

Non-Territorial Autonomy in Theory and Practice: **A 2020 Report**



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Edited by:
Marina Andeva

Skopje, 2020

ENTAN – The European Non-Territorial Autonomy Network
www.entan.org

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Introduction

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This publication is a result of the first year of operation of ENTAN – the European Non-Territorial Autonomy Network. It presents an overview of research ideas and multi- and interdisciplinary findings related to the concept of non-territorial autonomy (NTA) both in theory and as a practice. The present report has a twofold aim: first, to acknowledge the ongoing work of our Network, which now gathers more than one hundred scholars from thirty-five European countries; and second, to sensitise leaders, policy makers, experts, and community representatives about the potential of NTA for successful managing and promoting of cultural diversity.

Indeed, the interest in NTA responses to ethno-cultural demands seems to receive a renewed attention among professionals and policy makers alike. Rekindled ethnic tensions and secessionist claims along with massive migrations triggered by wars, economic deprivation or climate change, compel us to revise the existing models as well as to search for new solution. Although NTA is not a novel concept, its application in diverse historical and contemporary contexts invites a closer consideration precisely because of its promise to provide answers to recent challenges. As Prof. Tove Maloy suggested in her opening speech at the First ENTAN conference held in Belgrade on 22 and 23 November 2019, “NTA is increasingly [becoming] a diversity governance tool used to empower ethno-cultural minority groups”. She also observed that NTA as a functional model (that is – “without one comprehensive law, either organic or primary”) has been evidenced in various countries, but “it was not until after the Cold War and the breakup of empires in 1989 and onwards that we saw the first comprehensive legal frameworks on NTA”. Hence, our key message is perhaps best encapsulated in the

title of the keynote lecture of Prof. Ephraim Nimni delivered at the Belgrade conference: “NTA – The Time Has Come”.

ENTAN - the European Non-Territorial Autonomy Network - sets out with this basic premise. As a COST Action aimed at examining the concept of non-territorial autonomy, it particularly focuses on NTA arrangements for reducing inter-ethnic tensions within a state and on the accommodation of the needs of different communities while preventing calls to separate statehood. The Action tackles recent development in the theories and practices of cultural diversity; minority rights (including linguistic and educational rights); state functions and sovereignty; conflict resolution through policy arrangements; policymaking and inclusiveness. The main objective is to investigate the existing NTA mechanisms and policies and to develop new modalities for the accommodation of differences in the context of growing challenges stemming from globalisation, regionalisation and European supranational integration. The network fosters interdisciplinary and multidisciplinary group work, and provides for training and empowerment of young researchers, academic conferences and publications, as well as for the dissemination of results to policy makers, civil society organisations and communities.

ENTAN gathers scholars who are organised in four working groups:

Working Group 1 - entitled ‘Non-Territorial Autonomy: Legal and Political Aspects’ - aims at exploring current NTA models and practices. The goal is to find common methodological tools for comparative research and analytical tools for assessing the role of NTA arrangements and related legal/political settings in providing effective means for minorities to participate in public life and decision-making.

Working group 2 – entitled ‘Cultural Identities’ – gathers researches in the field of cultural studies, identity politics, socio-linguistics, arts, humanities and sociology who aim at comparing of NTA arrangements and exploring their potential use in conflict resolution and managing of diversity.

Working group 3 – entitled ‘Regional and Socio-economic Development: Incentives and Resources’ – aims at exploring the economic incentives and resources made available to self-governing structures of ethno-cultural groups as a means of building inclusive democracies, social balance, and stable and prosperous societies.

Working group 4 – entitled ‘University Course in Non-Territorial Autonomy’ – aims to gather and systematise the findings of the other three working groups, producing an NTA bibliography and teaching materials which would eventually serve to design and implement an NTA university course.

The present report includes the slides of the mentioned keynote lecture of Prof. Ephraim Nimni delivered at the First ENTAN conference, as well as brief accounts of the critical issues raised within each working group of ENTAN. Moreover, this publication comprises an important NTA bibliography compiled by ENTAN researchers. This comprehensive database lists scientific titles from a range of disciplines, as well as a number of recent and ongoing research projects and university courses – all related to the issues of minority rights and non-territorial autonomy. In this respect, what we hope to encourage by presenting this report is further path-breaking research and critical debate about new NTA models that would correspond to contemporary needs of community governance, civic participation and social inclusion.

We thank all members of ENTAN for their involvement during the first year of operation of our Network. Our appreciation goes to Dr Mickael Pero, COST Scientific Officer, Ms Olga Gorczyca, COST Administrative Officer, and Mr Demjan Anatoli Golubov, ENTAN Grant Manager, for their continuous assistance. We also express our gratitude to the leaders and vice leaders of the working groups, as well as to the coordinators of various committees of ENTAN. Special thanks go to the contributors to this report, and in particular to its editor Marina Andeva who made it possible to collect and organise diverse materials in a meaningful publication that we hope will inspire further interest in the study and application of non-territorial autonomy.

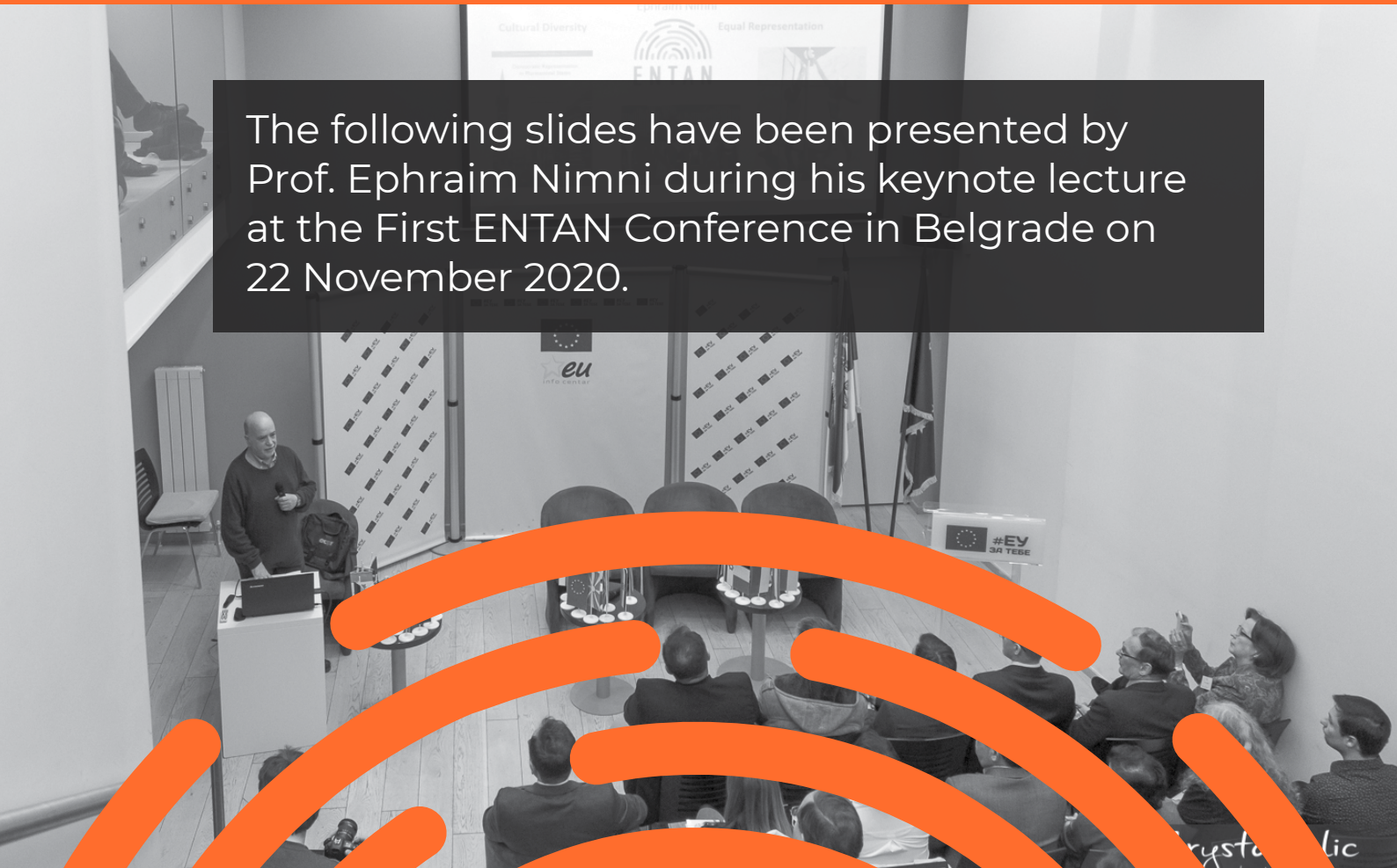
25 April 2020

Ivan Dodovski,
Chair of ENTAN

Non-Territorial Autonomy - The Time Has Come

2.

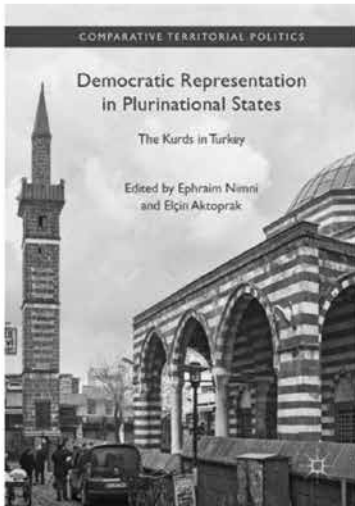
The following slides have been presented by Prof. Ephraim Nimni during his keynote lecture at the First ENTAN Conference in Belgrade on 22 November 2020.



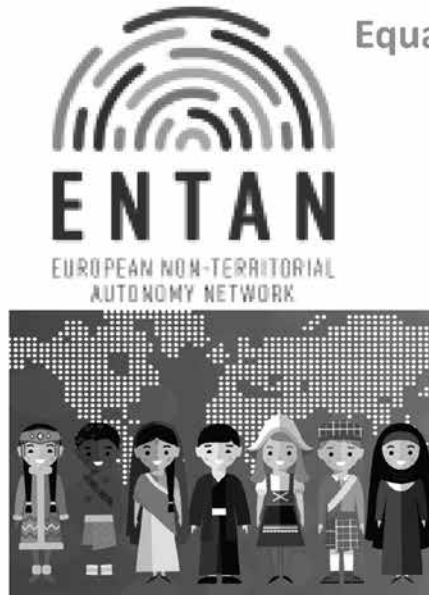
NON TERRITORIAL AUTONOMY: THE TIME IS NOW

Ephraim Nimni

Cultural Diversity



Equal Representation



Non-Territorial Autonomy

- The term Non-Territorial Autonomy (NTA) is **not a particular model but a generic term** that refers to different practices of minority community autonomy that does not entail exclusive control over territory.
- In this way, novel forms of national self determination can take place while the self-determining communities reside in shared territorial spaces.
- Non-Territorial autonomy has many different forms such as Consociationalism and National Cultural Autonomy, but also forms of representation that de-territorialises representation, as with indigenous communities, the juridical autonomy of religious communities, or in the practice of many forms of secular community representation.



