

# The Euromaidan Revolution, Reforms and Decommunisation in Ukraine

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## Abstract

This article provides a comprehensive analysis of Ukraine's adoption of four decommunisation laws in April 2015, their implementation and the controversy they generated. The first section analyses changes in Ukrainian memory politics prior to 2014. In 2006, the Ukrainian Institute of National Remembrance (*Ukrainskyi Instytut Natsionalnoi Pamiat*—UINP) was established but given meagre resources by President Viktor Yushchenko; pro-Russian political forces were opposed to both the *Holodomor* recognised as a genocide and official recognition of the Ukrainian resistance movement. The second section provides an analysis of Ukraine's decommunisation process which was made possible by: the Euromaidan Revolution; collapse of pro-Russian political forces; election of a large pro-European parliamentary coalition; and the impact of Russian military aggression on Ukrainian attitudes to Russia and Ukrainian national identity. Together these four factors reduced opposition and energised those who supported decommunisation. In the third section we argue that six criticisms of Ukraine's decommunisation raised by Western and Ukrainian scholars were exaggerated and misplaced.

THE 2013–2014 EUROMAIDAN REVOLUTION AND RUSSIAN–Ukrainian crisis resulting from Russia's annexation of Crimea and what, by 2020, 72% of Ukrainians viewed as a Russian–Ukrainian war,<sup>1</sup> has important research implications for historians and political scientists studying contemporary Ukraine and Russian–Ukrainian relations. On-going bloodshed, nearly two million Internally Displaced Persons (IDPs) and refugees, the destruction of property, economy and infrastructure in Donbas, and domestic policies such as decommunisation have changed Ukrainians' attitudes to their Soviet past and towards Russia.

In the first section of our article we analyse moderate changes in memory politics and progress towards decommunisation prior to 2014. In the second section we provide an analysis of the four decommunisation laws adopted by the Ukrainian parliament in April 2015, their implementation and their impact upon Ukrainian identity. The third section discusses six criticisms of the laws raised by Ukrainian and Western scholars which, we

<sup>1</sup>‘Poshuky shliakhiv vidnovlennia suverenitetu Ukrainy nad okupovanim Donbasom: stan hromadskoi dumky naperedodni prezydentyskykh vyboriv’, available at: <https://dif.org.ua/article/poshuki-shliakhiv-vidnovlennya-suverenitetu-ukraini-nad-okupovanim-donbasom-stan-gromadskoi-dumki-naperedodni-prezid-entskikh-vyboriv>, accessed 4 August 2020.

argue, were exaggerated and misplaced. These include the moral equivalence of communist and Nazi crimes; claims that official recognition of the Organisation of Ukrainian Nationalists (*Orhanizatsiya Ukrainskykh Natsionalistiv*—OUN) and the Ukrainian Insurgent Army (*Ukrainska Povstanska Armiia*—UPA) would worsen Ukraine's regional divisions; the alleged introduction of criminal liability for criticising the new 'Ukrainian nationalist' narrative and in particular the OUN and UPA; removing Soviet monuments to the Great Patriotic War and treating Soviet veterans with disrespect; and low public support for decommunisation and limited input from civil society during the decommunisation process.

*Hesitant decommunisation prior to the 2014 crisis*

Presidential decrees in the 2000s to remove Soviet symbols from Ukrainian buildings were 'populist steps rather than a plan of action' (Haidai 2018, p. 81). The Ukrainian parliament and President Leonid Kuchma (1994–2004) issued a resolution and decree in 2000<sup>2</sup> and 2001<sup>3</sup> respectively on removing Soviet symbols (Grytsenko 2017). During Viktor Yushchenko's presidency there were four important changes (Grytsenko 2017). The first was his focus on the 1933 *Holodomor* (derived from *moryty holodom*—to kill by starvation) as a genocide with the adoption of a law in 2006,<sup>4</sup> state-sponsored informational and media campaigns, including on the *Holodomor's* 75th anniversary in 2007,<sup>5</sup> and the opening of the Museum of the *Holodomor-Genocide* (*Natsionalnyi muzei Holodomoru-henosydu*) in 2008 in Kyiv.<sup>6</sup> The second was broadening scholarly and public understanding beyond the Soviet armed forces (numbering seven million) of the military forces in which Ukrainians had fought against the Nazis during World War II to include those who had served in the Polish (106,000–112, 000), US (80,000), Canadian (35,000–50,000) armies and the UPA (100,000) (Olszanski 2017, p. 27).<sup>7</sup> The third was beginning the opening of Soviet security service documents.<sup>8</sup>

The fourth was the launch in 2006 of the Ukrainian Institute of National Remembrance (*Ukrainskyi Instytut Natsionalnoi Pamiat*—UINP) which was modelled on similar

<sup>2</sup>Pro vstanovlennia derzhavnoi symboliky na fasadakh i v prymishchenni Verkhovnoi Rady Ukrainy', Parliamentary Resolution, no. 8, 2000, available at: <https://zakon.rada.gov.ua/laws/show/1405-14?fbclid=IwAR1NgYQZ9vYnSX2xIspQuChsU4uqYs088rwX7iudFZWApEa36iyK-t50VJ8#Text>, accessed 28 October 2020.

<sup>3</sup>Pytannia shchodo vykorystannia derzhavnykh symboliv Ukrainy', Presidential decree no. 1143/2001, 26 November 2001, available at: <https://zakon.rada.gov.ua/laws/show/79/2001#Text>, accessed 28 October 2020.

<sup>4</sup>Pro Holodomor 1932–1933 rokiv v Ukraini', Parliamentary law, 28 November 2006, available at: <https://zakon.rada.gov.ua/laws/show/376-16#Text>, accessed 6 November 2020.

<sup>5</sup>Pro zakhody u zviazku z 75 rokovynamy Holodomoru 1932–1933 rokiv v Ukraini', Presidential decree no. 250/2007, 28 March 2007, available at: <https://zakon.rada.gov.ua/laws/show/250/2007#Text>, accessed October 2020.

<sup>6</sup>See, <https://holodomormuseum.org.ua/>, accessed 17 August 2020.

<sup>7</sup>Pro vsebichne vyvchennia ta obyektivne vysvitlennia diialnosti ukrainskoho vyzvolnoho rukhu ta spryannia protsesu natsionalnoho prymyrennia', Presidential decree no. 879/2006, 14 October 2006, available at: <https://zakon.rada.gov.ua/laws/show/879/2006#Text>, accessed 6 November 2020.

<sup>8</sup>Pro rozsekrechennia, opryliudnennia ta vyvchennia arkhivnykh dokumentiv, poviazanykh z ukrainskym vyzvolnym rukhom, politychnymy represiiamy ta holodomoramy v Ukraini', Presidential decree no. 37/2009, 23 January 2009, available at: <https://zakon.rada.gov.ua/laws/show/37/2009#Text>, accessed 28 October 2020.

institutions in post-communist Eastern Europe and the three Baltic states and headed by academic Ihor Yukhnovskiy. The UINP was given far fewer resources and faced greater domestic opposition than its counterparts in other post-communist states and therefore failed to become a ‘leading institution in the formation of an educative vision of history and memory politics’ (Haidai 2018, p. 91). In 2008–2010, Volodymyr Viatrovykh was director of the Sectoral State Archive of the Security Service of Ukraine (*Haluzevyi derzhavnyi Arkhiv Sluzhby Bezpeky Ukrainy*—HDA SBU).

The Party of Regions (*Partiia rehioniv*) and Communist Party of Ukraine (*Komunistychna partiia Ukrainy*—KPU) opposed these four steps, voting against the 2006 *Holodomor* law and mobilising their media resources and voters against official recognition of the OUN and UPA. The UINP was downgraded during Viktor Yanukovich’s (2010–2014) presidency to a government research department, the majority of its staff were dismissed and communist Valeriy Soldatenko was appointed as its head (see Grytsenko 2017, pp. 835–1018).

Yushchenko did not, though, seek to completely erase the Soviet narrative of memory politics, such as the Great Patriotic War, and both Soviet and national narratives continued to exist until 2014 (Kasianov 2018, pp. 108–10). Prior to 2014, official ‘memory politics remained thin, situational and ambivalent’ (Haidai 2018, p. 101) and resolutions and decrees were often never fully implemented.

#### *Revived UINP and 2015 decommunisation laws*

In November 2014, newly elected deputies in the ‘European Ukraine’ parliamentary coalition who held a constitutional majority (68%) of 288 out of 423 seats<sup>9</sup> created a new government headed by Prime Minister Arseniy Yatseniuk. The Coalition Agreement referred *inter alia* to the need to undertake decommunisation within reform of the ‘social-humanitarian’ sphere of education and memory politics. Among other initiatives, deputies set out in the Coalition Agreement the goal of articulating clear attitudes towards Ukraine’s historical past ‘to prevent a recurrence of repressions and totalitarian practices’ in independent Ukraine.<sup>10</sup> The reference to such practices encompassed not only the USSR, but also Russia and Ukraine under presidents Vladimir Putin and Viktor Yanukovich.

#### *Preparatory work on decommunisation, 2014–2015*

The UINP was re-established in March 2014, two months before Petro Poroshenko’s (2014–2019) election as president, with Viatrovykh as its head. It was tasked with formulating new strategies for memory politics. In June–July 2014, a Policy of National Remembrance working group was created within the Reanimation Package of Reforms (RPR) civil society

<sup>9</sup>‘European Ukraine’ included the Petro Poroshenko Bloc (*Blok Petra Poroshenka*), the Popular Front (*Narodnyi Front*), led by Prime Minister Yatseniuk, Self-Reliance (*Samopomich*), the Radical Party (*Radikalna Partiia*) and the Fatherland Party (*Batkivshchyna*). Elections could not be held in 27 seats in Russian-controlled Crimea and Donbas.

<sup>10</sup>‘Uhoda pro Koalitsiyu Deputatskykh Fraksii “Yevropeyska Ukraina”’, available at: <https://zakon.rada.gov.ua/laws/show/n0001001-15-Text>, accessed 15 May 2020.

coalition which later in the year outlined five demands. First, the government should provide open access to Soviet security services archives and the state establish a new national archive. Second, the government should articulate a clear vision of national memory politics by defining key problems and options for addressing them. Third, the government should reinforce the institutional independence of the UINP through legal regulations and definition of the UINP's procedures, functions and powers. Fourth, Soviet legislation on the rehabilitation of the victims of Soviet repression should be updated because it did not take into account many categories of victims. Fifth, the government should set out key principles of memory politics through legislation to define the government's position towards totalitarian regimes, and officially recognise those who had fought for Ukrainian independence.

The UINP, civil society and expert working groups (such as the RPR Policy of National Remembrance group) prepared drafts of the decommunisation laws. Their proposals were approved by the government and three draft laws were submitted to parliament as the government's proposals. These included access to Soviet secret service archives, honouring participants in the struggle for Ukrainian independence in the twentieth century and victory over Nazism in World War II. The draft of the fourth law condemning communist and Nazi totalitarian regimes and banning propaganda of their symbols, prepared by these experts, was submitted separately by a group of parliamentary deputies. Also, parliamentary deputy Yuriy Shukhevych (long-time political prisoner and the son of OUN leader and UPA commander Roman Shukhevych) submitted an alternative draft of the Law honouring participants in the struggle for Ukrainian independence in the twentieth century. His version,<sup>11</sup> in contrast with the UINP draft,<sup>12</sup> included what became the controversial declaration in Article 6 about sanctions for public denial of the legitimacy of the struggle for Ukrainian independence in the twentieth century.

Consideration of the draft laws took place in various parliamentary committees. Following deliberation of the draft laws in parliament, those relating to access to Soviet secret service archives, honouring victory over Nazism in World War II, and condemning communist and Nazi totalitarian regimes and banning the propaganda of their symbols were adopted.<sup>13</sup> Yuriy Shukhevych's draft honouring the participants of the struggle for Ukrainian independence was also adopted.

