

UNIVERSITÀ DEGLI STUDI DI PADOVA
DEPARTMENT OF POLITICAL SCIENCE, LAW, AND INTERNATIONAL
STUDIES

**Master's degree in
Human Rights and Multi-level Governance**



EUROVISION SONG CONTEST AND ITS IMPACT
ON HUMAN RIGHTS IN THE 21ST CENTURY

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Matriculation No. 2009386

A.Y. 2025

Abstract

The Eurovision Song Contest (ESC) has evolved from a post-war cultural initiative into a global platform that intersects with politics, diplomacy, and human rights discourse in Europe. While officially a non-political event, Eurovision has increasingly served as a stage for minority representation, freedom of expression, and soft power diplomacy. Through its values of inclusivity, diversity, and artistic expression, the Contest has become relevant to the broader human rights framework and political landscape of Europe. Using a qualitative approach, the study explores case studies of Eurovision live performances, the ESC Code of Conduct, official statements from the European Broadcasting Union (EBU), and the fan communities' reviews. The research investigates the origins of Eurovision, its legal framework, and its expansion in the 21st century, particularly in post-communist Eastern Europe. Furthermore, it assesses the contest's role in public diplomacy and its similarities to global mega-events in advocating human rights. A central focus is on Eurovision's role in amplifying minority voices, particularly ethnic, linguistic, and LGBTQ+ communities. The study evaluates how the contest facilitates dialogue on social inclusion and European identity through stage visibility. Additionally, it explores the impact of international legal mechanisms, such as the Framework Convention for the Protection of National Minorities, in shaping Eurovision's representation of minority rights. Ukraine serves as a case study to illustrate how the Eurovision arena functions as a soft power tool to promote Ukraine's national identity and minority. Since its debut, Ukraine has used the contest to advocate for democratic values, particularly in the context of the Russian invasion and the rights of Crimean Tatars and the Hutsuls. By analyzing key performances, lyrics, and artistic choices, this research examines Ukraine's strategic use of Eurovision to advance its human rights agenda and international presence.

Table of Contents

Abstract.....	2
Table of Contents.....	3
Abbreviations	5
Introduction	6
Chapter I. Eurovision Song Contest and its Contribution to the Promotion of Human Rights.....	9
Origins of the Eurovision Song Contest (ESC) and the European Broadcasting Union (EBU).....	10
Rules, taboos, and flags	14
Contest expansion in the 21 st century.....	25
ESC as a “mega-sports event” and its impact on human rights advocacy.....	29
Soft power	33
Chapter II. Eurovision and Its Contribution to the Promotion of Minority Rights	40
Ethnic minorities and regional languages	41
Non-national performers	46
LGBTQ+	49
Chapter III. Case Study: Eurovision and its Contribution to the Promotion of the Crimean Tatar and the Hutsuls Minority Rights in Ukraine.....	57
Background of the Crimean Tatars and the Hutsuls minorities in Ukraine	59
The Framework Convention for the Protection of National Minorities	61
National Selections to the ESC.....	64
Ukraine’s participants that represent ethnic minority groups	68
Conclusions.....	74
Bibliography	77
Appendix	89
Appendix 1: ESC Code Of Conduct 2024.....	89
Introduction	89
1. Protect the Integrity of the Eurovision Song Contest.....	90

2. Behave Responsibly	91
3. Communicate Responsibly	92
4. Engage Actively	92
5. Respect Performances & Collaboration	92
6. Protect Youth Participants	93
7. Be Mindful When Taking Photos & Filming	93
8. Prohibited Items & Activities	93
Reporting Violations	95
Consequences of Misconduct	95
Examples of Prohibited Behaviours during the Eurovision Song Contest	95
Appendix 2: English Translation of “1944” Lyrics – Jamala (Ukraine Eurovision 2016)	100
Appendix 3: English Translation of “Kultura” Lyrics – Fiinka (Ukraine National Selection to the ESC 2025)	102
Appendix 4: List of languages of national minorities (communities) and indigenous peoples of Ukraine that are threatened with extinction	105

Abbreviations

CoE: Council of Europe

EBU: European Broadcasting Union

ESC: Eurovision Song Contest

EU: European Union

MSE: Mega-sports event

The Code: 2024 Eurovision Code of Conduct

UEFA: Union of European Football Associations

UN: the United Nations

WWII: World War 2

Introduction

The Eurovision Song Contest (ESC) has evolved from a European post-war cultural initiative into a unique global soft-power phenomenon, influencing not only the entertainment industry but also politics, diplomacy, and human rights discourse in Europe. As a platform that showcases diverse cultural expressions and fosters international collaboration, Eurovision has transcended its original purpose of uniting European nations through music into a platform where participant countries may express their aspirations and deliver a message to a global fan community by means of public diplomacy. Given its widespread audience, participation from a broad spectrum of countries, and its embedded values of inclusivity, diversity, and freedom of expression, Eurovision is increasingly relevant to the human rights framework and political landscape of Europe.

While officially a non-political event, the ESC has continuously intersected with political and human rights concerns. Over the past quarter of the century, the ESC has provided a platform for representation of minority groups embedded in legislative framework of the Council of Europe: LGBTQ+ rights, ethnic and national minority rights, and a constant attempt for freedom of expression. Additionally, the contest has been a battleground for soft power diplomacy, where countries use their participation to craft and project national identities. The ESC's influence on human rights extends beyond the performances themselves, as host countries, national broadcasters, and the European Broadcasting Union (EBU) engage in debates regarding press freedom, anti-discrimination policies, and political neutrality. Consequently, Eurovision's role in shaping human rights narratives within the European public sphere invokes a scholarly demand for academic examination.

This thesis investigates how the Eurovision Song Contest contributes to the promotion of human rights, analyzing its impact on political discourse, public diplomacy, and the representation of marginalized communities (minority groups). The primary research question guiding this study is: how does Eurovision contribute to the promotion of human rights on the European continent? The present research will attempt to answer this question in Chapter I by utilizing a qualitative methodological approach, focusing on case studies of Eurovision performances during live shows, conducting a legal study of the

ESC Code of Conduct, as well as analyzing official statements of the EBU, audience reception, and media coverage. First, there will be introduced the origins of the Eurovision Song Contest and a detailed background of the Contest's organizer: the European Broadcasting Union. Second, the present research will analyze the legal framework of the ESC, or simply the rules, that are prescribed in the 2024 ESC Code of Conduct, and will discuss whether the renowned "non-political" stance of the Eurovision is effective and in place with the reality. Third, there will be reviewed the Contest expansion in the 21st century to the post-communist countries in Eastern Europe as well suspension of participation of certain countries in the context of the human rights obligations provided by the Council of Europe. Additionally, Chapter I will debate the wage of relation between the ESC and other worldwide "mega sports" events by investigating the civil society organizations initiative to advocate for human rights protection. Finally, there will be discussed the role of Eurovision in terms of public diplomacy and soft power of the participant countries, argued in the context of academic publications of Joseph Nye and Robert Keohane.

Minorities, whether ethnic, linguistic, LGBTQ+, or otherwise, often find themselves at the heart of Eurovision's most memorable moments. These groups use the contest to amplify their voices in ways that transcend national boundaries, positioning their struggles and triumphs within a shared European cultural space. By celebrating difference, Eurovision not only entertains but also facilitates a deeper dialogue about social inclusion, human rights, and the meaning of European unity. In post-conflict Europe, minorities invoke central attention in the process of peace-formation. In Chapter II, the present research will analyze how Eurovision functions as a beacon of diversity and inclusion, examining its role in promoting minority representation, the significance of their participation in shaping European identity and fight for the "European values" through stage visibility. Thus, the present research will attempt to answer the question: how does ESC contribute to the promotion of minority rights in Europe? First, there will be argued the representation of the artists belonging to ethnic and national minorities in relation to the international legal mechanisms such as International Covenant on Civil and Political Rights (ICCPR) and the Framework Convention for the Protection of National Minorities (Framework Convention). Second, the notion of non-national performers representing an ESC

participant country will be presented and discussed. Finally, the wage of LGBTQ+ visibility in the international public sphere will be investigated in the context of existing executive framework of the Council of Europe.

Throughout its relevantly short history in the Eurovision Song Contest, Ukraine has consistently used the platform not only as a showcase of musical talent, and score first three times, but also as a means of cultural and political expression. Eurovision has served as a battleground for Ukraine's national identity, using music as a means of resistance, solidarity, and historical recognition. In the context of Russian invasion of Ukraine, among the most significant aspects of Ukraine's Eurovision participation has been its dedication to promoting democratic values such as freedom of expression and the rights and visibility of its minority communities, particularly the Crimean Tatars and the Hutsuls. Chapter III will explore how Ukraine has utilized Eurovision as a soft-power tool to advocate for ethnic and national minority communities' rights by analyzing key performances, lyrics, and artistic choices. The Case Study will assess the impact of these efforts during the live acts in both domestic National Selections to the ESC and the Eurovision Song Contest itself, and attempt to answer the research questions: how does Ukraine utilize Eurovision to promote the Crimean Tatar and the Hutsuls minority rights? In order to do so, Ukraine's obligations to the Council of Europe, namely in the context of the Framework Convention, will be evaluated and researched.

Chapter I. Eurovision Song Contest and its Contribution to the Promotion of Human Rights

The Eurovision Song Contest (ESC) is one of the world's most popular and longest-running entertainment events, bringing together diverse European nations through music. Originally conceived as a means of fostering unity in post-war Europe, the Contest has evolved into a dynamic cultural platform with widespread influence. While primarily viewed as an entertainment show, the ESC has also played a significant role in shaping narratives of national identity, human rights advocacy, and international cooperation. With millions of viewers each year, it has the potential to do more than entertain: it can subtly influence public perceptions, diplomatic relationships, and, potentially, political agendas.

Beyond its musical performances and dazzling stage productions, Eurovision serves as a potent soft power tool. The competition provides participating countries with a global stage to showcase cultural identity and enhance or degrade their international reputation. Nations use their ESC entries not only as an artistic expression but also as a means of public diplomacy and projecting messages of a participant country's agenda. While the European Broadcasting Union (EBU) upholds the principle that Eurovision is non-political, this chapter will attempt to discuss the EBU Code of Conduct by analyzing empirical evidence of fan communities' reviews and the EBU official statements.

This research will critically examine Eurovision's claim of political neutrality, arguing that the Contest is inherently intertwined with political and diplomatic strategies. While the EBU emphasizes its commitment to keeping the ESC free from political influence, real world events often contradict this stance. From exclusionary policies to performances that carry subliminal messages, Eurovision operates at the intersection of entertainment and global affairs. This chapter will explore how the Contest has been used as a soft power instrument and the extent to which it aligns with or challenges the notion of political neutrality in international entertainment.

Origins of the Eurovision Song Contest (ESC) and the European Broadcasting Union (EBU)

Inspired by the Italian broadcaster RAI and the Sanremo Festival,¹ Venice hosted the first edition of Eurovision, although it was only in a radio format. The uniqueness of such format was because it involved the national broadcasting organizations for the first time on the international level. Yet, for technical reasons, the first Eurovision Song Contest in 1956 was not held in Italy but in Switzerland: its geographical centrality in Europe made it a natural node for the terrestrial transmitters required for this experiment in live, simultaneous, transnational broadcasting. While the EBU's headquarters were also in Switzerland, the first Eurovision Song Contest still reflected an international fashion for Italian popular culture, as it was staged in the Swiss-Italian city of Lugano and was hosted in Italian. It is also suggested that Eurovision throughout its history served a uniting purpose in Europe,² especially when wars occurred on the European continent. Initially, the Contest was an upper-middle class TV show, but nowadays it reached all types of communities.³ Ostensively, the Contest provides public services with values like respect, creativity, cultural diversity, intercultural dialogue, and innovation, as well as “the European values”. Additionally, inclusivity and cohesion of various individuals, groups, and communities is also in focus. As the European countries were devastated by the aftermath of World War 2, the Contest served as a platform to seek dialogue between nations in a creative way. It is currently one of the longest-running television shows in the world, and it is one of the events with the largest audience.⁴

An Australian documentary titled ‘The Secret history of Eurovision’ suggests that the competition developed as a means for Western Europe to shape Eastern Europe's culture,⁵ however it did not turn into an East-West ideological battleground. “The Secret History of Eurovision” reveals how the Eurovision Song Contest is so much more than an annual song competition. During its first years, in the mid-fifties, it was a way of uniting

¹ Ortiz Montero, 2017

² See Eurovision.tv, Origins of Eurovision

³ Oliver, 2011, Documentary

⁴ Ortiz Montero, 2017

⁵ Oliver, 2011, Documentary

European nations which had been torn apart by wars and crises. It also showcased technological evolution, which was increasing fast in those times. During the Cold War eastern European countries were not allowed to participate so the Contest came to be a symbol of cultural freedom in the West and repression in the East. When the Berlin Wall came down, new nations were born and rapidly flourished. To establish their national identity in the context of a unified European continent ⁶ they were eager to take part in the Eurovision Song Contest. Through numerous new participants, growing popularity and a continuing technological innovation, the Contest became what it is nowadays: the biggest live entertainment show on the planet that exceeded the geographical border of Europe.

The hypothesis that Eurovision is predominantly about Eastern Europe can be attributed to several factors. Firstly, the ESC has become a significant platform for Central and Eastern European countries to assert their belonging and partnership with Europe, especially after the fall of the Iron Curtain and the expansion of the European Union. This has led to a noticeable increase in participation from these regions, which has infused the Contest with new energy and capital. The Contest serves as a stage where Central and Eastern European countries can perform their imagined relationship with Europe, often seen as a 'return home' or a demonstration of affinity. This is particularly important for post-socialist countries whose connection to Europeanness was historically tenuous. The Contest has become a venue for these nations to express their cultural identity and aspirations for political recognition and economic dividends.⁷ Moving forward, the competition served as a forum for discussing political issues and circumstances that nations faced during and after the Cold War, either among themselves or with one another.⁸ Moreover, Eurovision became a tool for soft diplomacy of the newly-joined participant states, helping these countries gain visibility on the international stage and promote their political and cultural goals. As the Contest grew to include more nations from Eastern Europe, it also served as a bridge between the East and West, fostering greater understanding and collaboration. Eurovision, with its inclusive nature and ability

⁶ Bekcan and Hançarlı, 2021

⁷ Sieg, 2013

⁸ Bekcan and Hançarlı, 2021

to unite diverse cultures through music, became both a symbol and a catalyst for these transformations on the European continent.

The Contest's organizer, the European Broadcasting Union (EBU) is the world's largest professional association of national broadcasters, with 70 active members in 51 European and Mediterranean countries and 47 associate members in 29 countries elsewhere in Africa, the Americas and Asia. The organization's well-known activities are for the most part Eurovision and Euroradio which involve broadcasting television and radio content across various channels.⁹ Although the EBU is not confined to the geographical borders of Europe and the ESC does not officially form a part of the EU or any other European political entity, such as the Council of Europe;¹⁰ notwithstanding, based on general knowledge, the EBU often collaborates with European institutions like the EU and the Council of Europe on various initiatives related to media and broadcasting. These collaborations typically focus on promoting media freedom, supporting public service media, and enhancing the quality and diversity of broadcasting content across Europe. Such collaborations may not always take the form of formal agreements but can include joint projects, funding initiatives, and policy dialogues. Furthermore, the EBU has engaged with the Council of Europe on issues related to media freedom in terms of the protection of journalists. The Council of Europe, which focuses on human rights, democracy, and the rule of law, often collaborates with the EBU to promote these values within the broadcasting sector.¹¹ The Eurovision system is based on the principle of reciprocity. When a member of the EBU covers an event that might interest other members, it offers the signal free of charge to them, with the expectation that they will reciprocate in the future. This system allows EBU members to broadcast a diverse array of events, thereby enhancing their programming offerings. The EBU's coverage is extensive, as it includes major international events, which are often of significant interest to a broad audience. Moreover, the EBU's membership requirements ensure that its members are capable of reaching a substantial portion of their national populations. Members are expected to provide balanced programming that caters to all sections of the

⁹ Turner, 2000

¹⁰Zahavi and Ariely, 2024

¹¹Turner, 2000

population and to produce a significant number of their own broadcasts. This ensures that the EBU's coverage is not only extensive in terms of geographic reach but also diverse in terms of content.¹² The European Broadcasting Union has agreements with the Asian Broadcasting Union alongside with others like the International Radio and Television Organization, URTNA (Africa) and Inter-American Broadcast Association. In general, the EBU is known to collaborate with various international organizations to enhance broadcasting standards and facilitate content exchange. These collaborations often include agreements with other broadcasting unions and international bodies such as UNESCO, the International Telecommunication Union, and other regional broadcasting organizations. These partnerships aim to promote the exchange of information, technical standards, and cultural content across borders.¹³ Given all the above-mentioned collaborations of the EBU with the international organizations, regardless are they done in form of formal or informal agreements, it becomes clear that the EBU receives a vast amount of influence from multiple stakeholders, including the member states of the Council of Europe. Despite the fact that the EBU claims Eurovision not to be political, the involvement of different countries makes the Contest considerably political in its nature.

