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IN THIS ISSUE:

- * A patchy linen of national consciousness....Part 1
 - * The revolt of the seneschals....Part 1
 - * The land revolution is deferred....Part 2
 - * Reform of the housing and utilities sector....Part 2
 - * Baltic states' national minority policies....Part 3
 - * Preparing for a post-Shevardnadze era....Part 3
 - * Ukraine's split identity problem....Part 4
-

BALTIC STATES GET APPROVAL FOR NATIONAL MINORITY POLICIES

By Taras Kuzio

The closure of the OSCE missions to Estonia and Latvia on December 31, 2001, was a significant boost to the self-confidence of the ruling elites of both countries. Lithuania, with only 10 percent national minorities, adopted an inclusive citizenship policy and no OSCE mission was opened. The Latvian and Estonian OSCE missions had been in place since 1992 and 1993 respectively.

Estonian Prime Minister Mart Laar declared: "The withdrawal of the OSCE mission from Estonia raises us to the ranks of the normally functioning democratic countries." Vilmars Henins, a spokesman for the Latvian Foreign Ministry, added: "It also shows Latvia's readiness to become a full-fledged member of associations of democratic nations: NATO and the EU."

The timing was important for both countries because their aim to be invited to join NATO this year and the EU next, with both organizations undertaking large-scale enlargements into the former communist world. Michael Krejza, first secretary of the EU Commission in Estonia, said that if the OSCE were to declare its mission over, Estonia's chances of joining the EU would be improved.

The head of the OSCE mission to Latvia, Peter Semneby, noted Latvia's achievement in building a democratic and integrated community through the naturalization process, the implementation of the national program for teaching Latvian, the creation of a Public Integration Fund and better performance by its National Human Rights Office. The OSCE praised the initiative of President Vaira Vike-Freiberga to amend the election laws so that parliamentary and local council candidates do not have to pass a language test. The laws were changed on May 9 by a vote of 67 to 13, only five days before the meeting of NATO foreign ministers in Reykjavik. As in Estonia, these changes to the laws were accompanied by making Latvian the working language of parliament and the provision that newly elected deputies would have to take an oath of loyalty.

At the same time, the OSCE mission also ended a nine-year presence in Estonia. The last remaining obstacle was the abolishing of the language requirement for parliamentary and local candidates, which took place on November 21, 2001 by a vote of 55 to 21, the minimum number of votes required. Estonian was made the working language of parliament and local councils in October and December respectively. Candidates to parliament or local councils would no longer be required to know Estonian, but they would have to learn it quickly if elected, in order to understand the proceedings.

Estonia had earlier made amendments to its language law that had brought it into compliance with the OSCE and EU. The amendment still requires Estonian language proficiency for those working in vital services, but eases the restrictions for others working in the private sector.

Both the EU and OSCE regarded the stipulation in both Latvia and Estonia that electoral candidates needed knowledge of the titular language as discrimination against their large Russian minorities. Sabine Machl, deputy director of the OSCE mission, praised Estonia for its effective programs in integrating Russians and Russophones. "There have been tremendous developments, great progress, since the OSCE arrived here in 1993."

RUSSIA OPPOSED CLOSURE OF OSCE OFFICES

Russia and its ally Belarus have been constant critics of nationality policies in Estonia and Latvia towards not only Russians but also "compatriots" (Russophones). Latvian Foreign Minister Indulis Berzins said: "Russia's opinion on human rights in Latvia has been different from that of the EU for a long time but Latvia sought membership in the EU, not the CIS, therefore it is the EU position that matters to the Baltic states."

Russia's support for "compatriots," rather than Russians per se, has angered other countries like Ukraine, which have quietly promoted the creation of Ukrainian-language schools for Ukrainians living in the Baltic states who were Russified in the Soviet era. Such policies of reverse Russification have been backed by the Estonians and Latvians.

