**Nationality, Minorities and Statelessness**  
The Case of the Baltic States

*Kees Groenendijk*

**Introduction**  
Currently residing in the three Baltic States are large numbers of people who were formerly citizens of the USSR but who have not acquired the nationality of their present country of residence. At present more than one and half million persons living in the Baltic States are aliens: about 450,000 in Lithuania, 400,000 in Estonia and 800,000 in Latvia. In Lithuania 13% of the population are aliens, in Estonia 26% and in Latvia about 33%.

Most of those people are *de facto* or *de iure* stateless. The large majority of those persons are of Russian origin. Others originate from the Ukraine, Belorus, Poland or other countries. Since its second Helsinki Summit of 1992 the CSCE has increasingly been involved with the issue of minorities in the Baltic States. The ODHIR mission to Estonia and the first mission of the CSCE High Commissioner on National Minorities to the Baltic States and to Moscow are two examples of that involvement. In their 1992 Helsinki Decisions the CSCE states recognized "that everyone has the right to a nationality" and stated that they "will, as appropriate, take measures, consistent with their constitutional framework, not to increase statelessness".

I depart from the position that the presence of large numbers of stateless persons poses serious concerns for the countries of residence, for the international community and, last but not least, for the individual stateless persons.

This article deals with the causes and the consequences of this situation and discusses some possibilities for reinforcing the legal status of those stateless persons. First, I would like to see whether the experience of some Western European countries with immigrant minorities might be of use for our issue.

**Immigration and Minorities: the Baltic States and Western Europe**
Both the Baltic states and most countries experienced large immigration in Western Europe in the decades after the Second World War. Most immigrants came either for economic reasons (migrant workers moved to relatively

---

1. This is a revised version of a paper presented at the seminar "Citizens, Minorities, Foreigners: Human Rights Perspectives" organized by the Institute for Human Rights of the Abo Akademi, Turku, Finland on 10 and 11 May 1993.
prosperous regions in order to improve their living conditions) or they came for political reasons: in the wake of decolonization in Western Europe; in the Baltics some of the immigrants came under the Soviet Union's colonization policy.

Both in the Baltic States and in Western Europe a large proportion of those immigrants have settled permanently. Their children have been born in the country of immigration and the immigrant groups have become settled minorities in those countries. So the governments in all countries have been confronted with the question of how to deal with those minorities.

When thinking about a policy concerning a particular group they have defined as a minority or that presents itself as a distinct minority, governments basically have three policy alternatives: emancipation, continuation of minority status or elimination.4

A minority policy aiming at emancipation introduces legal and social measures to increase the participation of members of the minority group in all sectors of society. This gradual integration of the minority does not necessarily imply that the members of the minority give up their distinct cultural characteristics: their language, religion or other particular traditions. The formal or practical barriers excluding the minority group from certain areas or employment are gradually removed.

A government might also decide to continue the minority status. One of the reasons for this policy might be that the minority group serves some economic or political function for the majority. Sometimes this policy choice is not so much dictated by the wish to exploit a minority, but, by a lack of interest, minority policy receives less attention than other issues.

The third policy alternative is the elimination of the minority as a visible group. This aim can be achieved either by suppressing the essential cultural expression of the group by outlawing the use of its language or the practice of its religion or through the total assimilation of the group. Sometimes elimination is realized by more extreme measures: physical removal of the group either by deportation from the country or, in the most extreme case, even by genocide.

All these varieties of minority policy have been practiced in Europe this century. However, we were shocked to learn that the last extreme and unhuman variety could still occur in Europe: the ethnic terror actually practiced in the former Yugoslavia.

Governments in Western Europe contemplated or practiced all three alternatives, though not in their extreme forms, in relation to the migrant workers that came in the fifties and sixties from Turkey and other Mediterranean countries. However, elimination through forced expulsion was only practiced with regard to temporarily admitted workers, before those immi-