

UDC [341.121+341.234]:323.15
DOI: 10.24919/2519-058x.12.177549

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Бібліографічний опис статті: Degtyarev, S. & Samoilenko, Ye. (2019). League of Nations and protection of national minorities in Eastern European states (1919 – 1946). *Shkhidnoievropeiskyi Istorychnyi Visnyk [East European Historical Bulletin]*, 12, 94–107. doi: 10.24919/2519-058x.12.177549

**LEAGUE OF NATIONS AND PROTECTION OF NATIONAL MINORITIES
IN EASTERN EUROPEAN STATES (1919 – 1946)**

Summary. *The purpose of the research is to analyze the formation and development of an international mechanism for the protection of national minorities under the auspices of the League of Nations in the context of its dissemination to the countries of Eastern Europe. The methodology of the research is based on the principles of historicism, science, author's objectivity, consistency, social approach, and interdisciplinarity. General sciences (analysis, synthesis, deduction, induction, generalization) and special-historical methods (historiographical analysis, terminological analysis, retrospective, and comparative and historical) methods are used. The scientific novelty of the research is based on the*

analysis of a wide range of studies on the genesis of the protection of national minorities by the League of Nations, a critical assessment of the functioning of the League's human rights mechanism in relation to minority ethnic groups in the countries of Eastern Europe. The research found that the system of guarantees of the League of Nations for the benefit of minorities was shaped under the influence and in the context of the development of international relations of the League with Eastern European states, at the stage of securing the respective obligations of the states, as well as during the supervision of their implementation. The article substantiates the existence of an alternative historiographical approach to the concept of «Eastern European states», which was characteristic of the interwar period, 20-s and 30-s of the 20th century, in the context of an urgent need for a systematic settlement of the national minorities' status in Europe, which was of particular interest for the leading countries of the Entente.

Conclusions. An international protection mechanism was primarily provided not to national minorities, but to social groups, as well as to their individual representatives. This significantly narrowed the rights and interests of «non-dominant» strata of the population of states. The system of minority rights guarantees of the League of Nations was also controversial: on the one hand, in many countries, there were significant violations of the rights of minorities, and, on the other hand, an established system often opened the way for possible abuses and artificial ethnic hostility agitation, such a way giving the possibility to a part of the country of origin of a particular minority to influence the policy of multinational states. The signatories to the treaty on the protection of minorities persistently resisted the desire of the League of Nations to provide effective control over the fulfillment of the treaty obligations imposed on them by the winner-countries of the First World War. They considered the created system inequitable and inappropriate since it disregarded the rest of the multinational states that faced similar problems. All this conditioned the League's poor performance in protecting the rights and interests of minority ethnic groups living on the territory of Eastern European states.

Key words: League of Nations, national minorities, Eastern Europe, peace treaty, minorities treaties, unilateral declarations.

ЛІГА НАЦІЙ І ЗАХИСТ НАЦІОНАЛЬНИХ МЕНШИН У ДЕРЖАВАХ СХІДНОЇ ЄВРОПИ (1919 – 1946)

Анотація. Мета дослідження – проаналізувати діяльність Ліги Націй у сфері захисту національних меншин у східноєвропейських державах протягом 1919 – 1946 рр. **Методологія дослідження** ґрунтується на принципах історизму, науковості, авторської об'єктивності, системності, соціального підходу та міждисциплінарності. Використано загальнонаукові (аналіз, синтез, дедукція, індукція, узагальнення) та спеціально-історичні (історіографічного аналізу, термінологічного аналізу, ретроспективний, порівняльно-історичний) методи. **Наукова новизна:** на основі аналізу широкого спектру досліджень, присвячених генезису захисту національних меншин Лігою Націй, представлена критична оцінка функціонування правозахисного механізму Ліги стосовно меншитарних етнічних груп населення країн Східної Європи. Показано, що система гарантій Ліги Націй на користь меншин формувалася під впливом та у контексті розвитку міжнародних відносин Ліги зі східноєвропейськими державами як на етапі закріплення відповідних зобов'язань держав, так і у зв'язку із наглядом за їх виконанням. Обґрунтовано існування альтернативного історіографічного підходу до поняття «східноєвропейські держави», що було характерним у міжвоєнний період в умовах нагальної потреби системного врегулювання статусу національних меншин на території Європи, в чому особливо були зацікавлені провідні країни Антанти.