In protesting at the alleged "apartheid" policies in Estonia and Latvia, Russia has not been consistent. Moscow is supporting Russifying regimes in Belarus and Moldova, while denying any ethnocultural rights to its own second largest minority, Ukrainians.

In December of last year, President Vladimir Putin compared the situation of Russians in the Baltic states to Albanians in Macedonia. He complained about the double standards of the international community, which intervened after a short civil war in Macedonia to promote equal rights for Albanians. The EU and OSCE backed a constitutional amendment that gave the Albanians, who make up 20 percent of Macedonia's population, the same proportion in Macedonian institutions.

To some degree, Putin has a point. But he neglected to mention that there has been progress on national minority rights in Estonia and Latvia and that this had been accomplished with the assistance of international organizations, rather than after violence as in Macedonia. Citizenship came

automatically through the "zero option" to thirteen of the fifteen former Soviet republics. But this is not typical international practice. Citizenship generally takes up to five years. It is part of a naturalization process in which a language, and sometimes a history, test is part of the process. In February Russia introduced itself language tests and a test to determine if applicants for citizenship knew the constitution.

Latvian President Vaira Vike-Freiberga pointed out that Russians and Russophones "go through naturalization to become citizens of Latvia, it is as simple as that." He added: "They have every chance to do this and become fully fledged citizens of Latvia." Of Latvia's 700,000 Russians and Russophones, 550,000 do not have citizenship that, thanks to amendments made to the citizenship law in 1998, is open to all who pass basic tests on Latvian language, history and the constitution.

A major factor working against Russian policies in the Baltic states is the success of those countries' economic policies. Ethnic Russians have migrated to Russia from Central Asia and the Caucasus, but not from the Baltic states. With EU membership on the horizon, staying put seems a better prospect than returning to uncertainty (and often hostility) in Russia. The extent of the success can be seen in Estonia's progress from 22nd (1999) to 14th (2000) to joint fourth place (2001) in the Heritage Foundation and "Wall Street Journal" annual Index of Economic Freedom. Lithuania also improved its position last year, moving from 42nd to 29th place, as did Latvia, which went from 46th to 38th place. The roots of Estonia's successful transition lie in the Soviet era, when it was the "laboratory of economic reform." Estonia was also helped by the fact that it was not as closely integrated into the "Russian political and cultural realm." [1]

Russia's interest in "compatriots" in Estonia and Latvia has less to do with national minority rights than in geopolitical issues. Russia has strongly backed policies throughout the former USSR leading to the institutionalization of binational states that would be easier to maintain within its sphere of influence. Such policies include dual citizenship, two state languages, constitutionally defined two titular nations and ethnic quotas in state institutions.

Russia's problem has been that it has been unable to mobilize Russians, let alone "compatriots", in the non-Russian successor states, including the Baltic states. Russian organizations exist in the Baltic states, but "their membership, duration and effectiveness have also been limited," while their reach has been "highly localized." [2]

In February Russian Deputy Foreign Minister Yevgeny Gusev presented a list of demands to Estonia. These included:

- using Russian as an official language,
- "zero option" of immediate citizenship for non-Estonians,
- implementing the European Framework Convention for the Protection of National Minorities,
- legally recognizing the Estonian exarchate of the Russian Orthodox Church,
- using Russian in secondary and higher education,
- "social protection" for former KGB officers and their families, and

--halting criminal cases against former Soviet personnel on charges of war crimes.

The legally recognized Orthodox Church in Estonia is the Estonian Apostolic Church, which is the successor to the pre-1940 Church of the same name. The Estonians have always been willing to recognize two Orthodox Churches, but the Moscow Patriarchate has been unwilling to compromise on its insistence that it alone has Orthodox canonical jurisdiction over the entire geographic expanse of a country that no longer exists, the former USSR.

The Estonian exarchate of the Russian Orthodox Church (ROC) was registered on April 17, but without being legally recognized as the legal successor to its Soviet-era institution. From 1940-1991 the Apostolic Orthodox Church was banned and its property confiscated and transferred to the ROC. A similar process took place in western Ukraine when the Uniate (Greek-Catholic) Church was banned in 1946. Without legal succession the Estonian branch of the ROC cannot claim title to any property it took over after 1940.