#### *Venice Commission recommendations*

In late 2015, the Venice Commission of the Council of Europe issued its own recommendations on law No. 317-VII 'On Condemning Communist and National Socialist (Nazi) Totalitarian Regimes and Prohibiting the Propaganda of their Symbols'. Considering the experience of other countries that had condemned totalitarian regimes in

<sup>11</sup>'Proekt Zakonu pro Pravovyi Status ta Vshanuvannia Pamiati Uchasnykiv Borotby za Nezalezhnist Ukrainy u XX stolitti', no. 2538-1, available at: [http://w1.c1.rada.gov.ua/pls/zweb2/webproc4\\_1?pf3511=54689](http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=54689), accessed 17 May 2020.

<sup>12</sup>'Proekt Zakonu pro Pravovyi Status ta Vshanuvannia Pamiati Uchasnykiv Borotby za Nezalezhnist Ukrainy u XX stolitti', no. 2538-1, available at: [http://w1.c1.rada.gov.ua/pls/zweb2/webproc4\\_1?pf3511=54648](http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=54648), accessed 17 May 2020.

<sup>13</sup>Ukrainian parliament website, 6 April 2015, available at: [http://w1.c1.rada.gov.ua/pls/zweb2/webproc4\\_1?pf3511=54670](http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=54670), accessed 8 October 2018.

their legislation, the Commission recognised ‘the right of Ukraine to ban or even criminalise the use of certain symbols of and propaganda for totalitarian regimes’, while also stating that such ‘laws must comply with the requirements set by the ECHR (European Court of Human Rights) and other regional or international human rights instruments, as well as with their national constitutions’.<sup>14</sup>

As a result of these deliberations, Venice Commission experts made the following recommendations: legislation should provide a more precise definition and list of banned communist and Nazi symbols and should define the term ‘propaganda’; sanctions for various violations of the law should be differentiated and made more proportionate; the provision that legally proscribed organisations and political parties popularising prohibited ideologies should be revised because it could violate democratic principles; and banning associations (especially political parties) should be applied as ‘a measure of last resort in exceptional cases, proportionate to the offence’.<sup>15</sup>

In 2016, Ukraine held further consultations with Venice Commission experts. As a result, Ukrainian deputies in consultation with the UINP and experts from the RPR coalition drafted changes to the decommunisation laws which addressed the Venice Commission recommendations as well as some of the criticisms voiced in an open letter on decommunisation submitted by 70 academics in April 2015 (see below). However, this revised draft was not adopted by parliament because it was judged no longer relevant following a July 2019 ruling in favour of the constitutionality of the Law No. 317-VIII by the Constitutional Court (see below).

In the section that follows, we provide an analysis of the ‘decommunisation package’ of four laws adopted in April 2015.

*Law No. 317-VIII ‘On Condemning Communist and National Socialist (Nazi) Totalitarian Regimes and Prohibiting the Propagation of their Symbols’<sup>16</sup>*

Law No. 317-VIII condemns the communist and Nazi regimes as totalitarian and criminalises present-day propaganda of communist and Nazi symbols; determines which

<sup>14</sup>Joint Interim Opinion on the Law of Ukraine on the Condemnation of the Communist and National Socialist (Nazi) Regimes and Prohibition of Propaganda of Their Symbols’, 18–19 December 2015, available at: [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2015\)041-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2015)041-e), accessed 17 May 2020.

<sup>15</sup>Joint Interim Opinion on the Law of Ukraine on the Condemnation of the Communist and National Socialist (Nazi) Regimes and Prohibition of Propaganda of Their Symbols’, 18–19 December 2015, available at: [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2015\)041-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2015)041-e), accessed 17 May 2020.

<sup>16</sup>The vote in favour by 254 MPs can be found on the Ukrainian parliament website, 9 April 2015, available at: [http://w1.c1.rada.gov.ua/pls/zweb2/webproc4\\_2?id=&pf3516=2558&skl=9](http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_2?id=&pf3516=2558&skl=9). The law is available at: ‘Pro zasudzhennia komunistychnoho ta national-sotsialistychnoho (natsystkoho) totalitarnykh rezhymiv v Ukrainy ta zaboronu propahandy yikhnoyiy symvoliky’, available at: <http://www.golos.com.ua/article/254980>, accessed 3 August 2020.

titles of streets, settlements and other toponyms as well as legal entities should be renamed; and outlines which types of monuments should be dismantled by setting out general criteria for developing such a list, rather than a specific list of objects.<sup>17</sup> In 2017, Law No. 317-VIII was challenged by 46 largely pro-Russian parliamentary deputies in the Constitutional Court.<sup>18</sup> In July 2019, between the presidential and pre-term parliamentary elections, the Constitutional Court ruled that the law was in conformity with Ukraine's constitution.<sup>19</sup>

Law No. 317-VIII specifies that only those toponyms that glorify the totalitarian regime, its state institutions, officials or other individuals which had been engaged in repression should be renamed. It set specific deadlines for renaming and dismantling, which were approximately one year from the law's promulgation, but the timelines differed for various objects; for instance, printed media were to be renamed sooner than place names. The deadlines pertained only to communist toponyms covered by Law No. 317-VIII and the renaming of other objects could be made through citizens' initiatives at any future point in time.

### *Renaming*

Decisions to rename places within settlements are made by local councils, whereas final decisions to rename settlements are made by parliament (although proposals have to be made by local communities). The procedure of renaming was standardised according to the terms of the existing law 'On Geographic Names' adopted in May 2005,<sup>20</sup> which envisaged obligatory public hearings and the involvement of communities in the deliberation of proposed decisions. This law stipulated that it was necessary to 'organise public hearings according to the established procedure and submit to the Ukrainian parliament proposals for the renaming of settlements, the names of districts (*raion*) and regions (*oblast'*) which include symbols of the communist totalitarian regime'.<sup>21</sup>

Within the decommunisation process, a local community proposes new names to replace the current settlement's name through public hearings and discussions at different levels. If a

<sup>17</sup>A 2017 parliamentary resolution added the St George ribbon, which is used by DNR, LNR and Russian forces in Donbas, to those symbols which are banned in Ukraine. See, 'Pro vnesennia zminy do Kodeksu Ukrainy pro administratynvni pravoporushennia shchodo zaborony vyhotovlennia ta propahandy heorhiivskoyi (hvardiiskoi) strichky', Parliamentary Resolution No. 2031-VIII, 16 May 2017, available at: <http://www.golos.com.ua/article/290111>, accessed 17 May 2020. See also, Riabenko and Kuzio (2020).

<sup>18</sup>'Konstytutsiine Podannia', available at: [http://www.ccu.gov.ua/sites/default/files/3\\_1919.pdf](http://www.ccu.gov.ua/sites/default/files/3_1919.pdf); 'Do Konstytutsiinoho Sudu Ukrainy nadiishlo konstytutsiine podannia 46 narodnykh deputativ Ukrainy', available at: <http://www.ccu.gov.ua/novyna/30-travnya-do-konstytuciynogo-sudu-ukrayiny-nadiyshlo-konstytuciye-podannya-46-narodnyh>, accessed 5 May 2020.

<sup>19</sup>'Zakon, yakyi zaboronyae propahandu komunistychnoho ta natsystkoho rezhymiv, vyznano konstytutsiinym', Constitutional Court ruling, 16 July 2019, available at: <http://www.ccu.gov.ua/novyna/zakon-yakyi-zaboronyaye-propagandu-komunistychnogo-ta-nacystskogo-rezhymiv-vyznano>, accessed 28 January 2020.

<sup>20</sup>'Pro Heohrafichni Nazvy' is available at: <https://zakon.rada.gov.ua/laws/show/2604-15>, accessed 17 May 2020.

<sup>21</sup>'Pro Prysvoynnia Yurydychnym Osobam ta Obiektam Prava Vlasnosti Imen (Psevdonimiv) Visychnykh Osib, Yuvileinykh ta Sviatkovykh Dat, Nazv i Dat Istorychnykh Podii', available at: <https://zakon.rada.gov.ua/laws/show/4865-17?fbclid=IwAR27Veb52q3zf32d9FuOp7vdvJrufOR6gHUuDsFfaEpoW-tbzGpwun6CTXg>, accessed 17 May 2020.

local community failed to submit any proposals or proposed names of settlements, recommendations were made by the UINP. The proposals on renaming settlements were considered by the parliamentary committee on State Building, Regional Policy and Local Self-Government.<sup>22</sup>

Ukrainian courts have dealt with cases of renaming without prior public consultations, violation of procedures, the renaming of streets that did not fall under the requirements of Law No. 317-VIII or renaming by the executive committees of local councils who did not possess legal jurisdiction. As a result of the renaming process, around 52,000 place names (amongst them, 32 cities) and 25 districts were renamed before the deadlines set by Law No. 317-VIII.<sup>23</sup>

The issue of renaming two *oblasti*, Kirovohrad and Dnipropetrovsk,<sup>24</sup> remained unresolved at the time of writing, although their *oblast'* centres were renamed Kropyvnytskyi (from Kirovohrad, named after a communist leader) and Dnipro (from Dnipropetrovsk named after Hryhorii Petrovskiy who is accused of being one of the organisers of the *Holodomor*). Kirovohrad was renamed in honour of Marko Kropyvnytskyi, who was born in the region and is one of the founders of Ukrainian professional theatre. A proposal to rename Dnipropetrovsk *Oblast'* to Sicheslav, referring to the Ukrainian Cossack history of the region, was confirmed by the Constitutional Court in 2019 but at the time of writing had yet to be adopted by parliament.<sup>25</sup>

Three trends were observable in the renaming process. The first was a return to historical names that existed before the Soviet Union or which refer to regional historical events. The second trend was that of references to the geographical characteristics of a region or landmark contemporary events. For instance, several streets and settlements were renamed after the Euromaidan Revolution, the 'Heavenly Hundred',<sup>26</sup> and Ukrainian soldiers killed in the Russian–Ukrainian war in the Donbas region of eastern Ukraine. The third and the largest trend was a willingness to choose neutral names (for example, 'steppe' or 'pear' streets) because of public fatigue with politics, a phenomenon which Ukrainian sociologists have long noted. In a very detailed analysis of decommunisation in Ukraine, Serhiy Hromenko (2019) writes:

Lenin streets were most often renamed to Central (*Tsentralna*), October (with variations) to Cossack (*Kozatskyi*), Komsomolsk to United (*Sobornaia*), and Soviet to Cherry (*Vyshneva*). As a result of

<sup>22</sup>'Dekomunizatsiia nazv naselenykh punktiv ta raioniv Ukrainy: pidstavy, protses, pidsumky', UINP, available at: <http://www.memory.gov.ua/page/dekomunizatsiya-nazv-naselenikh-punktiv-ta-raioniv-ukraini-pidstavi-protses-pidsumki>, accessed 29 September 2018.

<sup>23</sup>'Ponad 50 Tysyach Vulyts Zminyly Nazvy Vprodovzh 2016 Roku', available at: <https://old.uinp.gov.ua/news/ponad-50-tisyach-vulits-zminili-nazvi-vprodovzh-2016-roku>, accessed 17 May 2020.

<sup>24</sup>'Dnipropetrovsk ofitsiino pereimenuvaly, ale oblast' zalyshylasia', available at: <https://novynarnia.com/2016/05/19/dnipropetrovsk-ofitsiyno-pereymenuvali-v-dnipro-ale-oblast-zalishilasya/>, accessed 18 May 2020.

<sup>25</sup>Ruling by Ukraine's Constitutional Court in favour of changing the name from Dnipropetrovsk to Sicheslav, 2 April 2019, available at: [http://www.ccu.gov.ua/novyna/vysnovok-konstytuciynogo-sudu-ukrayiny-v-spravi-shchodo-pereymenuvannya-dnipropetrovskoyi?fbclid=IwAR2MAuaz7j77r8ULZpPQdXnU6-i5oPYYYEvJwRh\\_tKWtFjShDpEnOeeN5sQ](http://www.ccu.gov.ua/novyna/vysnovok-konstytuciynogo-sudu-ukrayiny-v-spravi-shchodo-pereymenuvannya-dnipropetrovskoyi?fbclid=IwAR2MAuaz7j77r8ULZpPQdXnU6-i5oPYYYEvJwRh_tKWtFjShDpEnOeeN5sQ), accessed 28 January 2020.

