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## REPORT ON OBSERVATION OF RIGHTS OF NATIONAL MINORITIES AND GUARANTEES OF CONSTITUTIONAL RIGHT OF EDUCATION IN ETHNIC MINORITY LANGUAGE IN HARODNYA REGION

### Introduction

The region of Harodnya is a multi-ethnic region of Belarus. If within the republic 22% of the population belongs to ethnic minority category then within Harodnya region 37.7% of the population is ascribe themselves to ethnic minorities. As a result of this large composition of minorities Harodnya Region can be perceived as a region which acutely reflects national policy of the current Belarusian government on the local and national level.

In Harodnya region the ethnic minorities frequently live in union. For example, the Lithuanians, of which there is only 0.2% in the region, are concentrated within two regions: the Voronovski and Ostrovetski regions where the large array of minorities represent the overwhelming majority.

### A Brief Analysis of Legislation of the Republic of Belarus and International Documents Ratified by

### Belarus in the Sphere of Defence of National Minority Rights, and Guarantees for the Using of National Minority Language.

I will begin the analysis of international documents in the field of national minority rights with the Belarusian ratification of an International Pact of Civic and Political Rights and a optional protocol which gives the citizens of Belarus the right to appeal directly to the UNO with a complaint about any violations of human rights, if there are rights within the confines of the pact. Articles 8 and 61 of the Constitution of the Republic of Belarus also fix these rights. The UN laws pertaining to national minorities were ratified in the General Declaration of Human Rights in Article 2, which decrees against discrimination of individuals who belong to national minorities. Another important UN document is the International Pact of Political and Civic Rights. These are laws which reach significantly deeper than the declaration, and except

for a decree against discrimination, insure minorities certain rights, for example, (Article 27) and the right of religious self-determination and the right of engaging into religious ritual ceremonies, the right to use one's ethnic culture and to use mother tongue.

A very important document of the UN is the Declaration of the rights of individuals who belong to national ethnic, religious and language minorities. The declaration obliges (Article 4) all countries to insure for minorities, wherever it is possible, the conditions, which promote learning the ethnic minority language or teaching in it.

The Republic of Belarus is a member of the Organisation Of Security and Co-operation in Europe (OSCE) and is required to adhere to the documents signed by OSCE pertaining to the guarantees of rights, and freedoms of individuals, who belong to ethnic minorities. Among these documents it is worth drawing attention to a document of the Copenhagen Conference on human issues in 1990. In its paragraph 30 we read:

"Countries-participants which belong to the OSCE admit that questions pertaining to national minorities could be solved in a positive way that adheres to a democratic political framework, which is based on the supremacy of law; and to conditions functioning of an independent legal system."

They also recognise the equally important role of non-governmental organisations... in supporting tolerance, multiculturalism and solving problems pertaining to national minorities.

Subsequently in paragraph 34 of the document we read: "Countries-participants will seek to guarantee, for individuals which belong to national minorities, independently from the need to learn in the official language, or other state languages of a country, the opportunity to learn one's father language or to learn in one's mother tongue, also there where it is possible and necessary to use it in governmental bodies according to the legislation."

In the context of instruction of history and culture within educational institutions, they will also take into account the history and the culture of the national minority.

During the following meeting of the countries-participants of OSCE there has been underlined their good will towards the observation of rights pertaining to national minorities. The same case was in the Paris Charter for a new Europe, in 1990, in a document of the Moscow Conference. A specific place among the documents which were accepted by the Copenhagen Conference is occupied by the Declaration of the Helsinki meeting which were held at the highest level and Helsinki Decree in 1992, on the basis of which there was established the institution of the High Commissioner on Issues of National Minorities.

An analysis of the internal legislation of Belarus should be begun from an act the highest level and of special significance to each democratic country, i.e. the Constitution

The changes proposed by the president pertained primarily to the chapters of the Constitution

which regulate the state system. What pertains to the rights and freedoms of citizens, chapters I and II were left without changes. In regards to the rights of minorities, the following articles of the constitution are important: 2, 14, 15, 16, 17, 50, 61.

Article 14 requires the state to regulate the relations between national communities on the basis of equality before the law, respecting their rights and interests.

Article 15 obliges the state to be responsible for the preservation of historical-cultural and spiritual heritage, the free development of cultures of all national communities living within the Republic of Belarus.

Article 16 proclaims the equality of religions and beliefs before the law.

Article 17: "The state languages in the Belarusian Republic are Belarusian and Russian." This article was changed according to the results of the referendum in 1996.

Article 50 of the constitution has a great significance.

"Everybody has the right to maintain their ethnic predisposition, and also no one should be forced to determine and indicate their ethnic pre-disposition."

An offence of one's ethnic dignity is persecuted in accordance with the law.

Everyone has the right to use his mother tongue, to choose of language of communication. The state guarantees according to the law freedom in the choice of the language of upbringing and education."

The Constitution of the Belarusian Republic corresponds to the international standards in guaranteeing the defence of national minority rights, established upon in the UN system and the OECD.

The following laws regulate relations in the field, which concerns us:

Law of the Republic of Belarus "On Education in the Belarusian Republic." This law was accepted by the Supreme Council of the Republic of Belarus on the 29<sup>th</sup> of October, 1991; with changes on March 22, 1995 and May 03, 1996.

Law of the Republic of Belarus "On National Minorities in the Belarusian Republic"

Was accepted by the Supreme Council of the Republic of Belarus on November 11, 1992.

Law of the Republic of Belarus "On the Rights of Children"

The Supreme Council of the Republic of Belarus accepted this law on November 19<sup>th</sup>, 1993; with changes on May 3, 1996.

Law of the Republic of Belarus "On Languages in the Republic of Belarus."

President of the Republic of Belarus A. Lukashenka; July 17, 1998.

