

## **Xenophobia and (In)Tolerance to “Others” in the Black Sea Region**

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In a number of countries of the Black Sea Region, manifestations of xenophobia, hate speech and intolerant attitudes of actors, associating themselves with the mainstream populations, towards different kind of “others” is a source of societal tensions and potential conflict escalation. Such negative phenomena are not endemic for this particular region, since they are registered also in other European countries – including the EU member states. However, the weakness of institutional frameworks and public administration bodies, lack of long-standing democratic tradition and rule of law, new challenges relating to the increased migration, underdeveloped civil society, particularly in the post-Soviet countries, and a number of other factors contribute to difficulties and challenges complicating effective counteraction to those negative trends at the level of both state bodies and societies at large. For those BSR countries, suffering from separatist conflicts including the “frozen” ones, the situation is yet aggravated by recent grievances and still fresh memories of violence and bloodshed. Sharing the experience of good practices as well as failures, national civil societies of different BSR countries could consolidate their efforts, reach a concerted effect in their endeavours to combat extreme forms of xenophobia and in such a way, bring more peace and prosperity to the whole region.

There are quite a few vulnerable groups whose members are being most often targeted by xenophobia, hate speech and even hate crime because of their belonging to diverse minorities, differing from the mainstream populations either by their ethnic origin, or religious denomination, or linguistic preferences, or sexual orientation, or other characteristics. Since a detailed analysis of different forms of xenophobia, hostile attitude to “others”, and discrimination of vulnerable minority groups is beyond the scope of this short presentation, it will address only some of them, notably, pertaining to ethno-religious issues, topical for the region, and bearing a potential of intra- and inter-societal conflict escalation and political destabilisation. Among them, Islamophobia, anti-Semitism and, to some extent, Migrantophobia could be singled out as rather actual for many countries of the BSR. Although Romaphobia is also a rather widespread negative phenomenon, it is not covered here because its regional specifics could be the subject of a separate research.

With regard to the topics under discussion, I’ll focus on the Ukrainian perspective, referring, for comparative reasons, to neighbouring Republic of Moldova struggling to establish and observe democratic norms and standards in view of joining the EU. Also, the Romania’s example is of special interest, because this new EU member state has the most developed and sophisticated legislative and institutional system aimed at combating and preventing manifestations of discrimination and acute forms of xenophobia, and whose experience during preparation for the EU membership would be indispensable for aspirant countries and their societies.

### **Islamophobia**

As some of the BSR countries belong to the so-called “Muslim world”, it should be kept in mind that, especially after the tragic events of 9/11, in the non-Muslim societies, perception of Islam and Muslims has become closely associated with violence and terrorism.

Despite the often deserved praise for interethnic and inter-religious tolerance, this worldwide trend also seems, regrettably, to be on the rise in Ukraine. Surprisingly, the loudest advocates of “genuine Christian values” (which must be protected from vicious Muslims endangering them) belong to representatives of quite diverse political views and parties, ranging from “Svoboda” on the extreme right wing to the marginalised extreme left party of Natalia Vitrenko. In particular, “Svoboda”, in the evident attempt to copy and align with their “senior” counterparts – far-right

political parties of Western Europe, in their anti-Muslims rhetoric are usually targeting immigrant communities. For example, in August 2011, in a resolution of a meeting organised in Khmelnytsky city against the decision to allocate a land plot for erecting there a mosque, it was said that: "Building of mosque in Khmelnytsky will become a magnet for incursion of illegal migrants. We are witnessing the invasion of Muslims into Europe. Liberal policies of European governments enabled Muslims to become masters on European Christian continent. They build their mosques, destroy Christian churches, and ruin from within the Christian culture..."<sup>1</sup>

In a recent monitoring review of xenophobia in Ukraine, Islamophobia is named one of the most acute and topical forms of xenophobia in our country. Its criminal manifestations, as well as public campaigning, influence decision making at the local and regional level and present a major challenge forcing civil society to consider seriously what could and should be done to improve the situation "before it is too late"...<sup>2</sup>

Since in the Autonomous Republic of Crimea the most dynamically developing religion is Islam, those self-made "protectors" of (Orthodox) Christianity are often engaged in rather brutal anti-Muslim hate speech. However, since even radical wings of Ukrainian political Rights recognise the "indigenoussness" of the Crimean Tatar people, constituting here a lion share of Islam believers, local representatives of the "Svoboda" party are more restrained in their Islamophobic public speeches. Instead, the latter have come repeatedly from the pro-Russian political forces, especially those belonging to the so-called "Crimean Cossacks" organisations and movements, notorious also by their high level of xenophobia aimed at Ukrainians and Jews. According to Oleksandr Bogomolov, president of the Ukrainian Association of Middle East Studies (UAMES), the Cossacks and other Russian nationalist groups in Crimea share an apocalyptic vision of the future, seeing the Muslims as a major threat to Christian Orthodoxy.<sup>3</sup>

Of recent attempts to fuel anti-Islam passions by radical Cossacks, one is worth of special attention, because it clearly shows the extremely negative role that regional, national, and, in the particular case of May 2011, international media has played in anti-Islam conflict escalation. In this particular case, immediately after the body of the 19-year-old girl Katya Koren was found in a forest near the village Sovetskoye, Crimean, Russian and some Ukrainian media reported that she was stoned to death according to Sharia law because of her participation in a beauty contest. Law-enforcement officials in Crimea have responded to the reports of Korin's killing by saying the tragedy was a "routine crime" having nothing to do with either stoning, or Shari'a law, or any religious motive. However, despite the police statements, those false interpretations were further spreading, attracting also wide international attention after publication of the story in the British Daily Mail (thus making it more "credible"). "The Daily Mail" did not respond to the requests for comment and demands to observe the true facts, but on June 2, the original story on its website was replaced, and its very name was changed to suggest that "a stalker" might be responsible for the killing. But by that time, the damage done seemed irreversible: the story went full-circle, with Russian and Ukrainian news outlets continuing to cite "The Daily Mail" initial

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<sup>1</sup> «Residents of Khmelnytskyi against construction of mosque" (in Ukrainian). 10 August 2011, <http://www.radiosvoboda.org/content/article/24276650.html>.

