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Issues of national minorities in the policy of the Eastern Partnership

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Abstract

The peculiarities of implementing the policy of the EU's Eastern Partnership Initiative in regards to protecting the rights of national minorities have been studied. The issue of national minorities in the EU is considered from the perspectives of security, democracy, and regional integration. Despite contemporary criticism of the EU's Eastern Partnership Initiative, many initiatives aimed at protecting the rights of national minorities in the region have been implemented, thereby fostering intergovernmental cooperation. It is evident that Ukraine and Moldova are the most proactive in protecting the rights of national minorities amongst the Eastern Partnership countries. These countries have been granted the status of candidate for EU accession. Despite the Russian-Ukrainian war, Ukraine actively works on improving legislation in the field of ethno-policy. Particular emphasis is placed on analysis of the institutional structure of national minorities, communication pathways, and non-discriminatory policies in Eastern Partnership countries. Member states of the Eastern Partnership actively utilize "soft power" techniques through a network of minority organizations. It has been

suggested that European integration of Ukraine and Moldova has generated considerable opportunities for the development of national minorities. Loosening of state borders has enabled national minorities to connect more deeply with their ethnic homelands, thereby transforming them into engaged participants of transborder cooperation and significant figures of regional policy. The Eastern Partnership furnishes a platform for minorities to assert themselves in decisions which pertain to their lives, execute grant initiatives, and take part in regional associations of minorities. Nevertheless, certain risks are highlighted, such as particular nations exploiting EU enlargement to tackle minority matters or manipulate minority rights. The EU has analyzed programs supporting national minorities, especially those implemented in the Eastern Partnership countries. While Eastern Partnership countries have developed their policies regarding national minorities, there are common problems faced by minorities in the region. Ukraine, Georgia, Moldova, Azerbaijan, and Armenia are involved in conflicts, being former Soviet Union countries, and face numerous challenges concerning the functioning of the Russian minority, which is numerically significant in this region. It is stated that the EU cooperates with the Eastern Partnership countries on matters regarding national minorities, and it is crucial to develop innovative models for managing ethnic diversity, promoting the involvement of national minorities in making socio-political decisions and integrating them into society.

Keywords: national minorities, European Union, Eastern Partnership, European integration, Ukraine, Georgia, Belarus, Moldova

Проблемы национальных меньшинств в политике Восточного партнерства

Аннотация

Изучены особенности реализации политики Инициативы ЕС «Восточное партнерство» в части защиты прав национальных меньшинств. Вопрос национальных меньшинств в ЕС рассматривается с точки зрения безопасности, демократии и региональной интеграции. Несмотря на современную критику инициативы ЕС «Восточное партнерство», многие инициативы, направленные на защиту прав национальных меньшинств в регионе, были реализованы, тем самым способствуя межправительственному сотрудничеству. Очевидно, что Украина и Молдова являются наиболее активными в защите прав национальных меньшинств среди стран Восточного партнёрства. Этим странам предоставлен статус кандидата на вступление в ЕС. Несмотря на российско-украинскую войну, Украина активно работает над совершенствованием законодательства в сфере этнополитики. Особое внимание уделяется анализу институциональной структуры национальных

меньшинств, путей коммуникации и недискриминационной политики в странах Восточного партнерства. Государства-члены Восточного партнерства активно используют методы «мягкой силы» через сеть организаций меньшинств. Было высказано предположение, что европейская интеграция Украины и Молдовы создала значительные возможности для развития национальных меньшинств. Ослабление государственных границ позволило национальным меньшинствам глубже соединиться со своей этнической родиной, превратив их тем самым в активных участников трансграничного сотрудничества и значимых фигур региональной политики. Восточное партнерство предоставляет меньшинствам платформу для самоутверждения в решениях, касающихся их жизни, реализации грантовых инициатив и участия в региональных ассоциациях меньшинств. Тем не менее, выделяются определенные риски, например, использование некоторыми странами расширения ЕС для решения проблем меньшинств или манипулирования правами меньшинств. ЕС проанализировал программы поддержки национальных меньшинств, особенно те, которые реализуются в странах Восточного партнерства. Хотя страны Восточного партнерства разработали свою политику в отношении национальных меньшинств, существуют общие проблемы, с которыми сталкиваются меньшинства в регионе. Украина, Грузия, Молдова, Азербайджан и Армения, будучи странами бывшего Советского Союза, вовлечены в конфликты и сталкиваются с многочисленными проблемами, касающимися функционирования русского меньшинства, которое является численно значительным в этом регионе. Констатируется, что ЕС сотрудничает со странами Восточного партнерства по вопросам, касающимся национальных меньшинств, и крайне важно разрабатывать инновационные модели управления этническим разнообразием, содействовать вовлечению национальных меньшинств в принятие общественно-политических решений и интегрировать их в общество.