<sup>26</sup>'Heavenly Hundred' refers to the 100 protestors shot and killed by security forces in January–February 2014 during the Euromaidan Revolution.

decommunisation, the top ten street names are as follows: Sadova (907), Taras Shevchenko, Peace (*Mir*), School (*Shkilna*), Youth (*Molodizhna*), Yuri Gagarin, Wooded (*Lisova*), Aleksandr Pushkin, Lesia Ukrainka, and 1 May (574).

In Kharkiv, ‘numerous’ toponyms continue to have imperial Russian and Soviet names and of the 268 urban toponyms which were changed, half of them reverted to pre-Soviet local names of scientific, educational and cultural figures (Kravchenko 2019, p. 346).

In only a minority of cases did changes involve places adopting the names of OUN or UPA leaders and all of these changes were initiated by local communities, not by the government or UINP. In eastern and southern Ukraine, only in Dnipropetrovsk were toponyms changed to bear the names of Ukrainian nationalist leaders and political thinkers (Symon Petlura, Yevhen Konovalets, Mykola Mikhnovskiy, Dmytro Dontsov, Roman Shukhevych, Vasyl Kuk), through joint consultations between the local authorities (Mayor Borys Filatov gave strong support) and civil society, including representatives of the local Jewish community.<sup>27</sup>

In at least one case, in July 2017 in Mukachevo, Transcarpathia, streets named after nationalistic leaders were renamed in honour of Ukrainian Greek-Catholic Metropolitan Andriy Sheptytskyi and Cardinal Lubomyr Huzar (Olszanski 2017, p. 23). Hromenko (2019) writes that:

70 streets were renamed to Bandera,<sup>28</sup> with 34 appearing in the first two years of decommunisation, and about the same number for OUN leader and UPA commander Roman Shukhevych. In the first two years of decommunisation, four memorial plaques of Bandera were unveiled while the (total) number of Bandera monuments (including small wall reliefs) is nearly 40 (of which only 17 are statues).

#### *Dismantling of monuments (Leninopad)*

Ukraine inherited approximately 8,248 items of Soviet monumental art, including an estimated 4,000–5,015 Lenin monuments (Haidai 2018, p. 47). Hromenko (2019) increased the estimate of Lenin monuments to approximately 6,000. This difference in number is because Hromenko (2019) included those which were not previously included in official lists and registers and found in factories, kindergartens, schools, former Vladimir Lenin All-Union Pioneer Organisation (*Vsesoyuznaya pionerskaya organisatsiya imeni V. I. Lenina*) camps, and elsewhere. By this estimate, Lenin monuments in Ukraine numbered only slightly less than the 7,000 inherited by the Russian Federation, a geographically much larger country.

Some 2,000 Lenin monuments were dismantled in western Ukraine in the first half of the 1990s and 1,200 in central Ukraine between 1991 and 2013. According to Haidai (2018, p. 164), by the time of the Euromaidan Revolution, the majority of Ukrainians in central Ukraine ‘had become indifferent’ to Lenin. On 21–23 February 2014, immediately following the murder of protestors on the Euromaidan, the main Lenin monuments in the

<sup>27</sup>Interview by Taras Kuzio with Oleh Rostovtsev, a Jewish–Ukrainian activist and adviser to Dnipro city Mayor Filatov, Dnipro, 9 February 2020.

<sup>28</sup>Stepan Bandera was the leader of one wing of the OUN from 1940 until his assassination by the KGB in 1959.



northern (Zhytomir, Chernihiv), central (Khmelnyskyi), eastern (Dnipropetrovsk) and southern Ukrainian (Mykolaiv and Kherson) *oblast'* centres were pulled down; Kharkiv's huge Lenin monument was pulled down in September of that year. The remaining Lenin monuments in eastern and southern Ukraine were dismantled after the Euromaidan Revolution and adoption of the decommunisation laws. In June and September 2014, large Lenin monuments were dismantled in Dnipropetrovsk<sup>29</sup> and Kharkiv<sup>30</sup> respectively.

The dismantling of Soviet monuments involved some controversy over which of them fell under the requirements of Law No. 317-VIII, what should be considered as cultural property and thus should not be dismantled, and what should be done with dismantled monuments. Similar to the renaming process, the law only requires the dismantling of monuments that glorify the Soviet totalitarian regime, its leaders and state institutions and representatives of repressive bodies. Importantly, Law No. 317-VIII does not require the dismantling of monuments dedicated to the Great Patriotic War and to people who had an impact on Ukrainian science and culture. These monuments are provided with state protection (see later).

In 2015–2017, decommunisation took place in Ukrainian-controlled Donbas (see Maiorova 2017, pp. 84–9). In Ukrainian-controlled Donetsk *Oblast'*, 109 settlements and 2,950 places were renamed, and 75 monuments and memorial plaques dismantled (including 43 monuments of Lenin).<sup>31</sup> In Ukrainian-controlled Luhansk *Oblast'*, 1,456 settlements were renamed and 153 monuments dismantled, among them, 105 monuments of Lenin (Maiorova 2017, pp. 84–9).

#### *Law 315-VIII 'On Remembering the Victory over Nazism in the Second World War'*<sup>32</sup>

The aim of Law 315-VIII is to integrate Ukrainian history into the European history of World War II in 1939–1945 and move Ukraine away from the Soviet and Russian commemoration of the Great Patriotic War (*Velikaya Otechestvennaya voina*) in 1941–1945. By way of a compromise, one new holiday was created, and one existing holiday reformulated. On 8 of May, the day Europe commemorates the end of World War II, a new holiday 'Day of Remembrance and Reconciliation' (*Den pamiati ta pryvyrennia*) was created. In view of its continued popularity, the existing 9 May holiday was maintained; however, it was renamed the 'Day of Victory over Nazism in World War II' (*Den peremohy nad natsyzmom u Druhii svitovii viini*).

<sup>29</sup>'Lenin Monument Dismantled in Dnipropetrovsk', *Radio Free Europe/Radio Liberty*, 27 June 2014, available at: <https://www.rferl.org/a/ukraine-lenin-monument-dnipropetrovsk/25437953.html>, accessed 16 May 2020.

<sup>30</sup>'Ukraine Nationalists Tear Down Kharkiv's Lenin Statue', *BBC News*, 28 September 2014, available at: <https://www.bbc.co.uk/news/world-europe-29405089>, accessed 16 May 2020.

<sup>31</sup>Continuously updated on the Donetsk State Administration website, available at: <http://dn.gov.ua/v-donetskij-oblasti-aktyvno-provodytsya-dekomunizatsiya-mist-ta-rajoniv/>, accessed 29 September 2018.

<sup>32</sup>The vote in favour by 261 MPs, can be found on the Ukrainian parliamentary website, 9 April 2015, available at: [http://w1.c1.rada.gov.ua/pls/zweb2/webproc4\\_2?id=&pf3516=2539&skl=9](http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_2?id=&pf3516=2539&skl=9). The law is available at: 'Pro uvivchennia peremohy nad natsyzmom u druhii svitovii viini 1939–1945 rokiv', available at: <http://www.golos.com.ua/article/254978>, accessed 3 August 2020.

Commemorating World War II rather than celebrating the victory of the Great Patriotic War continues to respect Soviet Ukrainian losses, which were in the region of eight–ten million, the third largest of any country. It also offers scope to include the Holocaust within a Ukrainian history of World War II and remember in the process the 1.5 million Jews killed in the country during the conflict (see below). Vitaliy Nakhmanovych, Executive Secretary of the Civic Council for the Commemoration of Babi Yar Victims, believes that continuing to celebrate the Soviet and Russian Great Patriotic War would infringe Ukraine’s independence by accepting the Soviet myth that ‘we were jointly victors and we will jointly continue to live together’ (Bentia 2020). By 2019, only 16% of Ukrainians but 52% of Russians had a positive view of Stalin while nearly three-quarters of Ukrainians (72%) considered Stalin to be ‘a cruel, inhuman tyrant, guilty of the destruction of millions of innocent people’.<sup>33</sup>

In focusing on World War II rather than the Soviet Great Patriotic War of 1941–1945, Ukraine also remembers the fight for the independence of Carpatho–Ukraine which was occupied by Hungary following the dismemberment of Czechoslovakia in March 1939, the Soviet invasion of western Ukraine (then part of Poland) in September 1939 and the two years of Soviet rule in western Ukraine before the Nazi invasion of the USSR in 1941. Also acknowledged are the over 100,000 Ukrainians who fought during World War II in the Polish armed forces.

*Law No. 314-VIII ‘On the Legal Status and Honouring of the Memory of the Fighters for the Independence of Ukraine in the 20th Century’<sup>34</sup>*

Law No. 314-VIII recognises the struggle for the independence of Ukraine in the twentieth century as ‘legitimate’. The need for such a phrase enshrined in legislation was brought about by a long history of Ukraine’s fight for independence and the Ukrainian diaspora being condemned in Soviet historiography and by Soviet propaganda as well as continued ridicule and criticism by the Russian Federation (Medvedev 2009; Kuzio 2016).

Law No. 314-VIII includes a long list of armed and partisan forces as well as non-violent protest organisations and dissident movements, beginning with the Ukrainian Peoples Republic (*Ukrainska Narodnia Respublika*—UNR) in 1917–1921 and ending with the Popular Movement of Ukraine for Restructuring (*Narodnyi rukh Ukrainy za perebudovu*, commonly known as *Rukh*), established in 1988. Law No. 314-VIII also stipulates that the list of organisations could be expanded to add ‘other organisations, structures or formations that existed in the twentieth century (before 24 August 1991) whose activities were directed at gaining (restoring) or defending the independence of Ukraine’.

<sup>33</sup>‘Stavlennia Naseleunia Ukrainy do Postati Stalina’, Kyiv International Institute of Sociology, 11 July 2019, available at: <https://www.kiis.com.ua/?lang=ukr&cat=reports&id=872&page=6>, accessed 19 August 2020.

<sup>34</sup>The vote in favour by 271 MPs can be found on the Ukrainian parliamentary website, 9 April 2015, available at: [http://w1.c1.rada.gov.ua/pls/zweb2/webproc4\\_2?id=&pf3516=2538-1&skl=9](http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_2?id=&pf3516=2538-1&skl=9). The law is available at: ‘Pro pravovii status ta vshanuvannia pamiati bortsiv za nezalezhnist Ukrainy u XX stolitti’, <http://www.golos.com.ua/article/254977>, accessed 3 August 2020.

In March 2018, parliament voted for the law ‘On Amendments to Some Legislative Acts of Ukraine on Improvement of the Procedure of the Rehabilitation of the Victims of the Communist Totalitarian Regime from 1917–1991’.<sup>35</sup> The 1991 Soviet law ‘On Rehabilitation of the Victims of Political Repressions in Ukraine’<sup>36</sup> did not take into account many categories of victims (such as Crimean Tatars ethnically cleansed from Crimea by the Soviet regime in 1944<sup>37</sup>) and had an outdated procedure of rehabilitation. The 2018 law should be also considered as part of the ‘decommunisation package’.

*Law No. 316-VIII ‘On Access to the Archives of Repressive Bodies of the Communist Totalitarian Regime in 1917–1991’*<sup>38</sup>

Law No. 316-VIII provides the right to access the archives of the Soviet security services, including documents previously defined as ‘confidential’. The Law stipulates that the Soviet classifications ‘Secret’ (*sekretno*) and ‘Totally Secret’ (*sovershenno sekretno*) are not identical to modern-day Ukrainian classifications and cannot therefore provide grounds for limiting access to the archives. Law No. 316-VIII addressed several other difficulties previously faced while working with archival documents, such as limited possibility to photocopy documents and high prices for photocopying services.