Law of the Belarusian Soviet Socialistic Republic "On Culture in BSSR" was accepted by the Supreme Council of BSRR July 04, 1996.

An analysis of the laws should be begun with the law pertaining to "On Languages in the Belarusian Republic." This legal act is especially important due to several reasons. Firstly, this act "On Languages," in differentiation from the other

laws, was accepted by the new "parliament" and signed by Belarusian president A. Lukashenka. One would assume that as a result of this the current government should respect it. (Lower it will be mentioned about the practice of its applying) Secondly, the law on languages systematises the relations in the sphere of using of national languages and with its resolutions frequently doubles other normative acts. Thirdly, it regulates the relations between two national languages (defined in Article 17 of the Constitution, after changes of the referendum in 1996) and other national languages, which are used by the population, which in accordance with article 2 of the law the state concerns with.

In accordance with article 3 the citizens of Belarus have the right to refer to state organs in the Belarusian language, Russian or in another language which is acceptable for both sides

Article 6 of the law does not allow for the: insult, deprecation of the state languages and others, creating hurdles and limits in their use and instigating friction between ethnic groups on a language basis.

Article 21: "The right to up-bring and obtaining and educate in the national language.

The Republic of Belarus guarantees for each person the right to up-bring and acquire education in the Belarusian or Russian languages. The system of primary schools, secondary schools, technical schools and institutions of higher education realise this right.

People of different nationalities, living in the Belarusian Republic, also have the right to up-bring and acquire an education in the ethnic minority language.

Administration and other workers of the educational system should be capable to fully communicate fluently in Belarusian and Russian.

Article 23: The language of education and up-bringing, the teaching languages in secondary schools.

In the Republic of Belarus the process of education and up-bringing in secondary schools are carried out in the Belarusian or Russian languages. In accordance with the interests of the citizens, on the basis of decisions undertaken by local government and executive bodies, there can be founded secondary schools or classes where process of up-bringing and education is undertaken in the language of the national minority or the language of the national minority is taught.

In all the secondary schools of the Republic of Belarus the instruction of Russian, Belarusian and an additional language is obligatory.

For people who belong to the national minorities and also those who belong to functioning organisations, which unite the citizens belonging to the national minorities, the law "On national minorities in the Republic of Belarus" is very important. It is worth drawing attention to article 5, which guarantees national minorities equal political, economic and social laws and freedoms which include: a) the right to receive assistance from the state for development of

national culture and education; b) the right to educate and use the mother tongue...

Article 12 prohibits discrimination on the basis of national indications.

It is also worth referring to the law, adopted in times of the Belarusian Soviet Socialist Republic which continues to have legal validity on "On culture in the Belarusian SSR" of 1991. Article 10 of the law guarantees the right to expand the culture and language, to create of a national school, and also cultural and educational associations and other types of institutions.

In the Belarusian Republic there also exists a special state organ — State Committee on Religious and Nationalities' Affairs of the Republic of Belarus, whose status was established by the Decree of Council of Ministers on April 17, 1997. The fundamental goals of this organisation are:

The support of harmonious and spiritual development of the citizens of different nationalities living in the Belarusian Republic.

The defence and support in realisation of the rights of Belarusian citizens of different nationalities in the fields of culture, education, language and informational insurance, co-ordination of action of Republican organs of state administration for the creation of conditions and rendering assistance in educational activity of national minorities.

The solving of questions pertaining to constitutional guarantees of freedom of belief.

An important normative act for the realisation of rights of people, who belong to national minorities, is the Instructive-Methodical Letter of the Educational department and Minsk Executive Committee "On organisation of education of children in the Belarusian Republic who belong to national minorities." In the letter there presented ways of creation of schools and classes with a national language of instruction and also other methods of education in the national language, culture and history.

Nevertheless, the way from the legal acceptance of the law to realisation of its goals is a complex process. If the legal basis of the guarantees pertaining to the defence of national minority rights is adequate to international standards, then the realisation of these guarantees is complicated to the degree that one can label certain norms of mentioned here laws one can label as "martis caussa," i.e. dead norms. The practice of enactment, or being accurate — practice of ignoring laws, will be discussed in the next part of the report.

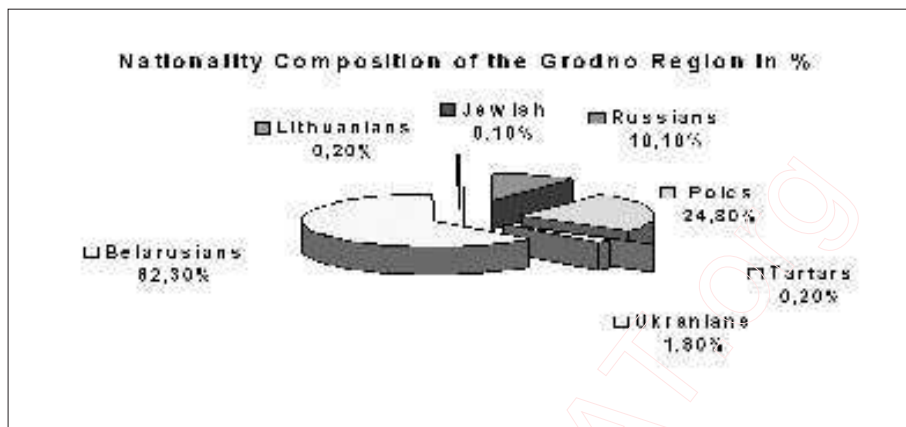
### **The General Situation in the Sphere of National - ity Politics in Harodnya region**

Today's state of affairs pertaining to the observation of national minority rights is tightly bound to the post-war history of Belarus, including Harodnya, in relation to the politics of total russification of the inhabitants, that did not exist in any Soviet Republic. First of all, the Belarusian language was discriminated, and in this situation, of course, there could be

no discourse on the education of languages of other nationalities.

