

**Russian Federation: The Human Rights Situation  
of the Mari Minority of the Republic of Mari El**

*A Study of the Titular Nationality of One of Russia's Ethnic Regions*

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**Joint Report**

**International Helsinki Federation for Human Rights (IHF)**

**Moscow Helsinki Group (MHG)**

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## Preface

The largest country in the world in terms of area, the Russian Federation (RF) is characterized by great ethnic, linguistic and cultural diversity. Out of the 145 million residents, about 80% are ethnic Russians, while the rest belong to more than 150 different ethnic groups. Among these groups are 13 small minorities belonging to the Finno-Ugric language group, one of which is the Mari minority. The members of the Mari minority are predominantly settled in the Republic of Mari El, which is located in the Volga region east of Moscow.

In recent years, increasing international attention has been given to the Finno-Ugric minorities of Russia, including in particular the Mari minority. A series of articles in international media have highlighted alleged violations of the rights of the Mari minority, and several international organizations have expressed concern about lack of protection of the Mari and other Finno-Ugric minorities. The situation of the Mari and other Finno-Ugric groups of Russia has repeatedly been featured on the agenda of the Parliamentary Assembly of the Council of Europe (PACE),<sup>1</sup> and currently a report on this subject is being prepared by one of its members.<sup>2</sup> The European Parliament has also been active with respect to the Finno-Ugric minorities of Russia and in a resolution adopted in May 2005 it deplored “violations of human rights and democracy” in Mari El.<sup>3</sup> An international appeal on behalf of the Mari people, which was initiated by a group of Finnish researchers in early 2005, has been signed by thousands of people.<sup>4</sup>

Although numerous reports have indicated that the rights of the Mari minority in Mari El are being violated, this issue has to date not been addressed by any human rights non-governmental organization (NGO), neither at the international nor national level. It therefore appeared warranted for the IHF, in cooperation with the MHG to engage in it. Thus, the purpose of this report is to examine, from the perspective of international human rights standards, the current situation of the Mari of the Republic of Mari El. The report does not provide a comprehensive analysis of all aspects of the situation of the Mari, but is an attempt to shed light on recent developments in a number of major areas, which have had human rights implications for the members of the minority. More broadly, the report seeks to contribute to stimulating a human rights-oriented discussion about minority groups in the RF.

The report is largely based on information obtained during a 6-day fact-finding mission to Mari El and Moscow, which the IHF and the MHG undertook on 28 October - 2 November 2005. During this mission, representatives of the two organizations met with officials from government departments and other agencies, civil society activists, journalists, academicians, teachers and other members of the Mari community in Mari El. For safety reasons, the names of those with whom meetings took place, with the exception of people in public positions, are withheld. In addition to information gathered during the mission, the report also draws on

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<sup>1</sup> See, “Endangered Uralic Minority Cultures,” Resolution 1171 (1998); “Endangered Uralic Minority Cultures,” Report (Doc 8126/1998) prepared by Tytti Isohookana-Asunmaa on behalf of the Committee on Culture and Education; “Situation of the Mari minority,” Motion for an order (Doc 9360/2002); and “Situation of the Finno-Ugric and Samoyed peoples,” Motion for a resolution (Doc. 10314/2004).

<sup>2</sup> PACE Member Katrin Saks has been requested to prepare a report on the situation of Finno-Ugric and Samoyed Peoples.

<sup>3</sup> “Violations of Human Rights and Democracy in the Republic of Mari El in the Russian Federation,” (P6\_TA(2005)0185), 12 May 2005.

<sup>4</sup> The appeal is available at <http://www.ugri.info/mari> (last accessed on 20 December 2005).

complementary information from various sources, including official publications, NGO reports and media articles. The report reflects developments until November 2005. The report starts with an executive summary, which provides an overview of the major findings of the report. The first chapter offers background information about the Mari people as an ethnic group, as well as an overview of the history of the Mari. The second chapter reviews international human rights standards on minority protection, which guide the analysis of the current situation of the Mari that follows in the third chapter. In this analysis, both legislation and practices pertaining to the rights of the members of the minority are taken into account. Finally, the report makes a number of recommendations to the authorities of the RF and the Republic of Mari El, as well as to the international community.

*The Finnish Foreign Ministry provided financial assistance for this project. The content and conclusions of the report are, however, the sole responsibility of the IHF and the MHG.*



## Executive summary

The RF is constituted by more than 80 regions, some of which are territorially defined, and the rest ethnically based. The latter are a legacy of the Soviet Union and exist in areas traditionally inhabited by national minorities. The Republic of Mari El, which is located in the Volga region 860 kilometers east of Moscow, is one of the so-called ethnic regions. As the Finno-Ugric Mari minority is the titular nationality of Mari El, it enjoys a special status in this region. The Mari language is an official language in addition to Russian, and the laws of the republic oblige the authorities to protect the language, culture and national identity of the Mari. Ethnic Mari represent about 40% of the 728,000 residents of the republic, and are thereby outnumbered by ethnic Russians.

Since taking office in late 1999, RF President Vladimir Putin has initiated a series of reforms of the Russian federal system, which have resulted in growing central control of the country's regions.<sup>5</sup> As part of this process, an important rationale of which also is to promote a more uniform state structure and a stronger all-Russia national identity, measures to reduce the number of federal subjects have been taken and leading federal officials have advocated abolishing the scheme of ethnically based regions. These developments pose a particular challenge to the titular nationalities of ethnic regions such as the Mari, whose current status is intimately tied to the national territorial component of the federal system.

As a resource-poor region that is heavily dependent on federal subsidies, Mari El is in a weak position to oppose the unifying thrust of the federal government, and the current president of the republic has chosen a submissive approach in the face of the ongoing centralization. Mari national leaders fear that a departure from the national territorial structure of the existing federal system would seriously threaten the future of their people as a culturally and linguistically unique group. However, President Leonid Markelov, a native Muscovite with an ideological background in the extreme right Liberal Democratic Party, has spoken in favor of treating Mari El as any other region, thereby indirectly proposing the eradication of the special status of the Mari in the republic. Following a transformation of the upper house of the Russian parliament into a full-time professional legislature, Markelov has also overseen the appointment of deputies without any previous affiliation to Mari El or its titular nationality as the representatives of the republic.

In an apparent bid to tighten its grip on regional governments, the Putin administration has actively interfered in regional election campaigns, and as of 2005 the direct election of regional governors was replaced with appointment by the RF President. When President Markelov was first elected president of Mari El in late 2000 he was supported by the Kremlin in the second round of the elections, and in late 2004 he was re-elected with full backing of federal authorities. The 2004 elections were also unfair because the incumbent president made extensive use of so-called administrative resources for his own campaign and public employees were intimidated into voting for him. As a result of the entry into force of the new regulations for appointing regional governors, Markelov may be able to stay in office beyond 2009, when his current elected term expires.

As in other parts of the RF, democracy and the rule of law remain weak in Mari El, and over the last few years, freedom of expression has come under growing attack. Thus, during

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<sup>5</sup> Putin was appointed acting RF President when Boris Yeltsin resigned in late 1999. In March 2000, he was elected RF President, and in 2004 he was re-elected.

President Markelov's period in office, an increasingly repressive climate has developed and journalists, political opponents, civil society activists and others challenging official policies have increasingly faced harassment such as intimidation, arrest, criminal prosecution, eviction and dismissal. Numerous violent attacks against critical journalists and members of civil society have also taken place and have not been effectively investigated or remedied. While the authorities strictly control the information circulated in publicly funded media, all but one independent newspaper have ceased publication. Accordingly, current public debate is overwhelmingly dominated by the presidential administration, to which the region's parliament also is largely subservient. Recent political developments at the federal level, which have resulted in a rollback of democratic progress in a number of key areas, have reinforced anti-democratic trends in Mari El and other regions.<sup>6</sup>

Among those who have suffered harassment in Mari El are Mari activists committed to protecting and promoting the rights of the titular nationality. Unlike his predecessors, President Markelov has refused to cooperate with the Mari national movement and has instead created a Mari "pocket" opposition, which is made up of people loyal to the authorities. Involved in peaceful efforts to pursue ethno-political objectives, members of the national movement have been depicted as "nationalists" bent on overthrowing the regime in state-controlled media and have been the targets of a growing crack-down on their activities. Pressure against Mari activists and other opponents further intensified after the 2004 presidential elections, in which the national movement campaigned for the major Mari opposition candidate and in the aftermath of which it has directed an increasing number of appeals to RF authorities and international organizations. To date the federal government has failed to take any effective action in response to reports of persecution against opposition forces in Mari El and, much to the consternation of Mari national leaders, RF President Putin awarded Markelov for his contributions to "inter-ethnic accord" in connection with the 2004 presidential elections.

According to the presidential administration of Mari El, the rights of the Mari are well protected in the republic and the criticism voiced by the national movement is entirely politically motivated. In reality, the situation is obviously more complex. While the Mari do not enjoy any genuine autonomy in the republic, their language and culture are, indeed, protected in important ways. The Mari language has the status of a second state language, instruction in and of the Mari language is organized in public schools, and public funds are allocated to Mari language media and Mari cultural activities. The existing level of protection is no doubt better than in other Russian regions inhabited by Mari, and sometimes it is more extensive than that enjoyed by the titular nationalities of other Finno-Ugric regions, albeit still more limited than that of the titular nationalities of ethnic regions such as Tatarstan and Bashkortostan. In many cases, however, legislative guarantees are not effectively enforced and there are worrisome gaps in the actual protection of the linguistic and cultural rights of the Mari.

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<sup>6</sup> During President Putin's tenure, power has been increasingly concentrated in the hands of the federal executive, and independent media and opposition forces have been increasingly marginalized. All major TV stations in the country are now controlled by the presidential administration, and the pro-Kremlin United Russia Party and its associates hold more than two thirds of the seats in the State *Duma* and routinely approve legislation proposed by the Kremlin. Recently NGOs have also come under growing pressure from the federal authorities. For more information about political developments at the federal level, see the chapters on Russia in IHF, *Human Rights in the OSCE Region 2005*, at <http://www.ihf-hr.org>; Human Rights Watch, *World Report 2005*, at <http://www.hrw.org>; and Freedom House, *Nations in Transit 2005*, at <http://www.freedomhouse.org>

Despite its official status, the Mari language is used only to a limited extent within the public sector. While the residents of the republic have a legally protected right to use the Mari language in contact with authorities, this provision is undermined by the fact that public officials are not required to have any command of the language. Unlike in some other ethnic regions, there is no requirement for all students in Mari El to complete courses in the titular language. The authorities argue that voluntary instruction of the Mari language is likely to be more effective than compulsory courses, but members of the Mari community are concerned that this approach threatens the official status of the Mari language and contributes to further pushing it out of the public arena. Available statistics show that the relative number of students enrolled in Mari language courses decreased notably after schools were given greater choice whether to include the Mari language in their curricula in 2001. There are also concerns that oversight of Mari language programs has deteriorated since a special Ministry of Education department in charge of this task was closed down a few years ago.

A fraction of the republic's ethnic Mari students receive education in their native language in the first four grades, and in recent years a number of pilot programs of Russian-Mari bilingual education have been implemented. As in most other ethnic republics, however, a majority of all students of the titular nationality study the Mari language only as a subject, either in special native language courses or courses in Mari as a state language. Textbooks used for Mari language instruction are often old and outdated, which is likely to negatively impact the efforts of teachers to motivate their students to learn, and there are concerns that a series of closures of small rural schools have particularly affected Mari language programs. Opportunities to complete higher education in Mari are limited to the pedagogical and humanistic fields, while Mari students generally have lower chances of gaining admission to university than their Russian peers since they mostly graduate from rural schools considered to have lower standards than urban schools.

More than a dozen publicly funded newspapers and magazines are published in the language of the titular nationality in Mari El. The circulation of these periodicals is, however, relatively small and is further decreasing, thereby reflecting a general trend with respect to the circulation of newspapers in the RF. With a transition to wireless radio broadcasting under way, radio programs in the Mari language are now aired several hours per day. Comparatively high purchase costs of short wave radios, however, limit access to these broadcasts. At the same time, TV programs in the Mari language, including in particular news programs, have been reduced as a result of changes in the federal programming schedule. This is a highly worrisome development given the fact that TV is a primary source of information for most citizens. Further, the informational value of the publicly funded Mari language media is weakened by the fact that they merely publish information sanctioned by the authorities.

The Mari State Drama Theater, which incorporates a youth theater ensemble, and a regional state theater operate fully in the Mari language and constitute an important part of Mari cultural life. However, a reorganization of existing Mari theaters in 2001, which caused strong protests within and beyond the Mari community, reportedly resulted in a reduction of the volume and quality of theater productions in the Mari language. The republic of Mari El also funds other Mari cultural activities such as festivals, seminars and other events, but few funded projects are of long-term character and civil society representatives criticize available support as insufficient. Given the important role that literature plays in the preservation and development of minority cultures, it is of particular concern that only a few books are published in the Mari language every year.

Altogether, it is clear that there is room for considerable improvement in the protection of the rights of the titular nationality of Mari El and that there are several major issues, such as the basis for organizing Mari language instruction, which would deserve open public debate involving all interested parties. It is therefore disturbing that the authorities are reluctant to acknowledge or discuss problems and that Mari activists who seek to pursue issues of concern to the titular nationality are subject to harassment. Further compounding the situation, Mari are underrepresented in the republic's governing structures, and the broad majority of Mari are often not very well-informed about political issues and do not actively demand their rights. This widespread ignorance and passivity among the Mari is closely related to the scarce availability of independent information in the republic and to the dominance of officially sanctioned information in regional media. It is also related to the impoverished conditions in which a majority of the members of the minority live. Mari El is one of the poorest regions of the RF, and the situation is particularly difficult in the countryside where most Mari reside.

Current political and social trends in Mari El serve to marginalize the interests of the Mari minority in the political process of the republic and to enhance the vulnerability of its members to cultural and linguistic assimilation. As other national minorities of the RF, the Mari experienced great assimilation during the Soviet era, and during the post-Soviet period the effects of assimilation have become even more aggravated since the titular nationality is no longer experiencing any natural growth. Reflecting a broader development of growing ethnic chauvinism and intolerance toward national minorities in Russia,<sup>7</sup> social acceptance of the Mari language has reportedly decreased in Mari El in recent years, and members of the Mari and other minorities allegedly face insults and offenses in public life due to their national affiliation. What is more, on repeated occasions, leading officials of the presidential administration of Mari El have allegedly made condescending remarks regarding the titular nationality, thereby encouraging intolerant attitudes toward its members and contributing to reinforcing their vulnerability to assimilation.

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<sup>7</sup> In a Russia-wide survey carried out by the All-Russian Center for Public Opinion Studies (VTSIOM) in 2004, 61% of those polled fully or partly approved of the "Russia for Russians" slogan. In 1998, the corresponding figure was 31%. See European Forum for Democracy and Solidarity, "Russia Update," 10 March 2005, at <http://www.europeanforum.net/>

# 1. Background information about the Mari

## 1.1. The Mari as an ethnic group

The Mari (previously known as Cheremis) are a Finno-Ugric people of the Volga branch. In total there are five branches of Finno-Ugric peoples, who together with the Samoyedic peoples constitute the Uralic language family. The Finno-Ugric peoples inhabit areas stretching from the Scandinavian Peninsula in the north to the Siberian Taimyr Peninsula in the east and the Carpathian Basin in the south. The total number of members of Finno-Ugric peoples is about 25 million, and the most sizeable groups are the Hungarians, the Finns and the Estonians.<sup>8</sup>

Thirteen Finno-Ugric peoples are generally regarded as being native to the RF.<sup>9</sup> Within the federal structure of Russia, there are five ethnic republics where Finno-Ugric groups constitute the titular nationality, namely the republics of Karelia, Komi, Mordovia, Udmurtia and Mari El.<sup>10</sup>

The Mari can be divided into three ethnic sub-groups, Hill (Kuryk) Mari, Meadow (Olyk) Mari and Eastern (Üpö) Mari. Among these, Meadow Mari are the largest group. Two literary languages exist among the Mari, and several different dialects are spoken.<sup>11</sup>

According to the RF census carried out in 2002, a total of 604,300 Mari lived in Russia.<sup>12</sup> About 52% of the Mari are settled in the Republic of Mari El, where they constitute about 43% of the 728,000 residents. Ethnic Russians amount to 48%, Tatars to 6% and Chuvashes to 1% of the population of Mari El, and in total more than 50 different nationalities are represented among the residents of the republic. Those Mari who do not reside in Mari El live in e.g. the Republic of Bashkortostan (106,000), the Kirov *Oblast* (39,000), the Sverdlovsk *Oblast* (28,000), the Republic of Tatarstan (19,000) and the Republic of Udmurtia (9,000).<sup>13</sup>

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<sup>8</sup> Estonian Institute, "Finno-Ugric Peoples as Ethnic Minorities," [http://www.einst.ee/factsheets/factsheets\\_uus\\_kuju/finno\\_ugric\\_peoples\\_as\\_ethnic\\_minorities.htm](http://www.einst.ee/factsheets/factsheets_uus_kuju/finno_ugric_peoples_as_ethnic_minorities.htm) (last accessed on 6 December 2005); Information Center of Finno-Ugric Peoples (SURI), "The Endangered Uralic Peoples – Short Reference Guide," at <http://www.suri.ee/>

<sup>9</sup> These include: the Ingrians, the Karelians, the Vepses, the Votes, the Saami, the Erzya Mordvins, the Moksha Mordvins, the Komi-Permyaks, the Zyrian Komis, the Udmurts, the Khants, the Mansis and the Mari. See "Minority Language of Russia on the Net: Finno-Ugric Languages," at [http://www.peoples.org.ru/eng\\_finnougr.html](http://www.peoples.org.ru/eng_finnougr.html) (last accessed on 6 December 2005).

<sup>10</sup> The Khanty-Mansy Autonomous *Okrug* also constitutes a Finno-Ugric ethnic region, while the Finno-Ugric Komi-Permyak Autonomous *Okrug* was due to be merged with the non-ethnic Perm *Oblast* in late 2005. For more information about the Russian federal system, and the role of ethnic regions, see the section on "Overall status of the Mari as the titular nationality of the Republic of Mari El" in chapter 3.

<sup>11</sup> Finnish Institute for Russian and East European Studies, "The Mari," at <http://www.rusin.fi/eastmari/eng/overvm.htm> (last accessed on 6 December 2005); Centre for Russian Studies of the Norwegian Institute for Foreign Affairs, "Ethnic Groups: Mari," [http://www.nupi.no/cgi-win/Russland/etnisk\\_b.exe?Marian](http://www.nupi.no/cgi-win/Russland/etnisk_b.exe?Marian) (last accessed on 6 December 2005).

