

TARAS KHALAVKA

ROMANIA'S INFLUENCE ON THE ROMANIAN COMMUNITY OF UKRAINE

Abstract: The Romanian Constitution states that the country stands for strengthening the relations with Romanians living abroad and works to preserve, develop, and express ethnic, cultural, linguistic, and religious identities in compliance with the legislation of the states whose citizens they are. The issue of caring for the Romanian community abroad has always been central for the Romanian governmental structures. The article analyzes the influence of Romania on the Romanian community in Ukraine, the state of ensuring the community's rights on the part of the Ukrainian authorities, and the Ukrainian–Romanian interstate negotiations on ensuring the rights of national communities living on the territory of these states.

In modern Europe, state borders rarely correspond to the boundaries of ethnic groups' settlements and thus form separate ethnic enclaves. In Europe, over the past century, some border areas have changed their affiliation to several countries in which the ethnic majority and elite introduced different models of relations with ethnic minorities. Northern Bukovyna and Southern Bessarabia can serve as an example of such territories. Over the past century, the population of these territories has successively changed the citizenship of the four states: the Austro–Hungarian Monarchy (Northern Bukovyna) or Russia (Southern Bessarabia), royal Romania, the Soviet Union, and independent Ukraine. At the same time, the ethnicity of the population inhabiting the mentioned territories was not crucial for the establishment of new state borders. Such instances are not isolated and are typical for many countries of Eastern Europe. At the same time, neighboring states handle their kin-minorities in different ways, which significantly affects both the minorities in the society of the country of residence and the relationships between the “host country” and the kinstate.

The article examines the state of the Romanian community in Ukraine with the focus on its compact settlement in Chernivtsi Oblast and Romania's influence on them over the past 10 years.

The Romanian community of Ukraine: composition and the state of realizing the rights for ethnic and cultural development

The Romanian community is one of the largest ethnic groups in Ukraine, and according to the latest census it ranks seventh among the country's national minorities. In 2001, during the population census, 151,000 people in Ukraine identified themselves as Romanians, and this category made up 0.3% of the country's overall population. Most Romanians live in the areas bordering Romania; 114,600 people reside in Chernivtsi Oblast (province) and 32,100 in Transcarpathian Oblast, while others are dispersed throughout the country.¹

In this article, I consider the influence of Romania on the Romanian community mainly through the case of Chernivtsi Oblast for the reason that 3/4 of the Romanians in Ukraine live there.

In Chernivtsi Oblast, the Romanians live compactly in the newly created Chernivtsi District; they number about 20% of the district's total population. Before 2020 and prior to the recent administrative reform in Ukraine, which led to the enlargement of districts, the Romanians lived in four administrative districts of the region: in what was formerly Hertsaevsky District (where their share was 92% of the total population), Glyboksky District (43%), Storozhynetsky District (36.8%), and Novoselytsky District (7%). In Transcarpathian Oblast, 21,300 Romanians live in nine villages of Tyachiv District and 10,500 people in four villages of Rakhiv District.

The majority of Romanians in Ukraine reside in rural areas; of them 91.7% consider Romanian as their native language, while 6.2% report Ukrainian and 1.5 % Russian as their mother tongue.

The 2001 population census showed a low level of linguistic integration of the Romanian community into Ukrainian society; 52% of the Romanians did not speak Ukrainian, which is the state language.² In the countryside, these indicators are even lower; only 37.6% speak two languages (i.e., Romanian and Ukrainian). The lack of state language skills of the Romanian majority in the region does not contribute to this group's integration into Ukrainian society.

1 Про кількість та склад населення України за підсумками Всеукраїнського перепису населення 2001 року [The number and composition of the population of Ukraine according to the results of the All-Ukrainian census of 2001]. Accessed August 1, 2021. Available at: <http://2001.ukrcensus.gov.ua/results/general/nationality/>.

2 Камінська В. Національний склад населення Чернівецької області та його мовні ознаки: за даними Всеукраїнського перепису населення 2001р. [Kaminska, V. *National composition of the population of Chernivtsi oblast and its linguistic features: according to the All-Ukrainian census*]. Чернівці: Чернівецьке обл. управ. статистики, 2003.

Before considering the relationship between Romania and the Romanian community, let us overview the state of ensuring the rights of this minority by Ukraine, the country of their residence.

The main elements in the structure of ethnic community rights include the guarantees of educational opportunities in their native language (educational rights), the preservation of their own traditions and culture (cultural rights), their right to receive information in their native language, and their right to participate in civil society activities and in governmental decision-making (participatory rights).

The network of school and preschool education in minority languages in Chernivtsi Oblast is formed in accordance with the population composition. In the 2018/2019 academic year, there were 69 institutions of general secondary education in Ukraine whose instruction was in Romanian. Most schools with Romanian language of instruction are located in Chernivtsi Oblast, totaling 57 institutions (687 classes with 10,829 students altogether). In the Transcarpathian region there is a fewer number—12 institutions (138 classes with 2,220 students). Moreover, there are schools with two or more languages of instruction in Ukraine. In Transcarpathian Oblast, there is one school with both Ukrainian and Romanian language instruction (23 classes and 419 students); in Chernivtsi Oblast, there are 19 such schools (183 classes and 2,638 students).³

Several school courses have essential components aimed at studying the elements of the history of the Romanian minority (i.e., History of Ukraine, World History, Geography and Foreign Literature). All of these subjects are compulsory for all students. History of the Romanian People is included in the electives.

