

**7<sup>th</sup> Session of Expert Mechanism on the  
Rights of Indigenous Peoples**

**Agenda item : 7**

**United Nations Declaration on the Rights of Indigenous Peoples  
Continuation of the study on access to justice in the  
promotion and protection of the rights of Indigenous Peoples**

**Statement presented by  
Nadir Bekirov, President of the  
Foundation for Research and Support of Indigenous Peoples of Crimea**

**Mr. Chairman! Brothers and Sisters!**

Talking about the role of parliaments in the implementation of the Declaration I have a very fresh, clear and obvious examples of behavior of two Parliaments i.e. Supreme Council Of Autonomous Republic of Crimea (re-named now into State Council of Crimea) and Verkhovna Rada of Ukraine.

On March 11, 2014 when Crimean Parliament wanted to involve an Indigenous People into the referendum about secession of Crimea from Ukraine it adopted at 11 of March 2014 the special Decision “About guarantees of the Restoration of Rights Of Crimean Tatar People and its integration into Crimean Society”, which ensured 20% representation of Crimean Tatars in all Regional State and local self-government bodies, official status for Crimean Tatar language, the preservation of the monuments of History and Culture of Crimean Tatar, the use of native Crimean Tatar geographical names, the equal rights for all religious confessions, the assistance to the development of the education on Crimean Tatar language etc. The procedure took less than one hour. As we see a lot of the provisions of that document are in complains with the norms of the Declaration. All this provisions had to be included into the text of new Crimean Constitution. But later after the referendum about secession of Crimea had been conducted at the process of the drafting of that constitution all these promises were officially discarded as those ones that “undermine” the equality of the citizens by the same MP members, who adopted Decision about guarantees for Crimean Tatar People. By other words it turned out the great lie.

As a reaction to the behavior of Crimean Parliament the Central Ukrainian

Parliament Verkhovna Rada at 20<sup>th</sup> of March 2014 adopted Resolution on the Guarantees of Rights of the Crimean Tatar People in the Ukrainian State, where declared that Ukraine guarantees the preservation and development of ethnic, cultural, linguistic and religious identity of the Crimean Tatar People as the indigenous people, Ukraine guarantees the protection and implementation of the inherent right on self-determination of the Crimean Tatar People, Verkhovna Rada of Ukraine entrusts the Cabinet of Ministers of Ukraine to submit urgently the drafts of the laws of Ukraine, and of other normative legal acts of Ukraine that would define and confirm the status of the Crimean Tatar People as an indigenous people of Ukraine. The procedure of the consideration took about one and half hour. As commented one MP “We did that thing, which we couldn’t do more than 20 years”.

However 20 days later, already at 11 of April of 2014 the same Ukrainian Parliament failed the adoption of the Law “About restoration of the Rights Of Indigenous People of Ukraine forcibly relocated from the territory of Crimea”. Instead the Law “On the Restoration of Rights of the Persons deported on the ethnic ground” totally empty and not reflected the standards of the Declaration on the Rights of Indigenous Peoples had been adopted. That Law has nothing general with Indigenous issues and Rights of Indigenous People. Even on the level of Individual Rights it is very weak and unacceptable for Crimean Tatars.

So we see that role of Parliaments probably can be very positive in the legal guaranteeing of the Rights of the Indigenous Peoples of their countries in accordance with the UN Declaration. They are able to solve that problem during one hour as it was firstly demonstrated in Crimea and Ukraine. But in fact parliaments don’t do it not due to the lack of plenipotentiaries or lack of understanding of the Declaration standards. They fail the just solution of the problems of Indigenous Peoples absolutely intentionally and consciously trying to manipulate by the Indigenous Peoples in favor of their political agenda and simultaneously to prevent the legislative ensuring of our rights.

**Thank you for your attention!**