<sup>12</sup> Seppo Lallukka, "Venäjän suomalais-ugrilaiset – väestönlaskentojen kertomaa," *Sukukansaohjelman arki – Suomalais-ugrilainen perintö ja arkipäivä* (Studia Fenno-Ugrica 21.9-16.11.2004), Castrenianumin toimitteita 64/2005, p. 35.

<sup>13</sup> Statistics from the 2002 RF Census included in *Collection of Information about the Ethnic Situation in the Republic of Mari El and the Social-cultural Situation of the Mari People* (in Russian), prepared by the Informational Analytical Department of the Administration of the President of Mari El (2005).

A majority of the Mari continue to reside in the countryside, although they have become increasingly urbanized during the post-World War II period.<sup>14</sup> Mari still constitute only about 25% of the residents of Yoskar Ola, the capital of Mari El, and 30% of the residents of the republic's other towns. They represent 70% of the residents of rural areas in the republic.<sup>15</sup>

In a development partly related to urbanization, large-scale assimilation occurred among the Mari during the Soviet era. As in the case of other Finno-Ugric peoples, assimilation appears to have intensified further during the post-Soviet period, and assimilation is likely to be a major factor behind the fact that the total number of Mari in Russia decreased by 40,000 between 1989 and 2002.<sup>16</sup> The impact of assimilation can also be seen in the decline of the use of the Mari language. While 96% of all Mari in Russia stated Mari as their native language in 1959, this number had decreased to 82% in 1989.<sup>17</sup> Among urban Mari the number of those retaining Mari as their native language had decreased from 77% to 70%.<sup>18</sup> Moreover, the share of Mari who use the Mari language as a primary means of communication in daily life is likely to be considerably smaller.<sup>19</sup> Recent survey information indicates that only about half of all the Mari residing in Mari El regularly use the Mari language at home.<sup>20</sup>

An important element of Mari culture is the traditional Mari animist faith. This faith, which largely consists of orally transmitted traditions, is based on deep reverence for nature, as illustrated by the fact that it involves festive rituals in sacred groves. In today's Mari El, practice of the traditional Mari religion is often combined with practice of the Russian Orthodox faith, which has resulted in a considerable degree of religious syncretism.<sup>21</sup>

## 1.2. The history of the Mari

The Mari minority are historically settled in the Volga region. After centuries of domination by various foreign rulers, the Mari homeland was incorporated into Muscovite Russia in the middle of the 16th century. A number of bloody uprisings against the new rule followed. These uprisings, which are known as the Cheremis wars, took a high toll among the Mari and decimated their number considerably.<sup>22</sup>

In subsequent centuries, Russian power was gradually consolidated in the Volga region. During this period, a considerable number of Mari migrated eastward to settle in areas that

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<sup>14</sup> Based on statistical figures presented in Finnish Institute for Russian and East European Studies, "The Mari," at <http://www.rusin.fi/eastmari/eng/overvm.htm> (last accessed on 6 December 2005).

<sup>15</sup> Rein Taagepera, *The Finno-Ugric Republics and the Russian State*, Hurst & Company (1999), p. 238.

<sup>16</sup> See Seppo Lallukka, "Venäjän suomalais-ugrilaiset – väestönlaskentojen kertomaa," op.cit., p. 42, 44.

<sup>17</sup> Because of inconsistencies in the way in which the question of the use of languages was addressed in the 2002 RF Census, the statistics on language use resulting from this Census are not very reliable.

<sup>18</sup> Based on statistical figures presented in Finnish Institute for Russian and East European Studies, "The Mari."

<sup>19</sup> Seppo Lallukka, "Venäjän suomalais-ugrilaiset – väestönlaskentojen kertomaa," *Sukukansaohjelman arki – Suomalais-ugrilainen perintö ja arkipäivä*, op. cit., p. 36.

<sup>20</sup> See also the section on "Public use of the Mari language," in chapter 3.

<sup>21</sup> Information obtained in discussions with Mari representatives during IHF-MHG fact-finding mission to Mari El on 29 October – 1 November 2005.

<sup>22</sup> M.A. Castrén Society, "Suomalais-Ugrilaiset kielet ja niiden puhujat: Marit," at <http://www.ugri.net/050/htm/index.htm> (last accessed on 12 December 2005); Finnish Institute for Russian and East European Studies, "The Mari," at <http://www.rusin.fi/eastmari/eng/overvm.htm> (last accessed on 12 December 2005).

had not yet been effectively subordinated to tsarist rule. Many of those who migrated sought to escape heavy taxation, land seizures and other hardships, but some left primarily in search of better economic opportunities. Through this migration the Mari spread out over a territory of several hundred kilometers. At the same time, the Mari homeland saw a great influx of people from other parts of the Russian empire, which resulted in increasing ethnic heterogeneity in this region.<sup>23</sup>

In the 18th century, efforts to convert the Mari from their traditional animist religion to Christianity intensified. These efforts included both incentives, such as offers of tax relief, and the use of force. By the end of the century, most Mari had become Orthodox, but their conversion was often merely nominal and animist practices continued.<sup>24</sup>

In the late 19th century, education in Mari and other Finno-Ugric languages was introduced as a means of indirectly promoting the Orthodox faith among these groups. A teachers' seminary was opened in Kazan, and school books were published in local languages. At the turn of the century a small, educated elite emerged and formed the core of the national awakening that occurred among the Mari.<sup>25</sup>

Around the time of the 1905 Russian revolution, a small group of Mari engaged in efforts to disseminate the ideas of enlightenment and nationality among Mari village dwellers. After the 1917 Russian revolution, a broader national movement developed, whose primary aim was to advance the Mari culture and language and improve the socio-economic conditions of the Mari. In the course of 1917, an umbrella Mari Ushem (Mari Union) organization was established and an All-Russia Congress of the Mari people was summoned. The first period of the Mari movement was characterized by broad unity, but the movement soon split into a liberal and a radical wing, with the latter advocating a Bolshevik track. By late 1918, the radical wing had gained full control and all further activities were realized within the framework of state-controlled structures.<sup>26</sup>

In accordance with Lenin's thinking, the new Bolshevik regime began implementing policies to promote various national groups within the former Russian empire. The idea was to help formerly oppressed nations to thrive and reach a more advanced level of development, and to thereby further equality among the country's nations, which was considered a condition for the eventual dissolution of national barriers and the emergence of a united people. The Bolshevik nationality policies had two basic tenets. First, a hierarchical federal system was put in place, within which different ethnic groups were granted their "own" territories with a varying level of autonomy. Second, affirmative action was taken to encourage training and public participation of ethnic minorities and to support their languages and cultures.<sup>27</sup>

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<sup>23</sup> Seppo Lallukka, *From Fugitive Peasants to Diaspora: The Eastern Mari in Tsarist and Federal Russia*, *Annales Academiae Scientiarum Fennicae, Humaniora*, vol. 328 (2003), p. 10, 22, 135.

<sup>24</sup> Taagepera, *op.cit.*, p. 212; Lallukka, *op.cit.*, p. 128-129.

<sup>25</sup> Taagepera, p. 66-67, 215.

<sup>26</sup> Lallukka, p. 154-155, 158-159, 161-162, 168-169, 395-396.

<sup>27</sup> For a discussion of Bolshevik nationality policies see, for example, Jeremy Smith, "Did Soviet Nationality Policies Work?," Paper for the XX Congress of International Sciences, Sydney, Australia, July 2005; Valery Tishkov, "History and Legacy of the USSR: The Demise of a Multiethnic Experiment," *Searching for Peace in Europe and Eurasia*, 2002, at <http://www.conflict-prevention.net/page.php?id=45&formid=72&action=show&articleid=46> (last accessed on 12 December 2005); Marc Lepretre, "Language Policies in the Soviet Successor States: A Brief Assessment on Language, Linguistic Rights and National Identity," 2001, at <http://ccat.sas.upenn.edu/~haroldfs/540/handouts/ussr/lepretre/LEPRETRE.HTM> (last accessed on 12 December 2005).

In 1920 a Mari Autonomous Province (AP) was created in the traditional homeland of the Mari. In the years that followed, a number of previously non-existent cultural and educational institutions were established in the Mari AP, and its capital Yoskar-Ola became the center for Mari publishing activities and Mari intellectual life. Mari language education rapidly expanded, and in 1927 almost half of all Mari children were taught in their own language at elementary school level.<sup>28</sup> In 1936 the Mari AP was elevated to the status of an Autonomous Republic (ASSR).<sup>29</sup>

While the Mari thus were officially recognized as a nation, and granted a territorial basis, they were not able to exercise any real autonomy because of the highly centralized decision-making that characterized the Soviet Union. The Mari also did not constitute more than slightly over half of the population of the region, and many Mari resided outside of its borders.<sup>30</sup>

Moreover, under the Stalin era, the liberal policies of the first Soviet period were reversed. The collectivization of agriculture, which began in the late 1920s, heavily affected the Mari and other Finno-Ugric peoples who were predominantly peasant. During this campaign, private land was expropriated and the owners were made to join collective farms under the threat of deportation to labor camps.<sup>31</sup> In the mid-1930s, Mari cultural life suffered a serious blow when a great number of Mari writers, teachers, scholars, scientists and artists were killed or imprisoned. While it has not been possible to document the full effects of these purges, it has been estimated that as many as 2,000 Mari intellectuals may have been murdered.<sup>32</sup>

After the death of Stalin in 1953, political repression eased. However, efforts to promote a common Soviet identity, and the Russian language as a *lingua franca*, continued at the cost of minority cultures and languages. While Russian became increasingly dominant in public life, educational reforms implemented in the late 1950s abolished the compulsory study of the non-Russian titular languages in the union and autonomous republics, and instruction in minority languages was gradually cut back.<sup>33</sup> By the 1970s instruction in the Mari language, which was offered up to the 7th grade in the 1950s, had been limited to the first three grades.<sup>34</sup>

In the decades after World War II, Mari experienced considerable assimilation, and the use of the Mari language gradually declined, in particular in cities. Each decade the share of Mari for whom Mari was not the native language grew and Mari increasingly became a language primarily used at home.<sup>35</sup> As a result of a new wave of Russian immigration linked to the post-World War II construction of military and other industries in Mari El, the Mari share of the republic's population decreased, although not as significantly as in some other Finno-Ugric republics.<sup>36</sup>

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<sup>28</sup> Taagepera, p. 74

<sup>29</sup> Lallukka, p. 24, 173-174, 175-176, 179, 180.

<sup>30</sup> Compare Taagepera, p. 70.

<sup>31</sup> Taagepera, p. 75

<sup>32</sup> Taagepera, p. 76-77, 220-221; Lallukka, p. 193-194.

<sup>33</sup> For a discussion about the 1953 education reform see Yaroslav Bilinsky, "The Soviet Educational Laws of 1958-59 and Soviet Nationality Policy," *Soviet Studies*, Vol. 14, No. 2 (October 1962).

<sup>34</sup> See Brian Silver, "The Status of National Minority Languages in Soviet Education: An Assessment of Recent Changes," *Soviet Studies*, 26, 1, 1974.

<sup>35</sup> Finnish Institute for Russian and East European Studies, "The Mari."

<sup>36</sup> Taagepera, p. 235.



Toward the end of the 1980s, Gorbachev's policies of *glasnost* and *perestroika* made it possible for national movements to re-appear across the Soviet Union, with the popular front movements of the Baltic States taking the lead. This development also affected the Mari, and a number of Mari organizations surfaced in the Mari ASSR and other regions where Mari resided.

In April 1990, Mari Ushem was reborn after 70 years, and set out to promote "the revival of the Mari people." While Mari Ushem was defined as a social reform movement rather than a political organization, many of its activities were tied to politics. It was, for example, involved in drafting the sovereignty declaration passed by the Mari ASSR in October 1990, during the so-called parade of sovereignties that swept over Soviet Russia that year.<sup>37</sup> Mari Ushem also summoned a new All-Russia Congress of the Mari People, which declared itself the highest representative assembly of the Mari and adopted a comprehensive program to promote Mari interests.<sup>38</sup> When compared to the titular groups of other ethnic republics, support for nationalist ideas was not very widespread among the Mari,<sup>39</sup> and the Mari national movement remained relatively limited in scope.<sup>40</sup>

Following the dissolution of the Soviet Union, the re-constituted Russian republic instituted a federal system similar to that of the Soviet Union, composed of both territorially and ethnically defined regions. During the first few years of the federal system, several regions were able to assume considerable powers under mutual power sharing agreements with the federal government. However, since President Vladimir Putin took office in late 1999, central authority has gradually been strengthened.<sup>41</sup> The former Mari ASSR was recognized as a constituent republic of the new RF, and it soon became officially known as the republic of Mari El ("Mari land"). In 1995, a Constitution and Language Law were adopted, declaring Russian and Mari (Hill and Meadow) as the official languages of the republic.<sup>42</sup> The first direct presidential elections were held in 1991, and in the past decade elections have been held regularly. Since 2001 the republic has been governed by President Leonid Markelov.

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<sup>37</sup> For a discussion of the parade of sovereignties see John W. Slocum, "Disintegration and Consolidation: National Separatism and the Evolution of Center-Periphery Relations in the Russian Federation," *Cornell University Peace Studies Program: Occasional Paper No. 19*, p. 12-13, at [http://www.einaudi.cornell.edu/PeaceProgram/publications/occasional\\_papers/occasional-paper19.pdf](http://www.einaudi.cornell.edu/PeaceProgram/publications/occasional_papers/occasional-paper19.pdf) (last accessed on 12 December 2005).

<sup>38</sup> Lallukka, p. 275, 277-282.

<sup>39</sup> See Dmitry Gorenburg, "Nationalism for the Masses: Popular Support for Nationalism in Russia's Ethnic Republics," *Europe-Asia Studies*, Vol. 53, No. 1 (January 2001).

<sup>40</sup> Lallukka, p. 397.

<sup>41</sup> This issue is further discussed in chapter 3.

<sup>42</sup> Taagepera, p. 242-243, 250-251.

**Table 1.1: Total number of Mari in Russia<sup>43</sup>**

Year	Number
1959	498,100
1970	581,100
1979	599,600
1989	643,700
2002	604,300

**Table 1.2: Ethnic composition of Mari El<sup>44</sup>**

Ethnic group	Number	Share of total population
Total	728,000	100%
Russian	345,500	47,5%
Mari	312,200	42,9%
Tatar	43,400	5,9%
Chuvash	7,400	1%
Others	19,500	2,7%

**Map indicating the location of Mari El (Mari El is highlighted)<sup>45</sup>**



<sup>43</sup> Based on Soviet and RF Census information, compiled in Seppo Lallukka, “Venäjän suomalais-ugrilaiset – väestönlaskentojen kertomaa,” op.cit., p. 46.

<sup>44</sup> Based on statistics from RF 2002 Census included in *Collection of Information about the Ethnic Situation in the Republic of Mari El and the Social-cultural Situation of the Mari People* (in Russian), op.cit.

<sup>45</sup> This map was obtained from information site about Mari El provided by the Forest Information Services Network for Europe, at [http://www.efi.fi/fine/Russia/mari\\_el/general\\_e.htm](http://www.efi.fi/fine/Russia/mari_el/general_e.htm) (last accessed on 22 December 2005).

## 2. International standards on minority protection

### 2.1. Overview

The international protection of ethnic and national minorities has two facets: the prohibition against discrimination and specially protected minority rights.

The principle of non-discrimination is enshrined in numerous international human rights treaties. It is also a peremptory norm of international customary law, which means that it is binding on states irrespective of the treaties they have ratified. The principle of non-discrimination prohibits any distinction, exclusion, restriction or preference based on sex, race, color, language, ethnicity, religion or any other status which nullifies or impairs the recognition, enjoyment or exercise by all persons, on an equal footing, of human rights and fundamental freedoms. States have an obligation to prevent discrimination in legislation as well as in practice and whether committed by public authorities or private actors. Likewise they have an obligation to prevent both direct discrimination – treatment which has a discriminatory purpose – and indirect discrimination – treatment which is neutral on its face but has a discriminatory impact for which there is no legitimate justification. As regards members of ethnic and national minorities, the non-discrimination requirement is particularly essential in terms of rights such as freedom of expression and media, freedom of assembly and association, the right to participate in public affairs, the right to education and economic, social and cultural rights.<sup>46</sup>

As a complement to the non-discrimination principle, special minority rights have gradually developed at the international level in past decades. Minority rights differ from traditional human rights in that they focus either on the rights of groups or on the rights of individuals as members of groups. While international law does not provide any legally binding definition of the term “minority,” minorities who are subject to special protection are generally understood as groups who share a common identity and who are characterized by their own ethnic, linguistic or religious identity, which differs from that of the majority population of the territory in which they reside.<sup>47</sup> The purpose of minority rights is to enable members of minorities to participate in society on equal terms with members of the majority while preserving their particular identities, characteristics and traditions. Minority rights provisions also recognize the need for affirmative action to remedy disadvantages suffered by members of minorities and to promote effective equality in a society. As made clear by international instruments, measures taken for the specific purpose of advancing the rights of minorities should not be considered to constitute discrimination toward other groups.<sup>48</sup>

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<sup>46</sup> Compare the discussion in chapter 1 of Interights, *Non-discrimination in International Law – A Handbook for Practitioners* (January 2005), at <http://www.interights.org/page.php?dir=Publication&page=discriminationhandbook.php> (last accessed on 12 December 2005); and Australian Human Rights and Equal Opportunity Commission, “The Fight against Racism: Principles of Non-discrimination and Equality,” at [http://www.hreoc.gov.au/social\\_justice/nt\\_issues/fight.html](http://www.hreoc.gov.au/social_justice/nt_issues/fight.html) (last accessed on 12 December 2005).

<sup>47</sup> The perhaps most widely recognized “minority” definition is the one proposed by UN Special Rapporteur Francesco Capotorti in his study, *On the Rights of Persons Belonging to Ethnic, Religious and Linguistic Minorities*, which was submitted to the UN Subcommission on Prevention of Discrimination and Protection of Minorities in 1979. According to this definition, a minority is “[a] group numerically inferior to the rest of the population of a State, in a non-dominant position, whose members – being nationals of the State – possess ethnic, religious or linguistic characteristics differing from those of the rest of the population and show, if only implicitly, a sense of solidarity, directed towards preserving their culture, traditions, religion or language.”