The teaching staff for the schools of the region with Romanian language instruction is trained at the Chernivtsi Yuriy Fedkovych National University, the Pedagogical College, and higher educational institutions of Romania and the Republic of Moldova.⁴

Along with the positive tendencies in the study of the native language of the Romanian community of the region, there is a problem with the low level of state language teaching in general educational institutions. Year by year, during the External Independent Evaluation⁵ (EIE), students have trouble passing the exams in Ukrainian. The former Minister of Education Liliia Hrynevych said, “In 2018, 63% of school graduates

3 Ковтун Ю. В “Україні функціонує 69 шкіл з румунською мовою навчання.” [Kovtun Y. *There are 69 Romanian-language schools in Ukraine*]. UNN. Accessed April 10, 2019. Available at: <https://www.unn.com.ua/uk/exclusive/1792353-v-ukrayini-funktsionuye-69-shkil-z-rumunskoyu-movoyu-navchannya>.

4 Council of Europe. *The Fourth Periodic Report provided by Ukraine on implementation of the European Charter for regional or minority languages*. Accessed September 4, 2019. Available at: [https://www.coe.int/en/web/european-charter-regional-or-minority-languages/reports-and-recommendations#{%2228993157%22:\[23\]}](https://www.coe.int/en/web/european-charter-regional-or-minority-languages/reports-and-recommendations#{%2228993157%22:[23]}).

5 The general school graduation tests that are concurrently the university admission exams in Ukraine.

educated in the territories populated by the Romanian community did not overcome the EIE threshold in the Ukrainian language.”⁶

The level of teaching satisfying the educational rights of the Romanian community does not correspond to the guidelines of the Hague Recommendations on the Rights of National Minorities to Education adopted by the OSCE High Commissioner on National Minorities (HCNM) in 1996. In particular, the very first paragraph of the basic document poses a dual task for national educational institutions:

The right of the people belonging to national minorities to preserve their identity can be fully realized only when they master their native language in the learning process. At the same time, people belonging to national minorities are obliged to integrate into the wider society of the state through the proper command of the state language.⁷

The low level of state language proficiency is a significant obstacle to a full-fledged integration of national minorities’ younger generations into Ukrainian society and a factor that leads to actual ethnic serregation. The Ukrainian authorities have acknowledged that the problem requires additional efforts that are prompted by the second fundamental principle also enshrined in Item 1 of the HCNM Hague Recommendations regarding the responsibility of persons belonging to national minorities to integrate into the wider society of the state through the knowledge of the state language. In September 2017, the Parliament of Ukraine adopted a new version of the Law of Ukraine “On Education.” The amended Article 7 (“The language of the educational process in educational institutions is the state language”) contains the following provisions:

People belonging to national minorities of Ukraine are guaranteed the right to study in communal educational institutions for preschool and primary education, along with the state language, the language of the respective national minority. This right is realized through the creation, in accordance with the legislation, of separate classes (groups) with the instruction in the language of the respective national minority along with the state language and is not applicable to classes (groups) with the instruction in the Ukrainian language.⁸

6 “400 випускників шкіл з угорською та румунською мовою навчання пройшли тренінги з української мови та літератури...” [400 graduates of schools with Hungarian and Romanian language of instruction received trainings in Ukrainian language and literature]. *Ministry of Education and Science of Ukraine*, last modified March, 28, 2019. Available at: <https://mon.gov.ua/news/400-vipusknikiv-shkil-z-ugorskoyu-ta-rumunskoyu-movoyu-navchannya-projshli-treningi-z-ukrayinskoyi-movi-ta-literaturi-v-prishkilnih-taborah-bombesno-vlitku-yih-provedut-dlya-uchniv-bazovoyi-shkoli>.

7 OSCE High Commissioner on National Minorities (HCNM). *The Hague Recommendations on the Rights of National Minorities to Education and an explanatory note*. October, 1996. Available at: https://www.osce.org/files/f/documents/e/2/32180_0.pdf.

8 Закон України «Про освіту» [Law of Ukraine “On Education”], Verkhovna Rada of Ukraine. Accessed August 1, 2021. Available at: <https://zakon.rada.gov.ua/laws/show/2145-19#Text>.

The article caused a significant negative response among both the representatives of some national minorities (Hungarians and Romanians) and some neighboring states' governments. Such tensions arose first in Ukrainian–Romanian relations. A part of the Romanian national-cultural societies of Chernivtsi and Transcarpathian Oblasts circulated statements in which they categorically condemned the amended educational law. The first reaction from the Romanian government was also negative (such as in the Romanian Parliament and a cancellation of a visit to Ukraine by Romanian President Klaus Iohannis).⁹ However, over time, the rhetoric of the Romanian officials changed, and the dialogue arose in a purely professional constructive manner. In October 2017, the Romanian Foreign Minister Teodor Melescanu noted at a joint press conference with Ukrainian Foreign Minister Pavel Klimkin that:

Romania is ready to share with Ukraine the experience gained in the field of teaching in the languages of national minorities with the parallel study of the state language. This would be an example of finding optimal solutions to achieve the set goals—knowledge of the state language and teaching representatives of national minorities in their native language.¹⁰

In January 2018, Romania and Ukraine agreed to elaborate a joint document on the implementation of the new Ukrainian law on education, including Article 7 on the language of education.¹¹ In the end, the passions over the educational law subsided, and its implementation showed the authorities' lack of desire to assimilate the Romanian community. Thus, the authorities of Ukraine and Romania have shown openness to dialogue and readiness for constructive interaction on the implementation of the law with all the sides interested.