Characteristics of NTA



NTA is not a single system, but a family of different systems that introduce collective rights in tandem with individual rights. **IMPORTANTLY** it modifies the modality of one person one vote, in proposing collective community representation.

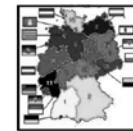
NTA enhances democracy by eliminating potential dictatorships of the majority by creating communitarian rather than territorial modalities of representation.

NTA Rescinds the idea that popular sovereignty is one an indivisible, the prerogative of the national majority. It introduces instead the idea of shared sovereignty between the participating communities in a particular state. This a crucial modality to prevent secession of disgruntled national minorities.

NTA transforms nation states into plurinational states, which allows for the integration and active participation of national minorities. Not all forms of plurinational democracy are associated with forms of NTA, but all forms of NTA are associated with plurinational democracy.

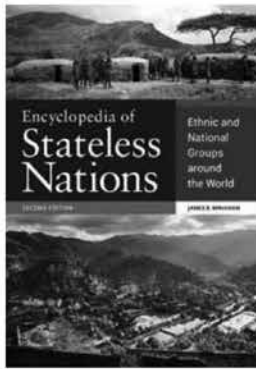
A nation is not a state

- This platitude is often forgotten. The prevalent form political organisation across the world is the nation-state, yet a nation is not a state. The later is a governmental and administrative apparatus and the former a cultural community, -- self defined or otherwise -- similar but not identical to an ethnic group.
- There are many differing definitions of what is a nation. There is no consensus
- I use the description "a form of cultural community" . Few will dispute that nations are a type of cultural community (real or imagined, historical or constructed, invented or actual, created by states or perennial, etc.)



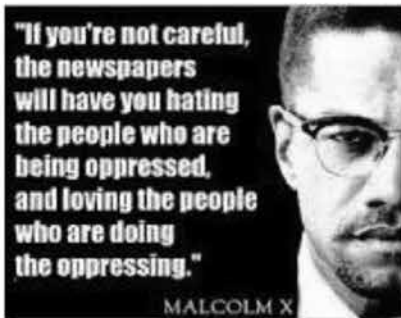
Nations of the European Union





There Are Many nations. Even more ethnic groups. Much fewer states

- A modest estimate puts the number of nations to about 3,000 and the number ethnic groups to 6000 (James Minahan-Encyclopaedia of Stateless Nations)
- With the admission of South Sudan, there are 193 states represented in the UN.
- Of these, fewer than 20 states are ethnically homogeneous in the sense that cultural minorities account for less than 5% of the population.
- Nations that have states are only a very small fraction of all nations, and it is not an exaggeration to say that the term "nation state" –understood as one (cultural) nation in one state -- is a faulty description



Titular Nations

- Consider the following: most contemporary nation states have a "titular nation". This term is taken from the study of nations in the former Soviet System, but it is applicable to most contemporary nation states, whether they are liberal democracies or not.
- The term refers to a governing ethno-national community in the state, usually forming the majority of the population, typically after which the state is named. Now, liberal democracies are predicated on the principle of formal equality between citizens. However, this principle is often subverted by the linguistic and cultural privileges of the titular nation.

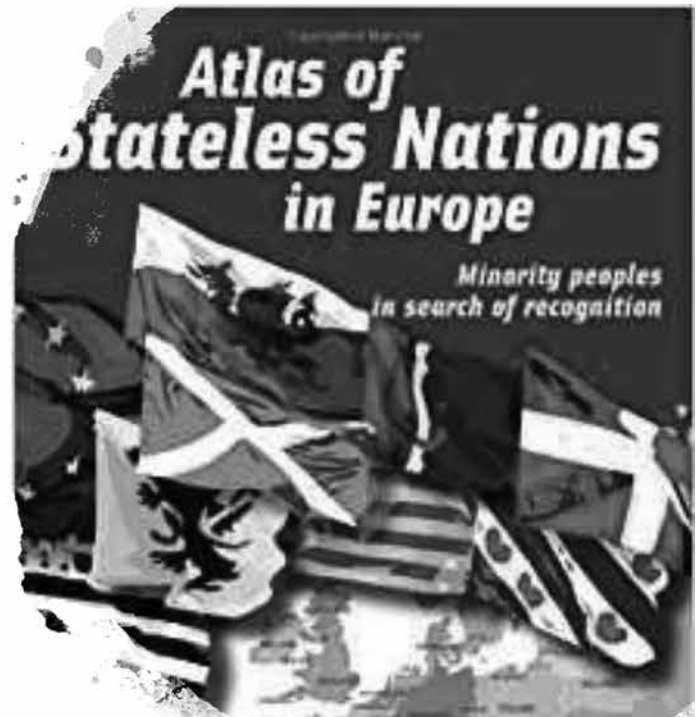
Minorities of different kind and sorts are often invited to assimilate to the ways of the titular nation with equality as compensation. This is invitation to assimilation often couched in the language of integration, equality and "Affirmative Action".

This very liberal procedure exacerbates ethno-cultural injustices and generates alienation, for in the eyes of many members of minority communities, the procedure violates the supposedly egalitarian ethos of liberal democracy. The standard accusation is *"we are only equals if we partake in the cultural behaviour of the majority"*.

WHY SOME STATELESS NATIONS DEMAND NATION STATES?

Most nations in this world are stateless. But, in the international order, the nation state is almost exclusively the only accepted mechanism of international community representation.

- For many stateless nations, and some ethnic minorities, the nation state appears to be the only possible route to protect their rights and culture, avoid oppression and demands for assimilation and assure international representation.
- The UN and its predecessor, the League of Nations, are partly to blame for this, for these organisations foster the creation of nation states because they only recognise nations that have states. The UN is not "UNITED NATIONS" but a "UNITED STATES" even if the term is copyright of others. To be a member of the UN and to be respected and recognised, members must be states, even if most UN members are NOT nation states in the literal sense of the term.
- This is a **CATASTROPHIC PROBLEM** because it is not territorially possible for **MOST** nations to have states



8 Why NTA mechanisms appear in different places independently from each other?

- The emergence of NTA at different times and in different parts of the world, results from a democratic deficit of the nation-state, particularly in its liberal democratic form. This democratic deficit results in the **CONFLATION OF ETHNOS WITH DEMOS**. THE NAME OF THE STATE AND ITS SOVEREIGN IS THE NAME OF THE DOMINANT ETHNIC COMMUNITY. The most notable examples are:
- Since the French Revolution, Liberal democratic nation states demanded the assimilation of minorities to create cohesion. Example: The French Constitution: *La France est une République indivisible, laïque, démocratique et sociale*.
- Or consider the German Basic Law:
- Artikel 116- 1-Deutscher im Sinne dieses Grundgesetzes ist vorbehaltlich anderweitiger gesetzlicher Regelung, wer die deutsche Staatsangehörigkeit besitzt oder als Flüchtling oder Vertriebener deutscher Volkszugehörigkeit oder als dessen Ehegatte oder Abkömmling in dem Gebiete des Deutschen Reiches nach dem Stande vom 31. Dezember 1937 Aufnahme gefunden hat. (- A German within the meaning of this Basic Law is a person who possesses German citizenship or who has been admitted to the territory of the German Reich within the boundaries of 31 December 1937 as a refugee or expellee of German ethnic origin or as the spouse or descendant of such person).
- THE NAME OF THE STATE IS OFTEN THE NAME OF THE DOMINANT ETHNICITY. Most nation states
- have the tendency of conflating Ethnos with Demos, creating a sense of alienation or worse among national and ethnic minorities.
- The remedy to this is plurinational states, collective rights and community representation.
- There is no handbook or magic formula for NTA, nor there is a commonly agreed procedure. But there is common modality of transforming nation-states into plurinational states, so that participating communities no matter of their numerical proportion, have some collective representation in the process of decision making and symbols of the democratic state.



Why Territorial Self Determination is not suitable for many nations?

- The mainstream concept of National Self Determination (NSD), as recorded in international law and enshrined in UN resolutions, and, as normatively argued in liberal democratic theory, is the principle that nations have the right to freely choose their sovereignty and international political status with no external compulsion or external interference. As sovereignty is territorial, this is understood to be a territorial nation state.
- But as the territorial residence of the majority of the 3,000 nations that inhabit this world overlaps with the residential space of others. The TERRITORIAL dimension of NSD in this situation becomes a zero sum game between overlapping territorial communities. The sovereignty of one is the oppression of others.
- In this situation, conflict between overlapping communities becomes intractable, for if sovereignty is indivisible the conflict over territory it is an all or nothing conflict.

Liberalism and minority Representation



- In liberal democratic theories, culture has no bearing in political representation, or, worse, individuals are assumed to be culturally homologous. **The system is blind to the representation of diversity.** This renders invisible minority community insertion, something that becomes fatally problematic when – as in the case of national minorities -- that very insertion is the source for their disadvantage. This leads to a curious paradox:
- In liberal democracies minority communities can be oppressed without violating their individual human rights.

A minority of liberal theorists see the problem. in particular Will Kymlicka , but the limitations of their (liberal) normative privilege of individual representation in a single polity limits their ability to provide remedies. They see the problem (they are not colour blind), but do not have the normative tools to transcend it. Kymlicka is only willing to somewhat depart from this principle in cases of conquest and colonisation

OTTO BAUER: THE CENTRALIST ATOMIST PRINCIPLE (die atomistisch-zentralistische Tradition) AND THE DEMOCRATIC DEFICIT OF LIBERAL DEMOCRACY

- In the genesis of the modern nation state, Otto Bauer argues, its most important characteristic is centralisation of power. This has the effect of reducing recognised political actors to their smallest parts, Bauer call these "atoms", i.e. to single individual citizens. The legal representative order in nation state liberal democracies knows only two units. On the one hand, sovereignty of the state and on the other the sovereignty of the individual citizen
- This impoverishes the quality of representation in liberal democracy because it does not allow mechanisms of representation of different, communities and assumes that citizens are homologous quantities. This leaves minorities at the mercy of governmental bureaucracies that demand assimilation, or worse, the tyranny of the majority; a less than adequate form of democracy
- This totalising tendency fails to acknowledge important and meaningful intermediate locations, like the ones occupied by ethnic and national minorities.
- Atomist states, however much consideration they might show for individual democratic rights and however equalitarian their practices, are averse to recognising intermediate and constitutionally enshrined entities.



Consequences of the atomist-centralist system

According to Bauer, this situation makes *de-facto*, but not *de-jure* nation states inherently unstable, for there are non-actionable legal mechanisms to represent national minorities.