<sup>48</sup> Compare Office of the UN High Commissioner for Human Rights (OHCHR), *Fact Sheet No. 18: Minority Rights*, at <http://www.ohchr.org/english/about/publications/docs/fs18.htm> (last accessed on 12 December 2005);

In recent decades, a separate set of international standards has developed concerning the rights of indigenous peoples. As in terms of minorities, there is no universal definition of indigenous peoples and no universal standards for determining what groups belong to this category. Indigenous peoples can, however, be described as the disadvantaged descendants of peoples who inhabited certain territories prior to colonization, conquest or occupation and who have certain characteristics that distinguish them culturally from other people in the area where they live. Self-identification as indigenous is an important criterion for the recognition of peoples – and individuals – as indigenous. In most cases indigenous peoples can also be classified as minorities.<sup>49</sup>

Below follows an overview of international standards concerning the protection of minorities and indigenous peoples, which are relevant to the analysis of the situation of the Mari on this report. The major focus is on international treaties ratified by Russia, but the discussion also covers important non-binding standards that Russia has committed itself to upholding.

## 2.2. Principle of non-discrimination

### *United Nations (UN) standards*

According to the Universal Declaration of Human Rights (UDHR) “[a]ll are equal before the law and are entitled without any discrimination to equal protection of the law” (article 7).<sup>50</sup> Articles 2 of the International Covenant on Civil and Political Rights (ICCPR)<sup>51</sup> as well as the International Covenant on Economic, Social and Cultural Rights (ICESCR) oblige state parties to respect the rights set forth in these documents “without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.” The ICCPR also contains a so-called free-standing guarantee of non-discrimination, the applicability of which is not limited to the rights covered by the treaty. Hence, article 26 of the ICCPR provides that “the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”<sup>52</sup> The UN Human Rights Committee, which monitors the implementation of the ICCPR, has pointed out that this article prohibits both discrimination “in law” and “in fact” and – in the case of the latter – discrimination “which

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and chapter on “Minority or Group Rights Approaches,” in Interights, *Non-discrimination in International Law – A Handbook for Practitioners*, p. 263-264.

<sup>49</sup> See *The Concept of Indigenous Peoples - Background Paper*, prepared by the Secretariat of the Permanent Forum on Indigenous Issues for the Workshop on Data Collection and Dissaggregation for Indigenous Peoples, New York, January 2004, at

<http://www.un.org/esa/socdev/unpfii/documents/PFII%202004%20WS.1%203%20Definition.doc> (last accessed on 12 December 2005); Fergus Mc Kay, *The Rights of Indigenous Peoples in International Law* (The Nautilus Institute for Security and Sustainable Development), March 1998, at

[http://www.omced.org/cases/case\\_McKay.pdf](http://www.omced.org/cases/case_McKay.pdf) (last accessed on 12 December 2005); and background information on identification of indigenous peoples provided by the International Work Group for Indigenous Affairs at <http://www.iwgia.org/sw155.asp> (last accessed on 12 December 2005)

<sup>50</sup> UDHR was adopted by the UN General Assembly on 10 December 1948.

<sup>51</sup> The ICCPR and the ICESCR were adopted by the UN General Assembly on 16 December 1966. They were both ratified by the Soviet Union (whose successor state Russia is) in 1973.

<sup>52</sup> ICCPR, Article 26.

may be practiced either by public authorities, the community, or by private persons or bodies.”<sup>53</sup>

The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)<sup>54</sup> prohibits racial discrimination, which is defined as “any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life” (article 1). The Committee on the Elimination of Racial Discrimination (CERD), which monitors the implementation of the ICERD, has emphasized that the convention prohibits differentiated treatment that has either the *purpose* or the *effect* of impairing particular rights and freedoms.<sup>55</sup>

The ICERD specifically lists a number of rights that states are obliged to guarantee to everyone without distinction, including freedom of expression, freedom of assembly and association, the right to political participation, the right to education and economic, social and cultural rights (article 5). The convention further requires states to declare illegal and prohibit racist propaganda and activities as well as racially motivated violence and to ensure that public authorities – at all levels – do not promote or incite racial discrimination (article 4). Those states that are party to this convention have also undertaken to “assure to everyone within their jurisdiction effective protection and remedies through the competent national tribunals and other State institutions, against any act of racial discrimination” (article 6).

#### *Council of Europe standards*

Article 14 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR)<sup>56</sup> requires states to secure enjoyment of the rights and freedoms laid down in the convention “without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.”<sup>57</sup> The European Court of Human Rights (ECtHR), which is the enforcement mechanism of the ECHR, has stated that differentiated treatment can be deemed to violate this article if it does not have any objective and reasonable justification, meaning that it does not have any “legitimate aim” or there is no “reasonable relationship of proportionality between the means employed and the aim sought.”<sup>58</sup> The Court has also indicated that article 14 covers indirect discrimination by concluding that a measure that has “disproportionately prejudicial effects on a particular group” may be considered as discriminatory although it is “not specifically aimed or directed at that group.”<sup>59</sup> While article 14 of the ECHR is applicable only to rights protected by the convention, its Protocol 12

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<sup>53</sup> UN Human Rights Committee, *General Comment No. 18: Non-discrimination*, November 10, 1989.

<sup>54</sup> The ICERD was adopted by the UN General Assembly on 4 January 1965. It was ratified by the Soviet Union (whose successor state Russia is) in 1969.

<sup>55</sup> CERD, *General Recommendation No. 14: Definition of discrimination (Art. 1, par.1)*, March 1993, at [http://www.unhcr.ch/tbs/doc.nsf/\(Symbol\)/d7bd5d2bf71258aac12563ee004b639e?Opendocument](http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/d7bd5d2bf71258aac12563ee004b639e?Opendocument) (last accessed on 12 December 2005).

<sup>56</sup> The ECHR was adopted by the Council of Europe on 4 November 1950. It was ratified by Russia in 1998.

<sup>57</sup> ECHR, Article 14.

<sup>58</sup> ECtHR, *Belgian Linguistics Case* (Nos. 1474/62), 23 July 1968, par. 10.

<sup>59</sup> ECtHR, *Hugh Jordan v the United Kingdom (No 24746/94)*, 4 May 2001, par. 154.

establishes a general prohibition of discrimination that applies to “any right set forth by law.”<sup>60</sup> This protocol has been signed, but not yet ratified, by the RF.

### *Organization for Security and Cooperation in Europe (OSCE) standards*

The OSCE participating States have repeatedly undertaken to respect the human rights and fundamental freedoms of all without any distinction and to ensure equal protection of the law.<sup>61</sup> The OSCE participating States have, further, committed themselves to combating “all forms of racial and ethnic hatred” and to taking “appropriate and proportionate measures to protect persons or groups who may be threatened or subjected to discrimination, hostility or violence as a result of their racial, ethnic, cultural, linguistic or religious identity.”<sup>62</sup> They have also recognized the right of the individual to effective remedies against racist and xenophobic acts.<sup>63</sup> On several occasions, they have agreed to take effective measures to promote tolerance and understanding. For example in Copenhagen in 1990, they agreed to “take effective measures [...] at the national and local levels to promote understanding and tolerance, particularly in the fields of education, culture and information.”<sup>64</sup>

## **2.3. Specific minority rights**

### *UN standards*

Article 27 of the ICCPR is the most widely accepted legally binding provision on minorities in international law. According to this article, persons belonging to ethnic, religious or linguistic minorities “shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.” The Human Rights Committee has pointed out that although the rights protected under this article are individual rights, they depend on the ability of the minority group to maintain its culture, language or religion. Therefore, a state may need to take affirmative measures to ensure protection of the rights of the members of a minority. Provided that such measures are aimed at correcting conditions which prevent or impair the enjoyment of the rights guaranteed under article 27, and are based on reasonable and objective criteria, they constitute legitimate differentiation under the Convention.<sup>65</sup>

The ICERD also contains a provision indicating the importance of affirmative action to protect minorities. Article 2 (2) of this convention requires states “when the circumstances so warrant” to take “in the social, economic, cultural and other fields, special and concrete

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<sup>60</sup> Protocol No. 12 to the ECHR, adopted by the Council of Europe, 4 November 2000.

<sup>61</sup> See, for example, Document of the Copenhagen Meeting of the Conference on the Human Dimension of the Conference on Security and Cooperation (CSCE) in Europe, 29 June 1990 (hereafter referred to as “Copenhagen 1990”), par. 5.9; “Declaration on Principles Guiding Relations between Participating States,” included in: Final Act of the CSCE in Europe, Helsinki, 1 August 1975, principle VII, par. 1; “Questions Relating to Security in Europe” included in: Concluding Document of Vienna – The Third Follow-up Meeting, 15 January 1989, par. 13.7.

<sup>62</sup> OSCE Copenhagen 1990, par. 40.2; Charter of Paris for a New Europe/Supplementary Document to Give Effect to Certain Provisions Contained in the Charter of Paris for a New Europe, Paris, 21 November 1990, par. 4.

<sup>63</sup> OSCE Copenhagen 1990, par. 40.5

<sup>64</sup> OSCE Copenhagen 1990, par. 40.3.

<sup>65</sup> UN Human Rights Committee, *General Comment 23: The rights of minorities* (Art. 27), April 1994.

measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms.” Article 1(4) of the Convention states that special measures taken for the purpose of advancing the rights of certain racial and ethnic groups or individuals “shall not be deemed racial discrimination,” provided that they do not lead to “the maintenance of separate rights” for different groups and are discontinued “after the objectives for which they were taken have been achieved.”

Article 30 of the Convention on the Rights of the Child (CRC)<sup>66</sup> states that a child who belongs to an ethnic, religious or linguistic minority or who is of indigenous origin “shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language.” States parties to the Convention have also undertaken to encourage the mass media to “have particular regard to the linguistic needs” of children who belong to minority groups or who are indigenous (article 17). Likewise, they have agreed that education shall be directed toward the development of “the child’s own cultural identity, language and values,” although minority and indigenous identities are not specifically mentioned in this context (article 29).

The Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, which was adopted by the UN General Assembly in 1992, is the only UN document that specifically addresses minority rights. It is not a legally binding instrument, but expresses the political commitment of states to the protection of minorities. The declaration calls on states to protect the “existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories” (article 1). It also calls on states to safeguard the right of minority members to enjoy their culture, freely practice their religion and language, establish and maintain their own associations, uphold contacts to other members of their group and related groups in other countries, participate effectively in cultural, religious, social, economic and public life as well as to be effectively involved in decision-making affecting them (article 2). The declaration further requires states to take special measures to help minority members to “express their characteristics and to develop their culture, language, religion, traditions and customs” and to ensure, “wherever possible,” that they “have adequate opportunities to learn their mother tongue or to have instruction in their mother tongue.” The declaration also requires states, “where appropriate” to take measures to “encourage knowledge of the history, traditions, language and culture of minorities” (article 4).

### *Council of Europe standards*

The ECHR does not contain any specific minority rights provisions, although many of its provisions are relevant to minority protection. However, the Framework Convention for the Protection of National Minorities (hereinafter “Framework Convention”),<sup>67</sup> which entered into force in 1998, regulates the rights of minorities in a comprehensive manner. The Framework Convention, which is the first legally binding multilateral treaty devoted to the protection of national minorities in general, establishes a number of objectives and principles to be pursued at the national level through legislation and government policy. Most provisions

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<sup>66</sup> The CRC was adopted by the General Assembly on 20 November 1989. It was ratified by the Soviet Union (whose successor state Russia is) in 1990.

<sup>67</sup> The Framework Convention was adopted by the Council of Europe on 1 February 1995. It was ratified by Russia in 1996.

are of a programmatic character and are not directly applicable in the states that are party to the convention. Thus, the convention grants these states considerable discretion in the implementation of the provisions.<sup>68</sup>

Under article 4 of the Framework Convention, states parties undertake to adopt “adequate measures in order to promote, in all areas of economic, social, political and cultural life, equality between persons belonging to a national minority and those belonging to the majority.” It is particularly emphasized that measures adopted in accordance with this article “shall not be considered to be an act of discrimination.” Article 5 requires states parties to promote “conditions necessary” for minority members to develop their culture and preserve their religion, language, traditions and cultural heritage, while refraining from policies or practices aimed at the assimilation of minority members against their will.

Subsequent convention articles, inter alia, require states parties to ensure respect for minority members’ right to freedom of association and assembly (article 7); right to freedom of religion (article 7, 8); right to freedom of expression and media (article 7, 9); right to use their language, in private and in public (article 10); right to learn their language (article 14); right to participate effectively in cultural, social and economic life and in public affairs, in particular those affecting them (article 15); and right to establish and maintain free and peaceful contacts across borders with persons with whom they share cultural identity or heritage (article 17). As regards freedom of expression and media, states parties have specifically committed themselves to recognizing the right of minority members “to receive and impart information and ideas in the minority language, without interference by public authorities and regardless of frontiers” and to adopting “adequate measures in order to facilitate access to the media for persons belonging to national minorities,” including by enabling them to create and use their own media (article 9).

In areas where minority members are concentrated or traditionally settled, states parties have undertaken to “endeavour to ensure, as far as possible” that these minority members can use their own language in contact with authorities, provided that they “so request” and such a request “corresponds to a real need” (article 10.2). In areas where minority members are concentrated or traditionally settled, states parties have also undertaken to “endeavour to ensure, as far as possible and within the framework of their education system” that minority members have “adequate opportunities” for being taught in their language or for receiving instruction in this language, if there is a “sufficient demand” for such instruction (article 14). Moreover, states parties have agreed to, “where appropriate,” take measures “in the field of education and research to foster knowledge of the culture, history, language and religion of their national minorities and of the majority” and to, in this context, provide “adequate opportunities for teacher training and access to textbooks” (article 12.1, 12.2). They have also committed to promoting “equal opportunities for access to education at all levels for persons belonging to national minorities” (article 12.3).

The European Charter for Regional or Minority Languages (hereinafter “Charter”),<sup>69</sup> which entered into force in 1998, specifies states’ obligations in terms of the protection of minority languages. The RF signed the Charter in 2001 but has yet to ratify it. However, according to the Vienna Convention on the Law of Treaties, the RF is, as a signatory state, obliged to

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<sup>68</sup> See *Explanatory Report on the Framework Convention* (1995), available at [http://www.coe.int/T/E/human\\_rights/Minorities/](http://www.coe.int/T/E/human_rights/Minorities/) (last accessed on 12 December 2005).

<sup>69</sup> The Charter was adopted by the Council of Europe on 5 November 1992.



refrain from acts which would defeat the object and purpose of the treaty.<sup>70</sup> The Charter, *inter alia*, requires state parties to base their policies, legislation and practice with respect to regional or minority languages on a number of objectives and principles. These include recognizing regional or minority languages as an expression of cultural wealth as well as the need for resolute action to promote and safeguard regional and minority languages; ensuring that existing or new administrative divisions do not constitute an obstacle to the promotion of regional or minority languages; facilitating and/or encouraging the use of regional and minority languages, in speech and in writing, in public and in private life; and providing appropriate forms and means for teaching and studying regional or minority languages at all appropriate stages (article 7).

### *OSCE standards*

The OSCE participating States have, on repeated occasions, pledged to respect the rights of national minorities. For example, in Helsinki 1975, the participating States agreed to afford members of national minorities “the full opportunity for the actual enjoyment of human rights and fundamental freedoms” and to protect “their legitimate interests in this sphere” (principle VII, par. 4).

The most important OSCE obligations with respect to minority rights were decided at the 1990 meeting in Copenhagen. At this meeting, the participating States agreed to “adopt, where necessary, special measures for the purpose of ensuring to persons belonging to national minorities full equality with the other citizens in the exercise and enjoyment of human rights and fundamental freedoms” (par. 31). They also recognized the right of members of national minorities “freely to express, preserve and develop their ethnic, cultural, linguistic and religious identity and to maintain and develop their culture in all its aspects, free of any attempts at assimilation against their will.” Furthermore, the participating States undertook to respect the right of minority members to use their mother tongue in private and public; to disseminate, have access to and exchange information in their language; to establish and maintain their own educational, cultural, religious and other institutions, organizations and associations; to participate in international NGOs; and to engage in unimpeded contacts with citizens of other countries with whom they share common origins or heritage (par. 32). They, likewise, affirmed that they will respect the right of minority members to participate effectively in public affairs, including affairs relating to the protection and promotion of their minority identity (par. 35) and that they will endeavor to ensure that minority members have “adequate opportunities for instruction of their mother tongue or in their mother tongue, as well as, when possible and necessary, for its use before public authorities” (par. 34).

The Office of the OSCE High Commissioner on National Minorities (HCNM), which was established in 1992 to serve as a conflict prevention mechanism,<sup>71</sup> has repeatedly commissioned expert groups to elaborate recommendations on specific aspects of minority protection. These recommendations offer important guidance to OSCE participating States.

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<sup>70</sup> See article 18 of the Vienna Convention on the Law of Treaties. This Convention, which was adopted on 22 May 1969 by the United Nations Conference on the Law of Treaties, codified pre-existing international customary law on treaties. It entered into force on 27 January 1980, and was ratified by the Soviet Union (whose successor state Russia is) in 1986.

<sup>71</sup> See Concluding Document of Helsinki – The Fourth Follow-up Meeting, 10 July 1992 (hereafter referred to as “Helsinki 1992”).

The Hague Recommendations Regarding the Education Rights of National Minorities (1996), inter alia, call on participating States to adopt special measures to “actively implement minority language education rights to the maximum of their available resources” (article 4), to facilitate the participation of national minorities in the process of formulating and implementing policies and programs related to minority education (articles 5, 6); and to encourage members of the majority to learn the languages of the national minorities as a means of strengthening “tolerance and multiculturalism” in their countries (article 19). Further, the Oslo Recommendations Regarding the Linguistic Rights of National Minorities (1998), inter alia, require participating States to allocate an equitable share of all public resources used to support social and cultural activities to activities undertaken by persons belonging to national minorities (article 7); to provide broadcasts in the language of national minorities in publicly funded media and to ensure that the amount and quality of such broadcasts correspond to the situation and needs of national minorities (article 9, 10); and to adopt appropriate recruitment and/or training policies and programs to enable the provision of public services in the languages of national minorities (article 14).

According to the Lund Recommendations on the Effective Participation of National Minorities in Public Life (1999), OSCE participating States should, where necessary, adopt special arrangements to facilitate involvement of national minorities in decision-making at the central, regional and local levels (article 6, 11). For example, a reserved number of seats in decision-making bodies or special measures for minority participation in civil service may fulfil this purpose (article 6). The Lund Recommendations also require participating States, in compliance with the internationally protected right to freedom of association, to allow the establishment of political parties based on communal identities (article 8); and to establish advisory or consultative bodies to serve as channels of dialogue between governmental authorities and national minorities (article 12).