<sup>2</sup> "Islamophobia in Ukraine: new trends" by Vyacheslav Likhachev (in Russian). 08.09.2011, <http://www.eajc.org/page18/news25628.html>.

<sup>3</sup> Islam, Orthodoxy, and the State in Crimea. October 09, 2007, [http://www.wilsoncenter.org/index.cfm?fuseaction=events.print&event\\_id=279606&stoplayout=true](http://www.wilsoncenter.org/index.cfm?fuseaction=events.print&event_id=279606&stoplayout=true). For more detailed analysis of the phenomenon of the "Crimean Cossaks", see publication by Valentina Samar, 08 July 2011, available at <http://dt.ua/articles/84132> (in Ukrainian).

report.<sup>4</sup>

Expressions of anti-Islam moods and provocations are also multiple acts of vandalism, targeting Muslim cemeteries, and other potentially dangerous conflict situations created by radical groupings on the peninsula.<sup>5</sup> In 2011, non-traditional Crimean Muslims claims to be discriminated against because of the prohibition for their women to take photos for passports, driver's licenses and other documents while wearing hijab, added to the existing tensions. (The hijab is the traditional Muslim women's headdress covering the ears, neck and part of the face).<sup>6</sup>

It should be noted that both legislation dealing with extremism, xenophobia and different forms of discrimination, and, especially, specialised institutions in Ukraine are either underdeveloped or lacking at all, thus preventing effective combating all negative phenomena in this field. There is no comprehensive anti-discrimination law to cover all possible grounds for potential discrimination and establish exact mechanisms of punishing respective wrongdoings and redressing the victims. Constitutional provisions (Articles 11, 24, 34 -36) are of more general, declarative nature and cannot serve as a guide for practical implementation. One of the most important legislative acts pertaining to promotion of the rights and freedoms of national minorities, the Law on National Minorities (adopted on 25 June 1992), as well as other pieces of relevant legislation, is outdated and in need of a long overdue revision.<sup>7</sup> Moreover, some of the newly drafted laws – like, for example, that on combating extremism – invoke a sharp negative reaction of civil society that is now actively engaged in preparing consolidated comments, concluding that such a draft shouldn't be presented for consideration by law-makers, because its norms can be easily used for further curbing of rights and freedoms of Ukraine's citizens.

The situation with specialised institutions (weak or non-existing) was further aggravated when Victor Yanucovych, the newly elected President of Ukraine, issued on December 12, 2010 the Decree No. 1085/2010 "On the Optimization of the System of Central Executive Agencies", and as a result of its implementation, the only central governmental body responsible for all those spheres, including the religious one – the State Committee for Nationalities and Religions – was liquidated. Its functions were divided between the reorganised Ministry of Culture of Ukraine and the newly created State Registration Service of Ukraine, and since the reform is not yet actually completed, many urgent issues cannot be solved timely or at all.

In **Romania**, according to the quantitative research conducted on discrimination and intolerance (the Eurobarometer on Discrimination in the European Union, 2008<sup>8</sup>), the most widespread form

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<sup>4</sup> Detailed analysis of media coverage of this case has been performed within the framework of a project Xenomonitor, see "Manifestations of "hate speech" in criminal chronicles: incorrect coverage of murder in Crimea" (in Russian). 30.05.2011, at <http://xenomonitor.org/ru/news/events/183-event-2011-05-30>. Expert analysis of the role of Daily Mail can be found in "The Sensational Story That Wasn't: Reports Of 'Stoning' Death Of Ukrainian Girl Turn Out To Be False" by Farangis Najibullah June 02, 2011, available at [http://www.rferl.org/content/sensational\\_story\\_wasnt\\_reports\\_of\\_stoning\\_death\\_in\\_ukraine\\_girl\\_false/24213624.html](http://www.rferl.org/content/sensational_story_wasnt_reports_of_stoning_death_in_ukraine_girl_false/24213624.html)

<sup>5</sup> Muslim cemeteries in Crimea attacked. By Arzy Emirova in Simferopol, Crimea, Ukraine and Ahmed J Versi in London, 30 May 2008 <http://www.muslimnews.co.uk/paper/index.php?article=3504>; Hundreds of Muslim gravestones defaced in Ukraine's Crimea region. "Earthtimes," February 11, 2008, at <http://www.wrn.org/articles/27736/?&place=belarus-ukraine&section=islam>; and: Crimea: Balancing between crisis and conflict. By Patrick Greenberg, 21 July 2008, at [Crimea: Balancing between crisis and conflict - New Europe http://www.neurope.eu/articles/88895.php#ixzz1NqoobEg4](http://www.neurope.eu/articles/88895.php#ixzz1NqoobEg4).

<sup>6</sup> Crimean authorities prohibit hijab for driver's license photos. 8 September 2011, [http://risu.org.ua/en/index/all\\_news/other\\_confessions/islam/44260/](http://risu.org.ua/en/index/all_news/other_confessions/islam/44260/).

<sup>7</sup> For more details, see "Efficient Institutional Reactions for Combating Intolerance and Extremism in the Black Sea Region": Comparative perspective on Romania, Republic of Moldova, and Ukraine. Institute for Public Policy, Bucharest, December 2008, pp. 125 – 134.

<sup>8</sup> Available at [http://ec.europa.eu/public\\_opinion/index\\_en.htm](http://ec.europa.eu/public_opinion/index_en.htm)

of xenophobia and discrimination is the one based on sexual orientation, whereas that involving religion/belief is the least pronounced. Although in Romania, overwhelming majority of population are Orthodox Christians, it turned out that Romanians are most comfortable of all other EU countries, presented in the survey, with the idea of having a political leader from a religious minority.

Indeed, author's personal communication with representatives of a substantial Crimean Tatar diaspora in Romania, as well as with some other Muslim believers, has confirmed rather remarkable tolerance towards Islam in this country, that can be rarely found in states with dominating Orthodox believers. This commendable tolerance, however, often does not cover Muslim newcomers, belonging to the immigrant communities.