From 1948 until 1988 in Harodnya region, which was occupied by 26.5 percent by Poles, 0.3% Lithuanians, 2% Ukrainians and other nationalities, there was no instruction in schools or classes where the national minorities were taught in their language. (Diagram 1)

Diagram 1



Nevertheless, the period of 1989–1994 could be viewed as a renaissance of national culture and national minority cultures of those who were living in Harodnya region. In this period there appeared a large number of national creative organisations, publishing houses and national cultural non-governmental organisations.

The situation began to change since 1994, i.e., from July 10, 1994 when Alaksandar Lukashenka was elected as the president of Belarus. A. Lukashenka is a scrupulous believer in "the old system" and everything turned backwards. This digression also affected all initiatives, which were associated with the improvement of human rights. The politics of the government towards national minorities became unfriendly.

#### The Russians

A privileged national minority in Belarus, even in relation to Belarusians, is Russians.

Currently, in Harodnya region there live approximately 119,200 Russians, i.e., 10.1 percent of the total number of inhabitants. This is the third place after the Belarusians and Poles. On the 14th of June 1995 a local branch of the Russian Alliance was founded. On July 15<sup>th</sup> 1995 a centre named "Russian Style" was opened. The representatives of the Russian Alliance take part in holidays of national cultures, organise excursions for recreation children, in the Sanatoriums of Smolensk region, also invite to Harodnya musical bands from different cities in Russia.

Citizens of Belarus, who consider themselves as the members of the minority, do not have any diffi-

culties with the education of children in their mother tongue, beliefs, and in the cultivation of their Eastern Orthodox Church. The media, through certain means, propagates and heightens Russian culture and language. The Russian language began to dominate in local authorities, television, radio, press, schools, universities.

#### Tartars

The Tartar minority tightly lives in Iye, Navahrudak, Mir and Lida. There exists a Mosque, which allows the Tartars to cultivate their Islamic religion; language lessons are undertaken in the local school.

They appeared in Harodnya region in the 14<sup>th</sup> century. These were supporters of Tokhtamysh-Khan, they ran away in massive exodus after a civil war. Prince Vitovt, the leader of the Great Duchy of Lithuania ac-

cepted refugees for military service. Besides, in the Great Duchy of Lithuania, there were located hundreds of former slaves: Crimean Tartars and Karaimes, who later served for the Guards of the Prince. The Tartars began to speak to the Belarusian language. However, their prayers remained in Arab and Tchagatai. Currently, in Belarus there lived 12,000 Tartars. A Cultural and Educational Association named "Al-Kitab" has been founded and a quarterly edition "Bayram" is published. In Harodnya region there currently live 2155 Tartars, it is approximately 0.2% of the inhabitants. The first national organisation was established in July of 1989. In 1990 from this organisation emanated the Islamic cultural centre. In April 1991 Harodnya Centre of Tartar Culture was established. The Tartars have their own musical group "Kitch-Ituru" and they have also a religious.

#### Ukrainians

The cultural organisation of the Ukrainians "Barvinok" was established in 1997. It is composed of 30 people; there exists an amateur art activity group and a place to work. In the region there live 21166 Ukrainians, it is approximately 1.8% of the inhabitants of the region.

The situation of the Polish, Lithuanian and Jewish national minorities is far more complicated.

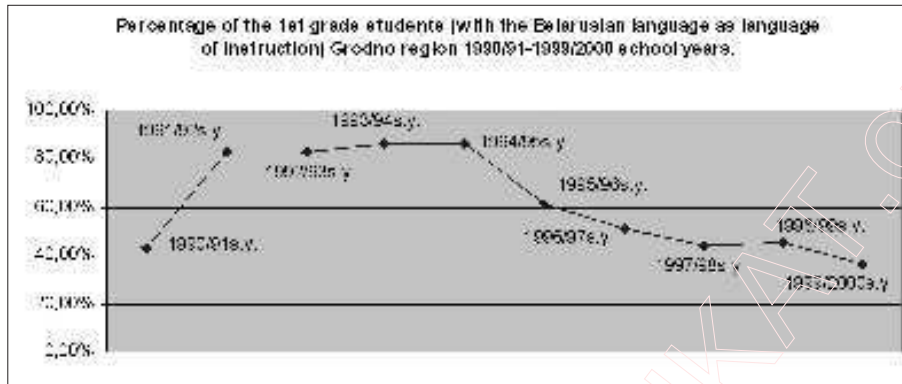
In 1999 among the national minority organisations in Harodnya region there arose a mutual problem-the method of undertaking the census of population.

The actions of the census counters create the presumption that they received an order to persuade citizens within the fifth paragraph.<sup>1</sup> In the first

issue, "mother tongue" and in the second, "language spoken at home," that this language is Russian. Taking into consideration that in Belarusian towns the most frequently used language is Russian, similar actions of census counters are serious violations of the rights of people who belong to national minorities.<sup>2</sup> The actions of the census counters discriminate not only the national minorities but also against conscious Belarusians.

### The Realisation of the Right of the Belarusians to Educate their Children in their mother tongue, and the Guarantees of Using the Belarusian Language.

Graphic 1



In the 1990/1991 school year, at the beginning of the belarusification of Secondary Schools in Harodnya region, 43.6% of the first year students applied for education in Belarusian. On the first of September in 1999 — 45.1% of first graders entered into a Belarusian language school. And preparation courses were entered by 37%.<sup>3</sup> Between 1991/92 and 1994/95 — 80% of first year students were educated in Belarusian.

Table 1 effectively illustrates the politics of the previous government. In 1991 in accordance with the law "On Languages in the Belarusian Soviet Socialist Republic" and the state program of development of the Belarusian and other national languages the government began work focused on its realisation. The Belarusian law on the rebirth of national languages was one of the most lenient among all the Post-Soviet republics. It envisaged the return to the mother tongue during 10 years beginning with the first-grade.