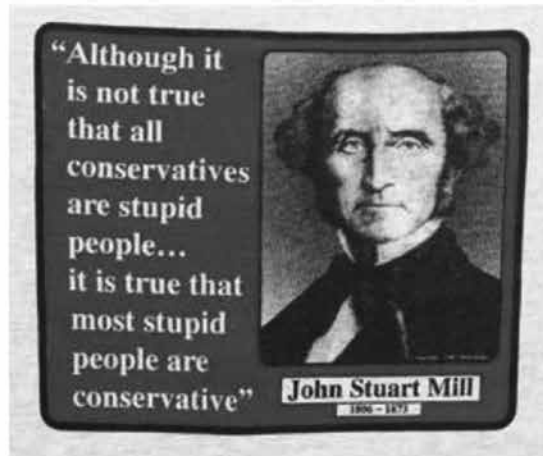
Both, majorities and minorities are reduced individual representation as if citizens are culturally homologous quantities.

In these circumstances they are faced with a difficult dilemma: coercively assimilate cultural minorities through the famous slogan of assimilation of minorities with "democracy as compensation"

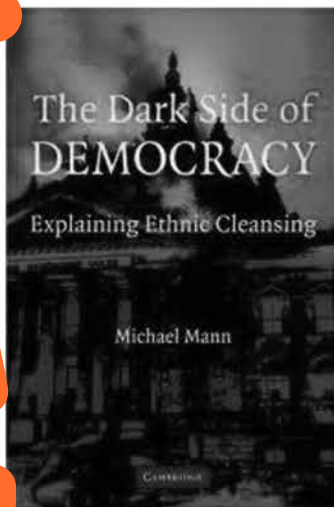
Alternatively split the de-facto multinational state along national lines. Both strategies have been tried with catastrophic results,



The monism of John Stuart Mill



- Consider John Stuart Mill, the founding father of English liberalism, in his (in)famous assertion that:
- *Free institutions are next to impossible in a country made up of different nationalities. Among a people without fellow-feeling, especially if they read and speak different languages, the united public opinion, necessary to the working of representative government, cannot exist.*
- John Stuart Mill, On Representative Government,



Territorial Representation

- Territorial representation is possible when minority nations inhabit a compact territories. But in most cases, minority nations reside in territories they share with others, making any territorial representation impossible. This situation often causes intractable problems for the functioning of democratic polities. The solutions are models of NTA.
- While the overwhelming majority of states represented in the UN are NOT culturally homogeneous, the organization of their political institutions often gives the impression they are, trapping cultural minorities into at best, ambiguity and at worst, alienation, subordination and it worst case scenario, ethnic cleansing.
- As Michael Mann has argued in a seminal and thought provoking book, when representative democracy conflates ethnos with demos, there is a serious danger for ethnic cleansing.

Refugees and the nation-state



- Paul Stratham claims that the issue of asylum opens up a particular contradiction within liberal nation-states: it puts the universal principle that they should respect and protect human rights by offering asylum to aliens fleeing persecution in direct competition with the principle that they should primarily serve the interests of the national community of people from whom sovereignty derives--a group with a self-image of common descent and ethnicity enshrined in a shared nationhood .
- Paul Stratham, Understanding Anti-Asylum Rhetoric: Restrictive Politics or Racist Publics? The Political Quarterly, Vol. 74, Issue, Supplement s1, p.165 August 2003

Human Rights: Individual or Collective?

- Human rights cannot be an abstract universal category. Our common human characteristics are precisely constituted through our insertion in time and space into a community. We are human not in spite of diversity, but because of diversity.
- **To deny the importance and value of cultural diversity, and, our cultural insertion, denies the very notion of human rights, as this means denying an important constitutive element of our humanity.**
- Recognition of difference is therefore a key part of the assertion of our common humanity, for human beings are not abstractions and cannot be understood outside their culturally and religiously diverse settings. Universal human rights do not exist in abstraction but in a human world that is irrevocably culturally diverse.



Ernest Gellner



.... (To) put it in the simplest possible terms: there is a very large number of potential nations on earth. Our planet also contains room for a certain number of independent or autonomous political units.

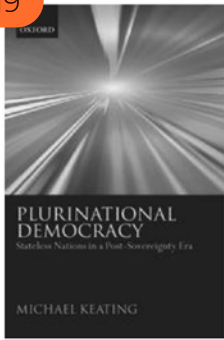
On any reasonable calculation the former number (of potential nations) is probably much, *much* larger than that of possible viable states.

If this argument or calculation is correct, not all nationalisms can be satisfied, at any rate at the same time. The satisfaction of some spells the frustration of others.

This argument is further and immeasurably strengthened by the fact that very many of the potential nations of this world live, or until recently have lived, not in compact territorial units but intermixed with each other in complex patterns.

It follows that a territorial political unit can only become ethnically homogeneous, in such cases, if it either kills, or expels, or assimilates all non nationals. (Gellner:1983:2)

EXAMPLES



PLURINATIONAL DEMOCRACIES

A Plurinational Democracy is a multi-sovereign state in which legal pluralism and constitutional diversity can accommodate multiple nationality claims

Minority nationalisms do not and must not always entail demands for separate statehood. NTA and asymmetrical constitutional arrangements can provide means of accommodating plural national claims. This is sadly lacking in many states, for example in the Spanish State, and there are many others in the same situation.

Tragically, nationalism and self-determination are often perceived as equivalent to separatism. **This is not logically so, and must not be so. HERE NTA AND SHARED SOVEREIGNTY CAN HELP**



Sami Self-Determination



- The Sami are an indigenous people of Northern Europe. The Sami have their own culture and language, and a clear connection to their traditional land and water areas.
- Sami self-determination is a process of non territorial collective empowerment. Sami self-determination is not about forming a new state.
- Sámi politics refers to politics that concern the indigenous Sámi people in Norway, Sweden, Finland and Russia. It has come to indicate the government of Sámi affairs by Sámi political institutions
- The Sami Parliament of Norway (Sámediggi) is the representative body for people of Sami heritage in Norway. It acts as an institution of national cultural autonomy for the Sami people.
- Sámi Parliaments are democratically elected and act as autonomous authorities. In each country, Sámi inhabitants have a vote, in addition to the regular elections in each country, to elect representatives to their Sámi Parliament. They vote for the Sámi Parliament if they consider themselves to be culturally or ethnically Sámi, and they speak a Sámi language, or they have a parent, or grandparent, that speaks Sámi language, regardless as to what area they reside. The Sámi have a non-territorial electoral register.

Austro-Marxists

The Austromarxists were a research and theory group that met since 1904 in the Café Central in Vienna. They published in journals such as the "Blätter zur Theorie und Politik des wissenschaftlichen Sozialismus" (Sheets on the theory and politics of scientific socialism) and they produced seminal books in the Marx-Studien series. They were not a dogmatic movement for they included different socialist streams such as the Neo-Kantian Max Adler, Otto Bauer on the left of the party, Karl Renner in the centre and the orthodox Marxist Rudolf Hilferding. All key figures in the Marxist tradition.

MARX-STUDIEN

BLÄTTER ZUR THEORIE UND POLITIK
DES WISSENSCHAFTLICHEN SOZIALISMUS

Herausgegeben von
DR. MAX ADLER und DR. RUDOLF HILFERDING

ZWEITER BAND

WIEN 1914

VERLAG DER WIENER UNIVERSITÄTS-DRUCKEREI, AL. JOSEFSGASSE 17



National Cultural Autonomy

- The principle of National Cultural Autonomy (NCA) was one of the most important precursors of NTA. It was developed by Karl Renner and Otto Bauer.
- Otto Bauer In his 1907 book *Die Nationalitätenfrage und die Sozialdemokratie* (The Question of Nationalities and Social Democracy) Presented the argument. The idea was to gather the geographically divided members of the same nation, "organize nations not as territorial bodies but as association of persons", thus separating nation from territory and making of the nation a non-territorial association. The idea was to organise the Decaying Austrian Empire into a Federation of Nations organised as a non territorial association of persons. Here there is a two tier government. National and non territorial, and territorial and non-national.



Karl Renner
Estado y nación
El derecho de las naciones
a la autodeterminación



- The other crucially important founder of the concept NCA was Karl Renner, a constitutional lawyer (twice President of Austria) in his 1899 essay *Staat und Nation* (State and Nation) and his 1918 important Book *Das Selbstbestimmungsrecht der Nationen* (The right of Nations to Self Determination). Surprisingly there is no English translation, but there is a recent Spanish Translation by Xabier Arzoz Santisteban *El derecho de las naciones a la autodeterminación*, Editorial Tecnos, Madrid 2015. Unfortunately Xabier, a very good friend and close colleague, was unable to be with us here for personal reasons

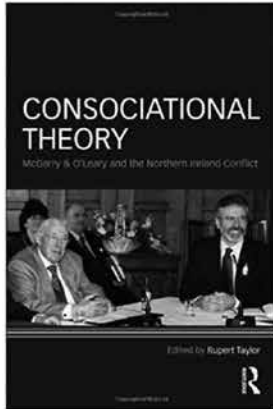
This principle was later adopted by various organisations, the Jewish Socialist Party from its foundation in 1906, the Jewish Labour Bund, the Armenian social democrats, the Russian Constitutional Democratic Party (Kadets) and the Salonica Greek Socialist Workers' Federation, the left-wing Zionists (Hashomer Hatzair) in favour of a binational solution in Palestine, the Jewish Folkspartei, and the Democratic Union of Hungarians in Romania (DAHR) after 1989.

- It was also adopted as an official policy in the short-lived Ukrainian People's Republic (1917–1920) and in the interwar Estonian Republic (and the autonomous representative structure of the Palestinian Jews between 1920 and 1949).
- Since the fall of the Soviet Union, NCA has been enacted. in Estonia (1993 National Minorities Cultural Autonomy Act), Hungary (Act LXXVII of 1993), Latvia (1991), Lithuania (1989), Russia (1996) and Ukraine (1992). However there are significant differences between the original Austrian proposal and the post Soviet implementation.





Consociationalism



- Consociationalism is the better known form of NTA. It is a form of governance that requires non-territorial collective (group) representation. It presents an alternative to the principles of majoritarian democracy and it is used to manage conflict in deeply divided societies.
- The term was popularised by Arend Lijphart and was further developed by John McGarry and Brendan O'Leary in a series of seminal works on Conflict Resolution and on Northern Ireland. It is based on the principles of a grand coalition across cultural divides, mutual veto on matters vital for the continuity of the minority communities, proportionality in representation and the segmental autonomy of each community.
- The model has been applied with great success in Northern Ireland, leading to the pacification of the country and it has shown the way towards the resolution of what was an intractable the conflict.