Another element in preserving the identity of ethnic communities is the government's support for creative activities and cultural institutions, such as library collections in national languages. In Chernivtsi Oblast, in the areas densely populated with Romanians, there are 543 amateur groups and clubs. Folklore associations established within national-cultural societies, in particular the renowned folk amateur choir “Dragos Voda” (Romanian cultural society named after Mihai Eminescu), are also active.

9 Filipchuk, Vasily. *The law on education for Romania was just a pretext*. Accessed August 1, 2021. Available at: <https://hromadske.radio/news/2017/09/22/zakonpro-osvitu-dlya-rumuniyi-buv-lyshe-pryvodom-ekspert-vasyl-filipchuk>.

10 “Закон про освіту: Румунія готова допомогти Україні” [The law «On Education» Romania is ready to help Ukraine]. *Ukriform*, October 14, 2017. Available at: <https://www.ukrinform.ua/rubric-polytics/2324581-zakon-pro-osviturumunia-gotova-dopomogti-ukraini.html>.

11 “Україна і Румунія разом впроваджуватимуть «мовну» статтю закону про освіту” [Ukraine and Romania jointly introduce the «language» article of the law on education]. *Ukriform*, January, 11, 2018. Available at: <https://www.ukrinform.ua/rubric-polytics/2380339-ukraina-i-rumunia-razom-vprovadzuvatimut-movnu-stattu-zakonu-pro-osvitu.html>.

An important element of the preservation of national and cultural identity is the activities of ethnic communities' civil society organizations. There are 25 registered national-cultural societies in Chernivtsi Oblast, and of them 13 represent the Romanian community. National-cultural societies hold various events aimed to preserve their groups' culture and traditions.

Within the framework of the Regional Program for the Support of National-Cultural Associations of Chernivtsi Oblast and the Ukrainian Diaspora in 2019–2021, the regional cultural societies have truly received funding for their events. In 2021, the amount of 150,000 Ukrainian Hryvnias (UAH; about 5,000 Euros) was provided to finance the activities of the national-cultural societies of the region. Of the sum, 70% was received by Romanian civil society cultural organizations.¹² However, these amounts are significantly smaller than the funds received by the Romanian national-cultural societies from Romania.

The rights of the Romanian-speaking community are guaranteed in the religious sphere too. Church services in areas densely populated by Romanians are conducted in the minority language. In the Chernivtsi diocese of the Ukrainian Orthodox Church (UOC), about 20% of parishes are Romanian speaking, and in Protestant communities in places densely populated by Romanians, religious rituals are conducted in Romanian.¹³

According to the Ministry of Foreign Affairs of Romania (*Ministerul Afacerilor Externe*), the Romanian minority in Ukraine faces a number of problems:

- access to mother tongue education for the entire pre-university cycle, especially in the context of the adoption of the Education Law (September 2017);
- the official use of the Romanian language in administration and justice;
- insufficient funding of minority associations of Romanians and media in Romanian;
- the preservation of religious identity;
- the representation at the level of local administration and a lack of parliamentary representation; and
- the restitution of properties that belonged to the Romanian community.¹⁴

12 Regional budget of Chernivtsi Oblast for 2021. Accessed August 1, 2021. Available at: <http://oblrada.cv.ua/document/list/5516/>.

13 Biserica Ortodoxă Română. *Holy Synod examines Ukrainian ecclesiastical issue at first 2019 working session*. February 21, 2019. Available at: <https://basilica.ro/en/holy-synod-examines-ukrainian-ecclesiastical-issue-at-first-2019-working-session/>.

14 Ministry of Foreign Affairs of Romania "Ukraine". Last modified March 10, 2021. Available at: <http://mae.ro/node/1734>.

Influence of Romania on its kin-minority

For Romania, aid to the Romanian community of Ukraine has always been among the foreign policy priorities. Some regions of Ukraine have been considered as “lost territories” in Romanian political circles and in the public opinion. The perception fully applies to modern Chernivtsi Oblast, which includes parts of historic Northern Bukovyna, Bessarabia, and Dorohoyshchyna, as well as to the districts of Odessa Oblast, located between the Dniester and Danube Rivers (historically Southern Bessarabia or Budzhak). These territories in 1918–1940 and 1941–1944 were parts of the Kingdom of Romania. The emotions of a part of Romanian political circles are characterized by their popular expression “*Romania Mare - Basarabia și Bucovina - două lacrimi pe obrazul Europei*” (“Great Romania, Bessarabia and Bukovyna, are two tears on Europe’s cheeks”). The pan-Romanism of a certain part of the Romanian elite in relation to neighboring states was preserved despite the country’s membership in the EU and NATO. In March 2012, the Romanian Foreign Ministry blocked giving Serbia EU membership candidate status. The reason was the alleged violation by Serbia of the rights of ethnic Vlachs living in its territory. The then Minister Cristian Diaconescu commented on the situation around Serbian Vlachs, who did not consider themselves Romanians: “Romania intends to continue supporting ‘Romanian identity’ of those residents of neighboring countries whom Bucharest considers ‘Romanians’ even if the citizens did not think so.”¹⁵

Pan-Romanism influences ethnopolitical processes in Ukraine, especially in the border areas, where there are densely populated Romanian and Moldovan communities. This confirms the opinion shared by many scientists that ethnopolitical processes taking place in different parts of Europe are interconnected. They influence various ethnopolitical contradictions from region to region, and integration into the European Union unfortunately does not remove these issues from the agenda. An example is the relationship between Romanian and Hungarian minorities, who densely populate certain areas in Romania.