Within the initiative groups, which opposed the education of children in Belarusian were parents who recently arrived in Belarus (for example military). Thanks to the teachers they were successful in obtaining signatures of the rest parents for the transi-

tion into the Russian language education. Arguments used by these groups were: a lack of language perspective, a lack of a strong teaching core, a lack of methodical aids, which reduce the level of education and, as a result, the opportunity to enter a university.

Not all the teachers of the primary schools spoke the Belarusian language, however, this indicator was not terrible: 669 primary school teachers in Harodnya, 496 spoke the Belarusian language which is approximately 74.1%. In the kindergartens the situation was worse: 2265 of staffs, 1371 had the capacity to speak Belarusian, that is approximately 60.5%.<sup>4</sup> In general the policy of belarusification of the Secondary.

In the schools of the city of Harodnya there were organised 49 circles, 38 study groups and 9 folkloristic groups and 5 clubs within which the Belarusian language was learned.

During this period, a very important element of the success of belarusification was the proper policy administered by the Teacher Training Institute, the organ responsible for the accreditation of teachers. In the whole, the

teachers have an impartial view in relation to the idea of national rebirth. There were those among them which were against the belarusification, after all, they became the basis of this politics. The Harodnya Institute at this level, was not able to deal with the established goal. Within this period the work of conscious creation had a very great significance.

It is an interesting fact, that today, when Belarusian classes are liquidated, many teachers, those that were previously against the introduction of Belarusian into the school system, are actively against a transition to education in the Russian language. Children from Belarusian grades behave similarly. An interesting occurrence took place at Secondary School 21 in Harodnya. The administration of the school wanted to introduce Russian as the primary language of instruction, but the students had formed an opposition against this transition. Similarly, this type of event occurred in school number 3 and these two occurrences are not exceptions.

<sup>1</sup> From a copy of the statistical graph in the Appendix.

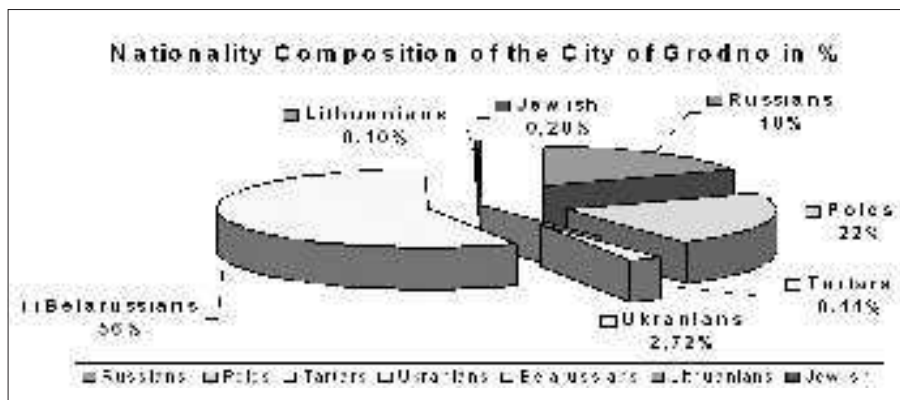
<sup>2</sup> People whose names are known to the author can confirm the given incidents.

<sup>3</sup> In association with the reform of the Secondary School educational system and passing to a 12-year system.

<sup>4</sup> Confirmation through Harodnya Region Department of Education in Harodnya is located in Appendix.



Diagram 2



In 1999/2000 school year, in Harodnya region, none of children began an education in of preparatory courses in the Belarusian language. Only in 1 first grade class room did kids were learnt in the Belarusian language, this was equal to less than 1 percent in a city where 56.1% are the Belarusians. (Diagram 2)

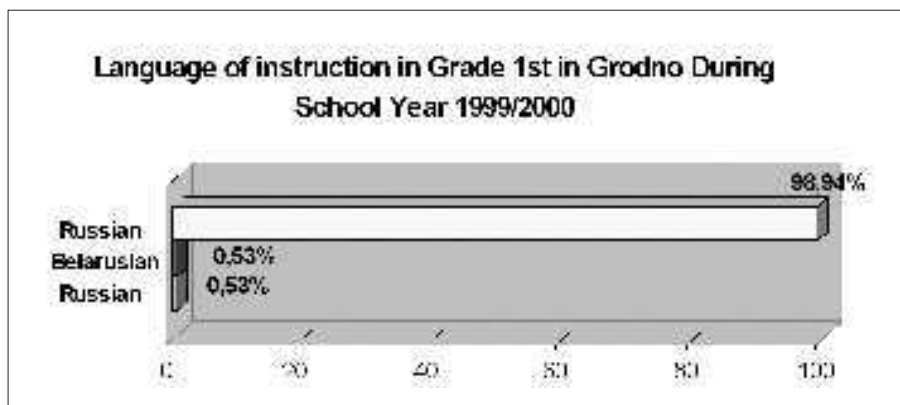
**Percentage of Students of Grades 1–11 of Harodnya Region with Belarusian as the Primary Language of Instruction**