Law No. 316-VIII is similar to legislation adopted earlier on archives by post-communist Estonia, Latvia, Lithuania, the Czech Republic, Poland, Hungary, Romania and Bulgaria (Riabenko & Kohut 2017). Ukraine improved its ranking from 55th in 2015 to 17th in 2018 in ‘publishing and using open data for accountability, innovation and social impact’. In terms of open archives, Ukraine was ranked first place in the former USSR, outside of the three Baltic states.<sup>39</sup> The Institute for Development of Freedom of Information ranked Lithuania (86.81%), Latvia (83.23%), Bulgaria (81.25%) and Ukraine (80.8%) as the top four post-communist countries for their opening of communist-era archives—ahead of Poland, the Czech Republic and Hungary.<sup>40</sup>

The Ukrainian experience in opening its archives is being used as a model by members of the EU’s Eastern Partnership (EaP). In 2017, the Centre for Research on the Liberation Movement, with the support of the Czech Embassy in Ukraine, began cooperation with

<sup>35</sup>‘Pro vnesennia zmin do deiakykh zakonodavchykh aktiv Ukrainy shchodo udoskonalennia protsedury rehabilitatsii zhertv represii komunistychnoho totalitarnoho rezhymu 1917–1991 rokiv’, available at: <https://zakon.rada.gov.ua/laws/show/2325-19#n19>, accessed 17 May 2020.

<sup>36</sup>‘Pro rehabilitatsiiu zhertv politychnykh represii na Ukraini’, available at: [https://ips.ligazakon.net/document/view/t096200?an=1&ed=2017\\_12\\_19](https://ips.ligazakon.net/document/view/t096200?an=1&ed=2017_12_19), accessed 27 May 2020.

<sup>37</sup>‘Pro poriadok vvedennia v diiu Zakonu Ukrainskoi RSR “Pro reabilitatsiiu zhertv politychnykh represii na Ukraini”’, available at: [https://zakon.rada.gov.ua/laws/show/963-12/ed19910417?fbclid=IwAR21fDFc2eOnO2o8nKm07rJ4ttG8x\\_6h9qULbg3rM\\_Fn3vX4Q5F8p-5-SI](https://zakon.rada.gov.ua/laws/show/963-12/ed19910417?fbclid=IwAR21fDFc2eOnO2o8nKm07rJ4ttG8x_6h9qULbg3rM_Fn3vX4Q5F8p-5-SI), accessed 17 May 2020.

<sup>38</sup>The vote in favour by 261 MPs can be found on the Ukrainian parliament website, 9 April 2015, available at: [http://w1.c1.rada.gov.ua/pls/zweb2/webproc4\\_2?id=&pf3516=2540&skl=9](http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_2?id=&pf3516=2540&skl=9), accessed 29 September 2018.

<sup>39</sup>‘How Ukraine became an Open Data Pioneer’, Open Data Institute, 17 December 2018, available at: <https://theodi.org/article/how-ukraine-became-an-open-data-pioneer/>, accessed 8 February 2019.

<sup>40</sup>‘The Openness of State Archives in the Former Soviet Republics and Eastern Bloc Countries—The Outcomes of the Evaluation’, Institute for Development of Freedom of Information, 21 June 2020, available at: [https://idfi.ge/en/openness\\_of\\_state\\_archives\\_in\\_the\\_former\\_soviet\\_republics\\_and\\_eastern\\_bloc\\_countries\\_research](https://idfi.ge/en/openness_of_state_archives_in_the_former_soviet_republics_and_eastern_bloc_countries_research), accessed 2 August 2020.

Belarus, Armenia, Azerbaijan, Moldova and Georgia, which continue to place different levels of restrictions on access to their archives. With Ukraine the leader in opening Soviet archives among EaP countries, Ukrainian experts have published a comparative monitor of progress in this area which is entitled ‘Open Access to KGB Archives: Ukrainian Experience for EaP’ (Kohut *et al.* 2017).

Adoption of Law No. 316-VIII on Soviet archives has permitted Ukrainian and foreign scholars and Ukrainian citizens to obtain access to Soviet security services documents. Researchers are accountable for the publication of the information, rather than those providing access to archival documents. Law No. 316-VIII stipulates that access can be limited only to certain types of information but not to documents and standardises the process of digitisation of the archives. Victims of repression and convicted individuals have the right to limit access to information about themselves, but perpetrators of Soviet crimes do not.<sup>41</sup>

Law No. 316-VIII provides for the creation (still on-going) of a special institution, the Sectoral State Archive of the UINP, which will house all the documents of Soviet security services and institutions in one location. The HDA SBU Archive has the largest number of such documents, followed by the Foreign Intelligence Service, Ministry of Internal Affairs, Central State Archives of Public Organisations of Ukraine and the state archives of different Ukrainian *oblasti*. A building that can store up to three million volumes and provide appropriate working space has already been found in Kyiv, but it requires restoration and installation of special facilities to maintain archival documents.<sup>42</sup> A revision is underway of all state archival institutions to obtain a full picture of the number and subjects of all the documents to be transferred to the newly created national archive.<sup>43</sup>

Since 2015, the number of visits and requests to the archives have increased more than twofold, showing there is a public demand to view the archives of the former Soviet security services.<sup>44</sup> One reason for this is the simplified procedures for visiting the archives. Lynna Viola (2018) praised the opening of Ukrainian archives as providing a unique opportunity in the former USSR to research Soviet repression. Each year, approximately 100 foreign scholars and researchers work in the archives on Ukrainian and Soviet history (see Table 1).<sup>45</sup>

There has also been a notable increase each year in Ukrainians seeking documentation about Soviet crimes committed against family members who were arrested, persecuted or murdered. More than 50% of requests have been from relatives of those who were repressed or went missing in the Soviet Union. Another 30% of requests were from

<sup>41</sup>‘Pro dostup do arkhiviv represyivnykh orhaniv komunistychnoho totalitarnoho rezhymu 1917–1991’, <https://zakon.rada.gov.ua/laws/show/316-19>, accessed 17 May 2020.

<sup>42</sup>‘U Kyevi postane Arkhiv Taiemnyh Radianskyh Spetssluzhb’, available at: <https://uinp.gov.ua/pres-centr/novyny/u-kyievi-postane-arhiv-tayemnyh-radyanskyh-specsluzhb>, accessed 17 May 2020.

<sup>43</sup>Interview with Andriy Kohut, Director of the Sectoral State Archive of the Security Service of Ukraine, Kyiv, 10 July 2018.

<sup>44</sup>Interview with Andriy Kohut, Director of the Sectoral State Archive of the Security Service of Ukraine, Kyiv, 5 June 2017.

<sup>45</sup>Interview with Andriy Kohut, Director of the Sectoral State Archive of the Security Service of Ukraine, Kyiv, 5 June 2017. For an example of a Western scholar who could not have written her book without access to these archives, see Viola (2017).

TABLE 1  
VISITS AND REQUESTS TO THE SECTORAL STATE ARCHIVE OF THE SECURITY SERVICE  
OF UKRAINE

Year	Visits to the reading room			Number of requests to the Archive of the SSU
	Number of readers	Number of foreigners among the readers	Total number of visits	
2014	149	35	1,022	1,329
2015	218	42	1,194	2,160
2016	378	80	1,799	3,161
2017	429	94	1,937	3,530
2018	395	80	2,386	3,147
2019	415	118	2,293	3,347

*Notes:* Archival requests are written requests sent by mail or email to the Archive of the SBU. If the requested documents are already digitised, the Archive sends their digital copies to the requesters free of charge, so the person does not need to visit the reading room physically. If the Archive does not have the requested documents, it responds to the requesters with a recommendation where the person should go to search for documents.

scholars undertaking historical research. Other requests were from journalists, state institutions and civil society NGOs. In May 2020, on the annual Day of Memory of Victims of Political Repression, the UINP launched a Consultations Centre to assist Ukrainians and foreigners searching for information about their family members, friends and colleagues who were repressed by the Soviet regime.<sup>46</sup>

#### *Controversies over Ukraine's decommunisation*

Less than two weeks after the adoption of the decommunisation laws, 70 Western academics signed a highly critical open letter on decommunisation penned by David Marples and James Sherr (published as Marples 2015).<sup>47</sup> They expressed two main concerns. The first was that the laws made criticism of the OUN and UPA and denial of the criminal nature of the Soviet regime both criminal offences. The second was that they viewed the wholesale condemnation of Ukraine's Soviet past as leading to 'unjust and incongruous consequences' (Marples 2015).

UINP head Viatrovych (2015) responded to the open letter by arguing that analogous 'decommunisation' legislation had been adopted by other post-communist states without provoking such a negative response. He also emphasised the importance of history and context—namely, that the absence of such laws had assisted the coming to power of the 'revanchist neo-Soviet regime of Yanukovich' and that Russia was at war with Ukraine. Viatrovych (2015) further stated that two of the claims made in the letter (discussed further below) were wrong: firstly, 'criminal punishment' did not apply to criticism of the OUN and UPA, but only to those who propagandise communist and Nazi symbols; secondly there was no basis for the claim that Great Patriotic War veterans would no

<sup>46</sup>Haluzevyi derzhavnyi arkhiv UINP vidkryv Konsultatsiinyi tsentr z poshuku informatsiyi pro represovanykh', available at: <https://uinp.gov.ua/pres-centr/novyiny/galuzevyy-derzhavnyy-arhiv-uinp-vidkryv-konsultacyinyi-centr-z-poshuku-informacyiyi-pro-represovanyh>, accessed 17 May 2020.

<sup>47</sup>The four laws were adopted on 9 April 2015. Signatures were partly collected on Facebook and the open letter was published on 22 April (Marples 2015).

longer be legally recognised as veterans. Viatrovych (2015) also expressed surprise that the open letter ignored the importance of Law No. 316-VIII on Soviet archives.

In a similar vein, academic Volodymyr Kulyk (2015) argued that while the decommunisation laws contained some flaws, they were necessary. Criticising what he saw as a ‘categorical evaluation’ by a ‘prejudiced school’ in the West, Kulyk (2015) decried the open letter’s lack of ‘sensitivity’ to Ukraine’s national sentiment, ‘whose post-imperial emancipation is complicated by a new imperial threat’ from Russia which is ‘infringing on the very existence of Ukraine as an independent democratic state’. A similar criticism was made by Nakhmanovych who claimed that:

Ukraine’s problem is that they are literally trying to throw at us from all sides a ‘correct’ version of historical memory. Russians, Poles, Israelis, Americans, Germans—whoever. Everybody knows how Ukraine should remember its history. Why? Because the prospects of our relations with certain countries will largely depend on what our memory politics of history will be. (Bentia 2020)

Andriy Portnov (2015, 2016), proposed a liberal middle ground between two ideological choices of Ukrainophobia, which was characteristic of the Yanukovich regime, and ethnic Ukrainian nationalism, which he characterises as the approach adopted under Poroshenko which sought to distance Ukraine from Putin’s Russia. Portnov (2015) believes that not all Ukrainians who support the official recognition of the OUN and UPA are ethnic nationalists and that not all those who seek to maintain Soviet monuments are Marxist–Leninists (see also Yekelchuk 2016).

Kulyk (2015) criticised the open letter as not taking the middle ground but instead presenting the ‘entire history of the Ukrainian nationalist movement as a story of antisemitism, ethnic cleansing, and collaboration with the Nazis’. While there is little debate that some members of the OUN collaborated with the Nazis in 1939–1941, this was not the case for the remainder of World War II. In 1941–1943, the Nazis imprisoned or killed 80% of the OUN’s leadership (Snyder 2003, p. 207). Bandera was imprisoned in the Nazi Sachsenhausen concentration camp in 1941–1944 and his brothers Oleksandr and Vasyl were murdered in Auschwitz.

The open letter provided a one-sided impression of Ukrainian nationalistic atrocities when what was taking place at that time was a ‘general civil war’ (Snyder 2003, p. 228) during which Paul R. Magocsi (2010, p. 682) estimated 50,000 Poles and 20,000 Ukrainians were killed. In Volyn, the UPA and the Ukrainian population faced German police and Soviet partisans who were ‘significantly composed of Polish recruits, and both committed unforgettable atrocities’ (Snyder 2003, p. 225). The number of casualties was higher among those who were in a relative minority in a given area: many Poles were killed by Ukrainians in Volyn, while many Ukrainians were killed by Poles in areas such as Kholm and *Zakerzonia* (current south-eastern Poland) (Snyder 1999, p. 104).