The Plurinational State of Bolivia

- Latin American indigenous movements, and in particular, the new constitutional arrangements in Bolivia speak of "plurinationalism" in formulating demands for indigenous communities rights, and for the transformation of state into grating collective rights to the commonwealth of indigenous communities that inhabit it.
- The Bolivian constitution defines the state as "Plurinational and communitarian" because it recognises the collective rights of its indigenous nations. The definition of the Plurinational state implies the recognition of a "commonwealth of nations" and thus grants indigenous communities collective rights and the status of collective personae.
- Article 2 of the constitution states that "*Given the existence of pre-colonial indigenous nations and peoples and their ancestral connection over its territories, the self determination of these communities is hereby recognized in the framework of the unity of the state*"

NTA Under Threat: The Rojava Project



- The Democratic Federation of Northern Syria (DFNS), also known as Rojava, its Kurdish name. This is autonomous region in northern Syria initially consisted of three cantons: Afrin, Jazira, and Euphrates. Afrin is now occupied by the Turkish army, and the US withdrawal, so are the northern fringes of the other Cantons.
- It obtained its autonomy in the context the horrendous Syrian Civil War, an united different ethnic minorities under the leadership of the Kurds in the fight against Daesh (the so-called "Islamic State"). This region is the multi-ethnic home of a Kurdish, Arab, Assyrian, Turkmen, Armenians, and Chechens.
- Rojava is organised under the modality of Democratic Confederalism. This is an NTA system of elected administrative councils, allowing local communities to exercise autonomous control over their assets, while linking to other communities via a network of confederal councils. Each ethnic community elects representatives at the local level, which must have an equal number of men and women. Decisions are made by communes in each neighbourhood, village, or city. All forms of representation are gender equal.. The economy is in the hands of the communal councils. Feminism, Ecology and direct democracy are the pillars of Democratic Confederalism.
- The DFNS opposes independence and wishes to remain autonomous in the context of a democratic and secular Syria and provides an example as how the Syrian state should be organised after the civil war. The DFNS advocates a, minority representation with collective rights through a modality very similar to Bauer's NCA, empowering the people through decentralization, and an exemplary gender equality. The gender equality is emblematic of the movement
- **WE HAVE A SESSION ON DFNS ALL INVITED TO ATTEND**

Conclusion: NTA and Plurinational States: Democracy with multiple jurisdictions

- Ethnic conflicts are among the most destructive in the contemporary world.
- **There are far more nations than states are possible.**
- Models of NTA advocate plurinational states as system of governance based on the participation of several democratically organised, ethnonational communities
- **The idea of one nation encompassing all citizens of one state is no longer feasible. It was historically mistaken, and has proven to be unworkable, for it defies the reality of most contemporary nation states.**
- Those who support the unitary character of the state argue that this leads to a necessary cohesion. But the reality of contemporary liberal democracies shows that the opposite is the case.
- The best way to achieve cohesion is not by repressing difference, for this leads to the opposite.
- Cohesion is better achieved through recognition and representation. In this way, minorities of different kinds feel part of the body politics.
- **This is the main function of models NTA and why the time is now.**



Follow-up of M&J objectives

- 1. Working Group strategy
- 2. Science communication strategy
- 3. Monitoring and evaluation framework strategy
- 4. ERM call and procedures
- 5. ERM call and procedures
- 6. ERM call and procedures
- 7. ERM call and procedures
- 8. ERM call and procedures
- 9. ERM call and procedures
- 10. ERM call and procedures

3.

NTA - Legal
and Political
Arrangements

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The concept of „non-territorial autonomy” is broad enough to address a wide range of political and legal issues. Essentially, the term NTA covers various practices and theoretical models that have one aspect in common: NTA is understood as a form of representation of one part of the society on an ethno-cultural basis without formulating territorial claims. The different definitions of NTA offered in literature (see Malloy 2015; Nimni 2013; Osipov 2013) all face the challenge to close the gap between theory and practice. NTA can be seen as a specific instrument having the potential to offer a viable solution for the collective aspirations of traditional national-linguistic minorities without formulating territorial claims, and still creating institutional structures for self-government and linguistic, cultural rights (Kymlicka 2000: 202). However, state practices are so diverse that in this aspect it would be difficult to offer a single definition for all situations where a state claims to implement a non-territorial autonomy: minority NGOs may be considered as realizing a form of NTA (as it is claimed in Czechia) or even the participation of minority representatives in a governmental cultural fund can be seen from this perspective (as in Slovakia, see Fiala - Butora 2018). Moreover, not only governmental approaches differ on a broad scale, but also the situation of individual minority groups may require a specific, tailor-made institutional design. The demographic position of minorities, their bargaining position vis-à-vis the government, their organisational and mobilisation capacities are all important factors in this regard.

Against this background the members of WG1 address different aspects of NTA: i) the theoretical issues that emerge in the context of the idea of shared sovereignty, and minority representation; ii) from a practical approach – the election procedures, legitimacy and representativity of NTA bodies deserves a closer analysis and finally iii) single case studies and comparative analyses may reveal the great variety of existing state practices in this field.

The followings highlight few questions under these aspects.

NTA as shared sovereignty through a mechanism for the collective representation of minority communities

Liberal democracy empowers equal and homologous individuals through mechanisms of individual representation. This works well if citizens are a culturally homogenous, but this is not the case in most liberal nation states. The lack of minority representation creates minority alienation even if it does not undermine the rights of its individual members. The system of one person one vote empowers individuals but not communities. In liberal states, minority communities, because of their numerical status, are collectively disadvantaged and suffer from a democratic deficit. This democratic deficit is one of the principal causes for secessionism. NTA enhances the democratic value of liberal democracy by creating mechanisms of community representation through the principle of shared sovereignty. The aim is to develop collective rights, mechanisms of minority community representation, shared sovereignty, and the principle of democracy (a plurality of demos) as recently developed by EU theoreticians.

This enhances the democratic value of liberal democracies and prevents secessions.

It is also legitimate to ask when are Non-Territorial Autonomy Arrangements (NTAA's) a morally appropriate/permisible/warranted response by states to various minority claims, given possible alternatives. As such, NTAA's are not about the relationships between minorities and majorities, but minorities and the state. The possible alternatives are: a) Secession or revolution; b) Territorial autonomy arrangements (TAA's); c) NTAA's; d) Minority arrangements within the state outside of this classification e) Lack of any arrangement.

Methodologically speaking, it makes sense to start form the most difficult of the alternatives to justify - secession - because it represents the extreme possible claim of a minority towards a state (or even against a state). Once such a criterion or set of criteria is established, the criteria for other alternatives can only be reasonably lower, and the criteria for secession will be indicative of what these lower criteria could be. For each of the alternatives, a paradigmatic case should be established, which can be historical, but can be the result of a thought experiment, or a result of both, allowing for a casuistic approach. In this aspect NTAA's can be seen as one in a set of possible solutions – inserted in a hypothetical non-hierarchical model ranging from secession to the denial of all minority claims, or lack of any such claims.

A starting point for this part of the research is Allen Buchanan's *Remedial Rights Only Theory* (RROT) of the moral permissibility of secession which stresses that unilateral secession is morally permissible only as a remedial (corrective, just cause) course of action in cases of

persistent and serious injustices and violations of minority rights. TAA's are morally appropriate when secession is not warranted according to Buchanan's Remedial Rights Only Theory, but when the next alternative (NTA) would not function, given specific minority needs in a specific part of the state's territory.

NTAA's are morally appropriate when TAA's are not warranted because TA is not a necessary condition of a minority enjoying basic cultural rights, but when minority-state arrangements lesser than NTAA's cannot satisfy minority cultural needs within the whole or a part of the state's territory. The moral-philosophical background of NTA models may help to better understand the reasons behind the claims and choices of single states and governments arguing for or against the implementation of NTA.

One of the theoretical and practical challenges is to understand and implement NTA in compliance with the right to self-determination as the case of indigenous peoples may show NTA is often described as a very radical approach to safeguard the right to indigenous self-determination (Josefsen 2011).

Traditionally, NTA includes a mixture of arrangements such as consociationalism and national-cultural autonomy (NCA), but also forms of representation that de-territorialise self-determination. From the other side, the protection of indigenous identity is closely interlinked with the territory, and it is a basis for practicing the granted "*right to land, territories and traditionally owned resources*". The indigenous peoples (IP) can achieve self-determination by various options,¹ and they are depending on the social and political contexts in which they are

¹ Moore advocates for separate management within existing state structures because they lack a management capacity. Jacob T. Leviat, unlike Moore, thinks that - without secessionist self-government for indigenous peoples, they are way too much on a mercy of the same state whose past action has triggered these demands for justice as a remedy. See Levi 2003.

implemented (Minnerup and Soldberg 2011). If the IP live in a geographically concentrated area, a self-governance within a defined territory is a preferable option (e.g. intra-state autonomy), but if they are a minority on their traditional land, then NTA can be a solution. NTA can ensure political representation of IP through reserved seats in the national parliaments or by the establishment of separate institutions (e.g. Saami Parliaments). Although the division of sovereignty in regards to material assets and resources within NTA is not clear in theory (Patton 2005), still, in the UN reports, the NTA institutions are considered to be an inspiring model for indigenous self-governance and participation in decision-making.²

Electoral issues and results as well as party government coalitions related to NTA

This certainly includes the role of minority parties but also other parties that define themselves as representatives of a certain group and that advocate for different forms of autonomy (cultural, linguistic, fiscal). In recent years an in-depth research started by Dobos (2020) focuses on the role of specific minority elections in those Central and South Eastern European countries (Croatia, Estonia, Hungary, Serbia, and Slovenia) where minority members have the right to become registered as minority voters and create their own, basically non-territorial, cultural councils/self-governments through direct or indirect elections at various levels. From theoretical and comparative perspectives, but based on electoral statistics, country experiences and semi-structured interviews with stake-

holders, it aims to systematically explore the potential functions and effects of elections in those minority contexts, including how voters and organisations have access to the electoral process; legitimacy, electoral participation (turnout, invalid and wasted votes), competition (effective number of parties/organisations, vote and seat shares), the impact of electoral formula and ballot structure, and not least the stability and change of minority organisations (replacement, volatility).

Case studies

Single case studies (current and historical) cover the colourful variety of different situations where either minorities or governments refer to NTA as an instrument applied by the state or where the introduction of a form of NTA is seen to be appropriate.

Domestic legislations and governments often refer to NTA – even in cases, where the existing practice hardly fits into the general definitions of NTA as accepted in literature. The following examples clearly show that research on single state practices therefore needs to address quite different situations and raise different questions.

Serbia

In Serbia, the National Minority Councils create an institutional structure for NTA; however the implementation and the effective work of these national minority councils raise a list of questions: What generated the recognition of collective minority rights in Serbia? Was the motivating factor the political organisation of the Hungarian community (as an internal initiative stemming from the national minority)? Was it

² United Nations (2011) A/HRC/18/XX/Add.Y, Report of the Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous People, James Anaya, 12 January 2011

finding a resolution to Serbia's ethnic conflicts in Kosovo, thereby preserving the territorial integrity of the country (as an internal initiative, stemming from the majority Serbian nation)? Or was it possibly the transformation of the former state-forming nations of the disintegrated Yugoslavia into national minorities (as a result of external pressurizing)?

