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Problems of legal guarantee of educational needs of national minorities

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Abstract

The aim of this study was to analyze the current international agreements, the Ukrainian legislation on ensuring the educational needs of its national minorities, the observance of their educational rights and their compliance with international standards. The study is conducted on the example of the educational needs of Gypsies, Poles and Hungarians. The materials and methods used made it possible to carry out analytical and research work, identify shortcomings and offer clear proposals for the legal regulation of the educational provision of national minorities. Also, a questionnaire survey was conducted among representatives of national minorities studying in educational institutions in Ukraine. The system of general philosophical and scientific methods was chosen as a methodological basis. It is concluded that, in general, Ukrainian legislation complies with international and European standards of minority education, because it contains rules and guarantees to ensure full understanding of the native language of the national minority and, in the broadest sense, the legislator managed to find a balance between national, moral and cultural interests of these groups of Ukrainian citizens.

Keywords: educational needs; national minorities; educational institutions; inclusive legislation; ethnopolitics.

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Problemas de la garantía legal de las necesidades educativas de las minorías nacionales

Resumen

El objetivo de este estudio fue analizar los acuerdos internacionales actuales, la legislación de Ucrania en cuanto a la garantía de las necesidades educativas de sus minorías nacionales, la observancia de sus derechos educativos y su conformidad con las normas internacionales. El estudio se realiza a partir del ejemplo de las necesidades educativas de los gitanos, los polacos y los húngaros. Los materiales y métodos utilizados permitieron realizar un trabajo de análisis e investigación, identificar las deficiencias y ofrecer propuestas claras para la regulación legal de la oferta educativa de las minorías nacionales. También, se realizó una encuesta por cuestionario entre los representantes de las minorías nacionales que estudian en centros educativos de Ucrania. Se eligió como base metodológica el sistema de métodos filosóficos y científicos generales. Se concluye que, en general, la legislación ucraniana cumple con las normas internacionales y europeas de la educación de las minorías, porque contiene normas y garantías para asegurar la plena comprensión de la lengua materna de la minoría nacional y, en el sentido más amplio, el legislador logró encontrar un equilibrio entre los intereses nacionales, morales y culturales de estos grupos de ciudadanos de Ucrania.

Palabras clave: necesidades educativas; minorías nacionales; instituciones educativas; legislación inclusiva; etnopolítica.

Introduction

The modern world is globally integrated, migration processes are intensifying, and citizenship is no longer a universal, stable characteristic of the individual. Therefore, the issue of educational space of ethnic minorities in the era of global changes and state power transformations is especially relevant.

Of additional interest is the problem of implementing the educational rights of ethnic minorities, legislative consolidation, establishment of measures to ensure and protect them, and the formation of a system of guarantees for their implementation. This is due to the fact that the viability of national minorities is a key issue in preserving the ethnic and cultural diversity of the state. The formation of this group of citizens has its own characteristics and requires a special system to ensure it.

1. Research Problem

Proper legal policy in the sphere of national minorities defines a weighty criterion of democratic state, is an indicator of the tolerance of society and compliance with European values of civilized nations. The axiological component determines the praxiological importance of having a holistic mechanism for ensuring the rights of national minorities. At the same time, there is a dissonance between the absolutization of the rights of national minorities and the tendencies of protecting national state interests, ensuring territorial integrity and citizenship. The problem of the research is exactly the legal provision of educational needs of national minorities, how in Ukraine the right of national minorities to education is legally observed. The study focuses on such national minorities as Roma, Poles, Hungarians, and Russians.

The legal provision of their extracurricular, school, vocational and technical education is studied, the main problems are identified. The purpose of this study is to analyze the existing international agreements, Ukrainian legislation to ensure the educational needs of national minorities and the observance of their educational rights.