Taking into consideration that the EBU member states, hence Eurovision participant countries, coincide with the member states of the Council of Europe (with an exception of Israel having an observer status to the CoE but the Israeli national broadcaster being a part of the EBU network), for the purpose of this thesis, one may draw a parallel between the two organization. Interestingly enough, there appear a lot of cooperation and political coincidences with the Council of Europe in the Eurovision world which will be further analyzed in the present research. The Council of Europe is considered a political organization due to its foundational objectives and the nature of its activities, which are deeply intertwined with political processes and governance across Europe. Established in 1949, the Council of Europe was created with a pan-European mandate to foster political, legal, and cultural cooperation among its 46 member countries. This mandate inherently involves political engagement, as it seeks to harmonize and coordinate policies

¹² Wolk, 2006

¹³ Sherman, 1969

across diverse national governments.¹⁴ The Council of Europe promotes human rights as a fundamental aspect of its mission to foster unity and progress among its member states. This commitment is rooted in the organization's historical context and its foundational principles, which emphasize the importance of democracy, human rights, and the rule of law as the three pillars of its operations. The promotion of human rights by the Council of Europe is not only a reflection of its core values but also a strategic approach to ensure peace and stability across Europe. By advocating for human rights, the Council aims to prevent conflicts and foster constructive dialogues among nations, which is essential for maintaining harmony and cooperation in the region. This is particularly significant given the Council's transformative journey from dealing with destructive conflicts to facilitating collective efforts for peace and progress.¹⁵ The Council of Europe aims to enhance European cultural identity; therefore, the international organization supports initiatives that promote cultural expression and exchange, which form an integral part of the entertainment industry. This could involve agreements or programs that encourage the production and dissemination of diverse cultural content across member states, thereby enriching the European cultural landscape.¹⁶ All in all, it is suggested that the Council of Europe might have certain agreements with the EBU in the entertainment industry to reach out to the vast audience and contribute to the promotions of human rights on the European continent, thus the two organizations cooperate hand-in-hand in the Eurovision world.

Rules, taboos, and flags

In the 1950s, the European Broadcasting Union originally specialized in broadcasting sports, however later, in 1956, came up with a phenomenal project, an international live singing Contest that would allow the European broadcasters, backed up by participant countries, to delegate a song and fight for victory. Although one may suggest that the concept of victory and power are similar, if not the same, the two notions tend to be interconnected, yet different in essence. Victory, particularly in a military or competitive context, is a transient event characterized by immediate success achieved through

¹⁴ Zilgalvis, 2008

¹⁵ Yudkivska, 2024

¹⁶ Zilgalvis, 2008

physical, technical, or economic means. It is limited in scope and time and does not automatically translate into sustained power unless it is strategically transformed into a long-term structural advantage. This transformation requires the establishment of strong political, social, and ideological institutions that can perpetuate the victor's dominance and stability over time.¹⁷ Eurovision is the world's longest-running live performance event; subsequently, it might be considered as a platform with a long-lasting impact on its audience, where participant countries, being the EBU member states, fight for a certain amount of power accordingly.

As in every Contest, there exists a set of rules that performers must adhere to. The Eurovision Code of Conduct outlines the ethical framework and expectations for participants. In 2024, the importance of maintaining the event's integrity, political neutrality, and adherence to its core values of universality, diversity, equality, and inclusivity is emphasized in the Code.¹⁸ Although the rules of the Eurovision are self-explanatory, the notion of political neutrality opens a room for discussion since the Oxford Learner's Dictionary defines *politics* as 'the activities involved in getting and using power in public life, and being able to influence decisions that affect a country or a society'.¹⁹ The Contest certainly involves countries and, in its essence, allows performers to represent a participant country to fight for victory, or one may suggest, fight for power. This fight, or competition, is embedded in receiving points from public and jury votes from other participant countries. In such manner, the participants make their way to the top in the final scoreboard. As reads the title of one of the renowned songs by ABBA, a glorious winner of Eurovision 1974 from Sweden, 'The Winner Takes It All', despite the fact that the winning song was named "Waterloo" that connotes the defeat of the Napoleon army in the Battle of Waterloo in 1815, a historic event which led to the political reconstruction of Europe and creation of international organizations. The definition of politics and the essence of the Contest undoubtedly undermine the provisions of the Code that the Contest is politically neutral.

¹⁷ Hölscher, 2006

¹⁸ ESC Code of Conduct, 2024

¹⁹ See '*politics*' entry in the Oxford Learner's Dictionary

Generally, the participants are encouraged to express themselves freely in personal contexts but are prohibited from politicizing their involvement in the ESC, as such actions could detract from the event's presumed primary mission of celebrating music and fostering unity.²⁰ Although the music and unified cheer do take place whether physically, in the Contest venue, or virtually, back home in front of the TV, the political essence of the event outweighs the official stance of political neutrality by the EBU, as the countries compete for a certain amount of power, albeit in the Eurovision world. Aristotle's political philosophy intricately links the concept of politics with the ability to express oneself through meaningful speech, or "logos." In his view, politics is not merely a structural or organizational aspect of society but is deeply rooted in the human capacity for meaningful communication. This capacity distinguishes humans from other political animals, as it allows for the articulation of what is beneficial and harmful, just and unjust, thus forming the basis of ethical and political life. The logos, as Aristotle describes, is more than just the ability to speak; it is the foundation for establishing a moral and political order. This order is not simply about the correct use of language, but rather it involves the construction of meaning that includes both affirmation and negation. The logos enable individuals to transcend their singular existence and engage in a collective life, where they can share and negotiate their purposes, desires, and ethical standards with others in society.²¹ In the Eurovision world, the artists, just like the politicians, fight for victory and power and they certainly exercise their right to express themselves freely through the virtue of their performances, lyrics, and outfits, which might be considered as logos according to the Aristotle's political theory. Although open political expression is not allowed due to the ESC Code of Conducts, an artist or a group of them representing a participant country might carry a message in the course of their live act through the means of various logos, such as outfits, prep etc.

Furthermore, the Code underscores the necessity of fair competition and the integrity of the voting process, stipulating that any unethical behavior or attempts to manipulate outcomes will result in strict sanctions, thereby reinforcing ESC's commitment to a

²⁰ ESC Code of Conduct, 2024

²¹ Baştürk, 2019

respectful and equitable environment.²² Unethical behavior for the EBU would include failing to address or speak out against human rights violations committed by the Eurovision host states. Given its position as a promoter of media freedom, the EBU is in a strong position to advocate against such violations and hold states accountable. Therefore, neglecting this responsibility could be considered unethical behavior. Additionally, the EBU's failure to implement or leverage formal and informal human rights mechanisms to prevent violations in the context of the ESC could also be deemed unethical. Moreover, the EBU's role in ensuring that Eurovision is not associated with states that have limited rule of law and democracy is crucial. Allowing the event to be hosted in countries that do not attempt or implement measures to protect human rights could be viewed as unethical behavior.²³ As nothing is black and white in competitions, the Eurovision stage is a platform where artists representing participant countries allow themselves various spectrums of behaviors or messages to attract attention of the global audience to the actual problems in the reality of the country they represent. Niccolò Machiavelli, one of the most influential figures in political theory, is best known for his pragmatic and often controversial ideas about politics and power, especially as expressed in his most famous work "*The Prince*". Machiavelli is often seen as the father of political realism due to his focus on power dynamics and his dismissal of idealism in governance. Unlike Aristotle, he argues that politics are about practical and strategic actions and not the moral ideas or abstract concepts of justice.²⁴ Due to the competitive human nature and human selfishness, Machiavelli emphasized that the realist political approach is the key to maintain and increase power, as well as through the concept of cruelty or fear.²⁵ The reality of the Eurovision 2022 edition coincided with the cruel reality of war in Europe, namely the Russian invasion of Ukraine. Ukraine's representative, Kalush Orchestra's front man Oleg Psiuk, took advantage of the enormous global audience, numbering more than 180 million, to make impassioned plea to free fighters trapped at that time beneath a sprawling steel plant in Mariupol following their performance. The plea to free the remaining Ukrainian fighters strangled beneath the Azovstal plant due to the city being

²² ESC Code of Conduct, 2024

²³ Dubin, 2022

²⁴ Mindle, 1985

²⁵ Mitchell, C., 2024

sieged by the Russian army served as a somber reminder that the hugely popular, and at times flamboyant, Eurovision Song Contest was being played out against the backdrop of a war on Europe's eastern flank. "*Help Azovstal, right now,*" Psiuk shouted from beneath a pink bucket hat that has become the band's trademark among fans.²⁶ This message from the representative of Ukraine once again opened a discussion among fans and undermined the essence of the non-political rule of the Code. The EBU announced that, despite its rules banning politics, no action would be taken against Kalush Orchestra. The EBU said:

"We understand the deep feelings around Ukraine at this moment and believe the comments of the Kalush Orchestra and other artists expressing support for the Ukrainian people to be humanitarian rather than political in nature".²⁷

The organizer's position might be related to the Protocol I of the Third and Fourth Treaties of 1949 Geneva Conventions "relative to the Treatment of Prisoners of War" and "relative to the Protection of Civilian Persons in Time of War"²⁸ as these Treaties were ratified by all countries that send representatives to the Eurovision Song Contest.

Finally, the Code prohibits to promote, carry, or wear any political, religious (other than personal), racist, or promotional material, signs, objects, or messages in the event premises. Additionally, only the participant countries' official flags are allowed into the Contest premises. All sorts of hate speech and harassment/bullying based on race, nationality, gender, religious beliefs or other personal traits are not allowed.²⁹ Generally, the political nature of flags is further highlighted by their role in nationalism among various states. Flags have historically been used by national movements to signal a break from old regimes and to assert claims of sovereignty. They are powerful instruments of what

²⁶ See article by PBS, "Ukrainian band Kalush Orchestra wins Eurovision with a show of support for a nation gripped by war", PBS, May 14, 2022

²⁷ See article by Frost, C., "Humanitarian Gesture": Eurovision Winners Kalush Orchestra Escape Punishment For Political Statement During Winning Performance", Deadline, May 15, 2022

²⁸ Blank, 2022

²⁹ ESC Code of Conduct, 2024

sociologist Michael Billig termed "banal nationalism," where the omnipresence of flags in everyday life reinforces national identity and political authority.³⁰ Moreover, Ernest Gellner argues that nationalism is not a timeless or primordial force but a response to the needs of modern society. He contrasts traditional agrarian societies, where culture and identity were locally based and diverse, with the new demands of industrial societies, which required standardization in culture and education. Nationalism, in this view, becomes the ideological justification for the creation of a unified culture that spans the entire nation-state. Gellner emphasizes that nationalism is closely tied to the formation of modern states. The state, in his view, needs a uniform culture to function effectively. This led to the creation of national identities that could be used to legitimize the authority of the state. The state promotes nationalism by fostering a shared national culture through education and the media, ensuring that citizens have a sense of belonging to a single nation, even though they may not have personal or historical connections to each other.³¹ This is evident in events like the Eurovision Song Contest, where flags are used to symbolize national pride and identity, yet their meanings can become contentious when they are perceived to challenge or disrupt the established order.³²

For instance, song lyrics may also be considered as "logos" that in one way or another would have to fit into the established order prescribed in the "non-political" clause of the Code of Conduct.³³ In the context of the Israeli-Palestinian crisis, the participation of Israel in the Eurovision 2024 was highly contentious among fans. However, after altering the song's lyrics, organizers have announced that Israel will be permitted to compete in the Eurovision song Contest. Israel's representative, Eden Golan, originally submitted a ballad titled "October Rain," which was generally interpreted as a tribute to the October 7 Hamas attacks. However, due to violations of the political neutrality standards, the entrance was denied. Israel's state broadcaster Kan, which is in charge of selecting the nation's entry, first promised not to change the song's lyrics but eventually consented to

³⁰ Billig, 1995

³¹ Conversi, 2007

³² Baker, 2019

³³ ESC Code of Conduct, 2024, Provision 1

do so when Israeli President Isaac Herzog called for "necessary adjustments" to guarantee the song could participate. The Israeli national broadcaster said:

“The president emphasised that at this time in particular, when those who hate us seek to push aside and boycott the state of Israel from every stage, Israel must sound its voice with pride and its head high and raise its flag in every world forum, especially this year.”

The original version of the lyrics was published by Kan on the official website and included the lines: *“There’s no air left to breathe”* and *“They were all good children, each one of them”* which ostensibly refer to the victims and prisoners of war following the Hamas attack. Later, the name of the song was changed to *“Hurricane”* and the EBU commented:

“The EBU can confirm that the official submission from its Israeli member Kan has been deemed eligible to compete in the Eurovision song Contest in May.

The Contest’s reference group, its governing board, made the decision to accept the song Hurricane for the upcoming competition after careful scrutiny of the lyrics.

*It was agreed that Hurricane met the necessary criteria for participation in accordance with the rules of the competition”.*³⁴

Throughout the course of the Eurovision live shows in the 21st century there were numerous political scandals through means of flags, from ones that represent nations and territories to the flags promoting diversity and inclusion. The issue of Kosovo’s independence has caused tensions in various international contexts, and Eurovision was no exception. During the 2016 Eurovision Song Contest in Stockholm, the organizers

³⁴ See article by Bugel “Israel to compete at Eurovision song Contest after changing lyrics to its entry”, The Guardian, March 7, 2024

banned the Kosovo flag during the competition³⁵. Eurovision's media communications manager, Paul Jordan, said:

“The flag of Kosovo will not be in the hands of the attendees, the audience during the two final nights that will be held in Stockholm, Sweden... Politics about flags is not directed against any organization or territory. If the flags published in the documents hurt someone, we feel sorry ³⁶”.

Such a statement was backed up by the fact that, according to the Code, only the flags of the participant countries and member-states of the United Nations were allowed that year. In Kosovo, the EBU's decision was seen with a vast amount of discontent especially because the Public Television of Kosovo (RTK) is a part of the EBU network and broadcasts Eurovision annually. The official response of the RTK was:

“We would like to inform the Eurovision Song Reference Group, as well as the EBU, that the Republic of Kosovo is recognized by around 120 countries around the world. The people of Kosovo have proven to be a peaceful people and the Republic of Kosovo has never posed a danger to anyone, it has even been open to everyone. ³⁷”

During Madonna's, as an invited guest artist, 2019 Eurovision Song Contest second interval act, there was some tension regarding the display of flags: two backing dancers wore the Israeli and the Palestinian flags and walked hand to hand. This was seen with a vast amount of discontent among the audience in the venue and in front of the TV,

³⁵ See article by Telegrafi, “This is the reason why Eurovision does not allow the Kosovo flag”, Telegrafi, 2019

³⁶ See article by Telegrafi, ...para. 5, 2019

³⁷ See article by Telegrafi, “This is the reason why Eurovision does not allow the Kosovo flag”, Telegrafi, para. 9, 2016

provided that the 2019 Contest was held in Tel Aviv, following Israel's Neta winning the Contest the year before. Subsequently, the EBU delivered an official statement saying:

“This element of the performance was not cleared with the EBU and the Host Broadcaster, KAN. The Eurovision Song Contest is a non-political event and Madonna had been made aware of this”.³⁸

Although the rules of the Eurovision clearly say that the Contest is a ‘non-political’ event, there rises a certain amount of doubt of the EBU not being aware of Madonna’s performance overview, as each live act requires a vast amount of preparation and coordination between the organizer and the artist, with the EBU being the head organizer of the Eurovision Song Contest annually. On the other hand, due to the nature of the live performance, everything can happen, and Madonna’s move to attach flags on the backs of the dancers’ outfits may be interpreted as an uncoordinated provocation. Artists do engage in political responsibility during international events, albeit within limited frameworks. No matter how much the organizers aim to maintain neutrality, there is always a great chance of rising tensions between organizer’s social responsibility agenda and individual performer activism. This highlights the complexity of political realities surrounding mega events, where artists navigate the space between entertainment and political expression.³⁹ At the same time, the EBU Code of Conduct states that “*Official flags representing participating countries are welcome*”⁴⁰, Palestine is not a participant country to the Eurovision despite the fact that many Palestinians reside in Israel. Notwithstanding, it remains unknown what rules regarding flags were set in the 2019 version of the Code of Conducts because the new edition is published on the Eurovision.tv website every year and replaces the previous one; hence, it is impossible to provide an extensive legal analysis. Nevertheless, such provocations, whether coordinated or

³⁸ See article by Al Jazeera, “Madonna sparks flag controversy at ‘non-political’ Eurovision”, Al Jazeera, May 19, 2019

³⁹ Bridgman, 2023

⁴⁰ ESC Code of Conduct, 2024, Provision 8

uncoordinated with the EBU, invoke a vast amount of political discussion around the Eurovision Song Contest despite its official 'non-political' nature.

In 2024, the European Union lodged an official complaint with the organizers of the Eurovision Song Contest over its refusal to let participants wave the bloc's flag during the final show. "Such actions cast a shadow over what is meant to be a joyous occasion for peoples across Europe," European Commission Vice-President Margaritis Schinas wrote to the EBU. The complaint comes after politician Dorin Frasinianu from the Alliance of Liberals and Democrats for Europe Party said he had been "denied entry to Eurovision with the EU flag".⁴¹ At the same time the representative of the Netherlands, Joost Klein, and his song "Europapa", was disqualified from the Contest right before the final live show.⁴² In the song, he uses a variety of European languages, as well as mentions the names of other EU member states, such as Germany and Italy, and promotes European food (paella, spaghetti etc). Additionally, during his live performance at the second semi-final, the music band were wearing outfits with the EU stars, some of them on the marine-blue clothes, the background color of the European Union flag.⁴³ Despite the fact that the official statement of the EBU explains that:

"The Dutch artist Joost Klein was disqualified from the Grand Final of this year's Eurovision Song Contest following threatening behaviour directed at a female member of the production crew. Swedish police have investigated the offence, and the case will soon be handed over to the prosecutor in an accelerated procedure";⁴⁴

the official page of the Netherlands' Songestival, an entity that sends acts to the ESC, states that the artist was being filmed by the production group after having "repeatedly

⁴¹ See article by Rogozhina, "EU lodges complaint with Eurovision over flag ban". BBC, May 13, 2024.

⁴² See article by Savage, "Joost Klein: Dutch Contestant disqualified from Eurovision Song Contest", BBC, May 11, 2024

⁴³ See Joost Klein - Europapa (LIVE) | Netherlands NL | Second Semi-Final | Eurovision 2024 on YouTube.

