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# **Protecting Minority Rights to Undermine Russia's Compatriots Strategy**

by Dani Belo and David Carment  
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# POLICY PERSPECTIVE

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## **PROTECTING MINORITY RIGHTS TO UNDERMINE RUSSIA'S COMPATRIOTS STRATEGY**

by Dani Belo and David Carment, CGAI Fellow

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**T**he most significant challenge facing NATO in Europe today is the gradually deteriorating relationship between the alliance and Russia. These tensions have yielded an increased reliance on hybrid warfare tactics that [both sides of the conflict use](#) to undermine the opponent's political unity and economic capacity.

In this brief, we examine Latvia, Estonia and Ukraine as cases where Russia has engaged in varying forms and magnitudes of hybrid intervention, such as support for secessionist movements, cyber-warfare and economic pressure. However, variations in ethno-linguistic policies facilitate different permissive environments for Russian involvement among our three cases.

Strong linkages between Russia and the Russian-speaking diaspora across Eastern Europe have been one of the fundamental prerequisites for the country's successful and prolonged engagement in hybrid warfare. We argue that the protection of minority rights and economic-political integration are key components in offsetting Russian influence. NATO's current credo arguably prevents it from engaging in non-military domains. However, we see the transformation of NATO as imperative if it is to remain an effective deterrence organization.

In the case of Estonia, we find sustainable models of regional minority autonomy and firm, yet clearly defined, legal frameworks that mitigate against popular discontent and grievances among the Russian-speaking diaspora. Aadne Aasland once argued that Estonia's social exclusion of its minorities was greater than Latvia's.<sup>1</sup> Today, we observe that while Estonia maintains a relatively balanced position on minority engagement, even amid conflict with Russia, Latvia is experiencing [democratic backsliding](#) and increasing tensions with its minorities.

While disconcerting, both these cases stand in stark contrast to Ukraine where political and economic instability, coupled with increasing minority language, cultural and political alienation, is on the rise. Indeed, as Ukraine's minority rights decline, we anticipate increased [Russian involvement](#) under the guise of aid to its diaspora.

With several aid programs to Ukraine in play, Canada could help promote minority rights in the region, thereby mitigating against democratic backsliding. Unfortunately, Canada's commitment to influencing Ukraine's treatment of its minorities has been weak to non-existent. Thus far, Canada's focus has been on strengthening the military, inducing economic reform and overcoming corruption. The more delicate yet equally important tasks of providing support to strengthening the rule of law have been balanced by a need to uphold Petro Poroshenko's shaky and now [very uncertain](#) bid for re-election in April of this year.

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<sup>1</sup> Aadne Aasland, "Citizenship Status and Social Exclusion in Estonia and Latvia." 2002, Journal of Baltic Studies 33, no. 1:57-77.



## Russia's 'Compatriots' Policy and Permissive Conditions

Russia's policy on "compatriots" has been tailored to target the Russian-speaking diaspora in the Baltics and Ukraine, where varying economic and political exclusion policies have been implemented. Compatriots are identified as the Russian-speaking diaspora, comprised of individuals of Slavic as well as non-Slavic ethnicity. For these people, the Russian "homeland" is seen as a concrete political agent, wherein Moscow's adoption of supportive policies reinforces a sense of identity with Russia, particularly if there exists [a sense that the diaspora](#) has become a victim of the new nationalizing states.

The manner in which each host state treats its diaspora, the sorts of policies that Russia pursues in relation to the diaspora and the temper of inter-state relations all influence each other. The Russian diaspora is confronted with the choice of three identities: identification with the dominant culture in the external homeland (Russia), development of a new but still basically Russian self-understanding and identification with the dominant culture in the state of residence (the new nationalizing state).

Given these three choices, Wimmer et al. (2009), Barron et al. (2005) and Wucherpfennig et al. (2012) find that social and political exclusion of minorities in diverse societies is one of the primary causes of internal unrest and secessionism, often resulting in prolonged conflicts that are resistant to termination. In the short term, social exclusion may result in the dominant group's solidification of power, but in the long term such policies backfire, resulting in increased agitation, mobilization and resistance activities by the minority group(s). Finally, social exclusion creates a [permissive environment for third-party intervention](#) even if that intervention is non-military in scope, such as humanitarian assistance or expressions of diplomatic support.

