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Amadeusz Urbanik  
(The School of Higher Education in Humanities of the Association  
for Adult Education)  
ORCID 0000-0003-3653-6731

## Ethnic policies of EU members neighbouring with Poland

**Annotation:** The article constitutes an instalment of studies conducted by the author on the issues of ethnic policy. Its main aim is to present the conditions determining the shape of ethnic policies of states neighbouring with Poland – Germany, Czechia, Slovakia and Lithuania. This is achieved by an analysis of their recent history, ethnic structure, legal system and solutions dedicated to minorities.

**Keywords:** ethnic policy, Central and Eastern Europe, national and ethnic minorities.

### Polityki etniczne państw członków Unii Europejskiej sąsiadujących z Polską

**Streszczenie:** Niniejszy artykuł stanowi część prowadzonych przez autora studiów nad zagadnienia polityki etnicznej. Jego celem jest chęć ukazania uwarunkowań determinujących kształt polityk etnicznych państw sąsiadujących z Polską – Niemiec, Czech, Słowacji i Litwy. Służy temu analiza ich najnowszej historii, struktury etnicznej, systemu prawnego oraz rozwiązań skierowanych do mniejszości.

**Słowa kluczowe:** polityka etniczna, Europa Środkowa i Wschodnia, mniejszości narodowe i etniczne.

### Этническая политика стран - соседей Польши, являющихся членами Евросоюза

**Аннотация:** Эта статья является частью авторских исследований по этнической политике. Его цель - показать условия, определяющие форму этнической политики соседних для Польши стран - Германии, Чехии, Словакии и Литвы. Анализ их недавней истории, этнической структуры, правовой системы и решений, направленных на меньшинства, служит этой цели.

**Ключевые слова:** этническая политика, Центральная и Восточная Европа, национальные и этнические меньшинства.

The aim of this article is to outline the ethnic policies of the Member States of the European Union neighbouring with Poland, namely Lithuania, Germany, Chechia and Slovakia. It is an essential subject if we consider that these aforementioned states are simultaneously the home countries of a few legally recognised minorities residing in Poland. Naturally, their ethnic policies affect both the perception and evaluation of Polish endeavours in this aspect by Czechs, Lithuanians, Germans and Slovaks. On the other hand, despite Poland's defiance of the reciprocity rule in terms of protection and respecting minority laws, there is no doubt the acts or nonfeasance of these states toward the Poles residing on their respective territories affect the Polish public opinion. Additionally, it indirectly influences the entities responsible for shaping and enacting ethnic policies of the Third Polish Republic. Moreover, each of the aforementioned states, due to certain geopolitical changes on these territories at the turn of 1980s and 1990s, were forced to reevaluate their own policies on the matter. In some cases, especially the most recent, to develop them from scratch which, in turn, allows us to compare the processes of their creation.

### Ethnic policies of the Czech Republic

Created in 1993, after the dissolution of Czechoslovakia into two separate states, the Czech Republic is a country ethnically homogenous with a modest percentage of national minorities. Therefore, it has no singular comprehensive legal act concerning the entirety of ethnic policies. All related matters are treated as marginal and its laws and definitions scattered among the other detailed policies of the state. We could observe, however, that the Roma issue slightly influenced this ethnic situation since this minority is so distinctly excluded by the society, it attracted the attention of the international community. This, in turn, forces Prague's authorities to take decisive actions designed to prevent discrimination of specific groups in the Czech society. Nevertheless researchers agree, at this moment, these actions have proved to be quite insufficient.

As observed previously, the most considerable determinant of Czechia's state policy regarding minorities residing on their territories is their nationality structure. The best example could be the results of three censuses conducted in the Czech Republic after 1989. We could definitely observe a dynamic in the changing numbers related to our area of interest. However, a diverse methodology for each census could be considered an additional factor in the data presentation.

Figure 1. The nationality structure of the population in the Czech Republic in 1991, 2001 and 2011.

Declared nationality	1991		2001		2011	
	Number of people	Overall percentage	Number of people	Overall percentage	Number of people	Overall percentage
Czechs	8 363 768	81.18%	9 249 777	90.42%	6 711 624	64,31%
Moravians	1 362 313	13.22%	380 474	3.72%	521 801	5,00%
Silesians	44 446	0.43%	10 878	0.11%	12 214	0,12%
Germans	48 556	0.47%	39 106	0.38%	18 658	0,18%
Poles	59 383	0.57%	51 968	0.51%	39 096	0,37%
Romani	32 903	0.32%	11 746	0.11%	5 135	0,05%

Russians	5 062	0.05%	12 369	0.12%	17 872	0,17%
Slovaks	314 877	3.06%	193 190	1.89%	147 152	1,41%
Ukrainians	8 220	0.07%	22 112	0.22%	53 253	0,51%
Hungarians	19 932	0.19%	14 672	0.14%	8 920	0,08%
Vietnamese	421	0.01%	17 462	0.20%	29 660	0,28%
Other	18 652	0.18%	51 551	0.50%	64 861	0,62%
Unspecified or field left blank	22 017	0.21%	172 827	1.67%	2 642 666	25,32%
Population in total	10 302 215	100%	10 230 060	100%	10 436 560	100%

Source: E. Szyszczak, *Polityka etniczna Republiki Czeskiej*, [in:] *Polityka etniczna współczesnych państw Europy Środkowo-Wschodniej*, H. Chałupczak, R. Zenderowski, W. Baluk (eds.), Lublin 2015, p. 193.

As indicated by this list, the national structure of the Czech population underwent certain changes over the last 20 years and more. Nevertheless, they are not significant enough to cause a discernible character shift. In general, there is a decrease in traditional minorities such as Germans, Poles, Romanians, Slovaks and Hungarians. It stems mostly from the ongoing assimilation of these communities coinciding with the ageing of each of the group's representatives. At the same time, due to immigration, there is an influx of Russians, Ukrainians and Vietnamese residing in the Czech Republic. There was also an increase in percentage of respondents who were not able or did not wish to specify their nationality. It could be observed especially in the last census. What also constitutes a relevant factor is that there were various methodologies used, since in 2011, contrary to previous years, the nationality question was only a facultative question allowing for more than one answer which naturally affected the results.

The nature of the modern ethnic policies of Czechia is defined, as in any law-abiding country, by acts of law. We could split them into three primary categories – state legislation, bilateral agreements and international law.

Amid Czech domestic regulations pertaining to the status and rights of national minorities, the Charter of Fundamental Rights and Freedoms of 1991 is definitely worth noting along with the Law on Ethnic and National Minorities and legal acts changes from 10 July 2001. The Charter, as a part of the Republic's constitution determines basic rights and freedoms reserved for their citizens, including members of minorities, to which one full chapter was dedicated. It consists of two articles, the first one constitutes that "nobody may be caused detriment to her rights merely for asserting her fundamental rights and basic freedoms"<sup>1</sup>. Additionally, the subsequent article specifies that "Citizens who constitute national or ethnic minorities are guaranteed all-round development, in particular the right to develop, together with other members of the minority, their own culture, the right to disseminate and receive information in their native language, and the right to associate in national associations. Detailed provisions shall be set down by law". Moreover, it guarantees the right to education in their own language,

<sup>1</sup> *The Charter of Fundamental Rights and Freedoms, art. 24*, [in:] *The Constitution of the Czech Republic*, translated by M. Kruk, Warszawa 1994.

the right to use their own language in their communication with officials as well as the right to participate in the resolution of affairs that concern those aforementioned national and ethnic minorities<sup>2</sup>. What is more, the article no. 3 of the Charter guarantees basic rights and freedoms “without regard to gender, race, colour of skin, language, faith and religion, political or other conviction, national or social origin, membership in national or ethnic minority, property, birth, or other status.”<sup>3</sup>. As a consequence, “everybody has the right freely to choose his nationality” and “It is prohibited to influence this choice in any way, just as is any form of pressure aimed at suppressing a person’s national identity”<sup>4</sup>.

