

Can Forced Population Transfers Resolve Self-determination Conflicts?

A European Perspective

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Introduction

Self-determination conflicts are among the most violent forms of civil wars that can engulf modern societies. As they are in most cases linked to claims of ethnic, religious, linguistic or otherwise defined groups for secession from, or for political domination in, an existing state they also have repercussions on regional and international stability. Self-determination conflicts can be observed on all continents. Not all of them are violent, but most have a clear potential for violent escalation and are therefore an important concern for international and regional governmental organisations seeking to preserve peace and stability. However, the capacity of organisations like the UN, the OSCE and the EU to do so has only gradually developed over the past decade and is still a far cry from being sufficient. In the past and present, states (and population groups within them) have therefore felt that they had been and are left to their own devices when it comes to preserving their internal stability and external security.

The largely incongruent political and ethnic maps of Europe have meant that self-determination conflicts on this continent have mostly taken the form of ethnic conflicts: from Northern Ireland to the Caucasus, from the Basque country to the Åland islands and from Kosovo to Silesia the competing claims of distinct ethnic groups to self-determination have been the most prominent sources of conflicts within and across state boundaries. Striving to achieve internal stability and external security in the face of such demands, many states have sought to minimise the political impact of ethnic minorities with an affiliation to other, often neighbouring, states or parts of their population by expelling them or exchanging them against ethnic kins of their own. Such forced population transfers in Europe are primarily linked with two phenomena, which in themselves are interrelated: the collapse of (multi-national) states and the redrawing of state boundaries. From the First and Second Balkan Wars, to World Wars One and Two, and finally to the violent break-up of Yugoslavia, Europe has seen numerous expulsions and

exchanges of populations that did not fit into the concept of 'relatively homogeneous wholes' sought to be created by states which had gone to war with each other 'at the high noon of ethnic nationalism' (Brubaker 1995: 192). As a consequence of the ethnic mobilisation of polities and because of the hostilities that existed between them before and during wars, and that continue to do so after an often unstable peace had been made, 'the ethnic mosaics which were the pride of empires, became liabilities.' (Barkey 1997: 102)

In this article, I discuss in how far ethnic cleansing and its consequences contribute to the internal stability and external security of the states affected. Following a conceptual clarification of forced population transfers in the context of this paper, I outline a number of cases of forced population transfers in twentieth century Europe. I then examine and summarise similarities and differences between these cases from the perspective of common problems before suggesting any lessons that can be learned from the European experience of forced population transfers for developing policies conducive to establishing conditions under which forced population transfers once they have occurred can contribute to the internal stability and external security of the states involved, rather than become a source of constant crises. Thus, I do not attempt to provide a normative assessment of forced population transfers as a whole or of any individual case or make an argument for or against them as mechanisms to resolve self-determination conflicts. Rather, my interest is in the pragmatic aspects of this phenomenon, which continues to occur in Europe and elsewhere. In other words, I seek to establish under what conditions, if any, can forced population transfers contribute to states' internal stability and external security, i.e., can they adequately address the root causes of self-determination conflicts?

Forced Population Transfers: Expulsions and Population Exchanges as Forms of Ethnic Cleansing

Following Bell-Fialkoff (1996: 3), I understand ethnic cleansing as a 'planned, deliberate removal from a certain territory of an undesirable population' on the basis of ethnic criteria. Naimark (2001: 4f.) has pointed to the dual meaning of cleansing in its Slavic and German usages as purging 'the native community of foreign bodies' and 'one's own people of alien elements', the latter of which 'accounts in some measure for the fearsome up-close killing and barbarous mutilation of neighbours and acquaintances that characterises a number of cases of ethnic cleansing'. Kramer (2001: 1f.) slightly narrows the meaning of ethnic cleansing in the context of post-Second World War population movements in Central and Eastern Europe to 'the involuntary transfer of entire ethnic groups from one country to another' and, like Naimark, points to the 'widespread atrocities and violent excesses committed' in their course. In the specific context of the following argument, ethnic cleansing can be further specified as policies resulting in the forced transfer of members of an ethnic group from territories exclusively claimed for and by other ethnic groups, which can happen across established, new or perceived future borders to territories predominantly inhabited by members of the same ethnic group as those transferred and/or as the refusal to allow refugees to return. As such, these policies violate norms of international law as they 'are collective in nature ... carried out by force or threat of force, ... are involuntary, ... deliberate on the part of the ... party conducting [them], ... systematic, ... discriminatory, and ... take place without due process' (United Nations Commission on Human Rights 1997, paragraph 10).