As a direct consequence of Romania's membership in the European Union, its legislation was changed to respect European regulations on various matters, one of these being the issue of discrimination. Concerning the internal legislative framework, there are a number of specific norms in this domain that directly deal with various facets of extremism and discrimination – beginning from the Constitution with its Article 4, Article 6 (1), (2); Article 16, Article 30 (7); Article 40 (2); Ombudsman - Article. 58 - 60 Article 62 (2), and including those to be found in more general normative acts. It is interesting to note (in view of the EURO-2012 in Ukraine and Poland) that in Romania, a special Law on preventing and combating violence during sports competition and games (Law no. 4/2008) was adopted. It states, *inter alia*, that “it is forbidden to display symbols, slogans or texts containing obscene provisions or texts that instigate to offending the country, are related to xenophobia, national hate, racial, religious or socially related hate, instigate to discrimination of any type and ultimately to violence regardless the format of display”.

This well-developed, one of the most advanced, legislation (although its implementation is sometimes regarded as insufficient) contributes to successful counteraction of the extreme manifestations of xenophobia, discrimination and intolerance, as do also different actors of civil society and their networks, with active involvement and important role played by media. It should also be emphasised that the most remarkable and decisive progress in combating xenophobia and discrimination of minorities has been made during a period of preparations for entering the EU and with much help from the latter – including rather generously provided organisational, political and financial support.<sup>9</sup>

Since the institutional framework is as important as the legislative one (the legal norms can be efficient only if applicable and enforced by strong institutions at all levels of public administration), a special attention should be paid to this aspect, too.

In Romania, there are a number of specialized authorities, such as:

- The National Council for Combating Discrimination (NCCD);
- The Romanian People' Advocate/Ombudsman;
- The Steering Committees within the Parliament (Human Rights, Cults and National Minorities Problems Steering Committee within the Deputies Chamber, Human Rights, Cults and Minorities Steering Committee within the Romanian Senate);
- The National Agency for Roma (Government structure);
- Department for Inter-ethnic Relations (Government structure);
- Council of National Minorities (that also includes NGOs).

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<sup>9</sup> For more details, see “Efficient Institutional Reactions for Combating Intolerance and Extremism in the Black Sea Region”: Comparative perspective on Romania, Republic of Moldova, and Ukraine. Institute for Public Policy, Bucharest, December 2008.

In addition, there are a number of institutions whose activities are more general but directly supplementing those performed by the above.<sup>10</sup>

In contrast to Romania, its linguistically and culturally close neighbour the **Republic of Moldova**, although usually seen as a traditionally tolerant country, seems ridden by rather acute forms of Islamophobia. For example, representatives of the Muslims of Moldova (the Spiritual Organisation of the Muslims of Moldova and the Central Muslim Spiritual Council) had practical difficulties with registration of their organisations. Although Moldovan legislation allows the free organisation and functioning of cults in the conditions established by law, and the amendments made in 2002 to the Law on Cults were supposed to simplify the registration process,<sup>11</sup> the requests in question were rejected for procedural reasons.<sup>12</sup> Following a complaint lodged in 2002 against the State Department for Religions by the Central Muslim Spiritual Council, a case was submitted to the Moldovan courts, while the Spiritual Organisation of the Muslims of Moldova lodged an application with the European Court of Human Rights.

The members of the Muslim communities were also closely supervised by the police; hostile attitudes on the part of the police like repeated identity checks, pressure, intimidation, imposition of administrative fines, were reported. The Council of Europe has paid special attention to the situation of the Moldovan Muslims, and it was recommended that “Moldova should take all the legal, administrative and other measures necessary to ensure that Muslims belonging to national minorities enjoy effective freedom of religion and the right to establish religious organisations without undue hindrance or discrimination, in accordance with Article 8 of the Framework Convention” [for the protection of National Minorities].<sup>13</sup>

It should be noted that when the new Moldovan Government – Alliance for European Integration – did register the first Muslim religious organisation “The Islam League of the Republic of Moldova”, this step was sharply denounced by the Metropolitan [Orthodox] Church of Moldova<sup>14</sup>; it was stated that this registration is a “humiliation of the whole Moldovan people”. At the noon of the Easter (April 2011), on many streets of the Chisinau posters and flags appeared, claiming that “Orthodoxy is a salvation of the nation!” and “Moldova is a country of the Orthodox Christianity”.<sup>15</sup> Severe criticisms of the move by the Moldovan Ministry of justice came also from the leader of Moldovan communists Vladimir Voronin, who stated that this is a “sacrilege”, and praised the fact that in Moldova, not a single Mosque had ever been erected. He also expressed dissatisfaction with a “too weak” reaction from both Orthodox Churches (the second one, the Metropolitan Church of Basarabia, is a part of the Romanian Orthodox Church).<sup>16</sup>

Concerning the legislative and institutional frameworks, main relevant provisions are to be found in the Constitution of the Republic of Moldova adopted on July 29, 1994 (articles 4, 31 and 32). The Law no. 546-XV (December 19, 2003) on the *Concept on the National State Policy*, defining the main principles and tasks, contains the notion of the “multiethnic people of the Republic of Moldova”. This and some other stipulations evoked a range of negative reactions

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<sup>10</sup> Ibid.

<sup>11</sup> See Article 31 of the Moldovan Constitution and Organic Law No. 1220 – XV of 12 July 2002 amending and supplementing Law No. 979 – XII of 24 March 1992 on Cults.

<sup>12</sup> MOLDOVA: Government “should register Muslims”, says OSCE. By Felix Corley, Editor, Forum 18 News Service, 26 July 2005.

<sup>13</sup> See: ADVISORY COMMITTEE ON THE FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES SECOND OPINION ON MOLDOVA, Para 78-84.

<sup>14</sup> Currently, the Metropolitan Church of Moldova, according to the charter of the Russian Orthodox Church (Ch.VIII, p.16) has the status of an autonomous church (having the right to self-management).

<sup>15</sup> 20 April 2011, at <http://vesti.md/?mod=news&id=8744>

<sup>16</sup> 27 April 2011, <http://vesti.md/?mod=news&id=8811>

from public and a number of politicians of the RM, being perceived as aimed at enacting the postulate that Moldovans are not Romanians, whereas the notion of “multiethnic people of the Republic of Moldova” has been regarded as a response to the remark of President Ion Iliescu about the *two Romanian States* – Romania and the Republic of Moldova, as well as to a more recent utterance by President Traian Băsescu about the “*two states in which one nation lives*”.

