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**Violations of the *Framework Convention for the Protection of  
National Minorities* in Lithuania in Respect of the Rights and  
Opportunities of the Polish National Minority**

**Presentation by Dr. Gabriel Jan Mincevič (Mincewicz) (Lithuania)**

Dear Ladies and Gentlemen,

Five years ago, Lithuania together with other post-Soviet States became a member of the European Union. The opportunities to maintain broader international economic and cultural relations were expanded, and the borders to the whole Europe and even the whole world were opened. Democracy was strengthened. The signed and ratified international conventions came into force.

However, unfortunately, not all ratified conventions are adhered to; the provisions of some conventions have just remained on paper, whereas life goes by in gross violation of the rights of particular groups of individuals.

Just like almost all European states, the Republic of Lithuania is multinational. The largest national minority in Lithuania is the Poles. Polish people account for approximately 7% of the country's population. However, historically, they have concentrated in certain small areas in the country's eastern districts. The Poles account for 28% in the district of Švenčionys, 33% in the district of Trakai, over 61% in the district of Vilnius and 79% in the district of Šalčininkai.

*The Framework Convention for the Protection of National Minorities* was ratified by the Seimas of the Republic of Lithuania in 2000. However, even today in Lithuania, 20 years after the restoration of its independence and 10 years after the ratification of the Convention, the provisions of the Convention are not complied with in different fields and the rights and opportunities of the citizens belonging to the Polish national minority are in conflict with both the letter and spirit of the Convention and prevailing practices in European countries.

Let us take the land restitution process as an example. After 20 years of independence, land was restituted to 98% of Lithuanian farmers. In Lithuanian districts, this percentage is actually equal to 100. (99.1% in Panevėžys County, 99.5% in Marijampolė County). However, if we take the districts where the majority of residents is comprised of Polish people, the situation is totally different. The percentage of restituted land equals only 75% in the district of Vilnius. However, this

figure also includes those citizens of Lithuanian nationality who have arrived from remote districts of Lithuania and who have never owned any land in the vicinity of Vilnius. Land is abundantly allocated to newcomers, whereas it has been already announced to farmers of Polish nationality who have lived here for ages that there is no land and many of them will not receive any land at all or, in the best case, they can go to remote corners of Lithuania where there is still some unoccupied land.

This practice not only constitutes the violation of the right of private ownership of Polish citizens but also is purposefully aimed at changing the ethnic composition of the population. Meanwhile, as a result of the failure to return land to its lawful owners and the settling of newcomers, the number of the residents of Polish nationality **has decreased by 20%** in certain locations (for example, in the area of Sudervė) over the past several years. **Those are distinct violations of Articles 6 and 16 of the Convention which explicitly states that: *The Parties shall refrain from measures which alter the proportions of the population in areas inhabited by persons belonging to national minorities.***

This is aimed at achieving that the citizens belonging to this national minority would be assimilated by other nationalities and would have no influence on public life and maintenance of their identity. This is particularly actively done during various elections when electoral constituencies are formed in such a manner that the areas which are maximally inhabited by Polish people would be assigned to Lithuanian constituencies, and the Poles would not be able to elect their candidate.

In contradiction with Article 11 of the Framework Convention, which states: *The Parties undertake to recognise that every person belonging to a national minority has the right to use his or her surname (patronym) and first names in the minority language and the right to official recognition of them*, the citizens of Lithuania of other nationalities cannot write their names and surnames according to their original spelling but must write them in Lithuanian form. Even the name “Anna” may not be written with two “n” but must be written “Ana”, let alone other letters.

Article 10 of the Convention provides: *The Parties undertake to recognise that every person belonging to a national minority has the right to use freely and without interference his or her minority language, in private and in public, orally and in writing (...), make it possible to use the minority language in relations between those persons and the administrative authorities.* And Article 11 states: *The Parties shall endeavour (...) to display traditional local names, street names and other topographical indications intended for the public also in the minority language.* However, we are far from Europe. In the districts of Vilnius and Šalčininkai, where the Poles account for 61% and 79% of the population respectively, the tables containing street names placed in some villages indicated street names not only in the state (Lithuanian) language but also in the (local) Polish language. The Representative of the Government brought the local government to court, which obliged to take off the indications in the local language. And in its judgement of 30 January 2009, the Supreme Administrative Court, in gross violation of the provisions of the Convention, categorically resolved that street names must be written exclusively in the state language and on no account there can be tables containing inscriptions in the local language next to them. The Director of the Administration of the Šalčininkai District was even imposed a pecuniary fine for disobedience.

Our various addresses to European international organizations over 20 years have not given any results. Europe obstinately does not want to listen to us.

Most probably, the largest problems are in the field of education. But we will discuss this on the day after tomorrow.

If somebody takes a deeper interest in the situation of the Polish national minority in Lithuania, I would propose a brief review on this subject. This publication is in the English language, and anybody who is interested can get a copy of it by the entrance or from me.

Thank you for your attention.