What phases, transformations did the initial idea for national minority councils go through, how did the scope of powers increase or decrease before gaining its final form in the 2009 act? Were any of Serbia's national communities in a bargaining position?

What internal affairs, historical events led to the foundation of the Provisional National Council of the Hungarian National Minority? Did politics of Hungary play any role in this, if so, what role? The Vojvodinian Hungarian national community was politically most organised minority in Serbia, they worked precariously from the first half of the 1990s to achieve autonomy for the Hungarian community (which in certain periods included not only personal autonomy, but territorial autonomy, as well). The logical question then is, is it possible to separate the foundation and transformation of national minority councils in general from the autonomy aspirations of the Vojvodinian Hungarians? (see also Korhecz 2015)

Hungary

In Hungary the introduction of minority self-governments, the declarative acknowledgement of minority groups' right to autonomy was inspired both by foreign policy commitments Hungary made in the field of minority protection (i.e. its responsibility expressed for Hungarian minorities living abroad) and by the desire of the new democratic political elite to find a viable and effective solution to the problems of small, scattered and often linguistically assimilated minorities. Since 1989 the conceptual foundations of minority policy in Hungary remained stable and long lasting: it is firmly anchored in the collectivist concepts of minority rights (Vizi 2015). Both the 1993 Act on the rights of national and ethnic minorities (Act 1993) and the 2011 Act on the rights of nationalities (Act 2011) focus on the establishment of a three-level minority self-government (local, regional and national) system at each level having different cultural, educational and consultative competencies. The adopted autonomist structure may be useful for some minorities, it could help traditional minorities in forming their representative bodies, and it could create a legal structure for their cultural, educational institutions. But it remains problematic in responding to the special need and situation of a large, socially marginalised Roma community. Moreover, the functioning of NTA and its real impact on minority communities raise many questions (see Dobos & Molnár Sansum 2020).

Lithuania

According to Article 37 of the Constitution of the Republic of Lithuania, citizens belonging to ethnic communities shall have the right to foster their language, culture, and customs. Article 45 of the Constitution states that ethnic com-

munities of citizens shall independently manage the affairs of their ethnic culture, education, charity, and mutual assistance states that they shall be provided support by the State. Lithuania is among the first European countries who signed the Framework Convention for the Protection of National Minorities (1995) and ratified it without any reservations (2000). According to Article 2 of the Law on the State Language of the Republic of Lithuania, the Lithuanian language is the state language. The issue of language and sometimes questions of education are often raised by the Polish minority in South Eastern region of Lithuania. However, Lithuania does not have a national Law on National Minorities and the last time this issue was officially discussed and a proposed project assessed was in the beginning of 2018. Minority representatives may formulate claims for a stronger normative protection of minority rights, eventually including also claims for NTA, however these issues appear to be marginal in public discourses.

Republic of Cyprus

The constitutional structure of the Republic of Cyprus was based on the so-called “principle of bi-communalism,” i.e. a power sharing regime which accorded to the Turkish Cypriot community, if not a status equal to that of the Greek Cypriot community, certainly a status superior of that of a minority – a term which Turkish Cypriot leaders always found insulting and which they have consistently been disavowing from the outset, since the period before independence until today.

According to another basic constitutional provision (Article 173), separate municipalities would be established in the five biggest towns of the island by the members of the Turkish Cypriot community. The issue of whether such municipalities would have territorial jurisdiction, i.e.

jurisdiction over geographically separate areas (with the drawing of the boundaries being next to impossible), or they would only function on a non-territorial basis, remained open to conflicting interpretations. And it was the inability of the Constitutional Court to provide a definite answer to the municipal issue, in conjunction with the refusal of the Turkish Cypriot members in the House of Representatives to allow the enactment of vital tax legislation, invoking the failure of the Greek Cypriot leadership to enforce the separate municipalities clause and of other constitutional clauses, which led to the constitutional breakdown of 1963, to the inter-communal fight, to the withdrawal of Turkish Cypriots from the organs of the Republic and to the U.N. intervention in March 1964, after the U.N. Security Council Resolution 186.

There is rich literature, both by historians and by legal scholars, on the aforementioned events and developments (see the list below). By making use of this literature, our study aspires to shed light on the interplay of NTAs, territorial claims and geopolitical interests in the case of Cyprus. The conceptual and theoretical tools of comparative constitutional theory (the “ordering forces” of the material constitution, internationalised *pouvoir constituant*, imposed constitutionalism, constitution-making in deeply divided societies, constitutional change and unamendability, emergency situations and doctrines, constitutional revolutions) we shall be using and of international theory and law (focusing mainly on the neglected principle of non-intervention and on its particular meaning and mode of implementation in divided societies). Through this study, we hope to elevate the significance of geopolitical interests and conditions as they *can* be channelled into the functioning of a constitutional order, for the success or failure of NTAs more generally.

Romania

In Romania, there is a decade-long ongoing discussion on the introduction of a special form of autonomy. The major national minority party the RMDSZ, representing the sizeable Hungarian minority, has submitted different legislative proposals in the Parliament, but none of these have been adopted. Nevertheless, there are arguments that the participation of minorities in local and national elected bodies may be considered as creating a network of co-operation that goes beyond territorial limitations.

Comparative approaches

Comparative analysis is also an important tool in doing research on NTA models. As part of the work of Working Group 1 the comparative assessment of two state practices, i.e. Malaysia and Bosnia and Herzegovina (BiH) offers a unique insight in the challenges research face in this field. Both countries have relevant, but different types of power sharing arrangements between diverse ethnic/religions/racial groups, as well as certain territorial autonomy and NTA provisions for these groups and other minorities. In both countries governing coalitions are formed to represent parties and candidates of all major societal segments, and in case of Bosnia and Herzegovina they are constitutionally required. The objective is to compare the process, ability and mechanisms political parties use to incorporate, strengthen or diminish power sharing and NTA provisions into the negotiations for the formation of coalition governments. The findings of the paper, which is based on original data collected through interviews with political party members following national elections in both countries in 2018, point to different systems of managing conflicting group interests. The role of NTA is also different in the two contexts. Constitutionally guaranteed territorial autonomy provides par-

ties representing the main ethnic groups in Bosnia and Herzegovina with much more leverage in coalition talks, regardless of their relative size. While NTA can be an element in coalition strategies, it is rarely a major issue. In Malaysia NTA provisions have more impact on coalition formation as the main racial groups have no explicit guarantees of their rights and many sensitive issues are open for deliberation. Regardless of the role of NTA, a much more important impact can be accredited to the electoral system in both cases: proportional representation in Bosnia and first-past-the-post in Malaysia. The resulting coalition politics negotiate an inverse trade-off between guarantees for group representation and effectiveness of power-sharing governance.

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NTA and the Promotion of Cultural Identities

4.

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At the first Working Group meeting in Skopje in June 2019, WG2 members acquainted themselves more fully with each other's research interests and identified key themes that could draw these together. These themes then formed the basis for three panels organised by WG2 at the first ENTAN conference in Belgrade in November 2019, as well as two STSMs undertaken during the course of the year.

WG2 is notable for its wide geographical scope, encompassing colleagues working on a number of Western European settings alongside those in Central and Eastern Europe and the Balkans which (with some exceptions – e.g. Nimni, Osipov and Smith 2013; Malloy, Osipov and Vizi 2015) have until now constituted the main focus for discussions of NTA in a European context. This provides an unparalleled opportunity for comparative reflection on both the theory and practice of NTA in so far as they relate specifically to identity issues. In order to maximise the scope for such reflection, WG2 resolved to bring in additional expertise on other NTA cases (for instance, Sami autonomy arrangements in the Nordic countries, arrangements in the Brussels capital region and, beyond Europe, arrangements for Francophone communities in New Brunswick). This was done both on an *ad hoc* basis (through participation at the conference) and by enlisting new members to the network.

Also notable is the thematic breadth of the Working Group. While many WG2 members do not work on cases traditionally captured under the rubric of 'non-territorial autonomy', the un-

derstanding of this term had broadened considerably in recent years (see Malloy 2015), making it a useful framework within which to consider a whole range of issues across different contexts, be they socio-linguistic or pertaining to religious identity. This is all the more so given that some of the research within WG2 deals with identity issues as they pertain to migrant communities: hitherto, research on NTA has focused primarily on more historically-rooted 'national minority' populations. However, the state of the art increasingly questions and problematises the validity of this 'national minority vs migrant' dichotomy.

The governance of ethno-cultural diversity remains a key task for all contemporary states, in so far as self-conscious ethnic identification continues to influence political processes even in multi-ethnic societies bound by a strong overarching sense of patriotism (Rudolph 2006). Taking such diversity as an intrinsic and desirable facet of the human condition, NTA departs from the premise that autonomy in the management of particular spheres of concern to ethno-cultural communities (primarily language, culture and education) should be guaranteed regardless of their members' physical location (Prina 2020) – in other words, rights to autonomy should not be confined to a designated territorial sub-region within a state. As the foregoing implies, NTA also rests upon recognition of a group as a collective entity and the award of rights on that basis, something that its advocates see as fully appropriate given the social significance of communal identities (Prina 2020).

Most existing studies agree that the NTA approach is especially well suited to the needs of territorially dispersed communities, a contention that was interestingly illustrated by the WG2 panel 'Speakers of Irish, Romansh and Breton: Non-Territorial Autonomy vs. Territoriality Principle' at the ENTAN conference in Belgrade. Demonstrating how traditional territorially-based approaches to language rights in Ireland and Switzerland are no longer sufficient given the shrinking number and increasing dispersal of Irish and Romansh speakers, the panel pointed to a growth in non-territorial approaches that raise intriguing possibilities around 'network governance'. The same is true in the case of Breton speakers, who have historically obtained little or no official recognition of their linguistic identity within a highly centralised and majority-dominated French state. Leaving aside the issue of building everyday social need for minority languages, however, the effectiveness of NTA arrangements in protecting and promoting particular ethno-cultural and linguistic identities depends heavily upon the resources they can command and the extent to which community activists are given a voice in decision-making processes related to their distinct language and culture. For instance, a range of similar arrangements have been introduced across Central and Eastern Europe over the past 30 years, yet only in rare cases have these conferred genuine 'voice through institutions of self-governing' as opposed to largely symbolic recognition (Malloy 2015; Prina, Smith and Molnar Sansum 2018; Prina, Smith and Molnar Sansum 2019; Smith 2020).