The rights reserved in the Charter were extended and elaborated in detail in the second most important domestic legal document, the Minority Act and changes in some legal acts from 10 July 2001. Most prominently, it introduces an actual definition of a national minority which is understood as a “community of citizens of the Czech Republic who live on the territory of the present Czech Republic and as a rule differ from other citizens by their common ethnic origin, language, culture and traditions; they represent a minority of citizens and at the same time they show their will to be considered a national minority for the purpose of common efforts to preserve and develop their own identity, language and culture and at the same time express and preserve interests of their community which has been formed during history”<sup>5</sup>. Whereas the minority member is a Czech Republic’s citizen “who professes other than Czech ethnic origin and wishes to be considered a member of a national minority in common with the others who profess the same ethnic origin”<sup>6</sup>. In the subsequent part, a new subcategory of traditional minorities who are known to have resided in Czechia for an extensive period is introduced, granting them additional privileges. However, due to the absence of further clarifications, definitions or details of who should be defined in this special subcategory, it is the state administration that effectively decides on which minority receives that special status. What is a fairly important element of this regulation, is tying the minority membership with the citizenship, which allows to differentiate between settled minorities and the immigrants. What constitutes basic rights granted to minorities are the freedom to choose their nationality and the prohibition of discrimination, the right to associate in national associations, as well as the right to participate in the resolution of affairs that concern them and the right to use their name and last name in their own language<sup>7</sup>. Traditional minorities who have resided collectively in the Czech Republic for an extended period were guaranteed the rights of bilingual names and signage, the right to use the minority language in state administration offices, courts and pertaining to elections as well as the right to education, to obtain and share information in that language while enjoying the right to develop the culture shared by its members<sup>8</sup>. All these are represented by specific legal acts concerning Education, Municipalities, Regions and Registers.

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<sup>2</sup> Ibid, art. 25.

<sup>3</sup> Ibid, art. 3.

<sup>4</sup> Ibid.

<sup>5</sup> E. Matlochova, *Uprawnienia polskiej mniejszości narodowej w Republice Czeskiej*, “Folia Iuridica Wratislaviensis” 2013, vol. 2, no. 2, p. 189.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid, p. 198-209.

<sup>8</sup> Ibid, p. 213-224.

The second category of legal acts defining the protection of rights pertaining to minorities residing in the Czech Republic are bilateral agreements, of which we should mention the following: with the Republic of Poland regarding cultural and scientific cooperation from 1991 and the Treaty of Good Neighbourship and Friendly Cooperation from 1992 with the Federal Republic of Germany and concerning the cultural cooperation from 1999; with the Slovak Republic regarding good neighbourship and friendly cooperation from 1993; with the Russian Federation and Republic of Croatia regarding education, science and culture in 1996 and 2001, respectively. Each agreement ensures rights protection and prohibits any discrimination for minority members on either side of the agreement<sup>9</sup>.

The last category of laws, with regards to the issue in this article, are international legal acts and multilateral pacts. There are two which are currently considered essential international documents which tackle the subject of minority rights. They are the Framework Convention for the Protection of National Minorities from 1995 and The European Charter for Regional or Minority Languages from 1992. The first one was approved by the Czech Republic in 2001. The latter was accepted in 2006 and effective from the following year, despite it being signed in the year 2000. It resulted from the necessity to reconcile the state legislation with the Charter<sup>10</sup>.

The entities in charge of ethnic policies of the Czech Republic could also be divided into three groups. They are advisory-coordinative, executive and parliamentary. In the first group, the primary role has fallen to the Government Council for National Minorities. Their task, as a permanent advisory and initiating government body, is to monitor all legal acts, both domestic and international, pertaining to the protection of rights for minorities residing in the Czech Republic<sup>11</sup>. The second body with similar competences is the Government Council for the Roma Minority Affairs. As per the name, its main role is to support the process of integration for the Roma and a non-conflict coexistence of this ethnic group in the society as well as improving its circumstances in all spheres of life<sup>12</sup>. Its importance grew in the recent years due to the progressing social exclusion of Roma community, the problems of which the council is dedicated to solving<sup>13</sup>.

Amid executive bodies, the state administration units are at the forefront of managing the issues analysed in this article. The issues of national and ethnic minorities to various extent fall to the Ministry of Employment and Social Affairs, the Ministry of Culture, the Ministry of Internal Affairs, the Ministry of Education, Youth and Sports, as well as the Ministry of Justice, the Ministry of Finance and the Government Minister of Human Rights, Equality and Legislation. Apart from the government administration, other officials with an influence on ethnic policies are the Czech Republic's President Chancellery, since in fact this is the position in charge of representing the country in international negotiations, and the Public Defender of Rights who has been responsible

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<sup>9</sup> Compare to E. Szyszlak, *Polityka etniczna Republiki Czeskiej*, [in:] *Polityka etniczna współczesnych...*, H. Chałupczak, R. Zenderowski, W. Baluk (eds.), Lublin 2015, p. 205.

<sup>10</sup> Compare to E. Pałka, J. Szymeczek, *Polityka narodowościowa Republiki Czeskiej*, [in:] *Europa Środkowa. Dekada transformacji. Republika Czeska*, B. J. Albin, W. Baluk (eds.), Wrocław 2005, p. 181-204.

<sup>11</sup> *Ibid.*, p. 198.

<sup>12</sup> E. Szyszlak, *op. cit.*, p. 209.

<sup>13</sup> See: M. Michalska, *Kwestia romska w Czechach*, [in:] *Kwestia romska w polityce państw Europy Środkowo-Wschodniej*, Wrocław 2011, p. 107-140.

for equality and protection against discrimination since 2009. Under the law of the Acts on Municipality and Regions, the local authorities also have certain ethnopolitical competences. Districts where particular minorities reside could establish committees for national minorities which could act in order to support respecting the rights of the minority members. Moreover, on the level of regions which could be viewed as the counterparts of Polish provinces, there are Coordinators for Roma Affairs responsible for the integration policies of the government towards the Roma on a regional level<sup>14</sup>.

The final group of organisations responsible for the Czech ethnic policies are parliament bodies such as the committees and subcommittees under both Chambers tasked with managing the issues of minorities and human rights, as well as ethnic political parties of which the minority issues are a key element of their political identity<sup>15</sup>.

The analysis of the ethnic policies for the Czech Republic since its independence proclamation in 1993 leads to a conclusion that there is no singular and coherent strategy established over the years on the matter. All endeavours loosely related to ethnic policies were until now were only temporary measures in order to become an eligible member candidate for international organisations or appeasing domestic conflicts which were a sign nationalist tensions. However, the aforementioned measures often generated new tensions and controversy among the Czech society<sup>16</sup>. Therefore, it has become one of the reasons why the ethnic policies of the Republic could be seen as marginal compared to all other detailed policies of the state. The acts and efforts towards the Roma appear to an exception, yet even here the justification and efficiency raises serious doubts.

### **The ethnic policies of the Republic of Lithuania**

The modern ethnic policies of the Lithuanian Republic are, as observed by researchers specialising in the matter, almost a mirror image and at the same time a result of the history of the Lithuanian nation and state<sup>17</sup>. Especially the events of the beginning of the 20th century related to sovereignty and the resulting tensions with the 2nd Polish Republic and the Union of Soviet Socialist Republics, as well as the loss and regaining of independence, all these played a significant role. To this day, the privileged position of Russians combined with Polish aspirations have become an important factor for national mobilisation in Lithuania leading to a marginalisation of the status and influence of minorities residing on Lithuanian territory. Despite the accusations of discrimination by independent observers, Vilnius' authorities describe them as justified by history and devoted to upholding Lithuanian sovereignty.

Apart from the events of the past, the demographic structure proves to be a significant variable in the ethnical policies of the Republic of Lithuania.

