

**MINORITIES IN TRANSITION: A FORCE FORWARD  
RATHER THAN BACKWARD**

**REGIONAL WORKSHOP REPORT**

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**Prepared by Kristina Kallas**

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## I. INTRODUCTION

Process of democratic transition in post-communist Europe is characterised by severe disruptions of former social and economic structures and collapse of planned economy system. Transition to democracy has not affected all social groups equally. Ethnic minorities have been usually among the losers in this process. Unemployment rate among minorities tends to be higher compared to majority population. Similarly minorities tend to evaluate the effects of transition to their social status more negative. In political life the popular fight against authoritarian regime was supported by minority groups and in some countries first years of transition were characterised by the inclusion of minority representatives in political activities of the state, then with the progress of democratization a gradual decrease of the role of minorities in politics can be noted.

ICDT, International Centre for Democratic Transition, with financial support from Swiss Federal Department of Foreign Affairs and King Baudouin Foundation has established a project to analyse the situation of minorities in transition process in Central and Eastern Europe. A preparatory workshop took place in Tallinn, Estonia on March 30, 2007. The aim of the workshop was to explore the role that national minorities have played in the process of democratic transition in Eastern Europe (Moldova, Ukraine and Belarus) and Baltic States and to map the situation in the area of the development of minority rights, local government models, different forms of autonomy and the application of international standards during and after the process of transition.

Countries in the region of Eastern Europe (Belarus, Ukraine and Moldova) and Baltic States (Estonia, Latvia, Lithuania) are characterised by the presence of large group of Soviet-time immigrants of mainly Russian origin in each of those countries. Although the ethnic origins of Soviet-times immigrants (as well as so called historic minorities) are diverse, the dividing line in the area of minority issues usually runs between titular nationality and Russian-speaking group. The one exception here is Belarus where the division line is not strongly pronounced in politics or everyday life of its citizens.

Additionally, ethnopolitical situation in the region and majority-minority relations in transition process are heavily influenced by historic period of Soviet nationalities policies. Russian Federation plays important role as a kin state in minority-majority relations in all countries in the region. Although the level of so called securitization of minority issues varies from country to country, it is evident that Russia as a player in minority issues in transition process is present in all those countries.

Current report presents the main issues discussed during the workshop and summarises the issues of main concern in the area of minority rights and policies in Eastern Europe and Baltic States.

## II. ROLE OF MINORITIES IN THE PROCESS OF TRANSITION

Largest share of Russian-speaking Soviet era immigrants live in Estonia, Latvia and Ukraine. People with minority ethnic background constitute about one third of population of **Estonia**. Among them largest group are Russians (26%) followed by Ukrainians (2%) and Byelorussians (1%) who all represent Soviet-time immigrants. The share of ethnic minorities has decreased from 38% in 1989 to 32% in 2000 due to various reasons ranging from re-emigration to Russia and emigration to other parts of Europe to general low birth rates.

Position of minorities in Estonia during the transition period can be characterised by the process of gradual social and political exclusion. As a result of 1992 Citizenship Act around 450 000 people, mostly of Russian ethnic background were excluded from political participation on the basis of restitution principle. This principle established citizenship rights to direct descendants of pre-Soviet Estonian Republic (1918-1940) thus leaving all Soviet-time immigrants in the legal vacuum for the time of first elections to Estonian parliament in 1992. As a result, first post-soviet parliament of Estonia did not have a single minority-background representative. In 1993 Estonia adopted controversial Aliens Act that established that all Soviet-time immigrants who did not wish to naturalise should apply for residence permits. Today, the number of people who do not possess citizenship of any country (so called stateless people) constitute about 10% of the total population of Estonia. In addition, another 10% are citizens of Russian Federation. These two groups, in total around 20% of population, are excluded from the full political participation.

During transition period a strong ethnic mobilisation of Estonians took place that was not equally balanced by political mobilization of minorities. Even today ethnic political parties play marginal role in political process and development of active civil society organisations among Russian-speaking minority is weak. Political participation index for Russian citizens and stateless people is rather low. According to recent integration monitoring report 77% of stateless respondents and 81% of Russian citizens stated no participation in political life of Estonia. Comparatively, among Estonian citizens with titular nationality background only 38% declared no participation in political life. The rate is higher for people with minority background who hold Estonian citizenship (35%).<sup>1</sup>

Minorities generally feel exclusion from political and social life of Estonia also based on their linguistic differences, mainly through poor command of official language. Linguistic skills play important role also in labour market where according to Estonian Labour Force Surveys of 1989-2003 show that non-Estonians are over-represented in elementary occupations and under-represented in managerial positions. The overall process of political exclusion, linguistic aspects and social exclusion from labour market based on it have resulted in overall socio-political marginalisation of Soviet era Russian-speaking minority.