The study reveals the issues of correlation of national and international legislation, peculiarities of obtaining education by representatives of national minorities, resolution of conflict situations on provision of educational rights of national minorities, gaps in Ukrainian legislation and ways of their resolution, issues of international cooperation with foreign partners to solve problematic issues of ensuring educational rights of national minorities, Romanian legislation in the field of ensuring educational needs of ethnic minorities was analyzed, the level of general satisfaction of educational needs of ethnic minorities, the impact of the pandemic on the educational provision of ethnic minorities was analyzed.

2. Study methods

2.1. General Background

To implement the objectives of the study was carried out by certain stages in a combination of analysis of theoretical material, legislation, and performance of practical tasks. Such stages were: searching for state and international legislation, searching for legislation of other countries, scientific literature; analysis of the above normative legal acts and scientific sources; comparing and comparing national legislation of Ukraine with international normative legal acts; revealing problems in national legislation in the sphere of national minorities education; conducting a survey among national minorities population; providing suggestions for solving problems.

The empirical basis of the research was questionnaire surveys of such national minority groups as Roma, Poles, Hungarians, Slovaks, and Russians. The system of philosophical, general scientific and special scientific methods was chosen as the methodological basis. The humanistic method, which establishes the axiological determinants of the role and legal nature of the status of national minorities in the educational sphere, was chosen as the main method. The integrated method allows combining the knowledge and practice of education, pedagogy, public administration, international relations, and law.

The synergetic methodology will be useful for determining the current bifurcation point of educational rights of representatives of national minorities and external paradigms of globalization influencing them. The methodology of the author's survey made it possible to analyze the real situation in the field of ensuring educational competence of representatives of national minorities.

3. Study results

Identification of problematic issues in the system of providing educational services to national minorities, positive aspects of interaction, taking into account the holistic mechanism of education in Ukraine is a relevant doctrinal and practical issue.

The main ideology of the state policy regarding national minorities should be the harmonization of interests so that, on the one hand, citizens have the opportunity to continue their national and spontaneous traditions, to learn their native language, to pass on to future generations, on the other hand, attention should also be paid to the adaptation of traditional culture of national minorities to the requirements of a globalized modern society Through an author survey of national minorities established

The right to study the language of national minorities in Ukraine is guaranteed and ensured at many levels, including both state and communal property institutions and public institutions (national and cultural societies). Such a policy defines a bilingual educational environment, where the language of national minorities may be taught alongside the national language of instruction. In general, the national legislation complies with international and European standards of national minority education, contains norms and guarantees to ensure full understanding of the native language of the national minority, and in the broadest sense the lawmaker managed to find a balance.

Between the national and cultural interests of these groups of citizens of Ukraine. The shortcomings of the lawmaking regulation of the covered

problem in Ukraine, in our opinion, are as follows. Discrimination of representatives of national minorities on the basis of their origin. Absence in the Law on Extracurricular Education of a reference to the realization of the right to education for representatives of national minorities. Ukrainian legislation does not contain any peculiarities of acquiring knowledge and skills of an appropriate level of education.

The right of national minorities to establish private educational and training institutions is not stipulated by national norms, so discussions on this issue may continue. It is recommended to bring Ukrainian legislation into compliance with international standards. The experience of Romania in the legal regulation of the educational needs of national minorities is analyzed. Regarding the experience of Romania, in addition, we propose to apply to the Ukrainian legislation a norm introducing a person, a representative of this minority to the management of an educational institution. For Ukraine, this issue is of geopolitical importance.

More than one hundred and thirty national minorities and ethnicities live on its territory. To a greater extent, in analyzing the educational problems of members of national minorities, scholars examine the problems faced by Roma children in education, in particular the issue of possible restrictions for equal access to education as a factor of a significant barrier to quality education.

Sina Van den Bogaert's comprehensive monograph focuses on the problem of segregation in the education of members of the Roma national minority in Europe, focusing on the implementation of public international law of the Framework Convention for the Protection of National Minorities (Framework Convention for the Protection of National Minorities, 1994) Equality 2000/43/EC of the European Union (Van den Bogaert, 2018) (Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin).