The Law no. 125-XVI (May 11, 2007) On Religious Cults and their Component Parts, while establishing democratic principles of freedom of thought, conscience, religion and religious associations, forbids abusive proselytising and defines denominational intolerance which constitute offences to be punished under the law. The same law stipulates that State recognises the *special importance and the primordial role of the Christian-Orthodox religion* and, respectively, of the Orthodox Church of Moldova in the life, history and culture of the people of the Republic of Moldova.<sup>17</sup> Although on 21 February 2003 the Law No.54-XV On Counteraction of Extremist Activity was adopted, there are still no special, separate law dealing with all kinds of discrimination and xenophobia. The lack of the latter is a matter of concern for Moldovan CSOs and a number of specialised international bodies and organisations.

Concerning the institutional framework, the Centre for Human Rights was established as an independent national institution according to the Law on Ombudsman (of 17.10.1997, # 1349). The main state body responsible for the promotion of the state policy in terms of interethnic relations is the Bureau of Interethnic Relation (established according to the Law On the Rights of Persons Belonging to National Minorities and the Legal Status of their organizations, adopted on 19 July 2001, no. 382-XV).<sup>18</sup>

### **Anti-Semitism**

For Ukraine, anti-Semitism is a sensitive and painful issue because of the often re-iterated labelling of Ukrainians as an “anti-Semitic nation” – based, in particular, on the accusations of participation in the acts of Jewish genocide (Holocaust) during World War II.<sup>19</sup> Therefore, after Ukraine gained independence in 1991, earlier concerns (expressed, in particular, by the representatives of Jewish organizations in the US) that “an independent Ukraine would lead to pogroms” were invigorated. They proved, however, unjustified: not only were there no such fears in Ukraine, but it turned out that Jewish families in Russia were sending their children to relatives in Ukraine for safekeeping.<sup>20</sup>

Actually, Jewish life in Ukraine is rich and active. There are many Jewish centres, schools, youth, religious and scientific organizations. In 2006, there were a total of 600 Jewish organizations functioning in 100 cities. There is a relatively high level of participation by Jewish persons in Ukrainian political life; several cities - including such a large city as Odessa - have had elected Jewish mayors. However, in middle 2000s anti-Semitism seemed on the rise, despite the efforts of governmental bodies and civil society actors to combat it.

Different monitoring services and organizations recorded a number of anti-Semitic incidents taking place in different regions of Ukraine, also in Kyiv. These include graffiti on monuments,

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<sup>17</sup> “Efficient Institutional Reactions for Combating Intolerance and Extremism in the Black Sea Region”: Comparative perspective on Romania, Republic of Moldova, and Ukraine. Institute for Public Policy, Bucharest, December 2008, pp. 101 – 106.

<sup>18</sup> Ibid., pp. 107 – 108.

<sup>19</sup> For more information on the topic, see a comprehensive overview “JEWS & UKRAINIANS: Analysis of the CBS, 60 Minutes Program, “The Ugly Face of Freedom”, October 23, 1994” by Andrew Gregorovich, <http://www.infoukes.com/politics/cbs60minutes/gregorovich>.

<sup>20</sup> See Statement by Myron B. Kuropas at <http://www.ukrweekly.com/Archive/2005/060515.shtml>

vandalism in cemeteries, hate speech and even direct physical attacks on people with the pronounced Jewish appearance.<sup>21</sup>

European Commission against Racism and Intolerance (ECRI) in its Third periodical report on Ukraine (issued in February 2008) noted with concern that one of the main problems currently facing the Jewish community in Ukraine is raising anti-Semitism. Such concerns relate, *inter alia*, to weak and insufficient response to anti-Semitic publications and manifestations from the authorities and society at large<sup>22</sup>. ECRI was concerned that since its second report, an increase in anti-Semitic publications has been noted. The main source of this type of publications was the Interregional Academy of Personnel Management (its Ukrainian acronym is MAUP), the largest private university in Ukraine with a student body of approximately 50,000 persons. This institution published two weekly newspapers entitled “Personnel” and “Personnel plus” which use a strong anti-Semitic, racist and xenophobic hate speech.

After activities of the MAUP have been curbed, the dynamics of anti-Semitic hate speech has shown a clear trend for sharply decreasing; this trend continues despite the political crises and the attempts of certain political forces to play the anti-Semitic card during different kind of elections.<sup>23</sup>

Over the last few years, however, Ukrainian far rights are gaining popularity, of which the results of local elections in Western Ukraine on October 31, 2010, are the telling illustration. Respectively, their xenophobic and, in particular, anti-Semitic activities have become more pronounced. In 2011, anti-Semitic campaign was organized by “Svoboda” party in Uman – the small city hosting yearly a pilgrimage of a vast amount (this year – about 25.000) of Jewish Hasids.<sup>24</sup> But it is remarkable that after the clashes between radical rights and law enforcement bodies, several public statements issued by “Svoboda” declared that it was “confrontation between authorities with their punitive organs, and peaceful Ukrainian citizens”, whereas anti-Semitic component of the protests practically disappeared.<sup>25</sup> Several attempts of hampering public discussions about the rise of Ukrainian far Rights and related issues were also reported.<sup>26</sup>

It should be noted that although in general, over the recent years “Svoboda” tries to be more careful with anti-Semitism (after the notorious speech of its leader Oleh Tyahnybok in 2004), and usually the party uses different negative ethnic stereotypes which incite a less acute reaction from media and society – like Russophobia or “Migrantophobia”, sometimes their anti-Semitism bursts out again, and those “bursts” are, as a rule, focused on the two topics – the Holodomor and the Middle East conflict. While the first one is indeed very sensitive and painful for Ukrainians, regarding the latter, it was noted that since Svoboda wants to be seen as respectable as their right-wing counterparts in Europe, their criticism of the politics of Israel (to which most

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<sup>21</sup> Anti-Semitism in Ukraine in 2008, a report prepared by Irena Cantorovich, from the Tel Aviv University’s Stephen Roth Institute for the Study of Contemporary Antisemitism and Racism. 08.09.2008, available at <http://www.ejpress.org/article/30052>

106 Global Anti-Semitism: Selected Incidents around the World in 2008: Ukraine.

[http://www.adl.org/Anti\\_semitism/anti-semitism\\_global\\_incidents\\_2008.asp](http://www.adl.org/Anti_semitism/anti-semitism_global_incidents_2008.asp)

<sup>22</sup> European Commission against Racism and Intolerance, Third Report on Ukraine, Strasbourg, CRI(2008)4, 2008, pp.24 - 26

<sup>23</sup> For more details, see “Efficient Institutional Reactions for Combating Intolerance and Extremism in the Black Sea Region”: Comparative perspective on Romania, Republic of Moldova, and Ukraine. Institute for Public Policy, Bucharest, December 2008, pp. 138 – 145.

