascism increased from 34 to 69 percent, and the number of those, who consider that their views hamper the transformation of Ukraine into a mod-

ern European state increased from 28 to 51 percent, and the number of those, who think that life in Ukraine would be better without this region increased from 20 to 43 percent; the number of those, who consider that their views are dangerous for integrity of Ukraine increased from 58 to 75 percent.

The integral index of regional intolerance, which ranges from 0 (tolerance) to 100 (intolerance) was 46.4 as of June 2011 and is therefore noticeably higher than it was in February 2011 (39.0).

Irrespective of age and region of habitation, only 8 percent of residents of Ukraine indicate that there are no groups, “undesirable for the society”. More often, people mentioned terrorists (75 percent) and drug dealers (71 percent) as such groups. Twenty three percent also mentioned LGBT communities, 20 percent people living with HIV/AIDS, 19 percent – nationalists and 17 percent – Muslims.

The above attitudes have found their reflection in crime statistics of the country. Preliminary analysis by the network Diversity Initiative shows that incidents of hate crime against minorities reported in 2011 were three times more than their number in 2010<sup>6</sup>. Twenty three violent incidents of racial hatred were reported, and 40 persons

**Hate crime on foreigners and visible minorities in Ukraine, 2006-2012**

	2006	2007	2008	2009	2010	2011	2012
<b>I quarter</b>	1 person	25 persons (incl. 2 deaths)	48 persons (incl. 2 deaths)	17 persons	-	11 persons	4 persons
<b>II quarter</b>	5 persons	20 persons, (incl. 3 deaths)	11 persons (incl. 2 deaths)	12 persons	2 persons	11 persons	
<b>III quarter</b>	2 persons	25 persons	19 persons	3 persons	7 persons	2 persons	
<b>IV quarter</b>	6 persons (incl. 2 deaths)	18 persons (incl. 1 death)	6 persons	5 persons	9 persons (incl. 1 death)	22 persons	
<b>Total:</b>	<b>14 persons (incl. 2 deaths)</b>	<b>88 persons (incl. 6 deaths)</b>	<b>84 persons (incl. 4 deaths)</b>	<b>37 persons</b>	<b>18 persons (incl. 1 death)</b>	<b>46 persons</b>	

Source: Statistical report by Vyacheslav Likhachev, Council Member, Eurasian Jewish Congress.

6. Diversity Initiative preliminary data of Hate Crime monitoring for 2011.

were affected, of which 26 were international students. The attacks mainly took place in major cities of Ukraine, such as Kyiv, Dnipropetrovs'k, Ternopil, Luhansk, Lviv, Kharkiv, Sumy or Simferopol. Nineteen cases of vandalism (including arson) were reported against Jewish or Muslim property and 4 cases of general threats. However, charges brought against all the above cases do not pertain to 161 article of the Ukrainian Criminal Code (intended to punish incitement of racial or inter-ethnic hatred), which accounts for these cases not being separately listed in official crime statistics.

Statistical analysis shows that the upsurge in attacks on foreigners and minorities during 2007-2008 came down to some extent, however there is little cause for comfort. Official crime statistics of the Ministry of the Interior for 2011 show that a total of 2805 foreigners (of them 1008 women and 54 minors) were victims of various categories of crime, against 2269 foreigners (of which 858 were women and 60 minors) in 2010, accounting for a 23.6 percent increase. There is a 16.9 percent rise in deaths among foreign victims of crime, as 83 persons died in 2011 and 71 in 2010. Official statistics do not show a clear list of hate crimes against foreigners and minorities, so it is difficult to ascertain the nature of crime behind these quantitative indicators. So, to complement this, a table from the Eurasian Jewish Congress is presented for ease of reference. Compiled by an independent expert, it shows the trend in attacks on individuals and groups during the period 2006 – 1st quarter of 2012.