Висновки. Міжнародний механізм захисту передусім надавався не національним меншинам як соціальним групам, а окремим їх представникам. Це істотно звужувало права й інтереси «недомінантних» верств населення держав. Система гарантій прав меншин Лігою Націй також мала суперечливий характер: з одного боку у багатьох країнах відбувалися значні порушення прав приналежних до меншин осіб, а з іншого – встановлена система часто відкривала шлях для можливих зловживань і штучного розпалювання етнічної ворожнечі з метою впливу у такий спосіб на політику багатонаціональних держав зі сторони країни походження конкретної меншини. Держави, що підписали угоди щодо захисту меншин, наполегливо чинили опір прагненням Ліги Націй забезпечити дієвий контроль за виконанням договірних зобов'язань, нав'язаних

їм країнами-переможцями у Першій світовій війні. Створена система розцінювалася ними як нерівноправна і нецілісна, оскільки залишала поза увагою решту багатонаціональних держав, що стикалися з подібними проблемами. Усе вище перераховане низьку ефективність роботи Ліги у напрямі охорони прав та інтересів міноритарних етносів, які проживали на території східноєвропейських держав.

Ключові слова: Ліга Націй, національні меншини, Східна Європа, мирний договір, угоди про національні меншини, односторонні декларації.

The problem statement. The protection of national minorities within the League of Nations was a groundbreaking direction in the political dialogue of the states of that time. The protection of their rights was established as a characteristic attribute of a peaceful settlement after the First World War. Interstate cooperation on the protection of the interests of these social groups became an example of future universal cooperation in the sphere of human rights. This unprecedented approach to stabilizing the situation in ethnically diverse countries was seen as a kind of alternative to the inhuman methods of solving this problem – «ethnic cleansing»: for example, the genocide of the Greeks, committed by the Turkish government in 1914 – 1923, which became known in the historiography as an Asia Minor catastrophe (Finney, 1993, p. 2, 48, 53, 126, 381; Yildirim, 2006, p. 17, 88, 193; Chatzikyriakidis, 2011, p. 52). Ethno-national problem was exacerbated by changes in the political map of post-war Europe when the revision of state borders was accompanied by the inclusion of foreign community into their population. Allied and United forces insisted that Eastern European states signed agreements that would guarantee political, religious, language and other rights of national minorities.

The analysis of sources and researches. Between the two world wars, the practice of providing a state with safeguards for the protection of national minorities was to formalize them into peace treaties, special agreements («minorities treaties»), and unilateral acts.

During the League of Nations, the issues of the recognition and observance by the Eastern European States of the rights of national minorities were studied by O. Bochkovskiy (1922; 1958), V. Krotkov (1923), H. Rosting (1923), M. Vishnyak (1929), I. Levin (1934), C. Macartney (1934), J. Kunz (1945) and others. Among modern scholars who studied the above-mentioned issues, there are prominent works of V. Gevorkyan (1955), R. Pearson (1983), S. Sierpowski (1991), P. Thornberry (1993), C. Fink (1972; 1995), A. Abashidze (1996), J. Preece (1998), V. Mytsyk (2004), Y. Turchyn (2013), P. Kovács (2013), O. Ilinskaya (2017), A. Horot (2018). It is also important to consider the publications affiliated with international intergovernmental organizations, in particular, the United Nations Office at Geneva (UNOG, 2016).

The publication's purpose is to analyze the formation and development of an international mechanism for the protection of national minorities under the auspices of the League of Nations in the context of its dissemination to the countries of Eastern Europe.

Opening remarks. By this time, there was no clear understanding of the concept of «Eastern Europe». The content of the term is substantially dependent on its geographical, geopolitical, social and cultural, and even economic connotations. However, the principle of historicism requires relying primarily on historiographical material, which directly relates to the studied issues. Urged by the necessity to resolve the issue of national minorities as a result of the revision of the borders in Europe after the First World War, the following states were considered Eastern European: Austria, Bulgaria, Czechoslovakia, Greece, Hungary, Latvia, Lithuania, Estonia, Turkey, Poland, Romania, Finland, Albania and the Kingdom of Serbs,

Croats and Slovenes (since 1929 – the Kingdom of Yugoslavia) (Levin, 1934, p. 64; Fink, 1972, p. 331; Pearson, 1983; Fink, 1995, p. 197; Preece, 1998, p. 68; UNOG, 2016).

Statement of the basic material. Famous Ukrainian politician and publicist Olgerd Bochkovskiy noted that the solution to the question of national minorities in pre-war Europe was within the domestic jurisdiction. Instead, after the First World War, there was a real opportunity to carry out international supervision of compliance with minority rights, which was accompanied by a number of problems provoked by «old European political psychology», an absolutist understanding of state sovereignty essence, which did not correspond to the contemporary world tendencies. Therefore, a state that requires loyalty from national minorities must first of all conscientiously fulfill its obligations to them (Bochkovskyi, 1922, p. 5; 1958, p. 54–56; Turchyn, 2013, p. 45). The priority task of the introduction of international protection was to include the status of diverse ethnic, religious and linguistic groups living on the territory of Central Powers defeated in the First World War to the system of peace treaties. The plan was implemented in the treaties with Austria, Hungary, Bulgaria, and Turkey that included special sections on the protection of minorities. According to a contemporary of the event, a member of the League of Nations Secretariat Helmer Rosting, the special role of the New States and Protection of Minorities Committee had a powerful role in this direction at the Paris Peace Conference (Rosting, 1923, p. 646).