<sup>24</sup> See: Xenophobia in Ukraine: September 2011 by Vyacheslav Likhachev, Informational Bulletin # 9 (49), available at <http://www.eajc.org/page553>

<sup>25</sup> Ibid.

<sup>26</sup> See, for example, <http://www.for-ua.com/analytics/2011/10/04/082419.html>; <http://www.glavred.info/archive/2011/09/30/193824-0.html>; <http://www.svoboda.org.ua/diyalnist/novyny/024598/>

Ukrainians are indifferent) and solidarity with its enemies is a discourse which is often not perceived by the society as being of anti-Semitic nature.<sup>27</sup>

Summarising preliminarily the situation with anti-Semitism in Ukraine in 2011, monitoring has shown the following:

- Not a single case of direct violence threatening the life or health of a potential victim, has been reported;
- Nine acts of vandalism took place; this is less than in the previous years and allows to suggest a trend for a gradual decline;
- In the sphere of anti-Semitic propaganda, continues a process (started in September 2007) of a sharp and steady decrease of the number of relevant publications (13 in 2011 versus, for example, 676 in 2006).<sup>28</sup>

For **Romania**, anti-Semitism is rather topical and sensitive issue as well, because this country is also often considered the one with a deep-seated anti-Semitism rooted in its history and connected, in particular, with periods before and during World War II. Allied with Nazi Germany under the wartime leadership of Marshal Ion Antonescu, Romania is seen directly responsible for the murder of more Jews and Roma than any country other than Germany. After the fall of communism, a revisionist history movement with close ties to some prominent political circles emerged; it portrayed Antonescu as a national hero. Statues of Antonescu were erected and streets were named in his honour; in recent years, public protests conducted by CSOs have led to removal of some – although not all – of them.<sup>29</sup>

An important role in re-viewing the Holocaust-related history of Romania had played an independent commission, appointed in 2002 and chaired by Nobel Laureate and Founding Museum Chairman Elie Wiesel. Radu Ioanid, the Holocaust Museum's director of international archival programs and a native of Romania, served as U.S. vice-chair of the commission, which included experts from Romania, the United States, Israel, France, and Germany. The members of the Commission succeeded in getting access to Romanian archives, and over one million Romanian documents were passed to the Museum's archives, which became the basis for the Commission's 400-page report. In November 2004 the Commission's report was officially presented to President Iliescu, who apologized for his country's role in the Holocaust and pledged to educate Romanians about their history.<sup>30</sup>

However, public opinion polls reveal that sometimes, public campaigns regarding the Holocaust issues might lead to some unwanted results such as the increase of number of people who tend to agree with the anti-Semite thesis.<sup>31</sup> Nevertheless, regular monitoring and sociological surveys have shown that social attitudes and public perceptions in Romania are changing with time, and certain ethnic-based negative stereotypes – including anti-Semitic and anti-Hungarian ones – are subsiding, giving way to new ones as those targeting sexual minorities (LGBT), people with

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<sup>27</sup> EAJC General Council Member Comment: Hamas Apologetics by Lviv City Council Deputy 09.06.2011, at <http://eajc.org/page34/news24272.html>.

<sup>28</sup> Anti-Semitism in Ukraine: preliminary results of 2011 by Vyacheslav Likhachev (in Russian). 28.11.2011, available at <http://eajc.org/page18/news26817.html>.

<sup>29</sup> Romania Facing its Past. The Center for Advanced Holocaust Studies, AT <HTTP://WWW.USHMM.ORG/RESEARCH/CENTER/PRESENTATIONS/FEATURES/DETAILS/2005-03-10/?MID=52>.

<sup>30</sup> Ibid.

<sup>31</sup> Department for Interethnic Relations, "Max Weber" College of Sociology: Interethnic relations on the brick of European integration. A few analyzed trends published in Ethnic interaction, no. 12, December 2006, Romanian less tolerant to other ethnicities. Available at <http://www.interactiunietnice.ro/articol.php?id=203>.

HIV/AIDS, some religious groups and newcomers which are becoming (together with traditionally discriminated Roma) the most vulnerable groups in Romania.<sup>32</sup>

Anti-Semitism in the **Republic of Moldova** that, as was already mentioned, is regarded as a country characterised by inter-ethnic accord and tolerance, seems also experiencing the rise and rather severe manifestations of anti-Semitism. In 90s – early 2000s, anti-Semitism in the RM was often perceived in the context of Romania-oriented nationalists. According to the Stephen Roth Institute of Tel-Aviv University that studies Racism and Anti-Semitism, the Republic of Moldova is a country that “in 2003 was declared as a multiethnic state known for its interethnic tolerance, but in which anti-Semitism and xenophobia exist. After the collapse of the USSR, anti-Semitism incitements have become an important tool of nationalist elites that were promoting unification with Romania. Their identity discourse rejects the presence of minorities in the country, including the Jewish one”.<sup>33</sup> However, it seems that the “unionists” are not the only ones to be blamed: in the same report it was noted that pro-Russian extremist groups such as a branch of the National Bolshevik Party (NBP) from Russia have penetrated into Moldova, promoting their fascist and Stalinist ideas.