The issue of former Soviet veterans is also a bone of contention with Russia. Among the former Soviet republics, only Estonia and Latvia have put on trial former members of the Soviet security forces (NKVD, MKGB) for "crimes against humanity" committed in the 1940s. These individuals are commonly defended by Russia as "anti-fascist veterans" who are branded in the Baltic states as "occupiers." Both countries have refused to grant citizenship social security or pension rights to former members of the Soviet security services. In the late 1990s, a terrorist group called "Fighters for a Democratic Latvia" claimed responsibility for bombs exploded to protest the trial of former Soviet veterans.

NATION BUILDING AND NATIONAL MINORITIES IN ESTONIA AND LATVIA

The size of the Russian national minority differs in the three Baltic states. They represent 40 percent of Estonia's 1.6 million people and 37 percent of Latvia's 2.4 million people. Lithuania has a far smaller Russian population, only 10 percent of its total, and the Russian minority was never perceived as a threat to the extent that they were in the other two Baltic states. The main tension was with the Polish minority in the late Soviet era, not with the Russian.

In Lithuania the "zero option" was applied to all those residing in the country on January 1, 1992 who obtained citizenship. This was similar to the policies applied throughout the CIS. Estonia and Latvia were the exception: They introduced exclusive citizenship laws similar to the ethnic criteria in existence until recently in Germany. The 1992 Estonian citizenship law restricted eligibility to those who could trace their roots to the pre-war independent state. Those who arrived after Estonia's occupation by the USSR in 1940 were classified as "foreigners" or a "colonial other" and seen as potentially disloyal to the state. [3] Autonomy was always rejected for enclaves such as Narva in Estonia because rights were individually, not collectively, provided by the state.

Attitudes to Russia differ in the three Baltic states. Lithuania has the

warmest relationship with Russia and Russian culture. Russian pop music is the norm in cafes and restaurants. At the opposite extreme is Estonia, where there is widespread hostility to all things Russian. Russian culture and language are only heard and seen in the northeastern region of Narva. In Tallinn one hears only Estonian or Western pop music. Latvia exhibits elements of the situation in both Estonia and Lithuania: In Riga both Western and Russian pop music is heard. Latvians, like Lithuanians, watch Russian TV and pirated Western films dubbed into Russian.

The OSCE missions gave high marks to both Estonia and Latvia for their human rights records and progress in democratization. Attempts have not been made to forcibly assimilate national minorities, as in France, but rather to ignore them, as in Germany. National minorities are to be integrated, rather than assimilated, into Latvian and Estonian society, with Estonians and Latvians continuing to live separately to Russians. These integrationist policies would make Russians and Russophones bilingual and bicultural and thus loyal to Estonia and Latvia. [4]

The evolution of Baltic language and national minority policies has occurred under international pressure from the OSCE, the EU, Council of Europe and NATO. In a March visit to Latvia, OSCE High Commissioner for National Minorities Rolf Ekeus praised progress in integrating minorities, particularly the official campaign on citizenship. Ekeus told his hosts that he understood the role of the Latvian language in the country's national integration.

The sensitivity of the OSCE has not always been apparent. The director of the OSCE's Warsaw-based Office for Democratic Institutions and Human Rights, Gerard Stoudman, said in Riga in March that Russian should be given the status of an official language. This had been a long-term Russian demand of all the former Soviet states. The Latvians protested this proposal, with Latvian Foreign Minister Indulis Berzins commenting that two state languages would create "a state of two communities" that would "reverse the integration process."

No other international organization demanded such a move, so the proposal simply represented Stoudman's personal preference. Speaking on behalf of the EU presidency, the Danes clarified the situation: "There is no expectation whatsoever on the part of the EU that Latvia should change or amend the provision that establishes that the Latvian language is the state language of Latvia." The U.S. Embassy in Riga also expressed its surprise at Stoudman's remarks, which were later retracted.