School Year	1	2	3	4	5	6	7	8	9	10	11
1990/1991	43,6 %	22,5 %	22,4 %	22,1 %	23,5 %	23,9 %	22,9 %	22,8 %	22,8 %	21,3 %	22,1 %
1991/1992	83,0 %	43,6 %	22,5 %	22,4 %	22,1 %	23,5 %	23,9 %	22,9 %	22,8 %	22,4 %	21,3 %
1992/1993	82,9 %	83,0 %	43,6 %	22,5 %	22,4 %	22,1 %	23,5 %	23,9 %	22,9 %	22,7 %	22,4 %
1993/1994	86,5 %	82,9 %	83,0 %	43,6 %	22,5 %	22,4 %	22,1 %	23,5 %	23,9 %	22,8 %	22,7 %
1994/1995	86,5 %	86,5 %	82,9 %	83,0 %	43,6 %	22,5 %	22,4 %	22,1 %	23,5 %	23,9 %	2,9 %
1995/1996	61,5 %	76,2 %	81,2 %	79,3 %	69,6 %	42,8 %	22,5 %	22,4 %	22,1 %	23,5 %	23,9 %
1996/1997	50,8 %	59,7 %	72,0 %	76,6 %	71,3 %	69,5 %	43,1 %	22,6 %	22,6 %	20,5 %	22,0 %
1997/1998	44,1 %	50,0 %	58,6 %	70,3 %	69,1 %	68,9 %	68,5 %	42,2 %	22,6 %	21,4 %	20,8 %
1998/1999	20,1 %*	43,8 %	49,2 %	57,5 %	63,7 %	65,8 %	68,1 %	66,0 %	42,1 %	20,3 %	21,6 %
1999/2000	?? %**	19,6 %	43,7 %	48,3 %	53,5 %	62,5 %	64,1 %	64,7 %	66,0 %	36,1 %	20,2 %

\* In 1998/1999 and also in 1999/2000 school years there were developed preparatory courses. The percent of children who undertook instruction there in the Belarusian language amounted to 45.5% and 37% respectively.

\* The data are given for the school year 1999/2000 not known.

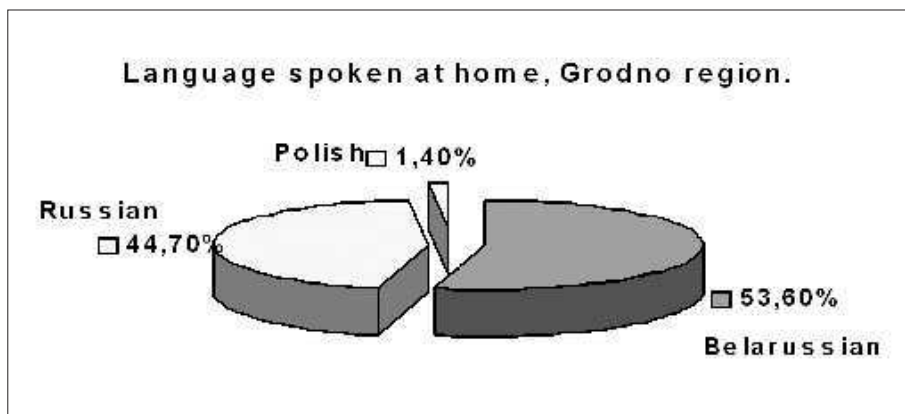
Chart 1



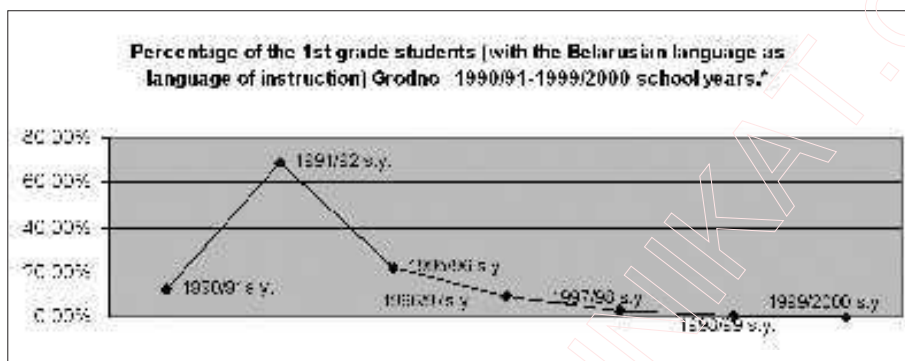
Let us return to Belarusian schools. As it is seen in the chart and tables above, the breaking point was reached in the 1996/1997 school year, i.e., 2 years after the elections of the first president of the Belarusian Republic and 1 year after the May Referendum of 1995 which served as the formal basis for the depreciation of the Belarusian language.

Harodnya Regional Executive Committee released the statistical

Diagram 3



Graphic 2



\*The data of 1992/1993–1994/1995-school years in Harodnya are not known, but we may assure that they are similar to the data of 1991/1992 school year.

census for 1999.<sup>5</sup> The information reflects that the percentage of inhabitants of Harodnya region who indicate the Belarusian language, as their mother tongue, increased by 4.5%. At home 53.6% of the people of Harodnya region speak Belarusian. This to a large measure is an indication of the protest against the politics of russification.

### The Polish National Minority

The Poles, together with the Belarusians and Lithuanians, are considered, in fact, aborigines of Harodnya territory. The representatives of this nation came here from the regions of the river Visla and Mazurian Lakes in the 10<sup>th</sup> century. More intensive migration to the lands of Harodnya region was after adoption Krev Union in the 14<sup>th</sup>–15<sup>th</sup> cc.

The census of 1989 established that 418,000 Poles live in Belarus, from which 13.3% of these people consider their paternal language Polish.

In accordance with the given of the last census in 1999 the Polish minority within the Harodnya region amounted to 294 000 people which represents 24.8% of the population of the region. The Poles are the second largest ethnic group after the Belarusians. Over ten years ago, the Polish National Alliance was established in Belarus and now it has a membership of approximately 30,000 members. About 50 amateur clubs were established. The newspaper "Glos znad Niemna" is published by the group. Two schools were established.

After the referendum in 1996, the Belarusian government began a massive attack not only on all elements

associated with the Belarusian culture, language and history but they also began to limit the rights of national minorities.