Russia's "compatriots' policy" has been operationalized through various government-backed organizations and programs geared toward engagement with the Russian diaspora in the post-Soviet space. President Vladimir Putin signed a decree establishing the organization Rysski Mir (Russian World), which provides assistance abroad for the development of Russian heritage and culture through the financing of Russian cultural centres.

In 2008, special fellowships were offered to children of compatriots for the promotion of cultural-political ties with Russia, ultimately incentivizing the recipients to re-settle in Russia. In a 2008 strategic foreign policy directive, Russia's government identified the protection of cultural heritage compatriots abroad as critical and elevated the priority of engagement with the Russian-speaking diaspora.

In May 2013, Putin [signed another decree](#) ordering the government-affiliated organization Rossotrudnichestvo (Russian Co-operation) to engage in activities of "soft power" akin to those of its American counterpart, USAID, but on a significantly reduced budgetary scale (Molodikova 2017). Whereas USAID's budget is in the tens of billions, Russia has no more than 300 million to support the estimated 127 million Russians living abroad. Cultural organizations are not the only platform for Rysski Mir. State-owned media groups broadcast political and cultural news to native



Russian speakers. From 2009 to 2011, the number of centres for the Russian language increased from 54 to 80, spread across 46 countries (Molodikova 2017).

## Estonia

Even though it is not a party or signatory to the European Charter for Regional or Minority Languages (ECRML), Estonia possesses robust domestic legal frameworks for minority language and culture rights. Among our three cases, the Estonian government is the most effective at differentiating between the Russian-speaking population and Kremlin interests. In the midst of the conflict over Ukraine, the Russian-speaking diaspora in Estonia, concentrated in Narva, Ida-Viru County and Tallinn, were not targeted for media censorship or curtailment of minority language education rights. Estonian president Kersti Kaljulaid spoke Russian when travelling to Narva and the largest political party in the Riigikogu (National Assembly) continues to engage extensively with the Russian-speaking community. In Narva, government services are offered in Russian. Local and national governments are free to use Russian in areas where over 30 per cent of the population use it as a primary language.

The phenomenon of non-citizens in the Baltic states is worth noting. A substantial portion of the Russian-speaking population of these countries and their descendants do not possess citizenship. This means by law, approximately six per cent of Estonia's population are largely excluded from political participation. However, starting in 2016 children of non-citizens in Estonia began to receive Estonian citizenship at birth.<sup>2</sup> Such frameworks of social-political inclusion by the Estonian government have helped facilitate a low level of social discontent.

## Latvia

In Latvia, even though minority language rights are guaranteed under various domestic legal provisions, noticeable democratic backsliding has occurred over the last five years or so. For example, in 2014, Latvia's judiciary and legislative branch approved censorship of the Russian television channel RTR by the Latvian National Electronic Mass Media Council.<sup>3</sup> In March 2018, Latvia's parliament passed amendments to the education law and the law on general education. These amendments decree that ethnic minorities must transition to a Latvian-only secondary education in the 2019 academic year.<sup>4</sup> Protests in Riga followed the enactment of this law.<sup>5</sup>

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<sup>2</sup> Commonwealth of the Independent States – Elections Monitoring Organization, "The Issues of Discrimination of Non-Citizens in the Baltic States," Organization for Security and Co-operation in Europe, Sept. 17, 2017. Available at <https://www.osce.org/odihr/341596>

<sup>3</sup> Baltic News Network, "Latvian Media Council to Limit Broadcasts of RTR Channel in Latvia," April 4, 2014. Available at <https://bnn-news.com/latvian-media-council-limit-broadcasts-rtr-channel-latvia-112081>.

<sup>4</sup> European Commission, "National Reforms in School Education – Latvia," Dec. 3, 2018. Available at [https://eacea.ec.europa.eu/national-policies/eurydice/content/national-reforms-school-education-34\\_en](https://eacea.ec.europa.eu/national-policies/eurydice/content/national-reforms-school-education-34_en).

<sup>5</sup> TASS, "About 5,000 Rally in Riga Against Reform of Russian-Language Schools in Latvia," Sept. 15, 2018. Available at <http://tass.com/society/1021758>.