The considerable activity of neighboring Romania is obviously salient in the border regions of Ukraine. Romania tries to extend its influence not only to its kin-minority but also to the Moldovan community, ignoring the Moldovans’ right to self-identification.

This influence can be traced in the following areas:

- education (educating students in Romanian universities, organizing summer camps for schoolchildren, and scholarships for students);
- culture (financial support for the activities of Romanian national-cultural societies, holding joint festivals, and facilitating visits of Romanian artistic societies to festivals in Romania);

15 “Влахи - не румыны”: сербские влахи призвали Румынию не шантажировать Сербию от их имени.”[Vlachs are not Romanians «: Serbian Vlachs called on Romania not to blackmail Serbia on their behalf] *Regnum.ru*, February 22, 2012. Available at: <https://regnum.ru/news/society/1504567.html>.

- granting transborder citizenship (issuing Romanian passports for residents of the border regions);
- mass media (retransmitting Romanian radio and television programmes to the territory of Ukraine; financial support for the most circulated Romanian-language newspapers of Chernivtsi Oblast *Zorile Bukoviney* and *Libertatea Cuvântului*); and
- religion (support to the activities of the Bessarabian Metropolitanate of the Romanian Orthodox Church in Odessa Oblast).

Romania's active policy is especially noticeable against the background of Ukraine's passive policy regarding the integration of the Romanian and Moldovian communities into Ukrainian society.

The situation changed in 2014. The occupation of Crimea and military actions launched by Russia in the East of Ukraine have shown that Ukraine can act as a guarantor of independence for Romania. Realizing that border redrawing in Europe is possible only as a result of large-scale military actions and that Russia's aggressive plans will not stop only at occupying Ukraine, Bucharest has partly revised its policy regarding the Romanian minority in Ukraine and Ukraine's integrity. Romania has supported European sanctions for violations of Ukraine's territorial integrity since the beginning of the illegal occupation of the Crimean Peninsula. Several agreements on the cooperation in various fields have been signed between the governments of Ukraine and Romania, for instance, in combating corruption and in military sphere since 2017. The activities of the Joint Ukrainian–Romanian Intergovernmental Commission for National Minorities Rights Protection restarted in the same year.

The importance of interacting with Romanian communities living abroad is also enshrined in Romanian legislation. The Constitution of Romania guarantees that “the state supports strengthening ties with the Romanians living abroad and works to preserve, develop, and express ethnic, cultural, linguistic, and religious identity in compliance with the legislation of the states whose citizens they are.”¹⁶

In 2007, the Parliament of Romania adopted the law that defined the rights of Romanians living abroad. It substituted the Law on Supporting the Romanians Around the World, which had been adopted in 1998. The new law concerns people of Romanian ethnic origin as well as those who have a common Romanian cultural identity and live outside Romania. In 2013, Romanian parliamentarians overwhelmingly adopted the legislative amendment that declared “Romanians” as all Romanian-speaking peoples and ethnic groups living in the Balkan countries.¹⁷

16 Parlamentul României. “Constituția României.” [The Romanian Parliament. «The Romanian Constitution»]. Accessed August 4, 2021 Available at: <http://www.cdep.ro/pls/dic/site.page?id=339>.

17 Parlamentul României. “Legea nr. 299/2007 privind sprijinul acordat românilor de pretutindeni.” [The Romanian parliament. “Law no. 299/2007 on the support given to Romanians everywhere]. Last modified April 22, 2021. Available at: http://cronos.usv.ro/fisiere_utilizator/file/legislatie/2019/activitate_didactica/12e.pdf.

“Bessarabians,” “Bukovynians,” and “Maramureshans” (i.e., all residents of Moldova, Odessa, Chernivtsi, and Transcarpathian Oblasts of Ukraine) are also “officially” considered to be the “Romanians abroad.” The decision was supported by all parliamentary factions, despite the Romanian Foreign Ministry’s negative response to this bill.

On the website of the Department of Romanians Abroad, the data on the Romanian community in Ukraine is presented in the following context: the community would have represented the third largest ethnic group in Ukraine after Ukrainians and Russians if it had not been artificially divided into Romanians (151,000 people) and Moldovans (258,600 people). The Romanian minority in Ukraine must arguably represent the indigenous population in the regions near the border with Romania and the Republic of Moldova.¹⁸ It is worth noting that non-recognition of the independence of Moldovan identity contradicts the common European principles of peoples’ right to self-determination, as well as the individual’s right to self-identification.

The above-mentioned law also mandates the provision of financial support for Romanians living abroad in the fields of culture, cultural heritage, education, language, and religion. Civil society organizations, mass media, and individual citizens are eligible for this kind of public funding. The law’s implementation rests on the guarantees of money allocation from the state budget of Romania, and the law sets up a cross-border extraterritorial jurisdiction. However, the law provides that it must be applied without prejudice to the principle of territorial sovereignty, good neighborliness, respect for human rights, fundamental freedoms, and the principle of non-discrimination. The law envisages that its provisions are to be implemented based on joint programs and agreements with the states where Romanian communities reside or protocols of bilateral joint commissions on a reciprocal basis, as well as in accordance with the Council of Europe Framework Convention, recommendations of the Venice Commission, and the OSCE HCNM.¹⁹

The main central governmental body entrusted with the authority to cooperate with the Romanian diaspora is the Department for Relations with Romanians Abroad (hereinafter referred to as the Department). Its creation in 1995 was preceded by the formation of the Council for Romanian Issues Abroad, which was directly subordinate to the Romanian Prime Minister and was the first state structure to support Romanian ethnic communities outside of Romania.