Some achievements focus on the issue of Roma education in individual countries, in particular Bosnia and Herzegovina (Lukenda and Pavlović, 2018), Finland, Sweden, and Norway (Helakorpi *et al.*, 2020), the UK (Butterworth, 2019). Valuable for the analysis is a structural review by representatives of the Norwegian school of sociology, which analyzed a total of 151 peer-reviewed research articles published during 1997-2016.

This allowed them to identify a number of problems facing Roma socialization and education: school absence, low academic achievement, socioeconomic problems, cultural differences, invisibility, teacher competence, hostility, segregation, and false policies and activities (Lauritzen and Nodeland, 2018). This review can help raise awareness of the methodology form research questions in minority education.

Much less often scholars focus on the educational needs of members of national minorities in general. In general, the problem is addressed through studies of their legal status, cultural national autonomy, and integration problems in individual countries, in particular in Hungary (Cservák, 2018), Belarus, the Czech Republic, Poland (Grabowska and Łukasz, 2020), Great Britain (Willis, 2020), Ukraine (Toronchuk and Markovskiy, 2018), Hungary, Estonia, Serbia and Russia (Prina *et al.*, 2019), the Visegrad Group V4 of Poland, the Czech Republic, Hungary and Slovakia (Kichera, 2020). The problems of the formation of legal policy regarding the status of national minorities in Ukraine (Tkachenko *et al.*, 2021) and its constitutional consolidation are relevant (Karp, 2018).

However, most of these works are of a narrow sectoral nature and do not contain a comprehensive analysis of the system of providing educational services for representatives of national minorities. The problem of ensuring the educational rights of members of national minorities in Ukraine is raised mainly at the level of political rather than scientific discussion. The system of philosophical, general scientific, and special scientific methods was chosen as the methodological basis.

The main method chosen is the humanistic method, which establishes the axiological determinants of the role and legal nature of the status of national minorities in the educational sphere. The integrated method allows combining the knowledge and practice of education, pedagogy, public administration, international relations, and legal science.

The synergetic methodology will be useful in determining the current bifurcation point of educational rights of persons from national minorities and external globalization paradigms affecting them. The author's survey method allowed us to analyze the real state of affairs in the area of educational competence provision for members of national minorities.

The survey was conducted in four schools in Lviv and Uzhgorod (Lyceum No. 45 of the Lviv City Council, which used to be a school with profound study of the Russian language; Lyceum No. 10 named after Saint Mary Magdalene of the Lviv City Council with Polish language teaching; Specialized General Education School No. 4 with profound study of the Slovak language, Uzhgorod and the Mishka Frede Ugrian Grammar School, Uzhgorod).

The classical secondary education institutions chosen for comparison are Lyceum No. 46 and No. 66 of the Lviv City Council. Requirements for respondents: parents from national minorities, two or more children study at the school (the above, in our opinion, will demonstrate a broader picture and allow to disassociate from subjective evaluation of individual character).

The number of respondents in each school - 42 people, sample by the article was not conducted, the majority were mothers. Two people refused to answer during the survey, which did not affect the overall result. The statistical error is no more than 2%. The survey was conducted by filling out questionnaires containing the author's questions about the provision of the educational process in their institution. The questions in the questionnaire were structured so that respondents could rate the level on a five-point scale, where 1 point is very poor, 2 points are poor, 3 points are mediocre, 4 points are sufficient, and 5 points are positive.

Statement of Main Points. Quality education promotes social engagement, economic growth, and innovation. Therefore, the field of education should be the "springboard" that can optimally connect the interests of all groups. National minorities have special interests in the context of preserving traditions, customs, and languages. The latter is a determinant, indicating the belonging of the legal policy of the state, its human-centeredness, and humanism. National minorities, even in states with an advanced level of education and law, remain at a disadvantage, often discriminatory.

According to the 2018 U.S. Education Report, some groups have traditionally always struggled with learning, among them students of national, ethnic, and racial groups, and for this purpose, the state operates 4,360 specialized educational institutions (The National Center for Education, 2019).