In addition to debate with Western scholars, the adoption of the decommunisation laws brought about a discussion between Ukrainian intellectuals. Long-time critic of Ukrainian memory politics Heorhiy Kasianov (2018, p. 142) believes the UINP under Yanukovich had its best possibility of transforming into a respected academic centre and is very critical of the UINP under Yushchenko and Poroshenko. Defining Yanukovich’s memory politics as more inclusive and Poroshenko’s as exclusive, Kasianov (2018, pp. 118–19)

described the former as promoting ‘patriotism’ and the latter ‘nationalism’. This view was challenged by, among others, the leading scholar of Ukrainian memory politics Oleksandr Grytsenko (2016a, 2016b). He believed that although every scholar has a right to their opinion, ‘one should not disguise one’s ideological bias as academic objectivity’ by defining memory politics one dislikes as ‘nationalist’ (Grytsenko 2016b).

Much of this Ukrainian debate over memory politics rested on defining terminology and not appreciating that all nation-states are composed of civic and ethnic factors; as Taras Kuzio (2002) has written, full civic states are a myth. Zbigniew Wojnowski (2017) points out that the USSR was itself a ‘nationalist state’ because its memory politics promoted ‘eastern Slavic’ nationalism and national unity against domestic and foreign ‘Others’, including Jews. Stephen Shulman (2005) outlined that the choice for Ukraine was between building a country with an identity based on an eastern Slavic (Ukrainian–Russian) or an ethnic Ukrainian identity.

Kasianov (2018, pp. 118, 142) writes that Yanukovich promoted ‘a Soviet-patriotic narrative’ which was heavily grounded in ‘Soviet nostalgia, especially connected to the Great Patriotic War’. But a Soviet narrative—whether in Ukraine or Belarus—is not inclusive. A good example is Belarus where President Alyaksandr Lukashenka has promoted an eastern Slavic (Belarusian–Russian) identity while repressing and discriminating against—as in the USSR—ethnic Belarusian identity (Leshchenko 2008).

If Ukraine had pursued ‘nationalist’ memory politics during Poroshenko’s presidency and decommunisation (Himka 2015) it would be difficult to understand why most scholars believe Ukraine has become more civic since 2014 (Kulyk 2014, 2016; Kaihko 2018; Onuch & Hale 2018; Pop-Eleches & Robertson 2018; Aliyev 2019, 2021; Bureiko & Moga 2019). Ukraine’s greater civic identity is reflected in two important ways. First, a majority of Ukraine’s Russophones have shown their loyalty to Ukraine over the Russian World and see themselves as members of Ukraine’s emerging civic nation (Bureiko & Moga 2019, p. 138). Kulyk (2014, pp. 120–21) argues that ‘modern Ukrainian anti-imperial nationalism’ has a ‘deeply inclusive’ nature and is supported by Russophones and Jews in Ukraine. Second, Russian speakers are undertaking the bulk of the fighting for Ukraine in Donbas (Aliyev 2019, 2021). Eastern Ukrainian *oblasti*, especially Dnipropetrovsk, have the highest rate of casualties of Ukrainian security forces.<sup>48</sup>

We next discuss six areas of alleged controversy which have been raised in scholarly discussions about Ukraine’s decommunisation and argue that they are exaggerated and misplaced, with ‘some of the critical reporting [about Ukraine’s decommunisation] based on unchecked facts’.<sup>49</sup>

### *Equating communist and Nazi ideologies and crimes*

Whether there is moral equivalence between communist and Nazi crimes has been debated by scholars for decades. The *Black Book of Communism* (Werth *et al.* 1999) opened up a

<sup>48</sup>Map of casualties of Ukrainian security forces by *oblast*’, available at: <http://memorybook.org.ua/indexfile/statbirth.htm>, accessed 3 August 2020.

<sup>49</sup>‘BBC: What Media get Wrong about Ukraine Anti-red Laws’, *StopFake.org*, 27 August 2015, available at: <https://www.stopfake.org/en/bbc-what-media-get-wrong-about-ukraine-anti-red-laws/>, accessed 3 August 2020.

bitter debate by claiming communist regimes had killed more people than the Nazis. The open letter showed an unwillingness to place communist and Nazi crimes on the same moral level, criticising liability for propagating the Soviet regime while failing to mention that the law in question applied to propagation of Soviet, communist and Nazi totalitarianism and symbols.

Kulyk (2015) believes post-Euromaidan Ukraine was correct to distance itself from the ‘inhuman and anti-democratic nature’ of the Soviet regime which had committed numerous crimes against Ukrainians. Alexander J. Motyl (2010) illustrates the reluctance found in the open letter to not believe communist and Nazi ideologies should be equally condemned by referring to the existence of a ‘KGB Bar’, a fashionable venue in New York City; it is impossible to imagine a venue called the ‘Gestapo Bar’.

Statements about communist and Nazi ideologies and crimes being equally reprehensible have been made by all European institutions. First, came the Parliamentary Assembly of the Council of Europe (PACE) resolution that ‘strongly condemns crimes of totalitarian communist regimes’ in January 2006.<sup>50</sup> April 2007 saw the ‘European Public Hearing on Crimes Committed by Totalitarian Regimes’,<sup>51</sup> followed by the Prague Declaration on European Conscience and Communism in June 2008.<sup>52</sup> The European Day of Remembrance for Victims of Stalinism and Nazism (‘Black Ribbon Day’) was commemorated by EU institutions in September 2008.<sup>53</sup> In April 2009, a European Parliamentary resolution on ‘European Conscience and Totalitarianism’ condemned totalitarian crimes and called for the recognition of ‘Communism, Nazism and fascism as a shared legacy’.<sup>54</sup> The Vilnius Declaration of the OSCE condemned Soviet and Nazi totalitarianism in June–July 2009.<sup>55</sup> Most recently, in September 2019, the European Parliamentary resolution ‘On the Importance of European Remembrance for the Future of Europe’ equated Stalinism with Nazism and condemned the 1939 Molotov–Ribbentrop Pact.<sup>56</sup>

<sup>50</sup>‘Need for International Condemnation of Crimes of Totalitarian Communist Regimes’, Resolution 1481 (2006), available at: <https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=17403&lang=en>, accessed 15 May 2020.

<sup>51</sup>Reports and proceedings of the 8 April European public hearing on ‘Crimes Committed by Totalitarian Regimes’, available at: [https://web.archive.org/web/20111004145243/http://www.mp.gov.si/fileadmin/mp.gov.si/pageuploads/2005/PDF/publikacije/Crimes\\_committed\\_by\\_Totalitarian\\_Regimes.pdf](https://web.archive.org/web/20111004145243/http://www.mp.gov.si/fileadmin/mp.gov.si/pageuploads/2005/PDF/publikacije/Crimes_committed_by_Totalitarian_Regimes.pdf), accessed 15 May 2020.

<sup>52</sup>Prague Declaration on European Conscience and Communism, available at: <https://www.praguedeclaration.eu/>, accessed 15 May 2020.

<sup>53</sup>‘European Day of Remembrance for Victims of Stalinism and Nazism’, available at: <https://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+TA+P6-TA-2009-0213+0+DOC+PDF+V0//EN>, accessed 15 May 2020.

<sup>54</sup>‘European Conscience and Totalitarianism’, European Parliamentary Resolution, 2 April 2009, available at: <https://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+TA+P6-TA-2009-0213+0+DOC+PDF+V0//EN>, accessed 15 May 2020.

<sup>55</sup>Vilnius Declaration, ‘Resolution on Divided Europe Reunited: Promoting Human Rights and Civil Liberties in the OSCE Region in the 21st Century’, available at: <https://www.oscepa.org/documents/annual-sessions/2009-vilnius/declaration-6/261-2009-vilnius-declaration-eng/file>, accessed 15 May 2020.

<sup>56</sup>‘Importance of European Remembrance for the Future of Europe’, European Parliamentary Resolution 2019/2819(RSP), 19 September 2019, available at: [https://www.europarl.europa.eu/doceo/document/TA-9-2019-0021\\_EN.pdf](https://www.europarl.europa.eu/doceo/document/TA-9-2019-0021_EN.pdf), accessed 15 May 2020.



*Which Soviet monuments were to be removed?*

The open letter ignored a long list of 12 detailed exemptions from criminal liability for using Soviet, communist and Nazi symbols in Article 4 of Law No. 317-VIII condemning communist and Nazi regimes. There was no criminal liability regarding the display of Soviet and communist symbols in Soviet documents, some of which may still be in use, Soviet art, state decorations, and medals and merit badges from the Soviet era. Importantly, the open letter ignored exemptions for criminal liability in the pursuit of current research and publications, in textbooks and research for use in training, education and academia. Exemptions were also provided for historical reconstruction (for example, in films) and museum displays, for private collections and when objects with Soviet and communist symbols were traded as antiques (Olszanski 2017, p. 18).

Law No. 317-VIII does not apply to monuments and symbols dedicated to the Great Patriotic War—even if they include prohibited communist symbols. In some cases, local authorities have changed the title and date on war memorials to ‘World War II’ instead of ‘Great Patriotic War’ and ‘1939–1945’ instead of ‘1941–1945’. Monuments with communist symbols installed on graves in public spaces or in a cemetery are not to be removed. General Nikolai Vatutin’s monument and grave in Mariinskyi Park next to the Ukrainian parliament has not been removed (see Figure 1).

Other Soviet monuments, which are not subject to the Law, also remain in place. Seventeenth-century Cossack Hetman Bohdan Khmelnytskyi, who remains controversial for having signed the 1654 Treaty of Pereyaslav with Muscovy and holding a mace pointing towards Moscow, remains standing in St Sophia square in central Kyiv. In Chernihiv, the monument to Khmelnytskyi was simply turned around so his mace pointed west (Olszanski 2017, p. 20). In central Kyiv, the Peoples Friendship Arch, unveiled in 1982 on the 1500th anniversary of the founding of Kyiv and 60th anniversary of the USSR, also remains in place.

The large Motherland Monument unveiled in 1981, which is now part of the National Museum of the History of Ukraine in World War II, continues to stand in central Kyiv on the banks of the Dnipro River. Ideas have been mooted by civil society activists to rework the Motherland Monument by replacing the hammer and sickle with the trident (*tryzub*), a symbol from Kyiv Rus extensively used in Ukrainian national symbols, on her shield. The protector of Kyiv and Ukraine against the Nazis would be thereby refashioned as the protector of Ukraine and Kyiv against Russia in the on-going war (Rudenko & Sarakhman 2020).

Decommunisation is understood as a rethinking of Ukraine’s past and therefore Ukraine’s Soviet history has not been completely removed from the contemporary historical narrative. Kyiv’s Formation of the Ukrainian National Museum (*Muzei ‘Stanovlennia Ukrainskoi Natsii’*), which was opened in 2019 and developed with the assistance of the UINP, includes exhibits from Ukraine’s Soviet history, which is integrated within a 1,000-year Ukrainian history that begins with Kyiv Rus and culminates with the Russian–Ukrainian war.<sup>57</sup> Ukrainian museums continue to include

<sup>57</sup>*Muzei ‘Stanovlennia Ukrainskoi Natsii’*, available at: <https://www.museumsun.org/>, accessed 28 January 2020.