In 1998, the council was reorganized into a department. From 2009 to 2019, the Department was a separate legal entity and was directly subordinate to the Prime Minister

18 Parlamentul României. “Legea nr. 299/2007 privind sprijinul acordat românilor de pretutindeni.” [The Romanian parliament. “Law no. 299/2007 on the support given to Romanians everywhere]. Last modified April 22, 2021. Available at: http://cronos.usv.ro/fisiere_utilizator/file/legislatie/2019/activitate_didactica/12e.pdf.

19 Departamentul Pentru Românii De Pretutindeni. “Ucraina” [Department For Romanians Everywhere. “Ukraine”]. Accessed August 1, 2021. Available at: <http://dprp.gov.ro/web/comunitati-romanesti/>.

of Romania. Since 2020, the Department has been part of the General Secretariat of the Government of Romania. The main purpose of the Department is to provide financial support for various humanitarian and media projects outside the borders of Romania within the frame of the strategy implementation. Since 2010, the Department has been truly supporting foreign communities in the areas of culture, media, education, spirituality, and traditions.

From 2010 to 2016, the Romanian side allocated almost 9,000,000 UAH for projects aimed at ethnic Romanians and Romanophones living in Chernivtsi Oblast. Funding from Romania for securing information and the cultural needs of the Romanian minority is more than 30 times higher than funding from Ukraine allocated for the same purposes in Chernivtsi Oblast.

Since 2014, there has been an increase in expenses (5,446,000 UAH) with a simultaneous change in the priorities of projects supported by the Romanian side. In particular, cultural projects were partially curtailed, and the new priority became the development and support of Romanian-language media in Chernivtsi Oblast. A significant number of information projects has been implemented by the Romanian youth league *Junimea* (founded in 1998)²⁰ and the *BukPress* Media Center.

In 2021, the Department supported 10 projects (four educational and six concerning mass media) for the Romanian community of Ukraine with a total amount of more than 713,000 Romanian Lei (RON), or more than 4,500,000 million UAH, which is several times higher than the funds that national-cultural societies receive from the Chernivtsi Oblast authorities. One of the supported projects is called “Ensuring the continuity of the publication of the Romanian newspaper *Monitorul Bucovinean*.” This project will be implemented by the newspaper *New Day*, which is distributed in the Chernivtsi Oblast settlement that is densely populated by Moldovans.²¹

The analysis of the Romanian side’s expenditures for the projects in Chernivtsi Oblast indicates that Romania’s primary initiatives are the support of the Romanian-language media, the preservation of the national identity of the Romanian minority, and the involvement of representatives of the Moldovian minority in joint events. In addition to helping Romanian national-cultural societies, the Romanian government launched in 2018 a program to support schoolchildren taught in the Romanian language.

20 Дубова, Світлана. Стан культурних потреб етнічних румунів Чернівецької області: проблемні питання реалізації. Аналітична записка [Dubova, Svitlana. *The camp of cultural needs of ethnic communities in the Chernivtsi oblast: nutritional problems of implementation. Analytical note*]. NISS, August 10, 2018. Available at: <https://niss.gov.ua/doslidzhennya/politika/stan-kulturnikh-potreb-etnichnikh-rumuniv-cherniveckoi-oblasti-problemni>.

21 Departamentul Pentru Români De Pretutindeni. “Rezultate evaluare sesiune de finanțare nerambursabilă 2021.” [Department for Romanians Everywhere. “*Evaluation results of the 2021 non-reimbursable financing session*”]. Last modified June 23, 2021. Available at: <http://dprp.gov.ro/web/rezultate-evaluare-sesiune-de-finantare-nerambursabila-2021/>.

At the end of August 2018, there was news in the Romanian-language media about students of Chernivtsi Oblast receiving the first installments of scholarships from the Romanian government. In an interview with Romanian-language periodicals, the State Secretary of the Ministry of Romanians Abroad Viacheslav Sharamet said, “We wanted to remind the Romanians of Ukraine by means of the scholarship that the Romanian state had not forgotten them. For the first time, the Romanian state has provided scholarships to students abroad.”²² According to Romanian officials, Bucharest wants to encourage parents to send their children to classes taught in their native Romanian language.

If the press wrote about this decision as Romania’s reaction to the adoption of the amended educational law (this follows from the context of the Romanian Foreign Minister’s visit to Chernivtsi), the Secretary of State said that the Romanian Cabinet of Ministers had previously thought about scholarships for the Romanian community of Ukraine.²³

The discussion on scholarships has continued in recent years. Regional and district media publications have reported that the Romanian government has selected partners to fund the scholarship program for ethnic Romanians studying in Ukraine. This concerns students of the Chernivtsi, Transcarpathian, and Odessa Regions. In particular, in the academic year of 2017/2018, 1,600 ethnic Romanians who studied in Romanian-language schools in those regions received this kind of stipend. Moreover, in 2018/2019, for the needs of first-graders, the amount of 1,000 RON per student (almost 6,150 UAH) was provided. “Scholarships will be awarded to Romanian students studying in Grade 1 in the academic year 2018/2019 during the first stage of the program. During the second stage, depending on the available financial resources, scholarships will be provided to pupils studying in Grade 2.”²⁴