Research in the United Kingdom in unison notes that Roma students in this country have significantly lower levels of education than their peers (Butterworth, 2019). The demographic process is variable, national minorities exist in every state and their numbers are not at a steady level. Global transformations have intensified trends of increasing numbers of members of the population studied.

The second factor in the growth of national minorities is the rapid increase in the number of refugees. According to the latest UN report on migration issues, 84 million people around the world were displaced by persecution, conflict, violence, human rights violations, or other serious events in 2020. In Venezuela alone, 73% of the population has become refugees to neighboring countries (UNHCR, 2020).

European Union states are currently experiencing a new wave of refugees due to the hybrid means of warfare by the unrecognized president of the Republic of Belarus (Koehler and Schneider, 2019). Ratified international acts take precedence over national acts. The issue of the protection of national minorities is regulated by acts of international law, as discussed in previous studies (Czepek and Karska, 2021).

Among international instruments, the first to be mentioned is the Declaration on the Rights of Persons Belonging to National or Ethnic,

Religious and Linguistic Minorities, adopted by UN General Assembly Resolution 47/135 of 18 December 1992. (Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, 1992). It only indirectly mentions the activities in the sphere of education that should be guaranteed by the state, with no special attention to the right to education of national minorities.

However, the significance of this act is important because it is the only one at the international level that defines the value of protecting the rights and freedoms of citizens from national minorities.

The main document at the regional European level is the Council of Europe's Framework Convention for the Protection of National Minorities since 1994, to which Ukraine has acceded for three consecutive years. Articles 12 - 14 of this Convention indicate the provision of educational needs of minorities, draws attention to guaranteeing the teaching of native language, studying it in educational institutions, proper training of teachers and aids, as well as the possibility of the existence of private schools for national minorities (The Framework Convention for the Protection of National Minorities, 1994).

There are also regional norms of soft law. In particular, the Organization for Security and Co-operation in Europe issued the Hague Recommendations on the Education Rights of National Minorities, where the key ideology is the requirement for states to find an effective approach to national minority rights in education (Organization for Security and Co-operation in Europe, 1996).

High international standards are developed at the highest level, agreed by many states, and require implementation by countries at the national and local levels. On the constitutional level in Ukraine, Article 53 states that nationals are guaranteed the right to be educated in their native language or to study their native language in state or municipal educational institutions or through national cultural societies (Constitution of Ukraine, 1996).

Such constitutional dogma is typical for many European countries. For example, positive in this sphere is the constitutional norm of Romania, wherein article 32 (3) the right of persons belonging to national minorities to study their native language and their right to education in this language is guaranteed by the state (The Constitution of Romania, 1991).

A general comprehensive document in the sphere of education is the Law of Ukraine "On Education," where Article 7 defines the peculiarities of education for members of national minorities (About education, 2017). This normative act caused the greatest discussion in society and concern on the part of the governments of European states, in particular Poland, Hungary and Romania.

The conflict moved from the domestic to the international level when Hungary blocked the organization of high-level political meetings between Ukraine and NATO (Csernicskó, 2020). The problem is that states have clarified the norm as allowing instruction in a native language along with the national language only for children up to grade 5.

The European Commission for Democracy through Law (Venice Commission), as the Council of Europe's advisory body on constitutional law, in considering the legitimacy of national law, pointed out that an independent state has the right, moreover the duty, to promote the national language, including among citizens belonging to national minorities, and pointed out the shortcomings of the law: the lack of public discussion of the norm with representatives of all national minorities (paragraph 53 of the Opinion). Paragraph 67, 127 of the Opinion pointed out that the law does not need to be amended and that future laws and regulations may correct the inaccuracies (The European Commission for Democracy, 2017).