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<sup>14</sup> Comp.: E. Szyszlak, op. cit., p. 210-215.

<sup>15</sup> Ibid, p. 217.

<sup>16</sup> See: J. Szymeczek, *Walka standardów europejskich z mitami czeskimi*, [in:] *Tożsamość etniczna i kulturowa Śląska w procesie przemian*, red. H. Rusek, A. Drożdż, Wrocław-Cieszyn 2009, p. 318-324.

<sup>17</sup> A. Bobryk, Z. Kurcz, *Polityka etniczna Litwy*, [in:] *Polityka etniczna współczesnych...*, H. Chałupczak, R. Zenderowski, W. Bałuk (eds.), Lublin 2015, p. 239.

Figure 2. National Structure of Lithuania in 1989, 2001 and 2011.

Declared nationality	1989		2001		2011	
	Population (in thousands)	Percentage	Population (in thousands)	Percentage	Population (in thousands)	Percentage
Lithuanians	2 924	79.6%	2 907	83.5%	2 561	84.2%
Russians	344	9.4%	218	6.3%	176	5.8%
Poles	258	7.0%	235	6.7%	200	6.6%
Belarusians	63	1.7%	42	1.2%	36	1.2%
Ukrainians	44	1.2%	22	0.7%	16	0.5%
Jews	12	0.3%	4	0.1%	4	0.1%
Other	29	0.8%	56	1.5%	50	1.6%
Population in total	3 674	100%	3 484	100%	3 043	100%

Source: Own elaboration based on: *Oficialiosios statistikos portalas*, 12.01.2017, <http://osp.stat.gov.lt>.

This table demonstrates clearly the changes over the 22 years since 1989 where Lithuania was still one of the Socialist Republics, until 2011 which was the year of the latest census. The reasons stem from two historical events – the dissolution of the USSR and joining the European Union. Both caused a flood of emigration. However the overall decline in population matched the decline of minority memberships. It allowed to increase the percentage of Lithuanians in the overall number of all residents, despite a part of them leaving. After Lithuanians, the second most numerous group are Poles who constitute 6.6% of society ahead of Russians whose population declined by half since 1989. The following places are taken by minorities, the number of which is steadily declining – Belarusian and Ukrainian. The last, out of the six most prominent national groups, are the members of the Jewish community which since the census remains on the same level of 0.1%.

The three most important acts of law of the Lithuanian Republic determining the shape of the state ethnic policies over the 26 years analysed in this article are the Constitution, the legal acts – amended numerous times Citizenship's Act and the National Minorities' Act declared null and void in 2010.

The researchers observe a proportional relationship between the status of the Lithuanian Constitution in the context of its domestic laws and the brevity regarding minorities rights<sup>18</sup>. Only five articles, including the two which are indirectly affecting the issue, concern the members of such groups. Article no. 29 guarantees that “All persons shall be equal before the law, the court, and other State institutions and officials” while the “rights of the human being may not be restricted, nor may he be granted any privileges on the ground of gender, race, nationality, language, origin, social status, belief, convictions, or views”<sup>19</sup>. Additionally, article no. 37 states that “citizens belonging to ethnic communities shall have the right to foster their language, culture, and

<sup>18</sup> T. Bialek, *op. cit.*, p. 206.

<sup>19</sup> *The Constitution of the Republic of Lithuania*, art. 29, [in:] *The Constitution of the Republic of Lithuania*, as translated by H. Wisner, Warszawa 2006.

customs”<sup>20</sup>, while the article no. 45 specifies that “ethnic communities of citizens shall independently manage the affairs of their ethnic culture, education, charity, and mutual assistance”, nevertheless “ethnic communities shall be provided support by the State”<sup>21</sup>.

The two remaining articles, no. 56 and 78, only partially affect minority rights. Nevertheless, as shown by events and politics in practice, especially in case of Poles residing in Lithuania, they are quite significant to minority members<sup>22</sup>. Article no. 56 stipulates that “any citizen of the Republic of Lithuania who is not bound by an oath or pledge to a foreign state, and who (...) permanently resides in Lithuania, may be elected a Member of the Seimas”<sup>23</sup>. This requirement raised controversy in the context of Polish minority members holding the Polish Charter (in Polish: Karta Polaka). The article no. 78 clearly forbids citizens other than Lithuanian citizens by origin to be elected President of the Republic<sup>24</sup>.

Nevertheless, there are two legal acts which appear to be much more detailed and which determined state’s attitude towards citizens of foreign origins in the recent years. The first one ratified in 1989 was the Citizenship’s Act. As it was designed to be one of the instruments helping in increasing the sovereignty of Lithuanian Socialist Soviet Republic, it allowed for a so-called ‘zero option of citizenship’. According to this law, all residents of Lithuania could obtain citizenship, regardless of their nationality or the period of residence. The subsequent amendments of the law introduced new requirements and restrictions concerning viable candidates for a passport of the newly independent Republic of Lithuania. The aforementioned restrictions concerned passing a test on Lithuanian language and the Constitution, as well as the requirement to having resided in Lithuania for at least 10 years and permanent employment. Naturally, the rules allowed for certain exceptions such as for those who rendered great service to the country, the descendants of Lithuanian citizens from before 1940 who had not migrated to their country of origin. A group which could be seen as another victim was the Polish minority, whose parents emigrated to Poland after the war. Nevertheless, the most considerable controversy was aroused by the amendment from 2002, introducing a law where in case of adopting a second citizenship, the Lithuanian one becomes null and void. However, the requirement did not apply to people of Lithuanian origins which was synonymous with a discord with the international law standards, not to mention the Constitution guaranteeing equality before the law. As a consequence, the Constitutional Court of the Republic ordered to change this law by verdict of 2006 with retaining the privileges of those to whom this law was applied before the verdict was published<sup>25</sup>.

The latter, raising equally a fair share of controversy was the National Minorities’ Act passed in 1989, in effect until 2010. Its initial version granted the members a list of political, social and economic rights, including the right to seek state support in their enterprises, using national languages, having representatives on all levels of the state

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<sup>20</sup> Ibid, art. 37.

<sup>21</sup> Ibid, art. 45.

<sup>22</sup> See e.g. A. Bobryk, *Spoleczne znaczenie funkcjonowania polskich ugrupowań politycznych w Republice Litewskiej 1989-2013*, Siedlce 2013.

<sup>23</sup> *The Constitution of the Republic of Lithuania, art. 56, [in:] the Constitution...*

<sup>24</sup> Ibid, art. 78.

<sup>25</sup> Compare to E. Kuzborska, *Sytuacja prawna mniejszości narodowych na Litwie w kontekście międzynarodowych i ponadnarodowych standardów ich ochrony*, Warszawa 2012, p. 177-179.

authorities as well as separate education and cultural facilities. These laws, however, were not met with the approval of certain ethnic groups since the overall objective was to highlight the role of the majority of the population and definitely not to alleviate the issues of minorities on which, in turn, there new obligations imposed under the appearance of privileges. The first amendment to this law was introduced after the tragic events of January 1991. Under the aforementioned amendment, the catalogue of minority rights was extended to meet the expectations of minority members. In the following years, representatives of various political options attempted at amending it again by either restricting or expanding minority privileges. The lack of compromise in this matter led to declaring the law null and void in 2010, and until the end of the chronological order of this analysis, was never replaced with a new act<sup>26</sup>.

Apart from the aforementioned acts of domestic law stipulating the rights of national and ethnic minorities in the Republic of Lithuania, there are legal acts such as the proclamation of the Supreme Council of Lithuania from 1990 and the Act of the Re-Establishment of the State of Lithuania as well as specific laws pertaining to language, education or elections. Among international law, it is worth mentioning to list bilateral agreements such as the Treaty of Good Neighbourship and Friendly Cooperation between The Republic of Poland and the Republic of Lithuania signed in 1994 or The Framework Convention for the Protection of National Minorities ratified by Lithuania in the year 2000<sup>27</sup>.