⁴⁴ See the EBU Statement on Dutch participation in the Eurovision Song Contest. May 11, 2024.

indicated” that he does not wish to be, it is suggested that the incident might be related to the presence of the European Union flag.

Most recently, in the 2024 edition of the Contest, there was a ban on the non-binary flag within the venue.⁴⁵ Eurovision rules for the past few years have stated that the only flags allowed into the venue are those of participating countries in addition to the rainbow pride flag. This was strictly enforced in Malmö, with several people told to dispose of EU and non-binary flags before entering. This was particularly relevant as the Swiss representative Nemo, ending up as the winner of Eurovision 2024, had displayed the non-binary flag during the grand final flag parade and also in the green room, the venue’s backstage. Nemo was informed that Eurovision fans were not allowed to bring the non-binary flag into the venue, being escorted away by security and told to dispose of them before entering. Commenting about this, Nemo stated:

*“That’s unbelievable. I had to smuggle my flag in because... Eurovision said no, and I did it anyway, so... I hope that other people did that too, but come on! Like, this is clearly a double standard, and as I said, I broke the code and I broke the trophy. The trophy can be fixed. Maybe Eurovision needs a little bit of fixing too every now and then.”*⁴⁶

Throughout the winner’s press conference, Nemo candidly shared their Eurovision journey as a non-binary individual. They described the experience as intense and not entirely pleasant, noting that elements seemed to diverge from the theme of love and unity.⁴⁷

The atmosphere of not only national pride in the arena, but also the notion of nationalism through a simple physical presence of participant country’s flags and last-minute

⁴⁵ See article by Forés Català, “Nemo criticizes Eurovision after his victory: “I had to sneak in the flag of my non-binary gender”, Ara, May 17, 2024

⁴⁶ See article by Tudor, “European Union pressures EBU for answers over EU flag ban at Eurovision, after Nemo calls out “double standard” for having to smuggle in a non-binary flag”. Para. 15. Wiwibloggs. May 13, 2024.

⁴⁷ See article by Tudor, 2024

alterations of the contested lyrics adds weight to the arguments that the Contest is political in sense. Thus, the official claim of the EBU embedded in the Code of Conduct saying that Eurovision is not political is not valid given the above-mentioned research of empiric evidences through flags and lyrics.

Contest expansion in the 21st century

After the year 2000, several countries, especially from Eastern Europe, joined the Eurovision Song Contest, significantly diversifying its audience. These additions marked a new era for the Competition, expanding both its geographic reach and its cultural diversity. Notably, countries like Estonia, Latvia, and Lithuania, which had regained their independence following the collapse of the Soviet Union, entered Eurovision in 2000s, symbolizing a broader integration of former Eastern Bloc nations into European cultural and political institutions. This wave of new participants continued in the following years, with countries like Romania (2003), Ukraine (2003), Bulgaria (2005), and Moldova (2005) making their debuts.⁴⁸

The political significance of these additions cannot be understated. Eurovision, as both a cultural and political event, became an important platform for these countries to assert their European identity and solidify their position in the post-Soviet geopolitical landscape. For many Eastern European nations, participation in Eurovision was an expression of their newfound sovereignty and desire for European integration, especially after the collapse of the Soviet Union and the end of the Cold War. The Contest provided a visible stage for countries to show their cultural progress and build relationships with Western Europe. For instance, Ukraine's debut in 2003 was an emblematic moment, as the country was navigating its identity in the post-Soviet space and its aspirations for closer ties with the European Union.⁴⁹

Notwithstanding, certain EBU member states have withdrawn from participation in the Eurovision due to economic or political reasons, as both notions usually go hand-in-hand. Armenia and Bulgaria have halted their participation in the Contest over the last quarter

⁴⁸ See Eurovision.tv website, Facts and Figures

⁴⁹ Vuletic, 2017

of century but made their way back, the former due to political crisis that has gripped the country since the Nagorno-Karabakh war⁵⁰ and the latter due to the financial difficulties.⁵¹ Italy disappeared from the Eurovision world in 1998 and would not return until 2011 without any official comments. The country's return in 2011 coincided with a period of significant economic and political turmoil, marked by the 2011 crisis that exposed deep-rooted vulnerabilities in Italy's economy and governance.⁵² However, the country that has suspended its participation over more than 10 years and has never come back, Turkey, sparked a vigorous discussion among academics and Eurovision analysts. Turkey's withdrawal from the ESC in 2012 was officially justified by the Turkish Radio and Television Corporation (TRT) on the grounds of alleged unfairness in the Contest's voting system. TRT criticized the ESC's qualifying system, which allowed permanent members like Germany, France, the United Kingdom, Spain, and Italy to bypass the semi-final qualifying process and directly join the Contest. This was perceived as an injustice that disadvantaged other participating countries, including Turkey. However, a deeper analysis reveals that the decision to withdraw was influenced by broader socio-political factors within Turkey. At that time, there was a noticeable shift towards conservatism, which was intricately linked with religious discourses and practices. This political climate was particularly evident in the domains of gender and sexuality, where conservative discourses promoted family-based and religious images of society that favored heteronormative and traditionally gendered family life. TRT's concerns about the ESC resonated with this conservative political rationality. The Contest was viewed as an event that did not align with the ideals of family life in Turkey's national culture. This perspective was notably highlighted by the general director of TRT as he expressed discomfort with performances that challenged traditional gender norms, such as Conchita Wurst's drag queen performance in the 2014 ESC. Eren's comments reflected a broader unease with the increasing queer visibility in the Contest, which was seen as incongruent with Turkish national culture.⁵³

⁵⁰ See article by AFP, Armenia Pulls Out Of Eurovision Over Post-war Crisis, March 5, 2021

⁵¹ See article by Gaist, "Bulgaria: No Return to Eurovision in the Near Future. Euromix", December 19, 2024

⁵² Romano, 2011

⁵³ Ural 2019

Moreover, some countries have been further expelled from the Contest despite having just recently entered. Belarus was expelled from the Eurovision Song Contest in 2021 due to the country's violation of the Contest's rules, particularly regarding the political nature of its submission. Belarus' participation in the Eurovision Song Contest was controversial way before 2021, especially due to the political climate in the country and its stance on human rights.⁵⁴ The political situation in Belarus escalated significantly in 2020, when widespread protests broke out against the controversial presidential election in which Alexander Lukashenko was declared the winner amid accusations of election fraud. The crackdown on protesters and dissent, as well as the government's treatment of opposition leaders and activists, led to significant international condemnation. In 2021, Belarus selected the song "Ya nauchu tebya" (I'll Teach You) by the group Galasy Z Mesta as its official entry for Eurovision. However, the song's lyrics and message were charged with a pro-Lukashenko authoritarian government political implication and were seen as a potential endorsement of the political regime in Belarus. While some observers also saw the song as a subtle dig at opposition groups and protestors, the EBU official statement highlighted the infringement of free media:

"The EBU has been closely monitoring the suppression of media freedom in Belarus and have consistently called on BTRC, as a Member of the EBU, to uphold our core values of freedom of expression, independence and accountability.

Since the disputed elections last summer, we have been campaigning for the protection of independent journalism and freedom of expression in the country. We have publicly supported journalists at BTRC who have been protesting against government interference. We have also been monitoring BTRC's coverage and have communicated our concerns to their management.

Eurovision's rules prohibit songs and performances that carry political messages, as the Contest is meant to be a cultural event promoting diversity and unity, without any political or ideological agendas. In March 2021, the EBU announced that Belarus was

⁵⁴ Titarenko 2018

disqualified from the Eurovision Song Contest for breaching the rules. The decision was based on the fact that the song was deemed to have explicit political connotations and could not be broadcast without violating the Contest's fundamental principles of neutrality".⁵⁵

In the context of the launch of the Russian full-scale invasion of Ukraine on February 24, 2022, on the following day the EBU has announced that no Russian act will participate in the 2024 Eurovision Song Contest, saying:

"The Executive Board of the EBU made the decision following a recommendation earlier today by the Eurovision Song Contest's governing body, the Reference Group, based on the rules of the event and the values of the EBU.

The Reference Group recommendation was also supported by the EBU's Television Committee.

The decision reflects concern that, in light of the unprecedented crisis in Ukraine, the inclusion of a Russian entry in this year's Contest would bring the competition into disrepute.

Before making this decision the EBU took time to consult widely among its membership.

The EBU is an apolitical member organization of broadcasters committed to upholding the values of public service.

We remain dedicated to protecting the values of a cultural competition which promotes international exchange and understanding, brings audiences together, celebrates diversity through music and unites Europe on one stage".⁵⁶

⁵⁵ See EBU press release "Executive Board agrees to suspension of Belarus Member BTRC", February 25, 2022.

⁵⁶ EBU statement regarding the participation of Russia in the Eurovision Song Contest 2022. February 25, 2022.

Subsequently, on 16 March 2022, the Committee of Ministers adopted a decision by which the Russian Federation ceased to be a member of the Council of Europe, after 26 years of membership. The decision was made in the context of the procedure launched under Article 8 of the Statute of the Council of Europe. Additionally, all the relations with Belarus were suspended.⁵⁷ It is suggested that the questionable participation of Belarus in the ESC is related to the fact that Belarus has applied for the CoE membership in 1993 but was never admitted, and, instead, was given a special status. Based on the above-mentioned sequence of events, it is suggested that the EBU and the Council of Europe have bilateral projects to uphold core values of human rights on the European continent; therefore, by means of the Eurovision Song Contest both organizations contribute to the promotion of human rights on the European continent. To conclude, although the EBU ostensibly does not allow any political messages at the Contest due to the ‘non-political’ rule, the organization evidently participates in the international politics by delivering official statements on the political situations in participant countries, such as freedom of speech violations, infringement of free media etc, and subsequently decides which countries can join the Contest or be banned from it, similarly to the Council of Europe political mechanisms.

ESC as a “mega-sports event” and its impact on human rights advocacy

Eurovision is a “mega-event” that influences global audience due to a vast media coverage and its annual repetitiveness. Although the participant countries are mostly the European ones (except Israel and Australia), it stands next to such giant projects as the Olympics or the World Cup, which, altogether and on its own, attract international attention. The ESC official data implies that 163 million people in the 37 participant countries watched at least one of the 3 live shows in 2024⁵⁸ and in 2018, the number of viewers of the ESC was higher than the number of viewers of the 2018 Union of European Football Associations (UEFA) Champions’ League final.⁵⁹ It is also worth mentioning that

⁵⁷ See the Council of Europe European Committee on Legal Co-operation news release on “Exclusion of the Russian Federation from the Council of Europe and suspension of all relations with Belarus”. March 17, 2022.

⁵⁸ See Eurovision.tv “Vital statistics: A bumper year for Eurovision 2024”.

⁵⁹ Zahavi and Ariely, 2024

streaming is available on other online platforms including and not limited to YouTube; thus, the actual figure might be higher.

Originally, the EBU's purpose was to broadcast sports events as they capture a vast amount of audience.⁶⁰ Sports and entertainment both serve as forms of leisure and enjoyment, providing excitement, satisfaction, and a sense of fun for participants and audiences alike. In the context of live events, sports are often consumed as entertainment, with spectators deriving pleasure from the performance and competition they witness. This is similar to other forms of entertainment, such as circus or dance, which also involve rigorous physical components and are designed to captivate audiences.⁶¹ International sports events involve a certain portion of international politics: from athletes carrying a national flag in their hands or embedded into their sports gear to state leaders attending the sports venues, and even barring some countries to enter the competition for numerous reasons. With that in mind, one may draw a parallel line between Eurovision and the Olympics or the FIFA World Cup, which are not merely athletic competitions but also incorporate significant political phenomena. These events often serve as platforms for various political concepts and agendas. One of the primary political concepts associated with MSEs is the expression and reinforcement of national identity. Hosting or excelling in these events allows countries to showcase their culture, values, and achievements on a global stage. This can enhance national pride and unity among citizens, as well as improve the host nation's international image and prestige. They also serve as tools of soft power, a concept where countries use cultural and ideological influence rather than military force to achieve foreign policy goals. By hosting these events, nations can foster diplomatic relations, attract tourism, and promote international cooperation. The successful organization of such events can enhance a country's reputation as a capable and welcoming host, potentially leading to increased political and economic partnerships.⁶²

Mega-sports events (MSEs) have the potential to promote human rights, but they are also frequently associated with human rights abuses. The organization of these events often

⁶⁰ Turner, 2000

⁶¹ Bicknell, 2011

⁶² Hölscher, 2006

enables such abuses, which can occur during various stages: the bidding, preparation, and delivery. To address these issues, a shared responsibility approach by Amnesty International and Human Rights Watch is proposed, which involves all stakeholders coming together to prevent, and remedy human rights abuses. Such approach emphasizes the need for collaborative remedies, where different actors work together to ensure accountability and compensation for affected individuals.⁶³ Empirical evidence of human rights abuses linked to MSEs includes forced evictions, exploitation of workers, and increased surveillance measures. For instance, the Beijing Olympics saw the eviction of nearly 1.5 million people,⁶⁴ and the Qatar World Cup was criticized for the exploitation of migrant workers under poor working conditions.⁶⁵ These examples highlight the direct and indirect human rights impacts of MSEs, affecting a wide range of rights, ranging from freedom of expression to privacy and labor rights. To make the changes in addressing human rights sustainable, research and education are crucial. Initiatives like the "EventRights" research project aim to develop methods for better understanding and mitigating the human rights impacts of MSEs. One of the key components of the EventRights initiative is the development of a conceptual model that outlines how to achieve progressive human rights outcomes in the context of MSEs. This model is designed to guide stakeholders in identifying human rights risks, clarifying responsibilities, and implementing strategies to mitigate these risks. By doing so, the initiative aims to make the organization of MSEs more transparent and accountable, ensuring that human rights considerations are integrated into every stage of the event lifecycle. The initiative also emphasizes the importance of research and education in making these changes sustainable. It highlights the need for a growing body of literature on human rights and MSEs, which can provide an evidence base for calling for improvements and changes in how these events are managed. Furthermore, the EventRights initiative is part of a broader movement to integrate human rights considerations into the world of sports. This movement is gaining momentum, and together with various stakeholders (international sports bodies, national organizations, and civil society), works on increasing awareness

⁶³ Heerdt, 2023

⁶⁴ Boykoff, 2017

⁶⁵ See Amnesty International report on "Qatar World cup of shame", 2019

of the importance of respecting human rights in the context of sports. The initiative's focus on research and education is crucial for ensuring that the positive changes in addressing human rights in MSEs have a long-lasting impact.⁶⁶

Additionally, the Contest's growing popularity in regions with questionable human rights records, raises questions about the alignment of the ESC with these values. Although the ESC is not typically associated with grave human rights violations to the extent seen in other mega-events like the World Cup or the Olympics, it has been linked to such issues, especially in the Eastern European countries where democracy is not robust. The violations in Azerbaijan included suppression of freedom of expression and political repression.⁶⁷ The Human Rights House Foundation reports that prior to the Eurovision 2012 song contest, a group of human rights organizations in Azerbaijan started a ten-month public campaign in 2011. Using the Eurovision preparation stage as a pillar for advocacy platform, the organization's initiative "Sing for democracy" worked to advance democratic values and human rights in Azerbaijan, with targeted lobbying for the adoption of particular democratic reforms will coming subsequently. The campaign members claim that even though Azerbaijan joined the Council of Europe, the country has not implemented the fundamental political and public reforms, human rights protections, and democratic values that are necessary for integration into the European community. Despite being a member of the Council of Europe and the Organization for Security and Co-operation in Europe (OSCE), all recent democratic movements, particularly in terms of democratic elections, have underseen legal violations. Moreover, many residents were forcibly displaced due to the construction of the Baku Arena, the Eurovision 2012 venue.⁶⁸

In summary, one of the primary ways the ESC can help prevent future human rights violations is through the EBU position as a promoter of freedom of expression and media. The EBU is in a strong position to advocate against human rights violations by host states, leveraging its influence to hold these states accountable. This advocacy can take the form of formal and informal human rights mechanisms that are designed to address and

⁶⁶ Heerdt, 2023

⁶⁷ Dubin, 2022

⁶⁸ See Human Rights House Foundation report, "Azerbaijan: Eurovision song contest with no European democratic values", May 23, 2012

prevent violations in the context of the ESC. Additionally, the ESC can collaborate with human rights organizations to monitor and report on the human rights situation in host countries. This collaboration can lead to the development of guidelines and best practices for host countries to follow, ensuring that human rights are respected and protected during the event.⁶⁹ The Eurovision Song Contest, like other major international events such as the FIFA World Cup and the Olympics, often serves as a global stage where human rights issues are highlighted, violated and potentially remedied. These events draw immense international attention, and with the help of the civil society organizations such as Amnesty International or the Human Right House Foundation, they can become powerful platforms for raising awareness about political, social, and human rights challenges faced by different countries. The Eurovision participants tend to utilize use their visibility during the live act to advocate for issues like freedom of expression, LGBTQ+ rights, gender equality, and minority rights advocacy. These moments of activism not only spark global conversations but also put pressure on hosting organizations, such as the EBU, and the participant countries, to address their human rights records, reflecting how such events transcend entertainment or sports to become arenas for broader cultural and political discourse.