In addition, during 2011 – early 2012, there were records

of hate speech and anti-immigrant rhetoric in the media. Of special mention are two cases – a publication in a low key regional newspaper in the West Ukrainian city of Ternopil, portraying foreign students from African and Arab countries as gorillas as well as a public statement made by a medium level leader of the far right political party "Svoboda" Yuriy Sirotyuk that Gaitana, an Afro-Ukrainian singer nominated for Eurovision contest 2012 is not "capable of representing Ukrainian culture". Another case is the series of incidents related to a demonstration in the easternmost city of Luhansk in November 2011. A kiosk selling the Eastern snack food doner kebab "Shaurma" was destroyed followed by random attacks and beatings of foreign students.

Apart from that, members of the right-wing radical group "Patrioty Ukrainy" in Kharkiv were aggressive towards the Vietnamese community, the Russian far right groups were intolerant towards Crimean Tatar settlements in Crimea and demonstrated their Islamophobia and the group "Sich" (Slava i Chest) mobilized in Odessa against the left-tilted anti-fascist youth groups. Inter-faith intolerance was aggressively seen in Uman towards the Jewish Hasidic pilgrims, thousands of whom visit the site of the saint, founder of their religious order Rabbi Sadic Nakhman in Cherkasy oblast in Ukraine during the New Year festivities of Rosh Hashana in September-October 2011. Series of provocations by local right-wing extremists led to clashes with the pilgrims.

The list below with the incidents related to demonstration of hate signs shows the extent of the problem of right-wing extremism in Ukrainian football.

### Racist Incidents in Ukrainian Football, September 2009 – December 2011

Show of Hate Signs	Number of Incidents
Racist, Fascist	71
Anti Semitic	3
Anti-Black	2
Homophobic	-
Anti Roma	-
Anti Muslim	7
Anti-disabled	2
Other	-
Total	85

Source: Hateful. FARE Monitoring Report, 2011

To sum up, the hate crimes affected the foreigners, minority ethnic and religious groups, football fans as well as guests and tourists coming to Ukraine.

### External and Internal Factors behind the Growth of Extremism and Intolerance

The factors leading to growing extremism and intolerance are fundamentally internal. Contrary to the first years of independence, when tolerance and political nation building was the overall goal, the past decade saw Ukraine's dwindling path and failing transition to a successful democracy, rule of law state and socially responsible market. This has had serious impact on the implementation of human rights, employment chances and living standards of Ukrainians, who resorted to mass migration abroad for seeking livelihood under humiliating circumstances. Ukraine now faces a critical population shortage, as it is estimated that Ukraine will lose 36% of its population until 2050. In absence of a coherent demographic and migration policy, Ukraine has not been able to compensate for the population decline. Frequent statements from demographers such as "European race in Ukraine is disappearing following overall tendencies whereas it is being replaced by Asian and African races, which are expanding"<sup>7</sup>, however carefully veiled under "scientific" arguments, are bound to create negative public opinion and attitudes towards people from Asia, Africa and other visible minorities, who are not integrated into Ukraine's labor market and society.

All this has provided a fertile ground for intolerance and fueled firebrand nationalist rhetoric and appeals to issues of history, national honor and dignity. Predominantly, right-wing extremist groups in Ukraine (UNA, UNSO, DSU, SPAS, UNTP, UPA etc.) were appealing to culture and not to economics, and therefore could be marginalized easily. Of them, the Social National Party has been forging ahead into the political mainstream since 2000, extending its international network, using migration, national economic upliftment based on culture and defense of everything ethnically Ukrainian as main topics. Having renamed and organized themselves into Svoboda (Freedom) Party in 2004, with their sharp

rhetoric, the exponents of Svoboda have mellowed down the otherwise national democratic ideology of the Rukh, Nasha Ukraina and Congress of Ukrainian Nationalists. Svoboda has been branding all other nationalist parties either as collaborators with the anti-Ukrainian regime or weak national romantics, unable to achieve anything.

Curiously, external factors are often closely intertwined into the right extremist debate within Ukraine. One of the several external factors, to which Ukrainian politicians, policy makers and media often refer to is the rise in right populist rhetoric in the countries of Europe, reflected in the results of the 2010 European parliament elections as well as that of several national parliaments, including neighboring countries of Ukraine and most recently in April 2012 in French presidential elections. The fact of emergence of the right extremists is also used to justify the presence of their "lookalikes" in Ukrainian politics, matching them with the Jobbiks in Hungary, Front National in France, the Austrian 'Freedom Party' etc. Political scientists misconstrue the very presence of right-wing extremists as an attribute of "Europeanness" of Ukraine's "body politic".