Entities of the Lithuanian ethnic policies could be split into three categories – executive bodies which enforce the policies, the legislative bodies which formally shape them and institutions affecting the policies directly or indirectly.

The most prominent executive body is the National Minorities Department, appointed by the Council of Ministers of LSSR in 1989 until the name of the Minorities Department. This department underwent many changes in the last 26 years. In 1994, it was altered into a Department of Regional Issues and National Minorities, and later in 1999, it was transformed into a Department of National Minorities and Émigrés. It functioned under this name until 2010 when it was dissolved while its responsibilities and competences were transferred to the Ministry of Science and Education, Ministry of Culture, Ministry of Foreign Affairs and a newly formed Commission for Coordination of National Minorities. The lack of one coherent institution responsible for coordinating ethnic policies was in time concluded as an error and in July 2015, there was an appointment for a new Department of National Minorities. Its role is to analyse the current ethnic policies and cooperation and maintaining relations with minority organisations, local governments, non-government organisations and diplomats<sup>28</sup>.

The issues of the national and ethnic minorities were on the docket of the Lithuanian parliament ensuring it is an important object of the state's ethnic policies. In the following years, there were parliamentary commissions which tackled this subject such as the Commission of Citizen's Rights and Nationality Affairs (1990-1992), the Committee on Nationality Affairs and Human & Citizen's Rights (1992-1996), as well as the Human Rights Committee (since 1996). Moreover, the Committee of Education, Science

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<sup>26</sup> Compare to A. Bobryk, Z. Kurcz, *op. cit.*, p. 252-254.

<sup>27</sup> *Ibid.*, p. 254.

<sup>28</sup> *Ibid.*, p. 255.

and Culture played a significant role in the Seimas by making key decisions with regards to education and culture<sup>29</sup>.

The final groups of entities consist of institutions which affect the shape of ethnic policies in the Republic of Lithuania in a less apparent way. These institutions are for example the Commission of National Minorities in the Ministry of Education, Social Commission of the National Minorities by the Vilnius City Council as well as the National Initiatives Group, the National Communities Council by the Department of Regional Issues and National Minorities and the Social Council of Eastern Lithuania.<sup>30</sup>

The analysis of the aforementioned historical and demographical determinants, legal and systemic factors as well as the entities responsible for the shape and execution of ethnic policies of the Republic of Lithuania allows us to conclude that the policies fall victim to objectification. The absence of a singular, comprehensive document allowing for specifying all intents and purposes is a favourable condition for such state of affairs. Therefore, only the current political interests could be the determinants, such as when the independence efforts of 1990s required seeking compromises with the minority members. There was again, a similar situation at the recent turn of the century where Lithuania, attempting at lending credence to their candidacy for international structures, went with the demand of signing numerous conventions and agreements. However, this was never taken seriously enough to pass respective state laws. In cases, where it was not required, Lithuanian authorities went as far as to limit the rights instead of expanding them benefiting the Lithuanians holding the majority of the population. Nevertheless, the ethnic policies of Lithuania do not appear to stand out compared to the neighbouring states' policies.

### **Ethnic policies of the Federal Republic of Germany**

The Federal Republic of Germany (FRG) differed from other Central and Eastern European states. Despite the obvious differences such as civilisation, cultural or economic, there was an additional political and systemic complexity to Poland's western neighbour that separates it from Poland, Czechia or Slovakia. The federal character of the FRG undoubtedly shaped all the policies of that state, including the one analysed in this article. The factors such as historic events regarding institutions or the national structure still play a considerable role, even more so, due to the share of responsibilities between the federal or the state appears to be a key determinant of the issues described in this article. The political system of modern Germany constitutes a significant independence of each land. Therefore, the burden of ethnic policies was shifted towards the regional level and, as observed by some researchers, their overall nature is a result of a clash between the lands and the state<sup>31</sup>. It definitely makes performing the analysis to match our previous convention more of a challenge, nevertheless, it is not impossible.

A key historic event for the modern ethnic policies of the FRG was uniting Germany. Morphing two, utterly dissimilar, state structures into one was no easy feat, and not only logistically but conceptually as well. Among many issues requiring a com-

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<sup>29</sup> Ibid, p. 258-259.

<sup>30</sup> Ibid, p. 259.

<sup>31</sup> E. Godlewska, *Polityka etniczna zjednoczonych Niemiec*, [in:] *Polityka etniczna. Teorie, koncepcje, wyzwania*, H. Chałupczak, R. Zenderowski, E. Pogorzała, T. Browarek (eds.), Lublin 2015, p. 336.

promise and working out a singular political approach, the subject of ethnic policies proved to be one of the least onerous. Since 1990, the situation of political minorities did not undergo any significant changes, whereas all meagre modifications were largely positive. The necessity to adhere to 'the old rules' followed by the western lands, while retaining the privileges granted by the German Democratic Republic (DDR), proved to be a great benefit to the minority of Sorbs. They were uniquely distinguished in the Unification Treaty, in spite of other lands requesting including all recognisable minorities. The special consideration of Sorbs is a result of a want to continue DDR's policy, which as per the Constitution from 1968 guaranteed them: "the right to develop their language and culture" as well as the support from the state in order to fulfil that<sup>32</sup>. Despite not being mentioned in the Basic Law of the FRG, their local situation significantly improved. Much of the credit goes to the interested party themselves, who having found themselves without their own country and their spokesperson, adequately used their potential of influencing the federal and state policies. As far as other minorities are concerned, despite the natural fears, for example the Danish community and the Bonn-Copenhagen Declaration<sup>33</sup>, did not undergo any significant changes after 1990 and should be assessed as decent<sup>34</sup>.

In the modern Federal Republic of Germany, there are only four officially recognised minority groups: the aforementioned Sorbs and Danes, as well as Frisians and Roma (the latter referred to as the Sinti and Roma). German authorities maintain a quantitative catalogue, without including any definition of the minority<sup>35</sup>. This state of the law allows them to freely recognise a community as a minority of which the perfect example are Turks, Russians and Poles whose populations are much higher than those of the four recognised minorities but not able to receive the same status. It is worth mentioning that these are simply estimations since the Federal Republic of Germany does not keep statistics pertaining to nationality<sup>36</sup>. According to those population estimations, the most numerous appears to be Roma. This community is approximately 70.000 people spread across German territory. The least numerous groups seem to be Sorbs and Frisians. The first community is present in two lands, Brandenburg (Lower Lusatia) and Saxony (Upper Lusatia). The latter lives largely in the Lower Saxony (The Eastern and Saterland Frisians) as well as Schleswig-Holstein (Northern Frisians). The least numerous national minority are Danes, whose presence in Germany is approximately 50.000. It is only natural that their biggest concentration is on the Schleswig-Holstein Land which borders with Denmark<sup>37</sup>.

<sup>32</sup> G. Janusz, *Mniejszości narodowe w Niemczech*, [in:] *Być Polakiem w Niemczech*, A. Wolff-Powęska, E. Schultz (eds.), Poznań 2000, p. 128.

<sup>33</sup> See: G. Janusz, *Dwustronne porozumienia o prawach mniejszości jako nowa jakość ochrony mniejszości w Europie na przełomie XX i XXI wieku*, [in:] *Narody XXI wieku*, A. Hołuba (ed), "Forum Politologiczne" 2007, vol. 5, p. 59-62.

<sup>34</sup> E. Godlewska, op. cit., p. 337.

<sup>35</sup> M. Mieczkowska, "A Serbsce?" jako przykład działań na rzecz praw językowych mniejszości serbołużyckiej, [in:] *Mobilizacja i etniczność. Procesy mobilizacji mniejszości narodowych i etnicznych w województwie zachodniopomorskim na tle doświadczeń grup narodowościowych w innych regionach*, M. Giedroń, D. Kowalewska, M. Mieczkowska (eds.), Szczecin 2012, p. 27.