The Saint-Germain, Trianon, and Neuilly peace treaties concluded with the Christianity dominating states, received same-type provisions of minority protection. The treaties protected the lives and freedom of citizens of these countries based on equality before the law irrespective of their origin, nationality, language, race or religion. They provided the right to freely practice religion and to express personal convictions if such practices were not contrary to public order or public morals and gave the same civil and political rights; it was prohibited to make the exercising of these rights conditional on a particular confession. There were no restrictions on the use of minority languages in private communication, periodicals or book publications, religion, trade, courts, and public meetings. The right of ethnic, religious or language groups was proclaimed to establish and maintain charitable, religious and social institutions, schools and other educational institutions at their own expense. In cities and areas of minority residence, they were guaranteed education in their native language in primary schools with the compulsory study of the state language and financing their needs from state, municipal or other budgets for educational, religious or charitable purposes.

Minority representatives were granted citizenship of the receiving state without any formalities *ipso facto*, provided 1) they lived in the territory of this state, had the right to its citizenship at the moment of the relevant peace treaty enforcement and were not citizens of other countries; or 2) they were born on the territory of such a state from persons who were not granted citizenship of other countries.

Peace treaties obliged Austria, Hungary, and Bulgaria to recognize all the above provisions as fundamental norms as well the fact that none of their internal acts could contradict these norms, change them or have a higher legal force over them. The League of Nations was the guarantor of the implementation of these international obligations and was not subject to modification without the consent of the majority of the Council of the League. A priori, any member of the Council had the right to draw the attention of the body to the breach of obligations, and the Council could take necessary, adequate to the circumstances measures.

Any legal issue or fact arising out of the provisions of the Saint-Germain, Trianon, and Neuilly Peace treaties was considered a matter of dispute that could be referred to the Permanent Court of International Justice at the request of the concerned state.

With regard to the Sevres Peace Treaty, Turkey recognized the inalienability of only its particular minority clauses: in terms of guaranteeing all Turkish citizens security, protection of life and freedom, equality before the law, civil and political rights (including the organization of an electoral system based on a proportional representation of minorities in the parliament), the right to practice their religion and express their personal convictions, free use of their native language, creation, management and control of their charity, religious and social institutions, institutions of primary, secondary and higher education without intervention of the authorities. Although, according to the treaty the Turkish government was formally obliged to respect the church and scholastic autonomy of the non-Islamic direction, recognize the diplomas issued at foreign schools and universities, spend funds from budgets of all levels in the fair amount on the educational and charity goals of ethnic, language and religious minorities in the places of their compact (numerous) residence, to prevent the pressure on Christians and Jews to act incompatibly with the canonical norms of their beliefs.

The Turkish authorities should not prevent the mutual and voluntary emigration of minorities if it was considered appropriate by the Entente powers. In this context, it was planned to conclude a special agreement between Turkey and Thrace six months after the Sevres Peace Treaty enforcement to settle the issue of population exchange. The matter was that under the peace conditions, East Thrace with the city of Adrianople, the European coast of the Dardanelles, the Galilee Peninsula and Izmir (Smyrna) were ceded from Turkey to Greece. Therefore, the key objective of the exchange was the homogenization of the national composition of the states formed on the territory of the former Ottoman Empire and the prevention of the development of separatism by potential ethnic-religious minorities. In due time, such an agreement was not concluded, primarily because of the beginning of the Greco-Turkish war of 1919 – 1922.

Taking into account the existence of a terrorist regime in Turkey since January 1, 1914, the violent Islamization of the population was considered illegal. In order to redeem guilty charges for mass murder during this period, the Turkish government was supposed to assist in the search and release of persons of any race or religion that had disappeared, had been enslaved or had interned by that date. The Government committed itself to promote the activities of mixed commissions appointed by the Council of the League of Nations to receive complaints from the victims of violence, their families or relatives, and conducting necessary investigations, and to execute decisions on the release of the victims and to ensure their safety and freedom. The government should have made efforts to return those minority members who had been forced to leave their homes since January 1, 1914, either due to illegal eviction or because of the threat of physical harassment. Questions on the restoration of housing, the removal from the office of perpetrators of mass murders and deportation of minority representatives, the abolition of contracts of sale and other acts concerning their housing, starting January 1, 1914, the disposal of property of members of the communities missing or died on January 1, 1914 in the absence heirs also were within the competence of mixed (arbitration) commissions. The Commission consisted of a representative of the Turkish government, the minority and the chairperson of the Council of the League.