## **2.4. Indigenous peoples’ rights**

### *UN standards*

The Draft UN Declaration on the Rights of Indigenous Peoples, which was adopted by the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities in 1994 but is yet to be endorsed by the General Assembly, represents one of the most important developments in the international protection of the rights and freedoms of indigenous peoples. It establishes a considerable set of collective rights for indigenous peoples. The Declaration safeguards, inter alia, the right of indigenous peoples to maintain and develop their distinct identities and characteristics (article 8), to practice and preserve their cultural and religious traditions (article 12-13), to revitalize and develop their languages and literatures (article 14), to participate in the economic and social life of the state where they live as well as in decision-making affecting them (article 4, 19) and to maintain and develop contacts and cooperation with other peoples across borders (article 35).

The legally binding Indigenous and Tribal Peoples’ Convention, which was adopted by the International Labor Organization in 1989, has not been ratified by Russia.

As noted above, the CRC specifically mentions children of indigenous origin.

*OSCE standards*

The OSCE participating States have recognized that “persons belonging to indigenous populations may have special problems in exercising their rights” and have agreed that the OSCE commitments regarding human rights and fundamental freedoms “apply fully and without discrimination to such persons.”<sup>72</sup>

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<sup>72</sup> Helsinki 1992, par. 29.

### **3. Analysis of the current situation of the Mari minority of the Republic of Mari El**

#### **3.1. Overall status of the Mari as the titular nationality of the Republic of Mari El**

##### *The framework provided by the federal system*

The RF Constitution recognizes its “multinational” citizenry as the sole source of sovereignty (article 3) and establishes self-determination of its peoples as a major foundation of its federal state structure (article 5).

In accordance with the Constitution, the RF is divided into 89 administrative units of different status, some of which are ethnically based jurisdictions (32) and the rest territorial units (57).<sup>73</sup> The ethnically defined jurisdictions, which have been established in areas where national minorities are traditionally concentrated, include 21 republics, 1 autonomous *oblast* (region) and 10 autonomous *okrugs* (districts). According to the Russian government, the purpose of the ethnically based entities is to ensure protection of the national minorities that represent the titular nationalities of these areas by, inter alia, facilitating the involvement of the minorities in regional government structures and the adoption of regional legislation and programs to support the linguistic and cultural development of the minorities.<sup>74</sup>

The RF Constitution establishes a long list of powers reserved to the central government as well as of powers to be exercised jointly by the central government and regional governments. The federal subjects can only exercise full powers in areas that fall under neither of these categories (article 71-73), and any legislation adopted at the regional level must conform to federal legislation (article 76). While all federal subjects are formally equal, only the ethnic republics have the right to adopt their own constitutions (article 66) and their own state languages, in addition to Russian (article 68).

##### *The Mari as the titular nationality of Mari El*

As other Finno-Ugric groups who have their “own” republics in the RF, the Mari constitute only a minority of the residents of their titular republic.<sup>75</sup> This fact already limits the

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<sup>73</sup> The total number of regions will decrease when a number of mergers of regions, which are currently under way (as discussed later in this section), take effect.

<sup>74</sup> See *Second Report Submitted by The Russian Federation Pursuant to Article 25, Paragraph 1 of the Framework Convention for the Protection of National Minorities*, chapter 3.1 (“National Territorial Subdivisions”). Several RF laws protect the rights of so-called small indigenous peoples, who are considered to be particularly vulnerable because of their small number and traditional lifestyles irrespective of whether they have their “own” territories. There are, however, no specific federal laws that regulate the rights of titular nationalities. The 1996 RF Law on National and Cultural Autonomy is intended to protect the rights of national minorities who do not have their “own” territories or who live outside such territories and the 1996 RF State Concept on Nationality Policies (which is currently being amended) offers general guidelines for nationality policies. The RF Laws on Languages, Education and Culture are therefore the major RF legislative documents with respect to the rights of the titular nationalities who do not belong to the category of small indigenous peoples.

<sup>75</sup> According to the 2002 RF census, the relative number of the titular nationalities in the four other Finno-Ugric republics was the following: the Republic of Mordovia (32% Mordvins), the Republic of Udmurtia (29%

opportunities of the minority to participate in governing the republic. Unlike in some other ethnic regions,<sup>76</sup> there are also no quotas for Mari in the parliament of Mari El and, compared to their share of the general population, Mari are underrepresented in the legislative and executive bodies of the republic.<sup>77</sup> Moreover, a provision included in the 1995 Mari El Constitution requiring the president of the republic to have command of both state languages was abolished after being invalidated by the Russian Supreme Court, and since 1996 the republic has been governed by ethnic Russian presidents who do not speak Mari. Given these circumstances, it is difficult to speak of any self-governance of the Mari in today's Mari El.

The linguistic and cultural rights of the Mari are, however, subject to special protection in the republic. The Mari El Constitution recognizes Mari (Meadow and Hill versions)<sup>78</sup> as a state language alongside Russian (article 15), and other legislation obliges the authorities of the republic to promote and protect the language, national identity and culture of the titular nationality.<sup>79</sup> In accordance with the republic's legislation, the Mari language is used for official purposes, education in and of the Mari language is organized in public schools, and public funds are allocated to Mari language media and Mari cultural activities. The existing level of protection is not insignificant and is no doubt better than in other regions inhabited by Mari.<sup>80</sup> As is discussed in subsequent sections of this chapter, there is, however, often a marked discrepancy between law and practice in terms of the rights of the Mari, and serious concerns remain with respect to the actual protection of the language and culture of the titular nationality.

### *Ongoing federal reforms*

Under RF President Putin, a series of federal reforms have been implemented in order to enforce the capacity of the federal state and to enhance federal control of the country's regions. This process also appears to be motivated by a drive to create a more uniform state structure and to foster a stronger all-Russia national identity. In recent years, there has been a shift toward greater focus on the ethnic majority in RF nationality policies, and the importance of promoting the formation of one common nation is increasingly emphasized.<sup>81</sup>

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Udmurts), the Komi Republic (25% Komi) and the Republic of Karelia (9% Karelians and 4% Finns and Vepses).

<sup>76</sup> According to information from the Russian government, the legislation of many ethnic regions establishes quotas for the representation of the titular nationality in legislative and judicial bodies. See *Second Report Submitted by The Russian Federation Pursuant to Article 25, Paragraph 1 of the Framework Convention for the Protection of National Minorities*, chapter 3.1 ("National Territorial Subdivisions").

<sup>77</sup> See the section on "Participation of Mari in public affairs."

<sup>78</sup> It should be noted that there is no agreement as to whether Meadow and Hill Mari constitute two different languages or merely two different dialects.

<sup>79</sup> For example, the republic's State Concept of Nationality Policies (1997) establishes as a major principle of state policies to promote the revival and development of the national identity of the Mari (section 2); the republic's Law On Culture (1994) recognizes the obligation of the republic to protect and strengthen the integrity of Mari culture (article 6); and the republic's Law on Languages (1995) declares that Mari El is to take special care to protect the Mari language "as the basis of its national culture" (preamble).

<sup>80</sup> For a discussion of the differences in opportunities enjoyed by Finno-Ugric minorities who reside in their "own" territorial entities and those who reside outside such entities, see Andres Heinapuu, "Finno-Ugric Peoples in Russia – Territorial or Cultural Autonomy," *Estonian Ministry of Foreign Affairs Yearbook 2004*, at [http://web-static.vm.ee/static/failid/133/Andres\\_Heinapuu.pdf](http://web-static.vm.ee/static/failid/133/Andres_Heinapuu.pdf) (last accessed 8 November 2005).

<sup>81</sup> See Emil Pain, "Current Russian Policy in the North Caucasus," *Chechnya Weekly* (The Jamestown Foundation), Vol. 5, Issue 45 (December 2004), at <http://www.jamestown.org/>; Emil Pain, "All Power to the President – Ethnopolitical Risks of Vladimir Putin," *Nasha Vlast: Dela i Litsa – Annual Digest 2004*, at <http://www.nashavlast.ru/archive/2004/dig/07.htm> (last accessed on 23 December 2005); Paul Goble, "Russians

Moreover, a number of pilot projects of merging smaller administrative units with larger ones are currently under way, including in the case of ethnic regions,<sup>82</sup> and leading federal officials have advocated scrapping the national-territorial component of the federal system.<sup>83</sup> Such proposals have been strongly rejected by representatives of the titular nationalities of ethnic regions, including the Mari. Mari organizations fear that a departure from the national-territorial structure would further intensify assimilation among the Mari and believe that the preservation of their people as a culturally and linguistically unique group depends on the retention – and improvement – of the special status of the minority in Mari El.<sup>84</sup> In contrast, President Markelov has repeatedly said that he believes that Mari El should simply be one of Russia's many regions, thereby demonstrating an apparent lack of sensitivity to the specific concerns of the Mari.<sup>85</sup>

### 3.2. The economic and social situation of Mari El

The current situation of the Mari, as well as other ethnic groups residing in Mari El, is greatly influenced by the economic and social conditions of the republic. The republic is one of the poorest regions of the RF and is heavily dependent on federal subsidies.<sup>86</sup>

Mari El has few natural resources and the republic's military industry, which used to account for more than 80% of its gross domestic product (GDP), collapsed after the fall of the Soviet Union. Today there are only smaller-scale industries in the republic. At the same time, conditions for agricultural production are not very favorable in terms of climate and soil conditions, and lack of modern technologies has created difficulties during the economic transition of the post-Soviet era.<sup>87</sup>

In 2004 the average monthly income in Mari El was 2,567 rubles (approximately €75), compared to 6,383 rubles (€187) in the RF as a whole and 5,038 rubles (€148) in the Volga Federal District.<sup>88</sup> Only four Russian regions had a lower average income.<sup>89</sup> What is more, in

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Up, Non-Russians Down, Federalism Out in New Concept Draft," *Radio Free Europe/Radio Liberty (RFE/RL)*, 12 October 2005.

<sup>82</sup> For example, the Finno-Ugric Komi-Permyak autonomous *Okrug* was due to be merged with the non-ethnic Perm *Oblast* at the end of 2005. See *Russian Regional Report* (published by The Center for Security Studies at the Swiss Federal Institute of Technology and the Transnational Crime and Corruption Center at the American University), Vol. 9, No. 5, April 2004.

<sup>83</sup> See Janos Puszta, "Young People are the Key to the Future of the Finno-Ugric Peoples," Plenary Address for the 4<sup>th</sup> World Congress of Finno-Ugric Peoples, Tallinn, August 2004; Paul Goble, "Analysis: Russia To End Ethnic Federalism," *United Press International*, 30 August 2001.

<sup>84</sup> See Mari representative quoted in James Alexander, "Federal Reforms in Russia: Putin's Challenge to the Republics," *Demokratizatsiya*, Spring 2004; and "Выписка основных положений программы общественной организации 'Марий ушем,'" at <http://www.mari.ee/rus/soc/org/mu/prog.htm> (last accessed on 5 December 2005).

<sup>85</sup> James Alexander, "Federal Reforms in Russia: Putin's Challenge to the Republics," *Demokratizatsiya*, Spring 2004.

<sup>86</sup> For example, in 2004, federal grants accounted for 60% of the budget of the republic.

<sup>87</sup> Information obtained in discussions with residents and public officials during IHF-MHG fact-finding mission to Mari El on 29 October – 1 November 2005.

<sup>88</sup> The Volga Federal District is one of seven "super regions" created by RF President Putin in 2000. These districts, each of which is headed by a presidential envoy, constitute a new administrative layer between the center and the country's federal subjects. The following regions belong to the Volga Federal District: the Republic of Bashkortostan, the Republic of Chuvashia, the Kirov *Oblast*, the Komi-Permyatsky Autonomous *Okrug* (due to merge with the Perm *Oblast* in late 2005), the Republic of Mari El, the Republic of Mordovia, the

the first half of 2005, more than half of all residents of Mari El had incomes below the minimum existence level,<sup>90</sup> which is calculated on the basis of costs for basic foodstuffs, services and obligatory payments and was 2,001 rubles (approximately €59) per month in late 2004.<sup>91</sup>

The economic situation is particularly difficult in the countryside, where a majority of Mari are concentrated, and many Mari struggle hard to make ends meet. Social problems such as high alcohol consumption are also widespread, and, in particular, many young, educated residents are leaving the republic in search of better opportunities elsewhere.<sup>92</sup> Mari activists are concerned that dire socio-economic conditions endanger the well-being of Mari villages and contribute to political passivity among the titular nationality.<sup>93</sup>

While public officials insist that economic conditions have changed for the better in the republic in recent years, civil society representatives maintain that few measures have been taken to promote rural development and that common residents have benefited little from large-scale public investment projects.<sup>94</sup>

### 3.3. Public use of the Mari language<sup>95</sup>

#### *Legal basis*

In accordance with international standards, the Russian Constitution guarantees the right of everyone to use their native language and to freely choose language of communication (article 26.2). The Constitution also provides that, in republics which have adopted their own state languages, these languages may be used alongside Russian in public institutions and bodies (article 68.2). This possibility is, likewise, recognized by the Russian Law on Languages (article 11.1).

According to the Mari El Law on Languages, state institutions of the republic are to use the republic's state languages in their work (article 22) and legislation as well as official documentation will be produced in these languages (article 17, 18, 25). While there is no obligation for authorities to always make official documents available in both state languages,

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Nizhny Novgorod *Oblast*, the Orenburg *Oblast*, the Penza *Oblast*, the Perm *Oblast*, the Samara *Oblast*, the Saratov *Oblast*, the Republic of Tatarstan, the Republic of Udmurtia and the Ulyanovsk *Oblast*.

<sup>89</sup> These statistics were obtained from the website of the Russian Federal State Statistic Service, Goskomstat, at <http://www.gks.ru/wps/portal/>

<sup>90</sup> “успехи маркелова. половина жителей марий эл живет впроголодь,” *REGNUM*, 13 May 2005, at <http://www.regnum.ru/>

<sup>91</sup> These statistics were obtained from the website of the Russian Federal State Statistic Service, Goskomstat.

<sup>92</sup> Information obtained in discussions with Mari activists during IHF-MHG fact-finding mission to Mari El on 29 October – 1 November 2005.

<sup>93</sup> Information obtained in discussions with Mari activists during IHF-MHG fact-finding mission to Mari El on 29 October – 1 November 2005. See also the program of Mari Ushem at <http://www.mari.ee/rus/soc/org/mu/prog.htm> (last accessed on 5 December 2005).

<sup>94</sup> Information obtained in discussions with public officials and civil society representatives during IHF-MHG fact-finding mission to Mari El on 29 October – 1 November 2005. As an example of ill-considered use of public resources civil society representatives pointed to the new grand railway station of Yoskar Ola, which was opened shortly before the International Congress of Finno-Ugric Studies held in the city in August 2005.

<sup>95</sup> Unless otherwise noted, the information in this section has been obtained in discussions with Mari activists, public officials and others during the IHF-MHG fact-finding mission to Mari El on 29 October – 1 November 2005.

the law grants citizens the right to address authorities either in Russian or Mari and to receive responses in the same language as they use (article 8-9). At the same time, employees of state institutions are only required to have knowledge of one of the state languages (article 14). The law prescribes that court hearings will be conducted in the state languages, and guarantees the right of citizens to use their native language in court (article 31). Furthermore, it provides that names of streets, institutions and organizations in the republic will be in the state languages (article 52).

Moreover, the Mari El Law on Languages states that both official languages of the republic and other minority languages are to be used in the private service field (article 35) and that it is punishable for private companies and institutions to refuse to serve someone who is using either of the two official languages (article 36).

### *Practical use of the Mari language in public contexts*

In practice, Mari is used only to a limited extent in the public sector. It is used on stamps, on street and other public signs and in the names of state institutions and administrative units. On written request Mari may be used in court hearings and occasionally it may be possible to obtain legal and other official documents in Mari or to receive a response by public bodies in this language. It is, nevertheless, clear that Russian dominates throughout public administration.

During the IHF-MHG fact-finding mission to Mari El, representatives of the two organizations found that many Mari do not expect to be able to use Mari in their contacts with public authorities since they are accustomed to using Russian as a *lingua franca*. Thus, they often do not even attempt to make use of their right to contact authorities in their native language. It also appears that a majority of the Mari who reside in the republic have such a good command of Russian that it does not create any difficulties for them not to be able to use Mari for official purposes. It should, however, not be overlooked that some Mari, in particular elderly people who reside in rural areas with a Mari majority, do not know Russian equally well as Mari and may, as a fact, be disadvantaged by a lack of opportunities to use Mari when addressing authorities. It is also clear that the limited use of Mari in the public sector reinforces a Soviet era trend, in which the Mari language increasingly became a domestic language with little visibility in public life.

It is often argued that a lack of resources makes it impossible to effectively enforce Mari as an official language in the public sector. This argument is, of course, not unfounded. It is, however, apparent that the fact that public officials are not required to have any knowledge of Mari, combined with the fact that ethnic Mari are underrepresented in public administration,<sup>96</sup> creates a major obstacle to the provision of public services in the titular language.

The use of Mari is also limited in other areas of public life. In a survey carried out among residents of Mari El in April 2005, only 8% of the respondents said that they typically use Mari in public places, which corresponds to about 20% of all Mari residing in the republic. In comparison, 22% percent of those interviewed said that they usually speak Mari at home, which is equal to slightly more than half of all Mari. Most worrisome, the opinion poll also indicated that a considerable part of all residents have been subjected to offensive or insulting treatment in public life due to their national affiliation, a primary characteristic of which is the

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<sup>96</sup> See the section on “Participation of Mari in public affairs.”



language spoken. Thus, 18% said that they had encountered intolerance on the basis of their national affiliation in the street, parks, theater or other public places, and 14% in shops, hospitals, public transportation and other service fields. While answers were not recorded according to the nationality of respondents, it is reasonable to assume that all the affirmative responses were given by members of national minorities. This would mean that 34% of the members of the republic's national minorities, including the Mari, have faced verbal assaults due to their national affiliation in public places and 27% in the service sector.<sup>97</sup>

According to Mari representatives, social acceptance of the Mari language has decreased in recent years and attempts to use Mari in public contexts are now sometimes met with outright hostility. Members of the Mari community are also concerned that condescending remarks made by leading representatives of the current presidential administration, such as to suggest that Mari are not capable of holding leading positions or that the Mari language is not competitive, have contributed to reinforcing negative attitudes toward the titular nationality and language.