Understandably, in the context of the grave socio-economic crisis in Europe, the call for a strong hand and seeking ethnic (racial) identity is heard from various corners. The situation in Ukrainian economy being getting worse, right-wing rhetoric finds its most comfortable place here. As is often said, extremists know how to ask the right questions and appeal to the masses, but they always have the wrong answers. In this respect, their populism is dangerous.

In this sense, drawing parallels between Ukraine and Germany cannot be taken lightly. Certain Ukrainian analysts, such as Viktor Tkachuk, general director of the Ukrainian Foundation for Democracy "People First", apart from justifying the presence of right-wing extremists, see the situation of Ukraine resembling the Weimar Republic. They argue that both historic Weimar Republic and Ukraine now are fraught with social apathy of the people, economic, social and political chaos and an acute feeling of injustice concerning the state among the citizens.

This analogy points also at the high dependence upon exports which led to the crash of German economy in the thirties of the past century, a tendency that could

7. <http://for-ua.com/ukraine/2012/04/19/123401.html>

as easily lead Ukraine to default. In particular, the prices of the most important export of Ukraine, metals, already show signs of long-term decline. German reparations in the period of the Weimar Republic can also be compared to the total public debt of Ukraine, which increased in 2011 to €45.3 billion, which is equivalent to 36 percent of GDP.

However, such comparisons are mechanistic; one needs to stress that there are more differences: Germany was in crisis as a result of defeat in World War I, while for Ukraine there were no wars. Being tempted to compare, the experts lost hindsight of the terrible negative consequences in the first half of the 20th century finally brought to Europe by Germany and how long it took Germany to later establish a working parliamentary democracy and federalism.

In all likelihood, Ukraine's post-independence image of a peaceful state, a responsible actor of the international community with neutral nuclear-free status is far more attractive than a state resembling the Weimar republic, providing additional stimulus for right-wing extremism and instability in the neighborhood of either the EU or Russia.

Another significant external factor of radicalization of politics in Ukraine is the constant tussle of policy choice between the West and Russia. Dependence of Ukraine's economy and EU consumers on Russian gas is a factor that infuriates many against Russia, while others seek to appease Russia and maintain the status quo, without seriously reviewing the energy policy of Ukraine. Right-wing extremists overplay the anti-Russian card in this issue to their political favor, bringing in issues of Ukrainian national honor and independence to the overall economic issue of energy efficiency and needed transparency of the energy market.

As has been already said, most of the above factors have their impact internally. But the foremost of them is the lack of trust in the authorities by the people and the rising gap between the rich and the poor, to an extent that leads to a feeling of "disenfranchisement" and "disempowerment" of people at large. In the words of Mykola Riabchuk, "We live in the country in which no one believes the mass media simply report the news, customs take care of smugglers, and law-enforcement agencies protect the citizens rather than themselves and their real masters."<sup>8</sup>

This gross mistrust resulted in Ukraine's condition of "democracy without democracy" because of a crisis of values. The liberal, democratic and left of the centre political groups have not addressed the worsening situation effectively and have responded weakly against the rightist populism calling for a restoration of national values.

In post-totalitarian Ukraine, left extremism is naturally weak, and the same is true for the ideological platforms of most liberal and democratic political parties of Ukraine. They are not able to provide simple answers to complex questions, which the right extremists are at ease with, always oversimplifying the complex.

This simplification is another reason why the right populist rhetoric is able to attract disadvantaged youth into its fold and use the existing subcultures, neofascist, skinhead and informal groups to strengthen its bases. In Ukraine, in the absence of a healthy debate on national identity on behalf of the right and nationalist parties, the right extremist and populist stance is fully taken up by the Svoboda party, anti-immigrant, xenophobic and anti-Semitic by nature.