The Sevres Peace Treaty did not contain clear language about the League of Nations as the guarantor of international protection of minority rights. Under the terms of the agreement,

the United Kingdom, France, Italy and Japan, having consulted the Council of the League, were authorized to decide what measures would be necessary to ensure the compliance with the treaty provisions on ethnic, religious and linguistic communities in Turkey, with full readiness of the government of the latter to properly implement such measures.

The Sevres Peace Treaty was perceived in Turkey as unfair, and therefore it was not ratified by the country's parliament. It was replaced by the Lausanne Peace Treaty dated July 24, 1923, which reflected the same approaches to the international protection of minority rights as the Saint-Germain, Neuilly, and Trianon agreements. Although the materials of the Lausanne Conference revealed Turkey's total reluctance to become a member of the League of Nations, and hence of its control over the protection of the non-Muslim population (Krotkov, 1923, p. 65–67).

Special international agreements on the minority rights protection were signed within the framework of the League of Nations by the Principal Allied and Associated Powers (Great Britain, France, Italy, the USA, and Japan) with five countries: the Versailles agreement dated June 28, 1919 with Poland, Saint-Germain agreements dated September 10, 1919 – with Czechoslovakia and the Kingdom of Serbs, Croats and Slovenes, Paris agreement dated December 9, 1919 – with Romania and Sevres agreement dated August 10, 1920 – with Greece. By content, they were the same with the relevant provisions of the previously described peace treaties.

The common attributive feature of these minorities treaties was the elaboration (clarification) of the legal status of individual national minorities: in an agreement with Poland – minorities from Germany, Austria, Hungary, Russia and Jews; in an agreement with Czechoslovakia – minorities from Germany, Austria, Hungary and the Ukrainian ethnos of Subcarpathian Rus; in an agreement with the Kingdom of Serbs, Croats and Slovenes – minorities from Austria, Hungary, Bulgaria and Muslims; in the treaty with Romania – minorities from Austria, Hungary, Jews, Saxons and Szekelys of Transylvania; in an agreement with Greece – minorities from Bulgaria, Turkey and the Jews. Questions related to Ukrainians had been settled in minorities treaties with Poland, Czechoslovakia and Romania respectively.

According to the American professor Carol Fink, the agreement with Poland was a starting point for concluding similar agreements with the other above-mentioned states (Fink, 1972, p. 331; Fink, 1995, p. 198). The Prime Minister of the Polish Republic, Ignatius Jan Paderewski, received a letter from the President of the Paris Peace Conference, Georges Clemenceau together with the text of the Versailles Agreement, which contained the arguments that formed the basis of all special treaties on minorities (Rosting, 1923, p. 647).

Poland was obliged to recognize the citizenship of German, Austrian, Hungarian and Russian citizens who lived by the day of the treaty enforcement on the territory that was or should have been an integral part of the Polish sovereign territories. All such persons under the age of 18 were entitled to the option (choice) of any other nationality, the entry of which remained open to them. Moreover, for spouses, the choice of a man covered the choice of his wife and minors. Because of the existence of a Jewish community in the country, the treaty included a prohibition on forcing Jews to commit acts that violated their Saturday commandment. They could not be subject to any penalties for the failure to appear in court or for the failure to comply with legal actions on Saturday. However, this did not relieve Jews of the duties entrusted to all Polish citizens with regard to the needs of military service, state defense, or public order.

In other words, Poland, Czechoslovakia, the Serbian-Croatian-Slovenian State, Romania and Greece agreed to give a certain amount of rights and a minimum level of protection of the ethnic identity of minorities, as well accepted the condition of control by the League of Nations as a guarantor of their compliance with international obligations in the designated sphere. Nevertheless, the question of territorial autonomy for minorities was not discussed in the treaties. The only exception was the agreement signed with Czechoslovakia, where this privilege was secured to Carpathian Ukraine (Ruthenia). The Ruthenia minority was guaranteed full self-government (Preece, 1998, p. 78). Its representatives formed the parliament, to which the Governor of Ruthenia, appointed by the President of Czechoslovakia, was accountable. The parliament of the state had a quota for the Ruthenian deputies, though, who could participate in the adoption of the decisions only concerning their minority.

Among the categories of minorities treaties, the following four bilateral agreements should be highlighted: the Polish-Danzig Convention dated November 9, 1920, the Finnish-Swedish agreement dated June 27, 1921, the German-Polish (Geneva) Convention on the Upper Silesia dated May 15, 1922, Convention on the Memel Territory dated May 8, 1924. They considered local interests, though, the League of Nations contributed in their coming into existence.