Another method of influencing the kin-minority is to grant them kin-state citizenship. In 1991, Romania adopted the law “On Citizenship” recognizing the residents’ right on the territory belonging to Romania from 1918 to 1939 (the Chernivtsi Region and the Bessarabian District of the Odessa Region) and their descendants up to the third generation (grandchildren) to “restore” their native Romanian citizenship. The right to obtain Romanian transborder citizenship for residents of Moldova and Ukraine in 2003 was narrowed to ethnic Romanians, defined according to the criterion that they must

22 Şaramet, Veaceslav. “Bursele pentru etnicii români din Ucraina - un exemplu de uniune și mândrie în An Centenar” [Saramet, Veaceslav. “Scholarships for Romanian ethnics in Ukraine - an example of union and pride in the Centenary Year”]. *BucPress din Cernăuți*, September 14, 2018. Available at: <https://bucpress.eu/opinie/exclusiv%7C-veaceslav-%C5%9Earamet-bursele-pentru-7534>.

23 Varga, N., Herman, M., Zabolotnaya, A., Medina, T., Fatula, G., and Shchudlo, S. *At educational crossroads: dialogue with national minorities in Chernivtsi and Transcarpathian regions*. Drohobych: UADO, LLC «Track-LTD», 2020.

24 “Румунія виділяє гроші для учнів румуномовних шкіл Буковини” [Romania allocates money for students of Romanian-language schools in Bukovina]. *ПОГЛЯД [Poglyad]*, May 24, 2019. Available at: <https://poglyad.ua/news/money/rumuniya-vidilyae-groshi-dlya-uchniv-rumunomovnihshkil-bukovini-372263>.

“speak the Romanian language and have an elementary understanding of Romanian culture and traditions.”²⁵

According to various experts, in the Chernivtsi and Odessa Regions, Romanian passports were obtained by residents numbering from the tens to hundreds of thousands. Thus, Maxim Kyyak, a senior consultant at the National Institute for Strategic Studies of Ukraine, believes that “if we talk about Chernivtsi Oblast, then according to unofficial data it is about 100,000 passports.”²⁶

If we take into account the fact that dual citizenship is not legalized in Ukraine, then the massive granting of Romanian citizenship to residents of the Chernivtsi and Odessa Regions contains all the signs of a violation of Article 11 of the Bolzano Recommendations on Minorities in Interstate Relations, which says that:

It must be guaranteed by the the states that the granting of citizenship complies with the principles of friendly good-neighborly relations and territorial independence. They must refrain from the mass granting of citizenship, even if dual citizenship is permitted by the state of residence.²⁷

Cross-border Cooperation

One of the forms of establishing the interaction between local authorities of adjacent border regions is participation in cross-border associations, in particular Euroregions.

The creation of cross-border associations, namely the The Upper Pruth and The Lower Danube Euroregions in the border areas, was presupposed by the Treaty on Good-Neighborliness and Cooperation between Ukraine and Romania.²⁸ The provisions of the Protocol on Trilateral Cooperation between the Governments of Ukraine, the Republic of Moldova, and Romania (1997) served as a normative basis for the creation of these Euroregions apart from the norms of the treaty. The The Lower Danube was established in 1998, and The Upper Pruth was founded in 2000.

25 Parlamentul României. Legea cetățeniei române. [The Romanian Parliament. The law on Romanian citizenship]. Accessed August 4, 2021. Available at: <http://cetatenie.just.ro/wp-content/uploads/2021/07/Lg.-nr.21-1991-rep.2020.pdf>.

26 “Крупным планом: Жители Буковины получили 100 тысяч румынских паспортов” [Close-up: Residents of Bukovina received 100 thousand Romanian passports]. 24 канал, March 12, 2013. Available at: https://24tv.ua/ru/krupnim_planom_zhiteli_bukovini_poluchili_100_tisyach_ruminskih_pasportov_n316567.

27 OSCE High Commissioner on National Minorities. The Bolzano/Bozen Recommendations on National Minorities in Interstate Relations and Explanatory Note. October 2, 2008. Available at: <https://www.osce.org/hcnm/bolzano-bozen-recommendations>.

28 Договір про відносини добросусідства і співробітництва між Україною та Румунією [The Treaty on Friendly Relations and Cooperation between Ukraine and Romania]. July 17, 1997. Available at: https://zakon.rada.gov.ua/laws/show/642_003#Text.

The Romanian side's motivation for the initiation of the inclusion of an article on the creation of the two Euroregions in question in the text of the Ukrainian–Romanian basic political treaty was quite unconventional. Proceeding from the existence of a significant Romanian ethnic group in Ukraine, Romanian diplomats decided to use the institution of Euroregions as a tool to protect the rights of the Romanian diaspora. In Western Europe, joint programs initiated within Euroregions mainly envisage stimulating the growth and development of the economy and living standards of the communities living in the peripheral regions of the states that participate in this form of cooperation. It was decided to use the proven advantages of this form of cross-border cooperation, which make it possible to create collaborative programs that are less of an economic nature and instead are platforms for relations with the diaspora aimed at preserving its ethnic, cultural, historical, and linguistic identity.

The ethnic composition of The Upper Pruth Euroregion is multiethnic, as it is comprised of Romanians, Ukrainians, and Moldovians. Numerous Romanian and Moldovian communities live in Chernivtsi Oblast. In the border districts of Romania, the Ukrainians live densely in certain areas, and the Ukrainians are the second ethnic group after Moldovans in the northern regions of Moldova with their share reaching 30% in some districts. Therefore, in this Euroregion, the issues of ensuring the rights of ethnic communities concern all its participants.