Another external factor is that due to clampdown in Russia, the ultra-right groups from Russia have been hiding in Ukraine, as travel to Ukraine for citizens of the Commonwealth of Independent States (CIS) is visa-free. Mention may be made of Alexei Korshunov (alias Korshun), who died in a blast from his own self-made grenade in Zaporizhzhya on October 4, 2011. Korshunov escaped an arrest warrant under a false passport in Ukraine and was accused of murdering advocate Stanislav Markelov, journalist Anastasia Baburova, an anti-fascist activist and a judge. There are unconfirmed reports of many neo-Nazis hiding and also having links with the right extremist underground movement in Ukraine.

With the appearance of higher age groups, the far right youth subculture is maturing. The skinhead movement in Ukraine, once populated by young adolescents is now being replaced by a more over-arching ultra right subculture, capable of unifying several marginal militant groups, as pointed out on March 22, 2012 by Valeria Burlakova<sup>9</sup>.

8. Mykola Riabchuk Toward an Anecdotal History of Ukrainian Politics, February 26, 2012 <http://ukraineanalysis.wordpress.com/2012/02/>

9. [http://smi.liga.net/articles/2012-03-29/4848234-v\\_ukra\\_n\\_b\\_lshe\\_nema\\_sk\\_nkhed\\_v.htm](http://smi.liga.net/articles/2012-03-29/4848234-v_ukra_n_b_lshe_nema_sk_nkhed_v.htm) See also <http://tyzhden.ua/Society/45537>

In addition, there are many pro-Russian and Islamophobic groups in Crimea, such as the Slavic party, which attack the Crimean Tatars, and the Cossack groups, which are aggressively pro-Russian. Thus right extremism in Ukraine has two dimensions – ethnic Ukrainian ultra-nationalist, anti-Russian on the one hand and pro-ethnic-Russian, anti-Ukrainian on the other. Their common trait or denominator is anti-Semitism, Islamophobia, anti-immigrant and anti-Roma ideas.

Media hype is another factor behind the “showcasing” of right extremists, who in reality do not enjoy much popularity among the masses. Since the past two years, the extremist right often figures as an alternative to the ruling party in the political mainstream, through prime time TV and radio programs or print materials. Consciously or subconsciously, media producers seem not to realize the danger of such “acknowledgements”, “acceptance” or “endorsements” that might pave the way to legitimization of a hate ideology “Ukraine for the Ukrainians”. Under these circumstances, the potential for slow flickering of young armed groups in Ukraine is not far from reality. With regional, religious and inter-ethnic intolerance already on the rise, it could well become an added social evil with very serious consequences.

### State and Civil Society Responses

During 2011, the state responded to acts of xenophobia and intolerance by adopting policy documents and plans. In particular, a decision of the Cabinet of Ministers on Action Plan for Migrants’ Integration into Ukrainian society 2011-2015, and the Action Plan for implementation of the State Migration Policy Concept 2011-2015 were developed. Both these documents, if properly implemented, may substantially reduce racism and xenophobia and support the integration of migrants. Action plans to combat xenophobia, racial and ethnic discrimination in Ukrainian society during 2010-2012 have been operational at the regional level in Chernivtsi, Donetsk, Dnipropetrovsk and Luhansk since 2011.

Several draft policies also exist, of which two deserve special attention, the Discrimination Prevention Strategy of Ukraine, prepared by the Ministry of Justice and the Ethno-national policy of Ukraine, prepared by the Verkhovna Rada (parliament) on the basis of a hearing held

on January 11, 2012. Even if these documents will be passed, they will be of recommendatory nature. Significant changes need to be made to procedures and laws for combating intolerance and strengthening the enforcement of existing laws.

So far, state priorities of improving existing legislation and formulating new laws in this area were limited to elaboration of the penal measures against article 161 (hate crime, hate speech and inciting hatred, violating equality) and 115 (murder on racial grounds) of the Criminal Code of Ukraine as early as 2009. Draft laws are necessary to address issues comprehensively. But here again, the political rhetoric figured higher. For example, draft legislation curbing extremism, and banning fascist and Nazi symbols was discarded by a decision on 25 April 2012 of the Committee for Law enforcement of Verkhovna Rada of Ukraine, based on the argument that they were not nicely prepared and were legally unsound. Two other drafts that faced the same fate were a ban on desecration of monuments and memorials to those who fought against Nazism, as well as a ban on desecration of monuments and memorials to victims of the totalitarian regime, and to those who fought for the independence of Ukraine. These two drafts were submitted by ideologically opposing forces and were political in nature. Thus, the need to draft a comprehensive anti-discrimination legislation is still there. The same is true for procedures of investigation and punishment of perpetrators, which are not working smoothly.