### **3.4. Mari language media**

#### *Legal basis*

The Russian Constitution safeguards freedom of speech, information and media (article 29) and the Russian Law on Languages specifically provides that, in the administrative subjects of the country, Russian, other languages given an official status as well as non-official languages spoken by people residing on these territories may be used in media (article 20).

The Mari El Law on Languages states that special state programs for the preservation and development of the republic's languages are to be implemented, including programs aimed at creating conditions for the use of different languages in media and publications (article 7). The law also says that the republic will give priority to supporting publications in languages whose development is dependent on state support (article 44) and provide TV and radio broadcasts in the state languages (article 48).

#### *Mari language newspapers, TV and radio*

According to the authorities of Mari El, in 2004 a total of 15 publicly funded Mari language newspapers and magazines were published in the republic. Eight of these were funded through allocations from the republic's budget, while the rest were financially supported by local authorities.<sup>98</sup> The publications funded by the republic included the daily *Mari El*, the youth magazine *Kugarnia*, the children's magazines *Yamde Liy*, *Yamdy Li* and *Keche*, the satirical magazine *Pachemysh*, and the literary magazines *U sem* and *Onchynko*.<sup>99</sup> Few of the

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<sup>97</sup> The results of the opinion poll are presented in *Collection of Material Relating to the Ethnic Situation in the Republic of Mari El and the Social-Cultural Situation of the Mari People* (in Russian), prepared by the Informational and Analytical Department of the Administration of the President of Mari El (2005).

<sup>98</sup> *Collection of Material Relating to the Ethnic Situation in the Republic of Mari El and the Social-Cultural Situation of the Mari People* (in Russian), prepared by the Informational and Analytical Department of the Administration of the President of Mari El (2005).

<sup>99</sup> *Second Report Submitted by The Russian Federation Pursuant to Article 25, Paragraph 1 of the Framework Convention for the Protection of National Minorities*, chapter 3.6 ("National Minorities and Mass Media").

15 Mari language periodicals are published on a daily basis, and they all have a relatively small circulation, with their total circulation amounting to about 30,050 copies per edition. Thus, their average circulation is about 2,000 copies per edition.<sup>100</sup>

*Mari El*, which was established in 1915 and is the largest Mari language newspaper, has a circulation of slightly over 6,000 copies per edition. It is primarily distributed in rural areas of the republic, where most Mari are settled, and 95% of its print run goes to subscribers. From 2002 to 2005 the circulation of the daily decreased by one third, a trend which the chief editor attributes to the socio-economic problems facing its readers as well as growing distribution costs, which have resulted in a rise of subscription fees.<sup>101</sup> In general, the circulation of newspapers has decreased in Russia in recent years, and for most people electronic media – in particular TV – is the major source of information.<sup>102</sup>

Only one privately funded Mari language newspaper, *Yan*, is published in the republic.<sup>103</sup>

As regards state radio in Mari El, a transition to wireless broadcasting is currently under way. Wire radio broadcasts, including in the Mari language, are still available in parts of the republic (where broadcasting equipment is in working order) but are gradually being replaced by wireless transmissions. A new wireless radio station, which was launched with state support in July 2005, broadcasts about eight hours per day in the Mari language, including news programs. In addition, district radio stations broadcast about 15 minutes per day in the Mari language. According to the Mari El Ministry of Culture, the plan is to further expand wireless broadcasts in minority languages in coming years.<sup>104</sup> A fact slowing down the diffusion of wireless broadcasting is that new short wave radios are relatively costly and are not easily affordable for many poor Mari residents.<sup>105</sup>

None of the republic's private radio-stations, which are primarily entertainment-oriented, offer programs in the Mari language.<sup>106</sup>

State TV in Mari El is a branch of the All-Russia State Television and Radio Company (VGTRK) and follows a federally determined broadcasting schedule. The VGTRK is currently being re-organized with the aim of centralizing programming and financing structures. As part of these reforms, the amount of broadcasting time available for regionally produced programs has been considerably reduced, with particular implications for transmissions in minority languages.<sup>107</sup> During the first 11 months of 2005, a total of 680

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<sup>100</sup> *Collection of Material Relating to the Ethnic Situation in the Republic of Mari El and the Social-Cultural Situation of the Mari People* (in Russian), op. cit.

<sup>101</sup> Information provided by the chief editor of *Mari El* during interview, 1 November 2005.

<sup>102</sup> Compare Maria Lipman, "Freedom of Speech and the Future of Russian Mass Media," in *Russia: The Next Ten Years* (Carnegie Moscow Center 2004), at <http://www.carnegie.ru/en/>

<sup>103</sup> Information provided by representative of the Center for Journalism in Extreme Situations (CJES) during discussion, 28 October 2005.

<sup>104</sup> Information provided by the Mari El Ministry of Culture, Media and Nationality Issues during interview, 31 October 2005.

<sup>105</sup> "Почему ТАК случилось? Или есть ли будущее у марийского телевидения?," published in *Плѣс-Агур* on 16 February 2004, republished in Russian at *Mari Uver* on 15 April 2004.

<sup>106</sup> Information provided by the Mari El Ministry of Culture, Media and Nationality Issues during interview, 31 October 2005.

<sup>107</sup> See "Venäjän televisio vähensi rajusti kansankielisiä lähetyksiä," *Helsingin Sanomat*, 5 June 2005; "Journalists Alarmed about Reorganization of State Broadcasting," *RFE/RL Newslines*, 24 February 2005; Russian Union of Journalists, "ЗАЯВЛЕНИЕ Союза журналистов России," 24 February 2005, at [http://www.ruj.ru/index\\_050221\\_1.htm](http://www.ruj.ru/index_050221_1.htm) (last accessed on 9 December 2005).

hours of regionally produced TV programs were broadcast in Mari El. Out of the total broadcasting time, 35% was used for Mari language programs, which means about 45 minutes per day.<sup>108</sup> Prior to 2000 this figure was reportedly several times higher.<sup>109</sup> There are also concerns that Mari language programs are broadcast at unfavorable hours, e.g. in the morning when few people have time to watch TV, and that news in the Mari language have been reduced to a minimum.<sup>110</sup> In some ethnic regions, the changed policies of VGRTK have resulted in the creation of new republican TV channels. This has, however, required the allocation of considerable resources.<sup>111</sup>

No private TV station operates in Mari El.<sup>112</sup>

In general, it appears that the availability of titular language media is better in Mari El than in most other Finno-Ugric republics of the RF.<sup>113</sup> However, the dwindling circulation of Mari language newspapers and, even more so, the reduction of Mari language TV programs give rise to concern. It also remains unclear how well wireless transmissions currently meet the demand for radio programs in the Mari language. Mari language media play a key role in the preservation and development of the language, culture and national identity of the Mari, and it is essential to ensure that such media can continue to operate and thrive, also in the face of economic hardships and changing federal policies.<sup>114</sup>

#### *General situation with respect to freedom of expression and media*

Freedom of expression is seriously restricted in Mari El. According to media monitoring NGOs, the authorities of Mari El strictly control the information published in publicly funded media and do not allow the circulation of information critical of official policies. Thus, loyalty to the authorities appears to be a major condition for continued funding.<sup>115</sup> Mari activists and independent journalists with whom the IHF and MHG representatives spoke during their fact-finding mission to Mari El confirmed that state-funded Mari language media tend to follow an officially sanctioned line and do not publish any analytical articles about domestic political developments or accept any contributions by people expressing alternative views.<sup>116</sup>

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<sup>108</sup> Information provided by the Mari El Ministry of Culture, Media and Nationality Issues per telephone, 9 December 2005.

<sup>109</sup> Information from SURI, July 2005.

<sup>110</sup> “Почему ТАК случилось? Или есть ли будущее у марийского телевидения?,” published in *Плѣс-Азур* on 16 February 2004, republished in Russian by *Mari Uver* on 15 April 2004; information from SURI, July 2005; and information obtained during discussions with Mari representatives during IHF-MHG fact-finding mission to Mari El on 29 October – 1 November 2005.

<sup>111</sup> “Venäjän televisio vähensi rajusti kansankielisiä lähetyksiä,” *Helsingin Sanomat*, 5 June 2005; “Почему ТАК случилось? Или есть ли будущее у марийского телевидения?,” published in *Плѣс-Азур* on 16 February 2004, republished in Russian by *Mari Uver* on 15 April 2004.

<sup>112</sup> CJES, *Freedom of Speech in the Republic of Mari El* (2002).

<sup>113</sup> See *Second Report Submitted by The Russian Federation Pursuant to Article 25, Paragraph 1 of the Framework Convention for the Protection of National Minorities*, chapter 3.6 (“National Minorities and Mass Media”).

<sup>114</sup> Compare article 9 iii of Resolution 1171 (1998) adopted by the Parliamentary Assembly of the Council of Europe.

<sup>115</sup> CJES, *Freedom of Speech in the Republic of Mari El* (2002). The conclusions of this report were confirmed by a CJES representative during discussion on 28 October 2005.

<sup>116</sup> Information obtained in discussions with Mari activists and independent journalists during IHF-MHG fact-finding mission to Mari El on 29 October - 1 November 2005.

There are only two state printing houses in Mari El that have the capacity to print newspapers, and in the last few years these printing houses have reportedly declined to print independent newspapers that are critical of the authorities. The formal reasons for this policy include lack of capacity and outstanding debts of the newspapers in question, but there are clear indications that the refusal is politically motivated.<sup>117</sup> During a meeting with media representatives in February 2002, the president of the republic was quoted as saying "how can I tolerate that state publishing houses print anti-presidential newspapers?"<sup>118</sup>

For a period of time, many independent newspapers, including Mari language ones, were printed in neighboring regions and could thus be published at least sporadically despite re-occurring problems with distribution and confiscation of editions. At one stage, even the municipal *Yoskar Ola* was printed outside of the republic when its contract with one of the state publishing houses was terminated temporarily. More recently, independent newspapers have also faced difficulties in having their editions printed outside of the republic. As a result, most of the privately funded, and economically highly vulnerable, newspapers that previously were published in Mari El have ceased to be published or been forced to go underground. As of late 2005, only one independent newspaper was published in the republic (*Yan* which was already mentioned above).<sup>119</sup>

Moreover, in recent years, journalists expressing critical views have increasingly been subjected to politically motivated harassment. They have, for example, been intimidated, dismissed or forced to resign, evicted from their offices or brought to court for defamation or slander. There have also been a series of cases in which independent journalists – and other people questioning official policies – have been physically attacked by unknown perpetrators, sometimes with fatal consequences. In a recurring pattern, victims have been attacked from behind by unidentified assailants, and beaten with sharp metal objects. While the authorities have depicted such attacks as acts of "hooliganism," investigations into the attacks have typically been ineffective and have not yielded any concrete results.<sup>120</sup> Among recent victims of brutal attacks are: Vitalii Igitov, an independent journalist who had extensively criticized the authorities of Mari El (July 2004);<sup>121</sup> Yelena Rogacheva, correspondent for *Radio Free Europe/Radio Liberty* who inter alia exposed irregularities in the presidential elections held in the republic in December 2004 (January 2005);<sup>122</sup> and Vladimir Kozlov, Chief Editor of the Finno-Ugric newspaper *Kudo+Kodu* and Chair of the All-Mari Council who has repeatedly challenged official policies toward the Mari (February 2005).<sup>123</sup>

The case of *Dobrye Sosed*, an oppositional newspaper established in 1999, illustrates well the various forms of harassment targeting independent media and journalists in the republic:

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<sup>117</sup> Glasnost Defense Foundation (GDF), *The Situation of News Media in the Republic of Mari El - Report about Mission to Yoskar Ola in December 2002*; and information obtained in discussions with independent journalists during IHF-MHG fact-finding mission to Mari El on 29 October - 1 November 2005.

<sup>118</sup> GDF, *The Situation of News Media in the Republic of Mari El - Report about Mission to Yoskar Ola in December 2002*.

<sup>119</sup> CJES, *Freedom of Speech in the Republic of Mari El* (2002); GDF, *The Situation of News Media in the Republic of Mari El - Report about Mission to Yoskar Ola in December 2002*; and information obtained in discussions with independent journalists during IHF-MHG fact-finding mission to Mari El on 29 October - 1 November 2005.

<sup>120</sup> Ibid.

<sup>121</sup> CJES, *Dangerous Profession – Weekly Bulletin of Events in Russian Mass Media*, Issue No. 27 (129), 5-11 July 2004.

<sup>122</sup> Julie A. Corwin, "Volga Journalist Joins Long List Of Targets," *RFE/RL Media Matters*, 24 January 2005.

<sup>123</sup> See the section on "Repression of Mari activists, intellectuals and others."

- In November 2001 the deputy chief editor of *Dobrye Sosedj*, Aleksandr Babaykin, died after being brutally attacked in the center of Yoskar Ola, and in March 2002 the chief editor of the newspaper, Vladimir Maltsev, was attacked and his apartment was set on fire.<sup>124</sup> In 2002 the newspaper was also sued for slander by the president after re-publishing an article from the Finnish daily *Helsingin Sanomat*. In December 2003, the newspaper was evicted from its premises although all rental payments had been made on time.<sup>125</sup> The newspaper is among those that the republic's state printing houses have declined to print and it has therefore been printed outside of the republic for several years. In 2005, however, only a few issues of the newspaper were published.<sup>126</sup>

It is of further concern that access to internet sites, which feature information critical of official policies, has been restricted in Mari El. A Ukrainian news site that covers political developments in Mari El was not available during the campaign leading up to the 2004 presidential elections, and an Estonian site that provides articles about the situation in Mari El in the Estonian, Mari, Russian and English languages has reportedly not been accessible since mid-2005.<sup>127</sup>

### 3.5. Mari language education

#### *Legislative basis*

The RF Constitution safeguards the right of everyone to “freely choose” the language of education (article 29), and the RF Laws on Languages (1991) and Education (1992) recognize the right of citizens to receive general education in their native language and to choose the language of instruction “within the opportunities offered by the system of education” (articles 9, 6). The RF Law on Languages states that this right is to be safeguarded by establishing “the necessary number” of educational institutions, classes and groups and by creating “conditions for their functioning” (article 9.2). According to the RF Law on Education, decisions about language of instruction are made at the level of individual schools, while teaching of state languages other than Russian is subject to regulation by the country's republics (article 6).

Consistent with federal legislation, the Mari El Law on Education grants citizens the right to receive basic education in their native language and to choose language of instruction within the limits of the educational system (article 5). The republic's Law on Languages, further, provides that the two state languages “are taught in all educational establishments of Mari El” (article 11) and grants those seeking admission to higher level educational institutions the right to complete entrance exams in either of the two state languages (article 40).

<sup>124</sup> RFE/RL 22 March 2002; Julie A. Corwin, “Volga Journalist Joins Long List Of Targets,” *RFE/RL Media Matters*, 24 January 2005; Mika Parkkonen, “In Mari Political Dissidents are Beaten with Iron Pipes,” *Helsingin Sanomat*, 1 March 2005; SURI, “Chairman of the Youth Association of Finno-Ugric Peoples Attacked in Mari Republic of Russia,” 28 August 2005.

<sup>125</sup> RFE/RL 25 February 2002; RFE/RL 13 January 2004.

<sup>126</sup> GDF, *The Situation of News Media in the Republic of Mari El - Report about Mission to Yoskar Ola in December 2002*; Estonian Institute for Human Rights, *Freedom of Expression and the Rights of Peoples Are Violated in Russia's National Autonomous Regions*, May 2005.

<sup>127</sup> During the IHF-MHG fact-finding mission to Mari El on 29 October - 1 November 2005, the website provided by the Estonian *Mari Uver* (<http://www.mari.ee>) was not accessible in the region.

## *The Mari language in the education system*

Throughout the RF, schools that offer members of national minorities instruction in or of their native language are known as “national schools.” Several types of such schools exist, ranging from schools where all instruction in grade 1-11 is provided in the minority language to schools where all instruction is in Russian but particular emphasis is given to instruction of the minority language and culture. Schools of the first type exist only in Tatarstan, Bashkortostan and Sakha, while schools of the latter type are the most common form of national schools in the country.<sup>128</sup>

In Mari El, two major types of Mari national schools are in operation. First, there are national schools where instruction is in Mari in grade 1-4, and thereafter in Russian except for classes on Mari language, history and literature. Second, there are national schools where instruction is in Russian in all grades, but courses in the Mari language and literature are a special focus area and up to 4 class hours per week are devoted to this subject. There are also a growing number of Russian-Mari bilingual programs, where part of the instruction is carried out in Mari. Moreover, in non-national schools the Mari language is taught as a state language in grade 1-9, typically through courses involving two class hours per week.<sup>129</sup>

The authorities prepare the basic curriculum for all school models, but decisions about which model to apply are made by school boards in consultation with parents. The major part of each curriculum is comprised of an all-Russia component, which entails subjects such as Russian language and literature, math and technology, and a smaller part of national-regional and school components, which in the case of Mari El includes the Mari language.<sup>130</sup> A special department for nationality affairs within the Ministry of Education of Mari El, which oversaw and coordinated the organization of minority language programs, was reportedly closed down in 2001. There are now concerns that supervision of Mari language instruction is inadequate.<sup>131</sup>

According to the Ministry of Education of Mari El, in total, about 50% of all students in the republic currently participate in some form of Mari language courses, i.e. either in native language, state language or so-called integrated courses, in which teaching of the Mari language is combined with teaching of national history and culture.<sup>132</sup> In addition, in 2004-2005, 90% of all students in grade 1-9 completed courses in national history and culture.<sup>133</sup>

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<sup>128</sup> *Second Report Submitted by the Russian Federation Pursuant to Article 25, Paragraph 1, of the Framework Convention for the Protection of National Minorities*, April 2005, chapter 3.5 (“Ethnically Oriented Education”); and information obtained in discussion with representatives of the RF Ministry of Regional Development, 2 November 2005.

<sup>129</sup> Information provided by representative of Mari El Ministry of Education during discussion, 31 October 2005; “Марий Эл: Базисный учебный план как средство реализации антинародной идеи,” *Mari Uver*, 4 April 2005, at <http://www.mari.ee>

<sup>130</sup> Information provided by representative of Mari El Ministry of Education during discussion, 31 October 2005.

<sup>131</sup> “Шаги «марийской» власти - Соответствует ли вербальное беспокойство наших высоких чиновников о марийцах их реальным действиям?,” *Mari Uver*, 2004.

<sup>132</sup> Information provided by representative of Mari El Ministry of Education during discussions, 31 October 2005.