The Convention between Poland and the Free City of Danzig (now Gdansk) regulated the international legal status of the latter as a state-like entity. The Convention's norms obliged Danzig to apply the standards of their legal protection to minorities, similar to those prescribed in the Treaty of Versailles with Poland in 1919. There was no discrimination against Polish citizens and other persons of Polish origin, based either on legislation or on the behavior of the city administration.

The agreement between Finland and Sweden approved at a meeting of the Council of the League of Nations, concerning the protection of the Swedish language, culture, and traditions of the population of the Aland Islands. It did not fit into the criterion of classical international agreements since it was a kind of commitment of Finland to Sweden. It was important that the League just started testing this practice. Subsequently, on the proposal of the British representative to the League Assembly Herbert Fischer (Macartney, 1934, p. 260), the organization for such cases chose the form of declarations that were consistently approved by the resolutions of the Council.

In order to achieve the objectives of the treaty, the Landsting (Parliament) and the communes (municipal authorities) of the archipelago should not have financed schools other than those where education was conducted in Swedish. Swedish language learning was also preserved in public schools. The Finnish language could not be studied in elementary schools supported or subsidized by the state or local community without the consent of the community concerned. In a case of the sale of real estate to a person who did not reside on the islands, the right to preferential purchase of alienated property by local residents or authorities at the contract price of the sale was used, and in a case of a dispute – at the price set by the court. Non-resident Finnish citizens acquired the right to vote after 5 years of residence in the archipelago. The Governor of the Aland Islands was appointed by the President of Finland in agreement with the President of Landsting, and in case of disagreement with the latter, he was selected by the head of the state from five persons nominated by the island parliament.

The Geneva Convention for the development of the Versailles Peace Treaty not only finalized the Germany transfer of a part of Upper Silesia to Poland, taking into account the 1921 plebiscite, but also pursued the objective of alleviating the negative effects of such a

transfer during the transitional period to the local population (Macartney, 1934, p. 263). For a period of 15 years from the date of its signing, it established the rights of the Germans in Poland and the Poles in the German part of Upper Silesia under the Treaty of Versailles with Poland (with the exception of citizenship issues). Moreover, if, as regards the German part of the above-mentioned territory, the convention terminated with time, then the Polish part of the protection of the rights of local minorities continued to be based directly on the above-mentioned Versailles agreement.

Specific features of the Geneva Convention were as follows. A person's belonging to an ethnic, language or religious group could not be checked or questioned by the authorities. In terms of civil and political, religious and cultural and educational rights, legal and actual equality in their implementation was declared. The prohibition or blocking of the establishment of any institutions and associations to meet non-political interests was not allowed, and qualified personnel from the territory of the other contracting party could be involved in their work, as well as the import of the necessary literature, medical instruments and medical preparations, equipment, etc. was permitted. Freedom of religion included the possibility of activities of various communities, parishes, orders, congregations and other religious organizations, as well as the celebration of their holidays, religious education and upbringing. In primary and secondary education, the convention distinguished between private schools, minority schools, and public schools. Moreover, education in the educational institutions of the first two types was declared free of charge. Poles of the German part of Upper Silesia were allowed to attend private schools in the Polish part of this region, and vice versa. Minority children who were educated in private schools were not required to attend public schools. The state school education for minorities was provided in three ways: in minority schools with teaching in their mother tongue; in schools with minority classes where the state language was used; in schools with courses for minorities, where learning and religious education were conducted in their native language. A specific way of getting an education was chosen according to the applications from parents or persons substituting them. At the same time, to determine the language of a student's communication, an only oral or written message of a person responsible for the child's upbringing was taken into account. School exams were held in minority languages. The textbooks should not be offensive for national or religious feelings of their representatives. The state had to finance schools for minorities on a par with schools for the majority of the population. Similar rules were introduced in the field of higher education.

The signing of the Memel agreement was preceded by the uprising in 1923 of the minority population of the Klaipeda region (Memel land) – the Prussian Lithuanians – for reunification with Lithuania. This land was separated from Germany by the Versailles Peace Treaty and became a mandate for the League of Nations, under the control of the Provisional French Administration. After intense negotiations between Britain, France Italy, the United States, and Japan, as the first part, and Lithuania – as the other part, in 1924, a Convention on Memel was signed. It recognized the sovereignty of the Lithuanian state over this territory, which provided legislative, judicial, administrative and financial autonomy in order to preserve the rights of local residents, but with restrictions on the Memel Territory set out in the Statute (being a supplement to the Convention). Due to the fact that the population of the German origin was tacitly considered a minority in Lithuania, the agreement reflected the elements of the legal status of this social group. Memel residents were given the right to choose Lithuanian or German citizenship. Those of them who elected German citizenship had to move to this

country for two years. Lithuanian and German languages became official in the region, which made it possible for them to be equally used in power structures. Freedom of assembly and association, conscience and religion, press and media, education and the opening of schools was provided to all the residents of Memel. Traditionally, the text of the document included rules on the opportunity for the members of the Council of the League of Nations to draw its attention to the violation of the minority rights and rules on the submission disputes to Permanent Court of International Justice in case of differences between the contracting parties on the points of view on the question of law or a fact in the implementation of the convention.