Thus, often, the Prosecutor’s Office is blamed for inadequate application of the articles 161 and 115 of the Criminal Code, even when there are clear signs of racial crime. Instead, both the militia and the Prosecutor’s Office apply charges of hooliganism. Notably, in 2011, the Prosecutor General’s office in Ukraine issued instructions to all lower level offices under its jurisdiction to pay special attention to observance of legislation towards ethnic minorities, as well as to fighting xenophobia, racial and ethnic intolerance. It also publicly reported about its activities for the 9 months of 2011. But this did not lead to investigation and application of article 161 of the Criminal Code of Ukraine.

Procedural gaps are equally visible in the activities of the football leadership. Even the disciplinary committee of the Ukrainian Premier League, and the Ukrainian Professional Football League did not qualify the hate signs

(Celtic cross, anti-black, anti-Semitic and Islamophobic slogans, that are banned by UEFA), shown by various fan groups in different occasions during the whole of 2011 as expressions of racism and anti-Semitism, but noted them only as "unpleasant or humiliating incidents" in resolutions and imposed fines on the clubs of the fan-perpetrators.

So, despite the presence of rules and laws, policy implementation is not enough. The culture of acknowledging the problem of intolerance and applying the rules is problematic among various bodies in Ukraine.

Certain institutional steps of the government have showed mixed results, such as the dissolution of bodies responsible for this sector or curtailing of staff as a result of reform, leading to loss of critical human resources and institutional memory. So, the administrative body responsible for these issues, namely the State Committee for Nationalities and Religion has been dissolved in 2010 as a result of administrative reform, leaving the functions partly with the Ministry of Culture (integration, access to culture and education etc.) and partly with the Ministry of the Interior (registration, immigration, asylum etc.), the latter to supervise the newly set up State Migration Service, whose chief task is to implement the state migration policy of Ukraine.

Although there were some negative decisions by local governments (councils) with regard to refusal to look into land allocation issues for building mosques in the village Dobre (Crimea), in Bila Tserkva (Kyiv region) and in Khmelnytsky, the newly built Ar-Rahma mosque in Kyiv (in its old historic site) was opened at the end of 2011 with full participation of the authorities. This mosque is the largest of its kind in Eastern Europe.

Civil society response to intolerant behavior and in building better understanding of diversity was the most important constituent. More than 60 projects were implemented only in 2011 by organizations of the Diversity Initiative network, covering the widest range of issues, starting from teaching the history of Holocaust, to educational projects, trainings, intolerance in school text books, ethnic minorities in the life of the city's youth, intercultural cities, ethnic and national identity, international students, ethnic profiling, hate speech on the internet, legal aid to survivors of hate crime, football and Euro-2012 etc. Target groups of most of these projects

were young people; but also civil activists, teachers, local government representatives, law enforcement, media and the minorities themselves.

In the area of civil society initiatives, the approach taken to promote tolerance is mostly dependent on donors and international organizations, and the ownership of many projects tilted towards donors. Community based funding is a rarity and may be found mainly in some ethnic diaspora-based cultural projects.

It may be hoped that the new integration program for migrants for 2012-2015, prepared by the State Migration Service will be implemented at the regional and local levels with local budgets and community funding, increasing ownership and sustainability of the initiatives.

### Co-Hosting of Euro-2012 and Beyond – Preventing Intolerance

Co-hosting the 2012 European Football Championship together with Poland has given Ukraine unprecedented opportunities and perspectives. If for Poland, the perspectives are to enhance its sports infrastructure, consolidate its position in the communities of democracy in Europe, attract additional investments to its economy and improve the tourist infrastructure, for Ukraine the political benefits stand equal to these economic ones. Despite questions raised on the appropriate use of resources and faulty planning in many sectors, several notable areas of progress in small-scale social projects are already seen. This is especially manifest in the area of promoting tolerance and diversity.