In Latvia, nearly 12 per cent of the population are non-citizens of the country and nearly all of these are from the Russian-speaking diaspora. Further, children of non-citizens in Latvia automatically receive the status of non-citizens.<sup>6</sup> With minority language education and media rights curtailed through legislation, the magnitude of democratic backsliding has become worrisome.

## Ukraine

Kyiv's efforts to counter Russia's grey-zone operations in Donbass overlap with the curtailment of minority language rights and increased social exclusion within Ukraine proper. The Maidan was supposed to be about uniting all Ukrainians – regardless of ethnic identity, religion or language – within a single nation. Controversial language and memory laws have undermined that objective. These controversies have become fodder for Russia's soft-power incursion into Ukraine's media space under the guise of an anti-Nazi sentiment among Russia's diaspora. For example, immediately after the removal of Viktor Yanukovich in 2014, Ukraine's parliament voted to repeal minority regional language status laws adopted in 2012. Acting president Oleksandr Turchynov vetoed this law, out of fear of an uprising in Eastern Ukraine. However, in 2017 a new education law required that Ukrainian be the only language taught in schools, creating a deficit of qualified personnel in areas with minority populations.<sup>7</sup> Concurrently, Ukraine's president signed a decree banning access to all Russian-language social media sites such as VKontakte, Mail.ru and Yandex. The Council of Europe expressed concern with these policies.<sup>8</sup> More recent legislation compels all print media published in languages other than Ukrainian to produce an identical Ukrainian copy. Many minority language media outlets, especially those with small budgets, are unable to comply due to increased costs, and will likely cease operations.<sup>9</sup>

To complicate matters, Ukraine's government has risked alienating several of its minorities with the introduction of controversial laws under the guise of "Ukrainianization". For example, as part of its nation-building efforts post-Maidan, Kyiv sought to reorient its controversial wartime nationalist movements. In 2016, 50 U.S. members of Congress issued an open letter requesting U.S. pressure on Ukraine in response to recent "incidents of state-sponsored Holocaust denial and anti-Semitism". In a similar vein, Hungary began issuing passports to members of its diaspora in Ukraine's Zakarpattia region where minorities felt mistreated. In response, Ukraine threatened to expel the consul responsible for the operation. These kinds of self-induced, unforced

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<sup>6</sup> Commonwealth of the Independent States, "The Issues of Discrimination of Non-Citizens in the Baltic States ..."

<sup>7</sup> The Verkhovna Rada voted to repeal "On the Principles of the State Language Policy" on Feb. 23, 2014. On Feb. 28, 2018, the Constitutional Court of Ukraine ruled the 2012 law was unconstitutional. The repeal is awaiting presidential signature. The Verkhovna Rada ratified the law on education on Sept. 5, 2017 and signed it into force on Sept. 25, 2017. Bill No. 5670-d proposed to replace "On the Principles of the State Language Policy" (2012). On Oct. 4, 2018, the Ukrainian parliament voted in the first reading. The second reading is planned for February 2019.

<sup>8</sup> Deutsche Welle, "Council of Europe Urged Kiev to Respect Minority Rights," March 3, 2014. Available at <https://www.dw.com/ru/coberevropy-prizval-kiev-soblyudat-prava-menshinstva/a-17470453?maca=rss-rs-ru-all-1126-xml-mrss>.

<sup>9</sup> Oleg Sukhov and Bermet Talant, "New Language Law Could Kill Independent Media Ahead of 2019 Election," *Kyiv Post*, Oct. 19, 2018. Available at <https://www.kyivpost.com/ukraine-politics/new-language-law-could-kill-independent-media-ahead-of-2019-elections.html?cn-reloaded=1>.



errors are fertile ground for ready-made propaganda. They provide Russia with an ample reservoir of anti-Ukraine emotion to mobilize popular support.

We summarize the current trends in minority language rights in the table below.