FIGURE 1. MUSEUM EXHIBITIONS AND MONUMENTS TO WORLD WAR II IN UKRAINE

Notes: The Top Two Photographs are from the *Muzei 'Stanovlennia Ukrainskoi Natsii'* in the Section Devoted to Soviet Ukraine's Contribution to the Fight Against the Nazis. The top left photograph says: '1939–1945. We Remember. We Prevail'. The top right photograph shows Ukrainian Lieutenant Oleksii Berest Holding a Soviet Flag in Berlin. The Museum honours Berest, who, on 30 April 1945, was the first Soviet soldier to plant a Soviet flag on the *Reichstag*, but his role was ignored by Soviet historiography (see, <https://www.museumsun.org/person/60/>, accessed 5 November 2020). The Two bottom photographs are (on the left) the Monument to the Great Patriotic War in Lviv and (on the right) the Great Patriotic War Section of the Cemetery in Sambir, Lviv Oblast'

Source: Taras Kuzio, November 2018 and September 2019.

sections on Soviet history, but they have begun the process of rethinking what this means. For example, the National Museum of the History of Ukraine in World War II has changed its main exhibition by including the history of other armed forces in which Ukrainians participated during World War II and also by focusing on the personal and family stories of ordinary Ukrainians who fought against the Nazis in the Soviet Army and in other armies and military organisations. The National Museum of the History of Ukraine in World War II has also launched a major memorial project about Ukrainians

who went missing during World War II.<sup>58</sup> In the same vein, another UINP project assists Ukrainians searching for their family members and relatives who were repressed or killed by the Soviet regime.<sup>59</sup>

### *Alleged criminal liability*

Decommunisation was criticised for alleged ‘criminal liability’ if the legitimacy of Ukraine’s struggle for independence and ‘fighters’ for independence was denied (Marples 2015). This is in fact not the case; Law No. 314-VIII does not provide for criminal or administrative liability; in fact, such a sanction does not even exist in Ukraine’s Criminal code or the Code of Ukraine on Administrative Offences. Law No. 314-VIII refers only to civil liability (*tsyvilno-pravova vidpovidalnist*).

The only mention of ‘criminal liability’ in Ukraine’s decommunisation laws is found in Law No. 317-VIII against those who propagate symbols of communist and National Socialist totalitarianism.<sup>60</sup> In 2020, the Unified State Register of Court Decisions managed by the Ministry of Justice had 17 sentences that had entered into force for infringing the ban on spreading propaganda of communist and Nazi symbols (Law No. 317-VIII).<sup>61</sup> None of them criminalised research into and criticism of any historical topic, such as Ukrainian nationalism, the OUN and UPA. In 2019, one person was sentenced to two years in prison for propagating Nazi symbols.<sup>62</sup> The majority of the sentences resulted in either ‘one-year probation’ (in one case additional factors increased this to a three-year probation) or fines of up to 1,700 UAH (at the time of writing, £46). In addition to Ukraine, Nazi and communist symbols are banned in nine and four European countries, respectively.

Neither the UINP nor any of Ukraine’s four decommunisation laws regulate educational materials; for example, the UINP can only develop recommendations and provide additional materials for schools which are not obligatory. The Ukrainian state cannot sanction what is published in newspapers, journals and books in a democratic country with media pluralism. Similarly, the Ukrainian authorities have no influence over books and articles published outside Ukraine by scholars who have accessed Ukrainian archives, some of which are critical of Ukrainian nationalism (Statiev 2020).

### *Civil society involvement and initiatives*

Oxana Shevel (2017, p. 35) writes that the 2015 decommunisation laws were adopted with no public or parliamentary debate and were introduced as a response to Russian military and

<sup>58</sup>‘Muzei. Pamiat. Poshuk’, available at: <https://martyrology.org.ua/>, accessed 15 May 2020.

<sup>59</sup>‘Servis iz poshuku informatsii pro represovanykh’, available at: <http://hdauinp.org.ua/index.php/ua/mass-media/archive-in-media/112-service-for-finding-information-about-the-repressed-people>, accessed 15 May 2020.

<sup>60</sup>‘Pro zasudzhennia komunistychnoho ta national-sotsialistychnoho (natsystkoho) totalitarnykh rezhymiv v Ukrainy ta zaboronu propahandy yikhnoi symvoliky’, *Holos Ukrainy*, 20 May 2015, available at: <http://www.golos.com.ua/article/254980>, accessed 2 June 2020.

<sup>61</sup>The websites of Ukraine’s judicial system, including the register of court decisions, is available at: <https://court.gov.ua/reystri-ta-sistemi/>. The website of the register of court decisions is available at: <http://www.reyestr.court.gov.ua/>, accessed 28 January 2020.

<sup>62</sup>Dzerzhynskiy City Court, Donetsk *Oblast*, 4 December 2019, available at: <https://verdictum.ligazakon.net/document/86079662>, accessed 28 October 2020.

information aggression against Ukraine. This, however, was not the case (see earlier). Since 2010, the Centre for Research on the Liberation Movement has implemented two research programmes, ‘Leaving the USSR’ and ‘Open Archives’, which have included discussions about reform of Ukrainian memory politics. The RPR Policy of National Remembrance working group and other NGOs who were members of the RPR coalition participated in discussions of how to reform memory politics.<sup>63</sup> Also, international conferences<sup>64</sup> and focus groups were held on the management of different archival institutions.<sup>65</sup> The outcomes of many of these initiatives<sup>66</sup> were included in parliamentary agendas and Chapter XV (‘Social-humanitarian reforms’) of the ‘European Ukraine’ parliamentary coalition programme.<sup>67</sup>

The decommunisation process has generated a high level of local civic involvement, including in eastern and southern Ukraine. Shevel (2016, 2017) credits the laws with attracting public participation in local hearings legally mandated for the renaming of places (Olszanski 2017, p. 49). A Museum of Monumental Propaganda of the USSR is in the process of construction by Kyiv City Council on the territory of the National Expo-centre of Ukraine (the former Exhibition of Achievements of the National Economy of the Ukrainian SSR), where dismantled objects with artistic or historical value will be exhibited or stored.<sup>68</sup>

Decommunisation has given impetus to studies of local history and discussions in Ukraine’s regions as to how public space should be reconfigured. The opening of the former Soviet security services archives has improved the quality of historical debates and has had a positive impact on the development and emergence of new historical publications and popular academic literature; recent examples include Ukrainian (Kipiani 2019; Kohut *et al.* 2019) and Western (Applebaum 2017; Plokhly 2018) scholarly books.

Scholars who popularise history have been invited to demonstrate how information from the Soviet secret service archives could be used to develop new approaches to the writing of Ukrainian history. Ukrainian publishing houses have increased their publication of historical series. ‘History Without Censorship’ (*Istoriia Bez Cenzury*) was launched by the publishing

<sup>63</sup>‘Vas zaprosyli obhovoryty kontseptsiiu pro dostup do arkhiviv KGB’, available at: <https://www.istpravda.com.ua/short/5202924b47336/>, accessed 17 May 2020.

<sup>64</sup>‘Mizhnarodna konferentsiia: Yak vykynuty Lenina z holiv ukraintsiv’, available at: <https://m.krytyka.com.ua/news/events/mizhnarodna-konferentsiya-yak-vykynuty-lenina-z-holiv-ukrayintsiv>, accessed 17 May 2020.

<sup>65</sup>Two such events were reported in ‘Lviv. RPR proanalizuvav yak rishennia, pryynyati parlamentom za 100 dniv roboty, vplynut na zhyttya v rehionakh’, available at: <https://rpr.org.ua/news/lviv-rpr-proanalizuvav-yak-rishennya-pryynyati-parlamentom-za-100-dniv-roboty-vplynut-na-zhyttya-v-rehionah>, accessed 17 May 2020; ‘Uzhorod. Dorohoyu reform: yak zminy zakonodavstva vplynut na zhyttya u rehionakh’, available at: <https://rpr.org.ua/news/uzhorod-dorohoyu-reform-yak-zminy-zakonodavstva-vplynut-na-zhyttya-u-rehionah/>, accessed 17 May 2020.

<sup>66</sup>‘Ekspert RPR predstaviv v UKU kontseptsiiu polityky natsionalnoi pamiaty (24.02.2015)’, available at: <https://ucu.edu.ua/news/ekspert-rpr-predstaviv-v-uku-kontseptsiiu-polityky-natsionalnoyi-pam-yati/>, accessed 17 May 2020.

<sup>67</sup>Prime Minister Yatseniuk’s 26th November 2014 government programme ‘Uhoda pro Koalitsiiu deputatskykh fraktsii “Evropeiska Ukraina”’ is available at: <https://zakon.rada.gov.ua/laws/show/n0001001-15>, accessed 15 May 2020.

<sup>68</sup>‘Museum of Soviet Monumental Propaganda to Open in Kyiv in Fall of 2017’, *Euromaidan Press*, 22 May 2017, available at: <http://euromaidanpress.com/2017/05/22/museum-of-monumental-propaganda-to-open-in-kyiv-in-fall-of-2017/>, accessed 16 May 2020.

house Klub Simeinoho Dozwillia (KSD).<sup>69</sup> Since spring 2015, the public educational project LIKBEZ: Historical Front (*LIKBEZ istorychnyi front*) has worked to popularise history amongst Ukrainians.<sup>70</sup> In 2016, Ukrainian media outlets prepared special historical projects dedicated to landmark events and dates; for example, many materials were prepared and broadcast on Ukrainian television channels for the 100th anniversary of the 1917–1918 Ukrainian Revolution and drive to independence by the left-wing UNR.<sup>71</sup> UA: First (*UA: Pershyi*) public broadcasting television channel launched the ‘Uncovered History’ television programme.

Many local initiative groups (defined by the UINP as any group of local people who initiate the renaming of streets according to its procedure) transformed into NGOs to continue their work, thus emboldening civil society and research into local history. The Centre for the Historical Study of Vinnytsia was established in 2017 following the renaming of streets.<sup>72</sup> Its founders explained that, during their discussions dedicated to the new toponyms, they had realised the local community knew very little about the city and initiated the creation of the centre at the municipality to study local history, digitise historical photos and maintain other artefacts. Another example of civil society initiatives is the ‘Alive’ (*Zhyvi*) project in Poltava *Oblast*’ founded by Svitlana Mylchenko in 2018 with the aim of researching and publishing about those from her village who were repressed during the *Holodomor* and 1937–1938 Great Terror.<sup>73</sup> Also, worth mentioning is the Living History Studio programme (*Studii Zhyvoyi Istorii*) popular educational project launched by the Other Education (*Insha Osvita*) NGO in 2015<sup>74</sup> and the ‘Mnemonika’ Centre for Memory Politics and Public History (*Tsentr Studii Polityky Pamiati ta Publichnoyi Istorii ‘Mnemonika’*) launched in Rivne in 2016.<sup>75</sup>

Private and local memorial complexes have opened displaying Soviet monuments, plaques and other objects. In 2013, Odesa *Oblast*’ local entrepreneur Oleksandr Palariyev opened the ‘Park of Soviet Times’ within the recreation complex Frumushika-Nova,<sup>76</sup> where his family had lived before they were deported to Kazakhstan in 1946.<sup>77</sup> Since the beginning of decommunisation the number of exhibits has increased and his centre has become very popular among tourists and researchers. The Centre for the Historical Study of Vinnytsia plans to establish a Museum of the Soviet Totalitarian Era located in a park

<sup>69</sup> A catalogue of books in ‘History Without Censorship’ is available at: [https://www.bookclub.ua/ukr/catalog/books/?listmode=2&f\\_dbookv74=171086](https://www.bookclub.ua/ukr/catalog/books/?listmode=2&f_dbookv74=171086), accessed 17 May 2020.

<sup>70</sup> LIKBEZ istorychnyi Front, available at: <http://likbez.org.ua/en/>, accessed 6 May 2020. Nearly 26,000 archive documents can be found on ‘Elektronnyi arkhiv Ukrainkoho Vyzvolnoho Rukhu’, available at: <http://avr.org.ua/>, accessed 5 November 2020.

<sup>71</sup> ‘Ukrainska Revolutsia 1917–1921’, available at: <https://www.istpravda.com.ua/themes/rev100/>; ‘Nasha Revolyutsia.1917’, available at: [https://www.dsnews.ua/nasha\\_revoluytsiya\\_1917](https://www.dsnews.ua/nasha_revoluytsiya_1917), accessed 18 May 2020.

<sup>72</sup> Vinnytskyi Informatsiyni Portal, 23 February 2017, available at: <https://vezha.vn.ua/u-vinnytsi-z-yavytysya-tsentri-istoriyi-ta-vidkryut-golovnyj-muzej-mista/>, accessed 8 February 2019.

