

**UKRAINE'S LAW ON EDUCATION  
FROM THE POINT OF VIEW  
OF THE HUNGARIAN MINORITY IN TRANSCARPATHIA**

## SCHOOL EDUCATION FOR THE HUNGARIAN MINORITY IN UKRAINE TODAY



In the 2016-2017 academic year there were 71 schools with Hungarian as the language of instruction (66 state and 5 private institutions) in Transcarpathia. In further 27 schools there were classes with Hungarian language instruction. Thus, in the 2016-2017 academic year, Hungarian language instruction was provided in 98 schools in Transcarpathia.



In the 2016-2017 academic year a total of 16,275 children studied in the Hungarian language in Transcarpathia. According to data from the Hungarian Pedagogical Association of Transcarpathia, in the 2016-2017 academic year, a total of 2275 teachers taught in schools and classes with Hungarian language of instruction.

In 2017 there were 85 schools in Transcarpathia with Hungarian as the language of instruction. Of these, in 75 settlements Hungarian-language instruction was provided in forms 5-9 while in 34 settlements - including 10-11 forms. **According to the new education law teaching in Hungarian cannot be provided in these schools/classes.**

Hungarian language instruction in settlements of Transcarpathia		
	2017	from 2018
1st to 4th class	85	<b>uncertain</b>
5th to 9th class	75	<b>0</b>
10th-11th classes	34	<b>0</b>

## SCHOOL EDUCATION FOR THE HUNGARIAN MINORITY IN UKRAINE TODAY



**In the 26 years of its existence the Ukrainian state did not create conditions for the teaching of the state language in schools with Hungarian language of instruction.**



**The new education law also eliminates schools with minority language instruction. The rights defined above can only be implemented in separate classes (groups) within institutions with Ukrainian language of instruction.**



**The citizens of Ukraine are losing their right to freely choose the language of instruction, instead of that they are provided with the right to obtain education in government and community educational institutions exclusively in the state language.**

## THE STATE OF THE UKRAINIAN LANGUAGE TEACHING IN SCHOOLS WITH HUNGARIAN AS THE LANGUAGE OF INSTRUCTION IN TRANS CARPATHIA BETWEEN 1991 AND 2017

Ukrainian-Hungarian and Hungarian-Ukrainian dictionary	none from government budget
Books	not available to all schoolchildren, there is a lack of 3,600 books in 2017, the course book content does not meet the requirements of minority education
Language teachers (Ukrainian)	40,7% of them have no appropriate education background
Method	taught as a native language, the methodology of its teaching as a second language is not accepted for political reasons
School leaving examination in Ukrainian language and literature	Ukrainian literary standards are prioritised instead of internationally stipulated competence based assessment as in the case of other languages

## THE STATE OF HUNGARIAN LANGUAGE INSTRUCTION IN UKRAINE



! there is a lack of 28 000 course books in schools with Hungarian as the medium of instruction;

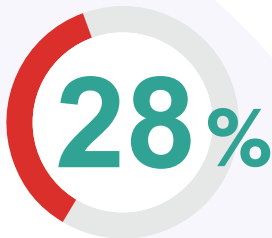
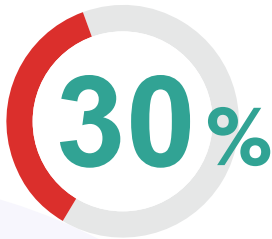
! since its independence the Ukrainian state has not issued workbooks for schools with Hungarian as the language of instruction;

! there is a lack of primers (ABC books), the available ones are worn out;

! the Hungarian language cannot be an entrance examination subject to a higher educational establishment or a general secondary school leaving subject.



## RESULTS OF AN EXCLUDING GRADUATION / ENTRANCE EXAMINATION SYSTEM IN UKRAINE



- 240 881 students took their school leaving examinations in Ukraine in 2017;
- tests in Ukrainian language and literature were identical to those required for university admission to the bachelor programme in Ukrainian philology;
- those applicants who have not reached the minimum entry requirements could not be admitted to higher education in Ukraine;
- in 108 out of 238 schools with Ukrainian as the language of instruction in Transcarpathia, more than 30% of students failed the examination in Ukrainian language and literature; they could not continue their studies in higher education;
- altogether 8247 students took matriculation examinations in Transcarpathia in 2017; 2308 students, i.e. 28% of them failed their examinations in Ukrainian language and literature at External Independent Testing, as a result they could not be admitted to higher education institutions;
- several thousands of secondary school graduates regardless of their nationality, went to study abroad where the system of education is less complicated and more transparent in particular, to Poland, the Czech Republic, Slovakia, Hungary, etc.