Situation of minorities is similar in neighbouring **Latvia**. The share of national minorities that include Soviet-time immigrants as largest group is highest in the region constituting 42% of total population of Latvia. Similarly to Estonia the largest minority groups are Russians (30%), Byelorussians (4%) and Ukrainians (3%). In addition, the political transitions process in Latvia resulted in similar way as in Estonia by excluding Soviet-time immigrants from political participation. However, differently from Estonia the share of Russian Federation citizens in Latvia is lower.

As a result of political exclusion the rate of political participation of minorities continues to be low. Participation of minorities in parliamentary and local elections is significantly lower compared to majority Latvians. Similar tendency can also be noted in all other areas of political activity such as organisation of political campaigns, meetings with politicians as well

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<sup>1</sup> Hallik, Klara (2005). „Kodakondsus ja poliitiline kaasatus”. Uuringu *Integratsiooni monitooring 2005* aruanne. TLÜ Rahvusvaheliste ja Sotsiaaluuringute Instituut. 71.

as holding discussions on social, political or local development issues.<sup>2</sup> However, in many areas such as education and career development Russian-speaking minority has accepted adaptation strategy. According to Aasland (2006) differences between ethnic groups both in terms of material welfare and level of social integration are not significant. In income and consumption levels Russian-speaking minority is only slightly disadvantaged compared to ethnic Latvians.<sup>3</sup> However, during transition process of 1990ies minorities have felt more insecure in the labour market than ethnic Latvians. There is still a considerable degree of ethnic segregation in the labour market with certain sectors of economy featuring overrepresentation of titular group and others of ethnic minorities.<sup>4</sup> Certain degree of political and social exclusion can be discerned from the fact that there is a dominance of ethnic Latvians in the higher positions in public administration. One of the crucial factors contributing to social and political exclusion of minorities is similarly to Estonia a proficiency in official state language.

In third Baltic country **Lithuania** the share of national minorities is lower constituting around 16% of total population. Largest minority groups are Poles (6.7%) and Russians (6.3%) followed by Byelorussians (1.2%). Position of minorities in transition process varied over time and differed between particular minority groups. In early phase of national independence inclusive approach prevailed and people with minority background were sought for support. In 1990s the role of minority as a mediator between cultures was a popular image. This role was especially assigned to Tatars, Karaims and Jews while other minorities were treated as objects rather than subjects in state policies. With transition passing its peak the symbolic importance of minority representatives decreased. Role of minorities is diminishing in party politics, participatory politics as well as in symbolic politics. At the same time general acceptance of minorities is also decreasing accompanied with diminishing role of minority issues in political agenda and marginalisation of minority groups.

In Lithuania transition period was characterized with problems of social adaptations of minorities. Results of adaptation survey of 2001-2002 show that civic and political activism and voter turnout was low compared to majority population. In addition minorities represent ethnically isolated segments in labour market accompanied with general higher unemployment rate among minorities compared to majorities. Overall perception of change in social status is negative among minorities. Compared to ethnic Lithuanians share of people among Russian and Tatar minority groups who perceive the change of their social status as negative is higher than those who see change positively. Among Poles and Jews the change is generally perceived less negatively, however, also these groups are less optimistic about their social position compared to ethnic Lithuanians.<sup>5</sup>

Thus differently from Estonia and Latvia Lithuania did not pursue official policy of political exclusion of national minorities (so called restitution policy) and initially support for minorities was sought in politics. However, with time the inclusion process changed and general acceptances of minorities has diminished. During transition process social adaptation of minorities was problematic with higher unemployment rates for minorities and overall negative perception of change.

**Ukraine** started its nation-building process with a multiethnic population characterised by several territorialised ethnic communities, facing the problems of securing recognition of highly contested borders, and with a significant cleavage between its western and eastern regions. Ukrainians in 1989 were a clear numerical majority in the republic, amounting to 72.7% of the total population. Among other nationalities 22% were ethnic Russians and

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<sup>2</sup> Research „The Quality of Life in Latvia” conducted in 2005 by T. Tisenkopfs.

<sup>3</sup> Aasland, Aadne (2006). „Russians and the Economy”. In *Latvian-Russian Relations: Domestic and International Dimensions*, edited by Nils Muiznieks. 62.

<sup>4</sup> Ibid.