Since these negative trends have become especially visible in 2009 – 2010, some monitors relate them to certain destabilisation of the political and social situation in the country after the end of long-lasting rule of Moldovan communists, strengthening of the national democratic forces, and, perhaps, first and foremost aimed at compromising the new, Europe-oriented Government – the Alliance for European Integration.<sup>34</sup>

Acts of vandalism, synagogues, memorials to Holocaust victims and Jewish cemeteries, were reported in Bendery and Beltsy cities; on September 18, 2009, several buildings from the Chisinau Ciocana Sector were plastered with posters dedicated to the 110th birthday of the leader of the Iron Guard (a Romanian Fascist organization through 1920-1930s and until 1941), Corneliu Zelea Codreanu. On September 12, 2010, the facade of the Chisinau synagogue was marred by Fascist symbols and slogans such as “Bessarabia is Romanian land!” Astonishingly, the local council of the Codru, a village in the municipality of Chisinau, on September 29, 2010 took a decision to name one of its streets in honour of Marshal Ion Antonescu who is now recognised in neighbouring Romania not as “national hero” but, rather, as the Romanian dictator and Nazi’s ally, personally responsible for Holocaust of Jews and Roma populations in Bessarabia, Bukovina, and Dorohoi County, also in Transnistria and other parts of occupied Ukraine under Romanian administration.<sup>35</sup> The decision was condemned by the “United Moldova” party, the Jewish Congress of Moldova and some inhabitants of the village, and on 13 October 2010 it was announced that the decision will be re-examined.<sup>36</sup>

Although the cases referred to above suggest involvement of the pro-Romanian radicals, in fact, not less actively engaged in anti-Semitic actions have been representatives of the “radical Orthodox Christians”. For example, in December 2009, in the very center of Chisinau, a group of Orthodox fundamentalists (closely allied with the Orthodox Society of the Blessed Matron of Moscow and oriented at the most reactionary and marginal wing of Russian Orthodox Church)

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<sup>32</sup> Efficient Institutional Reactions for Combating Intolerance and Extremism in the Black Sea Region: Comparative perspective on Romania, Republic of Moldova, and Ukraine. Institute for Public Policy, Bucharest, December 2008

<sup>33</sup> See <http://www.tau.ac.il/Anti-Semitism/asw2005/moldova.htm>.

<sup>34</sup> Anti-Semitism in Moldova, 2009–2010, available at <http://eajc.org/page547>.

<sup>35</sup> Romania Facing its Past. The Center for Advanced Holocaust Studies, AT [HTTP://WWW.USHMM.ORG/RESEARCH/CENTER/PRESENTATIONS/FEATURES/DETAILS/2005-03-10/?MID=52](http://www.ushmm.org/research/center/presentations/features/details/2005-03-10/?MID=52).

<sup>36</sup> Presentation by Iuliana Marcinschi, on behalf of the Coalition on Non-Discrimination and on behalf of the Human Rights Resource Group, supported by the Soros Foundation-Moldova. February 4-th, 2011, Chisinau, Republic of Moldova

overturned and broke the Menorah erected for the holiday, and organized an anti-Semitic rally accompanied by insulting shouts and anti-Semitic slogans. The incident acquired much attention in the RM and abroad, and had wide public resonance.<sup>37</sup> In March 2010, the website of the Orthodox Society referred to above published a number of directly anti-Semitic materials (later on, they were deleted). Also in March, a group of aggressive youths gathered before the Israeli consulate and shouted slogans against the Jewish charity fund “Dor Le Dor.”

Interethnic tensions – particularly those overtly having to do with politics and geopolitical preferences – intensified in summer of 2010. For example, after the mayor of Chisinau Dorin Chirtoaca proposed to create a Holocaust Museum and also a Museum of the Soviet Occupation (as a continuation of the decree of acting President Mihai Ghimpu, who declared the 28th of June the day of the Soviet Occupation of Moldova), the Jewish Congress of Moldova made an official statement that it does not feel possible to make parallels between a world-widely condemned Fascist regime and the Soviet rule (despite the fact that the latter should bear equal responsibility for the horrible repressions against its own – and not only – people).<sup>38</sup>

### **Migrantophobia and Racism**

In Ukraine, although actual number of immigrants, including illegal ones, is far from reaching some “critically high” level or “creating a threat to national security”, xenophobia targeting “visible minorities” and other members of immigrant communities, continues to grow. This raises much concern on the part of authorities, civil society actors, and international organisations, especially in view of the lack of adequate responses on the part of law-enforcement bodies.<sup>39</sup>

In particular, the Advisory Committee of the CoE Framework Convention for the Protection of national Minorities stated that: “An alarming increase in racist attacks, but also manifestations of anti-Semitism and Islamophobia, have been reported in Ukraine in recent years. These actions are targeted at asylum seekers, refugees, immigrants or foreign students belonging to visible minority groups, as well as against persons belonging to some national minorities, such as Crimean Tatars. Although some laudable initiatives have been taken to combat these acts in the framework of an Action Plan on Countering Racism adopted by the Ministry of Interior in 2007, the Advisory Committee regrets that certain authorities are still reluctant to acknowledge the extent of racially-motivated violence in Ukraine. Against this background, it is essential to clarify and strengthen legislative provisions concerning racist crimes. It is also important to increase the vigour with which crimes motivated by racial, ethnic or religious hatred are investigated and prosecuted and to intensify existing awareness-raising measures among law-enforcement officers, prosecutors and judges”.<sup>40</sup> It should be added that recent developments in Ukraine have shown that whereas situation with anti-Semitism has greatly improved compared to that in time of the CoE report preparation, Islamophobia, Migrantophobia and racially-motivated violence indeed continue to be on rise, and their dynamics is a matter of a grave and growing concern for CSOs.<sup>41</sup>

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<sup>37</sup> Anti-Semitism in Moldova, 2009–2010, available at <http://eajc.org/page547>.

<sup>38</sup> Ibid.

<sup>39</sup> Counteracting racism and xenophobia (in Ukrainian). 03.02.11, available at <http://umdpl.info/index.php?id=1296756187>. See also <http://www.segodnya.ua/news/14238142.html>.

<sup>40</sup> Advisory Committee on the Framework Convention for the Protection of National Minorities. Second Opinion on Ukraine, adopted on 30 May 2008. Strasbourg, 30 May 2008, ACFC/OP/II(2008)000.

<sup>41</sup> “Islamophoia in Ukraine: new trends” by Vyacheslav Likhachev (in Russian). 08.09.2011, <http://www.eajc.org/page18/news25628.html>; Anti-Semitism in Ukraine: preliminary results of 2011 by Vyacheslav Likhachev (in Russian). 28.11.2011, available at <http://eajc.org/page18/news26817.html>.