Soft power

Eurovision serves as a substantial instrument of soft power by enabling countries to project cultural and political narratives on an international stage. The effectiveness of public diplomacy is measured by minds changed not dollars spent or slick production packages. Although the ESC does not form a part of the EU, or say European, official agenda, it is suggested that the Contest has become a prominent actor in public diplomacy. The purpose of the public diplomacy is to “*win hearts and minds of the people around the world*”,⁷⁰ so that the public influences their own governments towards one or another vector; moreover, all means may be persuading enough.⁷¹ Nye argues that “*soft power is the ability to affect others to obtain the outcomes one wants through attraction*

⁶⁹ Dubin, 2022

⁷⁰ Nye, 2008

⁷¹ Gilboa, 2008

rather than coercion or payment".⁷² While a certain country's policies play an important role in the world's perception, culture and value also weigh to a great extent. It is certainly difficult, if not impossible, to reach all the values that one establishes, consequently the process transforms into an exhausting fight for them. This battle encounters various obstacles that involve multiple stakeholders and resources; however, in the long run it might bring about a considerable amount of power. In the Eurovision world, live performances *attract* the attention of the audience to vote for that country because they might interpret it as a certain lifestyle or an idea a participant country promotes. Although every year song motives, ideas, or lyrics alternate, love and peace, for instance, are always welcome. At the same time, besides *attraction*, Joseph Nye also highlights *coercion* (or "sticks") and *inducement* (or "payment"), which may be protracted to the points participant countries and the public allocate to the favorable song in the final voting.⁷³

Cultural diplomacy is a fraction of public diplomacy with the original purpose of promoting a certain country's culture to other stakeholders, i.e. other countries. Nowadays, the term incorporates a broad number of activities such as intercultural exchanges, bilateral relations, and international cooperation.⁷⁴ Generally, a lot of investment was put into non-military objectives to unite post-war Western Europe by means of technology and entertainment. One of the initial strategic goals of Eurovision was to establish a western European identity over communism by juxtaposition of freedom against boring communism. The soft power of Eurovision radio and TV signals went beyond the Berlin Wall and reached new audiences in Eastern Europe.⁷⁵ The scholarly suggests that cultural diplomacy in the EU galvanized into action in the early 2000s, which coincides with the timeframe chosen for the purpose of this thesis. The aim of this research is to understand whether the ESC serves as a soft power platform to promote human rights on the European continent.

⁷² Nye, 2008, p. 94

⁷³ Nye, 2008

⁷⁴ Zahavi and Ariely, 2024

⁷⁵ Oliver, 2011, Documentary

As all means are welcome in diplomacy, unintended public diplomacy also takes part in shaping public opinion. The official statement of the EBU reads that the Contest is a “non-political event”, although participants perform under a participant country flag, the notion discussed earlier in the present thesis. Therefore, performances, lyrics, artists’ outfits, and artists’ end-of-act shoutouts during the live shows might be considered as an integral part of the unintended public diplomacy; and the actors being deemed as unintended public contributors. Albeit no one knows the original intention of the act, it overlaps with the public diplomacy objectives, more so since the participant country’s national broadcaster approves the act to be sent to the Eurovision. In general, public diplomacy lacks a clear definition and consensus; nevertheless, in the 21st century public diplomacy both state and non-state actors collaborate to serve the purpose.⁷⁶ The Contest also acts as a platform for participatory diplomacy, where audiences actively engage in shaping the political messages delivered through performances, thus blurring the lines between cultural expression and political narratives. Recent research on cultural and public diplomacy has moved from defining terms to exploring how practices must adapt in today’s cultural, political, and communication landscapes. Approaches like public diplomacy are adaptive, while humanity-centred and cosmopolitan diplomacy explore more radical possibilities. Cosmopolitan cultural diplomacy incorporates a radical approach that decenters the role of the state, focusing on international examples rather than local ones. On contrary, humanity-centred diplomacy effectively challenges state-centric views by taking soft power concept in focus and emphasizing culture as a dynamic human element. Digital technologies enable direct human interaction, challenging state control over culture and communication. Participatory diplomacy offers a way to Contest state ownership of culture and diplomatic engagement, viewing culture as a dynamic rather than a ‘land-based’ subject.⁷⁷

The Eurovision 2022 highlighted the concept of participatory diplomacy, particularly in the context of the Russian war in Ukraine. Initially, the EBU hesitated to exclude Russia from the Contest, emphasizing Eurovision’s non-political nature. However, public pressure and the symbolic value of Eurovision as a unifying cultural event led to Russia’s exclusion,

⁷⁶ Zahavi and Ariely, 2024

⁷⁷ Zahavi and Ariely, 2024

thus waging on the influence of public opinion in collaboration of the political will of the participant country leaders over institutional decisions. In an attempt to gather support and reinforce the soft power of the state through the Eurovision platform, Volodymyr Zelensky, the President of Ukraine, has inquired the EBU to deliver a message to the audience during the 2023 live show, provided that it was hosted in the United Kingdom on behalf of Ukraine, as the martial law and security concerns would not make possible hosting international events of this level on the territory of Ukraine. However, the EBU rejected such public diplomacy initiative, deeming the idea political in essence:

“The Eurovision Song Contest is an international entertainment show, and governed by strict rules and principles which have been established since its creation. As part of these, one of the cornerstones of the Contest is the non-political nature of the event.

This principle prohibits the possibility of making political or similar statements as part of the Contest.

*The request by Mr Zelensky to address the audience at the Eurovision Song Contest, whilst made with laudable intentions, regrettably cannot be granted by the European Broadcasting Union management as it would be against the rules of the event”.*⁷⁸

At the same time, Their Majesties King Charles III and Queen Camilla made a “surprise appearance” to the Eurovision Song Contest to help kick off the competition.⁷⁹ Evidently, it may be interpreted as an official visit and not a surprise one, given the fact that the organization of the visit of The Head of State requires high-level logistics and security measures. Albeit the UK government states that The Sovereign has no longer political or executive role, and “he or she continues to play an important part in the life of the nation”,⁸⁰ the appearance of the Monarch at the ESC, even though not during the live

⁷⁸ Statement from the European Broadcasting Union on President Zelensky and the Eurovision Song Contest, May 11, 2023

⁷⁹ See Eurovision.tv website, King Charles and Queen Camilla make surprise appearance at the Eurovision Song Contest 2023, May 9, 2023

⁸⁰ See royal.uk, The role of Monarchy

show, suggests that the EBU may be biased to invite certain the leaders and ban the others at their preference. Nevertheless, the notion of state leaders appearing or not being granted to appear at the ESC in one way or another supports the argument that state actors utilize Eurovision as a platform for projecting soft power.

Media coverage of Ukraine's victory often framed it as a cumulative public sentiment, with emphasis on support and solidarity. While some narratives suggested the victory was a "sympathy" vote, it is important to note that Ukraine has consistently scored high in Eurovision, indicating that the quality of the entry also played a role in its success. The Contest illustrates the power of the public in international cultural events, where audiences can influence political messages and outcomes. This dynamic between public sentiment and institutional decisions serves as a bright example of participatory diplomacy.⁸¹

Despite its official stance as a 'non-political event', Eurovision has served as a platform for public and cultural diplomacy, allowing nations to express their identities and political aspirations subtly. For instance, Ukraine's hosting of Eurovision in 2017 was a strategic exercise in soft power, showcasing its European aspirations and cultural pride while fostering cooperation with Eastern Europe and the Slavic world.⁸² Moreover, when Poland decided not to participate in 2012 due to the busy schedule broadcasting Eurocup (a football championship cohosted with Ukraine that year), and the Olympics⁸³, the official commentator of the Ukrainian broadcaster stated that Ukrainian participant Gaitana with her song "Be My Guest" would represent Poland as well. Similarly, Germany has used Eurovision to create a post-national identity, positioning itself as a 'Good European' and engaging in nation branding that aligns with broader European values and peace topic. Coming out of the WWII, Germany has posed itself as a 'good and peaceful' neighbour that actively participates in international organizations and incorporates EU values into its state system. Additionally, with the introduction of a free language rule in 1999, all the

⁸¹ Carniel, 2024

⁸² Dunin-Wąsowicz, 2017

⁸³ See article by Uluçay, "Euro2012 Hosting Causes Polish TVP Withdrawl From 2012 Eurovision Song Contest", Eurovisionary, December 20, 2011.

songs were performed in English. Overall, when Germany emphasized its 'Europeanness' and downplayed its 'Germanness', it scored better.⁸⁴

The Contest's ability to influence the public and foster a sense of European unity is further highlighted by its historical role during the Cold War, where it served as a cultural bridge between Western and Eastern Europe, albeit sometimes there was seen a competition between the capitalist and communist blocs. In addition to its political implications, Eurovision's role in cultural integration cannot be overlooked. It facilitated cultural exchange and understanding among very diverse European nations; hence strengthening the idea of a unified Europe. It proves its ability to reach audiences across the European continent, especially in Eastern Europe despite censorship attempts.⁸⁵

To conclude, despite the EBU official stance that Eurovision is a non-political event, its history demonstrates that politics is deeply embedded in the Contest. The EBU frequently delivers political statements and makes participation decisions based on countries' adherence to democratic values. Belarus's and Russia's expulsion from the Contest, as well as Turkey prolonged suspension indicate that the Eurovision organizer is deeply involved into the European politics. It is also suggested that the European Broadcasting Union and the Council of Europe collaborate in various ways to promote human rights, media freedom, and democratic values across the European continent. While the EBU primarily focuses on broadcasting and cultural exchange through events like the Eurovision Song Contest, its initiatives often align with the CoE's mission to uphold democracy, human rights, and the rule of law. The two organizations have worked together on projects that emphasize media pluralism, journalistic integrity, and the protection of free speech, recognizing the role of public service broadcasting in fostering informed and inclusive societies. Eurovision has transcended its original purpose as a song competition to become a powerful soft power platform for both state and non-state actors seeking to influence global audiences. Through music and performances, as well as participatory and cultural diplomacy, participating countries project national identity, reinforce political narratives, and shape international perceptions. Non-state actors, in the

⁸⁴ Lewis, 2019

⁸⁵ Bekcan & Hançarlı, 2021

role of artists, leverage the Contest's massive reach to promote social issues, human rights, and political messages, often challenging the European Broadcasting Union's claim of political neutrality. Whether through strategic participation or symbolic performances, Eurovision functions as a stage where nations and individuals engage in public diplomacy, using entertainment and Nye's elements of soft power as a means to attract, persuade, and engage the world audience.

Chapter II. Eurovision and Its Contribution to the Promotion of Minority Rights

Eurovision has evolved into more than just a song competition: it has become a stage where issues of identity, representation, and minority rights intersect. Ethnic and national minorities, often highlighted in the international policies, find visibility through Eurovision, as countries incorporate regional languages, cultural traditions, and diverse narratives into their performances. The Contest also serves as a powerful platform for LGBTQ+ representation, with openly queer artists, gender-fluid performances, and messages of inclusion reaching millions of viewers across Europe and beyond. Although the European Broadcasting Union claims Eurovision to be apolitical, the reality suggests otherwise, with the Contest acting as a reflection of broader social struggles, national policies, and human rights advancements.

This chapter examines how Eurovision contributes to the visibility and advocacy of minority rights in Europe, analyzing its role in fostering cultural diplomacy and inclusivity. By showcasing minority voices on an international stage, Eurovision challenges traditional narratives and promotes a more diverse and representative vision of European identity. However, its impact is not without controversy, as certain participant countries continue to grapple with issues of minority inclusion and human rights. Through an exploration of Eurovision's role in ethnic representation, LGBTQ+ advocacy, and national identity, this research will attempt to highlight the Contest's significance as both a cultural phenomenon and a soft power tool to promote minority rights.

Ethnic minorities and regional languages

“Minority” happened to become an “issue” as it may undermine not only the regional stability but also might alter international security and order. Throughout World Wars the international borders in Europe have changed, causing the appearance of various minority groups within a foreign for them state. Migration flows from Eastern Europe and Middle East to Western Europe caused the state and regional actors to draw a different approach to manage diversity. Ultimately, the active advocacy of states for their ethnic population abroad on the international level as well as preference of states to protect certain minority groups more than others has led to a further deepening of the “minority problem” that has a continuous impact on nowadays relations between society groups on different levels of governance. Eurovision Song Contest appears to be a broad international platform where participants call attention to various human right issues including minority rights.⁸⁶

After the Second World War, the globe witnessed a rapid formation of the new order of international relations and legislative framework. Multiple Conventions, Agreements and Treaties were adopted in a short span of time to protect and guarantee the specific rights of every individual in a new, safer world. As the human rights agenda became a more important subject of the newly-established global regime, and so did the right of self-determination, the United Nations adopted the International Convention on Civil and Political Rights (ICCPR) on 16 December 1966. In which, Article 27 mandates the rights of ethnic, religious and linguistic minorities to enjoy their own culture, to profess their own religion, and to use their own language. ICCPR came into force in 1976, 20 years after the first edition of the Eurovision, however the covenant’s impact resonates with the present situation on minority rights on the European continent.

Additionally, the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, adopted in 1992, has played a significant role in shaping the discourse and policies surrounding minority rights in post-conflict societies. The declaration serves as a critical international instrument that

⁸⁶ Roter, 2001

underscores the importance of protecting minority rights as a means to promote social cohesion and prevent further conflicts. It emphasizes the need for states to take proactive measures to ensure the rights of minorities are respected, including their right to enjoy their own culture, practice their religion, and use their language. This framework is particularly relevant in post-conflict settings, where the marginalization of minority groups can lead to renewed tensions and hinder the peacebuilding process. In the context of post-conflict peacebuilding, the declaration provides a normative foundation that encourages the integration of minority rights into peace agreements and reconstruction efforts. It advocates for the inclusion of minority groups in decision-making processes, which is essential for fostering reconciliation and sustainable development. By promoting the participation of minorities, the declaration helps to address historical grievances and build trust among diverse communities.⁸⁷

As the dynamics for human rights advocacy kept evolving in Europe, the most extensive agreement in Europe safeguarding the rights of members of national minorities is the Framework Convention for the Protection of National Minorities (Framework Convention) appeared in the European legal scope. It is the world's first legally binding multilateral instrument for the protection of national minorities, and the Advisory Committee, the only international committee solely focused on minority rights, oversees its implementation. The Committee of Ministers adopted it on November 10, 1994, and it became operative on February 1, 1998 with 38 European states currently have it in effect. For the purpose of this thesis, timewise, it coincides with the change of millennium and galvanization into action of a vast scope of human rights in Europe.⁸⁸

It is important to highlight that the term 'minority' has no clear definition in any international convention. Also, in the post-WWII society, minorities were seen by various states as a sign of instability, a group of people that can undermine the state structure, an issue that is difficult to manage and integrate into the major community. Despite this fact, 25 countries have ratified this Convention before it came into force in 1976, with most of them being Eastern European states. International treaties and scholars do not have a

⁸⁷ Alaverdov et al., 2023

⁸⁸ Framework Convention for the Protection of National Minorities, Council of Europe

unanimous definition of “minority”. Different states interpret the term “national minority” in different ways, as in the text of the Framework Convention on National Minorities there was no precise definition provided.⁸⁹ “National minorities” can be also identified as “long established ethnic minority groups [...] being citizens of their home-state [...] but identical to those of majority population in another state – their kin-state”.⁹⁰ This ambiguity gives the states a possibility to provide their own interpretation of the term according to the state’s vision on the issue. On the other hand, Article 27 of ICCPR introduces the rights of ethnic, religious, and linguistic minorities. It reads:

*“In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language”.*⁹¹

The “minority problem” is defined as the “social conflict between at least two parties”, i.e., the majority and minority communities, whose interests, goals, and objectives are at odds.⁹² Diversity management can be interpreted as organizing the mutual integration and coexistence of different social groups within one entity (for example, a state). Finally, different levels of governance, or multi-level governance, refer to the local, regional, national and international levels of governance, as well as relation between state, markets and civil society. The Framework Convention is the counterpart, or even the successor, of the ICCPR on the European continent and it is taken into consideration for the purpose of this thesis due to the fact that it is legally binding. Article 6 of the Framework Convention reads:

⁸⁹ Gal, 2000

⁹⁰ Roter, 2001

⁹¹ International Covenant on Civil and Political Rights, Article 27

⁹² Roter, 2001

“The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons’ ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and the media.”⁹³

In general, the linguistic minorities are recognized in the European Continent. Italy, Slovenia, and Germany have various linguistic minorities along the national borders due to the territorial rearrangement after the wars. The right for education in languages other than national one is also warmly seen in many countries. In Slovenia, the schools provide a bilingual education within Italian and Hungarian communities. Ukraine also grants secondary bilingual education for Hungarian community, despite the general tendency of Ukrainization of education. Multilingualism and 75 regional languages are also recognized in France, despite the fact that it does not recognize any minority under the Art. 27. It is important to note that Sweden and Finland recognize Sami as minority language, etc.⁹⁴

Ethnic minorities are widely represented in the Contest, reinforcing the role of the Contest as a platform for cultural diversity and inclusion. Eurovision’s focus on ethnicity and ethnic groups can be understood as a response to the evolving cultural dynamics within Europe and the broader international community. Since the 1990s, the ESC has expanded its musical repertoire to include a wider range of styles, reflecting a shift towards embracing cultural diversity and ethnic representation. This change is partly driven by the Contest’s inherently international nature, which distinguishes it from national programs and aligns it with other global cultural events like the Olympics or the World Cup. The Contest allows countries to present their unique cultural heritage through music, which often includes ethnic and traditional elements. This opportunity for cultural expression is particularly significant for countries and regions that wish to assert their distinct identities on a global stage. However, the incorporation of ethnic elements in Eurovision is not without its challenges. There exists a tension between the homogenizing tendencies of international

⁹³ Framework Convention for the Protection of National Minorities, Article 6

⁹⁴ Roter, 2001

popular music and the desire for cultural and stylistic specificity. Critics, particularly from a Western European perspective, have sometimes viewed ethnic entries with skepticism or incomprehension, highlighting the cultural divide between mainstream and peripheral musical expressions. The shift towards ethnicity in Eurovision can also be seen as a reflection of broader societal trends towards multiculturalism and the recognition of minority cultures. As Europe becomes increasingly diverse, there is a growing appreciation for the richness that different cultural traditions bring to the collective cultural landscape. Eurovision, by embracing ethnic diversity, projects these societal changes and contributes to the dialogue on cultural inclusivity and representation.⁹⁵

The Breton language, a minority language in France, has experienced a complex relationship with national identity and cultural expression, which can be seen in various cultural arenas, including the Eurovision. Historically, the French government's imposed rigid policies that have marginalized regional languages like Breton, but recent trends in regionalization and European dynamics have slowly begun to challenge such linguistic centralization.⁹⁶ The 2022 representatives from France, Alvan and the vocal group Ahez with the song "Fulenn (Sparkle)", come from the region of Brittany and they performed in Breton, emphasizing in their final act the regional culture and traditions. Due to the fact that the French performances usually follow the 'French chanson style', it may be seen as a significant step towards promotion of ethnic minority groups visibility.