<sup>5</sup> Kasatkina N., Leonikas T. (2003) Lietuvos etninio grupio adaptacija: kontekstas ir eiga (Adaptation of Lithuania's ethnic groups: Context and Process). Vilnius: Eugrimas. 285.

more than 30 nationalities numbered over 5,000, with the most numerous being Jews, Byelorussians, Moldovans, Bulgarians, Poles, Hungarians, and Romanians. By 2001 the share of Ukrainians has increased constituting 77.8% of total population. This has resulted from emigration of ethnic minorities on the one hand and self re-identification of persons belonging to national minorities on the other hand. This way the number of Romanians has increased on expense of the decrease of the number of Moldovans.

Additionally, recent research indicates that the country is characterised by the presence of dual identities and bilingualism: 57% of the population self-identifies only as 'Ukrainian', 11% only as 'Russian', while about 26% show a dual identity in that they affirm to self-identify as both 'Ukrainian' and 'Russian'.<sup>6</sup> The division lines based on ethnicity and language are not so clear in Ukraine as for example in Baltic States.

During the early transition period the process of democratization and nation-building enjoyed strong support from representatives of national minorities. National minorities were sought for support and new administration was eager to establish minority-friendly regime. So called "zero-option" for citizenship was chosen and the Law on National Minorities was adopted in 1992 being first among post-communist countries.

Political activism of minority groups is high, especially compared to Baltic States. Crimean Tatars successful participation in political life has become possible due to the unique experience of self-organisation and mobilisation. However, these self-government bodies are not officially recognised by Ukrainian legislation. Other minorities, mainly Hungarians and Romanians in Transcarpathian region are well-represented in regional, district and city councils. Connected to the problems of dual identities and the fact that there are de facto two state-forming nations, Ukrainians and Russians, political mobilisation of mainly Russian-speaking population remained low. Additionally, politically motivated manipulations of minority issues do rise periodically, especially before and during election campaigns. The most widespread provocative issue is the status of Russian minority and Russian language.

Tensions rise high in Crimean peninsula. This part of Ukraine with its dominant Russian-speaking group and returning Crimean Tatars has remained most problematic today. Democratic transition is hindered by activities of extremist groups claiming the right of Russian Federation to peninsula and hindering the process of democratic consolidation.

Process of economic and social transition hit hard majority and minority groups equally. However, some minority groups such as Roma and returning Crimean Tatars have faced serious socio-economic problems. These groups are regularly disadvantaged in labour market compared to other nationalities. Unemployment is a problem affecting Ukrainian society at large however, it appears to affect disproportionately persons belonging to national minorities. This is partially due to the fact that a large number of persons belonging to national minorities are concentrated in areas with particular severe economic difficulties such as Transcarpathia and Crimea. The unemployment rate amongst Crimean Tatars is extraordinarily high.

In **Belarus**, the clear distinctions between national majority and minority are hard to draw. People who declared their nationality to be Byelorussian constituted 81% of population followed by Russians (11%), Poles (3.9%) and Ukrainians (2.4%). However, according to 1999 census only 45% of people identifying themselves Byelorussians were able to speak their native language, Byelorussian. During the transition process self re-identification of minorities and majority took place similarly to processes in Ukraine.

In **Moldova** a similar process of re-identification took place. In 1989 Moldovans constituted 64.5% of total population of republic, while in 2005 the share has increased to 71.5%. Among minorities the largest are Ukrainians (11.2%) followed by Russians (9.4%) and Gagauz people (4%).

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<sup>6</sup> Ethnic Conflict and Migration in Europe. First Report of the Ethnobarometer Programme. CSS – CEMES, <http://www.ethnobarometer.org/pdf/rep01.pdf> (accessed 07.04.2007)

### III. SITUATION OF MINORITIES TODAY: INSTITUTIONS AND LEGAL INSTRUMENTS

Legal framework of post-communist **Estonia** is derived from the principle of *restitution ad integrum* that declared the period of Soviet regime as occupation and restored the legal framework of Estonian republic of 1939. As already stated earlier, this principle declared a citizenship rule that left majority of Soviet time settlers without citizenship of Estonian Republic. Aliens Act, that was adopted in 1993 and that envisioned registration of all citizens of former Soviet Union who resided in Estonia and did not possess the citizenship of any other country as foreigners, created a big political crises in the country and diplomatic crises with Russian Federation. Secession referendums in Narva and Sillamäe, eastern parts of Estonia with strong Russian majority were declared illegal by Estonian government and open inter-ethnic conflict was eventually avoided with OSCE negotiations.

Constitution of the Republic of Estonia adopted in 1992 declared that every person in Estonia has the right to preserve their ethnic identity and also included article about non-discrimination. Preamble of constitution, however, declared that the state shall guarantee the preservation of the Estonian nation and culture through the ages where Estonian nation refers to ethnically Estonian people.<sup>7</sup> This statement in preamble guarantees collective rights to ethnic Estonians while other ethnic-cultural groups are mainly provided for individual rights.