**Table 1. Conditions of Minority Language Rights in Estonia, Latvia and Ukraine**

Country	Current Level of Minority Social Inclusion	Level of Ethno-nationalistic Policy	5-year Trend in Minority Rights	Example(s)
<b>Estonia</b>	Medium	Medium	Stable	<ul style="list-style-type: none"> <li>• Not a party or signatory to ECRML.</li> <li>• Bilingual territorial regime.</li> <li>• Political engagement with the Russian-speaking community.</li> <li>• Head-of-state communication in minority language.</li> <li>• Fast naturalization process since 2016.</li> </ul>
<b>Latvia</b>	Medium-High	High	Deteriorating	<ul style="list-style-type: none"> <li>• Not a party or signatory to ECRML.</li> <li>• Restriction on minority language education through 2018 amendments to education laws.<sup>10</sup></li> <li>• Occasional censorship of minority language media.</li> </ul>
<b>Ukraine</b>	Low	Very High	Deteriorating	<ul style="list-style-type: none"> <li>• Party to the ECRML.</li> <li>• Repeal of 2012 minority language law.</li> <li>• Legal restrictions of minority language education.</li> <li>• Securitization and restriction of Russian-language media.</li> <li>• Proposal of de-recognition of regional minority languages' status.</li> </ul>

<sup>10</sup> F.I.D.H. Latvian Human Rights Committee, "Minority Education Attacked in Latvia: 2018 Amendments to Education Laws," Sept. 14, 2018. Available at <https://www.osce.org/odihr/394916?download=true>.





## **Recommendations: Improve NATO Awareness and Enforcement of Minority Rights Protection**

NATO and the protection of minority rights go hand in hand. After all, coming to the defence of minorities was the key reason why NATO and Canada got involved in the conflict in Bosnia, took action in Kosovo and gave long-term support to Europe's Stability Pact throughout southeast Europe (Carment and Harvey 2000).

On the one hand, in cases where minority rights protection frameworks are robust, such as Estonia, minority (or diaspora) social unrest levels are low and thus political co-operation with outside actors is disincentivized – even in the presence of strong ethno-linguistic ties. On the other hand, we observe backsliding of minority rights in Latvia, largely associated with top-down policies on education and media. This is a cause of concern as discontent within the Russian-speaking diaspora is growing. Canada sent a battle group to Latvia under Operation Reassurance, contributing to a growing NATO presence in the Baltics. This costly and short-sighted deployment is not achieving the desired effect. As a result of Russia's counter measures ethnic tensions continue to escalate despite the militarization of the Baltic region.

Even though we observe a deterioration of minority rights in Latvia, of the three observed cases the situation in Ukraine is far more serious and requires immediate attention from Canada and its NATO counterparts. Canada has strong linkages to Ukraine, primarily through the Ukrainian diaspora and associated organizations. Canada also has a long-standing commitment to defending human rights. As Kordan (2018) notes, Canada has looked to its diaspora with direct access to Kyiv, to encourage its counterparts in Ukraine to adopt anti-corruption and protection of human rights legislation. Even with limited success thus far, Canada's government must continuously leverage such channels.

The problem is heightened by Ukraine's significantly low levels of institutionalization since Maidan. Under the circumstances, Ukraine's subordinated minority groups require protection either from state institutions or from external guarantors. When state institutions are weak or incapable of providing that support, then external security guarantees are essential for minority protection.

NATO could be used as a platform for multilateral co-ordination of human rights policy on Ukraine. To achieve that goal, NATO would need to work more closely with and provide support to the Organization for Security and Co-operation in Europe's (OSCE) High Commission on National Minorities (HCNM) and the European Union. Both the EU and the HCNM have a mandate to evaluate and advise on minority rights situations and were instrumental in removing minority rights roadblocks among current NATO members such as Romania, Hungary, the Baltics, the Czech Republic and Slovakia.

For its part, Canada will have to supplant its "quiet diplomacy" back-room approach to the troubling situation in Ukraine with a more critical and outspoken strategy. It has become increasingly evident that Foreign Affairs Minister Chrystia Freeland is quite happy to call out some countries on their human rights abuses while ignoring others. That will have to change. The





goal for NATO is to remove the justification for Putin being Ukraine's minority rights guarantor by supplanting that commitment with [lasting collective arrangements](#) more suitable to Ukraine's unique problems.

Together with specific NATO member states such as Poland and Hungary, oversight measures mandated by the OSCE and the UN would help guarantee Ukraine's commitment to minority rights across the country. As a regional confidence-building measure, including those neighbouring states who consider their minorities to be at risk will go a long way to ensuring that if and when Ukraine pursues accession to the EU and NATO, the process is a positive and constructive one. Only then can Ukraine become the security maker its leaders want it to be and not the security taker it currently is.



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