<sup>133</sup> *Collection of Information about the Ethnic Situation in the Republic of Mari El and the Social-cultural Situation of the Mari People* (in Russian), prepared by the Informational Analytical Department of the Administration of the President of Mari El (2005).

### *Mari national schools and Mari-Russian bilingual education*

Most Mari national schools are located in rural areas, where a majority of the republic's Mari residents are concentrated.

During the school year 2004-2005, Mari was used as a language of instruction in the first four grades in 43 schools, where a total of 752 students participated in such instruction. These numbers had decreased from 64 schools and 1,210 students in 2000-2001. While the total number of schools also decreased during the same four-year period, the relative share of schools providing instruction in the Mari language was slightly lower in 2004-2005 (11%) than in 2000-2001 (15%).<sup>134</sup> (See table 3.1). Figures of the total number of students in grade 1-4 in different years are not available to the authors of the report.

As for instruction in the Mari language and literature for ethnic Mari students, a total of 18,692 students at 196 schools participated in such courses in 2004-2005. The corresponding figures in 1995-1996 were 286 schools and 29,730 students, meaning that the numbers have decreased by about one third in the past decade. The relative number of students attending Mari native language classes has, however, been around 21-22% the whole time.<sup>135</sup> (See table 3.2).

About a dozen schools in the republic are currently involved in pilot projects of Russian-Mari bilingual education.<sup>136</sup> Among them is School No. 14 in Yoskar Ola, where one class of students receives 40% of all instruction in the Mari language in grade 1-3. According to the school director, the results of this trial class have been good, and the feedback from parents has been overwhelmingly positive. Discussions are now under way to create a class that would be instructed in Mari throughout grade 11.<sup>137</sup>

In national schools where Mari is used as a means of instruction at the primary level, there is a complete transition to instruction in Russian as of grade 5. Although the Russian language is taught for up to 4 hours per week in the first four grades,<sup>138</sup> the transition reportedly creates great difficulties for some students to absorb the education, especially as the total number of study hours also increases at this stage. Some of the Mari representatives with whom the IHF and MHG representatives spoke during their fact-finding mission to Mari El therefore advocated a more gradual transition.<sup>139</sup>

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<sup>134</sup> *Collection of Information about the Ethnic Situation in the Republic of Mari El and the Social-cultural Situation of the Mari People*, op. cit.; *Information on studying the Mari language, history and culture – as native language and state language in educational institutions of the Republic of Mari El* (in Russian), 2005; “Марий Эл: Базисный учебный план как средство реализации антинародной идеи,” *Mari Uver*, 4 April 2005; and official school statistics of Mari El for the years 2000-2003 (in Russian).

<sup>135</sup> *Collection of Information about the Ethnic Situation in the Republic of Mari El and the Social-cultural Situation of the Mari People*, op. cit.; *Information on studying the Mari language, history and culture – as native language and state language in educational institutions of the Republic of Mari El* (in Russian), 2005; “Марий Эл: Базисный учебный план как средство реализации антинародной идеи,” *Mari Uver*, 4 April 2005; and official school statistics of Mari El for the years 2000-2003 (in Russian).

<sup>136</sup> Information obtained in discussion with representative of Mari El Ministry of Education, 31 October 2005.

<sup>137</sup> Information provided by director of Gymnasium No 14 in Yoskar Ola during discussion, 31 October 2005.

<sup>138</sup> “Марий Эл: Базисный учебный план как средство реализации антинародной идеи,” *Mari Uver*, 4 April 2005.

<sup>139</sup> Information obtained in discussions with Mari representatives during IHF-MHG fact-finding mission to Mari El on 29 October -1 November 2005.

Members of the Mari community also expressed concern that a series of closures of small rural schools, which have been implemented in the last few years, have reduced the availability of Mari national education and threatened the vitality of rural Mari villages.<sup>140</sup>

- In May 2005, 198 residents of the Chirki village in the Orshansk district of Mari El signed an appeal protesting against a decision by local decision makers to merge a Mari national primary and secondary school with a non-national secondary school. They expressed indignation that this decision would mean an end to national school instruction in the village and was made without prior consultation of village residents, teachers, parents or children. They also feared that the decision would result in the “gradual extinction” of the Chirki village.<sup>141</sup>

Moreover, textbooks used in Mari language instruction are reportedly often old and outdated. In recent years, only a few school book titles have been published every year, e.g. in 2001-2004 a total of 38 text and exercise books were published. In some cases, school books have been published with private funding rather than funding provided by federal or regional authorities.<sup>142</sup>

**Table 3.1: National schools with primary instruction in the Mari language (grade 1-4), according to official statistics<sup>143</sup>**

School year	Total nr of schools	Nr of schools with Mari instruction in grade 1-4	Nr of students participating in Mari instruction in grade 1-4
2000-2001	432	64	1210
2001-2002	415	55	1049
2002-2003	397	No info available	No info available
2003-2004	385	39	740
2004-2005	379	43	752

<sup>140</sup> Information obtained in discussions with Mari representatives during IHF-MHG fact-finding mission to Mari El on 29 October -1 November 2005.

<sup>141</sup> See appeal, “В Марий Эл ликвидируют национальную школу, несмотря на протесты местных жителей,” 6 May 2005, at <http://www.mari.el/rus/news/educ/2005/06/02.htm> (last accessed on 12 December 2005).

<sup>142</sup> “Марий Эл: Базисный учебный план как средство реализации антинародной идеи,” *Mari Uver*, 4 April 2005; “перечень учебников и учебно-методической литературы 2001-2004.”

<sup>143</sup> *Collection of Information about the Ethnic Situation in the Republic of Mari El and the Social-cultural Situation of the Mari People*, op. cit.; Information on studying the Mari language, history and culture – as native language and state language in educational institutions of the Republic of Mari El (in Russian), 2005; “Марий Эл: Базисный учебный план как средство реализации антинародной идеи,” *Mari Uver*, 4 April 2005; and official school statistics of Mari El for the years 2000-2003 (in Russian).



**Table 3.2: Instruction of the Mari language as native language (grade 1-11), according to official statistics<sup>144</sup>**

School year	Total nr of schools	Nr of schools with instruction of Mari as native language (% of all schools)	Total nr of students grade 1-11	Nr of students attending Mari native language courses (% of all students) in grade 1-11
2000-2001	432	230 (53,2%)	120,400	25,974 (21,6%)
2001-2002	415	226 (54,5%)	112,900	24,339 (21,6%)
2002-2003	397	211 (53,1%)	104,400	22,530 (21,6%)
2003-2004	385	187 (48,6%)	96,081	20,683 (21,5%)
2004-2005	379	196 (51,7%)	88,525	18,692 (21,1%)

### *Instruction of the Mari language as a state language*

In 2004-2005, Mari was taught as a state language to a total of 19,879 students at 154 schools. This means that about 27% of all students in grade 1 to 9 were enrolled in such courses. Additionally, 5,535 students at 43 schools participated in integrated Mari language and history and culture courses. In the years 1995-2000, there was a steady increase in the scope of instruction of the Mari as a state language, and in 2000-2001 close to 47,000 students (60%) at 207 schools were enrolled in such courses. In subsequent years, however, the numbers dropped significantly.<sup>145</sup> This decrease was related to the adoption of a new basic curriculum of the republic, which granted non-national schools greater choice in terms of whether and how to incorporate the Mari language into their curricula.<sup>146</sup> (See table 3.3).

Mari representatives with whom the IHF and the MHG spoke during their mission to Mari El deplored what they see as a trend of decreasing interest in learning the Mari language since the 1990s. They believe that this change of attitudes is related to a change in the political climate in the republic, involving weakened political commitment to protecting the official status of the Mari language. They are particularly concerned about the 2001 reform of the basic school curriculum, which resulted in fewer students studying the Mari language as a state language. In their opinion, the fact that it is not a requirement for all students to study the Mari language undermines the official status of this language and contradicts the obligation of the state to provide special protection for it.<sup>147</sup> The authorities of Mari El, for their part, argue that a voluntary basis for studying the Mari language ensures that students are better motivated to learn and, therefore, that the instruction is more effective.<sup>148</sup> In a recent opinion poll carried out among residents of Mari El, 30% of the respondents gave a positive response

<sup>144</sup> Ibid.

<sup>145</sup> *Collection of Information about the Ethnic Situation in the Republic of Mari El and the Social-cultural Situation of the Mari People*, op. cit.; *Information on studying the Mari language, history and culture – as native language and state language in educational institutions of the Republic of Mari El* (in Russian), 2005; “Марий Эл: Базисный учебный план как средство реализации антинародной идеи,” *Mari Uver*, 4 April 2005; and official school statistics of Mari El for the years 2000-2003 (in Russian).

<sup>146</sup> Discussion with representative of Mari El Ministry of Education; “Марий Эл: Базисный учебный план как средство реализации антинародной идеи,” *Mari Uver*, 4 April 2005.

<sup>147</sup> Information obtained in discussions with Mari representatives during IHF-MHG fact-finding mission to Mari El in 29 October -1 November 2005.

<sup>148</sup> Information provided by representative of Mari El Ministry of Education during discussion, 31 October 2005.

when asked whether they think that the Mari language should be taught in all schools of the republic, while 53% answered in the negative.<sup>149</sup>

**Table 3.3: Instruction of the Mari language as state language (grade 1-9), according to official statistics<sup>150</sup>**

School year	Total nr of schools	Nr of schools with instruction of Mari as state language (% of all schools)	Total nr of students in grade 1-9	Nr of students attending Mari state language courses (% of all students) in grade 1-9
2001-2002	415	181 (43,6%)	94,584	35,126 (37,1%)
2002-2003	397	172 (43,3%)	88,365	31,595 (35,8%)
2003-2004	385	157 (40,8%)	78,702	24,865 (31,6%)
2004-2005	379	154 (40,6%)	73,585	19,879 (27%)

### *Higher education in Mari*

Mari language teachers are educated at the Mari State Pedagogical College, the Mari State Pedagogical Institute, and the History and Philology Department of the Mari State University, which has a program on Mari language and culture. The Pedagogical Institute, which offers training for primary level teachers instructing in Mari as well as for teachers of the Mari language as a subject, primarily prepares teachers for countryside schools. A recent proposal to integrate the institute into the Mari State University has met with strong protests among the staff, who fear that it would result in a reduction of the education of teachers at public universities and further limit the availability of higher education in Mari.<sup>151</sup>

Outside the humanistic and pedagogical fields, there is no instruction in Mari at the state universities of the republic, which also include a Technical University. None of the private universities that exist in the republic provides instruction in Mari. Because the standard of rural schools is generally considered to be lower than that of urban schools, graduates from such schools – a category to which most Mari students belong – have worse chances of gaining admission to state universities. At the same time, graduates from rural schools typically cannot afford to pay the tuition fees required by the republic’s private universities. Moreover, although entrance exams to state universities can be completed in Mari, students who have obtained their primary education in Mari reportedly sometimes experience difficulties when completing Russian language programs.<sup>152</sup>

The ratio of ethnic Mari with higher education is half of that among ethnic Russians.<sup>153</sup>

<sup>149</sup> *Collection of Information about the Ethnic Situation in the Republic of Mari El and the Social-cultural Situation of the Mari People*, op. cit.

<sup>150</sup> *Collection of Information about the Ethnic Situation in the Republic of Mari El and the Social-cultural Situation of the Mari People*, op. cit.; *Information on studying the Mari language, history and culture – as native language and state language in educational institutions of the Republic of Mari El* (in Russian), 2005; “Марий Эл: Базисный учебный план как средство реализации антинародной идеи,” *Mari Uver*, 4 April 2005; and official school statistics of Mari El for the years 2000-2003 (in Russian).

<sup>151</sup> Information obtained in discussions with Mari representatives during IHF-MHG fact-finding mission to Mari El on 29 October -1 November 2005.

<sup>152</sup> Discussions with Mari representatives during IHF-MHG fact-finding mission to Mari El on 29 October -1 November 2005.

<sup>153</sup> Natalia Glukhova, “The Access to Education and Research of the Mari Speaking and Russian Population,” paper presented at conference on Transformation Processes in the Baltic Sea Region and Eastern European

### 3.6. State support for Mari cultural activities

#### *Legal basis*

The Russian Constitution protects the right of everyone to participate in cultural life (article 44), and the Constitution of Mari El guarantees the right of the peoples living on its territory to develop their national culture, language and traditions (article 26.3). According to the Law on Culture of Mari El, the republic is to promote equal conditions for the preservation and development of all cultures (article 6) and to elaborate and implement state programs to this end (article 29). The law also specifically recognizes the obligation of the republic to protect and strengthen the integrity of Mari culture (article 6), while cautioning that such policies must not cause any disadvantage to the cultures of other groups (article 20).

#### *State support in practice*

State funding for Mari cultural activities is mainly channeled through a framework program on ethno-cultural and inter-ethnic relations, which is administered by the Ministry of Culture. This program provides assistance for cultural, educational and social projects involving and targeted at the major ethnic groups of the republic, including the Russian, Mari and Tatar ethnic groups. For the period 2004-2008, 2.7 million rubles (about €80,000) have been earmarked for the program. Funding is allocated on a competitive basis and public bodies and institutions, commercial organizations as well as NGOs are eligible to apply. Eighty-five percent of the funds used in 2004 were given out to public bodies and institutions and 10% to NGOs. Approved projects included seminars, excursions, meetings and publications. The Russian, Mari and Tatar cultural centers of the republic, which inter alia organize cultural festivals and celebrations, are also supported as part of the program.<sup>154</sup> The authorities emphasize that funding has been increased for the present period compared to the previous one,<sup>155</sup> but civil society representatives consider available support insufficient and selective.<sup>156</sup> In general, it appears that mostly one-time events are assisted through the framework program, while it would also be essential to fund continued, long-term activities involving different groups within the republic's minority communities, including in particular youth and children.

The publication of books in the Mari language reportedly decreased significantly in the 1990s.<sup>157</sup> According to official figures, a total of 141 Mari language publications were published in Mari El in 2002-2004, meaning an average of 47 publications every year. This number, however, did not only include books but also brochure-type publications.<sup>158</sup> At the State Book Publishing House of Mari El, about 100 Mari language books were previously

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Experiences, Vienna, November 2003. Available at <http://www.demokratiezentrum.org/network.php?Nav=main/network/topics/konferenz/ostseeraum/abstractsostseeraum> (last accessed on 12 December 2005).

<sup>154</sup> *Collection of Information about the Ethnic Situation in the Republic of Mari El and the Social-cultural Situation of the Mari People*, op. cit; and information provided by the Mari El Ministry of Culture, Media and Nationalities during discussion 30 October 2005.

<sup>155</sup> Ibid.

<sup>156</sup> Information obtained in discussions with Mari representatives during IHF-MHG fact-finding mission to Mari El on 29 October - 1 November 2005.

<sup>157</sup> Information obtained in discussions with Mari representatives during IHF-MHG fact-finding mission to Mari El on 29 October - 1 November 2005.

<sup>158</sup> *Collection of Material Relating to the Ethnic Situation in the Republic of Mari El and the Social-Cultural Situation of the Mari People*, op. cit.

published every year, including fiction and text books. However, in recent years, less than 10 books have been published annually, up to one third of which have been financed by sources other than the authorities of the republic. A major provider of funding is the Finnish M.A. Castrén Society, which coordinates a Russia-wide program aimed at supporting the protection of Finno-Ugric languages and cultures.<sup>159</sup> In the period 1994-2004, this organization funded the publication of a total of 38 publications in the Mari language in Mari El, including textbooks, Mari and foreign fiction, dictionaries, scientific books and dissertations.<sup>160</sup> Mari activists consider the current situation with respect to book publication fully unsatisfactory and deplore that important voluntary initiatives to bring out Mari language books have not been publicly supported.<sup>161</sup>

Mari language theater is also state-funded. Out of the four state theaters operating in Yoskar Ola, two use the Mari language either fully or partly. The Mari Drama Theater, which includes a youth theater ensemble, gives performances in Mari with synchronous translation into Russian, and the Puppet Theater offers plays in both Russian and Mari. The Opera and Ballet Theater has also occasionally featured Mari productions. While the Mari Drama Theater uses Meadow Mari, a fifth state-funded theater located outside of the capital stages plays in the less spoken Hill Mari.<sup>162</sup>

A few years ago, a reorganization of the Mari theater scene caused strong protests both within and beyond the Mari community. As a result of decision taken in December 2001, the previously existing Mari National Theater and Youth Theater were closed down and replaced with the currently existing Mari Drama Theater.<sup>163</sup> The closure of the Mari National Theater, which had been a key element of Mari cultural life ever since its foundation in 1919, was perceived as a direct attack on Mari culture. It was feared that the new Mari Drama Theater would not fulfill the same purpose. While the authorities argued that the reform would enhance the “artistic quality” of theater performances,<sup>164</sup> Mari activists decry that the program of the new Mari Drama Theater is much more limited in scope and volume than that of the Mari National Theater. They also argue that the measure was politically motivated since both the director and chief playwright of the Mari National Theater, who were both involved in the Mari national movement, were not reappointed after the re-organization although other old staff was retained.<sup>165</sup>

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<sup>159</sup> See M.A. Castrén Society, *Sukukansaohjelma 1994-2004. Suomi Venäjän uralilaiskieliä tukemassa*, available at [http://www.helsinki.fi/jari/macastren/tiedotteet/Castren\\_su.pdf](http://www.helsinki.fi/jari/macastren/tiedotteet/Castren_su.pdf) (last accessed on 12 December 2005). The program coordinated by the M.A. Castrén Society is based on 1992 agreement between Finland and Russia, in which the state parties pledge to support the preservation of the cultures and languages of the Finno-Ugric peoples in Russia, and is funded by the Finnish government. It is implemented in cooperation with NGOs, cultural centers, local authorities, publishing houses, universities and various other institutions in Russia, and it offers assistance to different forms of activities, including publishing activities. In 1994-2004, the M.A. Castrén Society supported the publication of a total of 38 publications in the Mari language, including textbooks, Mari and foreign fiction, scientific books and dissertations.

<sup>160</sup> Statistics included in Finnish Ministry of Education, *Selvitys Suomen sukukansaohjelmasta*, 2005, available at <http://www.minedu.fi/julkaisut/hallinto/2005/tr23/tr23.pdf> (last accessed on 20 December 2005).

<sup>161</sup> Information obtained in discussions with Mari representatives during IHF-MHG fact-finding mission to Mari El on 29 October - 1 November 2005; open letter from Vladimir Kozlov to the Minister of Culture of Mari El published by *Mari Uver*, 7 September 2005.

<sup>162</sup> Information provided by the Mari El Ministry of Culture, Media and Nationalities during discussion on 30 October 2005.