<sup>36</sup> Ibid.

<sup>37</sup> Comp.: *Nationale Minderheiten und Sprachgruppen in Deutschland*, 12.03.17, [http://www.aussiedlerbeauftragter.de/AUSB/DE/Themen/nationale-minderheiten/nationale-minderheiten\\_node.html](http://www.aussiedlerbeauftragter.de/AUSB/DE/Themen/nationale-minderheiten/nationale-minderheiten_node.html)

Figure 3. The estimated population of national minorities in Germany

Nationality	Population
Danes	50.000
Frisians	60.000
Roma (the Sinti and Roma)	70.000
Sorbs	60.000

Source: Own elaboration based on: E.Godlewska, *Polityka etniczna zjednoczonych Niemiec*, [in:] *Polityka etniczna. Teorie, koncepcje, wyzwania*, H.Chałupczak, R.Zenderowski, E.Pogorzala, T.Browarek (eds.), Lublin 2015, p.322.

The federal nature of the state plays a big role in ethnic policies in general. Out of the six legal acts on the state level which to some extent concern the institutional objectives regarding minorities, we can list only a handful. All could be characterised by the generality of their regulations, combined with the extensive autonomy of particular lands lead to minorities being treated differently based on their residence since we cannot speak of an ethnic policy applicable throughout the whole country. Returning to the federal regulations, the most significant law, as in most legal and political systems, is the Basic Law of the Federal Republic of Germany from 23 May 1949. It refers to national minorities indirectly only in Article no.3 which stipulates that: "no one may be prejudiced or privileged because of his sex, descent, race, language, homeland and origin, faith or his religious and political opinions"<sup>38</sup>. Despite multiple calls for including minority rights, it remains the only fragment of the Basic Law concerning the area of interest of this article.

Apart from the Basic Law, and the aforementioned Unification Treaty from 1990, out of all federal legal acts pertaining to national minorities, we can discern the Bundestag election law from 7 May 1956, specifying which minority parties are exempt from securing the mandatory 5% electoral threshold, Political Parties Act from 24 July 1967 granting minority political parties funding from the state without mandating any financial threshold as other political groups and finally the Civil Service Act from 5 February 2009 specifying that recruiting candidates for state office positions does not permit discriminating against someone due to sex, descent, beliefs as well as religious and political opinions<sup>39</sup>.

The analysis of the German law pertaining to minorities leads to a conclusion that almost all of the burden of minority rights protection was shifted to the authorities of the lands where those minorities reside. Each group is specifically addressed in the constitutions of three lands which are members of the Federation – Brandenburg, Saxony and Schleswig-Holstein.

In Brandenburg's Constitution, there is a separate chapter dedicated to Sorbs. It stipulates that "the right of the Sorb/Wend people to the protection, preservation and cultivation of their national identity and their traditional settlement area is guaran-

<sup>38</sup> *The Basic Law of the Federal Republic of Germany*, art.3, [in:] *The Constitution of Germany*, as translated by B. Banaszak, A. Malicka, Warszawa 2008.

<sup>39</sup> Compare to E. Godlewska, op. cit., p. 325.

teed”<sup>40</sup>. Moreover, it ensures the support from the Land, municipality or municipality associations to protect the cultural autonomy of this nation, both within and outside the Land, and ensure effective political participation. Additionally, it guarantees the Sorbs the right to preserve and promote the Sorb/Wend language and culture in the public domain and teaching thereof in schools and children’s day-care facilities. It also stipulates that the Sorb/Wend language should be included in the official signage in the settlement area of the Sorbs/Wends and the nation should have adequate representation in legal matters concerning them<sup>41</sup>.

In the Free State of Saxony’s Constitution, there are three articles pertaining to minorities – articles no. 2, 5 and 6. The Article no.2 recognises the right to an own emblem and own colours as equal to the state symbols. The Article no.5 lists, apart from citizens of German origins, the Sorbs and other minority members as German citizens and guarantees the protection of their language, culture, and heritage. The Article no.6 was dedicated to the Sorbs, granting them equality before the law, the protection of identity, the right to develop their language, culture and traditions, in particular through schools, day-cares and cultural institutions. Moreover, they were granted to right of taking the Sorb community’s interests into consideration of local authorities’ enterprises as well as supporting the cooperation of the Sorbs across Lands<sup>42</sup>.

In the Schleswig-Holstein’s Land, the Article no.6 of the Constitution guarantees the national and ethnical minorities the unhindered right to choose their identity as well as the protection and support of the state for the minorities residing on the territories of the Land, of which the following three was specifically mentioned: Danes, Frisians and the Roma (the Sinti and Roma)<sup>43</sup>. The Schleswig-Holstein Land was the first federal land which specifically referred to the last group in its Constitution.

The only important entity responsible for German ethnic policies on the state level is the Federal Government Commissioner for Matters Related to Ethnic German Resettlers and National Minorities. It was launched in the structures of the Ministry of Internal Affairs in 1988 as a Plenipotentiary for Resettlers. In 2002, the position’s competences were expanded and now include the national minorities affairs. As a part of these responsibilities, this government commissioner acts an intermediary between the federal government and the national and ethnic minorities as well as a coordinator and responsible for the information on those matters<sup>44</sup>. The government commissioner has counterparts on the Land levels to support the minority matters. The Minority Commissioner of Schleswig-Holstein could serve as an apt example. The Position was appointed in 1988 as a Border Region Commissioner, later changed in the year 2000 and is responsible for national minorities residing in that Land<sup>45</sup>.

<sup>40</sup> *The Constitution of Brandenburg*, art. 25, 25.03.17, [http://www.landtag.brandenburg.de/media\\_fast/5701/Verfassung\\_polnish.pdf](http://www.landtag.brandenburg.de/media_fast/5701/Verfassung_polnish.pdf)

<sup>41</sup> *Ibid.*

<sup>42</sup> Compare to. *Verfassung des Freistaates Sachsen*, 25.03.17, <http://www.revosax.sachsen.de/vorshrift/3975-Saechsische-Verfassung>

<sup>43</sup> Compare to. *Verfassung des Landes Schleswig-Holstein*, 25.03.17, [http://www.landtag.ltsh.de/export/sites/landtagsh/downloads/infomaterial/kurzinfos/10\\_verfassung\\_2014.pdf](http://www.landtag.ltsh.de/export/sites/landtagsh/downloads/infomaterial/kurzinfos/10_verfassung_2014.pdf)

<sup>44</sup> See: *Der Beauftragte für Aussiedlerfragen und nationale Minderheiten*, 25.03.17, [http://www.aussiedlerbeauftragter.de/AUSB/DE/Beauftragter/beauftragter\\_node.html](http://www.aussiedlerbeauftragter.de/AUSB/DE/Beauftragter/beauftragter_node.html)

<sup>45</sup> E. Godlewska, *op. cit.*, p. 330.

The ethnic policies of a modern Germany, compared to other Central and Eastern European states, is discernibly different. It stems from multiple factors. The most prominent is this country's political system. The federal character of the state forces a split of responsibilities between the central state and the federal lands. As a consequence, it does not specific state-wide regulations to protect the rights of minorities and there is only one state office responsible for their issues. Despite such state of affairs, the legal situation of minorities in Germany should be considered adequate which is confirmed by the Council of Europe's bodies in charge of monitoring - Advisory Committee and the Committee of Experts<sup>46</sup>. In spite of not all current regulations are fulfilled, and numerous cases of pervasive racial and ethnic discriminations, in general, the Federal Republic of Germany does not stand out in comparison with the other Central and Eastern European States.