Ключевые слова: национальные меньшинства, Европейский Союз, Восточное партнерство, Европейская интеграция, Украина, Грузия, Беларусь, Молдова

An important element of the human rights policy, currently implemented by the European Union (EU), is the protection of persons belonging to national minorities. The EU assigns a special role to the responsibilities of states regarding the legal regulation of the protection of rights of national minorities, particularly in the context of the Eastern Partnership countries (Ukraine, Moldova, Belarus (suspending its participation in the initiative 2021), Azerbaijan, Armenia, Georgia). The Eastern Partnership is a significant initiative in how it shapes the European Neighborhood Policy. Undoubtedly, countries of the Eastern Partnership have notable differences,

including varying political regimes, different opportunities for the participation of national minorities in societal life, and the use of Russian minority by Russia as a means of pressure on other states.

The character of interstate relations in the region has been significantly influenced by the Russian-Ukrainian war. Among countries of the Eastern Partnership, Ukraine and Moldova have been particularly active in the protection of the minority rights, and have obtained candidacy for EU accession. It is evident that the implementation of the rights of national minorities can be ensured through effective interaction between international and national law. Studying this problem requires sustained attention, new theoretical developments, and innovative approaches at both the European Union and national government levels. Due to the growing prominence of the ethnonational factor in international affairs, the subject matter under exploration is especially pertinent in the contemporary period. In certain situations, it becomes one of the crucial factors in conducting international cooperation and forming European integration processes. The question of national minorities should be considered both in national political context and international sphere. The demographic and political impact of national minorities varies, as some constitute small local groups, while others play a significant role in the socio-political life of individual states and have an impact on their foreign policies. Despite the topicality of the researched theme, there is still insufficient exploration of the tools and mechanisms for supporting and developing national minorities in countries of the Eastern Partnership, the roles of national minorities in the European integration processes, and the factors that have a beneficial/adverse impact on the engagement of national minorities in the European integration of states and their effect on the nature of interstate relations in the region. Despite being an important element in the development of European integration and international collaboration, the activities of national minorities have been relatively neglected in scientific literature.

The article employs a complex of interdisciplinary scientific methods, including analysis, theoretical generalization, historical, structural-functional, and comparative approaches. The primary research methods cover comparative and descriptive analysis, examination of documents, and analysis of statistical data. Additionally, a comparative methodology was

employed to compare the interaction of different ethnic groups in various countries. The article contains a detailed analysis of documents, particularly the legal framework concerning national minorities in countries of the Eastern Partnership, reports from European programs in the cultural sphere with financial support from EU funds, etc. The application of various scientific methods in the research allows for an impartial assessment of the protection of the rights of national minorities in the Eastern Partnership and identification of obstacles and possibilities for improving intercultural communication.