National legislation should be considered in the context of levels of education. In Article 7 of the Law of Ukraine "On Preschool Education," one of the key tasks is not only to teach children to respect their native language but also to instill a love for the language of ethnic minorities. At the same time, the subordination obligation in Article 36 is also defined for the parents of the child or the persons substituting them (About preschool education, 2001). The Law of Ukraine "On complete general secondary education" (On complete general secondary education, 2020) represents the right to the language of national minorities in the broadest way.

This fact can be explained by its recent update, so the legislator focused on the problematic aspects of legal ethnopolitics in the context of the implementation of international standards and took into account the problems pointed out by the Venice Commission. The key is Article 5 of this Law, which states that in Ukraine the right to study the language of national minorities is guaranteed and ensured at many levels, including both state and communal property institutions, as well as public institutions (national cultural societies). Article 12 of this Law defines the right to create classes (groups) in the language of instruction of national minorities at the request of parents.

Therefore, in general, the shortcomings indicated by the Venice Commission are taken into account in the legislative act on secondary education. The Law of Ukraine "On Higher Education" in paragraph 11 of Article 44 provides the right of a person at will to receive an assignment for external independent evaluation as a means of assessing learning outcomes, the language of the national minority, provided that the training was accordingly carried out in this language (On higher education, 2014).

In general, the national legislation complies with international and European standards for the education of national minorities, contains norms and guarantees of providing a valuable understanding of the native language of the national minority and, in the broadest sense, the lawmaker managed to find a balance between the national and mental and cultural interests of these groups of Ukrainian citizens. The shortcomings of the lawmaking regulation of the covered issue in Ukraine, in our opinion, are as follows.

Discrimination of representatives of national minorities by the characteristic of belonging to the state of origin. Thus para. 6. Article 5 of the Law of Ukraine "On Secondary Education" gives priority rights to persons, belonging to national minorities of Ukraine and whose languages are official languages of the European Union. At the same time, other national minorities are not taken into account. The latter constitute the largest three groups, including in the last census the Russians accounted for 17.3% of the total population, the Belarusians for 0.6%, and the Moldovans for 0.5% respectively (State Statistics Committee of Ukraine, 2001).

The absence in the Law on Out-of-School Education mentions the realization of the right to education for members of national minorities (About Out-of-School Education, 2000).

We negatively assess another current normative act - the Law of Ukraine "On Professional (vocational) Education," which does not contain any specifics of obtaining knowledge and skills at the appropriate educational level (On professional (vocational) education, 1998). The mentioned above predetermines the dissonance of paragraph 5 of Article 7 of the Law of Ukraine "On Education", which determines the right of applicants for professional (vocational) education to study languages of national minorities as a separate discipline.

There is a need to bring Ukrainian legislation into conformity with international and European standards recognized and ratified by Ukraine. The Framework Convention, in Article 13, states that states recognize the right of national minorities to establish their own private educational and training institutions. Such a right is not provided for by national norms, so discussions on this issue may continue.

The practice of applying the experience of foreign states, in particular Romania, in the context of the emphasis on the territorial accessibility of educational institutions for national minorities seems appropriate. Art. 10 (2) of the Romanian Law on National Education (LEGEA national education, 2011) states that in each city or town, educational institutions and educational establishments shall be established and operate with instruction in Romanian language and, if necessary, with instruction in the languages of national minorities, or instruction in the mother tongue in the

nearest town, if possible. (In any town or city, educational institutions and educational establishments with a branch in English and, as the case may be, with a branch in the national minority languages shall be established, or teaching shall be provided in the maternal language in the nearest town if it is possible).

Moreover, Article 45(7) specifies additional obligations of the state to support pupils who have no opportunity to study in their native language in their town by paying for their travel or by receiving free board and lodging in a boarding school with instruction in the minority language where they receive instruction.

The system of educational needs also includes a network of educational institutions operating in the state and administrative institutions at the state and territorial level, providing management in the field of education. The Ministry of Education and Science ensures the formation and implementation of state policy in the fields of education and science and is the main body in this field among the central bodies of executive power. The Ministry coordinates policy at the level of international cooperation, the activity of which is analyzed in Table 1.