Indigenous performers have notably been part of Australia's representation since its inclusion in the Contest in 2015, with artists like Jessica Mauboy (2018) and Isaiah Firebrace (2017) attracting attention to the Indigenous Australian identity and the country's multicultural complexity. Moreover, the Special Broadcasting Service (SBS), Australia's multicultural broadcaster, strategically uses Eurovision as a platform to project an image of Australia as a modern, globalized nation that has achieved "unity in diversity." This aligns with the broader goals of the ESC to foster cultural connections and promote diversity. However, the SBS does not overtly feature Indigenous culture in its song performances. This highlights a tension between the desire to show off diversity and the

⁹⁵ Björnberg, 2007

⁹⁶ Favereau, 1994

need to address the historical and ongoing struggles of Indigenous Australians within the broader multicultural framework.⁹⁷

In conclusion, Eurovision's shift towards ethnicity and ethnic groups is a multifaceted phenomenon driven by the Contest's international scope, the desire for cultural expression, and broader societal shifts towards diversity and inclusion. This evolution underscores the Contest's role as both a cultural showcase and a reflection of the complex cultural dynamics within Europe and beyond. Jamala's "1944" promoted Crimean Tatar rights by using the Eurovision stage to share a narrative of historical injustice and resilience. The song's success highlighted the power of music as a form of cultural expression and advocacy, capable of transcending political restrictions to address significant social issues. Alvan and Ahez's representation of France might be seen as a step forward towards linguistic decentralization in France and more inclusion of regional groups and languages. Although Australia's national broadcaster controversial intention to promote indigenous artists and culture on the international arena does not guarantee the ongoing future trend, the attempt might be considered as a shift toward a more inclusive representation. Overall, the Contest's evolution underscores its role as both a cultural showcase and a reflection of the complex ethnic dynamics within participating countries, promoting visibility in Europe and beyond.

Non-national performers

Over the last quarter of century, many countries have sent foreign nationals or representatives with non-national sounding names. The essence of the Contest incorporates foreign nationals and, obviously, nationals with a foreign background to represent participant countries which evokes multiple professional and in-front-of-TV discussions across the European continent. Foreign nationals representing participant countries in the Eurovision play a significant role in promoting cultural diplomacy and international understanding by serving as channels for national branding and cultural exchange. The Contest allows countries to showcase their cultural heritage and identity to a global audience, which is a fundamental aspect of cultural diplomacy. Each

⁹⁷ Collins & Barker, 2019

participating country is represented by a song and performance that often reflect the country's cultural values and traditions. This representation acts as a form of nation branding, where artists use the Contest to promote their country's cultural uniqueness and foster a positive international image. The short videos, called postcards, accompany each entry and serve as a window or bridge highlighting the natural beauty, traditions, and culture of the participating nations, thereby promoting cultural diplomacy.⁹⁸

One of the examples of artists that accepted the challenge is Mahmood, an Italian singer of Egyptian descent, plays a significant role in promoting human rights and diversity within the Eurovision framework. He was selected twice (2019 and 2022) to represent Italy in Eurovision through a very thorough and stage-based national selection, organized through the Sanremo festival. His delegation to the Contest highlights the complexities of national identity and representation, particularly in the context of ethnic diversity. Him representing Italy, that is known for its homogeneous stance on selecting the delegate to the ESC, has been questioned due to ethnic reasons, which underscores the ongoing dialogue about diversity and inclusion in the ESC. Mahmood's presence in the ESC serves as a powerful statement about the multicultural fabric of Europe. By representing Italy, he challenges traditional notions of national identity and showcases the diverse backgrounds that contribute to a country's cultural landscape. This representation is crucial in promoting a broader understanding and acceptance of multiculturalism within Italy and Europe. Furthermore, Mahmood's music often addresses themes of identity and belonging, which resonate with audiences across different cultural backgrounds. His success in the ESC can inspire other artists from diverse ethnicities to participate and share their unique cultural narratives, thereby enriching the Contest's diversity.⁹⁹

Celine Dion's participation and victory in the 1988 Eurovision Song Contest had a significant impact on the translational branding and perception of the event. Being a Canadian artist, she represented Switzerland in the Contest, which highlighted Eurovision's openness to international talent beyond the traditional European borders. Her victory with the song "Ne partez pas sans moi" brought a new level of international

⁹⁸ Borić & Kapor, 2017

⁹⁹ Spaziante, 2021

attention to the Contest, showcasing it as a platform where artists from diverse backgrounds could achieve success. This broadened the appeal of Eurovision, attracting a wider global audience and enhancing its reputation as a prestigious and inclusive event. Dion's success also underscored the Contest's role to launch the careers of artists on an international scale. Her victory on Eurovision led to subsequent fame in the global stardom and demonstrated the potential of Eurovision as a springboard for artists to achieve worldwide recognition. This aspect of the Contest became a key element of its branding, positioning Eurovision as not just a European event, but a global cultural phenomenon. Furthermore, Celine Dion's participation emphasized the Contest's ability to transcend linguistic and cultural barriers. Performing in French, she showcased the linguistic diversity that Eurovision celebrates, reinforcing the Contest's commitment to cultural exchange and unity.¹⁰⁰

Additionally, Germany and Sweden serve as a vivid example of the diversity notion on the stage. It is not necessarily the post-WWII Americanization of the German music industry, but rather the diversification of the pop music trends that were rising in the new society. Moreover, international stars dominated the music scape in the post-war times. In such spirit, Germany sent Malik Harris in 2022, the German-born son of Ricky Harris, a Black American television personality and musician.¹⁰¹ Loreen, a Swedish singer, played a significant role in promoting diversity in Eurovision, particularly during her participation in 2012. Her involvement in the Contest went beyond her musical performance and extended into activism and advocacy for human rights. During the Eurovision Song Contest held in Baku, Azerbaijan, Loreen met with local human rights activists as part of the "Sing for Democracy" campaign. This campaign aimed to draw international attention to human rights issues in Azerbaijan, using the global platform of Eurovision to highlight these concerns. Loreen's actions were significant because they demonstrated how artists could leverage their visibility and influence at international events like Eurovision to advocate for broader social and political issues. By engaging with human rights activists and publicly supporting their cause, Loreen used her platform to promote diversity and inclusivity, aligning with the values of freedom and equality that are often associated with

¹⁰⁰ Meijer, 2013

¹⁰¹ Lewis, 2019

Eurovision.¹⁰² Her second victory in 2023 has reinforced the Swedish position as a promotor of inclusivity and diversity on the European continent.

To summarize, the ESC is a platform for cultural exchange and international relations, where foreign nationals representing participant countries or nationals with a foreign background play a pivotal role in promoting mutual understanding and cooperation among nations. In his fight for self-determination, Mahmood took this opportunity to make a shift on rather traditional representation of Italian artists within Italy and across Europe. Having performed twice on the Eurovision stage, he incorporated various components of his background in the final acts to underscore Italian diversity. Celine Dion's influence on Eurovision's branding can be seen in the way her participation and victory highlighted the Contest's international appeal, its role in launching successful music careers, and its celebration of cultural and linguistic diversity. Finally, Germany and Sweden tend to use Eurovision as platform to show the world how diverse they are in essence.

LGBTQ+

Eurovision can indeed be seen as a catalyst for LGBTQ+ activism and advocacy in Europe and beyond, as through the last 25 years many queer artists have performed on stage and shaped the public perception of the LGBTQ+ rights on the European continent. While the ESC itself does not directly advocate for human rights, its role as a cultural phenomenon allows it to influence public discourse and challenge societal norms. By providing a stage for diverse voices and promoting a message of unity and acceptance, Eurovision can contribute to a broader understanding and appreciation of human rights. This indirect promotion is crucial in regions where such discussions might otherwise be limited or suppressed. The Contest is known for its acceptance and support of the LGBTQ+ community, which is evident in its popularity among gay audiences. This inclusivity is significant in regions where LGBTQ+ rights are not fully recognized or are actively suppressed. For instance, the ESC's popularity in Belgrade, despite Serbia's reputation for homophobia, suggests that the event can create a temporary space of acceptance and visibility for marginalized communities. Moreover, the ESC often serves

¹⁰² Baker, 2017

as a platform for artists to express political and social messages through their performances. This can include highlighting issues such as freedom of expression, equality, and anti-discrimination. The Contest's ability to bring together diverse cultures and perspectives fosters a dialogue about what constitutes "European values," which can include human rights and democratic principles.¹⁰³ The EBU, which organizes the ESC, is positioned as a promoter of freedom of expression and media. However, its failure to consistently speak out against or address human rights violations by host states can be seen as hypocritical. The EBU is in a strong position to advocate for human rights, yet its actions do not always align with this role. This inconsistency between the EBU's stated values and its actions during the ESC contributes to perceptions of hypocrisy. Moreover, the EBU has the potential to leverage both formal and informal human rights mechanisms to prevent violations in the Contest. The lack of a proactive approach in utilizing these mechanisms further underscores the gap between the EBU's potential influence and its actual practices. This gap highlights the need for the EBU to take a more impactful approach to human rights advocacy, which it has not consistently done.¹⁰⁴

The ESC has played a significant role in promoting LGBTQ+ rights in Europe, particularly from the 2000s onwards. The Contest has become a platform where queer visibility and national identity can be celebrated altogether, which is a unique chance for self-expression and liberty in the context of conservative nationalism. This dual celebration is facilitated by Eurovision's structure, which allows for the expression of both sexuality and nationhood, as well as sexuality and Europeanness. Eurovision's association with queer visibility began to solidify in the late 1990s, with openly gay and trans Contestants like Iceland's Páll Óskar in 1997 and Dana International, a trans woman who won for Israel in 1998. These milestones marked the Contest as a space where queer identities could be visible and celebrated. The Contest's expansion into central and eastern European countries during the EU accession process in the 2000s further highlighted the presence of rainbow flags and the visibility of LGBTQ+ identities within the arena, although it also sparked discussions about the safety of carrying such symbols outside the Contest venues. However, the Contest's approach to LGBTQ+ rights is not without controversy.

¹⁰³ Gluhovic, 2013

¹⁰⁴ Dubin, 2022

The EBU's handling of pride flags, particularly the rainbow flag, has been criticized for its depoliticization and lack of full inclusion. The 2016 flag policy, which tolerated the rainbow flag as long as it was not used to make political statements, reflects the ongoing tension between promoting queer visibility and maintaining a non-political stance. This tension mirrors the challenges faced by queer individuals in negotiating visibility and safety in everyday life.¹⁰⁵ The mechanisms and standards of the Council of Europe aim to guarantee and encourage adherence to each person's human rights. Lesbian, gay, bisexual, transgender, and intersex (LGBTI) people are among those who have equal rights and dignity. As mandated by Recommendation CM/Rec(2010)5 of the Council of Europe's Committee of Ministers to member states on measures to combat discrimination on the basis of sexual orientation or gender identity, the Council of Europe Sexual Orientation, Gender Identity and Expression, and Sex Characteristics (SOGIESC) Unit was established in 2014 to address human rights challenges. Through cooperation activities aimed at improving the legal and institutional frameworks, it specifically offers member states technical support and expertise upon request. It also increases the capacity of law enforcement and administration personnel and encourages the sharing of best practices and awareness-raising. Legal gender recognition, embracing SOGIESC diversity in the workplace, preventing hate crimes, hate speech, and bullying based on SOGIESC, and addressing multiple discrimination (e.g., LBT women, LGBTI ethnic minorities, LGBTI asylum seekers and refugees, LGBTI persons deprived of their liberty) are some of the specific themes.¹⁰⁶

The Contest's role in promoting LGBT rights is also evident in its incorporation into the international geopolitics of LGBTQ rights. Albeit only the 21st century human rights tendencies are taken into consideration for the analytical research in this thesis, it is important to highlight the role of the very first queer appearance on the Eurovision arena, especially because it took place during the watershed of the millennium. Dana International's victory at the Eurovision Song Contest in 1998 was a landmark event that significantly contributed to the promotion of LGBTQ+ rights, particularly in Israel and

¹⁰⁵ Baker, 2019

¹⁰⁶ See main page of Sexual Orientation, Gender Identity and Expression, and Sex Characteristics, Council of Europe

across Europe. Her win was not just a personal triumph but a cultural milestone, or the coming out of the Eurovision¹⁰⁷ that challenged and reshaped perceptions of gender and sexual identity. Dana International, a transsexual pop diva from Israel, used her platform at Eurovision to present a glamorous and positive image of transsexuality, which contrasted sharply with the previous biased interpretations of transgender individuals. This shift in representation was crucial in normalizing trans identities and fostering greater acceptance within mainstream culture. By winning such a high-edge international competition, Dana International brought visibility to transgender issues and highlighted the diversity within the LGBTQ+ community. Her participation and victory also contested the medical paradigm of transsexuality, which often pathologized transgender identities. By affirming her transsexual identity and maintaining a strong affiliation with the gay community, Dana International made an attempt to divert traditional narratives that sought to separate gender identity from sexual identity. This was particularly significant in the context of contemporary gay identity, which often relied on clear distinctions between gay men and transsexuals.¹⁰⁸

Moreover, the 2014 victory of Conchita Wurst, a bearded drag queen from Austria, was seen as a symbol of trans visibility and a challenge to conservative norms, particularly in countries with anti-LGBTQ+ policies like Russia. This event highlighted Eurovision as a site of ideological struggle over LGBTQ+ rights and visibility, framing it as a battleground between progressive and conservative values in Europe.¹⁰⁹ In terms of reactions from traditional and conservative countries, Conchita's victory was met with mixed responses. While many celebrated her win as a step forward for LGBT rights, some conservative countries expressed disapproval. For example, in Russia, a country known for its conservative stance on LGBT issues, there was significant backlash. Russian politicians and media figures criticized the victory, viewing it as a challenge to traditional values. This reaction highlighted the cultural and political tensions surrounding LGBTQ+ rights in more conservative regions.¹¹⁰ In many conservative regions, Conchita's victory was met with resistance and criticism, reflecting the ongoing struggle for LGBTQ+ rights in these areas.

¹⁰⁷ Oliver, 2011

¹⁰⁸ Ziv, 2007

¹⁰⁹ Baker, 2019

¹¹⁰ Bauer, 2016

Some politicians and public figures in these countries viewed the win as a challenge to traditional values and an unwelcome influence on their cultural norms. In Poland, for instance, the victory sparked widespread commentary among politicians from all major parties. This was notable given the proximity of the European Parliamentary elections, which were set to occur shortly after the Contest. The focus on Conchita's win shifted the political discourse in Poland towards issues of national identity, morality, and gender and sexuality-related topics, highlighting the cultural tensions surrounding these subjects.¹¹¹

Moreover, Verka Serduchka, a satirical character created by Ukrainian comedian Andrii Danylko, played a significant role in promoting LGBT visibility at the Eurovision Song Contest. Her performance in 2007 is noted for its camp style, which is a form of expression often associated with LGBT culture. Camp involves exaggerated theatricality and humor, and it has been a way for LGBT communities to express themselves and challenge mainstream norms. Although Verka Serduchka is not a drag queen in the Western sense, her performance style and persona contributed to the queer history of Eurovision. The character's ambiguous gender presentation and flamboyant performance style resonated with the LGBT community and aligned with the broader trend of Eurovision being a platform for celebrating both queerness and national identity. Moreover, Verka's performance marked a period in Eurovision's history where the Contest became a site for producing and Contesting narratives of LGBT equality and national/European identities. This period, known as the 'visibility phase' of LGBT politics at Eurovision, saw the Contest being used as a platform to advocate for LGBT rights and visibility, further embedding these themes into the cultural and political context of the event.¹¹² Despite the fact that Verka scored second that year, she became one of the historical Eurovision idols invited to the event again and again throughout years, thus increasing visibility of queer artists from Ukraine in Europe.

The Contest has historically served as a platform where national identity and LGBTQ+ rights intersect, as seen in performances like Marija Šerifović's 2007 entry "Molitva" from Serbia, which opened itself to queer interpretations and highlighted the Contest's role as

¹¹¹ Szulc, 2014

¹¹² Baker, 2017

a 'litmus test' for participant countries' international image regarding LGBTQ+ rights. The song became a symbol of national pride while simultaneously engaging with themes that defy conventional gender and sexuality norms in Serbia. This duality is significant in the context of post-Yugoslav nationalisms, where the performance of national identity is closely scrutinized and often used as a measure of a nation's alignment with European values, including those related to LGBTQ rights. "Molitva" stands out for its ability to transcend traditional gender roles and expectations. Marija Šerifović's performance was marked by a powerful and emotive delivery that did not conform to stereotypical representations of femininity often seen in such Contests. This departure from the norm allowed the performance to be interpreted through a queer lens, challenging audiences to reconsider their perceptions of gender and sexuality. The song's success at Eurovision highlighted the potential for cultural diplomacy to influence and promote inclusivity.¹¹³

In summary, while Eurovision has significantly contributed to the promotion of LGBT rights in Europe by providing a platform for visibility and celebration, it also reflects the complexities and challenges of integrating queer identities into mainstream cultural events. The Contest's impact on LGBT rights is substantial, yet it continues to navigate the delicate balance between celebration and political neutrality.¹¹⁴ Conchita Wurst's triumph at Eurovision served as a catalyst for discussions on LGBT rights, illustrating both the progress made and the challenges that remain in achieving acceptance and equality across different cultural contexts. Her victory not only celebrated diversity but also highlighted the ongoing need for dialogue and understanding in the face of resistance from more conservative sectors of society.¹¹⁵ Finally, Maria Šerifović as an undeniable winner and Verka Serduchka as a remarkable runner up in 2007 not only promoted queer rights back in conservative Serbia and Ukraine respectively but also attracted international attention to the ongoing tensions within the traditional communities with regards of queer artist perception. It is worth mentioning that the sole fact of queer artists being approved by the national broadcasters might be interpreted as a definite step

¹¹³ Wetzel, 2022

¹¹⁴ Baker, 2019

¹¹⁵ Szulc, 2014

forward towards a more integrated and inclusive representation of the LGBTQ+ artists from various parts of Europe.