<sup>73</sup> *Zhyvi* is available at: <https://www.facebook.com/Repressedukrainians/>, accessed 18 May 2020.

<sup>74</sup> *Studiya Zhyvoyi Istorii*, available at: <https://live-history.org/>, accessed 17 May 2020.

<sup>75</sup> CharRivne, 22 April 2015, available at: <http://charrivne.info/rivne-news/19321-dolayuchy-amneziiyu-totalitaryzmu—u-rivnomu-prezentuvaly-inshe-bachennya-dekomunizatsiyi-foto>, accessed 8 February 2019.

<sup>76</sup> ‘Na Odeshchyni zibraly ponad 200 pamiatnykiv Leninu u muzei sotsrealizmu’, available at: <https://hromadske.radio/news/2016/07/26/na-odeshchyni-zibraly-ponad-200-pamiatnykiv-leninu-u-muzeii-socrealizmu>, accessed 16 May 2020.

<sup>77</sup> Available at: <https://frumushika.com/nasha-istorija.html>, accessed 17 May 2020.

which would include Soviet relics, monuments and propaganda posters and literature. A similar museum-park is being established in Putyvl in northern Sumy *Oblast*, which will collect Soviet items from the region<sup>78</sup> and is intended to be the part of the Putyvl State Historical and Cultural Reserve.

### *Public opinion about decommunisation*

Some scholars warned that the controversial nature of decommunisation would be opposed in eastern and southern Ukraine where there were low levels of public support (Shevel 2017, p. 36). However, there is no evidence that this has been the case and there have not been any significant protests at the time of writing. Olszanski (2017, p. 6) writes that decommunisation, ‘has not been resisted by the public or regional elites’. Negative reaction ‘turned out to be weaker than expected’ (Grytsenko 2019, p. 667). Weak pro-Russian political forces, Russian military aggression and dramatic changes in Ukrainian identity reduced opposition to decommunisation in eastern and southern Ukraine.<sup>79</sup>

Military casualties and veterans from the war also increase support for post-Euromaidan memory politics. Streets and roads have been renamed throughout Ukraine in honour of Ukrainian soldiers who have died fighting in Donbas. New sections for casualties of Ukrainian security forces are now commonly found in cemeteries alongside graves of soldiers who fought in the Great Patriotic War, Afghanistan and—in western Ukraine—those who fought for the UNR and in the UPA. Some 523 plots of Ukrainian soldiers killed in the Russian–Ukrainian war can be found throughout Ukraine, containing a total 1,636 graves, as of December 2019.<sup>80</sup> A higher proportion of veterans of the on-going conflict and their families and friends, who make up approximately 15–20% of voters, are supportive of breaking with Soviet and Russian interpretations of Ukrainian history.<sup>81</sup> In 2016, 69% of veterans, compared to 46% of Ukrainians overall, condemned the Soviet regime and backed the prohibition of communist symbols. Meanwhile, 58% of Donbas war veterans supported Law No. 314-VIII providing legal status and honouring those they consider to be their predecessors in the fight for Ukrainian independence.<sup>82</sup>

<sup>78</sup>‘Музеї зі скульптурamy радянських ділячків відкрито на Сумщині’, <https://sm.suspilne.media/news/39660>, accessed 17 May 2020.

<sup>79</sup>‘Shostyi rik dekomunizatsii: stavlennia naseleння do zaborony symboliv totalitarnoho mynuloho’, Democratic Initiatives Foundation, 16 July 2020, available at: <https://dif.org.ua/article/shostiy-rik-dekomunizatsii-stavlennya-naseleння-do-zaboroni-simvoliv-totalitarnogo-minulogo>, accessed 4 August 2020.

<sup>80</sup>‘De pokhovani heroї suchasnoyi rosiisko-ukrainskoi viiny, Infografika’, UINP website, 10 December 2019, available at: <https://uinp.gov.ua/pres-centr/novyny/de-pohovani-geroyi-suchasnoyi-rosiysko-ukrayinskoyi-viiny-infografika>, accessed 28 January 2020.

<sup>81</sup>‘Identychnist Hromadian Ukrainy v Novykh Umovakh: Stan, Tendentsii, Rehionalni Osoblyvosti’, *Natsionalna Bezpeka i Oborona*, 3–4, 2016, pp. 109–10, available at: [http://razumkov.org.ua/uploads/journal/ukr/NSD161-162\\_2016\\_ukr.pdf](http://razumkov.org.ua/uploads/journal/ukr/NSD161-162_2016_ukr.pdf), accessed 10 April 2018.

<sup>82</sup>‘Identychnist Hromadian Ukrainy v Novykh Umovakh: Stan, Tendentsii, Rehionalni Osoblyvosti’, (2016). *Natsionalna Bezpeka i Oborona*, 2016, 3–4, pp. 109–10, available at: [http://razumkov.org.ua/uploads/journal/ukr/NSD161-162\\_2016\\_ukr.pdf](http://razumkov.org.ua/uploads/journal/ukr/NSD161-162_2016_ukr.pdf), accessed 10 April 2018.

Veterans of the Russian–Ukrainian war and soldiers fighting in Donbas will be largely in the 20–45 age group and therefore another related indicator is generational. More Ukrainians under the age of 59 support the banning of communist symbols and denouncing the USSR as a totalitarian state than oppose these two decommunisation policies. Only the 60–69 and above-70 age groups had higher numbers of opponents than supporters.<sup>83</sup>

Opinion polls show that on average every second Ukrainian supports the decommunisation processes. Kulyk (2017, p. 48) provides figures of 39% fully or partially agreeing on the need for Ukraine to remove its Soviet legacy, with 33% disagreeing; the remainder responded ‘don’t know’ or ‘not interested’. Support for decommunisation rises to 64% among supporters of the Euromaidan Revolution, with 13% opposed. We should keep in mind that these poll numbers vary by region, which reflects different attitudes to Ukraine’s past. Condemnation of the Soviet regime and opposition to the spreading of its propaganda and symbols was supported by a high of 82% in the west to a low of 30% in Ukrainian-controlled Donbas. Fifty percent of respondents in the east, 47% from Ukrainian-controlled Donbas and 30% in the south opposed the criminalisation of the spreading of propaganda of communist and Nazi symbols.<sup>84</sup>

In summer 2016, a little over a year after the decommunisation laws had been adopted, the Razumkov Ukrainian Centre for Economic and Political Studies published a detailed study of changes in Ukrainian identity which included Ukrainian attitudes towards official memory policies.<sup>85</sup> Keeping in mind regional differences in attitude, more than half of all respondents supported the condemnation of the Nazi and Soviet totalitarian regimes; and banning the use of and propaganda of their symbols, with 58% who supported banning the use of Nazi symbols and propaganda, and 52% who supported the same with regard to the Soviet regime. Another survey found that 49% of Ukrainians supported decommunisation, while 34% disagreed (Kalmius Group 2018). Public attitudes to the Great Patriotic War and World War II are also undergoing changes: 47% of Ukrainians supported celebrating the Day of Remembrance and Reconciliation on 8 May, the day Europe commemorates the end of World War II. This initiative was supported by 65% of Ukrainians from the west, 53% from the centre and 37% in the south and Ukrainian-controlled Donbas.<sup>86</sup> In May 2020, six years after the decommunisation laws were adopted, 39% supported celebration of both holidays on 8 and 9 May, 14% only on 8 May and 32% only on 9 May. Interestingly, 56% supported the statement that the USSR and Nazi Germany both began the war, with the difference of opinion between the west (63%) and east (44%) not large.

<sup>83</sup>‘Shostyi rik dekomunizatsii: stavlennia naseleennia do zaborony symboliv totalitarnoho mynuloho’, Democratic Initiatives Foundation, 16 July 2020, available at: <https://dif.org.ua/article/shostiy-rik-dekomunizatsii-stavlennya-naseleennya-do-zaboroni-simvoliv-totalitarnogo-minulogo>, accessed 4 August 2020.

<sup>84</sup>‘Identychnist Hromadian Ukrainy v Novykh Umovakh: Stan, Tendentsii, Rehionalni Osoblyvosti’, *Natsionalna Bezpeka i Oborona*, 3–4, 2016, p. 44, available at: [http://razumkov.org.ua/uploads/journal/ukr/NSD161-162\\_2016\\_ukr.pdf](http://razumkov.org.ua/uploads/journal/ukr/NSD161-162_2016_ukr.pdf), accessed 10 April 2018.

<sup>85</sup>‘Identychnist Hromadian Ukrainy v Novykh Umovakh: Stan, Tendentsii, Rehionalni Osoblyvosti’, *Natsionalna Bezpeka i Oborona*, 3–4, 2016, p. 44, available at: [http://razumkov.org.ua/uploads/journal/ukr/NSD161-162\\_2016\\_ukr.pdf](http://razumkov.org.ua/uploads/journal/ukr/NSD161-162_2016_ukr.pdf), accessed 10 April 2018.

<sup>86</sup>‘Identychnist Hromadian Ukrainy v Novykh Umovakh: Stan, Tendentsii, Rehionalni Osoblyvosti’, *Natsionalna Bezpeka i Oborona*, 3–4, 2016, p. 44, available at: [http://razumkov.org.ua/uploads/journal/ukr/NSD161-162\\_2016\\_ukr.pdf](http://razumkov.org.ua/uploads/journal/ukr/NSD161-162_2016_ukr.pdf), accessed 10 April 2018.

Nearly two-thirds (61%) opposed Ukrainian leaders participating in celebrations of the victory of the Great Patriotic War in Moscow on 9 May.<sup>87</sup> Of Ukraine's six presidents, only Kuchma and Yanukovich had attended celebrations of the Great Patriotic War in Moscow.

*Official recognition of the OUN and UPA and regional divisions*

Critics of decommunisation believed that official recognition of Ukrainian nationalist groups, in particular the OUN and UPA, would be divisive and increase regional divisions. The left-wing UNR was led by the doyen of Ukrainian historians, Mykhaylo Hrushevskyyi, and its legacy has never aroused controversy; Tadesuz Olszanski (2017, p. 47) believes it could provide a civic identity for Ukrainian memory politics. Every age group in Ukraine had a greater number of supporters of the official recognition of the UNR than opponents, with an average of 48% supporting and 16% opposing across Ukraine.<sup>88</sup>

Decommunisation and the UINP continues in the tradition already established in official memory politics and education textbooks since the 1990s of honouring all Ukrainians who fought in different military forces in World War II.<sup>89</sup> The new emphasis is on human losses incurred in Ukraine during World War II. Importantly, but ignored by critics, Ukrainian military groups in World War II—Ukrainian Legion, Nachtigal and Roland battalions, Ukrainian Self-Defence Legion and the Galicia Waffen SS Division (usually described as the Galicia Division) which were formed by the Nazis—are not provided with legal status and honoured in Law No. 314-VIII as those who had fought for Ukrainian independence (Olszanski 2017, p. 33). In 2018, the then director of the UINP Viatrovych (2018) called upon Ukrainians not to celebrate anniversaries of the Galicia Division.

The open letter was especially critical that Law No. 314-VIII included the OUN and UPA. Two reasons were given. The first was the fear this would lead to a state-sponsored cult of the OUN and UPA and the second was that the OUN and UPA were viewed negatively in eastern and southern Ukraine. John-Paul Himka (2015, p. 135) predicted, without taking into account the dynamic situation brought about by revolution and war, that 'hegemony of the nationalist viewpoint' would find 'little sympathy' for the OUN and UPA in eastern and southern Ukraine. Both of these fears proved misplaced (Olszanski 2017; Hromenko 2019).

Poroshenko did not oversee a state-sponsored cult of Ukrainian nationalist leaders such as Bandera. For example, comparing Ukraine and Russia, Poroshenko never sought to transfer to Ukraine the remains of Ukrainian nationalist leaders buried in Paris (Petlura), Munich

<sup>87</sup>'Den peremohy i yoho mistse v istorychnii pamiaty ukrainsiv', Democratic Initiatives Foundation, 5 May 2020, available at: <https://dif.org.ua/article/den-peremogi-i-yogo-mistse-v-istorichniy-pamyati-ukrainsiv>, accessed 20 May 2020.