Article 52 of the Constitution sets Estonian language as the official language of the state and Estonian Language Act (1989, 1995, changes in 1999) specifies the rules of applicability of official language. According to constitution, in locations wherein the majority of the population speaks a language other than Estonian, the authorities of the local government can apply for special permission from government to disseminate information and reply to inquiries in local language.

National Minorities Cultural Autonomy Act (1995) that is often cited by Estonian politicians as an example of fair and equal treatment of all ethnic groups in the country was adopted with slight changes from the act of 1925. Definition of national minority is restricted only to citizens of Estonian republic who consider themselves to be linguistically, culturally, historically or ethnically different from majority of population. Applicability of this law is thus very narrow as major part of Russian-speaking people do not possess Estonian citizenship.

Presidential Roundtable on National Minorities has function with some success as a representative body of minorities, however, its influence on political process has been rather limited.

Concerning international legal instruments, Estonia has ratified Council of Europe Framework Convention for the Protection of National Minorities (CoE Framework Convention) in 1998. Major criticism of advisory committee is directed to abovementioned restrictive definition of national minority and ineffectiveness of cultural autonomy act. Estonian authorities' attention has been also drawn to almost non-existent consultation of state with independent bodies representing minorities and different aspects of Estonian language enforcement regulations, especially in public.

In **Latvia** there has been progress in the area of legal protection of minority rights, however, in some areas the process has gone rather backwards. In Latvia, as in Estonia, large group of Soviet time settlers (730 000 people in 1991) remained stateless after establishment of citizenship policy based on restitution principle. The number of stateless people has slowly decreased since then, however, it still remains high and the problem of statelessness has been brought to attention of Latvian government by many international observers.

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<sup>7</sup> This interpretation is based on Estonian language where „eesti rahvas” written with small letter as it is in preamble refers to ethnic Estonians. „Eesti rahvas” with capital letter would refer to all people residing in the territory of Estonian Republic.

Law on Cultural Autonomy was adopted in 1999 through which cultural associations of national minorities can request state financial contribution to their activities.

Latvian National Human Rights Office (LNHRO) was established in 1995. It is an independent state institution that promotes the observance of human rights in Latvia including issues connected to minority rights. Starting from January 2007 the office has been reformed into Ombudsman institution. National integration policy is implemented through the Secretariat of Special Assignments Minister for Social Integration assisted by Latvia's Society Integration Foundation.

Latvia ratified CoE Framework Convention only recently, in 2006 (signed in 1995). Definition of national minority in Latvia is less restrictive than in Estonia and includes also stateless persons. National minorities are defined as citizens of Latvia who differ from Latvians in terms of their culture, religion or language, who have traditionally lived in Latvia for generations and consider themselves to belong to the State and society of Latvia, who wish to preserve and develop their culture, religion or language. Persons who are not citizens of Latvia or another State but who permanently and legally reside in the Republic of Latvia, who do not belong to a national minority within the meaning of the Framework Convention, but who identify themselves with a national minority that meets the definition, shall enjoy the rights prescribed in the Framework Convention, unless specific exceptions are prescribed by law.

Neither Latvia nor Estonia has ratified European Charter for Regional or Minority Languages.

**Lithuania** was among the first post-Soviet states that adopted Law on National Minorities in 1989 and a year later a government's Department of Nationalities was created, a first ministerial-level organisation of its kind in the former Soviet Union.

Lithuania's Constitution, adopted in 1992, stresses both, the guaranteed rights of individuals, regardless of nationality as well as rights of national communities. The Law on National Minorities guarantees the rights of national minorities to receive state support for the development of their cultures and education. Council of National Communities, an organisation composed of delegates from minority associations and affiliated with the government's Department of Nationalities has proposed several modifications to Lithuania's language an education policy that have been implemented. Communities where minorities constitute more than half of the population, people belonging to national minorities have the right to use their native language along with Lithuanian in offices and organisations. Amendment to Law on National Minorities enabled minorities to be educated in their native languages with state support of native-language schools and special provisions to train national specialists in institutions of higher education.<sup>8</sup>

The law on citizenship (1991, amended in 1997) grants **Ukrainian** citizenship automatically to all citizens of the USSR, who at the moment of the declaration of independence reside in the territory of Ukraine. Thus citizenship issue has not created significant problems in Ukraine. Nevertheless, language remains the issue of concern between majority and minority. 1996 constitution states that Ukrainian is the sole state language without mentioning bilingualism or the parallel use of Russian as an official language. However, the 1992 Law on National Minorities provides that in areas where other nationalities form the majority of the population, their national language can be designated as official language. De facto the use of certain minority languages, such as Russian, Hungarian and Romanian is accepted in contacts with administrative authorities in a number of municipalities inhabited by a substantial number of persons belonging to the national minorities. Language law also provides a possibility to introduce place names in a minority language if the minority in question constitutes a majority in the locality. This provision has been used by Hungarian

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<sup>8</sup> Resler, Tamara.J (1997). „Dilemmas of Democratization: Safeguarding Minorities in Russia, Ukraine and Lithuania.” *Europe-Asia Studies*, Vol 49 (1). 102.

minority in Transcarpathia region, however, the problem rises with Crimean Tatars who do not meet the numerical threshold required for implementation of this provision in Crimea.