The issue of national minorities remains relevant in regards to the functioning and expansion of the EU, as EU membership demands respect for and preservation of minorities, particularly in several Central and Eastern European countries. The Copenhagen Criteria, developed in 1993 for countries aspiring to join the EU, place special emphasis on the issue of minority protection. The document states that “EU membership requires candidate countries to achieve stability of institutions guaranteeing democracy, the rule of law, human rights, and respect and protection of national minorities” (Bilgin, 2019). The European Parliament has also explicitly declared the EU’s commitment to protecting the rights of national minorities, especially in the context of aspiring EU member states. In 2000, the European Parliament called for an increase in the capacity of these countries to pass and enforce laws aimed at countering minority discrimination. Every year, the European Commission performs a survey on the treatment of national minorities in EU candidate countries and issues reports to the European Parliament. In light of these reports, recommendations are formulated to improve conditions for the functioning and development of national minorities. Findings show that almost all EU candidate countries face certain requirements for improving the conditions for the functioning of national minorities, enhancing the effectiveness of institutional arrangements, and guaranteeing rights. Establishing cooperation between representatives of regional and central authorities and national minorities is of the utmost significance. The EU’s enlargement policy serves as an important tool of promoting and improving the protection of the rights of national minorities in nations aspiring to become members. This practice involves the combination of national legislation and EU norms to guarantee the rights of national minorities.

The Eastern Partnership countries actively employ 'soft power' techniques through the network of minority organizations. European integration provides numerous possibilities for the development of national minorities, since softening state borders allows national minorities to engage more actively with their ethnic homelands, making them active subjects of cross-border cooperation and essential members in regional policy. "Minority rights have been a foundational values in cetheentry in to force of the Lisbon Treaty, but there is no legislation related to minority rights or internal minority policy at the European Union (EU) level, because of the absence of competence given to EU institutions" (Minority Protection in the European Union, 2019).

It is evident that the consequences of European integration have had a tangible effect on the geopolitical relations between nations, particularly in regards to ensuring the rights of minority groups at a regional level. Experience shows that European integration can both stabilize and exacerbate relations in the region, and some countries may use the process of EU enlargement to address minority-related issues. In the best-case scenario, it can be argued that European integration positively affects internal policies and, in turn, potentially resulting in enhanced relations between the state of residence of national minorities and their ethnic homeland (Galbreath, McEvoy, 2012). After the 2004 enlargement, the European Union particularly emphasizes its common regional policy, including assistance to regions facing structural and infrastructural problems, human resource development, and the protection of the rights of national minorities.

The Maastricht Treaty in Article 151 sets out the task of promoting the development of cultures of member states and states that it "respects their national and regional diversity while bringing together the common cultural heritage". Special attention is given to the issue of education and the development of educational opportunities for national minorities. Today, the issue of national minorities is subject to increased attention from both governments and political entities, which assess and advocate for the interests of their compatriots abroad. In most cases, the legitimate interest of states in the development of kindred minorities contributes to mutual understanding and strengthens friendly interstate relations. The authority of organizations representing national minorities at the international level, the presence of prominent leaders, and readiness to collaborate with other entities are all

of equal importance in establishing both internal and international links of national minorities. The protection of the rights of national minorities is carried out by three key European organizations: the European Union, the Organization for Security and Co-operation in Europe (OSCE), and the Council of Europe, whose activities are focused on ensuring regional security, strengthening democracy, and European integration. These organizations work to reduce ethnic tensions on the European continent. One of the key benefits of the EU integration is the softening of state borders and creation of a common EU area. This is of enormous importance for national minorities and the implementation of their right to free cross-border contacts. The experiences of walls, fences, border controls, exit and entry permits etc., which were a reality in Europe only 30 years ago, all show the value of free movement that the EU has brought with it (Ljubica, 2022).

The Council of Europe, in particular, focuses on issues of democracy, human rights, and national minorities in Central and Eastern Europe, aiming to strengthen democratic institutions to safeguard minority rights. The OSCE addresses the rights of national minorities from a security perspective. OSCE experts point out that the primary source of violations of the rights of national minority representatives is often not other ethnic groups but the states themselves. The European Commission has presented certain requirements to Ukraine regarding aligning the legislation on national minorities with the EU norms. The adoption of a new law on national minorities is of great significance both for Ukraine and its partner countries since the existing law on national minorities was adopted in 1992 and has become outdated. The law is not compliant with Ukraine's international commitments and does not meet modern domestic needs. The Council of Europe has recommended that Ukraine pass new legislation on national minorities (European Commission, 2022).