Other bilateral minorities treaties of the interwar period, such as the Austrian-Czechoslovak Treaty on the Citizenship and the Protection of Minorities dated June 7, 1920 and the Protocol thereto concerning Karlsbad (Karlovy Vary) dated August 23, 1920, the Greco-Italian Treaty dated August 10, 1920, concerning the Greek minorities in the Rhodes and Dodecanese Islands, which were transmitted to Italy, felt the influence of contractual practice inspired by the League of Nations, but formally were concluded outside the organization's framework. In other words, these treaties were in the context of improving good-neighborly relations (Kovács, 2013, p. 328).

Along with the treaties, a number of states assumed international obligations to ensure the rights of minorities unilaterally. At the meetings of the Council of the League of Nations, they proclaimed the relevant declarations. Similar unilateral acts were adopted by Albania (October 2, 1921), Lithuania (May 12, 1922), Latvia (July 7, 1923), Estonia (September 17, 1923), and Iraq (May 30, 1932).

The declarations were based entirely on the principles of minority protection, which had already been embodied in international treaties. Moreover, some of these acts of states largely duplicated the provisions of specific treaties of the third countries, although taking into account the specifics of their own ethnic diversity. Studying texts of the declarations and related *travaux préparatoires*, the British researcher Carlile Macartney concluded that the texts of unilateral declarations of Albania (aimed at the equalization of opportunities for the Muslim and Christian populations, especially the Greeks), Lithuania (the focus was on the protection of Jewish communities), and Iraq (the emphasis was on the status of Christians of different dominations, Jews, Yezidis, and Kurds) was built on the model of the Treaty of Versailles with Poland. Therefore, we can state that the declarations were often similar: the Estonian declaration practically duplicated the Latvian one, and the Iraqi declaration borrowed norms from the Albanian one (Macartney, 1934, p. 267–268).

As an exception, in some cases, the content of the declarations was adjusted under the influence of territorial issues, which is clearly confirmed by the Lithuanian practice. Thus, with the Klaipėda Territory's entry into Lithuania, part 4 of article 4 of the Declaration (concerning the possibility of using minority languages in the courts) was used within the region, taking into account the provisions of the Memel Convention of 1924.

Treaties and declarations secured the status of minority guarantor for the League of Nations. According to the special report of Tommaso Titton, an Italian representative to the Council of the League, approved by the Council on October 22, 1920, the guarantees of the League meant, first of all, that: first, the provisions on the protection of minorities are immutable, that is, they can not be changed in the sense of violating any of the actually recognized rights and without the consent of the majority of the Council of the League; and second, the League is to ensure the compliance with these provisions (Macartney, 1934, p. 311–312).

Based on treaties and declarations, an international mechanism for the protection of minority representatives was formed, consisting of supervisory, judicial and special procedures: the first was based on a series of resolutions of the Council and Assembly of the League of Nations, constantly improving, and mainly consisted of exercising the right to petition, the second assumed the activity of the Permanent Court of International Justice, the third was recorded in some treaties and could combine the features of the previous two.

In terms of the supervisory procedure, in the original version, only members of the Council had the right to bring up an issue of the state violation of its obligations to the meeting of the Council (Macartney, 1934, p. 312). However, Tittoni's proposal to provide *de facto* such an opportunity to any other country as well was supported in the League, which was adopted by the Council resolution dated October 25, 1920 (Sierpowski, 1991, p. 18). The only requirement was for a similar act-proposal for the Council to retain the character of a petition (Macartney, 1934, p. 312). Because of the expansion of initiators of the review of violations, the rules of procedure were also corrected. If petitions from members of the Council came directly to the Council, petitions from other states, minorities, as well as individuals or associations acting on behalf of minorities and covered by the League's guarantees, were submitted to the Council through the Secretariat (Mytsyk, 2004, p. 72).