Articles of Constitution declare non-discrimination policy of Ukrainian state. Members of national minorities in Ukraine are present in regional Councils of Peoples' Deputies and in organs of local self-government. The State Committee for Nationalities and Migration with its 24 branches is the central executive body in the fields of national minorities rights, international relations, issues related to the Ukrainian diaspora and migration. In 1996, a Council of Representatives of Civic Communities of National Minorities was created, attached to the abovementioned State Committee, as a channel of communication and co-ordination between the state and the national minorities representatives. It includes representatives of 23 national minorities organisations that have an all-Ukrainian status.

The Council of Representatives of Public Organisations of National Minorities by the President of Ukraine is a consultative body of national minorities. However, this body is convened only rarely and it does not constitute a forum for regular and frequent consultation and dialogue on issues pertaining to national minorities. Council of Representatives of Crimean Tatars, set up by presidential decree in 1999, is a well-functioning forum for discussion on issues pertaining to Crimean Tatars.

Structure of state bodies dealing with national minorities has been in constant flux in Ukraine over the past years. This has had a negative impact on the effectiveness and consistency of their work.

In the area of international minority protection treaties, Ukraine has ratified Council of Europe Framework Convention for the Protection of National Minorities in 1997 and European Charter for Regional or Minority Languages in 2003. Ukraine has signed bilateral agreements of friendship and co-operation, containing provisions for joint responsibility for the protection of rights of respective national minorities, with all seven bordering states. Moreover with two bordering states (Hungary since 1991, Slovakia since 1994) and with Lithuania (since 1997), Ukraine has established standing intergovernmental commissions composed of representatives of ministries and other institutions with responsibility in the sphere of minority policy.

The main areas of concern include outdated or still lacking pieces of legislation relating to protection of minority rights and strategic course of Ukrainian ethnopolitics. It is accompanied with unsatisfactory implementation of existing laws, low awareness among national and regional authorities and public at large of the necessity to make further steps in protecting minority rights, and insufficient attention to negative trends and developments revealing growth of xenophobia within Ukrainian society.

**Moldova** has regularly been presented as a good example of minority rights protection in post-communist space. Moldovan institutional structure has been characterised with large number of bodies dealing with minority issues during period of transition in 1990ies to 2001. There was Department of Interethnic Relations, Parliamentary Committee for Human Rights and National Minorities, Commission for Interethnic Relations by the President of the Republic of Moldova and Board for Minority Education within the Ministry of Education. In addition, Inter-Ethnic Studies Institute within the Academy of Science of the Republic of Moldova was conducting research in the area of interethnic relations and minority rights.

Moldovan national legal framework for the protection of national minorities was similarly extensive ranging from basic protection enshrined in Constitution of the Republic of Moldova adopted in 1994, Law on Languages Functioning on the Territory of Moldova (1989), Law on Citizenship, Law on Rights of Persons Belonging to National Minorities and the Status of their Organisations (2001) to decrees of the President of the Republic of Moldova on Further Development of Ukrainian, Russian, Jewish, Bulgarian and Roma Culture in Moldova (1991-1992). Law on National Minorities of 2001 has sought to improve and extend the relevant legal framework and made practical efforts to support national minorities in the fields of culture and education.

However, starting from 2001 a significant decrease in the number of institutions dealing with minority issues has appeared. Parliamentary committee as well as presidential commission have ceased to operate as well as board dealing with minority language education. Ethnobarometer programme research has concluded that measures taken to ensure a more balanced use of the various minority languages in schools, in the media and in relations with administrative authorities have not produced the intended results.<sup>9</sup>

In area of international minority protection Moldova has again been set as a positive example. Legislation of rights of minorities is generally in accordance with the international standards. Country has ratified CoE Framework Convention as well as European Charter for Regional or Minority Languages. In addition, OSCE instruments - the Oslo Recommendations Regarding Linguistic Rights of national Minorities and the Hague Recommendations Regarding Educational Rights of national Minorities - have been ratified by the state.