Table No. 01. Measures of international cooperation of the Ministry of Education and Science of Ukraine with foreign partners during 2021 to resolve the problematic issues of ensuring the educational rights of members of national minorities

Countries of cooperation	date	Event title	Problematic issues that were considered
Moldova	18.11. 2021	working group on the interests of the national minority	cooperation in higher education
Hungary	6.05.2021	meeting with representatives of public organizations of Hungarian national minorities	identification of problematic issues in education, peculiarities of creating curricula for Hungarian-language classes
Hungary	21.09.2021, 12.05.2021	Ukrainian-Hungarian interdepartmental working group on education	consultations on the conclusion of a Memorandum of Understanding; preservation of instruction in the Hungarian language in general secondary education
Bulgaria	During August 2021	International summer seminars on Bulgarian language, literature, and culture	preservation of the national identity of the Bulgarian language

Poland	27.10.2021	advisory commission on meeting the educational needs of representatives of the Polish national minority in Ukraine	draft Agreement between the Cabinet of Ministers of Ukraine and the Government of the Republic of Poland on institutions of pre-school, general secondary education in Ukraine, in which the Polish language is studied and classes with instruction in the Polish language function, as well as institutions of pre-school and general secondary education
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Source: According to the analysis of the official website of the Ministry of Education and Science of Ukraine (2022).

A network of educational institutions operates to provide for the educational and linguistic needs of members of national minorities. We note that the introduced principle of decentralization of administrative powers in education (Mariuts, 2016) and the autonomy of the educational institution significantly improves the situation because at the local level the problems faced by members of national minorities are more visible. Such principles are characteristic of most European states, clearly defined in the legislation, for example in Romania it is stated in Art. 3 of the Law on National Education.

It is important to point out that after the educational reform the network of educational institutions is not reduced, which we evaluate especially positively. Today there are still functioning secondary education institutions in which teaching is conducted in Polish (4 schools in Lviv region, 2 in Khmelnytsky, and one in Ivano-Frankivsk), but the number of students in them is increasing, despite the general trend of decrease in the number of children in Ukraine. So, as of 2011/2012, there were 746 students in the Lviv region and 929 students in 2020-2021. Altogether during this year at the expense of the state budget about 140 thousand copies of textbooks in Polish were published.

As for representatives of the Hungarian national minority, the situation in 2020-2021 is as follows: there are 110 pre-school institutions with groups and 101 institutions with classes in the Hungarian language. There are 68 institutions of general secondary education with instruction in the Hungarian language. Almost 31 thousand copies of textbooks have been published on state budget funds.

A major challenge for the education sector in any state is the possibility to provide professionals with sufficient professional competence to teach persons belonging to national minorities. Generalization of the analysis of the functioning of higher education institutions allows us to point out the

sufficient level of solving this problem. Detailed indicators are summarized in Table 2.

Table No. 02. Functioning of institutions of higher education providing teachers for members of national minorities

National minority	Number of educational institutions that provide training in vocational specialties	Number of students in 2021
Polish	13	858
Hungarian	2 (Uzhgorod National University, Ferenc Rakoczi II Transcarpathian Hungarian Institute)	1466
Romanian	6	327

Source: (Ministry of Education and Science of Ukraine, 2022)

For comparison, let us turn to the experience of Romania, here there is only one educational institution with the Ukrainian language of teaching (Lyceum named after Taras Shevchenko in Sighetu-Marmatia), although it is the third-largest national minority, according to the last census it was 65,472 people (Population by ethnicity in censuses of the period 1930 – 2002, 2022). Such a number could provide for the educational needs of the Ukrainian national minority. Ukraine provides significant assistance to the Ukrainian diaspora in Latvia, especially in the development of its cultural and educational sphere.