A fundamental problem of the Polish national minority is that equally through the national government and the local level, the right for children to be educated in their mother tongue is not being enforced. From 1988, under the influence of activists of the Polish Cultural and Educational Union of Adam Mickiewicz, who organised parents to submit requests for the introduction of Polish as a subject within the school system, the authorities started to organise instruction in the Polish language in the school system, however, they did everything to restrict its introduction only to study groups and courses. This is how, for example, there is a refusal for the building of a school in Navahrudak because there are organised clubs. "Let's learn the Polish Lan-

<sup>5</sup> Given from the Census results from Harodnya region.

guage" in the city<sup>6</sup>. Everyone understands that the level of instruction associated with club is far from the level of instruction during classes which has a direct effect on the result of learning.

Since 1988 the Polish Alliance in Belarus began an active discussion with the authorities of Harodnya and the Republic pertaining to the building of Polish Schools in Harodnya. At a meeting which took place in 1994 between the leadership of the Polish Alliance and the Prime-Minister Kebich, there was signed an agreement, which in accordance with there were to be constructed two Polish schools in Harodnya, one at the costs of the Polish Republic and the second at the cost of the Belarusian Republic. After the acquisition of governmental authority by A. Lukashenka, a new government was created and the Polish National Alliance received a written rejection of performance of duties which the Belarusian government had entered into agreement upon. This was motivated by a lack of financial ability to meet the costs of construction.

This is best exemplified by a speech of Deputy of National Assembly. In which the Poles were openly called citizens of the second category, because they are interfering the process of integration with Russia. According to the Deputy Kostyana, the Poles within Belarus, are like the "Fifth column, which is ready at any moment to betray the Belarusian nation."<sup>7</sup>

The President of the Polish National Alliance approached the head of the House of Representatives of the National Assembly with the request of explication of the words spoken but there was no response. The prosecutor office also did not react.

The Belarusian President in his "Statement to the Parliament," had charged the Poles with the desire for autonomy. Even though international standards in the field of defence of national minority rights encourages for states the support for the creation of autonomy. In Belarus, autonomy is associated with separatism of the worst meaning of the word.

President Lukashenka has a strange habit, to divide the people into two parts. In the same way he is behaving towards the citizens of Belarus of Polish origin, dividing them into the simple and uneducated who support his politics and "a handful of nationalists trying to impose the Polish question." These types of statements by the very person who should guarantee the constitutional integrity of the state can create concern if indeed the constitution is adhered to by anyone.

One of the most serious violations of human rights, belonging to national minorities, is the practice of KGB functionaries to "speak" which activists of the Polish national movement. The President of the Polish National Alliance in Belarus turned to the au-

thorities with the request to leave the leadership of the alliance be left alone because the activity of the Polish National Alliance takes place within the framework required by the constitution.<sup>8</sup>

Since 1996 until today the authorities in Berastsye, Navahrudak and Harodnya have refused the Polish Alliance the construction of Polish schools at the cost of the Polish National Alliance of Belarus.

A group of initiative parents obtained 3,067 signatures under an appeal to the president of the Republic of Belarus, which indicated a concern over the fact, that the question pertaining to the construction of schools with Polish language instruction within the Suburb of Vishnevet in Harodnya and that "within the past 8 years there has not been created even one school text-book for grades 2-8 in Polish" had not been considered.<sup>9</sup>

In Navahrudak the authorities do everything to liquidate the education of children in the Polish language. They were able to do this with a first grade class in the 1997/98 school year with one of the Navahrudak schools. Firstly, there is a pressure initiated upon the parents who are bullied by the threat of loss of employment. Secondly, the mass media assists in an attempt to portray the lack of perspective by such an education. In addition, the authorities in Navahrudak requested from the parents of the children which began their education in the Polish language, to show proof of their Polish origin, which is a serious violation of the rights of parents and their children. As a result of these violations, the President of the Polish National Alliance turned to the head of the Harodnya Regional Executive Committee with a request that the head reign in his department and personnel to respect the law.<sup>10</sup> There was no undertaking. The Polish Alliance also referred to the prosecutor's office of Harodnya region, however, the violation of law "On Languages" were not noticed.<sup>11</sup>

For four years the Polish Alliance has attempted to receive a license from the authorities of Navahrudak to build a school in the Polish language of instruction. From the beginning the authorities of Navahrudak motivated the refusal to build the school by a result of a lack of funding in the cities budget.<sup>12</sup> Nevertheless, the refusal was also based on a insignificant amount of Belarusian citizens of Polish national identity living in Navahrudak. The amount of citizens of this ethnic origin is 5.3%.

The leadership of the Polish National Alliance requested a commentary in this situation. The case was referred to the President of Belarus A. Lukashenka and also to the State Committee on Religious and Nationalities Affairs by The Cabinet of Ministers.<sup>13</sup> From the perspective of the authorities there has been no

<sup>6</sup> The response of the Regional Action Committee can be found in Appendix.

<sup>7</sup> The response of the Polish National Alliance to the head of the State Committee on Religious and Minorities Affairs and the Prosecutor's Office can be found in Appendix.

<sup>8</sup> The paperwork concerning the protest can be found within Appendix.

<sup>9</sup> The request by the initiators can be found in Appendix.

<sup>10</sup> The request to the head of the GOKW pertaining to the behavior of the authorities in Navahrudak can be found in Appendix.

<sup>11</sup> The respond of the prosecutor can be found in Appendix.

<sup>12</sup> The rejection for the construction of the school can be found in Appendix.

<sup>13</sup> The copy of the letter can be found in Appendix.



steps taken in the direction of a constructive solving of this question.