### **Ethnic Policies of the Republic of Slovakia**

The Republic of Slovakia, similarly to other Central and Eastern European states, had a long way from being a one of two parts of a socialist Czechoslovakia to becoming a sovereign state and member of the Euro-Atlantic structures. Continuing with this analogy, this road had its twists and turns, while the destination was not always obvious. Especially in this context, in the 1990s, Slovakia deviated from the path followed by the other members of the Visegrad Group. At that time, as per the words of Radosław Zenderowski: "Bratislava found itself in an awkward position, as the area of tension in-between Brussels and Belgrade. In the 1990s, we could discern both the renaissance of ethnonationalism and national separatism as well as consistent and persistent attempts to join the community of countries in the European Union. The uniqueness of Slovakia is represented by the fact that in the 90s [...] we were and in fact still are the witnesses of an interesting confrontation from one side - the temptation of ethnical scepticism, a distinctive and ostentatious wall between them and the other cultures, and from the other side - the numerous attempts to interpret the spirit of Slovakia as the desire of active participation in the international communities"<sup>47</sup>. In order to outline the modern ethnic policies of the Slovak Republic, the first issue, concerning the raise of the ethnic antagonisms and the gradual ethnocentrism of Slovaks, affects not only the area of our analysis but also the character of all Slovak state policies.

As in the case of every state in the old continent, the historical events played a significant role in the shape of the nationality structure of Slovakia, hence they also determined all endeavours concerning ethnicity in general. The end of the First World War greatly affected the issue analysed in this article. Namely, the dissolution of the Austro-Hungarian Empire, the creation of Czechoslovakia and the Trianon Treaty, disputed by the Hungarian side to this day, according to which Czechoslovakia was granted the lands of today's Slovakia and the Carpathian Ruthenia<sup>48</sup>, all these events shaped the ethnic relations in this country for years to come, the Slovak-Czech and Slovak-Hungarian relation in particular. The lack of experience in independent sovereignty, along with

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<sup>46</sup> Ibid, p. 337.

<sup>47</sup> R. Zenderowski, *Nad Tatrami błyska się... Słowacka tożsamość narodowa w dyskursie politycznym w Republice Słowackiej (1989-2004)*, Warszawa 2007, p. 13-14.

<sup>48</sup> J. Snopek, *Węgry. Zarys dziejów i kultury*, Warszawa 2002, p. 255.

the lack of experience in managing ethnic policies led Bratislava authorities to using antagonisms while creating those policies. The Czechoslovakism, initially viewed as a 20th century remedy for the progressing Magyarisation, was gradually impeding the pursuit of Slovak interests. After the dissolution of the Czech and Slovak Federation Republic in 1993, the Hungarian minority was yet again at the forefront as the enemy of the Slovaks constituting the majority in the society. As observed by many researchers, this policy was dictated by the fear instilled in the Slovaks against Hungary, not only as a minority but also as a neighbouring state, whose elites openly question the aforementioned Trianon Treaty<sup>49</sup>. Considering this perception, it comes as no surprise that the medial issue of the Roma minority is treated so marginally, as a social issue rather than one based on nationality<sup>50</sup>. Nevertheless, both issues combined with an all-European migration crisis are of no small importance, as shown in the parliamentary elections of 2016<sup>51</sup>, where naturally, the selected candidates shape the ethnic policies of the country. However, the basic determinant still remains the nationality structure of the Slovak nation.

Figure 4. National Structure of Slovakia in years 1991, 2001 and 2011.

Declared Nationality	1991		2001		2011	
	Population (in thousands)	Percentage	Population (in thousands)	Percentage	Population (in thousands)	Percentage
Slovaks	4 519	85.7%	4 615	85.8%	4 355	80.7%
Hungarians	569	10.8%	521	9.7%	458	8.5%
Roma	73	1.4%	91	1.7%	107	2.0%
Czech	58	1.1%	43	0.8%	32	0.6%
Ruthenians	15	0.3%	21	0.4%	32	0.6%
Ukrainians	15	0.3%	10	0.2%	5	0.1%
Other or unknown	21	0.4%	75	1.4%	404	7.5%
Population in total	5 274	100%	5 379	100%	5 397	100%

Source: Own elaboration based on: R.Zenderowski, P.Bajda, *Polityka etniczna Słowacji*, [w:] *Polityka etniczna współczesnych państw Europy Środkowo-Wschodniej*, H.Chałupczak, R.Zenderowski, W.Baluk (eds.), Lublin 2015, p.432-433.

As demonstrated by the table of the 1991, 2001 and 2011 census, the nationality structure underwent some changes. One of the constants is the dominant role of the Slovak nation. Each subsequent census showed a similar, high – around 80% - share despite the discernible decline in the first decade of the 21st century. The second most numerous group are Hungarians, in spite of showing a similar decline to Slovaks. The third most numerous group are Roma, who along with Ruthenians (Rusyns), are the only ethnic

<sup>49</sup> R. Zenderowski, P. Bajda, *Polityka etniczna Słowacji*, [in:] *Polityka etniczna współczesnych...*, H. Chałupczak, R. Zenderowski, W. Baluk (eds.), Lublin 2015, p. 430.

<sup>50</sup> Ibid.

<sup>51</sup> See: J. Groszkowski, *Polityczne trzęsienie ziemi na Słowacji*, 05.03.17, <http://www.osw.waw.pl/pl/publikacje/analizy/2016-03-09/polityczne-trzesienie-ziemi-na-slowacji>.

groups rising in numbers in the last 20 years. We can observe a consistent decline in Czech and Ukrainian populations on the Slovak territories. Amid all indications, the most prominent appears to be a growing proportion of Slovak residents declaring a nationality other than the aforementioned, or where the nationality is unknown.

From the list of the legal and political determinants shaping Slovak's ethnic policies normatively, we should enumerate the domestic law and international regulations, including both bilateral and multilateral. As in the previous cases, the most important act of domestic law is the Basic Law. The Constitution of the Slovak Republic was promulgated by the National Council under special circumstances on 1 September 1992. The uniqueness was a result of the Hungarian members of parliament who ostentatiously left the room just before the vote as a protest to the Constitution's preamble reading "We, the Slovak nation"<sup>52</sup>. There is no doubt that this clearly corresponds to the interpretation that nationalities other than Slovak are considered second tier. The subsequent part of the aforementioned preamble refers to "the state's citizens of national minorities and ethnic groups" which only added fuel to the flames. Therefore, the response of *votum separatum* by the minority members should be of no surprise and the label of 'the enemies of independence' stuck to Hungarians in Slovakia, adding to the complicated ethnic relationships between the two. The basic rights guaranteed to minority members are defined by Article no.12: "Fundamental rights shall be guaranteed in the Slovak Republic to everyone regardless of sex, race, colour, language, belief and religion, political affiliation or other conviction, national or social origin, nationality or ethnic origin, property, descent or any other status. No one shall be aggrieved, discriminated against or favoured on any of these grounds" as well as that "Everyone has the right to decide freely which national group he or she is a member of. Any influence and all manners of pressure that may affect or lead to a denial of a person's original nationality shall be prohibited"<sup>53</sup>. There is a separate chapter, Section Four of Title II of the Basic Law, dedicated to minorities and it consists of two subchapters. The Article no. 33 stipulates that the "membership in any national minority or ethnic group may not be used to the detriment of any individual"<sup>54</sup>. The subsequent article no. 34 is more detailed and it guarantees the following:

"citizens belonging to national minorities or ethnic groups in the Slovak Republic shall be guaranteed their universal development, particularly the rights to promote their culture together with other members of the minority or group, to disseminate and receive information in their mother tongues, to associate in national minority associations, to establish and maintain educational and cultural institutions"<sup>55</sup>. Moreover, the citizens who are members of minorities are guaranteed "the right to be educated in their language, the right to use their language in official communications and the right to participate in the decision making in matters affecting the national minorities and ethnic groups"<sup>56</sup>.