Contemporary Central and Eastern Europe and the Balkans have also figured prominently in

another key area of recent discussion, which relates to the capacity of NTA to desecuritise ethnic identity-based claims within states. Where spokespersons for a particular ethnic group claim territorial autonomy (i.e. collective rights exercised in relation to a given territorial region), this can be readily construed by the central authorities as a potential threat to the cohesion and integrity of the overall state. In the face of the violent separatist conflicts that occurred in parts of the region, academic literature and policy thinking during the 1990s tended to juxtapose territorial and non-territorial autonomy as conceptual opposites, portraying the former as inherently contentious and destabilizing, and the latter as a "magic bullet" in the armoury of those seeking to cope with problems of ethnic diversity and conflict' (Coakley, 2016) or a 'golden midpoint between Balkanisation and banalisation [offering] minorities the option of substantive cultural self-determination without linking it to territorial autonomy, with all the centrifugal tendencies the latter may awaken' (Roshwald, 2007, 373). From a more normative, justice-based standpoint, advocates of NTA have long argued that ethnic claims within states can never be fully addressed solely according to the territorial principle, since any autonomous region within a state will invariably contain new ethnic minorities, thereby replicating the original problem found at the level of the state as a whole.

Other authors, though, have rightly questioned the claim that NTA could be applied as a kind of 'one-size fits-all' approach (Purger 2012) to the accommodation of diversity across a complex array of different cases, while also underlining the unlikelihood that ethnopolitical identities

can ever be deterritorialised entirely (Kymlicka, 2007). In this regard, non-territorial autonomy is better seen not as a conceptual opposite to territorial autonomy, but as something that complements it, as is indeed the case in practice across a range of contemporary contexts in Europe and beyond. Of particular note here is recent work by Palermo (2015), who distinguishes between autonomy granted *to a territory* and all of its inhabitants ('autonomy to') and autonomy granted *to an ethnic group* that constitutes the majority within a territory ('autonomy for'). Whereas the latter approach strengthens ethnic-based claims to ownership and excludes local 'minorities within minorities', the former offers the possibility to develop pluralistic regional identities and institutional arrangements that accommodate all communities through a combination of territorial and non-territorial approaches. Such arrangements require careful crafting and raise a host of issues to be worked through in practice, not least in the spheres of language use and education (for instance, how to negotiate the teaching of contested histories in schools?). This was made clear in the second WG2 panel at the Belgrade conference. Entitled 'Aspects of Religion and Education', it included a paper on education and cultural identities in Catalonia during the Twentieth Century, which has since formed the basis for an associated Short Term Scientific Mission and research project. The research in question studies how articulations of national literary history within school curricula serve as a means of configuring a collective identity that unifies a given community. In this particular instance, the focus was on how literary canons within Catalonia's school sponsor the different cultural identities of this Au-

tonomous Community. Based on study of the relevant educational materials and interviews with teachers, academic experts and textbook publishers, the preliminary results found that curricula developed by the relevant administering authorities (Spain's Ministry of Education and the Catalan Government) follow national ideological precepts centred on knowledge of the respective languages. This fact raises new challenges given changes to Catalonia's socio-demographic arising from migration and the attendant increase in linguistic, cultural and religious diversity amongst its inhabitants.

As Palermo (2015, 29) observes, perhaps the biggest contemporary challenge with regard to autonomy is how to move beyond traditional understandings that have too often been "trapped in the Westphalian nation state discourse ... [This means that autonomy is] seen in terms of something 'belonging' to groups competing for ownership of a territory". What is needed is not to deterritorialise group-based identity claims entirely, but to embed them firmly within a democratic pluralist framework that allows for dialogue and an agreed devolution of power according to the most appropriate format (territorial, non-territorial, or both) (Bauböck 2000; Kymlicka 2007). This has been a particular challenge in Central and Eastern Europe and the Balkans; however, at the same time, one does find some interesting examples of multiethnic regionalism such as Vojvodina, where a non-territorial form of autonomy for the (large and territorially compact) Hungarian minority has been nested in an overarching pluralistic regional identity supplemented by elements of territorially-based devolution (such as parallel use of a minority language in munic-

ipalities where the relevant minority constitutes more than 12% of the population). As Smith and Semenyshyn (2016) have suggested, the arrangements in Vojvodina could potentially offer a template for addressing ethnic tensions in other Central and East European countries such as Ukraine. Each case is, however, governed by its own particular context, and in this regard one has to consider not only domestic political configurations but also the geostrategic situation of the state in question (Mylonas 2012). This was a point brought out clearly by the paper on Kosovo presented in the WG2-organised conference panel on European Post-Conflict Perspectives. Pointing to the potential to combine territorial (devolution of key functions to municipalities) and non-territorial (Orthodox Church responsibility for religious heritage sites) approaches as a means of catering for the needs of Kosovo's residual Serb population under the 2013 EU Framework agreement, the paper nonetheless highlighted the continued obstacles to implementation of this approach arising from ongoing contestation of Kosovo's sovereign status. The particularities of this case were further elaborated by the paper's author during a Short Term Scientific Mission to the UK (Universities of Derby, Glasgow and Nottingham) to consult with other WG2 members and other relevant academic experts. The paper is now being developed into an article which will be published as part of a special issue arising from the ENTAN conference in Belgrade.

The WG2 Belgrade panel on 'Aspects of Religion and Education' also brought into focus one of the key contemporary debates relating to NTA and identity – the tension between the collective and the individual. The state-of-the-

art literature recognises that every individual has multiple identities and that it is institutions and social and political processes that shape ethnic identity, rather than vice versa (Chandra 2012). In this regard, critics of the NTA approach contend that it is based on essentialist, 'groupist' thinking and that, by pushing individuals to opt for a single ethnic identity and creating parallel institutions, it runs the risk of hardening inter-group boundaries to a greater extent than territorial arrangements (Bauböck 2001). Moreover, even if one does subscribe to the logic of clearly defined cultural groups, these are still internally heterogeneous to different degrees, raising the issue of how to accommodate the variety of interests and standpoints held by group members. This dilemma (previously discussed in both an historical and a contemporary context by Smith and Hiden 2012) was effectively illustrated in the Belgrade WG2 panel by a paper looking at legal cases around the application of Sharia Law within the Muslim population in the Western Thrace region of Greece, which underlined the importance of ensuring that individuals can opt out of such arrangements and have recourse to civil law if required. In reviewing current NTA arrangements, scholars and practitioners alike have also stressed the importance of democratic procedures and internal pluralism within NTA institutions (Marsal 2020). If this does not apply, NTA institutions can recreate the same centralised nation-state logic that they are ostensibly supposed to challenge, creating new lines of internal differentiation and dissension that can potentially undermine distinct identity of the community in question.

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NTA and Economic and Regional Development

5.

- Overlapping consensus?
- A free-standing view?

Is NTA a practical result of political liberalism?
Group rights can be defined with overlapping
consensus!



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In order to begin developing an understanding of the role of non-territorial autonomy (NTA) of ethno-cultural groups in regional and socio-economic development, the WG has identified as a major concern the question of how to link culture and regional and socio-economic development. This is not clear in the academic literature or current research. While there is a tendency both in research and in politics to understand ethno-cultural groups as passive beneficiaries of development policies, there are many examples in which such groups take on an active role and make significant contributions to regional development. However, these contributions are seldom appreciated and promoted as ethno-cultural-specific and tend to be under-researched. The specific capacities and knowledge that persons belonging to ethno-cultural minorities have may be of benefit to the development of the regions. Additionally, ethno-cultural communities, their affairs and involvement, are conditioned by local and regional contexts, but tend to be dealt with at central levels of government and do not usually receive adequate attention at the centre of decision-making. Nevertheless, as ethno-cultural minorities in Europe tend to live in peripheral and border regions, where their contributions to development and bridge building capacities are particularly relevant, their strategic and structured involvement in regional and socio-economic development activities need to be researched.

Three research fields are particularly relevant in this endeavour: Regional Development (including Economics), Border Region Studies, and Minority Studies. While research in these three fields occasionally overlaps (e.g. border region scholars analyse regions that are home to ethno-cultural groups and minorities, or when scholars of regional development focus on a border region and discuss cross-border cooperation as an aspect of regional development), it is not on a regular basis that researchers of these fields interact. However, analysing the potential role of ethno-cultural communities in regional and socio-economic development requires knowledge from all three.

A number of questions have been identified to get the work of the WG started:

1. How can states usefully and respectfully involve ethno-cultural minority communities in regional and socio-economic development and how will this impact on the NTA of these groups?
2. Which are the NTA capacities and knowledge inherent in ethno-cultural communities that can support regional and socio-economic development?
3. Which level of governance (including NTA) is adequate to deal with these issues?
4. Which kinds of institutions (including NTA institutions) are useful and necessary to implement development policies?
5. What role can ethno-cultural and national minorities have in cross-border cooperation?

6. How can policy-makers and researchers make ethno-cultural community contributions to regional development more visible?
7. What data is available about ethno-cultural contributions to regional and socio-economic development?
8. How can such information be accessed?
9. How do ethno-cultural groups perceive their role in the development of their region?
10. Where do they see particular potential?
11. Which areas of life do ethno-cultural groups contribute to particularly, or not, and what keeps them from contributing?
12. Which conditions are necessary for ethno-cultural communities and their NTA institutions to take on an active role in regional and socio-economic development, and what would they wish from the leadership in this context?
13. How do ethno-cultural communities try to influence policy-making processes regarding development in both local and regional contexts, and do they feel that their development-related potential is acknowledged in development strategies?
14. What role, if any, has amalgamation/redistricting on ethno-cultural NTA and especially the impact of decentralisation on NTA's ability to influence regional and local strategies?
15. How do ethno-cultural communities conceptualise their development strategies?
16. Do ethno-cultural communities cooperate with other ethno-cultural communities when conceptualizing their own strategies?
17. Do they have separate analytical units monitoring local/regional trends related to development (analytical work)?

In the first year of ENTAN, members of WG3 shared information on their relevant research regarding economic resources and programmes dedicated to assessing the participation of ethno-cultural NTA arrangements in regional and local development. The current geographical composition of the WG members is particularly promising, as it consists from experts from the “old EU” context (DE and DK), the “new EU” (PL, CZ and LT) and candidate states from the western Balkans (AL and BiH).

The WG worked with the following departure points: members of ethno-cultural minorities are not often seen as subjects who are capable of participating actively in the democratic process. They are seen as objects that need protection, and this protection scheme is designed by the powers that decide to protect them. The area where this phenomenon is evidenced is in the concern with ethno-cultural minorities' participation in public life, as described in Article 15 of the Framework Convention for the Protection of National Minorities (FCNM). If one reads the monitoring reports on the FCNM, one will see that governments are still reluctant to allow effective participation of ethno-cultural minorities in mainstream society. Often gov-

ernments interpret Article 15 as relevant only in those areas of life that relate directly to ethno-cultural minority participation at the central level. However, the Explanatory Report to the FCNM specifically indicates that in matters of regional development, ethno-cultural minorities should be taken on board when policies are designed and decisions are made at the local level. This rarely happens.