In a response to the violation of rights by the authorities of Navahrudak, the Polish Alliance had turned to the Harodnya Municipal Executive Committee with a request to obtain a license to picketing the building of the Harodnya Regional Executive Committee, but they did not receive permission to organise a protest.<sup>14</sup> As a result, the Polish Alliance had undertaken a protest on the territory which was adjacent to the administrative building of the Polish Alliance. After 30 minutes of the protest, in accordance with the requirements of the police, the protest was halted. An illegal protest was also organised in Navahrudak. On March 3<sup>rd</sup> of 1999, the President of the Polish Alliance had referred to the regional court of the Navahrudak region with the goal of asking for a recall from the decision pertaining to the rejection of the building of the school and the ability and the uselessness of opening classes with the Polish language of instruction.<sup>15</sup> The decision of the court did not satisfy the Polish National Alliance.

The laws of the Polish national minority are infringed in the community of Voronovo where the population is approximately 80% Polish. The problem is framed in terms of macro-economic difficulties in Belarus, nevertheless, two classes were liquidated, one with Polish language of instruction and the other with Polish as a subject. The President of Voronovski Regional Official of the Polish National Alliance referred to the leader Voronovski of the Regional Executive Committee with the request to maintain Polish classes and obligated himself to except upon his social organisation all the costs associated with the education of children.<sup>16</sup> Parents wrote letters containing similar requests to Voronovski Regional Executive Committee and the head of the Harodnya Regional Executive Committee, in which they stated that they would not allow their children to participate in school until the issue is resolved positively.<sup>17</sup> The actions of the parents and activists of the Polish National Alliance did not bring any results

In Lida, the authorities also prevented the creation of classes with the Polish language of instruction, motivating their decision similarly as in Navahrudak.

The inactivity of the Ministry of Education in the department of creating a state program of education in the mother tongue, and also that in Belarus school text-books and educational supplements are not published in the Polish language can be viewed as a restriction of rights to educate in the mother tongue.

In 1997 the Polish National Alliance had sponsored convocation of its organisation. Responses were accepted to the government informing of the

Religious situation within Belarus. A request was formulated pertaining to the construction of kindergartens and schools in the Polish language of instruction. The Polish National Alliance received a written caution of the Ministry of Justice of the Belarusian Republic, which informed, that the given responses violate the legislation of the Belarusian Republic.

Recently, the authorities do not permit the entrance of Polish teachers into Belarus who have the goal of teaching Polish.

In April of 1998, the Association of Polish Doctors by to the Polish National Alliance turned to the Harodnya Municipal Executive Committee with the request for a license for a educational conference pertaining to the 200<sup>th</sup> anniversary of the birth of the renowned Polish poet Adam Mickiewicz.<sup>18</sup> The response of the committee was negative. This was motivated by the good of medical practitioners of different nationalities, which the association is discriminating due to ethnic allegiance.

In Belarus, there live citizens of the Republic of Belarus, former soldiers of the AK (Domestic Army) who fought Fascism during the II world war. They have not been given the recognition of state soldiers, and for this reason they are prevented from obtaining certain exemptions which are given to participants of war. These are the only people from the coalition against Hitler, who are not given exemptions. Soldiers of the defence war which was carried out in 1939 by Poland, have the status of veterans of war, however, they are also prevented from any exemptions.

### The Lithuanian National Minority

Harodnya region has a long border with Lithuania. In spite of long term habitation in a mutual state of the Great Duchy of Lithuania. There are not many Lithuanians in the region; approximately 2,964 people, which is about 0.2% of the population. There were Lithuanian school in the Belarusian Soviet Socialist Republic until the 1970's, when the last one was closed. Similarly as to the other nationalities the Lithuanians experienced the peak of their rebirth in the beginning of the 1990's when there was the creation of Lithuanian schools. In general, there are 25 Lithuanian villages, and two Lithuanian Parishes. Children of Lithuanians living in the regional centre, learn the Lithuanian language in Sunday school. In accordance with the census of 1999 the Lithuanian minority within Harodnya approximates 2,964 people, which is about 0.2% of the number of the inhabitants in the region.

The Lithuanian Association in Harodnya named "Tevine" was established in 1995. The main goal of

<sup>14</sup> The request and denial for the organisation of the protest can be found in Appendix.

<sup>15</sup> The reasons can be found in Appendix.

<sup>16</sup> The letter of President of Voronovski of the local branch of the Polish National Alliance to the Head of Voronovski of the Regional Action Committee can be found in Appendix.

<sup>17</sup> The letter of the parents to the Harodnya Regional Action Committee can be found in the Appendix.

<sup>18</sup> The statutes of Belarus prevent the organisation of such projects without the approval of the authorities.

the Lithuanian Association is educational activity. Lithuanians have in the Harodnya region two schools with the national language of instruction in the town of Rymdzyuny (Ostrovetski region), a secondary school and primary school in Giry where the largest number of Lithuanians live. The next largest community is in Pelyasy, Voronovski region.

The president of the regional department of "Tevine" Algimantas Dirgintchus names the following problems in the activity of this association which are the result, according to his belief, of the fault of the authorities and which infringe upon the rights of minorities: lack of educational staff, lack of a legally defined positioning of schools and centre of Lithuanian culture in Rymdzyuny and difficulties associated with the renting out of premises for Sunday schools. Up until the present, the Ministry of Education of Belarus has not developed regulations pertaining to Sunday schools. Even though "Tevine" had referred to the authorities with these difficulties numerous times. An instructive-methodical letter "On the Organisation within the Belarusian Republic of the education of children, who belong to national minorities" speaks of schools on free days, however, it does not define concretely as to what type of study groups are these schools.

The authorities are deliberately referring teachers to these schools which are poorly prepared, thus lowering the level of education in the national schools. In Belarus there is no of high school with a department of Lithuanian language and culture, even more, in the National Academy of Education there is not even a department for Lithuanian language and culture.

A serious problem for the union "Tevine" is the lack of a defined legal statute pertaining to the Centre of Lithuanian Culture in Rymdzyuny. Later the Lithuanian side started to finance the construction project itself. This means that the Belarusian side did not invest anything into the construction of the centre (the Lithuanian investment is approximated at 2.5 mln USD) but established the direction of its construction. The authorities of the Ostrovetski region turned to the Lithuanian side with a proposition of negotiations on the issue of the legal status of the centre, simultaneously requesting a halt to construction. Lithuania agreed to negotiate but did not cease the construction of the centre.