Despite the ongoing Russian-Ukrainian war, Ukraine is actively working on improving legislation in the field of ethnopolitics. The implementation of the Law of Ukraine "On National Minorities (Communities) of Ukraine," adopted in 2022, is underway. This law aims to improve legislative regulation of the implementation of rights and freedoms of persons belonging to national minorities (communities) and the legal framework for the protection and assurance of the rights of national minorities (communities) in Ukraine.

For the first time on a legislative level, the law establishes the authority of the central executive body responsible for implementing the state policy in the field of protecting the rights and freedoms of persons belonging to national minorities (communities). Additionally, a draft of the Concept of the All-Ukrainian Target National-Cultural Program “Unity in Diversity” for the period until 2034 has been developed. However, the adoption of a new law on national minorities does not automatically solve all problems, and it is essential to ensure effective mechanisms for its implementation (Movchan, 2023).

Hungary and Romania have expressed their concerns about the newly adopted legislation. The war unleashed by Russia in Ukraine has had a devastating impact on the situation of both Ukrainians and certain ethnic communities living in temporarily occupied territories, particularly in the Kherson, Mykolaiv, Odesa, Zaporizhzhia, and Donetsk regions. This includes Crimean Tatars, Karaites, and Crimean Greeks. Critical situations have arisen in Greek settlements in the Donetsk region and Mariupol, where the largest Greek community in Ukraine, consisting of 100,000 Greeks from Pryazovia, and representatives of unique cultures such as Urum and Rumej live. For instance, the city of Volnovakha, inhabited by over 21,000 people (15,000 of whom are Greek Rumej), has been 95% destroyed. The same applies to the villages of Hranitne (inhabited by over 3,600 Greek Urum people, 95% destroyed), Buhas (1,400 Greek Rumej inhabitants, 70% destroyed), Chermalik (1,900 Greek Urum inhabitants, 70% destroyed), Starognativka (2,100 ethnic Greeks – Urum and Rumej, 60% destroyed), and Staromlynivka (2,400 Greek Urum inhabitants, 90% destroyed). The situation is also critical in Zmiivka, a Swedish village in the Kherson region, and Berezan in the Mykolaiv region, where ancient Swedish cultural landmarks are at risk. Melitopol is facing difficulties as it is home to representatives of Bulgarian, Crimean Tatar, Tatar, Roma, and other communities (National minorities on the dividing line: the Greeks of the Pryazov region, 2023). National minorities in Ukraine receive assistance from both international organizations and the governments of their ethnic homelands, with support programs and grants for education. For example, the Greek government provides aid for affected villages with Greek minority populations under occupation. Representatives of the Greek minority who have relocated to Greece have

formed the Association of Greeks in Ukraine, which provides assistance to internally displaced persons from Ukraine. The active cooperation between international organizations, organizations representing national minorities, and government bodies contributes to addressing the problems faced by minorities during times of war.

Ukraine continues its Eurointegration progress, ensuring the implementation of European principles, approaches, and practices in the ethnopolicy sphere. The experience of Moldova is also essential, as according to the 2004 census, the ethnic composition of its population consists of Moldovans – 76%, Ukrainians – 8.4%, Russians – 5.8%, Gagauz – 4.4%, and Bulgarians – 1.9%. The Republic of Moldova includes one autonomous territorial entity – Gagauzia. It is crucial that Ukraine and Moldova actively cooperate on governmental and public levels regarding national minorities. The two countries have a working intergovernmental group for the satisfaction of educational needs of Ukrainian and Moldovan national minorities residing in the Republic of Moldova and Ukraine, respectively (Biaspamiatnykh, Osipov, 2014).