The formation of the common cultural space in the Danube region can be highlighted among the major rationales for the establishment of The Lower Danube Euroregion. A number of working bodies, including the Commission for Cultural Activities and Interethnic Relations, have been created in the Euroregion framework. In the charter, the main tasks of The Upper Pruth Euroregion include the activation and harmonization of activities in the fields of science, culture, education, and sports and the development of national minorities and youth policy.

However, it can be confirmed that the activities of both Euroregions were not systemic and, on the contrary, were of a sporadic character. One of the reasons is the presence of a large number of Euroregional working groups with civil servants dependent on the political situation in their home states. Frequent elections occurring with cyclical regularity in the three countries and resulting in personal staff changes to regional governments do not favor durable constructive cooperation between the three state parties. The second reason for the Euroregions' low effectiveness is the imperfect legal framework designed to regulate cross-border cooperation.

International experts stick to the same opinion. Thus, according to the conclusion of the International Center for Democratic Transformations (June 2010, Moldova), The Upper Pruth and The Lower Danube are unable to meet the expectations of the communities living in these regions. The activation of these Euroregions will take place only when the existing legal framework for the development of cross-border cooperation is filled with specific actions.

We can list the problems in cross-border cooperation in light of our research findings in the following way:

- different perceptions of Euroregions' founders of these endeavours' main missions (Romania accepted Euroregions as an opportunity for additional influence on and support of its communities living in Ukraine; Ukraine and Moldova perceived Euroregions as a means of enhancing economic and infrastructural cooperation);
- the non-involvement of civil society organizations in the structures of Euroregions that could become vehicles for solving problems;
- the uneven distribution of funds from European cross-border projects between the state parties (Romania receives more money, Moldova obtains less, and Ukraine, albeit being represented by territorially and demographically large regions, receives the least amount of funds);
- an unsatisfactory efficiency the Euroregions' specialized inter-ethnic commissions;
- the non-involvement of these profile commissions of Euroregions in monitoring the observance of the ethnic communities' rights;
- a low interest of Ukraine in its kin-minority in Romania and Moldova; and
- the absence of Euroregions' official websites, which makes it difficult to obtain reliable information about their work.

Further directions for improving the cross-border cooperation between ethnic communities within Euroregions and EU operational programs are perceived in the following actions:

- to include representatives of national-cultural societies in the working bodies of Euroregions;
- to consider ensuring the rights of ethnic communities at the meetings of Euroregional governing bodies systematically, at least once every six months;
- to intensify the cooperation between national-cultural societies of borderland areas through the implementation of joint cross-border projects; and
- to study the possibility of creating Euroregional trilingual sites.

Interstate contacts

The issues of ensuring the rights of national minorities are being considered, both at the level of the top officials of Ukraine and Romania and at the level of intergovernmental negotiations.

In a telephone conversation between the President of Ukraine Volodymyr Zelensky and the President of Romania Klaus Iohannis in May 2021, the latter devoted considerable attention to the problems related to the rights of persons belonging to the Romanian minority in Ukraine, placing an emphasis on ensuring their right to learn English. In his view, one

of the instruments that can resolve this issue would be signing the Protocol on Bilateral Cooperation in Education between Romania and Ukraine and the resumption of the activities of the Joint Ukrainian–Romanian Intergovernmental Commission for the protection of national minorities' rights.

Indeed, a special role in interstate contacts aimed at ensuring national minorities' rights belongs to the said Mixed Ukrainian–Romanian Intergovernmental Commission. It was established in 1998, and has undergone significant changes in composition since then.

The main tasks of the commission include the following:

- the analysis of socio-economic, demographic, ethnic, and other developments of the Ukrainian minority in Romania and the Romanian minority in Ukraine;
- the coordination of implementation of Ukrainian–Romanian programs on the rights of national minorities and the analysis of the work of central and local executive authorities on these issues; and
- the organization of its own work; the provision of organizational, material, technical, financial, and other support for joint meetings held in Ukraine; the elaboration of draft decisions; and the adoption of measures for their implementation.²⁹

One of the most important initiatives of the commission was the decision to conduct the joint monitoring of minority rights in both countries with the involvement of international experts into field missions. The monitoring, which took place in the border regions of the two countries in 2006 and 2007, made it possible to objectively determine the situation of national minorities, but its results were interpreted differently by the two states.

In September 2006, the experts agreed that the monitoring process would take place in three stages and that the duration of each would be 14 days (seven days on the territory of one side). During each stage, it was planned to conduct a survey of five villages in both Ukraine and Romania. The monitoring group consisted of the representatives of central and local governmental bodies as well as non-governmental organizations of national minorities. Experts from the Council of Europe and the OSCE were also involved.

In 2006 and 2007, the joint monitoring group visited five villages in Chernivtsi and Transcarpathian Oblasts, as well as five villages in the Suceava and Maramuresh Districts of Romania. The experts had a meeting with media representatives, communities of the visited villages, leaders of ethnic cultural societies, students, and teachers of minority schools. Surveys were carried out in all the visited localities, and the questionnaires were filled out in Ukrainian and Romanian.

29 Кабінет міністрів України. Постанова Про затвердження Положення про Українську частину Змішаної міжурядової Українсько-Румунської комісії з питань забезпечення прав осіб, які належать до національних меншин [Cabinet of Ministers of Ukraine. *Resolution on Approval of the Regulations on the Ukrainian Part of the Joint Intergovernmental Ukrainian-Romanian Commission for Ensuring the Rights of Persons Belonging to National Minorities*]. Accessed August, 5, 2021. Available at: <https://zakon.rada.gov.ua/laws/show/547-98-%D0%BF#Text>.