Ukraine has institutionalized a system of monitoring and training on hate signs (used by the far right), as per the UEFA stipulations, and passed appropriate rules to ban their use. Required consensus (albeit forced) on the issue of banning all hate signs between clubs, fan clubs and the football federation has been achieved for the Euro-2012.

Some training of journalists on how to prevent hate speech and the know-how of reporting such big events has been held to increase sensitivity to issues of tolerance and diversity, by institutions like the Media Reform Centre.

Furthermore, trainings for Euro-2012 volunteers held by the East European Development Institute, certain exchange of experience and dialogue between the regions on the level of host cities located in all the major regions of Ukraine has taken place. This might not be enough to bridge the deep regional disparities, appealed to by the far right and the politically intolerant circles, but will provide a unified approach to training volunteers, police and hospitality industry personnel.

Highlighting the social and human dimensions of Euro 2012 is the corporate responsibility strategy, based on tolerance and diversity. Several campaigns supported by UEFA initiatives such as Respect Diversity (Inclusion zones, Street Kick), Fan Embassy as well as projects for access for fans with special needs held during the Euro-2012 will shape the event beyond its date. The gained experience will bear good fruits for the youth in Ukraine. This gives opportunities to also break the stereotypes of Ukraine as a police state with little regard for visible minorities.

However, sustainability of these measures will be seen only later and will depend on their deeper internalization by Ukraine. In many cases, policing has resorted to exclude "problem fans" and several groups of the latter have called for boycotting the Euro-2012. Thus, there are problem areas that will again show up after the championships, most prominently aggressive fan hooliganism. As analyzed above, monitoring data for 2011 for Poland and Ukraine shows several unpleasant incidents (85 incidents during 2009-2011 in Ukraine) in the football stadia with hate signs, or even clashes with the police. The promotion of a fan friendly police culture to raise tolerance in the stadia and the task of integration of immigrants, foreign students and visible minorities into football, therefore, remain unfinished.

Not all ecological, social and human rights standards during the Euro-2012 preparations were maintained. In Western Europe, the killing of stray dogs in Kyiv caused public excitement and protest by animal-friendly groups, but issues like the price hike in hotels and transports, lack of language training for the police and the hospitality industry, staff in railway, airports and public transport system etc. is strongly felt in Ukraine. In many cases the standards set by UEFA were adhered to as a result of administrative decisions from the top and so it is hard to judge, how far they will be used and applied on the grass-roots level after the Euro-2012 championship is over.

## Issues of Tolerance Prior to the Parliamentary Elections

On November 17, 2011, the Ukrainian parliament adopted a new electoral law for conducting the next parliamentary elections in October 2012<sup>10</sup>. Apart from some modifications, the law essentially re-establishes the mixed election system under which half of the deputies are elected through first-past-the-post elections in single-member districts, and half through proportional representation in nationwide multi-member districts. Such a system had been employed in Ukraine until the Orange revolution in 2004 but was replaced eventually with a purely proportional election system admitting candidates on the basis of nationwide party lists. The intention for changing the system now in place again was to encourage the development of the party system, promote coalition building in the parliament and make parties more responsible for governance. Another reason had been to prevent manipulation by vested interest groups who used to put "independent" candidates in "majoritarian" constituencies. However, it allowed well-known leaders of smaller parties to win, even if their parties did not cross the threshold.

Fresh opinion poll results released by the Research and Branding group on April 7, 2012 show that if the elections were to be held at this point, five parties will cross the 5 percent threshold and enter the parliament, namely the Party of Regions (18 percent), Batkivshchyna (15 percent), Front Zmin (9 percent), Udar (8 percent) and the Communist party (6 percent); Svoboda will not win the elections. In these circumstances, the far right Svoboda might use the majoritarian constituency or try to get on the party lists of one of the opposition parties to have a few deputies elected to the national parliament, as was seen in 2002 elections, when Oleg Tyahnybok, the leader of Svoboda was elected under the Nasha Ukraina bloc.