Eurovision Song Contest, like any other annual event, undergoes consistent changes and so does its soft power to promote human rights within the European framework. In his further works, Nye argues that power is the ability to achieve the results that one wants.¹¹⁶ Additionally, “social power operates beneath the individual behavioral level by shaping underlying social structures, knowledge systems, and general environment”.¹¹⁷ Consequently, every year there emerge new social discourse topics within the Contest that fall under the basic principles and already established pillar conventions. The winner of the ESC 2024, Switzerland’s Nemo, identifies as non-binary, which is a first ever public announcement at the competition. Their song, “The Code” explains how they came to terms with their identity. Their victory is a huge win for trans and non-binary visibility on one of the world’s biggest stages. The song includes the lyrics: “This story is my truth, I went to hell and back to find myself on track, I broke the code,” as well: “Somewhere between the zeroes and the ones / That’s where I found my kingdom come.” Winners of the ESC serve as ambassadors of their values, thus the outcome of the 2024 edition might lead to a stronger promotion of non-binary rights in Europe.

In summary, Eurovision has established itself as more than just an entertainment show; it serves as a powerful platform for minority representation, cultural diplomacy, and soft power. By amplifying the voices of ethnic, national, and LGBTQ+ minorities, the Contest challenges traditional narratives and fosters a more inclusive vision of European identity. Through performances that incorporate regional languages, cultural heritage, and themes of self-expression, Eurovision has contributed to the normalization and visibility of marginalized communities on an international stage. Despite the EBU claims of political neutrality, Eurovision's history reveals its engagement with broader socio-political issues, particularly concerning human rights and democratic values. The Contest has not only provided opportunities for minority representation but has also been a battleground for countries navigating their stance on diversity and inclusion. Nations use the platform to

¹¹⁶ Nye, 2021

¹¹⁷ Katzenstein, 2009

shape their international image, reinforce national identity, or even sidestep internal controversies regarding minority rights. Ultimately, Eurovision plays a dual role: it celebrates diversity while simultaneously reflecting the political and social tensions surrounding minority rights in Europe. While it has been instrumental in promoting cultural exchange and inclusivity, its impact remains subject to political influences and national agendas. As the Contest continues to evolve, it might be able to keep challenging established norms and foster minority representation on the European continent.

Chapter III. Case Study: Eurovision and its Contribution to the Promotion of the Crimean Tatar and the Hutsuls Minority Rights in Ukraine

Ukraine is one of the biggest success stories of the Eurovision Song Contest, having produced 3 winning songs and 2 runners-up since the country's debut in 2003. Being the only country that have qualified for the Grand Final on every occasion since the Semi-Finals were introduced in 2004¹¹⁸, the soft power of Ukraine in the Eurovision world cannot be underestimated. Thus, many Ukrainians consider Eurovision as a “national sport” as it brings the sense of celebration and unity in the difficult socio-cultural and historical circumstances. The final of the National Selection to the ESC reached a record number of views, standing at 834 thousand viewers on television alone. According to information published on the eurovision.ua website, the music competition was viewed 3.1 million times on the YouTube platform in three days. On the day of the National Selection final, the TikTok account suspilne.eurovision gathered 3.4 million views, the reach of posts on Instagram was 1.7 million, and 7.3 million on video (reels).¹¹⁹

Ukraine recognizes various national minorities within its internationally recognized borders, but for the purpose of this thesis the Crimean Tatars and Hutsuls minorities will be taken into consideration as the representatives of these minority groups took part in the National Selection to the Eurovision Song Contest with some of these artists qualifying to the Eurovision Song Contest itself and even winning the competition on behalf of Ukraine. Crimean Tatars are recognized as the indigenous people of Ukraine and the methodology of this research will take into consideration all the reports and commitments taken by Ukraine within the scope of the Framework Convention for the Protection of National Minorities (hereinafter referred to as the Framework Convention), as well as

¹¹⁸ See Eurovision.tv, “A Brief History of Ukraine at the Eurovision Song Contest”

¹¹⁹ See article by Kakun, “It became known how many people watched the final of the National Selection for Eurovision 2025 and how the votes were distributed in Action”, Obozrevatel, February 11, 2025

researching the aspects of live performances during the National Selections to the ESC and the Eurovision live acts. The Hutsuls are an ethnic minority group in Ukraine, with this regard, this research will take into consideration whether ethnic minorities can be analyzed under the prism of the Framework Convention, as well as by live acts of the National Selections to the ESC and the Eurovision Song Contest itself. The aim of this research is to understand whether Ukraine promotes the Crimean Tata and the Hutsuls minority rights by means of the Eurovision Song Contest.

Background of the Crimean Tatars and the Hutsuls minorities in Ukraine

The Crimean Tatars are an indigenous ethnic group native to the Crimean Peninsula, which is located in the Black Sea and has been historically part of various empires, including the Crimean Khanate and the Russian Empire. They are distinct from other Turkic peoples, with their own language (Crimean Tatar) and cultural practices. One of the most tragic chapters in Crimean Tatar history occurred in 1944, when Joseph Stalin ordered the mass deportation of the Crimean Tatar population from Crimea to Central Asia (mainly Uzbekistan). This was done under accusations of collaboration with Nazi forces during World War II. The entire population, estimated at around 200,000, was forcibly relocated, and many died during the harsh journey or from poor living conditions in exile.¹²⁰ After Ukraine gained independence from the Soviet Union in 1991, Crimean Tatars began returning to Crimea. By the 1990s, many had settled back in their ancestral land, though they faced significant challenges in terms of housing, employment, and legal recognition. Crimean Tatars have historically been active in advocating for the recognition of their rights, including land restitution, cultural preservation, and the return of their homeland. In mainland Ukraine, Crimean Tatars are recognized as a national minority, with protections under Ukrainian law. Many Crimean Tatars who fled Crimea after the Russian annexation in 2014 have resettled in other parts of Ukraine, particularly in cities like Kyiv, Kherson, and Odessa, and they continue to advocate for the restoration of their rights in Crimea. After the annexation, the Crimean Tatars became one of the first groups to experience the repressive measures of the Russian authorities. The Republic of Turkey has played a crucial role in advocating for the rights and freedoms of the Crimean Tatars. Turkey's support has been evident in international forums, such as the United Nations and the "Crimean Platform," where it has consistently backed Ukraine's sovereignty and territorial integrity, including the rights of the Crimean Tatars. Turkey has also been instrumental in facilitating the release of Crimean Tatar political prisoners and supporting those who have been forced to relocate to mainland Ukraine. This support underscores Turkey's strategic interest in the Black Sea region and its geopolitical rivalry with Russia.

¹²⁰ Pohl, 2024

Despite not fully aligning with Western sanctions against Russia, Turkey's stance on Crimea remains firm, advocating for the peninsula's return to Ukraine and the protection of the Crimean Tatar community. The Crimean Tatar rights movement continues to face challenges under Russian administration, with reports of human rights abuses and suppression of cultural and political expression. The international community, led by countries like Turkey, remains a critical ally in highlighting these issues and supporting the Crimean Tatars' quest for justice and autonomy within Ukraine's territorial framework. The ongoing geopolitical dynamics in the region further complicate the situation, but the commitment to the Crimean Tatar cause remains a significant aspect of Turkish-Ukrainian relations.¹²¹ Despite all the hardships, Crimean Tatars maintain a strong sense of identity, with a focus on preserving their language, culture, and traditions.

The Hutsuls are an ethnic minority group native to the Carpathian Mountains, primarily living in the Hutsul region of western Ukraine which covers parts of the Ivano-Frankivsk, Chernivtsi, and Zakarpattia oblasts (regions). The Hutsuls have a distinct cultural identity, language, and lifestyle that are deeply connected to the mountainous terrain of the Carpathians. The Hutsuls are considered part of the larger Ukrainian or Ruthenian group but developed a distinct identity over centuries. Their origins are linked to the historical interactions between various groups in the Carpathian region, including Slavic, Turkic, and Hungarian populations. Their culture was influenced by these diverse people, as well as by the long-standing connection to the land and mountainous environment. The Hutsul language is a variety of the Ukrainian language, though it has its own unique regional characteristics. The dialect differs in vocabulary, pronunciation, and certain grammatical features from standard Ukrainian. Despite these differences, most Hutsuls are bilingual in Ukrainian and their local dialect. The group is known for unique cultural practices, which are heavily tied to the natural environment of the Carpathian Mountains. This includes traditional arts and crafts, folk music, dance, clothing, and religious practices. Hutsuls are also known for their craftsmanship, particularly in woodworking and metalwork, and for creating intricate Hutsul embroidery and textiles. While many Hutsuls have adapted to modern life, especially as Ukraine has become more urbanized, the Hutsul community

¹²¹ Mashevskyi & Pryhoniuk, 2023

remains deeply connected to its traditional ways. Hutsul culture is celebrated through folk festivals and cultural events, including the well-known Hutsul Festival held annually in the region. The Hutsuls are considered part of the larger Ukrainian nation but maintain a distinctive regional identity within Ukraine. They are seen as a symbol of the Ukrainian national spirit, especially in terms of their historical resistance to external influences, such as the Austro-Hungarian Empire, the Soviet Union, and, more recently, Russian aggression. The Hutsul region was historically part of the Austrian Empire and later the Austro-Hungarian Empire, which contributed to the region's distinctiveness compared to other parts of Ukraine. The Hutsuls have contributed greatly to Ukraine's cultural heritage, especially in the areas of traditional music, dance, and handicrafts.¹²² Hutsul music, characterized by its use of the trembita (a long wooden horn), flute, and violin, is a key element of Ukrainian folk music. The Hutsul dance, which is energetic and rhythmic, also plays an important role in Ukrainian culture. Though they are recognized as an ethnic minority in Ukraine, Hutsuls face similar challenges as other rural communities in the country, including economic hardships, outmigration, and the preservation of their cultural heritage in an increasingly globalized society. However, the Hutsul identity remains strong and is celebrated as part of Ukraine's rich cultural diversity.¹²³

The Framework Convention for the Protection of National Minorities

The Framework Convention for the Protection of National Minorities (Framework Convention) is Europe's most comprehensive treaty protecting the rights of persons belonging to national minorities under the Council of Europe. It is the first legally binding multilateral instrument devoted to the protection of national minorities worldwide, and its implementation is monitored by the only international committee dedicated exclusively to minority rights: the Advisory Committee. It was adopted on 10 November 1994 by the Committee of Ministers and it entered into force on 1 February 1998 and so it did in Ukraine, among other 38 states, although Ukraine joined in the Council of Europe in 1995.

¹²² Pidluzhna, 2019

¹²³ Melnychuk, 2020

Article 6 of the Framework Convention reads:

*“The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons' ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and the media”.*¹²⁴

Having analyzed in depth the content of the Article 6 it is evidently suggested that ethnicity of an individual is taken into the consideration by means of this provision. Since the Hultuls are an ethnic group, albeit they consider themselves Ukrainians, they may fall under the obligation of the state-party to the Convention to be taken protect their rights. The fact that Ukraine identifies the Hutsuls as an ethnic minority suggests that Ukraine is committed to promote to take ethnic groups under the scope of the Framework Convention.

Whilst the Framework Convention is a legally binding instrument under international law, the word “Framework” highlights the scope for member states to translate the Convention’s provisions to their specific country situation through national legislation and appropriate governmental policies. The provisions of the Framework Convention cover the use of the minority language in private and in public as well as, under certain conditions, in contacts with administrative authorities. It also includes the use of one’s personal name, display of information of a private nature and topographical names in the minority language, under certain conditions as well. States are further obliged to promote the conditions necessary for persons belonging to national minorities to maintain and develop their languages, traditions and cultures. This may require positive action in the form of funding or other forms of support from the state, especially to support languages with few speakers.¹²⁵

¹²⁴ Framework Convention for the Protection of National Minorities, Article 6.

¹²⁵ Roter, 2001

In order to monitor the proper implementation of the Framework Convention by the state-parties to the convention, the following procedure takes place:

1. States are required to submit a report containing information on legislative and other measures taken to comply with the principles of the Framework Convention every 5 years. This report is examined by the Advisory Committee. If the states fail to present their reports, the Committee of Ministers can authorize the Advisory Committee to start the monitoring process regardless.
2. The Advisory Committee carries out country visits and meets with minority organizations, other representatives of civil society, and local and national authorities.
3. The Advisory Committee then adopts an opinion containing concrete recommendations for state action. In this process, the Advisory Committee holds a confidential dialogue which gives states the possibility to offer any factual corrections. The Advisory Committee is free to accept or reject corrections offered.
4. Once the opinion is adopted, states have an opportunity to submit comments on this opinion within 4 months, after which time the comments and the opinion are published. It is also important to mention that the recommendations are not binding for the state.
5. Based on the opinion of the Advisory Committee, the Committee of Ministers adopts a Resolution with conclusions and recommendations in respect of the state concerned.¹²⁶

On January 10th, 2025 Ukraine submitted the Sixth Report Pursuant to Article 25, paragraph 2 of the Framework Convention for the Protection of National Minorities to the Advisory Committee On The Framework Convention For The Protection Of National Minorities, which operated under the Council of Europe. In the report Ukraine specifies its continuous support and investment into the national minorities since the ratification of the Framework Convention by means of funds towards the rights and freedoms of indigenous people. In the recent legal updates, Ukraine began using the notion of “national minority” and “national community” interchangeable, with one not excluding the other, due to the fact that the term “minority” was perceived in a rather negative stance

¹²⁶ See the Council of Europe website, About the Framework Convention for the Protection of National Minorities

by some groups, and there was no consensus on what terminology to use moving forward. Within the internationally recognized borders of Ukraine, parliamentary control in the area of national minorities (communities) is exercised by the Verkhovna Rada Committee on Human Rights, De-occupation and Reintegration of the Temporarily Occupied Territories of Ukraine, National Minorities and Interethnic Relations, as well as the Ukrainian Parliament Commissioner for Human Rights. On 13. December, 2025 the Verkhovna Rada of Ukraine adopted a new law "On National Minorities (Communities) of Ukraine" (hereinafter referred to as the Minorities Law) which provides for the possibility of using languages of national minorities in advertising, during public, cultural, artistic, entertainment and spectacular events inter alia, and the law was adopted by the Parliament the same year. The Minorities Law also allows allocations of State Budget funds towards various projects and activities led by the public associations of national minorities. With such intention, the "Unity in Diversity" program was launched the same year and would run up to 2034, with the purpose to the language rights of national minorities (communities) and indigenous peoples of Ukraine: "Ensuring the language rights of persons belonging to national minorities (communities) and indigenous peoples of Ukraine, supporting the preservation of languages of national minorities (communities) and indigenous peoples of Ukraine in accordance with the law" (Minorities Law 2023, p. 23, para. 2). Additionally, Ukraine reassures its ongoing support to promote Roma national minority rights until 2030.¹²⁷

National Selections to the ESC

Each participant country thoroughly selects what would be attractive to their European neighbors each year, and there is no single approach towards such a crucial choice. Eurovision countries select their participants through a variety of methods, but the general approach involves a national selection process or an internal choice by the broadcaster, or a combination of both. Most countries organize a national selection process to choose their Eurovision participant. These national selections often involve one or more shows, where multiple artists and songs compete for the chance to represent their country. The examples of such selections are Melodifestivalen (Sweden), Festival della Canzone

¹²⁷ Verkhovna Rada of Ukraine. Law "On National Minorities (Communities) of Ukraine", December 13, 2025

Italiana Sanremo (Italy), Eurovision Song Contest National Selection (Ukraine, Norway, Lithuania, and others). The process of selection usually varies but typically includes a series of live performances often with public voting and/or professional jury. There are usually semi-finals or heats leading to a final, or sometimes just the final show. In the end a combination of jury and public votes often determines the winner.¹²⁸

Voting in the national selections of the ESC participant countries serves as a fascinating lens through which to examine the principles of democracy and resemblance of democratic elections precisely. It is suggested that the institutional characteristics of modern democracy have been present in the Contest since its inception (Gauja 2019). Aristotle is one of the earliest philosophers to discuss the concept of democracy, differentiating between good and corrupt forms of government. He argued that democracy means 'rule by the many' could be beneficial but could also degenerate into mob rule if unchecked. His work *Politics* laid the foundation for much of later political philosophy.¹²⁹ Aristotle viewed the state (*polis*) as a natural institution that exists to help humans achieve their highest good and live a virtuous life. This understanding of the state as central to human flourishing influenced later political theorists who emphasized the role of government in promoting the well-being of its citizens. Aristotle emphasized that true citizenship required active participation in political life. For him, a citizen was someone who contributed to the common good, whether by holding office or engaging in political decision-making, thus engaging in elections.¹³⁰ Rousseau strongly supports direct democracy, where citizens actively participate in the decision-making process rather than electing representatives to act on their behalf. He argues that in a true democracy, citizens must be engaged in the formation of general will through constant public deliberation, debate, and voting on issues directly Rousseau, 2004¹³¹. After the Russian invasion of Crimea in 2014, Ukraine adopted the democratic format of selecting a representative to the Eurovision Song Contest by means of the National Selection (Vidbir), either hosted or

¹²⁸ See Eurovision.tv website, National selections

¹²⁹ Aristotle, *Politics*

¹³⁰ Wilson, 2011

¹³¹ Rousseau, 2004

co-hosted by Suspilne National Broadcaster. Such format has been in place annually and prevailed during the Russian full-scale invasion of Ukraine in 2022.