However, as in the case of Ukraine, the implementation of legal provisions, national as well as international remain insufficient. There is insufficient monitoring of the situation of minorities by the authorities, inadequate programming of socio-economic and political integration and inadequate allocation of financial resources and in some cases a lack of political will, particularly at local level to deal with the protection of minority rights.

The question of Transdnistria remains a serious concern, especially since this conflict affects a great many developments, political and others, of importance to the whole population of Moldova.

**Belarus** made first steps in the area of protection of national minorities already in 1992 by adopting Law on National Minorities. It establishes the definition of national minorities (Art.1.) as following: national minorities are persons permanently residing on the territory of Belarus, having Belarusian citizenship whose origin, language, culture or traditions are different from those of main population of the republic.

Similarly, Constitution of Republic of Belarus gives guarantees for the respect of rights of minorities and equality before the law of people belonging to different ethnicities. Additionally, constitution guarantees freedom of language choice. Legislation on national minority rights is monitored by State Committee on Regions and Nationalities under the Council of Ministers of the Republic of Belarus.

Members of minority groups are granted personal autonomy. Most active in public sphere is Polish minority that has united under Union of Poles in Belarus (UPB). This association unites 75 organisations as well as 17 so called Polish houses. Activities of public associations of minorities are financed from state-run bodies, mainly local budgets.

Belarus has ratified the Framework Convention of CIS countries for protection of national minorities in 1994. However, it has not ratified CoE Framework Convention nor European Charter for Regional or Minority Languages.

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<sup>9</sup> Ethnic Conflict and Migration in Europe. First Report of the Ethnobarometer Programme. CSS – CEMES, <http://www.ethnobarometer.org/pdf/rep01.pdf> (accessed 07.04.2007)

#### IV. MINORITY POLICIES AND EUROPEAN STANDARDS

Among countries of the Eastern Europe and Baltic States **Estonia** has the longest experience in developing and implementing national integration programmes directed at resolving the situation of divided society inherited from Soviet past and encouraging intercultural dialogue. First national document laying down the principles of state's approach to society's integration problem was adopted in 1998. In the same year, national foundation – Non-Estonians Integration Foundation – was created. The task of the foundation is to initiate, support and coordinate projects aimed at the integration of Estonian society. A comprehensive state's integration programme was developed for period of 2000-2007. The programme declared an Estonian model of multicultural society to be characterised by the principles of cultural pluralism and the preservation and development of the Estonian culture. Its main focus was, however, on teaching Estonian language to Soviet-time settlers. New national integration programme for period 2008-2013 is currently under development and will be presented to government by the end of 2007. Differently from previous programme new policy aims at re-focusing from language teaching towards social and economic cohesion, including political integration of whole society. The model of multiculturalism adopted by state programme is based on John Rex's concept of multiculturalism where society that is unitary in public sphere but tolerant regarding differences in private sphere. The new definition of integration focuses on equality of opportunity, promotion of participatory democracy, takes into account Estonia's regional differences, focus on young people and development of sense of security for all national groups that should form the basis of successful integration.<sup>10</sup>

**Latvia** has developed its national integration programme *Integration of Society in Latvia* in 2001. The need for integration programme was acknowledged by government is stated in the programme document:

“National development may be significantly hindered if alienation persists between the individual and the state, between different parts of society, and between the society and the state. Integration of society, therefore, has become a matter of urgent necessity.”<sup>11</sup>

Social integration has been divided into sub-areas of (1) political integration, (2) social and regional integration, (3) education, language and culture, and (4) information including media and support for science. Main criticism of minority groups towards state policy has focused on rather assimilatory character of policy measures of the programme.

European Union has been one of the major financial supporters for integration policies of Estonia and Latvia. During EU accession process serious dialogue on the issues of political integration (especially the issue with stateless persons) in Estonia and Latvia was taken up by EU and Phare and other aid money was directed to solving these issues. EU continues to be one of the major financial sources of integration policy and process in those two countries.

**Lithuania** has developed its first comprehensive national integration programme only recently. However, governmental support for minorities has been one of the policy lines from the re-establishment of independence in 1991. Different policy initiatives have been directed towards integration of national minorities into the economic, political and cultural life of Lithuania. Integration is here defined in opposition to assimilation. Integration approach encourages the minority groups to retain their specific identities and traditions, but on the other hand help them to participate in society in equal footing with majority group and thus decrease the economic and educational disparities between different nationality groups. Minority groups have actively participated in the formulation of Lithuania's integration policy

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<sup>10</sup> For more comprehensive report on conceptual approach of Estonian national integration programme see Vetik, Raivo (2007). *Eesti ühiskonna integratsiooniprogrammi 2008-2013 üldideoloogia kontseptuaalne põhjendamine*. <http://www.meis.ee/est/raamatukogu/uuringud> (accessed 15.04.2007).