Agreements have been signed between the Cabinets of Ministers of Ukraine and the Republic of Moldova on cooperation in higher education and mutual academic recognition of education documents and scientific degrees. The practice of recent years shows that Ukrainian-Moldovan bilateral relations are effective, particularly in ensuring the educational rights of Moldovan minorities in Ukraine and Ukrainian minorities in the Republic of Moldova. A similar agreement was also signed between Ukraine and the Republic of Belarus on cooperation in ensuring the rights of persons belonging to national minorities (ratified in 2000). The parties were to exchange experiences in the field of interethnic relations, share relevant information, conduct joint consultations, and other collaborative measures. However, due to Belarus supporting Russia's aggression against Ukraine, cooperation was suspended for a long time. Between 2015 and 2017, the project "National Minorities and Ethnocultural Issues: Belarus-Moldova-Ukraine" was implemented, involving specific regions of Ukraine. An international conference was held to study the mechanisms of countering discrimination and protecting national minorities in countries along the Eastern borders of the European Union and their effectiveness at the local level (Osipov, Vasilevich,

2022). The European Initiative for Democracy and Human Rights (EIDHR) has identified combating racism, xenophobia, and discrimination against national minorities as a thematic and financial priority for the EU. Special attention is given to the financial support for activities of national minorities in the form of grants, such as the 'Phare' Program, which aids Central and Eastern European countries and stimulates their future accession to the EU. The program focuses on supporting national minorities at regional and local levels and improving communication between national minorities and local authorities.

The 'Access' program is also widespread, aimed at strengthening civil society in candidate countries from Central and Eastern Europe and supporting civil organizations of national minorities in the EU candidate countries. Grants are provided to local civil organizations of national minorities and are utilized for education, social support, and integration of national minorities. The European Initiative for Democracy and Human Rights has been effective in financing projects to address minority issues, improve the efficiency of public servants in multi-ethnic regions, and support minority communities. Special attention is also given to supporting the Roma national minority in the EU candidate countries. "Minority SafePack Initiative" is an essential civil society organization that monitors the protection of the rights of national minorities, including those in the Eastern Partnership countries. The organization's goal is to improve the protection of individuals belonging to national minorities and strengthen cultural and linguistic diversity within the European Union (Minority SafePack Initiative, 2023). It calls on the EU to adopt a series of legal acts to enhance the protection of individuals belonging to national and linguistic minorities and promote cultural and linguistic diversity within the EU. Special attention is given to public initiatives, the development of national minority organizations, and expanding the funding of the EU programs to make them accessible to small regional minority communities. Specifically, the Erasmus+ and Creative Europe funding programs should be accessible to minority communities.

The Comprehensive Action Plan on Integration and Inclusion for 2021–2024 takes into account the situation of stateless persons and EU citizens belonging to national minorities, addressing their need for better integration into society through improved employment, education, and social

opportunities. The Plan's measures will be supported by the new Asylum, Migration, and Integration Fund, as well as the European Social Fund Plus (ESF+) and the European Regional Development Fund. During the period 2013–2016, the “Eastern Partnership Minorities Network (EaPMN)” project brought together national minority organizations from six Eastern Partnership countries to enhance their capacity for effective human rights advocacy at both national and European levels. The project aimed to strengthen the potential of civil society organizations (CSOs) in Eastern Partnership countries and expand the opportunities for minority communities to participate effectively in reforms and democratic changes that impact their lives. The network facilitated cooperation between minority activists and CSOs, empowering them to participate in democratic and political processes, positively influencing their communities' development and human rights.

The EaPMN continues to function today, coordinating local and national advocacy and awareness campaigns on minority issues and the Eastern Partnership, while also helping governments build institutional capacity for the development and implementation of policies on national minorities. However, the network has limited functionality in Belarus and Azerbaijan. Since January 1, 2023, the EU-funded project “Minorities, Accountability, Rights, Independence, and Organizational Development (MARIO)” has been launched. It aims to support the protection, promotion, and awareness of the fundamental rights of national minorities in countries that joined the European Union between 2004 and 2013. The project enhances the capacity and resilience of civil society organizations representing minority groups, providing grants to minority-representing civil society organizations (Minorities, Accountability, Rights, Independence and Organisational Development (MARIO), 2023).