Thus, work is underway to create a Center for Ukrainian Studies at the Faculty of Philology of the University of Latvia. Thanks to the work of this center, almost 100 students of the University of Latvia attend lectures on Ukrainian language and literature. Among the domestic higher education institutions, Drohobytskyi State Pedagogical University named after Franko and Kyiv Pedagogical University named after M. Dragomanova are the most actively cooperating with Latvian universities (Krasnozhon, 2019).

4. Case studies/experiments/ demonstrations/ application functionality

The results of the author's survey allow us to determine the general state of satisfaction with the provision of educational services among representatives of national minorities (Russian, Hungarian, Polish, Slovak). Most parents are satisfied with the level of teaching, representatives of the Polish minority are the most satisfied with the level - 4.6 points, the lowest satisfaction was expressed by the Russian national minority - 3.6. The overall average level of assessment reaches almost 4.2 points. Specific results are presented in Diagram 1.

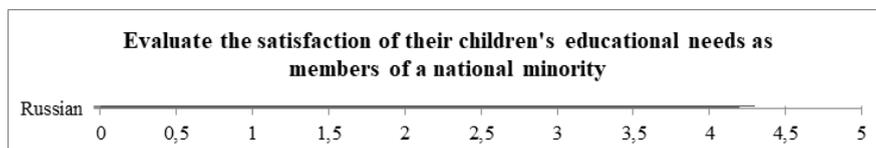


Figure No. 01. Overall satisfaction with educational needs. Source: According to the results of the author's survey.

Educational competence is directly affected by the provision of the necessary materials. For representatives of national minorities, this issue is particularly acute because the translation of textbooks and their printing requires additional organizational and financial costs. Respondents noted a sufficient level of provision with textbooks and other teaching materials. The average score for all groups is - 4.3 points. The Polish national minority stands out, where the level is assessed as very high - 4.8 points. The results are shown in Diagram 2.

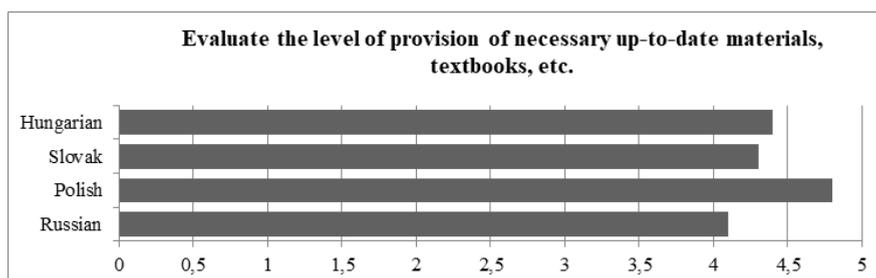


Figure No. 02. The level of provision of the educational process. Source: based on the results of the author's survey.

Another contemporary synergetic problem needs additional analysis. The pandemic threat that has existed for two years now brings about changes in all spheres of social life, and educational competencies are no exception. The entire education system has faced challenges such as the withdrawal of schooling, social inequality, lack of access to technology and the Internet, lack of digital skills, the shift to online learning, poor health in school institutions, even the problem of restoring or closing the school year (Vulpe, 2021).

The threat is worldwide. School closures can result in a loss of 0.3 to 1.1 quality-adjusted years of schooling, reducing the effective years of basic schooling that students have achieved in their lifetime from 7.8 years to 6.7-

7.5 years. About 11 million students from primary to secondary education may leave school just because of the effects of the pandemic (Azevedo *et al.*, 2020).

The peculiarities of teaching online are that the transition to such a system is difficult for all subjects of the educational process, but certain categories suffer the most. Among them are socially disadvantaged segments of the population, are orphans, children with special educational needs, and this group also includes members of national minorities. The interface offered by the government is common to all subjects, conducted in the state language, which can already make it initially difficult to understand for students, especially younger grades.

The legal educational policy does not provide additional inclusive mechanisms and characteristics. Adding another difficulty is the high professional level of the teacher, it must be “a person with a rich, grounded scientific background, clearly above the level at which he teaches” (Ungureanu, 2020: 31).