## DIFFERENT CONDITIONS + EQUAL REQUIREMENTS = DISCRIMINATION

- o Although the Ukrainian language as a subject runs under the same name in the instruction programmes and curriculum of all educational institutions, it is easy to understand that it has a different meaning in schools with Ukrainian and Hungarian language of instruction.
- o In the former, Ukrainian is identical to the language of instruction and the native tongue of the children, while in the latter it is the official state language that differs from the children's native tongue and the language of instruction.
- o At the External Independent Testing the requirements are identical to all secondary school leavers regardless of their mother tongue and the language of instruction in the schools.



## MISLEADING STATISTICS, DISTORTED DATA/CONSEQUENCES



- **Majority of the Hungarians in Transcarpathia acquires the state language.**
- **This is proven by the fact, that a number of native Hungarians works in different bodies of the regional and local governments, government bodies and state-owned companies.**



- The Vice President of the Transcarpathian Region Council is an ethnic Hungarian, a number of heads of departments of the Regional Government Administration are Hungarians, the Chairman of the Berehovo District Council, the Head of the State Administration Office in Berehovo and the Mayor of the city are also Hungarians.



- The statement, that the Hungarians in Transcarpathia do not speak Ukrainian is untrue. A number of them fight in the Eastern Ukrainian front as soldiers, the military conflict has dozens of Hungarian victims.



- Pupils of schools with Hungarian medium of instruction are less successful in Ukrainian language and literature examination at the mandatory External Independent Testing introduced in 2008 than their Ukrainian peers because it does not assess their language competence, but rather the subject knowledge required of applicants to the degree course in Ukrainian philology.



## INTERNAL LEGAL BASIS:



1. Narrowing existing rights is not consistent with part 3 of Art. 22 of the Constitution of Ukraine.
2. Both Art. 6 of the Constitution and paragraph 3 of Art. 19 of the Law of Ukraine on Protection of Childhood guarantees the education in the mother tongue in the state educational institutions.
3. According to Ukraine's Law on The Principles of the State Language Policy, free choice of the language of instruction is an inalienable right of citizens.

Citizens of Ukraine are also guaranteed the right for education in the state, regional and minority languages at all levels ranging from kindergarten to university. The Commissioner of the Verkhovna Rada of Ukraine on Human Rights adopts the following official position on the matter:








**'I ask you to take into account my position during the revision of the draft Law of Ukraine "On Education" to the second reading and to prevent the restriction of the rights of persons belonging to national minorities to training in their mother tongue.'**

## **ARTICLE 7 OF THE NEW LAW ON EDUCATION VIOLATES THE FOLLOWING PARTS OF THE CONSTITUTION OF UKRAINE:**



1. Paragraphs 3 and 5 of Article 10, as to the guarantees of free development, use and protection of Russian, and other languages of national minorities of Ukraine and constitutional guarantees related to the use of languages;
2. Article 11, as to the development of the ethnic, cultural, linguistic, and religious identity of all indigenous peoples and national minorities of Ukraine;
3. Paragraphs 2 and 3 of Article 22, as to the guarantees and prohibition of elimination of Constitutional rights and freedoms and narrowing the content and scope of existing rights and freedoms in the procedure for adoption of new laws;
4. Paragraphs 1 and 2 of Article 24 as to the equal constitutional rights and freedoms of citizens and equality before the law, and the prohibition of privileges or restrictions based on race, colour of skin, political, religious, and other beliefs, sex, ethnic and social origin, property status, place of residence, linguistic, or other characteristics.
5. Paragraph 5 of Article 53 as to the guarantees for citizens who belong to national minorities in accordance with the law, the right to receive education in their mother tongue, or to study their native language in state and communal educational establishments and through national cultural societies.