<sup>11</sup> National Programme „The Integration of Society in Latvia” (2001). 7

mainly safeguarding their right for cultural autonomy and resisting the tendency towards assimilation.

**Ukraine** has not implemented any comprehensive national minority policy programme. During transition period, leaders of Rukh, the popular movement of Ukraine, argued that Ukraine should adopt a multicultural concept of the state. Such a concept would recognise Ukraine as multinational state with many different nationalities and a large Ukrainian majority rather than as a Ukrainian nation-state.<sup>12</sup> Immediately after its formation in 1989 Rukh established a special Council of Nationalities and among the very first resolutions it passed was one condemning anti-Semitism and denouncing the act of deportation of the Crimean Tatars in 1944.

However, in later period of transition the move towards conception of Ukraine as a nation state for Ukrainian nation dominated and Ukraine became essentially Ukrainian state with national minorities. The Law on National Minorities adopted in 1992 is one of the state policy instruments in supporting national minorities. The law calls for budget support for national minorities for their cultural activities as well as for preserving their identity and it guarantees the right of minorities to national-cultural autonomy. The latter principle is nevertheless formulated in an extremely general fashion and the content and merit of this concept needs to be defined and developed in more detail. In addition, national and especially Crimean authorities have been unable and sometimes unwilling to meet the demands of Crimean Tatars for funding for their social and cultural needs.

Serious problem remains concerning the insufficient state concern and lack of policies targeted at improving the situation of Roma minority. Roma people suffer from discrimination, low level of education, high unemployment, difficult or even lack of access to medical services and very poor housing conditions. The Advisory Committee of CoE Framework Convention notes with concern that the societal attitudes towards Roma remain negative, and sociological studies suggest that the prejudice towards Roma are markedly widespread than towards persons belonging to other nationalities. Ukrainian government has been urged to design initiatives in sphere of Roma education to combat the problem of low attendance figures for Roma children at all levels of education.<sup>13</sup>

The inefficient collection of reliable socio-economic and political data, broken down by age, gender and location hinders effective monitoring of minority situation in Ukraine and subsequently development and implementation of comprehensive state programmes.

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<sup>12</sup> Resler. 96

<sup>13</sup> See for more information on Advisory Committee on the Framework Convention for the Protection of National Minorities Opinion on Ukraine, 2002. ACFC/INF/OP/I(2002)010.

## V. CONCLUSIONS

Based on presentations of the workshop and discussion, following conclusions can be drawn on the situation of minorities in Eastern Europe and Baltic States:

- ➔ Situation of minorities in transition process can be characterised by **gradual process of social and political exclusion**. In Estonia and Latvia majority of Soviet-era settlers did not receive automatically citizenship and thus remained excluded from political participation and situation continues with slow progress until today. In all countries of the region minorities were disproportionately severely affected by socio-economic changes. Thus the numbers of unemployment are higher among minority groups compared to majority population in all countries of the region. Especially serious socio-economic difficulties affect Roma communities in Ukraine and Moldova as well as Crimean Tatars.
- ➔ **Participation of minorities in political life during transition process has been generally lower** compared to majority. Although differences exist between countries in the region where support of minorities was sought by political parties in Ukraine and Lithuania while in Estonia and Latvia disfranchisement of Russian-speaking minority took place. Still in all countries **manipulation with minority issues** regularly takes place during election periods.
- ➔ Situation of minorities during transition period (including the very definition of who belongs to national minority) has been strongly **influenced by the previous decades of Soviet Union nationalities policy**. Ethnopolitical situations and tensions in interethnic relations in all countries of the region reflect the failures of Soviet policies in area of immigration and integration. Additionally, significant identity issues affect majority as well as minority groups in Belarus, Ukraine and Moldova, and to a smaller extent among Russian-speaking groups in Baltic States. The extent of politicisation of identity issue ranges from mild in Belarus to rather problematic in Ukraine.
- ➔ **Definition of national minority** is controversial and likewise affected by history of Soviet nationalities policy and immigration. Estonia and Latvia are reluctant to extend definition of national minority to Soviet-time settlers (Latvia though, has accepted more inclusive definition) and instead assign the normative description of immigrants to them, thus excluding large proportion of its population from the possibility to fully exercise rights granted to national minorities, i.e. practicing cultural autonomy. Ukraine on the other hand is unenthusiastic about defining Crimean Tatars as indigenous people as is often requested by this group itself. Thus, it can be argued that 3 different categories of minorities are present in the region: (1) indigenous people, (2) national minorities and (3) immigrants. However, attribution of those categories to groups of people is in many cases motivated by political concerns for struggle for power rather than objective criteria of historical belonging or least the demand by the group under question itself.
- ➔ All countries in the region highlight the **primacy of individual rights** and personal autonomy as the basis for guaranteeing the rights of minorities. In addition they all provide some degree of group-based rights. Group-based rights are either formulated in an extremely general fashion or restricted to only certain groups of national minorities by excluding others.
- ➔ Legal framework of minority rights protection can be characterised as satisfactory and meeting international standards in most of the countries of the region. However, the **problem of implementation** of these standards, in some cases local obstruction of implementation and political obstacles when putting guarantees for minorities into force occur as major problems while putting international standards into practice. Implementation problems are somewhat more significant in Ukraine and Moldova compared to Baltic States. In Estonia (and to some extent in Latvia) some of the