The goal of such ethnic cleansings is to rid states of troublesome minorities that are considered (mostly on the basis of selectively interpreting historical and recent evidence) as threats to the internal stability and/or external security of their pre-cleansing host-state on whose territory they may have lived for some

time or by whom they may have been 'acquired' as part of war and/or post-war territorial gains. The two predominant forms ethnic cleansing takes in this context are population exchanges and expulsions. Population exchanges imply an agreement between the two states involved, an expulsion is usually a unilateral act of one state. In many cases, both forms of ethnic cleansing have the explicit consent, or at least tacit approval, of relevant regional and world powers.

Forced Population Transfers before 1945

The first relevant cases are the minority exchanges in the Balkans after the 1912/23 Balkan wars and the territorial reorganisation of the region after the First World War between 1919 and 1923. The first instance in this context was the Bulgarian-Turkish exchange of populations agreed by the two states in an Annex to the Peace Treaty of Constantinople on 15 November 1913. Together with the Treaty of Bucharest, this meant the second partition Bulgaria after its brief Greater Bulgarian existence following the treaty of San Stefano in 1878. A third partition followed in November 1919 with the Treaty of Neuilly between Greece and Bulgaria, and again it included a convention that affected a massive cross-border migration of Bulgarians to their kin-state. The relevant convention annexed to this treaty was concluded with Greece and effectively stipulated the reciprocal migration of Greeks and Bulgarians. It was implemented over a period of thirteen years and involved the migration of 92,000 Bulgarians and 46,000 Greeks (Koufa and Svolopoulos 1991: 281).¹ Bulgaria was ill-equipped to integrate the refugees, many of who were housed in camps for years and burdened public spending. The loss, within forty years, of significant territories considered part of a Greater Bulgaria and the fact that in consequence of this by 1919 approximately one million Bulgarians (or 16% of all Bulgarians at the time) lived outside the country (Crampton 1997: 149) has been a source of Bulgarian

¹ However, it should be noted that this Greek-Bulgarian Convention on Reciprocal Emigration recognised the *right* of emigration and emphasised the *voluntary* character of any emigration in its context; it was drafted by the Commission on New States and for the Protection of the Rights of Minorities and subsequently accepted by Greece and Bulgaria (Ladas 1932: 40ff.)

irredentism ever since. Despite the fact that the forced population transfers before and after the First World War only marginally rectified this part of the problem, Bulgarian irredentism has never posed a serious threat to regional stability, although relations between Bulgaria and Macedonia have been uneasy for a number of years before the two countries finally signed a series of bilateral treaties and agreements in 1999. However, the incompleteness of the population transfers up to 1919 kept the issue of emigration on the agenda: Bulgaria and Turkey signed various bilateral agreements after 1945 resulting in the emigration of almost 270,000 Turks from Bulgaria between 1950 and 1978 (Eminov 1997: 78), and in 1989 around 370,000 Turks left the country when the opportunity to do so arose (Brubaker 1995: 194).

Because of its magnitude and impact, the third population exchange in the context of the Balkan Wars warrants separate and more extensive treatment. According to the Convention Concerning the Exchange of Greek and Turkish Populations of 30 January 1923, approximately 1.1 million Greeks from Asia Minor and Eastern Thrace were expelled to Greece and between 350,000 and 500,000 Moslems, primarily from the Greek provinces of Macedonia and Epirus, were expelled to Turkey. The implementation of the convention showed that at least some effort was made to handle the whole exchange with efficiency and a minimum of dignity. The transferred individuals automatically lost the citizenship of the country they left, but gained that of their country of destination; neither state charged duty on possessions carried by those part of the exchange; property left behind (houses, land) was either exchanged or became part of a lengthy and not wholly satisfactory compensation process; and both governments provided transport facilities and sought to administer the exchange as quickly as possible (Koufa and Svolopoulos 1991: 290f.). Furthermore, both governments agreed to the setting-up of a Mixed Commission, including representatives of the

League of Nations, to supervise and facilitate the population exchange and to liquidate the property left behind by the transferred people.