Secondly, and therefore, ethno-cultural minorities are often invisible in democratic processes. Very few government structures and programmes are designed specifically with ethno-cultural participation in mind. Examining development policies adopted by national and regional governments or the EU, one will rarely find references to the need to include ethno-cultural minorities as actors and decision-makers. For instance, the Interreg programme of the EU, which has a mission to develop regions, especially regions of the periphery, clearly does not refer to the need to include ethno-cultural groups in regional projects. These regions are often homeland regions of ethno-cultural minorities, but the minorities are not recognised in the programme descriptions. It could be argued that they should be heard on an equal basis with other interest groups. However, ethno-cultural minorities are not interest groups. They are identity groups whose culture and existence must be allowed to flourish not just equally with other groups but because they represent a specific culture. Although development policies often recognise cultural diversity, they do not acknowledge the special rights of ethno-cultural minorities to participate in decision-making. Ethno-cultural actors are actors without a name and a face.

However, in some regions, the role of ethno-cultural minorities in promoting and creating links across ethnic and cultural divides has been observed. By drawing on their intercultural knowledge and social capital, members of these minorities have initiated cooperation across state borders as well as within communities where several groups live side by side. Being bilingual and conversant in several cultures, ethno-cultural minority actors can identify economic issues and areas where joint action across borders or cultural divides will benefit the whole of society. In such cases, they have been referred to as 'bridge builders' and even innovators.

The principle role of WG members in the first year of ENTAN was therefore to identify whether – and if yes, to what extent – could the change from exclusion to seeing NTA institutions of ethno-cultural minorities as actors and agents of change be tracked. Specifically, the WG members have been asked to focus in the first year on a few points of departure regarding their research:

1. Identifying state incentives (policies, programmes, strategies, etc.)
2. Identifying state resources (subsidies, funding schemes, EU funding, etc.)
3. Identifying ethno-cultural institutions that have participated in economic and/or regional development (NTA institutions)
4. Describing the type of participation (direct, indirect, official, private-public, etc.)
5. Describing outcomes (if any) of ethno-cultural participation

The following country knowledge has been accumulated:

Danish-German context:

Minorities had certain competencies relevant for economic and regional development and encouraged to include them more in the design and implementation of respective programmes at regional, national and European level (Malloy et al. 2008). This study resulted in a publication encouraging the use of minorities as a capacity in border region development (Malloy 2010). Hereof, policy relevance was documented in the subsequent decision to reserve a seat on Region South Denmark's advisory Growth Forum to the German minority. Recently, Danish governments have designed "Germany Strategies" to facilitate better economic relations with the country's largest trade partner. These strategies focused more on Central and Southern Germany. Originally, the minorities were not named. This was changed when the German minority let attention to the fact that they operate a German language school system in Denmark, with bilingual and bicultural graduates who could be an asset in efforts to expand on the German market. The German minority (its political party) has identified issues for cross-border cooperation, which later were implemented (hospital cooperation, cross-border rescue services). In South Schleswig, the Danish minority's political party SSW self-ascribes to regional development as one of its core political issues. There is no tangible participation beyond participation in political debates in the Schleswig-Holstein diet and municipal assemblies, though.

Czechia:

In Czechia, there are numerous governmental strategies and programmes targeting mainly Roma population, also European Social Fund (ESF) funded operational programmes earmarked certain amount of finances for the Roma. There are also other minorities living in Czechia, but just the Polish minority can benefit from the economic incentive.

The Congress of Poles in the Czech Republic (Kongres Polaków w Republice Czeskiej) is the umbrella organisation of the Polish national minority in the Czech Republic. It gathers 30 Polish organisations; its largest member is the Polish Association for Culture and Education (PZKO). These organisations established the Zaolzie Development Fund (financed from private money of minority members), which supports the activities of the Polish minority also financially, was an important novelty introduced in 2017.

The Roma organisations are much more fragmented and less coordinated. In contrary to the Polish minority it does not have any element of fundraising from own sources/from own community members, it relies more on external financing, and is to a large extend "exposed" to the paternalist approach.

Poland:

The example from Poland teaches that management of cultural heritage through non-territorial autonomy is a complex process due to the specificity of the goals and conditions of functioning of key stakeholders representing NTA. In the analysis, a multi-level governance model can be used. It clearly presents the relations of NTA entities with government and local

government authorities as well as international organisations. The subject of a study is the cultural heritage of the Kashub minority whose status oscillates between an ethnic minority and a national minority. Kashubs are a group of over 200,000 inhabitants, living in northern Poland. Among the key stakeholders of the management model, the Kashubian Pomeranian Association plays a key role in the preservation and promotion of the Kashubian cultural heritage. Kashubs do not have their own political party and thus do not have guaranteed seats in the national parliament. However, the Association has always acted as a spokesperson for the interests of indigenous Kashubian people towards public authorities. Especially for the development of the Kashubian language, which thanks to the Association's many years of efforts is the only regional language legally recognised in Poland.

Albania/Macedonia:

Prespa Park is an initiative launched by the civil society organisations from Greece and North Macedonia aiming at establishing the transboundary park in the region surrounding the lake of Prespa, which is shared by Greece and North Macedonia and Albania as well. It was established in 2000. The Park aimed for establishing the transboundary cooperation that would focus on the conservation and sustainable development priorities of Prespa. The Park initiative demonstrates that even when a region is surrounded by uncertainty and political tension, the potential for cooperation can emerge in other fields of policy that are considered 'de-politicised' such as conservation and sustainable development. There has been engagement of some tens of local ethno cul-

tural civil society organisations participating in the Prespa Park process. This effort paid off as the Prespa municipalities started to have direct communication among them, hold cross-border meetings, and mutually attend events. The CSOs in the case of Prespa Park initiative have had the role of 'founders' of this idea in the beginning. But later, they transferred this role to the national and local government authorities. They continue to take part in the decision-making processes in advisory role and as pressure groups to make sure that the idea comes to the reality.

Bosnia and Hercegovina (B&H):

Identification of factors that aim at influencing the participation of ethno-cultural NTA institutions in B&H has focused on cultural policies and development of NTA institutions more generally through support for projects that aim at protecting the cultural identity of national minorities. In particular, the improvement of knowledge of national minority existence in primary education has seen support from the government. So far, the aim has been to improve normative standards on minority protection. Any impact in the economic sphere through the forming of self-governing structures by ethno-cultural groups has yet to be established.

NTA and decentralisation

Other WG members were engaged in cross-disciplinary research on ethno-cultural NTA in relation to political decentralisation, which was explored in terms of two new approaches to local government and democratisation. Focusing on normative pluralism and network governance, it has been explored how NTA for ethno-cul-

tural groups in regard to political decentralisation of states may be conceptualised as ‘institutions-within-institutions,’ or ethno-cultural institutions functioning on separate mandates within mainstream governing institutions. While network governance focuses on new dynamics in policy processes, normative pluralism focuses on accommodating the distinctness of the groups through the subsidiarity principle with regard to their own affairs. Either way, the potential and ramifications of ethno-cultural institutions acting within the wider framework of state institutions have been explored. This theorisation may potentially add to the theoretical debate on NTA in relation to economic and political decentralisation.

For some decades now, governments have increasingly taken on the notion that democracy is stronger when decisions on public affairs are taken as close as possible to the individual citizen. The so-called subsidiarity principle fits well into the notion of NTA but remains underexplored in connection with ethno-cultural NTA in the literature. The transfer of authority and responsibility for public functions from the central government to intermediate and local governments or quasi-independent government organisations and/or the private sector speaks, therefore, to ideas central to NTA, such as independent decision-making and culturally sensitive programming.

In order to examine the role of NTA institutions as relevant through either normative pluralism or network governance approaches, a structure and agency approach has been applied. The following performance indicators have been conceptualised to identify the degree of autonomy of ethno-cultural NTA institutions functioning

in a decentralised setup: (1) self-organisation in terms of self-established and self-designed institutions, (2) self-decision making in terms of independent design and reasoning about strategies, (3) self-administration and self-management in terms of implementation of strategies, routines and procedures, (4) self-regulation in terms of self-imposed human rights norms and other systems of ethics, and (5) self-adjudication in terms of independent conflict settlement and crisis management.

The research project aims to assess a degree of autonomy through case studies with regard to establishing structures, physical and non-material, inter-dependent structures with some horizontal articulations about mutual goals that support the life of the group. A key to the appraisal of the degree of autonomy is the motivation for cultural survival through self-creating and self-organisation. Whether one takes the normative pluralism or network governance scientific approach to self-organisation, the structure and agency approach is useful in assessing the extent to which ethno-cultural groups set up their own NTA institutions through bottom-up processes fuelled by group agency. The method is descriptive, and the verification approach is qualitative with reference to empirical data about registration, by-laws, strategies, action plans, and government policies.

The research on NTA and decentralisation will be published in a chapter in an edited volume titled, *NTA and Decentralisation* (forthcoming, Routledge, 2020).

Preliminary conclusions

The work on identifying state incentives and resources that promote participation of ethno-cultural NTA institutions in economic and regional development is still in a very early stage. The case study research so far shows that knowledge about policies, programmes and practices is very scarce and hard to find. Governments and authorities seem to focus on normative approaches induced by the pressure of the European minority rights and protection regime adopted by international institutions. While this is very welcomed and highly important, there seems to be a gap between the normative sphere and the political/economic spheres. NTA institutions are thus seen as separate institutions in charge of implementing ethno-cultural policies within confined groups as opposed to civil society institutions seeking to contribute to society in general through participation in democratic processes. There needs, therefore, to be more focus on identifying actions and agency among all actors both official, public institutions and civil society NTA-type institutions.

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6.

NTA: A Bibliographical
Database

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As part of the work of WG4, a bibliographical database was created and constantly filled in by new bibliographical entries in the course of two short term scientific missions (STSMs) of two researchers, Dr. Artur Boháč (from 25/11/2019 to 20/12/2019) and Dr. Marina Andeva (from 24/02/2020 to 06/03/2020) at the University of Vienna, Institute for East European History (Austria) and at Eurac Academy, Bolzano/Bozen (Italy), respectively. The bibliographical database has been created on Zotero (free, easy-to-use tool for collection, organisation, citing and sharing research). The ENTAN database has a public profile “entan.cost” - <https://www.zotero.org/entan.cost/>. Having in mind that it has a public profile, it is available publically to all researchers interested in the topic. The database comprises bibliographical entries from different scientific fields: history, sociology, law and political science. The entries cover different aspects related to minorities, such as legal framework focusing on minorities and their rights, nationalism, multicultural societal challenges, territorial and non-territorial autonomy accommodating minorities' claims and rights and many more issues related to the study of minorities. The database does not focus strictly on the study of non-territorial autonomy, as it is difficult to limit titles of entries as such, but it rather gives a broader list, whereas non-territorial autonomy takes a significant part. The database now contains a total of 1221 entries. The intention is that this database is constantly updated.

The database has been divided into several collections, as follows:

1. NTA Bibliography – History
 - 1.1. History: Case studies
 - 1.2. History: Theoretical approach
2. NTA Bibliography – Contemporary theory
3. NTA Bibliography – Contemporary case studies
4. NTA Conferences
5. NTA Research projects
6. NTA Courses, textbooks and other teaching material

Within this section of the report, a bibliographical list (extract from the database) will be provided from the first three main collections.