According to international observers, “migration and asylum legislation is not functioning properly and is full of gaps and inconsistencies with other legislative acts; also that it is very difficult to get an employment permission or permanent registration to stay in Ukraine. The level of Migrantophobia is high in Ukrainian society, which also influences the work of police. They do a lot of raids on undocumented migrants and often stop people on the street due to racial profiling, demanding bribes or arresting those, who do not have valid documents or appropriate registration”.<sup>42</sup>

Regular monthly reports monitoring different aspects of xenophobia, hate speech and hate crimes, send alarm signals: over the last month only (October 2011), a number of racist attacks were reported in Kyiv, Kharkiv, Zaporizzhya, Ternopil, and Lviv; the victims were most often the students from Turkey, India, Tunis, Nigeria, Somali, Sudan and other countries, some of whom were wounded.<sup>43</sup> The most resonance case of this kind, not yet fully resolved, took place in Eastern Ukraine’s city Luhansk, where repeated incidents of violence targeted the students from Azerbaijan, India, and Turkmenistan.

As a result of a growing number of those violent attacks, foreign students issued an Open Letter to Ukrainian authorities, stating that “...Protest events, attacks on property and physical violence towards international students of Luhansk universities, as well as on Ukrainians of different ethnic origin in the city, are manifestations of intolerant attitude intended to provoke inter-ethnic conflict and further aggravation of the problem. ... We consider this trend as a threat not only to us – international students who study in Luhansk, but also to those who chose other cities of Ukraine for their study programs. We strongly object to the labelling of international students as “potential criminals”. We are simply young people who come to this country, contributing financially to both the local economy and the education system, and adding to multicultural experience of students in Ukraine. ... The lack of an adequate response from the law-enforcement agencies and University administrations to protests against international students and assaults on them provides ground for further provocations. There is also no public message that such incidents are unacceptable in a state with European values. The failure of the authorities to react on racially motivated incidents also results in the underreporting of such cases. Moreover, we do not feel safe when returning to our dormitories and going to our classes. All above mentioned facts have a negative impact on the image of Ukraine abroad and sends a bad message to potential students from abroad. In the view of situation, we, the undersigned:

- ask Ukrainian authorities to publicly condemn manifestations of racial hatred;
- request the Ministry of Internal Affairs to conduct a prompt and thorough investigation of these incidents and to ensure protection of international students in Ukraine;
- ask the Ministry of Education and Science, Youth and Sports of Ukraine to ensure the protection of our rights and to guarantee a safe study environment”.

This Appeal has led to nation-wide campaigning of CSOs and individuals, supporting fully justified students’ demands, and opposing negative xenophobic trends within Ukrainian society.<sup>44</sup>

Since neither Romania nor Moldova being the countries with great influx of immigrants, these types of xenophobia can hardly be regarded as especially actual for them. However, further globalisation processes including the ever-increasing rate of migration might create certain

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<sup>42</sup> <http://www.w2eu.info/ukraine.en/articles/ukraine-overview.en.html>, last update: May 2011; see also [http://www.pravda.com.ua/news/2010/12/14/5674062/view\\_print/](http://www.pravda.com.ua/news/2010/12/14/5674062/view_print/), and <http://zahist.wordpress.com/2011/11/26/racism-in-zoo/> (published on 26 November 2011).

<sup>43</sup> Information regularly provided by members of the CSOs networks “diversity.ua” and “anti-discrimination”.

<sup>44</sup> See, for example, <http://www.ipetitions.com/petition/protect-international-students-in-ukraine-from/>.

problems there, too. Currently, in **Romania** manifestations of racism, hate speech, hate crime and extreme intolerance are most often targeting Roma communities.<sup>45</sup> In the **Republic of Moldova**, only rare cases of violence and hatred, directed against “visible minorities” (usually members of immigrant communities) have been reported. Members of such new minorities, however, are often questioned and harassed by police. Also, foreigners without legal status and even those who have a status usually have limited access to the labour market due to a complicated procedure of registration at the institution mandated by the Ministry of Informational Technologies and Communications (only at the end of year 2010 this procedure was simplified by introducing a unique registration procedure). Moreover, drawing the attention of the police, not only they but also their employers have been subjected to the excessive checking of documents; after finding small irregularities, police ask bribes from both foreigners and employers.<sup>46</sup> When the government of the RM submitted in January 2011 its 8<sup>th</sup> and 9<sup>th</sup> periodic reports to the Commission on Elimination of All Forms of Racial Discrimination (CERD), a “parallel report” has been prepared by the Moldovan NGO the Centre for Human Rights of Moldova, containing a number of case studies, expressing quite a few concerns, and proposing a set of recommendations.<sup>47</sup>

## Afterword

Summarising this brief overview, it could be concluded that whereas countries of the Black Sea Region differ in many respects, some global trends – including certain negative consequences of the globalisation processes – are pertaining to all of them, although in various forms and manifestations. Regrettably, such phenomena as acute forms of xenophobia, hate speech, hate crime, discrimination of minorities and general intolerance to “otherness” are on the rise and can be observed even in countries with the most advanced legislative and institutional frameworks developed for preventing and combating those negative trends (of which the telling illustration is Romania).

Concerning Ukraine, it should be noted that the very dynamics of those diverse trends cast doubts on the widespread perception of the direct link between deterioration of the socio-economic situation of a country and growth of xenophobic and intolerant attitudes of its population. Closer attention should be paid to deeply rooted but not always obvious causes and grounds of such sentiments; for understanding the reasons and developing effective strategies of counteracting them, multidisciplinary in-depth analysis is needed, in addition to legislative, institutional, and informational responses. In case of Ukraine, such an often “hushed” phenomenon as Ukrainophobia, sometimes exhibited even by high level state officials, may invoke a sense of national humiliation and, as a result, might lead to growing popularity of the far rights, the latter positioning themselves as the main defenders of national honour, dignity, and self-respect.

To ensure positive changes at the national level, a good chance is provided by the ongoing EU-Ukraine dialogue on visa regime (that might be eventuated by the abolishment of visa requirement for Ukrainians entering the EU member states). The Action Plan agreed upon

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<sup>45</sup> Viorel Achim, *The Roma in Romanian History*, Central European University Press, Budapest, 2004. ISBN 9639241849; see also [http://en.wikipedia.org/wiki/Racism\\_in\\_Europe#Romania](http://en.wikipedia.org/wiki/Racism_in_Europe#Romania).