International efforts to ease the transfer and its domestic consequences extended particularly to Greece which had to deal with the far larger number of people transferred. An international loan worth £12.3 million was granted for the resettlement of those transferred in 1923/24, resulting, within two years, of half of those part of the population exchange being resettled and economically self-sufficient (Pentzopoulos 1962: 75ff.). Additionally, Greece received a stabilisation loan of £7.5 million in 1928, and private organisations, such as the Red Cross, funded aid projects of various kinds throughout Greece (ibid.). Nevertheless, the integration process was difficult and prolonged. In Greece, for example, the resettlement programme continued throughout the 1960s, and the housing situation of many of the children and grandchildren of those transferred from Turkey remains unsatisfactory to date (Hirschon 1989).

As a consequence of the population exchange, the Greek domestic political landscape was fundamentally changed, adding approximately 300,000 voters to the existing 800,000. Those transferred from Turkey were generally more republican and cosmopolitan in their attitudes. As they never formed their own party, they were gradually absorbed into the existing party-political system, but particularly into the ranks of supporters of the Liberal Party, which returned to power in 1928 primarily because of the backing of those transferred from Turkey. Equally important was the economic impact: under the influence of the newly arrived population segments, both agriculture and industry were modernised, new production methods introduced, and diversification of the output achieved (Dakin 1972: 269-270).

However, the impact on Greece was not only positive. Although here, as in Turkey, the 'exchange of populations was a drastic, but largely effective way of eliminating frictions that had been caused by the multi-ethnic character of certain regions' (Mazower 1991: 43), new tensions arose from the republican political orientations of the so-called New Provinces, largely inhabited by those transferred, which contrasted sharply with the pro-monarchy views of the Old Provinces.

The gradual rapprochement between Greece and Turkey, exemplified by the Ankara Convention of 1930, was not very well received among those transferred to Greece seven years earlier. They particularly resented the fact that there would be no possibility of return to their ancestral homelands, that compensation for lost properties was inadequate, and that they had had no say in the negotiation process (Pentzopoulos 1962: 183ff.; Mazower 1991: 129). Ironically, their electoral support had made possible the victory of the Liberal Party and with it a certain normalisation of Greek-Turkish relations² in the inter-war period, which in turn necessitated concessions at the expense of that part of the core electorate of the Liberal Party.

In Turkey, most of those transferred from Greece were resettled either in the big cities or on the Aegean and Mediterranean coasts (Pope and Pope 1997: 114). In contrast to the situation in Greece, the particular facts of this forced migration are relatively unknown in Turkey, even among the descendants of those originally uprooted (ibid.). The reasons for this are primarily three. The number of Muslims expelled from Greece to Turkey was relatively small, and thus benefited from the reciprocity of the exchange.³ As Turkey had a long tradition of categorising

² The Ankara Convention of 1930 was followed in the same year by an Agreement on Friendship, Neutrality, and Arbitration, a Trade Agreement, and a Convention on Naval Armaments; and in 1933, both countries signed a security agreement (Koufa and Svolopoulos 1991: 300ff.)

³ For example, more village communities from Greece were able simply to swap land and properties with their 'counterparts' expelled from Turkey.

population groups by religion, the Muslims from Greece blended in relatively well with mainstream society, even though there were linguistic problems because many of them had Greek as their mother tongue (Lewis 1968: 355). Finally, the territorial and demographic changes that took place as a consequence of the Treaty of Lausanne were and are seen in Turkey 'as only part of the complicated story of the collapse of the Ottoman empire and the growth of the Turks' own sense of national identity' (Pope and Pope 1997: 114).⁴ Thus, it is not surprising that, from a Turkish point of view, irredentism has played no role in the country's relationship with either the expellees it received or their former homelands (Landau 1995: 79ff.; Pope and Pope 1997: 115ff.).

Tensions between Greece and Turkey in the post-1945 period, although they were often interpreted in both countries in the context of the Treaty of Lausanne and the compulsory population exchange, had their sources in part elsewhere. The reasons for the tense relationship between the two countries were, and to some extent still are, mainly three: border disputes and the economic ramifications of border demarcations in the Aegean Sea, the unresolved Cyprus conflict, and the treatment of reciprocal minorities by both states. This last issue, however, is related to the Treaty of Lausanne, in particular to the allowances that were made for specific sectors of the 'qualifying' population to be exempted from the forced exchange. Yet, it would be wrong to argue that a more complete population exchange would have prevented tensions between the two countries. The situation of the reciprocal minorities is not deplorable because they were excluded from the population transfer, but because both Greece and Turkey have persistently denied basic minority rights and even the recognition of minority status to various minority communities. Likewise, the constant exploitation and manipulation of this issue in bilateral relations has done little to change the plight

⁴ In contrast, the loss of its territories in Asia Minor was nothing less than a national catastrophe for many Greeks.

of the two minority groups. Despite the difficult relationship between Greece and Turkey, international pressure and international integration have thus far successfully prevented the outbreak of military hostilities.