6.1. NTA Bibliography – History

History: Case studies

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Research projects
focusing on non-territorial
autonomy

Contributor: Anna Adorjáni

During the first year of the ENTAN network, members of the WG4 have conducted a research on the past and existing projects focusing merely on non-territorial autonomy. The following projects have been identified:

Austrian Academy of Sciences. (2015). *The idea of national-personal autonomy from the Habsburg Empire to the interwar period*. Researcher: Kuzmany, B.

Joint project of EURAC, Babes-Bolyai University, ECMI and Romanian Institute for Research on National Minorities. (2016). *Autonomy Arrangements in the World*. Retrieved from <http://www.world-autonomies.info/Pages/default.aspx>

University of Vienna & European Research Council. (2018). *Non-Territorial Autonomy as Minority Protection in Europe. An Intellectual and Political History of a Travelling Idea, 1850–2000*. Researchers: Kuzmany, B., Aava, T., Adorjáni, A., Germane, M., Batthis, M., & Mulej, O. Retrieved from <https://ntautonomy.univie.ac.at/en/>

University of Cologne. (n.d.). *Minderheitenschutz im östlichen Europa. Das Minderheitenrecht der Staaten Mittel- und Osteuropas in der Konsolidierungsphase*. Retrieved from <http://www.iorr.uni-koeln.de/16995.html>

University of Glasgow. (2014). *National Minority Rights & Democratic Political Community: Practices of Non-territorial Cultural Autonomy in Contemporary Central and Eastern Europe*. Researchers: Smith, D., Prina, F., Sansum, J. Retrieved from <https://gtr.ukri.org/projects?ref=ES%2FL007126%2F1>



University courses
focusing on minority
rights and non-territorial
autonomy

Contributors: Anna Adorjáni, Börries Kuzmany, Marina Andeva

A desk research has been performed within the work of WG4, in order to identify existing textbooks and teaching materials dedicated to minority policies and legal frameworks at international and European scale with specific focus on non-territorial autonomy features. The research has shown that in the past and currently there were no university courses nor textbook specifically design to cover only non-territorial autonomy as concept and practice. In this section graduate and postgraduate courses teaching minority rights, nationalism and multiculturalism however including also an analysis and study of non-territorial autonomy, are included:

Dobos, B. (2009). *Nations, Minorities and Minority Policies in East Central Europe* (Course description: The aim of the course is to introduce and analyse the main concepts, approaches and theoretical debates of contemporary nationalism and minority studies, from the perspective of political science and based on the key features of East Central Europe in order to make concrete cases more understandable and comparable). Corvinus University of Budapest, Institute for Political Sciences. Retrieved from <https://portal.uni-corvinus.hu/index.php?id=22720&tanKod=7PO10NG-V55M&l=en>

Dodovski, I., & Andeva, M. (2016). *Multiculturalism* (Course description: The course examines multiculturalism as a public policy that recognises cultural identity in law and politics vis-à-vis the notions of justice, equality and common citizenship. The first part of

the course includes a review of key terms and concepts of multiculturalism, analysing the practices of cultural toleration, cultural and language rights. The second part tackles self-determination and autonomy as key concepts in accommodating cultural difference. Moreover, it considers key legal international instruments for protection and promotion of minority rights. The third part of the course will have the aim to examine the practice of multiculturalism in the Republic of Macedonia. Liberal theory and the rise of multiculturalism as a new way of thinking about and responding to cultural diversity will also be assessed. The course includes analyses of several case studies and films.). Skopje: University American College Skopje.

Klatt, M. (2020). *Minorities, nationalism and political conflicts* (Course description: This course will introduce students on different aspects of the study of minorities, their relation to the ideology of nationalism and their role as objects and subjects in political conflicts. 2020 is the 100th anniversary of the Danish-German border, which was drawn as a result of historical processes leading to a regional division of a border zone into two nation states' territory and the simultaneous institution of national dissenters as national minorities. While controversial in its time, today it is appraised as a model of national reconciliation, border drawing in accord with national self-determination and minority accommodation. This anniversary is the occasion to collect interested students of minority issues in a Højskole-surrounding to study historic

and contemporary aspects of national and other minorities in Europe. The course is offered as an elective to students in SDU's bachelor programme on European Studies.). University of Southern Denmark.

Kuzmany, B. (2019). *Nationality rights and minority protection in Central and Eastern Europe* (Course description: This course should enable students to deal with secondary literature and original sources on national diversity in the Eastern parts of Europe. The first objective is to understand the principal differences between multinational empires such as the Habsburg and Romanov Empires and nation states before. The second objective is to introduce students to the three main approaches to address the protection of non-dominant ethnic groups: individual, territorial, or group rights. Special attention will be given to the differences between territorial and non-territorial autonomy. University of Vienna.

Kuzmany, B. (2020). *Yiddish for historians* (Course description: The overall aim of the course is to enable students to read and work with original Yiddish documents according to specific topics relevant in Jewish history. Four course units are dedicated to the topic of non-territorial autonomy in Eastern Europe, e.g. the Jewish Labour Bund, non-territorial autonomy laws in the Baltics and Ukraine, as well as implicit Soviet practices of NTA. University of Vienna.

Malloy, T. H. (2019). *European minority rights and minority protection regime* (The course is taught as part of the MA programme in

European Studies at the Europa-Universität Flensburg (Germany). It aims to provide the students with in-depth knowledge and robust skills on the basis of which to develop an informed understanding of ethno-cultural minority rights and minority protection in Europe since the Middle Ages with emphasis on the developments in the second half of the 20th Century. The subject is examined from the perspectives of political science and law, including international human rights law and international relations studies. The course provides an overview of historical, political and legal developments in European society and examines international and national approaches to governance in the area of ethno-cultural accommodation. Specific topics include minority rights to representation and participation, education and religion, parallel systems of accommodation, including territorial and non-territorial autonomy, conflict prevention management and general diversity management, including non-discrimination and gender equality. A practical component in human rights monitoring is also included.). Europa-Universität Flensburg.

Smith, D. (2020). *Statehood and nationality in Russia, Central and Eastern Europe* [Course description: This course analyses ongoing issues and challenges of state and nation-building in Russia and various countries of Central and Eastern Europe during the period from the fall of communism and the demise of the USSR to the present. In all cases, the countries of the region have been called upon to create new

state institutions and supporting collective identities within a deeply multi-ethnic setting, while simultaneously negotiating their place within the international order of the day. What kinds of discourses and policies of state and nation building can be discerned within the region, how do these compare to past and present processes in Western Europe and elsewhere, and what implications have they carried for identity construction, the consolidation of statehood and inter-state relations? How have these developments interacted with the external agendas of international organisations (EU, Council of Europe, OSCE) relating to the consolidation of democracy? These are among the key questions to be addressed during the course. While there will be the opportunity to bring in comparative insights other cases, the course will focus mainly on current issues of statehood and nationality as they pertain to Russia, Ukraine (up to and including the current crisis), the Baltic States and the relationship between Hungary and Hungarian minorities living in neighbouring states.].

Smith, D. (2020). *Nationalism, state consolidation and the politics of identity in post-communist Europe* [Course description: This course discusses concepts and issues around the political management of ethnic diversity in contemporary Central and Eastern Europe, with particular reference to the relationship between nationalising states, national minorities, 'external national homelands' and the emerging 'minority rights regime' promoted by the EU, OSCE, Council of Europe and other in-

ternational agencies. The course will focus in particular on state- and nation-building processes and their implications in the Baltic States (esp. Estonia and Latvia), Russia and Ukraine (up to and including the current crisis), as well as exploring the relationship between Hungary and Hungarian minorities living in neighbouring states (Romania, Serbia, Slovakia and Ukraine)].



Conclusions

9.

Contributor: Marina Andeva

The present report gives an overview of the significant developments and characteristics of the concept of „non-territorial autonomy” (NTA). As explained in the report, the term NTA covers broad practices and theoretical models directed towards the accommodation of various minority claims for self-representation, promotion of culture and protection of linguistic, cultural and political rights. NTA is understood as a specific instrument designed to protect and promote the rights of minority groups in different country contexts. This report indicates how NTA is seen in different settings, from its theoretical definitions to its practical implications. In reference to different instances of NTA as a model and instrument, the report suggests that NTA is used in tackling the question of collective representation of minority groups. NTA does not focus on the individual rights, but it rather explicitly tries to manage and address group rights and claims for collective protection through the ‘personality principle’ (personal belonging to a specific group). Clearly, NTA is one of the many options or arrangements that a state has at hand when addressing minority claims. The difference in comparison to other arrangements at state disposal is the fact that NTA does not jeopardise state sovereignty and territorial unity. In other words, NTA represents a model that offers de-territorialisation of minorities’ self-determination claims. Elections and minority representation in decision-making processes are embedded in the NTA arrangement. As such, NTA offers opportunity for minority groups to be represented at various governance levels, through the so-called minority councils. The report also touches upon the practical implica-

tions of such arrangements, by offering several case studies (Serbia, Hungary, Lithuania, Republic of Cyprus, and Romania). Through these cases, the question of how NTA tackles territorial claims and representation rights has been briefly answered and explained.

As regards how cultural identities and rights are protected through the model of NTA, the report presents several arguments. The starting point is to give autonomy for managing different spheres of concern for minority groups, such as the questions of language rights and preservation, cultural and education rights and their appropriate management. These issues have been addressed by this report both from a theoretical and practical point of view.

An important area for analysis and discussion is the role of NTA in regional and socio-economic development. As presented in this report, the subject invites further research. Ethno-cultural minorities, especially in Europe, are often territorially concentrated in border regions, between two or more states, and this position allows them to play a significant role in many states’ interests. Since this is a broad research field, as explained in the report, several research questions have been identified. They are related to the enquiry of whether and how NTA can find its role, and whether and how NTA makes an impact in regional and economic development. This report does not completely answer these questions, but it assists in identifying the main challenges faced while answering to this initial enquiry. In order to clearly state this research question, the report also presents several case studies: the Danish-German context, the Czech Republic, Poland, Macedonia-Albania context, and Bosnia and Hercegovina. As

stated in the report, the work on identifying state incentives and resources that promote participation of ethno-cultural NTA institutions in economic and regional development is still in a very early stage. In this respect, ENTAN as a scientific network could contribute to develop this scientific area further.

This report also includes a comprehensive bibliographical database comprising bibliographical entries that cover different aspects related to minorities, such as legal framework focusing on minorities and their rights, nationalism, multicultural societal challenges, territorial and non-territorial autonomy, accommodation of minorities' claims and rights, and many more issues related to the study of minorities. Furthermore, this report mentions several past and current research projects focusing on NTA and indicates a list of past and current university courses focused on NTA arrangements.

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