In Ukraine, the public may cast their vote through sending a paid SMS or through the government app Diia that introduced a service to cast a vote for a participant of the Ukrainian National selection (Vidbir) in a form of a poll. Government apps play a significant role in enhancing democracy by facilitating greater transparency, accessibility, and citizen engagement. These digital tools are integral to the concept of e-governance, which aims to streamline government processes and make them more accessible to the public. By providing citizens with easy access to information and services, government apps help to demystify governmental operations and promote transparency, which is a cornerstone of democratic governance. In addition to improving transparency and accountability, government apps can also promote inclusivity by reaching a broader audience. They can be particularly beneficial in engaging younger generations who are more accustomed to digital interactions. By leveraging social media and other digital platforms, government apps can disseminate information widely and encourage civic participation among diverse demographic groups.¹³²

Ukraine may have started seriously investing minds and resources into Eurovision after the Russian invasion of Crimea and start of the Russo-Ukrainian war in 2014. Such traumatic event made many Ukrainians reinforce their belief into “European” values such as democracy and human rights; thus, Suspilne launched the National selection for Eurovision. This notion might be related to Nye’s statement that Americans started seriously investing into soft power after the events of 9/11, 2001.¹³³ Diia was officially launched in 2020, but the Vidbir poll option was added later in 2023. During the open poll to the 2025 National Selection to the ESC, Suspilne claims that more than 300 thousand users have participated.¹³⁴ In its essence, all residents of Ukraine have an opportunity to log into the app if they have a Ukrainian tax number or any other document issues by the government of Ukraine; through digital signature; or alternatively, have opened a bank

¹³² Kuts, 2020

¹³³ Nye, 2008

¹³⁴ See article by Lutsenko, “How many people voted in "Diia" for the national selection for "Eurovision-2025", Suspilne, February 8, 2025

account in the Ukrainian bank and have the bank application on their phone.¹³⁵ Such delay in the launch of public vote, or realistically participation in poll, through Diia may be related to the fact that the resident's data security, or the log in process, requires comprehensive protection; additionally, digitalization of all government documents takes time to systemize. Digitalization notion creates a different environment of state and people interaction, making the power of state less prominent than it used to be, with the public influencing the state in return.¹³⁶ Although Eurovision fans do not have a 100% power to choose their national representative, they do contribute to the electoral process by casting their vote. At the same time, not every citizen or resident of the participant country votes or even watches Eurovision. This notion coincides with Rousseau's acknowledgement that in larger societies it may not be practical for every citizen to participate in every decision. For Rousseau, direct democracy ensures that the people retain control over their collective fate and that no minority or elite can dominate the decision-making process. Rousseau's version of democracy is idealistic and somewhat radical, as it places significant emphasis on the moral and civic duties of citizens. Democracy is not just about rights and freedoms but also about collective responsibility and commitment to the common good.¹³⁷

The Ukrainian national selection for Eurovision has long become the main cultural event of the beginning of the year. It is awaited, admired, and argued by many observers. The competition for the right to represent the country at the international competition is not just a show, but also a reflection of musical trends, cultural changes, and public sentiment.¹³⁸ Notwithstanding, the National Selection process for Ukraine's Eurovision Song Contest entries is inherently political due to the country's strategic use of cultural diplomacy, especially in the context of its ongoing conflict with Russia. The ESC serves as a significant platform for Ukraine to project its national identity and counteract negative perceptions shaped by Russian rhetoric. This is evident in Ukraine's approach, which combines culturalist and neo-propagandist elements to achieve its diplomatic goals. Moreover, the selection process is also influenced by neo-propagandist elements, as

¹³⁵ See diia.gov.ua website, Digital State

¹³⁶ Nye and Keohane, 1998

¹³⁷ Miller, 1984

¹³⁸ Zinchenko, 2024

Ukraine consciously uses the ESC to challenge and reshape international perceptions that may have been distorted by Russian narratives. This involves choosing entries that not only showcase Ukrainian culture but also convey messages of resilience and defiance against external aggression. Such strategic choices are designed to garner international sympathy and support, further politicizing the selection process.¹³⁹ Although Ukraine started participating in the ESC in 2003, the selection process of representatives was not transparent, with candidates being appointed by the public broadcaster sometimes even last minute. Everything changed when in 2016 the national selection was organized in joint collaboration of privately owned STB channel together with the Suspilne Public Broadcasting Service. The format became more transparent as the audience and the jury began to have equal influence on the results, and the stage turned into a high-quality platform for newly emerging artists.¹⁴⁰ This approach supports the hypothesis that Ukraine have started seriously investing into the democratization process in the Eurovision reality only after direct threat to the core values of democracy and territorial integrity, namely the Russian annexation of Crimea in 2014.

Ukraine's participants that represent ethnic minority groups

The shift to rather democratic and transparent selection of Ukraine's representatives though a combined 50/50 jury/public vote in the National Finals brought about positive changes to Ukraine's position in the Eurovision world. The selected representative of 2016, and conjointly the winner of the 2016 Eurovision edition, Jamala, comes from a Crimean-Tatar family and preforms a part of her chorus in the Crimean-Tatar language that comes from a Turkic language family. In the context of the Russian annexation of Crimea in 2014, this winning performance and song "1944" resonates with the call for protection of indigenous people rights and reflects the public condemnation towards illegal deportation of Crimean Tatars by the Soviet regive in 1944. Historically, the Crimean-Tatars and their language have been constantly persecuted in the Russian Empire and Soviet Union which provoked a strong sense of fight for self-identification by the Crimean-Tatar. Jamala used the Crimean-Tatar language in her chorus repetitively,

¹³⁹ Welslau & Selck, 2023

¹⁴⁰ Zinchenko, 2024

invoking over and over the themes of the “stolen youth/time” and “stolen home”,¹⁴¹ ostensibly referring to the illegal occupation of Crimea, her homeland, by the Russian army. The Contest rules prohibit overt political messages in performances, yet Jamala's song was able to convey a powerful message through its historical context and emotional depth. The song's narrative, while not explicitly political, implicitly highlighted the struggles and injustices faced by the Crimean Tatars, thus bringing international attention to their plight. This was particularly significant given the geopolitical tensions surrounding Crimea at the time of her performance, following its annexation by Russia in 2014, a year when Ukraine sent a delegate to the Eurovision for the last time before Jamala, as Ukraine withdrew from the Contest in 2015 due to the forementioned political crisis.¹⁴² Jamala's victory at Eurovision was not only a personal triumph but also a symbolic moment for the Crimean Tatar community. It provided a platform for raising awareness about their historical suffering and ongoing challenges. The international media coverage and commentary that followed her win further amplified the song's message, contributing to a broader conversation about national identity and historical memory in Ukraine and beyond.¹⁴³ Jamala wore a black dress that had a traditional and elegant design, which was complemented by symbolic elements of Crimean Tatar dress. This helped evoke the cultural heritage of her people, connecting the performance to the history she was honoring in the song. The song itself was inspired by Crimean Tatar folk music, blending contemporary sounds with elements that are deeply rooted in Crimean Tatar culture. The use of the Crimean Tatar language in the song's lyrics, particularly in the chorus, emphasized the connection to her heritage. The haunting melody reflected the sadness and loss of the community, as well as its resilience. The digital animation of the tree growing in vast amount and blossoming, as Jamala was performing a continuous high-pitch vocalizing, might signify the survival and growth of the Crimean Tatars after the traumatic event, as well as a sign of hope for them to return to their homeland once again.¹⁴⁴ Having become a cultural ambassador of Ukraine following her victory in the

¹⁴¹ See ESC, Jamala, 2016, “1944” official video on Youtube and Appendix 2. English translation of Jamala’s “1944”

¹⁴² Dunin-Wąsowicz, 2017

¹⁴³ Pavlyshyn, 2019

¹⁴⁴ See ESC, Jamala, 2016, “1944” official video on Youtube

Eurovision, Jamala continues delivering message in numerous international events and by giving interview to the foreign press about her will to go back home to Crimea in the nearest future and the fact that Russia annexed Crimea illegally.¹⁴⁵ She also takes part in various civil society initiatives, such as “Letters to free Crimea” among others, to support political prisoners of the Crimean Tatar descent that are currently on the territory of Crimea by the Russian Federation regime. With such spirit, Jamala recites the letter of the political prisoners in order to call attention in Ukraine, and internationally, to the ongoing political oppression of the Crimean Tatars by the Russian government.¹⁴⁶

Ruslana's performance and victory at the Eurovision Song Contest in 2004, with her song "Wild Dances," was a vivid display of national elements that highlighted Ukrainian cultural identity. Her performance was characterized by a unique musical style termed "drive-ethno-dance," which blended traditional ethnic sounds of the Hutsuls ethnic minority. One of the most prominent national elements she used was the incorporation of the trembita at the very opening of the act (ESC Youtube 2004).¹⁴⁷ Trembita is an alpine horn traditionally used by the Hutsuls. It is a significant cultural symbol and its use in her performance highlighted the ethnic sounds of the mountain people of Ukraine. This style of her rhythmic folk dance not only showcased the traditional music of the Hutsuls but also modernized it, making its very first entry, as well as rendering accessible and appealing to a broader audience. By blending these elements, Ruslana was able to anchor her performance in Ukrainian cultural identity while also appealing to the contemporary tastes of the Eurovision audience.¹⁴⁸ Although Ruslana won in 2004, the winning stance of the Hutsuls' 'trembita notion' resonates with the modern day e-governance in Ukraine as the system of electronic interaction of state electronic information resources "Trembita" is an information and communication system designed to automate and technologically support data exchange between subjects of electronic interaction from electronic information resources based on uniform rules and exchange

¹⁴⁵ See article by Bozhok, “I always use international platforms to tell the world the truth: Russia is a terrorist,” Jamala says about her own fight for Crimea”. *Vechirniy Kyiv*. January 27, 2025

¹⁴⁶ See article by Melnyk, “Letters to a Free Crimea”: Singer Jamala Reads a Letter from Kremlin Prisoner Halyna Dovgopola”. *Suspilne*. December 11, 2024 and *Nyzhnyosirogozka settlement territorial community official website*, Press release.

¹⁴⁷ See Eurovision Song Contest, Ruslana, “Wild Dances. Winner of Eurovision 2004” official video on Youtube

¹⁴⁸ Wickström, 2008

protocols when providing public (electronic public) services and exercising other powers in accordance with the tasks assigned to them.¹⁴⁹ Although Ruslana is not Hutsul, the fact that she framed her performance act with the Hutsul elements might be interpreted into an attempt to promote the Hutsul culture on the international stage. Following her victory at the Eurovision in 2004, Ruslana became prominent Ukrainian activist, has employed a multifaceted approach in her activism to promote social justice and human rights in Ukraine. Her strategies are deeply rooted in the historical and socio-political context of Ukraine, particularly during pivotal moments such as the Orange Revolution, that took place in 2004, the year of Ruslana's victory, and the 2013-2014 Euromaidan movement. During the Orange Revolution, Ruslana, like many other activists, utilized grassroots mobilization and civil disobedience to challenge election fraud and authoritarianism, which was a significant demonstration of civil society's power against oppressive regimes.¹⁵⁰ She established an image of a fight for a Ukrainian national identity.

Moreover, Fiinka, a participant in the National Selection to the ESC in 2023 and 2025, is Hutsul by decent. She has been promoting the Hutsul culture in Youtube besides the National Selection itself, where, in 2025, she performed a song called "Kultura" that translates from Ukrainian as "Culture". Having repeated the word "kultura" 34 times¹⁵¹, it is suggested that Fiinka had a strong intention to promote the Hutsul culture among the Eurovision domestic and international communities. Additionally, she always incorporates the traditional Hutsuls elements in her clothing and overall performance, as well as popularizes the Hutsul dialect and onomatopoeia, that is unknown to a regular Ukrainian-speaking viewer, in her songs.¹⁵² By inviting Fiinka to compete in the National Selections to the ESC, organized by the national broadcaster 'Suspilne', Ukraine shows an attempt to promote the Hutsuls ethnic minority rights within national and international framework,

¹⁴⁹ See Government of Ukraine trembita.gov.ua website, Trembita

¹⁵⁰ Hrycak, 2007

¹⁵¹ See Appendix 3, English translation of Fiinka's "Kultura"

¹⁵² See Eurovision Ukraine, 2025, Fiinka, "Kultura" official video on Youtube and Appendix 3, English translation of Fiinka's "Kultura"

as many Eurovision fans from all over the world observe the Ukraine' National Selections 'Vidbir' annually.¹⁵³

Taking all the above-mentioned empirical evidence into consideration, it is further suggested that the Ukrainian National Broadcaster opted to shortlist and promote artists that represent the Crimean-Tatar indigenous group and the Hutsul ethnic group not only due to the recent political situation in Ukraine, but also in relation to the legal obligations and commitments of the Framework Convention that was ratified prior to Ukraine's initial participation in the ESC. Nevertheless, in 2024, the Cabinet of Ministers of Ukraine approved an official list of languages of national minorities (communities) and indigenous peoples of Ukraine that are threatened with extinction;¹⁵⁴ hence, it is strongly recommended that the Ukrainian National Broadcaster takes initiative to promote languages, such as Roma and Gagauz as well, since these minority groups equally contribute to the diverse mosaics of the Ukrainian State.

In conclusion, Ukrainian National Broadcaster that has an agreement with the European Broadcasting Union, a host of the annual Eurovision Song Contest, has been selecting artists that represent the Crimean Tatar national minority and the Hutsuls ethnic minority recognized by the Ukrainian state to compete in the National Selections to the ESC, and further to the Eurovision Song Contest itself. Furthermore, Ukraine successfully utilized the Eurovision platform not only to promote the Ukrainian identity and culture in its fight for self-determination on the international arena, but also promoted ethnic, national, and indigenous groups' rights domestically and in the global context. The following tendency has been observed since the beginning of Ukraine's participation in the Eurovision in 2003. This notion may be related to the fact that Ukraine is a state-party that ratified the Framework Convention for the Protection of Rights of National Minorities and integrated the provision of the Covenant into its national legal framework by establishing the Minority Law that undergoes continues review and update. Given this approach, Jamala, as an artist of the Crimean Tatar decent and the winner of the Eurovision 2016, called the vast

¹⁵³ See article by Chebotar, "What is known about the singer FIÏNKA, whom Ukrainians brought to the final of the National Selection for Eurovision 2025", *Apostrophe*, January 17, 2025

¹⁵⁴ See Appendix 4, List of of languages of national minorities (communities) and indigenous peoples of Ukraine that are threatened with extinction

Contest's audience attention to the annexation of Crimea by the Russian Federation. Following her victory merely on the Eurovision stage, she became Ukraine's cultural ambassador to promote Crimean Tatar rights, particularly those of political prisoners in Crimea occupied by Russia. Furthermore, Ukraine pledges to promote the Crimean Tatars' rights in the various spheres, including entertainment until 2030 by launching the "Unity in Diversity" program. Additionally, Fiinka's multiple participation in the National Selections to the ESC and Ruslana's successful performance that led to Ukraine's 2004 Eurovision victory demonstrate the Ukrainian National Broadcaster's effort and commitment to promote the Hutsuls ethnic minority rights on national and international arena. Nonwithstanding, according to Ukraine's present legal framework on protection of minority languages, it is recommended that other official extinct languages should be promoted by the Ukrainian National Broadcaster.

Conclusions

The extensive research conducted in the present thesis concludes that politics is ingrained in the Eurovision Song Contest's essence, even though the EBU officially claims that it is a non-political event. The EBU regularly makes political statements and decides which nations should participate based on how well they uphold democratic principles. The fact that Russia and Belarus were kicked out of the Contest, and that Turkey was suspended for a protracted period of time, demonstrates how deeply the Eurovision organizer is entangled in European politics. Additionally, it is suggested that the Council of Europe and the European Broadcasting Union work together in a number of ways to advance democratic principles, media freedom, and human rights throughout the European continent utilizing the Eurovision platform. While the CoE's mission to protect democracy, human rights, and the rule of law is often in line with the EBU's primary focus on broadcasting and cultural exchange through events like the Eurovision Song Contest, the two organizations have collaborated on projects that highlight media pluralism, journalistic integrity, and the protection of free speech, acknowledging the importance of public service broadcasting in creating inclusive and informed societies. Furthermore, from its original purpose as an entertaining international song contest, Eurovision has evolved into a potent soft power tool for state and non-state actors looking to persuade audiences throughout the world. By means of various 'logos', the ESC participating countries express their national identity, support political narratives, and influence global perceptions through music and performances as well as participative and cultural diplomacy. In their capacity, artists, whether representing political entities or being independent, frequently contest the European Broadcasting Union's assertion of political neutrality by using the Contest's enormous reach to advance social causes, human rights, and political agendas. It is through strategic participation or symbolic performances that Eurovision serves as a platform for public diplomacy between governments and fan communities.

Additionally, Eurovision has become more than just a show for entertainment; it is a potent platform for soft power and cultural diplomacy for minority representation. The Contest challenges conventional narratives and promotes a more inclusive vision of the European identity by elevating the voices of national, ethnic, and LGBTQ+ minorities. Through performances that integrate regional languages, cultural heritage, and self-expression themes, Eurovision has helped marginalized communities become more visible and normalized on a global scale. The Contest has served as a battlefield for nations negotiating their positions on diversity and inclusion in addition to offering chances for relatively distributable minority representation. Participant countries utilize the ESC platform to strengthen their national identity, project a certain image abroad, or even attempt to administer diversity management policies over minority rights. Ultimately, Eurovision serves two purposes: it both honors diversity as well as captures the social and political issues surrounding minority rights in Europe. Although it has played a significant role in fostering inclusivity and cross-cultural exchange on the European level, its effects are still influenced by national agendas and political factors. Notwithstanding, the Contest may be able to continue questioning accepted conventions and promoting minority representation on the European continent in the further editions.