<sup>88</sup>'Shostyi rik dekomunizatsii: stavlennia naseleennia do zaborony symboliv totalitarnoho mynuloho', Democratic Initiatives Foundation, 16 July 2020, available at: <https://dif.org.ua/article/shostiy-rik-dekomunizatsii-stavlennya-naselennya-do-zaboroni-simvoliv-totalitarnogo-minulogo>, accessed 4 August 2020.

<sup>89</sup>*Ukraine in World War II* (Kyiv, Ukrainian Institute of National Memory, 2015), available at: [http://www.memory.gov.ua/sites/default/files/ukraine\\_ww\\_ii\\_eng.pdf](http://www.memory.gov.ua/sites/default/files/ukraine_ww_ii_eng.pdf), accessed 28 January 2020.



(Bandera, Lev Rebet), Luxembourg (Andrii Melnyk) and Rotterdam (Yevhen Konovalets), and he never cited Bandera in his speeches. In contrast, in 2005, a decade prior to Ukraine's decommunisation, Putin supported the re-burial of White émigré General Anton Denikin and White émigré intellectual Ivan Ilyin in Russia. Ilyin, 'Putin's philosopher of Russian fascism' (Snyder 2018), who denied the existence of a Ukrainian nation, has been cited in the president's speeches and his work has been recommended to be read by presidential staffers, government ministers and regional governors. Putin asked Russian journalists whether they had read Denikin's diaries, especially where he 'discusses Great and Little Russia, Ukraine' (Plokhly 2017, p. 326) and wrote in them 'no Russian, reactionary or democrat, republican or authoritarian, will ever allow Ukraine to be torn away' (Plokhly 2017, p. 326).

Second, in 2013 in Ukraine, 52% opposed and only 27% supported official recognition of the OUN and UPA.<sup>90</sup> While the OUN and UPA were indeed viewed negatively in eastern and southern Ukraine prior to the 2014 crisis, the open letter and work by other scholars (Himka 2015; Marples 2015) neglected the impact of the Russian–Ukrainian war on Ukrainian identity. Public attitudes to the OUN and UPA changed because the latter are part of Ukraine's struggle for independence 'comparable to nationalist movements in many other countries that found themselves under imperial rule or foreign occupation' (Kulyk 2015). Timothy Snyder (2003, pp. 207, 229) describes the UPA as the 'most impressive example of popular resistance to communist power in wartime and post-war Europe', which fought 'with courage, tenacity and brutality'. According to Kulyk (2015), it was therefore not surprising that the popularity of the UPA would grow during the Russian–Ukrainian conflict: Russia's annexation of Crimea and war against Ukraine had made 'resistance' relevant and the OUN and UPA epitomised Ukrainians' dogged resistance against Stalin.

Since 2014 many Ukrainians have moved from opposition to neutrality or support for the official recognition of the OUN and UPA as fighters for Ukrainian independence (Olszanski 2017, p. 7). The turning point came in 2014–2015, with positive attitudes to the OUN and UPA growing from 27 to 41% and negative feelings declining from 52% to 38%. Positive attitudes to the OUN and UPA in eastern (23%) and southern (27%) Ukraine are not in a majority, but one has to bear in mind that prior to 2014 these figures would have been negligible. This was the first time since 1991 that the number of people supporting official recognition of the OUN and UPA in Ukraine had exceeded the number of opponents.<sup>91</sup> By 2017, nearly half of Ukrainians (49%) held a positive view of the OUN and UPA and 29% a negative view (Chervonenko 2017). In May 2020, a different poll found 44% of Ukrainians holding positive and 22% negative views of the UPA.<sup>92</sup>

<sup>90</sup>'Poll: Over Half of Ukrainians do not Recognize OUN-UPA as Independence Fighters', *Kyiv Post*, 17 October 2013, available at: <https://www.kyivpost.com/article/content/ukraine-politics/poll-over-half-of-ukrainians-do-not-recognize-oun-upa-as-independence-fighters-330614.html>, accessed 3 August 2020.

<sup>91</sup>'Dynamics of Relations to the Acknowledgement of OUN-UPA', Rating Sociological Group, 12 October 2015, available at: [http://ratinggroup.ua/en/research/ukraine/dinamika\\_otnosheniya\\_k\\_priznaniyu\\_oun-upa.html](http://ratinggroup.ua/en/research/ukraine/dinamika_otnosheniya_k_priznaniyu_oun-upa.html), accessed 5 September 2018.

<sup>92</sup>'Den peremohy i yoho mistse v istorichnii pam'ati ukrainsiv', Democratic Initiatives Foundation, 5 May 2020, available at: <https://dif.org.ua/article/den-peremogi-i-yogo-mistse-v-istorichniy-pamyati-ukrainsiv>, accessed 20 May 2020.

Thus, while it was argued that by mandating the inclusion of the OUN and UPA in the list of fighters for Ukraine's independence, the decommunisation laws (especially Law No. 314-VIII) would increase regional divisions, the Russian–Ukrainian war had actually increased Ukrainian civic identity and national integration. Putin's war against Ukraine had ironically made the OUN and UPA more popular in the region of Ukraine the Russian president had called New Russia (*Novorossiya*) and among the very Russian speakers he had claimed Russia was protecting.

### *Conclusions*

The first section of our article discussed changes in memory politics in Ukraine prior to 2013. In the 1990s, Ukraine continued the process of de-Stalinisation begun under Soviet leader Mikhail Gorbachev and by the end of Yushchenko's presidency in 2010 a majority of Ukrainians condemned Stalin and believed the *Holodomor* was a genocide. The history of Ukraine in World War II had also been broadened in official statements and education textbooks to include Ukrainians fighting in armed forces and partisan movements beyond the Soviet army, including those fighting for Ukrainian independence for the UNR and in the OUN and UPA. But these changes had been made without removing Soviet historical narratives, such as the Great Patriotic War. Meanwhile, official recognition of the OUN and UPA faced resistance from pro-Russian political forces and negative public opinion in eastern and southern Ukraine. The UINP was provided with meagre resources under Yushchenko and downgraded under Yanukovich.

The second section analysed the impact of the bloody outcome of the Euromaidan Revolution, Russian military aggression, weak pro-Russian political forces and changes in Ukrainian identity which energised public support for and reduced public opposition to decommunisation. The UINP was re-established with more resources and the four decommunisation laws were implemented in a joint effort by President Poroshenko, the Ukrainian parliament, Yatseniuk government and civil society. For the first time, decommunisation removed and changed the Soviet narrative and in the process distanced Ukraine from Russia (with which it was now at war) as part of an agenda of building what these political forces understood to be a 'normal' European country.

The third section analysed six claims made about decommunisation by Western (Marples 2015) and Ukrainian scholars (Kasianov 2018) and argued that these were exaggerated and misplaced. These claims were most likely made because the authors and signatories of the open letter (Marples 2015) moved quickly to condemn aspects of the decommunisation package (especially Law No. 317-VIII and Law No. 314-VIII) without their detailed study. In addition, critics of decommunisation underestimated two important changes. The first was the dramatic shift in Ukrainian identity brought about by the Euromaidan Revolution, annexation of Crimea and Russian–Ukrainian war and the second was high levels of patriotism among Russian-speaking Ukrainians. The traditional portrayal of Ukraine's Russian speakers in Western scholarship as 'pro-Russian' had proved misplaced (Kulyk 2019, pp. 156–62).

Western public intellectuals and scholars have debated for decades the moral equivalence of communist and Nazi crimes. The claim of equivalence between communist and Nazi totalitarianisms has been supported by European institutions, which, since the 1990s, have

adopted a series of resolutions to this effect. Ukraine did not therefore invent the wheel when it adopted Law No. 317-VIII. It was misplaced to claim that monuments to the Great Patriotic War or Soviet Ukrainian cultural and scientific leaders would be removed or that Soviet veterans would no longer be respected. Also misplaced was the claim that Law No. 314-VIII introduced criminal liability for criticism of the OUN and UPA in a new official ‘nationalist’ narrative; the only provision made for criminal liability is in Law No. 317-VIII relating to the propagation of communist and Nazi symbols. It was additionally misplaced to claim civil society in Ukraine was not involved in the preparation, discussion and adoption of the decommunisation laws: decentralisation and decommunisation mobilised civil society at the local level to implement decommunisation, providing the impetus for new civil society initiatives and greater awareness of Ukrainian history.

The Russian–Ukrainian war and dramatic changes in Ukrainian identity have increased public support among Ukrainians, veterans of the Donbas war, and all political forces. Between 56% and 87% of the supporters of Servant of the People (*Sluha Narodu*), *Blok Petra Poroshenka*, Fatherland (*Batktivshchyna*) and Voice (*Holos*) in the Ukrainian parliament oppose returning to Soviet toponyms (Ukraina Pislia Vyboriv 2019, p. 61). The sole exception is opposition from the pro-Russian Opposition Platform-For Life (*Opozytsiina platforma-Za zhyttia*) which is one of two successor parties to the Party of Regions. There is also growing support for using the term World War II in place of Great Patriotic War.<sup>93</sup>

The claim that official recognition of the OUN and UPA would worsen regional divisions in Ukraine, meanwhile, proved exaggerated. In fact, Ukrainian and Western scholars have highlighted the emergence of a new Ukrainian civic identity (Kulyk 2014, 2016; Kaihko 2018; Onuch & Hale 2018; Pop-Eleches & Robertson 2018; Bureiko & Moga 2019). Between 2013 and 2017, support for official recognition of the OUN and UPA increased from 27% to 49% and opposition declined from 52% to 29% (Chervonenko 2017).<sup>94</sup>

Ukraine’s decommunisation passed an important litmus test in 2019 when Volodymyr Zelenskyi, a Russian-speaking eastern Ukrainian, and his Servant of the People party, won the 2019 elections. Zelenskyi’s statements on Ukrainian history during World War II continue to follow the outlines formulated by the decommunisation laws.<sup>95</sup> Ukrainians who voted for Servant of the People do not support the overturning of decommunisation; 56.2% oppose, for example, the return of Soviet-era place names (Ukraina Pislia Vyboriv 2019, p. 61). Anton Drobnych, who replaced Viatrovykh as director of the UINP in December 2019, said he would prioritise the continuation of decommunisation, creation of a national archive of Soviet security service documents, cooperation with Ukrainian and foreign educational institutions, promotion of the *Holodomor* as a genocide at the international

<sup>93</sup>‘Den peremohy i yoho mistse v istorichnii pamiaty ukrainsiv’, Democratic Initiatives Foundation, 5 May 2020, available at: <https://dif.org.ua/article/den-peremogi-i-yogo-mistse-v-istorichnii-pamyati-ukrainsiv>, accessed 20 May 2020.

<sup>94</sup>See also, ‘Poll: Over Half of Ukrainians do not Recognize OUN-UPA as Independence Fighters’, *Kyiv Post*, 17 October 2013, available at: <https://www.kyivpost.com/article/content/ukraine-politics/poll-over-half-of-ukrainians-do-not-recognize-oun-upa-as-independence-fighters-330614.html>, accessed 3 August 2020.

<sup>95</sup>‘V Rosii zaiavyly, shcho Zelenskyi vse bilshе staie ukrainskym natsionalistom’, *Ukrainska Pravda*, 28 January 2020, available at: <https://www.pravda.com.ua/news/2020/01/28/7238656/>, accessed 28 January 2020.

level, and countering Russian disinformation.<sup>96</sup> With the changes brought about by decommunisation now seemingly irreversible, scholars and civil society activists are discussing what they believe should be the next two stages of Ukrainian memory politics which they define as ‘desovietisation’ and ‘decolonisation’ (Hromenko 2019).

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<sup>96</sup>‘Drobovykh nazvav priorytety Instytutu Natspamiati na pyat’ rokiv’, 23 December 2019, available at: <https://www.ukrinform.ua/rubric-society/2843810-drobovic-nazvav-prioriteti-institutu-nacpamati-na-pat-rok-iv.html>, accessed 28 January 2020.

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