The issue of Roma remains open, as the Roma community constitutes the largest ethnic minority in the European Union with a population of approximately six million. A significant portion of Roma live in marginalized conditions and face numerous shortcomings and structural inequalities in education, housing, employment, and healthcare. Roma communities also encounter serious barriers in accessing justice, especially in cases of discrimination and other human rights violations. The EU's Program for Citizens, Equality, Rights, and Values (CERV) finances several projects to support

Roma. Therefore, the analysis has shown that we cannot speak of a single problem concerning national minorities in the Eastern Partnership countries, as each of them has its own history, unique problems, and aspirations.

Practice shows that the definition of 'national minority' is based on a comprehensive approach that includes factors such as quantitative criteria and the length of residence in the country, the criterion of non-dominance, citizenship, the presence of stable ethnic, religious, and linguistic characteristics, and a sense of solidarity. It is essential to continue developing new initiatives concerning minorities and the Eastern Partnership issues in the region and consolidate the network of non-governmental organizations representing certain minorities. As experience shows, the legitimate interest in the lives of national minorities contributes to mutual understanding and friendly interstate relations. During Ukraine's independence, national communities significantly intensified their activities on the international level, including increased participation in the work of international organizations and joint interstate commissions.

Some European countries, at the early stages of establishing cross-border cooperation, consider it as an opportunity to address the protection of the rights of national minorities in neighboring states. Cross-border cooperation promotes the protection and unity of national minorities, facilitates closer contacts with their ethnic homeland, active information exchange, and overcoming historical barriers and stereotypes. However, it should be noted that national minorities are not homogeneous groups; in some cases, minorities actively participate in the work of government bodies, while in others, they adhere to the philosophy of extreme separatism. The unresolved problems of national minorities hinder the European integration of Central and Eastern European countries and stimulate the exacerbation of interethnic relations. It is crucial to remember that the culture of national minorities is part of the common cultural heritage, and national minorities often 'build bridges' to promote intergovernmental cooperation.

Countries of the Eastern Partnership vary in terms of their level of Eurointegration and democratic reforms, being politically unstable and economically vulnerable. However, the greatest danger lies in the presence of Russia in the region. Russia influences the internal politics of the Eastern

Partnership countries through disinformation, cyber attacks, provocations, military presence, and its influence on Russian national minorities.

The region of the Eastern Partnership has undergone significant changes, with Russia launching a full-scale war against Ukraine, Belarus suspending its participation in the Initiative and taking part in aggression, and relations between Azerbaijan and Armenia remaining unstable. Ukraine and Moldova have become candidates for EU membership, and Georgia has received a European perspective. Among the Eastern Partnership countries, Ukraine and Moldova are the most active in working towards improving national legislation to ensure the rights of national minorities. They are enhancing the institutional structure for national minorities, improving mechanisms for dialogue between central and regional authorities and representatives of national minorities, and promoting cross-border cooperation considering the interests of national minorities residing in border regions. This activity is largely driven by the Eurointegration policies of Ukraine and Moldova since the national minorities in these countries actively cooperate with their ethnic homelands and are active players in regional policies and intergovernmental cooperation. Today, the Russian-Ukrainian war poses a challenge for the Eastern Partnership countries, and there is a need to develop a policy of rapprochement between Ukraine, Moldova, Georgia, Azerbaijan, and Armenia with EU member states, as well as to activate cooperation at the regional level. It is also crucial to update the policy of the Eastern Partnership in the context of Russia's war against Ukraine.

A positive aspect is that the member states of the Eastern Partnership actively employ 'soft power' technologies through a network of organizations representing national minorities. The analysis has shown that the Eastern Partnership countries have the opportunity to implement EU grant programs aimed at the development and support of national minorities and to participate in regional civil society associations of national minorities. It is important for the Eastern Partnership countries to enhance dialogue both at the intergovernmental and interdepartmental levels, foster cooperation within civil society, national organizations, and educational centers.

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