<sup>52</sup> C. S. Leff, *The Czech and Slovak Republics. Nation versus State*, Boulder 1997, p. 164.

<sup>53</sup> *The Constitution of the Slovak Republic*, art. 12, as translated by K. Skotnicki, Warszawa 2016.

<sup>54</sup> *Ibid*, art. 33.

<sup>55</sup> *Ibid*, art. 34.

<sup>56</sup> *Ibid*.

Nevertheless, there was a stipulation that exercising the aforementioned minority rights “must not lead to threat to the sovereignty and territorial integrity of the Slovak Republic and to discrimination of other population”<sup>57</sup>.

Apart from the constitution, the Slovak system has a plethora of other legal acts which affect minorities residing in that state to various extent. The most prominent, and yet the most controversial are the numerously-amended, hailing the Slovak language over all others in the public domain – the State Language Law and the Law on the use of Minority Languages defining the minority languages, enumerates them (the languages included were Bulgarian, Czech, Croatian, Hungarian, German, Polish, Roma, Ruthenian and Ukrainian) and regulates their usage. Apart from legal acts concerning languages, there were mentions highly important to the ethnic groups residing in Slovakia such as the law pertaining to education and training, granting them a list of education rights, as well as the Slovak Radio and Television Law pertaining to the proportionate broadcast of minority programmes depending on their population number in the regions<sup>58</sup>.

The regulations of international nature enforcing the protection of national and ethnic minorities rights are the Framework Convention for the Protection of National Minorities, signed by Slovakia in 1995 and came into effect 1 February 1998. The Slovak authorities also signed The European Charter for Regional or Minority Languages in 2001, in effect from the beginning of 2002. Nevertheless, it appears that for the minorities, the most influential are the bilateral agreements of Slovakia and the governments of their home countries. Naturally, the most prominent, given the aforementioned determinants of Slovak ethnic policies, is the Treaty of Good Neighbourship and Friendly Cooperation between the Slovak and Hungarian republics signed on 19 March 1995. In comparison to others, it has the most references to the issue analysed here with two dedicated articles. The other agreements, i.e. the Treaty of Good Neighbourship and Friendly Cooperation between the Slovak, Czech and Polish republics signed on 6 October 1991 as well as the Treaty of Good Neighbourship and Friendly Cooperation between the Czech and Slovak Federal Republic and the German Federal Republic from 27 February 1992 and finally the Treaty of Good Neighbourship and Friendly Cooperation between the Slovak Republic and the Ukraine from 29 June 1993 are fairly general. They do incorporate references to minorities. Nevertheless, they are not nearly as detailed as the agreement with Hungary<sup>59</sup>.

The Slovak entities which affect the shape of the ethnic policies consist of state bodies and institutions as well as the socio-cultural organisations of national and ethnic minorities, and the related political parties. Among the state entities representing minorities, the most prominent are the Slovak government plenipotentiary for national minorities, the Slovak government plenipotentiary for Roma communities as well as the Slovak Government Council for Human Rights, National Minorities and Gender Equality. The first one was created to replace the abolished position of Deputy Prime Minister for human rights, national minorities and regional development. This plenipotentiary is tasked with the protection, development and support to minority members, as well as

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<sup>57</sup> Ibid.

<sup>58</sup> Compare to R. Zenderowski, P. Bajda, *op. cit.*, p. 449-452.

<sup>59</sup> Ibid, p. 443-448.

preparing and coordinating state programmes aimed at helping them, monitoring and analysing their situation, not to mention the cooperation with international organisations who act in their interest. The office of the second plenipotentiary was founded in 1999 in the structures of the Ministry of Internal Affairs in an advisory role. This position had a capacity to raise own suggestions as well as coordinating and supervising the state acts aimed at solving the problems of the Roma community. The Slovak Government Council for Human Rights, National Minorities and Gender Equality was also launched in 1999. Its main objective is the assessment of fulfilling international obligations, the preparation of overviews, cooperation with various ministries and the coordination thereof and the cooperation with other central and local governments regarding human rights protection. It consists of eight commissions, one of which – the National Minorities and Ethnic Groups – is dedicated to the aforementioned communities<sup>60</sup>.

The socio-cultural organisations representing each minority or ethnic group, including also the non-indigenous national and ethnic groups residing in the country, also affect the shape of ethnic policies of the Slovak Republic. Some of them, by participating in the works of the aforementioned Government Council for Human Rights, National Minorities and Gender Equality, directly influence the scope and the direction of the initiatives undertaken by the state. Among the many organisations we should list e.g.: the Hungarian Community in Slovakia, the Centre for Civil and Human Rights in Kosice, the Czech Association in Slovakia, the Rusyn Renaissance (the Ruthenian rebirth), the Society of the Carpatho-Rusyns of the Slovak Republic, the Carpathian German Association in Slovakia as well as the Polish Club, the Moravian Cultural Association the Rusyn Association in Slovakia, the Bulgarian Cultural Association, the Croatian Cultural Association in Slovakia and finally the Slovak Jewish Cultural Heritage Association and the Association of Serbs in Slovakia<sup>61</sup>.

The final group of entities regarding the Slovak ethnic policies constitute the political parties pursuing minority rights. In fact, it usually only related to parties representing Hungarian citizens of Slovakia since they are the only ones, thanks to their organised structures and the size of the population they represent, that could be of any relevance. The most prominent was the Hungarian Coalition Party, founded in 1998, co-run the government for two terms (1998-2002 and 2002-2006)<sup>62</sup>. Currently, under the new name of the Hungarian Community Party, it is not voted into the parliament<sup>63</sup>.

Ethnic policies of the Slovak Republic made a significant leap in the last 26 years. Beginning with a policy aimed at limiting, or in some cases even excluding from social and political lives, the minorities to a multicultural state co-run by their representatives. The turning point was 1998 when the Hungarian Coalition Party was voted into parliament for the first time demonstrating that the Slovak-Hungarian cooperation is indeed feasible. It allowed to work through the institutional framework for these policies. One thing that is still absent is a final, singular and coherent strategy. The main challenges still ahead are related to the two of the minorities – Hungarian and Roma. In the case of

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<sup>60</sup> Ibid, p. 453-456.

<sup>61</sup> Ibid, p. 456-458.

<sup>62</sup> See: P. Bajda, *Miejsce mniejszości węgierskiej na słowackiej scenie politycznej*, [in:] *Mniejszości narodowe w państwach Unii Europejskiej. Stan prawny i faktyczny*, E. Godlewska, M. Lesińska-Staszczuk (eds.), Lublin 2013, p. 121-134.

<sup>63</sup> *The Party of the Hungarian Community*, 11.03.17, <http://www.mpk.sk/en/>

the earlier, it is more of a political challenge which becomes less relevant with the gradual complete assimilation of the Hungarians. Whereas, the latter could pose more of a burning issue. Their social and cultural exclusion as well as the possible solutions will dictate the directions in which the Slovak ethnic policies will continue. Currently, Slovakia's ethnic policies are in line with the policies of other Central and Eastern Europe.

### Conclusion

Each of the states neighbouring with Poland, due to the geopolitical changes in that part of Europe at the turn of the 1980s and 1990s, was forced to reevaluate its policies concerning national and ethnic minorities. Some of them, especially those which had been proclaimed the most recently, had to create those policies from scratch. It also coincided with a tendency to replace the assimilation policies with the ones leading to integration. It was a direct result of abandoning the state ideology inspired by communism and Marxism-Leninism in favour of the liberal Western democracies.

The paths towards transformation and the strategies for the ethnic policies of Central and Eastern European states, due to political changes, were fairly similar. However, they began diverging in the mid-1990s. While Poland and its southern and western neighbours consistently promoted the policies of integration between the minority and the majority, the other states decided on a quite opposite direction. At different stages of the statehood development, they veered off the integration path and enforced the assimilation of minorities while highlighting the status of the dominant nation. What is quite important, to some states that divergence came naturally. Nevertheless, Lithuania has been an interesting case since their independence proclamation, ethnic policies are usually based on the temporary political wins rather than a strategy.