The main purpose of the joint monitoring was to find out specific qualitative and quantitative indicators reflecting the real situation of the Romanian and Ukrainian national minorities. The joint monitoring group during the visit to Ukraine's Transcarpathian Oblast confirmed the existence of preschool and general educational institutions with learning in Romanian; libraries, television and radio programs, and newspapers in Romanian; and public national cultural societies and churches with religious services conducted in Romanian. There is the Department of Romanian and Classical Philology at the Chernivtsi Yuri Fedkovich National University.

The aspects of the studies were discussed at the fifth meeting of the commission, which took place November 21–22, 2006, in Bucharest. The members of the intergovernmental commission were unable to agree on a joint protocol based on the results of the first monitoring stage. The Ukrainian delegation highly appreciated the participation of international experts from the OSCE HCNM and the Council of Europe in the monitoring missions as well as their comments on the results of the first stage. The Romanian side had a different vision, but the substance of the disagreement was not made public.

The official letter of the OSCE High Commissioner on National Minorities to the Ministers of Foreign Affairs of Ukraine and Romania came with the following recommendations:

The Romanian minority, densely populating the south of Chernivtsi Oblast in Ukraine, was able to maintain a strong ethnocultural identity and considers the Romanian language their mother tongue. They can study in schools where all subjects are taught in Romanian and give their preference to it. Obviously, they can also practise culture and religion in their own language without any concealment. At the same time, more actions need to be done to improve the level of knowledge of the official language of the Romanian minority members in Ukraine. Fluency of the state language is the basis for the integration of people belonging to national minorities into the national society.

Both countries should consider bilingual education as a viable option to preserve their mother tongue, on the one hand, and on the other, to ensure fluency in the state language.

It should be noted that sometimes local authorities in both countries try to divert parents away from enrolling their children in classes where the language of a national minority is taught and contradictory statements about it are made. Considering the need of ensuring trustworthy relations between the minority and the majority of the country population, it is recommended that the authorities refrain from such statements.³⁰

30 Бабак, К. “Спільний моніторинг стану задоволення прав української національної меншини Румунії та румунської національної меншини України: шляхом порозуміння до добросусідства і партнерства” [Babak, K. “Joint monitoring of the state of satisfaction of the rights of the Ukrainian national minority in Romania and the Romanian national minority in Ukraine: through understanding for good neighborliness and partnership”]. *Вісник Держкомнацрелігії України*, no.1 (2008): 13–17.

The results of the monitoring, even 10 years after it had been carried out, became the subject of the commission's lasting discussions. In 2017, the summary record of the meeting stated:

Taking into account the disagreements between the sides in assessing the results of monitoring the state of ensuring the rights of people of Ukrainian national minority in Romania and people belonging to Romanian national minority in Ukraine, the commission recorded the following: The Ukrainian side agrees with the assessment of the OSCE High Commissioner on National Minorities dated November 16, 2006, "On the results of the monitoring mission which was conducted in Ukraine and Romania, respectively." The Romanian side noted that they could not agree with the assessment of the OSCE High Commissioner on National Minorities on November 16, 2006, "On the results of the monitoring mission, which was conducted in Ukraine and Romania, respectively," and clarified that monitoring was not the subject of the commission's activities.³¹

Conclusions

Summarizing the influence of Romania (the kin-state) on its kin-minority in Ukraine, the following conclusions are to be made:

- the support of the Romanian community in Ukraine is an important goal for Romania from the point of view of the community's size and the related "historical sentiments." Recently, Romania has shifted the emphasis of its policy; for Romanian authorities (in particular, the Ministry of Foreign Affairs), the territorial integrity of Ukraine is of higher priority than the promotion of "pan-Romanism";
- for Romania, among the policy priorities is the rapprochement of the Romanian and Moldovan communities, with the aim of further changing the self-identification of the Moldovans from Moldovan to Romanian. This direction is important for Romania in the context of its interaction with Moldova;
- the main direction of Romania's influence on the Romanian community in Ukraine is the support of education in the native language and information

31 "Розблоковано роботу Змішаної Україно-Румунської міжурядової комісії з питань забезпечення прав осіб, які належать до національних меншин" [The work of the Joint Ukrainian-Romanian Intergovernmental Commission on Ensuring the Rights of Persons Belonging to National Minorities has been unblocked]. *Міністерство культури України* [The Ministry of Culture of Ukraine], September 14, 2017. Available at: http://mincult.kmu.gov.ua/control/uk/publish/article?art_id=245277955&cat_id=244913751. Unofficial translation of the author.

policy, while the development of cultural institutions and activities are less relevant than before; and

- youth leaders enjoy more and more support within national-cultural societies because Romania sees the future in them. The former leaders of Romanian cultural societies who were involved in politics gain less and less support in Romania.

At the same time, Romania's support for the Romanian-speaking community is accompanied by a number of actions that are not welcomed by the Ukrainian government. Romanian authorities' impact on kin-minority falls within the definition given in the OSCE Bolzano Recommendations: "... when the states show a greater interest in a minority abroad than in their own one, ... the motives and the sincerity of their actions are called into question."³²

32 OSCE High Commissioner on National Minorities (HCNM). The Bolzano/ Bozen Recommendations on National Minorities in Interstate Relations and Explanatory Note. October 2, 2008. Available at: <https://www.osce.org/hcnm/bolzano-bozen-recommendations>.