Therefore, in addition to pedagogical skills, bilingualism and technological skills and media literacy of teachers are necessary to provide education for national minorities. This is quite difficult to provide, especially in rural areas.

The results of our survey confirmed the existing problems. Specifically, on average, non-minority parents rated the level of distance teaching as of February 2022 at 4 with a five-point system. In contrast, the pandemic score on the level of teaching subjects through the use of online instruction among members of national minorities was 3.1, well below the level of the comparison group. Representatives of the Hungarian national minority were particularly dissatisfied - 2.8 points respectively. Specific results are illustrated in Diagram 3.

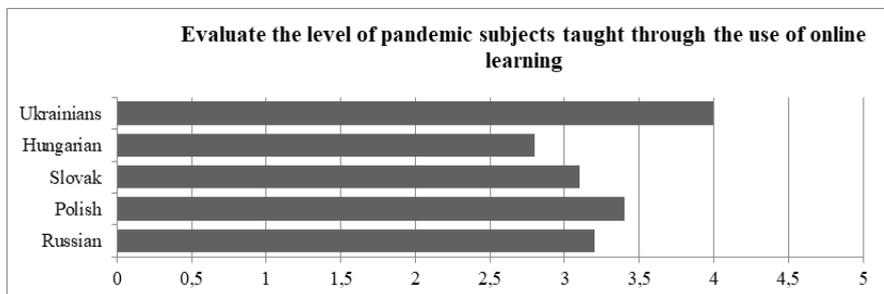


Figure No. 03. Teaching levels during the pandemic. Source: Authors' survey

5. Discussion

The results of the study showed that in general members of national minorities are satisfied with the provision of their educational needs. But the presence of interstate conflicts on this issue shows that countries have claims about the legal regulation of education for national minorities. Analysis of Ukrainian legislation shows that there are certain problems and gaps in this issue, because there are still unregulated issues such as preschool, vocational education, discrimination of national minorities on the basis of country affiliation. It is proposed to make appropriate amendments to the Ukrainian legislation in this regard. At the same time, it is important to maintain a balance between national interests and the provision of national minorities.

Since the realization of the right to education for national minorities requires additional funding, proposals should be made to improve the legislation with this in mind. Therefore, this issue requires further research. In addition, quite little scientific literature is devoted to the problems of providing for the educational needs of individual national minorities, so further research on this issue is important. The application of the experience of other countries, in particular Romania, is positive.

But we consider it necessary to further investigate issues comprehensively, comparing the legal regulation of educational needs of national minorities in several countries. With the emergence of the global pandemic, providing for the educational needs of national minorities has become even more difficult due to the lack of appropriate means and legal regulation, and therefore, the problem requires further elaboration.

Conclusion

The ideological basis of the ethnopolitics of democratic states should be an optimal balance between national state interests and the cultural values of national minorities, which is primarily ensured through the sphere of education. Global transformations have intensified the tendencies of increasing the number of national minorities due to global demographic processes, in particular migration and flight.

The elements of the system of national minorities' educational needs in education in Ukraine have been identified: international, European regional, and national legal acts; functioning of public authorities; complex structure of educational institutions at all levels; additional organizational and economic guarantees of educational rights provision.

It is stated that, in general, Ukrainian national legislation meets international and European standards of national minorities education. Existing shortcomings are highlighted: discrimination against non-European representatives of national minorities based on the characteristic of their affiliation with the state of origin; non-involvement of the extracurricular educational system in the provision of educational needs of representatives of national minorities; lack of opportunity to study in their native language at the level of vocational education; a collision of legislation in the field of establishing pre-school education groups with the national language of education; failure to provide opportunities to establish their private educational and training institutions with the national language of instruction; failure to resolve the issue of territorial accessibility of educational institutions.

The results of the author's survey allow us to determine a sufficient level of satisfaction with the provision of educational services among representatives of European national minorities. The pandemic threat has been proven to have a particularly negative impact on the education of national minorities.

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