The resolution of the Council dated September 5, 1923, formalized the criteria for petition appeals. Petitions: 1) should have been filed in order to protect the rights of minorities in accordance with the treaties (declarations); 2) should not contain requirements for the dissolution of political relations between the minority and the receiving state; 3) should not be anonymous or based on unconfirmed sources of information; 4) should not contain sharp expressions and statements; 5) had to contain information or referring to the facts that had not yet been subject to a petition (Macartney, 1934, p. 314).

The League Secretariat collected information on the fulfillment of current obligations of states with respect to minorities. However, it was supposed to assist the Council not only in examining complaints about violations of treaties and declarations but also in determining whether persons belonging to ethnic, religious or language minority groups were fulfilling their obligations to the state of residence. Collected materials could be made available to the Member States of the League at their request (Macartney, 1934, p. 305). In the event of a formal acceptance of the petition, the Secretariat informed the relevant government, which had the right to submit its explanations within two months (Ilinskaya, 2017, p. 104).

The Council established a subsidiary body within the Secretariat – the Minority Commission, which was vested with the right of control and technical functions in respect of treaties and declarations of minorities, and maintained regular contact with states.

To consider the essence of each specific minority issue, an *ad hoc* Committee of Three, consisting of the President of the Council and its other two members, was created (although, in exceptional circumstances, the total number could increase up to five members). The rules concerning the composition of the committees were determined by the practice of the Council, and only on December 14, 1925, they were approved by its resolution. For the purpose of impartiality, the following procedure was established: provided the President of the Council is a representative of a state of the citizenship of a minority or of a neighboring state or of the state where the corresponding ethnic (religious, linguistic) majority resides, he should transfer powers to his predecessor (Macartney, 1934, p. 325). If necessary, the committees negotiated with a state to resolve the problem that arose or they referred the matter to the Council of the League of Nations, which had the authority to issue recommendations to such

a state (Mytsyk, 2004, p. 72). In particular, the committees decided whether an issue should be put to the sessional consideration of the Council or not. If the decision was negative, the case was transferred to the Secretariat's archive, and in case of a positive decision, it was to be submitted for discussion to the next session of the Council. The discussion took place in the presence of a representative of the government concerned. The petitioner or his proxy was not involved since only the Council members had the right to initiate the case, and the petition was considered only as simple information (information *pur et simple*), the very fact of its adoption did not result in any obligations for the Council. The Council decided unanimously (Ilinskaya, 2017, p. 104).

Special procedures for the protection of minority rights were contained in the Agreement on the Protection of the Swedish Language, Culture and Traditions of the Aland Islands and the Geneva Convention on the Upper Silesia.

The Finnish-Swedish agreement provided the filing of their own complaints or complaints by Landsting of the Aland Islands to the Council of the League. The Council, in turn, could address the Permanent Court of International Justice if the issue was of a legal nature. The Council never happen to implement this procedure.

The German-Polish Convention introduced a complex procedure, subsequently amended by the resolution of the Council of the League dated September 9, 1928 and the treaty between the states dated April 6, 1929. Within this framework, there were two types of petitions: 1) individual and collective petitions concerning the compliance with the provisions of the convention; 2) individual petitions concerning the application and interpretation of the conventions by administrative bodies that received directives from higher authorities. Before filing petitions to the Council, they had to undergo a preliminary examination at the state of residence of the petitioner. A local decision was made for petitions of the first type only in case of the insignificance of the issue, and for petitions of the second type – on general terms.

In order to organize and implement additional procedures in the territory of the German and Polish parts of Upper Silesia, a minority administration was established, representing the states' governments, and there was the Mixed Commission of Upper Silesia. First, applicants had to turn to the local authorities, and if they did not receive adequate satisfaction or delays, they would go to the departments. In case of dissatisfaction with the requirements of the authorities, the complaints along with the comments of the petitioners were sent to the Mixed Commission headed by the president. The president had the right to make inquiries, to make a call for the necessary materials, to listen to the petitioner's arguments, and then a decision was made. The authorities had to report their attitude to the verdict of the Mixed Commission: the consent or disagreement with it. Only afterword the complainant was entitled to submit a petition in the order of appeal to the department for minority affairs, which organized its transfer to the Council of the League. Urgent petitions were immediately included by the reporter on the agenda of the next Council session without consideration by the Secretariat and the committees of three (Macartney, 1934, p. 340–342).