Finally, Ukraine effectively used the Eurovision platform to advance the rights of ethnic, national, and indigenous groups both domestically and internationally, in addition to promoting Ukrainian identity and culture in its struggle for self-determination on the international stage. Since Ukraine first entered the Eurovision contest in 2003, the following tendency has been noted and it might be augmented with the legal obligations of Ukraine with relation to the existing CoE legal framework on protection of the minority rights . Ukraine has incorporated the Framework Convention for the Protection of National Minorities into its legal system through its Minority Law, which undergoes continuous review with the Council of Europe institutions. Jamala, a Crimean Tatar artist and winner of Eurovision 2016, used the contest to highlight Russia's annexation of Crimea. Her victory elevated her to the role of Ukraine's cultural ambassador, advocating for Crimean Tatar rights, especially political prisoners in occupied Crimea. As a result, Ukraine has committed to supporting Crimean Tatar rights through initiatives like the "Unity in Diversity" program, which will continue until 2030. Fiinka's repeated participation

in the National Selections for Eurovision, along with Ruslana's winning performance in 2004, reflects the Ukrainian National Broadcaster's dedication to advocating for Hutsul ethnic minority rights as well, both nationally and internationally. Nevertheless, under Ukraine's current legal framework for minority language protection, it is advised that the broadcaster also promote other officially recognized endangered languages.

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Appendix

Appendix 1: ESC Code Of Conduct 2024

Introduction

The Eurovision Song Contest (ESC) is a non-political, international entertainment event co-produced by broadcasters who are Members of the European Broadcasting Union (EBU).

Its slogan is United By Music, rooted in its values of universality, equality, inclusivity and its proud tradition of celebrating diversity through music (the ESC Values).

To preserve this tradition and mission, the ESC must remain an inclusive platform where artists can showcase their talents free from political influence, and within a joyful atmosphere of celebration and unity.

To ensure a safe, respectful, and enjoyable experience for all, the EBU has established this Code of Conduct which outlines the expectations and guidelines for all individuals involved in the planning, execution, management, and attendance of the ESC, including staff, artists, performers, contributors, suppliers, sponsors, and delegation members, regardless of accreditation status.

It applies to all actions, activities, and endeavours related to the ESC, both within official ESC venues, when accessing the Online Media Centre and in any other context connected to the ESC.

No accreditation will be given to any individual without their agreement to be bound by the requirements of this Code of Conduct.

By taking part in the ESC - whether accredited or not – you agree to uphold the following principles.

1. Protect the Integrity of the Eurovision Song Contest

You are expected to safeguard the integrity, interests, and image of the ESC and its participants. Behaving positively enhances our shared experience and fosters a sense of community.

Respect ESC Values

The ESC embraces and promotes the values of universality, diversity, equality, and inclusivity. Everyone is expected to contribute to a welcoming environment free from intolerance, hate speech, harassment and discriminatory behaviour at all event locations and at all stages of the ESC, including before the event takes place.

Respect Political Neutrality

The ESC is a joyful, non-political event dedicated to celebrating music and culture. You are required to respect this mission by refraining from political promotion or related conduct, including actions, statements, or symbols during - or in relation to - the event.

- The ESC respects freedom of expression as a fundamental right. While participants retain their right to free speech outside the Contest, they are bound by the ESC's rules within the context of their performance and official activities related to the Event.
- Participants can express themselves freely in a personal capacity but must avoid linking political views to their ESC participation. They must not instrumentalize the ESC or use the ESC as leverage by making political statements or causing controversies, thereby shifting focus away from the Event's purpose, which is celebrating music and promoting unity

Fair Play and Ethical Competition

Fair Competition: Adhering to ESC Rules is essential to ensure a level playing field for everyone. We promote a spirit of healthy competition and kindly remind participants that any unethical behaviour or sabotage is strictly prohibited and will lead to sanctions.

Respect for Voting: Maintaining the integrity of the voting process is vital. We appreciate everyone's commitment to upholding this integrity. Any manipulation, or attempt to

influence the results or the outcome of the ESC is not permitted and will be severely sanctioned in accordance with this Code of Conduct and the ESC Rules.

2. Behave Responsibly

Do not behave in a way that could diminish the experience for others; or limit, hinder or interfere with their ability to perform their duties effectively or work professionally.

Professional Behaviour

The ESC is a professional workplace. You must maintain a respectful, courteous and professional attitude at all times while performing duties in relation to the ESC. Everyone must be treated with kindness, respect, fairness, courtesy and on an equal basis. A non-exhaustive list of prohibited behaviours is attached to this Code of Conduct.

Positive Interactions

We stand firmly against any kind of harassment, bullying, hate speech, and any form of discrimination. You are expected to avoid any actions or behaviours that put others at risk. Treat everyone with dignity and respect, regardless of race, gender, ethnicity, sexual orientation, religion, disability, or other protected characteristics.

Adherence to Local Law, Instructions, Rules & Protocols

You must comply with all applicable local laws, health, safety, security and emergency protocols to maintain a safe environment for all attendees. In particular, you must comply fully with the security checks and access controls established at the official ESC Venues. Adherence to these measures is mandatory to ensure the safety and integrity of all participants and staff.

Accreditation Cards

Accreditation Cards are personal and non-transferable. You must not lend your Cards to others, even if they are accredited.

The Cards remain the property of the Host Broadcaster.

All holders must visibly wear their Cards at all times within ESC venues and premises, including official locations requiring accreditation access. Performing artists may remove their cards as directed by the production crew.

Cards must be returned to the Host Broadcaster or the EBU immediately upon request.

Cards must not be reproduced.

Do not share pictures of your Accreditation Cards on social media.

3. Communicate Responsibly

We support and respect open expression and freedom of speech.

You are expected to maintain a positive and respectful tone in all forms of communication, including during interviews and on social media in the context of your participation in the ESC.

In particular, bear in mind that some of the participants and many of the ESC audience are young people.

4. Engage Actively

Artists are expected to actively participate in rehearsals and performances, and all individuals must respect these commitments.

Adhering to schedules and supporting the smooth operation of activities is essential for the success of the collective effort. This dedication not only ensures a seamless experience but also respects the efforts of everyone involved.

5. Respect Performances & Collaboration

We encourage all attendees to appreciate every performance and the talent involved.

Disruptive behaviour is to be avoided at all times, particularly during live performances and ongoing production activities, to ensure a positive and enjoyable experience for all participants and the audience.

Mutual respect between artists and technical and creative staff is essential. By collaborating and following approved staging directions and instructions, we ensure the smooth execution of performances and of the event, benefiting everyone involved.

6. Protect Youth Participants

All individuals involved in the ESC have a duty of care to ensure that the safety of young people (under-18s) participating in the ESC is a priority.

Everyone must adhere to the ESC Protection & Safeguarding Policy for Youth Participants and the ESC Code of Behaviour with Young Persons Aged Under 18 to ensure the protection of children and young people.

7. Be Mindful When Taking Photos & Filming

Respect the privacy of others while capturing photos or videos and adhere to onsite instructions and signage regarding photography and filming.

Adhere to the ESC Filming Rules to maintain a respectful and enjoyable environment for all.

8. Prohibited Items & Activities

Prohibited Items

Certain items, behaviours and activities are banned from the event premises, including, but not limited to:

- Weapons or dangerous objects
- Fireworks or pyrotechnic devices
- Professional recording devices, unless explicitly authorized in view of your accreditation category
- Wireless equipment (e.g. microphones and cameras)
- Offensive banners or symbols, which are not in line with the ESC values and the provisions of this Code of Conduct

Official flags representing participating countries are welcome.

This list may be amended at any time, reflecting the house rules of the official ESC Venues. An updated list will be included in the Delegation Handbook and Media Handbook or provided at the Venue.

Inappropriate behaviours

- Illegal substances: Using or being under the influence of illegal drugs is prohibited
- As with any workplace, we recommend refraining from alcohol consumption while working. It is essential to exercise particular care when working to maintain safe and productive environment in line with applicable Health and Safety Guidelines in the workplace
- Intoxicated behaviour around under-18s, or that threatens the safety or experience of others, will not be tolerated
- Abusive language, verbal or physical aggression or sexual harassment will not be tolerated
- Any of the behaviours described in Appendix I will not be tolerated and may result in removal from the event

Prohibited Materials

Promoting, carrying into, or wearing on any event premises any political, religious (other than personal religious objects), racist, or promotional material, signs, objects, or messages is prohibited.

Prohibited Commercial Activities

Selling, offering to sell, or possessing goods or services with the intent to sell, whether online or offline, is strictly prohibited within the event premises. This includes the sale or promotion of materials through any platform, unless expressly authorized by the EBU and/or the Host Broadcaster.

Reporting Violations

If you witness or experience any inappropriate behaviour or violations of this Code of Conduct, please report it to the ESC Code of Conduct Manager.

All concerns will be taken seriously and handled in a professional manner, according to established protocols.

Contacts are named in the:

- Media Handbook
- ESC staff and production app
- Delegation Handbook

Consequences of Misconduct

The duty to follow this Code of Conduct is included in the Terms and Conditions for Accreditation at the ESC and under the Rules of the ESC.

Any violation of this Code of Conduct will be addressed by the Code of Conduct Committee (COCC) .

The COCC is composed of one Representative from the Host Broadcaster, the ESC Director, the ESC Executive Supervisor, the Chairman of the Reference Group (RG) and an elected member of the RG.

Decisions will be taken according to applicable protocols.

To ensure that everyone is protected and can enjoy the event in a safe and respectful environment, we have adopted a zero-tolerance policy. Any serious misconduct will lead to immediate removal from the event and withdrawal of accreditation.

Depending on the severity of the misconduct, legal action may also be pursued, and individuals may be reported to local authorities.

Examples of Prohibited Behaviours during the Eurovision Song Contest

Harassment and Bullying

- **Verbal Abuse:** Mocking accents, insulting appearance, belittling achievements, or using discriminatory language against individuals based on race, nationality, gender, or other personal traits
- **Physical Intimidation:** Threatening gestures, blocking someone's path, or using aggressive body language to create an uncomfortable or hostile environment
- **Cyberbullying:** Posting derogatory comments, spreading rumours, or encouraging online harassment of other participants
- **Unwelcome Physical Contact:** Unwanted touching, pulling someone by the arm, shoulder or clothing, or other non-consensual physical interactions that invade personal space

Sexual Harassment

- **Inappropriate Remarks:** Making sexually suggestive comments or jokes that make others uncomfortable
- **Unwanted Advances:** Persistently pursuing romantic or physical interactions in a manner that is inappropriate or unwelcome. This includes any behaviour that creates discomfort, pressure or a hostile environment
- **Inappropriate Relations in ESC Workspaces:** Engaging in sexual relations in workspaces or production areas, even if consensual, as this can create discomfort or unprofessional environments

Disruptive and Disrespectful Conduct

- **Interruption of Events:** Yelling, loud critiques, or distracting actions that interfere with rehearsals, performances, or other official ESC functions
- **Non-Compliance with Event Protocols:** Ignoring official guidelines or security instructions, or engaging in prolonged disruptive behaviour that could impact event flow and others' participation

- **Refusal to Follow Safety Guidelines:** Disregarding safety protocols established by the EBU, the Host Broadcaster, security, or venue staff, potentially endangering the safety of all attendees

Hate Speech

- **Targeted Harassment:** Using slurs, derogatory remarks, or promoting stereotypes based on race, ethnicity, religion, gender identity, nationality, disability, sexual orientation or other protected characteristics

- **Incitement of Hostility or Violence:** Advocating harm or displaying hostile language toward a group or individual

- **Disrespectful Religious or Cultural Mockery:** Making offensive remarks about someone's religious beliefs, cultural practices, or personal identity

Abusive & Aggressive Behaviour

- **Verbal Aggression:** Shouting insults, using offensive language, or making threatening remarks that create an unsafe atmosphere

- **Physical Altercations:** Any form of aggressive physical interaction with participants, staff, or attendees

- **Hostile or Intimidating Body Language:** Displaying threatening gestures, such as pointing fingers aggressively, raising a fist or a hand aggressively or inappropriately, or standing too close in a menacing way

Online & Social Media Misconduct

- **Defamatory Posts:** Sharing harmful or untrue content about ESC participants or the EBU, the Host

Broadcaster or the Participating Broadcasters

- **Doxxing and Threats:** Posting personal information or sending threatening messages with the intent to incite hostility

- **Encouraging Public Harassment:** Sharing information that promotes targeted harassment or hate campaigns online

Risky or Dangerous Behaviours

- **Endangering Others' Safety:** Tampering with safety equipment, blocking emergency exits, or failing to report hazards, which could put others at risk
- **Violating Safety Protocols:** Attempting to enter restricted areas, ignoring evacuation procedures, or bypassing security checkpoints, creating potential risks for others

Alcohol & Substance Abuse

- **Intoxicated Behaviour:** Excessive drinking or substance use that leads to unsafe or disruptive actions, especially in professional ESC settings
- **Illegal Substances:** Consuming and/or being under the influence of prohibited drugs or other controlled substances in ESC venues

Privacy Violations & Unauthorized Filming

- **Filming without Consent:** Recording individuals in private areas or designated no-filming zones
- **Filming in breach of ESC Publication Rules:** Filming or recording where filming/recording is prohibited by ESC Rules (such as during rehearsals).
- **Distributing Private Information:** Sharing personal details of participants or staff without permission, violating their privacy

Damage to Property

- **Vandalism:** Defacing or tampering with any property, decorations, equipment, or areas at the venue or in any official locations
- **Creating Safety Hazards:** Engaging in reckless or destructive behaviour that could result in unsafe conditions, such as breaking equipment or tampering with safety setups

Prohibited Commercial Activities

- **Unauthorized Sales or Promotions:** Selling merchandise or distributing promotional materials without prior consent

- **Soliciting Donations:** Requesting money or promoting personal services in event areas without permission

- **Prohibition on Monetization of Event Attendance:** Monetizing directly or indirectly any content related to your attendance at the ESC, whether in the Media Centre or any other area of the venue, via instant revenue streaming features such as YouTube's Super Thanks, TikTok's LIVE Gifts, or similar methods

Any other behaviour that could be considered criminal or anti-social.

Appendix 2: English Translation of “1944” Lyrics – Jamala (Ukraine Eurovision 2016)

“1944”

When strangers are coming
They come to your house
They kill you all
And say
We're not guilty
Not guilty

Where is your mind?
Humanity cries
You think you are gods
But everyone dies
Don't swallow my soul
Our souls

I couldn't spend my youth there
Because you took away my peace
I couldn't spend my youth there
Because you took away my peace

We could build a future
Where people are free
To live and love
The happiest time

Where is your heart?
Humanity rise
You think you are gods
But everyone dies

Don't swallow my soul

Our souls

I couldn't spend my youth there
Because you took away my peace
I couldn't spend my youth there
Because you took away my peace

Appendix 3: English Translation of “Kultura” Lyrics – Fiinka (Ukraine National Selection to the ESC 2025)

“Culture”

Glory to Jesus! Are you good? (Glory to Jesus!)

Take beauty in your soul (Glory to the holy God)

Put sorrows away

Let the prosperity be!

All the godparents put the candles

Light the ovens for the loaf

So that it's yours and in front of people

Soul in heaven, body on earth

Shida-rida, one to another

Shida-rida, for one's own

If you recognize your native speech

Then you'll know who you are

Shida-rida, I sing

That's my nature

For better or worse

That's my culture

My culture, culture

My culture, culture

My culture, culture

Shida-rida, hey! Hey!

My culture, culture

My culture, culture

My culture, culture
Shida-rida, hey! Hey!

If it weren't for the cymbals (The cymbals played!)
That the strings were ringing (Oh!)
I wouldn't sing
And wouldn't know
As if godparents put the candles
Light the ovens for the loaf
So that it's yours and in front of people
Soul in heaven, body on earth

Shida-rida, one to another
Shida-rida, for one's own
If you recognize your native speech
Then you'll know who you are
Shida-rida, I sing
That's my nature
For better or worse
That's my culture

My culture, culture
My culture, culture
My culture, culture
Shida-rida, hey! Hey!
My culture, culture
My culture, culture
My culture, culture
Shida-rida, hey! Hey!

Yura sits by the wall! Culture...
Writing literature! Culture...
Put on the postoly! Culture...
A woven lizhnyk of the Hutsul...

As the grain fell (Shida-rida, hey! Hey)
From the sky and down the valley (Shida-rida, hey! Hey)
Culture made (Shida-rida, hey! Hey)
A personality from a person! (Shida-rida...)
Hey!

Shida-rida!
My-my-my, my-my-my
Shida-rida!
My-my-my, my-my-my
Shida-rida!
My-my-my, my-my-my
My culture (Culture!)
Shida-rida!
My-my-my, my-my-my
Shida-rida!
My-my-my, my-my-my
Shida-rida!
My-my-my, my-my-my
My culture (Culture!)

Appendix 4: List of languages of national minorities (communities) and indigenous peoples of Ukraine that are threatened with extinction

CABINET OF MINISTERS OF UKRAINE

RESOLUTION

dated June 7, 2024, No. 670, Kyiv

On approval of the list of languages of national minorities (communities) and indigenous peoples of Ukraine that are threatened with extinction

List of languages of national minorities (communities) and indigenous peoples of Ukraine that are threatened with extinction:

Belarusian

Gagauz

Yiddish

Karaim

Crimean Tatar

Krymchak

Roma

Rumey

Urum