RETURNING TO EUROPE

The closure of the OSCE offices in Estonia and Latvia in December 2001 paved the way for both countries, along with Lithuania, to become serious candidates for integration into Trans-Atlantic and European structures. This would lead to large numbers of Russian minorities residing within the EU and NATO.

NOTES

1. P.A. Panagiotou, "Estonia's Success: prescription or legacy?", *Communist and Post-Communist Studies*, vol. 34 (2001), pp. 272, 274.
2. Graham Smith et al, *Nation Building in the Post-Soviet Borderlands. The Politics of National Identity* (Cambridge: Cambridge University Press, 1998), p.110.
3. See G. Smith, "Transnational politics and the politics of the Russian diaspora", *Ethnic and Racial Studies*, vol. 22, no. 3 (May 1999), pp. 500-523.
4. See Rasma Karklins, "Ethnic Integration and School Policies in Latvia", *Nationalities Papers*, vol. 26, no. 2 (June 1998), pp. 283-302.

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PREPARING FOR POST-SHEVARDNADZE ERA

By Zaal Anjaparidze

Georgia is witnessing a new stage in the regrouping of its domestic political forces and leading political figures in anticipation of the impending post-Shevardnadze period. That period could begin earlier than expected. Speculation both that President Eduard Shevardnadze could resign before his term is up and about his possible successor has been intensifying.

Shevardnadze's convincing victory in the 2000 presidential elections was made possible thanks to considerable vote rigging, which his henchmen carried out especially in the provinces. The turnout, according to many witnesses, was extremely low, no more than 20-25 percent. That was the first sign that the "Shevardnadze Myth" was disintegrating, a trend confirmed further by public opinion polls. The campaign pledges made by the Georgian president and his party, the Citizens Union of Georgia (CUG), were largely unrealistic and went unfulfilled, and this caused erosion in Shevardnadze's once overwhelming public support. Shevardnadze's appeasement of the exorbitant appetites of various clans, including the presidential family, significantly undermined his authority both domestically and abroad.

Many politicians are now rushing to leave the sinking Shevardnadze-CUG ship, including the group of young politicians within the CUG known in Georgia as the "young reformers." This group was spearheaded by then Minister of Justice Mikheil Saakashvili and then parliamentary chairman Zurab Zhvania. In an open letter to Shevardnadze last August, the latter unambiguously accused the president of involvement in corruption and demanded that he fire dishonest ministers and purge his corrupt entourage. Shevardnadze did step down as CUG chairman not long afterwards. Few in Georgia doubt that Zhvania and Saakashvili orchestrated the youth rallies held last November demanding Shevardnadze's resignation, which brought the confrontation to the brink of armed conflict. Shevardnadze narrowly avoided having to resign by "sacrificing" several of his closest henchmen, Interior Minister Kakha Targamadze and Economics Minister Vano Chkhartishvili. Zhvania, however, was forced to pay for this "gift" with his own resignation as parliamentary chairman.

The impending local elections have deepened the fissure between the Zhvania-Saakashvili team and Shevardnadze. Having failed to find a common language with Shevardnadze on key issues of state building during several behind the door negotiations, Zhvania finally left the ruling CUG party and declared himself an opponent to Shevardnadze. Zhvania plans to create his own political party after the local elections are held. This suggests that Zhvania, who until recently with the Shevardnadze fold, has started playing his own political game. Some experts, however, believe the Shevardnadze-Zhvania confrontation has actually been stage managed, as a way to smooth Zhvania's rise to power. In today's Georgia nothing can do more to raise a politician's profile than criticism of Shevardnadze.