Platforms of tolerance will face turbulences beyond Euro-2012, as Ukraine gradually will enter the campaign period for the October parliamentary elections. The monitoring reports of the number and scale of hate sign usage by radical fans clearly point to their alignment with the far right ideology. The critical issue will therefore be

10. [http://portal.rada.gov.ua/rada/control/en/publish/article/info\\_left?art\\_id=290355&cat\\_id=105995](http://portal.rada.gov.ua/rada/control/en/publish/article/info_left?art_id=290355&cat_id=105995)

whether and to what extent the informal groups and youth subcultures will be pulled into the political scene by right-wing extremist party and groups.

Strategy of the far right Svoboda party has been to be present in the political and social spaces and in mainstream media, despite its dwindling support in the historically supportive western regions of Ukraine. To achieve this, first, it presents itself as the only viable nationalist alternative to all other moderate nationalists. Its attempts to reach agreement with the opposition bloc are dictated by these considerations. Second, it uses each and every occasion to articulate its position on topical issues in the media, and vice versa, the media inertia uses Svoboda comments and presence to "sharpen" their coverage and make stories more "sensational", arguing that all sides should be represented.

Experience throughout the past year has shown that active leaders, or ex-members of Svoboda or people and groups that are ideologically close to Svoboda are involved in various violent incidents expressing intolerance in various regions of Ukraine, starting from the clashes with the Hasidic pilgrims in Uman in autumn 2011, to fighting those who came to lay flowers on the Victory monument on 9th May 2011 in Lviv or destroying food kiosks in Luhansk and beating up foreign students in October 2011. When such events get good media exposure, then the Svoboda leaders quickly jump onto the bandwagon to "politicize" the issue and reap maximum dividends. In case these provocations are nipped in the bud, the extreme right rhetoric is absent, and Svoboda does not risk to be dragged to court and face penal procedures, being afraid of marginalization.

These tactics may continue until Euro-2012 and beyond, choosing all the important dates and events along the way. In view of these developments, passive non-cooperation of other parties is a strategy underestimating the peril. Intellectuals frequently state that the far right in Ukraine today is populist and does not have the ideological conviction and force of the historical reference movement in the 30's and 40's of the past century. On this background, a debate in the intellectual community on national identity issues emerged, immediate cause being (re-)evaluation of World War II insurgence leader Stepan Bandera (related to the lectures of young German historian Grzegorz Rossolinski-Liebe in March 2012 widely cancelled in Ukraine), and the repeated closing of the Visual Arts Center of Kyiv-Mohyla Academy.

The discourse is a recollection of deep-rooted controversies not addressed for decades. Addressing these issues through healthy and open debates is essential; however, the people raising them should be interested in resolving and leading a way to reconciliation and understanding. So far, writings and statements tend to justify right extremist rhetoric appealing to demographic decline, anti-Semitic and anti-immigrant attitudes to combat corruption and economic inequality.

The question whether Ukraine will manage to come up with a positive solution for these issues, while avoiding risks of radicalism should be answered with a warning that the rising demand for a strong hand will give both a possibility and a threat for the Ukrainian democracy. There is the possibility to have a new leader who will be compelled to break the existing circle of total corruption. But the hidden threat of authoritarianism is not ruled out in the absence of academic critical thinking. Therefore, healthy academic debates between Ukrainians in the West, such as Roman Serbyn and John Paul Himka on the national myth of Holodomor etc. are of high value and could inspire many constructive discussions in the Ukrainian academic community.

On this background Ukraine gets prepared for the association agreement with European Union. The ideas of aggressive nationalism, which are a critique of the negative sides of globalisation will not work. A concept more related to national identity should be used as a strategy to mobilise Ukrainians to define national interest in a more sophisticated way. The product would be a synthesis of values and ideas of both solidarity and freedom, detached from the agenda of the radicalism of far right populist movements.

European economic and social crisis continues and there are policy debates in most countries on the rise of right populist rhetoric and the dangers associated with it. As Andrea Mammone<sup>11</sup>, historian at London's Kingston University points out, "The rebirth of ethnic-based nationalisms, the rise of right-wing extremist feeling and Europhobia are a likely new threat and will be forged with mounting social and workers' protests. Yet, the Euro-dream was specifically to bypass these nationalis-

11. <http://www.aljazeera.com/indepth/opinion/2012/04/20124185250195670.html>

tic divisions and create an all-inclusive porous European citizenship. This led to a reconsideration of concepts such as space, borders and belonging - and is, with some difficulties, aiming to create a European public sphere. The "market" economy was only one (though very important) of the pillars that had to contribute to build all this, but it was not the unique one. "Solidarity" was the other (at least implicit) pilaster."