On the 18<sup>th</sup> of July 1995, in Minsk, there took place negotiations between the Prime-Minister of the Lithuanian Republic A. Shlazhawitchus and the Prime-Minister of the Republic of Belarus M. Chygir, during which it was established that the owner of the centre will be the Republican Association of Lithuanians in Belarus.<sup>19</sup> On July 2<sup>nd</sup> 1996, there was established a working group of experts concerning themselves with the development of a functional

mechanism for the Lithuanian Cultural and Educational Centre.<sup>20</sup>

Currently a danger of amalgamation of two schools in Rymdzyuny which are to have Belarusian and Lithuanian languages of instruction. The amalgamation of the schools was planned of September 1<sup>st</sup> 1999, however, due to the protests of the Lithuanian Association the amalgamation has not taken place.<sup>21</sup>



Point 7 of the aforementioned protocol indicates that the director and teaching staff of the school are called to their position with the acceptance of the opinion of the Republic Association of Belarusian Lithuanians. When it came to filling the positions, the director of the school was occupied by a person who was completely unknown to the Lithuanian Association, that insisted on a candidate from the Giry school with experience in working at school with the Lithuanian language of instruction. Several months later, at the request of the local Lithuanians, the director was fired due to drunkenness.

Contrary to the agreement between the governments of Lithuania and Belarus, the property of the Centre has not been transited to the Republican Union of Lithuanians. Today the authorities are working through an idea proposed by the Lithuanian side to create a variation of a partnership "Lithuanian Centre of Culture, Education and Information.

Decree of the Justice Department of the Harodnya Regional Executive Committee postponed the re-registration of "Tevine" as a social organisation.<sup>22</sup> As for the Polish Alliance of Belarus, "Tevine" changed an issue in the statute in which a goal is labelled; defence of the rights of Lithuanians. The term "Lithuanians" in the statutory documents is changed to "members," i.e. the group "Tevine" can only defend the interests of its members and not Lithuanians according to this certification.<sup>23</sup>

<sup>19</sup> A copy of the protocol of the agreement can be found within Appendix.

<sup>20</sup> A copy of the protocol of the meeting can be found in Appendix.

<sup>21</sup> The report is written by V. P. Zametalin.

<sup>22</sup> The decision can be found in Appendix.

There are many Sunday schools, where the Lithuanian language, history and culture is not only learned by children but adults who do not have no other opportunities for this type of education. There is no help, besides the exemption from rent for the Association office in Harodnya of the regional and central authorities for the Lithuanians.

### The Jewish National Minority

The Jewish massive arrival on these territories is connected with the 14<sup>th</sup> century, when in Western Europe (Germany, Spain and others) began to castigate the Jews. They found their security in the Great Duchy of Lithuania. Here people of different religious beliefs were treated with tolerance. The first communications were established in Harodnya at the end of the 14<sup>th</sup> century. There existed Jewish spiritual seminars (yeshibot) in Volozhyn and Mahylou and a Talmud academy in Mir (yeshiva). In Harodnya in 1578 and in Slomin in 1642 brick synagogues were built. From the second half of the 16<sup>th</sup> century one could observe an intensive migration of the Jews from Germany and Poland. Then the Jews began to acquire significant position in the ethnic structure of the population of the Duchy. After the Russian occupation of these territories, they were labeled as the "borders of settlement." The Tsar's government in 1794 forbade the Jews to move from these areas to other places such as Moscow or St. Petersburg. Before the Second World War, the Jewish population comprised 14% of the population of inhabitants of Belarus. In the cities and villages of Harodnya region the Jewish population in some instances amounted to 50%–60% of the total inhabitants.

In the 1920's Yiddish was one of the 4 official languages of the Belarusian Soviet Socialist Republic. In the years of the Great Patriotic War by the result of Nazi genocide 300,000 Jews died. The Jewish population amounted to 8.2% of the population in 1926, however, they amounted to 1.8% of the population in 1959. Currently there live approximately 112,000 Jews in Belarus approximately 1% of the population and many of them are currently emigrating.

Currently, within the region, there live 937 Jews, about 0.1 percent of the population and the majority lives in Harodnya. There was created a regional association of Jewish culture after the name Leiba Naidus. In May of 1997 the charity organisation "Khesed Nokhum" was established. There is a Sunday school, in which the Ivrit (modern Hebrew) language is taught. There is a musical group for adults, and a group for the youth "Freilakhs."

With a small amount of the Jews there can be no talk of the creation of classes with the national language of instruction, or even about teaching the language. Before the Second World War there were

several Jewish schools in Harodnya. The massive migration of the Jews from Belarus continues. According to the last census the number of the Jews during the past ten years continues to decreased at a double pace of approximately 57.6%. The activity of the union is largely concentrated on cultural affairs and the organisation of grades in Sunday school.

### Conclusion

Today in Belarus rights of different national minorities and also rights of the Belarusians are roughly violated. Authorities do not take any measures to improve the situation.

Worsening atmosphere, reluctance to help the citizens of national minority are rough violation of international norms. Reaching an agreement between the authorities and PAB is a vital necessity. With this purpose it's worse conducting "round-table" discussions.

The ministry of Education has urgently to work out programs of instruction in language of national minorities, and to publish necessary text-books.

The Belarusian language is to be back to secondary and high school, administrative bodies. It's necessary to illustrate the history of the people objectively, to revive the Belarusian culture on the state level.

On the whole, national politics of the government of the Republic of Belarus has to be completely changed.

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<sup>23</sup> A page of the statute with the changes can be found within Appendix.