initiatives to protect national minorities, such as the laws on cultural autonomy contain elements that are not suited for the present situation of minorities. Namely, the narrow definition of national minority excludes majority of Russian-speaking people from the right to use cultural autonomy law provisions.

- ➡ **Adoption of international laws pertaining to situation of minorities has been different in the region.** All countries with exception of Belarus have signed and ratified CoE Framework Convention. Belarus has ratified Framework Convention of CIS countries for protection of national minorities in 1994. Only Ukraine has signed European Charter for Regional or Minority Languages.
- ➡ **Language issue has become highly politicised** in Estonia and Latvia and gradually also in Ukraine. Conflicts have risen during transition period over the definition of state's official language, use of minority languages in public sphere and in local administrations where minority group constitutes majority.
- ➡ Due to ethnopolitical situation of 1991 and policies of the regimes of independent Estonia and Latvia, **integration issue has become extremely important in long-term sustainable development** of these societies. Both countries have implemented multi-annual national integration programmes with financial support from European Union. States' policies have been criticised by minority to be too assimilative in their character. The questions of **effective monitoring as well as basing policy decision on sociological data** have been raised in connection to those programmes. Lithuania has followed the suite and developed all-inclusive national integration programme just recently. Other countries in the region, notably Ukraine and Moldova have a clear need for comprehensive integration policy however no national programmes of sort have been developed till today. Additionally, these countries face the problem of availability of sociological data about the situation of minorities as well as effective monitoring procedure.
- ➡ Last but not least, minority issue in the region is characterised by what Wæver (1995) called securitization of ethnic relations. **Russia as a kin state is an actor** that plays a decisive role in all aspects of national minority issues of the countries in Eastern Europe and Baltic States. Minorities feel often as a hostage in security politics between their home country and Russia. It can be argued that issues of national minority rights and policies cannot be address without a consideration of the role of Russia in it.

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## **ANNEX: LIST OF PRESENTATIONS**

**Mr. Vadim Poleshchuk** (Legal Information Centre for Human Rights, Estonia): *Role of Minorities in the Process of Transition: Estonia.*

**Mr. Tadas Leoncikas** (Centre of Ethnic Studies and Social Research, Lithuania): *Minorities in Transition in Lithuania.*

**Mr. Vladislav Volkov** (Daugavpils University, Latvia): *The Idea of Life Quality of Latvians and Russians Living in Latvia.*

**Ms. Natalya Belitser** (Institute for Democracy, Ukraine): *Role of Minorities in the Transition Process in Ukraine.*

**Ms. Kristina Kallas** (Institute of Baltic Studies, Estonia): *Minorities in Transition. Situation of Minorities in Estonia.*

**Ms. Svetlana Djackova** (Centre for Human Rights and Ethnic Studies, Latvia): *The situation of minorities in Latvia before and after accession the EU.*

**Mr. Yevhen Bystrytsky** (International Renaissance Foundation, Ukraine): *Situation of Minorities in Ukraine: Legal Instruments and Institutions.*

**Ms. Atanasia Stoianova** (Centre for Minority Issues, Moldova): *National Minorities in Moldova: Legal Instruments, Status, Institutions.*

**Mr. Maksim Belitski** (Belarusian State University, Belarus): *Minorities in Belarus.*

**Mr. Raivo Vetik** (Institute of International and Social Studies, Tallinn University, Estonia): *Estonian Integration Policy 2000-2013.*

**Ms. Olya Tarchynets** (Researchers, Ukraine): *Carpathian Foundation and Roma Minority in Ukraine.*

**Mr. Teo Carnat** (Helsinki Committee for Human Rights, Moldova): *The Role of Minorities in the Republic of Moldova during the Transition Period.*

**Mr. Boriss Cilevics** (Sub-committee on rights of Minorities, Council of Europe): *Minority Rights in Practice and the European Standards.*