<sup>163</sup> Presidential decree, “О совершенствовании структуры театрально-зрелищных учреждений в Республике Марий Эл,” of 19 December 2001.

<sup>164</sup> Ibid.

<sup>165</sup> Information obtained in discussions with Mari activists during IHF-MHG fact-finding mission to Mari El on 29 October – 1 November 2005.

### 3.7. Participation of Mari in public affairs

#### *The parliament of Mari El*

The State Assembly is the legislative and representative body of Mari El.<sup>166</sup> In consistence with new federal legislation enacted in 2003,<sup>167</sup> the 52 deputies of the body are partly elected on the basis of republic-wide party lists, and partly in single-mandate districts. While only people who wholly or mainly reside in the republic are eligible, there are no quotas for ethnic Mari or other minority members.<sup>168</sup> In the first elections to the State Assembly, which were held in 1993, ethnic Mari gained representation proportionate to their share among the population, or 43% of the seats. In subsequent elections, however, the representation of Mari has gradually declined to 30%, 25% and below.<sup>169</sup> The reasons for this trend are obviously complex, and may include factors such as political passivity on the part of many Mari, limited ethnic solidarity in the voting behavior of Mari citizens and a lack of Mari politicians who have sufficient financial and other resources needed to engage in successful election campaigning at the republican level. The establishment of an ethnically based Mari political party is ruled out under the 2002 RF Law on Political Parties,<sup>170</sup> and no existing political parties specifically advocate issues of concern to the Mari.<sup>171</sup> Overall minority issues are given little attention in the current political debate in the republic.

Part of the explanation why minority issues have more or less vanished from the republic's political agenda since the days of national euphoria in the 1990s is that they have been overshadowed by other issues, in particular socio-economic problems. However, the political climate in the republic is also presently such that open debate about official policies – whether in the field of minority protection or other areas – is largely lacking. As discussed elsewhere in this chapter, in the last few years, the scope for expressing differences of opinions has been increasingly narrowed, and those criticizing official policies – including Mari activists – have become increasingly vulnerable to harassment.<sup>172</sup>

#### *President and public administration*

The president of Mari El is the supreme official of the republic and head of its executive branch.<sup>173</sup> Until recently the president was directly elected, with citizens of the RF of at least 30 years of age entitled to run.<sup>174</sup> As adopted in 1995, the Constitution of the republic

<sup>166</sup> Article 64 of the Constitution of Mari El.

<sup>167</sup> This legislation, the apparent purpose of which was to strengthen the position of federal parties at the regional level, requires that at least half of the members of regional legislatures be elected on the basis of party lists. See, “Russia Finishes Latest Round of Modifying Electoral Legislation,” *Russian Regional Report* (published by The Center for Security Studies at the Swiss Federal Institute of Technology and the Transnational Crime and Corruption Center at the American University), Vol. 8, No. 2, February 2003.

<sup>168</sup> *Law on Elections of Deputies of the State Assembly of Republic Mari El*, June 2003.

<sup>169</sup> For a discussion of the development in the level of representation of Mari in the 1990s, see Vladimir Sharov, “Compromise and Innovation Help Mari El Address Ethnic and Local Government Issues,” in Valery Tishkov and Elena Filippova, *Local Government and Minority Empowerment in the CIS* (Open Society Institute 2002).

<sup>170</sup> Article 9 of this law prohibits the establishment of political parties on a “professional, racial, national or religious” basis.

<sup>171</sup> Information obtained in discussions with Mari representatives during IHF-MHG fact-finding mission to Mari El on 29 October – 1 November 2005.

<sup>172</sup> For more information, see the sections on “Mari language media” and “Repression of Mari activists, intellectuals and others.”

<sup>173</sup> Article 76 of the Constitution of Mari El.

<sup>174</sup> *Ibid.*, but this clause is no longer valid.

required the president to know both state languages, but this requirement was subsequently declared unconstitutional by the Russian Supreme Court.<sup>175</sup> The first two presidents of Mari El, Vladislav Zotin (1991-1996) and Vyatcheslav Kislitsyn (1997-2000), were both native residents of the republic, albeit the former was Mari by ethnicity and the latter was ethnic Russian. Current President Leonid Markelov (in power since 2001), however, is a native Russian from Moscow.<sup>176</sup>

The last presidential elections were held in December 2004, when President Markelov was running for re-election with backing of the Kremlin and the pro-Kremlin Unified Russia Party, which controls a majority of the seats in the republic's State Assembly.<sup>177</sup> During the election campaign, Markelov used a strategy widely practiced among incumbent Russian governors seeking re-election, namely exploitation of so-called administrative resources. These resources include extensive control over regional media and local authorities.<sup>178</sup> The main competitor of Markelov was Mikhail Dolgov, an ethnic Mari originating from Mari El who was supported by Mari Ushem. As the other opposition candidate who participated in the elections, Dolgov was prevented from conducting an effective campaign because of restricted access to media and public meeting facilities. There are also reports indicating that voters were intimidated into voting for Markelov and that various procedural violations took place on election day.<sup>179</sup> Markelov was eventually re-elected already in the first round of the elections, with 57% of the votes according to official results. Dolgov received less than 20% of the votes.<sup>180</sup>

Following the elections, a repressive campaign was reportedly carried out in those areas of the republic where a majority voted for Dolgov. Heads of local administrations, school directors, and teachers were held responsible for the poor scoring of the incumbent president in these areas and dismissed or pressured to resign. As Dolgov received most votes in rural areas predominantly inhabited by Mari, most of those affected by the reprisals were ethnic Mari.<sup>181</sup> These reports give rise to serious concern.

There are also worrisome allegations of politically motivated dismissals of public servants, who have voiced criticism of official policies, during President Markelov's period in office.<sup>182</sup> Such dismissals have reportedly contributed to reducing the number of Mari working in public administration, and while Mari comprised over 40% of the employees in

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<sup>175</sup> Seppo Lallukka, *From Fugitive Peasants to Diaspora: The Eastern Mari in Tsarist and Federal Russia*, *Annales Academiæ Scientiarum Fennicæ, Humaniora*, vol. 328 (2003), p. 305.

<sup>176</sup> For a discussion about differences in the nationality policies pursued by President Markelov and those of his predecessors, see the section on "Repression of Mari activists, intellectuals and others."

<sup>177</sup> Julie A. Crown, "Russia: Country's Critics Play New Ethnic Card," *RFE/RL Newslines*, 6 June 2005; "Unified Russia Backs Reelection of Marii El President," *RFE/RL Tatar-Bashkir Weekly Report*, 10 August 2004.

<sup>178</sup> For a discussion of the use of administrative resources more generally in Russian regions, see Robert W. Orttung, "How Effective Are Putin's Federal Reforms," *Russian Regional Report* (East West Institute), Vol. 6, No. 11, March 2001.

<sup>179</sup> See, for example, CJES, "Russia Mass Media and Elections," *Weekly Bulletin*, Issue No. 50 and 51, December 2004; SURI, "Disturbances During the Course of Elections in Mari El," 14 January 2005; Paul Goble, "Eye on Eurasia: Repression on the Volga," *United Press International*, 21 January 2005; Mika Parkkonen, "Election Results Bring Wave of Political Reprisals Against Indigenous Intelligentsia of Mari Republic," *Helsingin Sanomat*, 11 March 2005; and Liz Fuller, "Marii El Begins to Look Like Belarus on the Volga," *RFE/RL*, 21 June 2005.

<sup>180</sup> *RFE/RL Tatar-Bashkir Weekly*, 21 December 2004.

<sup>181</sup> Information obtained in discussions with Mari representatives during IHF-MHG fact-finding mission to Mari El on 29 October – 1 November 2005.

<sup>182</sup> Information obtained in discussions with Mari activists during IHF-MHG fact-finding mission to Mari El on 29 October – 1 November 2005.

public administration in the early 1990s, their share is now at a considerably lower level.<sup>183</sup> Official statistics show that, as of the beginning of 2005, ethnic Mari held 29% of leading and other top positions within state and local public service in the republic of Mari El.<sup>184</sup> It remains unclear, however, exactly what positions these statistics refer to. Official statistics of the number of ethnic Mari in public administration as a whole are not available to the authors of this report.

While President Markelov's current term ends in 2009, he may be able to stay in office beyond that date. As a result of a recent federal reform, which was pushed through after the hostage taking in Beslan in September 2004, the direct election of regional governors was abolished. Instead, as of 2005, governors are nominated by the RF President, and formally approved by regional parliaments.<sup>185</sup> Since the new system was introduced governors from across the country have rushed to demonstrate their loyalty to RF President Putin, and most governors whose terms have expired since early 2005 have in fact been reappointed.<sup>186</sup> President Markelov has inter alia expressed his support for RF President Putin by publicly stating that he sees "no alternative" to him and by calling for amending the Russian Constitution to prolong the RF presidential term.<sup>187</sup> Prior to the adoption of the new rules for appointing regional governors, the federal executive actively interfered in regional election campaigns to promote their favorites.<sup>188</sup> When first elected in late 2000, Markelov was supported by the Kremlin in the second round of the elections,<sup>189</sup> and as already mentioned above, his reelection in 2004 was backed by the federal government. Much to the consternation of Mari national leaders, RF President Putin presented Markelov with an award for his contributions to promoting "inter-ethnic accord" in connection with the 2004 elections.<sup>190</sup>

### *Federation Council*

The Federal Assembly of the RF consists of two chambers, the State Duma and the Federation Council. The latter is made up of two deputies from each of the country's regions, who previously were the heads of the executive and legal branches of the regions. However, since 2002 each branch appoints its representative, a scheme which has transformed the Federation

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<sup>183</sup> See speech delivered by Vladimir Kozlov, Member of Mari Ushem and Chairman of the All-Mari Council, at meeting of Federal Union of European Nationalities (FUEN), 6 May 2005, [http://www.fuen.org/pdfs/20050506Mari\\_Kozlov.pdf](http://www.fuen.org/pdfs/20050506Mari_Kozlov.pdf) (last accessed on 5 December 2005).

<sup>184</sup> *Collection of Material Relating to the Ethnic Situation in the Republic of Mari El and the Social-Cultural Situation of the Mari People* (in Russian), prepared by the Informational and Analytical Department of the Administration of the President of Mari El (2005).

<sup>185</sup> Under the new system, the RF president nominates a candidate, who thereafter is subject to approval by the regional parliament. However, if the regional parliament rejects the presidential candidate three times, the president can dissolve the body and appoint his own choice as acting governor. See Freedom House, *Nations in Transit 2005: Russia*, at <http://www.freedomhouse.org>

<sup>186</sup> Robert Coalson, "Putin Takes Control of the Status Quo through Gubernatorial Appointments," *RFE/RL*, 8 June 2005.

<sup>187</sup> "Russian Regional Head Proposes 21-Year Reign for Putin," *Mosnews*, 22 August 2005, at <http://www.mosnews.com>

<sup>188</sup> See, for example, Nikolai Petrov, "Will Russian Federalism Live to See 2014?," included in *Russia: The Next Ten Years* (Carnegie Moscow Center, 2004), at <http://www.carnegie.ru/en>; Human Rights Watch, *Managing Civil Society. Are NGOs Next?*, November 2005, at <http://www.hrw.org>

<sup>189</sup> Julie A. Corwin, "The Incumbency Advantage," *RFE/RL*, 23 January 2001.

<sup>190</sup> "Marii-El President's Inauguration Accompanied By Protest By National Movement," *RFE/RL Tatar-Bashkir Weekly*, 18 January 2005.

Council into a body made up of full-time, professional legislators.<sup>191</sup> Under the new system, numerous regions have appointed deputies from Moscow without any previous formal connection to the regions in question.<sup>192</sup> This approach has also been adopted by Mari El, under the oversight of President Markelov.<sup>193</sup> While the rationale behind appointing Moscow-based deputies may have been to ensure that they are skilled lobbyists who do not have any political ambitions in relation to Mari El, the fact that they do not have any affiliation to either Mari El or its titular nationality is likely to mean that they feel little commitment to pursuing issues of specific concern to the Mari.<sup>194</sup> Following the reform of the composition of the Federation Council, the body has proved to be highly supportive of RF President Putin's legislative agenda, including in cases where bills go against regional interests.<sup>195</sup>

### 3.8. Repression of Mari activists, intellectuals, and others

#### *General situation*

Since the post-Soviet euphoria of the early 1990s, the Mari national movement in Mari El has been in decline. Among other factors, the general economic crisis, the weak ethnic identity of many Mari residents and the absence of a vibrant civic culture in the republic appear to have contributed to this development. A core network of Mari activists, however, continue their efforts to promote the national identity and interests of the Mari. These include leading members of Mari Ushem, Mer Kanash and other Mari organizations. Mari Ushem is a regional umbrella organization committed to promoting the preservation and development of the Mari national culture and to defending the rights of Mari in different areas of society.<sup>196</sup> Since April 2005, Nina Maksimova has served as its chair.<sup>197</sup> Mer Kanash is the board of the All-Russia Congress of the Mari People, which is composed of delegates from different Mari regions and is convened in Yoskar Ola every four years to discuss and make principled decisions on various matters of concern to the Mari.<sup>198</sup> At the last ordinary Congress in 2004,

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<sup>191</sup> "Face-lifted Federation Council," *Russian Regional Report* (published by The Center for Security Studies at the Swiss Federal Institute of Technology and the Transnational Crime and Corruption Center at the American University), Vol. 8, No. 2, February 2003.

<sup>192</sup> By mid-2002, about 35% of the members of the Federation Council did not have any connection to the regions they represented. *Russian Regional Report* (published by The Center for Security Studies at the Swiss Federal Institute of Technology and the Transnational Crime and Corruption Center at the American University), Vol. 7, No. 20, June 2002.

<sup>193</sup> See "Marii El Sends Muscovites to Upper Chamber," in *Russian Regional Report* (published by The Center for Security Studies at the Swiss Federal Institute of Technology and the Transnational Crime and Corruption Center at the American University), Vol. 6, No. 14, April 2001.

<sup>194</sup> See James Alexander, "Federal Reforms in Russia: Putin's Challenge to the Republics," *Demokratizatsiya*, Spring 2004; David Cashaback, "Risky Strategies? Putin's Federal Reforms and the Accommodation of Difference in Russia," *Journal of Ethnopolitics and Minority Issues in Europe* (European Centre for Minority Issues), Issue 3/2003.

<sup>195</sup> Freedom House, *Nations in Transit 2005: Russia*, at <http://freedomhouse.org>

<sup>196</sup> For more background information about Mari Ushem, see the section on the history of the Mari in chapter 1.

<sup>197</sup> For more information about Mari Ushem, see <http://www.mari.ee/rus/soc/org/mu/> (last accessed on 6 December 2005).

<sup>198</sup> For more background information about the Congress of the Mari people, see the section on the history of the Mari in chapter 1.



Vladimir Kozlov was elected as chair.<sup>199</sup> In addition to these two organizations, inter alia the regional Mari Youth Organization U Vij has its center in Mari El.<sup>200</sup>

In the last few years, relations between the major Mari organizations and the authorities have deteriorated markedly. The first two presidents of Mari El sought to cooperate with the national movement on addressing issues of specific concern to the Mari and strove to enlist support from the movement as a political force. In accordance with this strategy, which also was aimed at preventing more radical elements from gaining influence in the national movement,<sup>201</sup> the authorities were actively involved in the financing and organization of the Congresses of the Mari people that were held in 1992-2000.<sup>202</sup> Unlike his predecessors, however, President Markelov has refused to cooperate with the existing national movement and has instead created an alternative Mari Council to serve as an interlocutor with the authorities. This council is made up of members loyal to the president and has not shown any independent initiatives to further the interests of the Mari.<sup>203</sup> The national movement has developed into a major opposition force, and its members have been subject to various forms of harassment because of their efforts to pursue ethno-political objectives.

In the aftermath of the presidential elections in December 2004, pressure against the national movement has grown further, and its members have faced growing difficulties in their efforts to defend the rights of the Mari. This development appears directly related to the fact that the national movement openly supported the major opposition candidate in the presidential elections,<sup>204</sup> and subsequently has contested the re-election of President Markelov and directed numerous appeals concerning his policies to the federal government and international bodies.<sup>205</sup>

In addition to members of the national movement, other members of the Mari community have also faced harassment as part of broader trend of repression of dissidents in the republic. Moreover, some reports suggest that Mari representatives may have been the targets of intolerance and even violence because of their national affiliation (see the subsection on physical attacks below and also the section on “Public use of the Mari language”). All these reports give rise to serious concern.

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<sup>199</sup> Representatives of the Congress of the Mari people also participate in the regularly organized World Congress of Finno-Ugric Peoples. For more information about this Congress, see <http://kongress.ugri.info/eng> (last accessed on 6 December 2005).

<sup>200</sup> U Vij is a member of the international Youth Association of Finno-Ugric Peoples (MAFUN), and its former leader Vassily Petrov is currently the chair of MAFUN. For more information about MAFUN, see <http://www.mafun.org/info.htm> (last accessed on 6 December 2005).

<sup>201</sup> In late 1990, a radical minority broke away from Mari Ushem and founded Kugeze Mlande (Ancestral Land), which inter alia called for the independence of Mari El. The organization remained a fringe movement and was reportedly dissolved in 1995. See Rein Taagepera, *The Finno-Ugric Republics and the Russian State*, Hurst & Company (1999), p. 240.

<sup>202</sup> For a lengthy discussion of the development of the relations between the authorities and the Mari national movement since the 1990s to the early 2000s, see Seppo Lallukka, *From Fugitive Peasants to Diaspora: The Eastern Mari in Tsarist and Federal Russia*, *Annales Academiae Scientiarum Fennicae, Humaniora*, vol. 328 (2003), p. 285.

<sup>203</sup> See “Администрация Маркелова решила «возродить» созданный ею же «Марийский национальный конгресс,” *Mari Uver*, 30 September 2005.

<sup>204</sup> See the section on “Participation of Mari in public affairs.”

<sup>205</sup> See, for example, open letter to Finnish President Tarja Halonen from Mari Ushem, 1 August 2005, at <http://www.mari.ee/rus/news/polit/2005/08/02.htm> (last accessed on 12 December 2005); and open letters to the RF government, the United Nations and Finno-Ugric Peoples of the World adopted by Extraordinary Congress of the Mari People held in December 2004, at <http://www.mari.ee/eng/soc/polit/kongr/index.html> (last accessed on 12 December 2005).