Hence, the question of the creation of a new model of democracy in Ukraine as a neighbor state of EU goes beyond strictly Ukrainian limits. Here the interests of the Ukrainian people and the European community become the same: everyone is interested in the creation of a value-based institutional platform for a new state system in Ukraine which refrains from producing risks and, on the contrary, would allow its citizens to create a new democratic state fit for the challenges of the 21st century.

### Conclusions and Recommendations

The year 2012 will witness co-hosting of the European Football Championship in June and the October parliamentary elections. The performance in conducting these events will be perceived as historical landmark, determining the readiness of Ukraine as a democratic European state, capable of upholding values of diversity, tolerance and intercultural dialogue, and may well enhance its eligibility for association agreement with the European Union.

In other words, both events are tools of public diplomacy to further the national interest of Ukraine. What both events have in common is the presence of foreigners, as fans and guests in the first case and cautious observers in the second. In both cases Ukraine can showcase itself before the international community. But the major difference is that if in the case of Euro-2012, a relative consensus could be achieved in the country on how to present itself, the parliamentary elections will be fiercely competitive and will not allow for much consensus from within. So issues of tolerance and diversity will be accounted for differently in the two cases.

During this period, for national and local authorities, adherence to democratic standards, human rights, rea-

sonable living standards for people, transparency in an atmosphere of socio-economic crisis and coping with inequality and a related rise in regional intolerance, right-wing extremism and populist politics is a daunting task.

These tasks can be solved once there is a rule of law state with a strong legislative framework. Ukraine has made many legislative changes. But mere formalistic approaches putting good framework legislation in place are not enough. A fully functioning system of reward and retribution, checks and balances should be implemented to advance equal opportunities and social capital.

Policy debates in Ukraine are often based on old style rhetoric and propaganda, not on a real assessment of the realities on the ground and surveys of the peoples' needs. The real needs differ from the declared or perceived needs of the single policymaker. For example, a sub-goal of successfully hosting Euro-2012 could be reached with regard to the needs of common people if small and medium enterprises were allowed to enjoy tax cuts and would in return maintain moderate prices. In this "hard" economic question the propaganda of patriotism or projecting Ukraine's great image in the future will not work as incentives.

Within Ukraine, the temptation to oversimplify led the media and politicians to adopt ways providing indulgences to right-wing extremists and their populist rhetoric. International discussions should be held to improve this situation. Public participation in such debates is the only alternative for action that will promote healthy discussion and policy formulation. This will help to build alliances for dialogue in academic circles especially in the pre-election period, becoming a very important factor to prevent polarization, intolerance and hate speech on issues of history. For all mainstream parties, it is dangerous to have the right-wing extremists as mainstream competitor, as this will lessen the chances of an European integration perspective for Ukraine.

Euro-2012 will be the time and chance for Ukrainian "football diplomacy" to win as many friends as possible in Europe and the world. Parliamentary elections give Ukraine the chance to reveal its democratic advantages vis-à-vis Belarus or Russia. Failure or lack of the projected success in any of these events will raise the chances of right-wing extremist rhetoric moving towards the socio-political mainstream.



So, international aid, and the role of the international and European community is crucial in helping the political forces, media and the civil society of Ukraine to reach consensus on the inadmissibility of right extremists to mainstream politics. Monitoring should be continued to assess the penetration of football and politics by right-wing extremism. The major point to be emphasized is that the aim of a democracy is to enhance choices of and empower the individual, and to have social solidarity, making the responsible citizens the basis of functional democracy and not reducing citizens to mere consumers of goods and services. Herein lies the importance of values such as tolerance and diversity.



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### Imprint

Friedrich-Ebert-Stiftung  
Representation in Ukraine and Belarus  
vul. Pushkins'ka 34 | Kyiv 01004 | Ukraine

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This publication is printed on paper from sustainable forestry.