The system of the minority protection established by the League of Nations functioned for almost two decades, but the main work was done in the first twelve years (1920–1932). In historiography, this time is also marked as «Golden Twenties» (Kunz, 1945, p. 89; Fink, 1995, p. 199, 203; Horot, 2018, p. 46). The designated chronological section marks the consideration by the League Council the petitions of representatives of various minorities: the Ruthenian minority in Czechoslovakia (11th and 24th sessions of the Council); Russian – in Eastern Halychyna (12th session); Jewish – in Hungary (21st and 37th session); German – in Poland

(17, 19, 21, 23 30, 34th sessions); Greek – in Constantinople and Turkish – in East Thrace (31–35th session); Muslims of Albanian descent – in Greece (30, 32, 34, 39 41th sessions); Polish – in Lithuania (32–35 sessions); Hungarian – in Romania (34, 35, 37th sessions); German and Polish – in Upper Silesia (28, 39, 41st session); Armenian – in Turkey (37th session); the school issue of representatives of the German minority in Upper Silesia (44th session) and some others (Vishnyak, 1929, p. 119). About 30% of petitions filed in the League were from representatives of German minorities in Poland (Preece, 1998, p. 84).

The leaders of the Ukrainian national liberation movement in Poland, Romania, and Czechoslovakia submitted petitions to the League of Nations repeatedly because of violation of the rights of Ukrainians to national and educational life, to develop a cooperative movement in Galicia. Ukrainians' interests were protected by Yevhen Petrushevych, Stepan Vytvytskyi, Alexander Shulhyn, as well as Ukrainian societies which formed an International Union created for cooperation with the League (in particular, Ukrainian Society for the League of Nations and West Ukrainian Society for the League of Nations). Although petitions were usually ignored by the League, these claims contributed to the dissemination of information about the Ukrainian question on international arena in the interwar period.

Concurrently, in fact, all the issues considered by the Permanent Court of International Justice on national minorities concerned East European states: the decision in the case of German minority schools in Upper Silesia (1928); advisory opinions on German settlers in Poland (1923), schools of the German minority in Upper Silesia (1931), the treatment of citizens of Poland, other persons of Polish origin in the Danzig area (1932), schools of the Greek minority in Albania (1935).

Conclusions. The treaties and declarations on minorities in the overwhelming majority did not consider them as groups of people of the same nationality, language, religion, which significantly narrowed the rights and interests of «non-dominant» segments of the population in the states. Therefore, the international protection mechanism was primarily provided to minorities, not as social groups, but to persons who belonged to them. This can be explained by the position of the states aimed at making it impossible to create conditions for separatism, territorial changes, and interference in their internal affairs based on interethnic relations.

The Minority Protection System of the League of Nations was quite controversial. On the one hand, despite the provisions of the above-mentioned international documents, in many countries there were significant violations of the rights of people belonging to minorities, and on the other hand, the established system often opened the way for possible abuses and artificial ignition of ethnic hostility, such a way giving the possibility for the «mother» country of the national minority to influence the politics of multinational states (for example, Germany's attitude towards the German minority in newly formed Poland).

The signatories to the treaties on the protection of minorities persistently resisted the desire of the League of Nations to provide effective control over the fulfillment of the treaty obligations imposed on them by the winner-countries in the First World War. They as inequitable and inappropriate regarded the created system since it left out the attention of the rest of the multinational states that faced similar problems. It is remarkable that attempts to extend the commitment to protect the rights of minorities to all members of the League did not succeed: Poland and Romania were particularly active and were consistently acting in favor of the «generalization of the treaties» of the minority (Macartney, 1934, p. 487–488), and in 1933 – 1934, a project aimed at protecting the interests of all minorities in all member states of the League was rejected (Gevorkyan, 1955, p. 33).

With regard to the effectiveness of the League of Nations, designed to control the process of minorities' exercising of their rights, the literature noted that it did not meet the expectations of ideological associates of the organization and petitioners. According to the statistics of the receipt of petitions to the League, if in 1930 – 1932 (in the period of high activity), 153 petitions were considered by the committees of the three out of 305 filed, then in 1939, only one out of 4 petitions was accepted for discussion by the Council of the League (Thornberry, 1993, p. 46). In total, in 1920 – 1939, 883 petitions were submitted to the League of Nations. However, only 16 out of 395 petitions that met the criteria for petition requests were submitted to the Council of the League. Of these 16 petitions, the Council reluctantly condemned states for inappropriate behavior towards minority representatives in only four cases (Abashidze, 1996, p. 51; UNOG, 2016).

However, although the community of states in the interwar period succeeded in «installing» an exclusively specific human rights mechanism, which was rather limited by the subject of regulation and by the range of subjects as well as by the range of guaranteed rights, a certain progress in protecting the interests of the ethnic minority population of a number of countries should be stated. The Minority Protection System of the League of Nations did not make significant progress but paved the way for further protection of human rights.

Acknowledgments. Sincere thanks to the JSTOR, a not-for-profit organization helping the academic community use digital technologies to preserve the scholarly record and to advance research and teaching in sustainable ways.

Funding. The authors received no financial support for research, authorship, and / or publication of this article.

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*The article was received on March 20, 2019.
Article recommended for publishing 27/08/2019.*