## INTERNATIONAL AGREEMENTS AND OBLIGATIONS VIOLATED BY UKRAINE

-  Framework Convention for the Protection of National Minorities, 1995. Paragraph 2 Article 4, Paragraphs 1-2 of Article 5; Paragraph 1 of Article 6; Paragraphs 2-3 of Article 12.
-  Charter for Regional or Minority Languages, 1992. point f) of Part 1 of Article 7, Chapter II, all paragraphs of Article 8 of Chapter III.
-  The Hague Recommendations Regarding the Education Rights of National Minorities, 1996, Clauses 4), 7), 8), 13), 14), 17).
-  Convention against Discrimination in Education (UNESCO), 1960.
-  Intergovernmental agreements, including Clause 10 of The Treaty between the Hungarian Republic and Ukraine about the basis of good neighborliness and cooperation (1991), Declaration of the principles of cooperation between the Republic of Hungary and the Ukrainian Soviet Socialist Republic in guaranteeing the rights of national minorities (1991), Clause 13 of the Ukrainian-Romanian Treaty.
-  Clause 3 of Article 4 of the UN Declaration on The Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, 1992.
-  Non-compliance with the Council of Europe's Recommendation No. 1201.

## OPPORTUNITIES FOR MINORITY CHILDREN TO STUDY IN NATIVE LANGUAGE AROUND THE WORLD



**Serbia**

**Serbia** There are schools with instruction in Ruthenian, Albanian, Croatian and German languages. Serbian is taught with different methodology and requirements to those belonging to Slavic language group than representatives of other national minorities. In addition, national minorities were involved in the development of the methodology. There are opportunities for studying in Hungarian from nursery to higher education.



**Romania**

**In Romania** all national minorities have the right to state-financed instruction in native language at all levels of education. Romanian is taught as a foreign language. There are opportunities for studying in Hungarian from nursery to higher education.



**Moldova**

**In Moldova**, Gagauzia, that obtained autonomy in 1994, the state language - Moldavian (Romanian) language - is taught as a foreign language, in the same way as English.

## OPPORTUNITIES FOR MINORITY CHILDREN TO STUDY IN NATIVE LANGUAGE AROUND THE WORLD



Poland

**In Poland** the government finances the non-Polish education system, and the non-obligatory teaching of mother tongue. Upon request of parents or legal representatives, in case of 7 students they organize mother tongue instruction in primary school classes, in senior classes - for 14 persons. In cases of lower enrollment, different inter-class or inter-school native language teaching groups may be organised.



Slovak republic

**In Slovakia** establishment and financing of minority schools is guaranteed by the law. There are schools with Ukrainian, Ruthenian and German language of instruction. The Slovak language is taught from the first form. There are opportunities for studying in Hungarian from kindergartens to universities.

## OPPORTUNITIES FOR MINORITY CHILDREN TO STUDY IN NATIVE LANGUAGE AROUND THE WORLD



Hungary

**In Hungary** the law guarantees the establishment of native language educational institutions for national minorities, financed by the state budget. There are schools with German, Romanian, Slovak, Polish, Croatian, Bulgarian and Slovenian language of instruction. Hungarian language and literature is obligatory in all primary and secondary schools (including the graduation exams), but it is taught as a foreign language. All other subjects are taught in the native language. According to president of the Ukrainian National Minority Self-government there is no need for Ukrainian school, because – upon their initiative – only one pupil has been registered.

## OPPORTUNITIES FOR MINORITY CHILDREN TO STUDY IN NATIVE LANGUAGE AROUND THE WORLD



	Existence of minority language secondary schools	Opportunity of taking mother tongue final exams for nationalities	Availability of state language tests in minority language	The state guarantees conditions for acquiring the country's language
Serbia	yes	yes	yes	yes
Romania	yes	yes	yes	yes
Slovakia	yes	yes	yes	yes
Hungary	yes	yes	yes	yes
Moldova	yes	yes	yes	yes
Ukraine	no	no	no	no

## DIVERSE NOTIONAL FRAMEWORKS



**In the Ukrainian law – uniquely in Europe – only nations that do not have their own country may belong to indigenous national minorities (like Tatar, Krimchak, Karaim), therefore all other national minorities like Polish, Bulgarian, Romanian, Russian, Hungarian are excluded from this category.**



## WAYS TO SUPPORT CHILDREN BELONGING TO NATIONAL MINORITIES



**preservation and  
guaranteeing  
existing rights in  
accordance with the  
Constitution of  
Ukraine, laws and  
international  
documents at all  
levels of education;**



**guaranteeing books  
and dictionaries  
necessary for quality  
teaching of the state  
language;**



**choosing an  
appropriate  
methodology for  
teaching the state  
language, i.e.  
teaching Ukrainian  
as a foreign  
language for national  
minorities.**

## Framework Convention for the Protection of National Minorities



### **Article 12/3**

***„The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities.“***