### *Negative media coverage*

Mari activists with whom the IHF and the MHG spoke during their fact-finding mission to Mari El deplored that they have few opportunities to spread information about cultural and religious activities through publicly funded media since the editorial policies of these media are controlled by the authorities.<sup>206</sup>

Moreover, as other opponents, Mari activists have repeatedly been subject to verbal attacks in state-controlled media. They have, inter alia, been branded as “nationalists” who distribute “slandorous information” about the situation in Mari El<sup>207</sup> and have been accused of functioning as agents of foreign interests who seek to topple President Markelov’s regime.<sup>208</sup> Mari activists are concerned that this kind of coverage represents an attempt to mobilize public sentiment against the Mari national movement.<sup>209</sup>

### *Restrictions of freedom of association and assembly*

The rights of Mari activists to freedom of association and assembly have been infringed in different ways:

- On 23 December 2004, only a few days after the presidential elections, an Extra-ordinary Congress of the Mari people took place in Yoskar Ola. The organizers of the event had arranged to rent the city’s Palace of Culture for the meeting, but as the delegates arrived at this building they were not allowed to enter it. The Congress was therefore instead held outside of the building, despite a temperature of minus 15 degrees Celsius. In the presence of armed riot police, some 300 participants unanimously adopted appeals to RF President Putin, the United Nations and the Finno-Ugric Peoples of the world, which strongly criticized President Markelov for violating the rights of the Mari. The organizers of the event were reportedly administratively charged with “disturbing public peace.”<sup>210</sup> To avoid similar difficulties, the second Extra-ordinary Congress of the Mari People, which was convened in June 2005, was prepared in great secrecy and held in a forest outside of the capital.<sup>211</sup>

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<sup>206</sup> Information obtained in discussions with Mari activists during IHF-MHG fact-finding mission to Mari El on 29 October – 1 November 2005. See also the section on “Mari language media.”

<sup>207</sup> In September 2005, the coordinator of the Liberal Democratic Party in Mari El also made similar claims when appealing to the republic’s public prosecutor to suspend the work of Mari Ushem and Mer Kanash. See “LPDR in Marii El Calls for Abolition of Marii Ushem, Mer Kanash Groups,” *RFE/RL Tatar-Bashkir Weekly*, 6 September 2005.

<sup>208</sup> See, for example, “банановый переворот” отменяется?, “*Mariskaja Pravda*, 5 June 2005, at <http://www.marpravda.ru/>; “Владимир Путин подписал приговор марийским националистам Марий Эл,” *news12.ru*, 25 November 2005, at [http://news12.ru/phpscripts/news/news\\_details.php?id=371](http://news12.ru/phpscripts/news/news_details.php?id=371) (last accessed on 9 December 2005); and “Что делать?,” *news12.ru*, 5 December 2005, at [http://news12.ru/phpscripts/news/news\\_details.php?id=412](http://news12.ru/phpscripts/news/news_details.php?id=412) (last accessed on 9 December 2005).

<sup>209</sup> Information obtained in discussions with Mari activists during IHF-MHG fact-finding mission to Mari El on 29 October – 1 November 2005. See also the section on “Mari language media.”

<sup>210</sup> “An Extraordinary Republican Congress of Mari People Took Place,” *Mari-Express*, December 2004; “Mari Opposition Protests Presidential Election Results,” *RFE/RL Tatar-Bashkir Weekly*, 28 December 2005.

<sup>211</sup> SURI, “Ethnic Minority Convenes Its Congress Underground,” 7 June 2005.

- On 16 January 2005, the day of President Markelov's re-inauguration, Mer Kanash organized a rally in Yoskar Ola to protest the results of the presidential elections. A formal request to organize the rally was rejected, and as the rally was under way, heavily armed militia and security officers dispersed and arbitrarily detained participants and others who happened to be at the place. Some of those arrested were reportedly ill-treated and beaten by law enforcement officials.<sup>212</sup>
- A request by Mari Ushem to organize a public meeting in Yoskar Ola on 14 August 2005 was turned down by local authorities without any apparent legitimate reason. The movement still went ahead with the meeting, the purpose of which was to welcome the participants of the 10th International Congress of Finno-Ugric Studies held in Mari El on 15-20 August 2005 and to highlight the movement's concerns about official policies in the republic. Those participating in the meeting carried big placards protesting human rights violations in the republic and adopted a resolution which, inter alia, accused President Markelov of engaging in a "witch-hunt" against the Mari people. The organization of the meeting was complicated by intense road construction work, which was carried out in the direct vicinity of the venue of the meeting. Later the organizers were reportedly threatened with criminal charges for allegedly making defamatory and slanderous statements during the meeting, as well as in an interview for Finnish TV, which was present and filmed the event.<sup>213</sup>
- In September 2005, Vladimir Kozlov, Chair of Mer Kanash and Chief Editor of the international Finno-Ugric newspaper *Kudo+Kodu*, was reportedly ordered by court to leave his office premises in the State Press Building in Yoskar Ola because of unpaid rent of a few hundred Euros. A proposal by him to pay off the debt in installments was rejected. As Kozlov failed to comply with the request within the time limit given, primarily because he could not find alternative premises, a criminal case was opened against him. While this case was pending he was not allowed to leave the republic, and could therefore not attend a meeting in Moscow of the Association of Finno-Ugric Peoples of the RF, an umbrella organization created in 1992, which he had been invited to chair. Kozlov had also housed a museum for a rare collection of Mari literary pieces, named after Mari national Poet Valentin Kolumb (1935-74), in his office premises. As a result of the eviction decision, the museum items could not be retained as a collection, and as of late 2005 they were scattered over numerous different places in the region.<sup>214</sup> Also in September 2005, Mari

<sup>212</sup> Paul Goble, "Eye on Eurasia: Repression on the Volga," *United Press International*, 21 January 2005; "Marii-El President's Inauguration Accompanied by Protest by National Movement," *RFE/RL Tatar-Bashkir Weekly*, 18 January 2005; information obtained in discussions with Mari representatives during IHF-MHG fact-finding mission to Mari El on 29 October – 1 November 2005.

<sup>213</sup> "Maris Threatened with Legal Proceedings for Staging Protest Rally," *RFE/RL Newswire*, 18 July 2005; SURI, "Russian Authorities Threatening An Ethnic Minority Organization," 7 August 2005; "Закатать' катком митинг не удалось," *Mari Uver*, 15 August 2005; Liz Fuller, "Marii El Begins to Look Like Belarus on the Volga," *RFE/RL*, 21 August 2005.

<sup>214</sup> "Завтра Центр-музей им. В. Колумба окажется под открытым небом," *Mari Uver*, 6 September 2005; "Выселение Центра-музея им. В. Колумба отложили на неделю," *Mari Uver*, 7 September 2005; Open Letter from Vladimir Kozlov to the Minister of Culture of Mari El, "Директор Центра-музея им. Валентина Колумба объявил голодовку в знак протеста против выдворения музея из Дома печати. Открытое письмо министру культуры Республики Марий Эл," *Mari Uver*, 7 September 2005; Discussions with Mari activists

Ushem was reportedly forced to leave its office premises due to allegedly unpaid utility charges.<sup>215</sup>

### *Other forms of harassment*

In some cases, Mari representatives have faced problems when seeking to communicate their concerns about the situation in Mari El to representatives of Finno-Ugric peoples in other countries:

- Vsevolod Zaytsev, professor at the Pedagogical Institute, and Mikhail Zherebstov, former head of the Zvenigorod district, were found guilty of libel after speaking to Finnish, Estonian and Hungarian embassy delegations visiting Mari El in June 2005. In their discussions with the foreign delegations, Zaytsev and Zherebstov merely expressed their opinions about the current state of affairs in Mari El, and the former explained the results of his research on educational policies in the republic.<sup>216</sup>
- Contacts between local Mari activists and foreign participants were reportedly obstructed during the August 2005 International Congress of Finno-Ugric Studies. Foreign guests were followed by security officials wherever they went, and their cell phones were switched off when they tried to arrange meetings with locals. In addition, a number of anti-terrorism exercises were carried out in connection with the Congress with the apparent aim of disturbing the meeting.<sup>217</sup>

### *Physical attacks*

In the last few years, there have been a series of cases in which prominent Mari representatives as well as independent journalists and others critical of official policies have been subjected to brutal attacks. Investigations into the attacks have typically not been effective, and the perpetrators have not been found or held accountable. The circumstances of these attacks suggest that they have been politically motivated.<sup>218</sup>

These are some of the most recent cases that have been reported:

- On 7 February 2005, Vladimir Kozlov, Chair of Mer Kanash, member of the Consultative Committee of the World Congress of Finno-Ugric Peoples and

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during IHF-MHG fact-finding mission to Mari El on 29 October -1 November 2005. See also section on “State support for Mari cultural activities.”

<sup>215</sup> Mika Parkkonen, “Mari People Face More Oppression in Russia,” *Helsingin Sanomat*, 5 October 2005; discussions with Mari activists during IHF-MHG fact-finding mission to Mari El on 29 October – 1 November 2005.

<sup>216</sup> SURI, “Russian Authorities Threatening an Ethnic Minority Organization,” 22 July 2005; discussions with Mari representatives during IHF-MHG fact-finding mission to Mari El on 29 October – 1 November 2005.

<sup>217</sup> SURI, “Closing of the 10<sup>th</sup> International Congress of Finno-Ugric Studies in Yoskar Ola,” 21 August 2005; Liz Fuller, “Marii El: Belarus on the Volga?,” *RFE/RL Russian Political Weekly*, 23 August 2005; Kirsikka Moring, “Russian Security Forces Keep Tight Rein on Finno-Ugric Congress in Mari Republic,” *Helsingin Sanomat*, 31 August 2005.

<sup>218</sup> See also the section on “Mari language media.”

Chief Editor of the international Finno-Ugric newspaper *Kudo+Kodu*, was attacked on his way to work. About 100 meters from the Press House in Yoskar Ola, three unknown people approached Kozlov from behind and repeatedly struck him in the head with pipe-like metal objects. They further kicked him as he fell down on the ground. As a result of the attack, Kozlov sustained life-threatening injuries, which required emergency treatment in hospital. By the end of 2005, the investigation into the attack had not yielded any results.<sup>219</sup> In April 2002, former Chair of Mer Kanash Viktor Nikolayev was subject to a similar attack.<sup>220</sup>

- On 27 May 2005, about a dozen Mari musicians and cultural figures were assaulted following a Mari musical concert in the Cultural Hall of Yoskar Ola. As a group of musicians were walking toward their bus, members of the local branch of the militant Russian National Unity (RNU) movement approached them, said that they “did not like” the Mari songs performed, made other offensive comments and hit some of the musicians. Another group of musicians and organizers of the event were attacked and severely beaten by RNU members as they were walking home from the concert. Some of the RNU members involved in the attacks later told local residents that their leader had been ordered by the head of the presidential administration of Mari El to carry out the attacks. In return, they claimed, the RNU branch had been promised a plot of land on which to construct its new headquarters. In an official statement, President Markelov denied that he or his government had anything to do with the incident and promised that a thorough investigation would be undertaken to identify the “unknown persons” behind the attacks.<sup>221</sup>
- According to NGO reports, on 27 August 2005, unidentified perpetrators attacked and beat Vasili Petrov, Chairman of the International Youth Association of Finno-Ugric Peoples (MAFUN) and former leader of the Mari youth organization U Vij, in his home village Ismentsa in Mari El. Following the attack, Petrov was hospitalized with head injuries and arm and jaw fractures. Prior to the attack, Petrov had reportedly been warned that he would face “serious troubles” unless he stopped criticizing the authorities. According to the official version of the events, Petrov was intoxicated at the time of the incident, and himself initiated a fight with three other people. Allegedly under pressure, Petrov subsequently issued a statement saying that the incident was domestic in nature and unrelated to his public activities. He also expressed gratitude for the medical care he had received.<sup>222</sup>

<sup>219</sup> See, for example, SURI, “Opposition Leaders Still Persecuted in Mari El: Vladimir Kozlov Assaulted,” 4 February 2005.

<sup>220</sup> Anja Itkonen, “Mariliikkeen puhenjohtaja pahoinpideltiin,” *Verkko-Karjalainen*, April 2002.

<sup>221</sup> “RNU Beats Musicians in Mariy El – Glasnost Foundation Sounds Alarm,” published in All-Russian Nongovernmental Movement for Human Rights, *Chronicle on Political Persecution in Present Day Russia*, Issue No. 22, 22 June 2005; SURI, “Fascist Group in Russia Asserts Being Instructed by Local Administration,” 31 May 2005; Paul Goble, “Window on Eurasia: Russian Nationalist Skinheads Attack Mari Cultural Figures,” *Mari Uver*, 31 May 2005.

<sup>222</sup> SURI, “Chairman of the Youth Association of Finno-Ugric Peoples Attacked in Mari Republic of Russia, 28 August 2005; “Finno-Ugric Youth Leader Beaten in Russia’s Mari Republic,” *Helsingin Sanomat*, 30 August 2005; “Marii National Organization Leader Assaulted,” *RFE/RL Tatar-Bashkir Weekly*, 30 August 2005; Mari Ushem, “Обращение ‘Марий ушем’ в МВД России в связи с избиванием президента МАФУН,” *Mari Uver*, 30 August 2005; “...As Marii Youth Leader Denies Assault Against Him was Politically Motivated,” *RFE/RL*

## Recommendations

In light of the discussions in this report, the IHF and the MHG would like to make the following recommendations:

*To the authorities of the RF and the Republic of Mari El*

- The RF and Mari El governments should refrain from any restrictions of freedom of expression, association and assembly that are in violation of international human rights law. The RF government should ensure prompt, impartial and effective investigations into all alleged cases of intimidation, harassment and violence targeting independent journalists, civil society activists and other residents of Mari El who have merely sought to express their views, communicate their concerns and promote cultural and ethno-political objectives in peaceful and legitimate ways. Among others, the numerous cases of physical attacks on dissidents as well as politically motivated dismissals of public employees that have been reported in the republic should be subject to independent and thorough investigation. All victims of politically motivated persecution in the republic should have access to adequate remedies.
- The RF and Mari El governments should encourage broad public debate, involving all interested parties, on issues of major importance to national minorities and invite and welcome dialogue with representatives of minority communities. They should refrain from any restrictions on the political organization of national minorities that are inconsistent with international human rights law and they should regularly consult with minority organizations concerning the implementation of minority policies in different areas of society. They should also actively promote the participation of minority members in public affairs at different levels, including, where appropriate, by adopting affirmative measures to enhance the representation of minorities in public governance.
- The RF government should ensure that its efforts to reform the country's federal system are consistent with internationally accepted democratic norms and human rights principles. It should refrain from any measures that circumscribe democratic control exercised by regional constituencies and undermine minority protection linked to the structure of national territorial units. The RF and Mari El governments should ensure that any efforts to promote a common all-Russia identity, and the use of Russian as a *lingua franca*, do not result in worsened opportunities to practice minority cultures and languages or, in any way, encourage prejudice and intolerance against minority members.
- Representatives of the RF and Mari El governments should refrain from making any comments that may be interpreted as conveying lack of respect or

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*Tatar-Bashkir Weekly*, 6 September 2005; SURI, "В Марий Эл заведены уголовные дела против представителей оппозиции," 8 September 2005.

appreciation of national minorities and, instead, encourage positive attitudes toward minority communities by publicly emphasizing the value and importance of minority cultures and languages. They should openly condemn any forms of intolerance or hostility against minority members and ensure that any allegations of nationally motivated discrimination or violence, or incitement to such behavior, are effectively investigated and prosecuted.

- The authorities of the RF and Mari El should take adequate measures to enforce constitutional provisions and other legislation concerning the protection and development of minority languages and cultures, including by allocating adequate resources for the effective implementation of relevant policies and programs; organizing training for public officials on the implementation of legal provisions related to minority protection; and raising awareness among minority members of their legally protected rights. The authorities of Mari El should, in particular, intensify their efforts to facilitate practical enforcement of the official status of the Mari language and, to this end, consider requiring that public officials have a certain level of knowledge of the Mari language.
- The RF authorities should exercise effective oversight of the implementation of minority educational policies at the regional level and ensure that regional authorities fulfill their constitutional and other responsibilities in this regard. The authorities of Mari El should engage in continued efforts to evaluate and develop instruction in and of the Mari language with a view to improving the quality and availability of such instruction at different levels of the education system. They should reinstate the previously existing Ministry of Education department in charge of overseeing and coordinating minority language programs and make sure that decisions about reorganizations and closures of schools are not made merely on the basis of rationality aspects but through consideration of the wider implications of such decisions and consultation of teachers, students, parents and others who are affected by the decisions. A sufficient number of adequate and up-to-date textbooks and teaching material for instruction in and of the Mari language should be produced and a sufficient number of qualified teachers should be educated. Positive measures should be taken to promote access of ethnic Mari to higher level education.
- The authorities of the RF and Mari El should encourage active use of minority languages in different forms of media and give particular consideration to the importance of promoting, maintaining and improving the availability of newspapers, magazines, and TV and radio broadcasts in minority languages when elaborating and implementing public media policies. Both media productions with cultural and educational content and news and analytical publications/programs should be supported. Despite economic difficulties, the authorities should seek to gradually increase support for the publication of literature in minority languages as well as for minority cultural activities that do not merely have a folkloristic value but contribute to living minority cultures.

*To the international community*

- In their bilateral and multilateral contacts with the RF government, international governments should emphasize that independent media, active political opposition and a vibrant civil society constitute key components of any democratic state, including the RF. They should hold the RF government accountable to its international obligations in terms of freedom of expression, assembly and association, and insist that adequate investigations be undertaken into any allegations of intimidation, harassment and violence targeting independent journalists, civil society activists and others who have sought to exercise these and other fundamental rights in peaceful and legitimate ways. They should call on the RF government to take prompt and effective action in response to reports of persecution against opposition forces in Mari El and other regions of the country.
- In their bilateral and multilateral contacts with the RF government, international governments should highlight the importance of preserving living minority cultures and languages in any country and call on the RF government to step up its efforts to enforce legal provisions safeguarding the rights of national minorities, to further develop the actual protection of national minorities and to combat prejudice and xenophobia against members of national minorities throughout the RF. They should encourage the RF government to allocate more resources to overseeing and coordinating implementation of minority policies at the federal level, to regularly consult with representatives of national minority communities when elaborating minority policies, and to identify and promote best practices of minority protection in the regions of the country. They should implore the Russian government to make sure that its efforts to reform the country's federal system, and to promote a stronger common identity among its multinational citizenry, do not curtail the democratic rights of citizens, impair the protection of minority rights or – in any way – contribute to furthering intolerance.