Political transformations regarding ethnic policies in Central Europe were challenging mostly because they required a certain maturity common for developed democratic states. Naturally, this was not achieved in a day and imposed numerous obligations, in legal matters in particular. The catalyst for most of them were the efforts to become members of international structures. The eligibility was based on implementing multiple legal solutions as well as adopting and respecting international standards of minority rights protection. In case of Poland, Czechia and Slovakia, these were necessary to be accepted into the Council of Europe, the European Union and NATO. All of them acknowledged the key obligations required by those international organisations regarding minority rights. Similarly to Germany, differed by the fact that Poland's western neighbour completed these during the process leading towards the unification of the German Democratic Republic with the German Federal Republic. Considering the other neighbours of the Republic of Poland, they have only the status of parties to some of the aforementioned requirements. Lithuania, whose international aspirations matched Poland, Czechia and Slovakia, not only refused to implement the obligations from the European Charter for Regional or Minority Languages but also did not even sign it, contrary to all the other aforementioned states.

Considering all these facts as well as the analysis performed in this article, it is necessary to conclude that the ethnic policies of the states in this part of Europe, are almost indistinguishable. In spite of achieving the formal status of complying with the international standards and criteria, they fall short on the conceptual level as well as the completion leaving a lot to be desired in an ethnic policy. An enormous disparity in the

societies of each state, the lack of political consensus regarding ethnic policies as well as a complex political structure constitute a challenge in creating a singular coherent strategy regarding ethnic policies.

## REFERENCES

### Sources:

*Der Beauftragte für Aussiedlerfragen und nationale Minderheiten*, 25.03.17, [http://www.aussiedlerbeauftragter.de/AUSB/DE/Beauftragter/beauftragter\\_node.html](http://www.aussiedlerbeauftragter.de/AUSB/DE/Beauftragter/beauftragter_node.html)

*The Constitution of Germany*, as translated by B.Banaszak, A.Malicka, Warszawa 2008.

*The Constitution of the Czech Republic*, translated by M.Kruk, Warszawa 1994.

*The Constitution of the Republic of Lithuania*, art.29, [in:] *The Constitution of the Republic of Lithuania*, as translated by H.Wisner, Warszawa 2006.

*The Constitution of the Slovak Republic*, art.12, as translated by K.Skotnicki, Warszawa 2016.

*The Party of the Hungarian Community*, 11.03.17, <http://www.mpk.sk/en/>

*Nationale Minderheiten und Sprachgruppen in Deutschland*, 12.03.17, [http://www.aussiedlerbeauftragter.de/AUSB/DE/Themen/nationale-minderheiten/nationale-minderheiten\\_node.html](http://www.aussiedlerbeauftragter.de/AUSB/DE/Themen/nationale-minderheiten/nationale-minderheiten_node.html)

*The Constitution of Brandenburg*, art.25, 25.03.17, [http://www.landtag.brandenburg.de/media\\_fast/5701/Verfassung\\_polnish.pdf](http://www.landtag.brandenburg.de/media_fast/5701/Verfassung_polnish.pdf)

*Verfassung des Freistaates Sachsen*, 25.03.17, <http://www.revosax.sachsen.de/vorshrift/3975-Saechsische-Verfassung>

*Verfassung des Landes Schleswig-Holstein*, 25.03.17, [http://www.landtag.ltsh.de/export/sites/landtagsh/downloads/infomaterial/kurzinfos/10\\_verfassung\\_2014.pdf](http://www.landtag.ltsh.de/export/sites/landtagsh/downloads/infomaterial/kurzinfos/10_verfassung_2014.pdf)

### Studies:

Bajda P., *Miejsce mniejszości węgierskiej na słowackiej scenie politycznej*, [in:] *Mniejszości narodowe w państwach Unii Europejskiej. Stan prawny i faktyczny*, E.Godlewska, M.Lesińska-Staszczuk (eds.), Lublin 2013, p.121-134.

Bobryk A., Kurcz Z., *Polityka etniczna Litwy*, [in:] *Polityka etniczna współczesnych państw Europy Środkowo-Wschodniej*, H.Chałupczak, R.Zenderowski, W.Baluk (eds.), Lublin 2015.

Bobryk A., *Společné znanenie funkcionovania poľských ugrupowań politických w Republice Litewskiej 1989-2013*, Siedlce 2013.

Godlewska E., *Polityka etniczna zjednoczonych Niemiec*, [in:] *Polityka etniczna. Teorie, koncepcje, wyzwania*, H.Chałupczak, R.Zenderowski, E.Pogorzała, T.Browarek (eds.), Lublin 2015, p.336.

Groszkowski J., *Polityczne trzęsienie ziemi na Słowacji*, 05.03.17, <http://www.osw.waw.pl/pl/publikacje/analizy/2016-03-09/polityczne-trzesienie-ziemi-na-slowacji>.

Janusz G., *Dwustronne porozumienia o prawach mniejszości jako nowa jakość ochrony mniejszości w Europie na przełomie XX i XXI wieku*, [in:] *Narody XXI wieku*, A.Holuba (ed), "Forum Polityczne" 2007, vol.5, p.59-62.

Janusz G., *Mniejszości narodowe w Niemczech*, [in:] *Być Polakiem w Niemczech*, A.Wolff-Powęska, E.Schultz (eds.), Poznań 2000.

Kuzborska E., *Sytuacja prawna mniejszości narodowych na Litwie w kontekście międzynarodowych i ponadnarodowych standardów ich ochrony*, Warszawa 2012.

Leff C.S., *The Czech and Slovak Republics. Nation versus State*, Boulder 1997.

Matlochova E., *Uprawnienia polskiej mniejszości narodowej w Republice Czeskiej*, "Folia Iuridica Wratislaviensis" 2013, vol.2, no. 2.

Michalska M., *Kwestia romska w Czechach*, [in:] *Kwestia romska w polityce państw Europy Środko-*

wo-Wschodniej, Wrocław 2011, p.107-140.

Mieczkowska M., "A Serbsce?" jako przykład działań na rzecz praw językowych mniejszości serbo-tużyckiej, [in:] *Mobilizacja i etniczność. Procesy mobilizacji mniejszości narodowych i etnicznych w województwie zachodniopomorskim na tle doświadczeń grup narodowościowych w innych regionach*, M.Giedroń, D.Kowalewska, M.Mieczkowska (eds.), Szczecin 2012.

Pałka E., Szymeczek J., *Polityka narodowościowa Republiki Czeskiej*, [in:] *Europa Środkowa. Dekada transformacji. Republika Czeska*, B.J.Albin, W.Baluk (eds.), Wrocław 2005, p.181-204.

Snopek J., *Węgry. Zarys dziejów i kultury*, Warszawa 2002.

Szymeczek J., *Walka standardów europejskich z mitami czeskimi*, [in:] *Tożsamość etniczna i kulturowa Śląska w procesie przemian*, red.H.Rusek, A.Drożdż, Wrocław-Cieszyn 2009, p.318-324.

Szyszlak E., *Polityka etniczna Republiki Czeskiej*, [in:] *Polityka etniczna współczesnych państw Europy Środkowo-Wschodniej*, H.Chałupczak, R.Zenderowski, W.Baluk (eds.), Lublin 2015.

Zenderowski R., Bajda P., *Polityka etniczna Słowacji*, [in:] *Polityka etniczna współczesnych państw Europy Środkowo-Wschodniej*, H.Chałupczak, R.Zenderowski, W.Baluk (eds.), Lublin 2015.

Zenderowski R., *Nad Tatrami błyska się... Słowacka tożsamość narodowa w dyskursie politycznym w Republice Słowackiej (1989-2004)*, Warszawa 2007.