The other "young reformer," Mikheil Saakashvili, an outspokenly pro-Western and reform-minded politician for whom Shevardnadze paved the way to high posts in both the parliament and government, began playing his own political game earlier than Zhvania. Saakashvili may be a more genuinely independent political player than Zhvania. He demonstratively resigned from the post of the justice minister, saying that he no longer wanted to be a member of Shevardnadze's team. His charismatic qualities, radical anti-Shevardnadze rhetoric, including his pre-election motto "Tbilisi Without Shevardnadze," have propelled Saakashvili to the forefront of Georgian politics. He established the National Movement, which now unites political and social forces of various stripes. Saakashvili and his followers (many of whom defected from Zhvania's team) have quickly gained the sympathy of so-called "social protest groups" and a bulk of the liberal intelligentsia, who are likely to become Saakashvili's future electorate. Many analysts compare the vociferous and radical Saakashvili with Georgia's late president, Zviad Gamsakhurdia.

But it will not be easy for Zhvania and Saakashvili get rid of the stigma for the serious mistakes they made while emerging as politicians under Shevardnadze's umbrella. Today both men actively try to put the blame for those mistakes exclusively on President Shevardnadze.

However there are other political forces striving to capture the supreme power after Shevardnadze, and they are attempting to neutralize the main advantage that Zhvania and Saakashvili enjoy--strong support from the West. These forces are trying to group themselves around Shevardnadze and his family. They have already won a first victory, having recently formed a new, albeit undeclared pro-Shevardnadze parliamentary majority by supplanting the CUG and Zhvania-Saakashvili team from parliamentary committee chairs. These forces are spearheaded by the recently formed political party, the "New Rightists." This party has made its mark on the political map by ostentatiously opposing Shevardnadze for show. The party, which is made up of well-to-do businessmen and some of those who participated in the pro-independence movement, is rumored to be a possible future political vehicle for President Shevardnadze and its family. It is likely that the "family's" favored successor to Shevardnadze will emerge from this political circle or its allies.

The "New Rightists" have of late become suspiciously sympathetic to Badri Patarkatsishvili, well-known Georgian financier and close associate of

Boris Berezovsky, the self-exiled Russian media mogul. Patarkatsishvili is lavish with financial injections in different sectors, including media, which is highly likely to serve Shevardnadze's political successor. According to some sources, the possible successors include Kakha Targamadze, the former interior minister, who threatens to make public astonishing "kompromat" (compromising materials) against his opponents, State Minister Avtandil Jorbenadze and chairman of the Supreme Court Lado Chanturia. Then there is Aslan Abashidze, the strong-willed leader of the Ajarian Autonomous Republic, who has received from Shevardnadze a formal mandate to handle the resolution of the Georgian-Abkhaz conflict (further evidence of Shevardnadze's political weakness). Abashidze will try to squeeze as many political points out of this issue as are necessary to improve his political position. Still another is Shalva Natelashvili, leader of the Labor Party, which won a surprising victory in the most recent local elections and whose supporters have been growing in number. His leftist slogans backing free medical service and education and the fight against corruption make him a likely and formidable fighter for the presidential post.

While polls in Georgia about political leaders cannot be taken as definitive, they do suggest several trends. The first is that the public is gradually becoming aware of alternative leaders. The second, that Shevardnadze's popularity is no longer a given. The third, that relatively young politicians, despite their lack of financial support, are steadily climbing up the political rating lists.

At the same time, many people expect that Shevardnadze, who is 74 years old and whose term expires in 2005, will follow in Russian President Yeltsin's footsteps and name a successor in accordance with the interests of the "Family," meaning a successor who will guarantee the political and economic safety of Shevardnadze's family members and his closest entourage. Today President Shevardnadze's "Family," including his closest relatives and confidants, holds truly unlimited power. Shevardnadze said last year that he has in mind several young and promising figures as candidates to succeed him in the presidential post. Judging by his most recent steps, he would not be averse to paving the way for one of his minions. The local elections, scheduled for June 2, will be a good dress rehearsal for the succession. The results of these elections will show whether the "Russian scenario" for kingmaking is likely to be repeated in Georgia.

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