<sup>46</sup> See Presentation by Iuliana Marcinschi, on behalf of the Coalition on Non-Discrimination and on behalf of the Human Rights Resource Group, supported by the Soros Foundation-Moldova. *February 4-th, 2011, Chisinau, Republic of Moldova*.

<sup>47</sup> ALTERNATIVE INFORMATION (JANUARY 2011) TO THE UN COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION ON THE 8<sup>TH</sup> AND 9<sup>TH</sup> PERIODIC REPORTS BY THE GOVERNMENT OF REPUBLIC OF MOLDOVA ON THE IMPLEMENTATION OF THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION. The Center for Human Rights of Moldova, Chisinau, Moldova, January 2011, CERD2011.

between the parties and endorsed by the Ukrainian Government contains several blocks of obligations, the last of them dealing directly with issues of minority protection, discrimination and hate crimes. It foresees, *inter alia*, the following:

- Adoption of comprehensive anti-discrimination legislation, as recommended by UN and Council of Europe monitoring bodies, to ensure effective protection against discrimination; and
- Actively pursue the specific recommendations of UN bodies, OSCE/ODIHR, the Council of Europe/ECRI and international human rights organisations in implementing anti-discrimination policies, protecting minorities and combating hate crimes.<sup>48</sup>

Unfortunately, in this sphere, European well-developed, “mature” democracies often cannot provide for countries of Central-Eastern Europe and Caucasus any realistic guidelines or serve as the best examples to be followed. A number of recent revelations in the “old” EU member states indicate that racism, extreme forms of xenophobia like “hate crimes”, and “white terrorism” are becoming the most serious challenges for West European societies.<sup>49</sup> It has been observed that since around 2000, xenophobia, Islamophobia, anti-Roma/Anti-Gypsyism and anti-immigrants sentiments are on the rise in contemporary Europe, notably the years 2000/2001, 2007 and 2010 saw steep increases in the influence of such attitudes.<sup>50</sup>

The most shocking manifestations of such kind of crime occurred in Norway in July 2011; they attracted much attention of media and intellectuals to such a phenomenon as the so-called “white terrorism”, but seemingly, proved unable to change essentially the mindset of many people in Europe and the US.<sup>51</sup> Analysing abundant texts of the Norwegian mass murderer Anders Behring Breivik published on the internet, political analysts of “The Guardian” (UK) indicated that his ideology has nothing to do with Christianity, but is based on an atavistic horror of Muslims, anti-Marxism, and anti-multiculturalism. His anti-immigration passions were motivated by huge conspiracy theories, the first of which is that Islam threatens the survival of Europe through what he calls “demographic Jihad”: “Through a combination of uncontrolled immigration and uncontrolled breeding, the Muslims, who cannot live at peace with their neighbours, are conquering Europe...” These ideas, however crazy, are part of a widespread paranoid ideology that links the European and American far right and even elements of mainstream conservatism in Britain”.<sup>52</sup>

It should also be noted that growing anti-immigrants mindset of mainstream populations of the West European countries have led to compromising the very notion of multiculturalism, which certain leaders of the prominent EU member states declared “failed”. This regrettable perception affected right-wing political forces in Eastern and South Europe and in the Black Sea Region, encouraging them to use it for their own purposes and political manipulations, and to deny the ideas of successful minority integration, interethnic and inter-religious tolerance, and in general, to reject the acceptance of the co-existence with “others” as a possible asset rather than a threat to national security or national interests. In this respect, we should also keep in mind that multiculturalism of our societies is usually based on a different ground, since most of our

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<sup>48</sup>EU-UKRAINE VISA DIALOGUE. ACTION PLAN ON VISA LIBERALISATION, Para 2.4.3. Citizens’ rights including protection of minorities.

<sup>49</sup> 16 November 2011 <http://www.euractiv.com/justice/germany-turkey-shocked-xenophobic-murders-news-508942>

<sup>50</sup> October 23, 2010 <http://franckduvell.posterous.com/xenophobia-islamophobia-and-anti-immigrants-s>

<sup>51</sup> Norway attacks: “We can no longer ignore the far-right threat” by Matthew Goodwin. 24 July 2011, at <http://www.guardian.co.uk/commentisfree/2011/jul/24/norway-bombing-attack-far-right>

<sup>52</sup> Anders Breivik is not Christian but anti-Islam. 24 July 2011, <http://www.guardian.co.uk/commentisfree/andrewbrown/2011/jul/24/norway-anders-behring-breivik-beliefs>

minority groups consist not of newcomers but of the autochthonous inhabitants of the same land, living here sometimes for a longer time than current dominant mainstream populations.

## **Recommendations**

- **To CSOs of Ukraine** – use the opportunity to contribute to the development of a comprehensive anti-discrimination legislation and state policies aimed at the effective protection of minorities;
- **To civil societies of countries – participants of the Black Sea Peacebuilding Network** – invigorate cooperation between partner organisations engaged in preventing and combating manifestations of acute xenophobia and intolerance in our societies;
- For this, common research projects should be initiated, sharing experience for lessons of both good practices and failures be learnt; also, more attention be paid not only to the monitoring aspect of the CSOs activities, but also to the in-depth analysis of possible roots and causes at local, national, and regional level;
- Take into full consideration the experience of developing advanced legislative and institutional frameworks to counteract negative phenomena relating to racism, extremism and discrimination of members of different minority groups, in particular, that of Romania which might be of special interest for neighbouring Ukraine and the Republic of Moldova;
- For this, awareness-raising and advocacy campaigns are to be organised at the national and regional level, bringing together local and national authorities, international organisations, media and other actors of civil society;
- Use the existing regional Internet resources for wider coverage and spreading of information about the BSPN events, activities and further planning;
- **To sponsors and management of the BSPN** – look for the additional opportunities to ensure further strengthening and development of the Peacebuilding Network by engaging other interested parties into scheduling and co-funding, thus reaching synergistic, cost-saving effect on the activities conducted according to the agenda of separate projects and programmes, and avoiding unnecessary parallelism and duplication.