In other instances in post-1919 Eastern Europe, similar situations did not lead to forced population transfers – the territorial losses incurred by Hungary following the Treaty of Trianon in 1920, particularly in relation to Transylvania, the Vojvodina, and southern Slovakia, and the incorporation of the predominantly German-speaking *Sudetenland* into the newly established Czechoslovak state. The cases of Transylvania and southern Slovakia would have allowed population exchanges, the former probably in connection with further border revisions. In Vojvodina and the *Sudetenland*, a lack of ‘sufficient’ numbers of Serbs in Hungary and even more so of Czechs in Germany or Austria would have only left the measure of expulsions to create ethnically more homogenous polities. For various reasons, neither the Great Powers nor the states involved had a particular interest in pursuing a policy of ethnic cleansing either against Hungarians or against Germans at the time. If one accepts, and there is little convincing evidence to do so, that ethnically homogenous nation-states are the only alternative to permanent civil strife and internal and external instability, the consequences of the ‘failure’ to create homogenous nation-states in this instance could be argued to have been devastating: the Munich Agreement of 1938 dismembered Czechoslovakia, annexing the *Sudetenland* to Germany that had already ‘united’ with Austria earlier the same year. The two Vienna Awards of 1939 and 1940 granted Hungary large parts of southern Slovakia and led to a north-south partition of Transylvania between Hungary and Romania. However, it needs to be borne in mind that the failure to create homogenous nation-states in these cases was merely a convenient pretext for the execution of irredentist policies. The existence, and alleged maltreatment, of minorities in the areas coveted by Germany and Hungary may have given their demands additional

'credibility', but it is unlikely that population transfers would have prevented the forced cession of territory. On the contrary, post-1945 developments in relation to the expulsion of Germans from Poland and Czechoslovakia indicate that irredentism persists regardless (see below).

Forced Population Transfers after 1945

Since the end of the Second World War, Europe has witnessed three major forced population transfers: those occurring immediately after the end of the war primarily in an effort to create ethnically homogenous states in Central and Eastern Europe as bulwarks against another war; the internal displacement of more than 200,000 people in Cyprus after 1974; and the ethnic cleansing in the former Yugoslavia in the 1990s.

Forced Population Transfers in Central and Eastern Europe, 1944-1950

Although exact figures remain disputed, it is safe to say that about 15 million people were affected by policies of forced population transfers at the end of the Second World War. These included:

- Approximately 11 million Germans from Poland, Czechoslovakia and today's District of Kaliningrad in the Russian Federation, who were expelled or fled to Germany.
- Another 500,000 ethnic Germans from Hungary, Romania and Yugoslavia who were expelled or fled to Germany.
- Over 500,000 Ukrainians and Belarusians expelled from Poland to the Soviet Union.
- Over two million Poles expelled from the Soviet Union to Poland.
- About 75,000 ethnic Hungarians and 75,000 ethnic Slovaks who were exchanged between Hungary and Czechoslovakia.
- Several thousand Italians who fled or were expelled from Yugoslavia.

- In addition, about three million Poles were internally transferred to resettle in areas from which the Germans had been removed; and a significantly smaller number of Czechs was resettled within Czechoslovakia for the same reason.

With the exception of the expulsion and flight of ethnic Germans from south-eastern Europe (Romania, Yugoslavia and Hungary) all of these transfers were directly connected to border changes: either the re-establishment of pre-1939 borders (Czechoslovakia-Germany and Czechoslovakia-Hungary) or the creation of entirely new borders (Poland-Soviet union, Poland-Germany, Czechoslovakia-Soviet Union, Germany-Soviet Union [Kaliningrad/Königsberg area of former East Prussia] and Italy-Yugoslavia).

*Forced Population Transfers from the Ukrainian-Polish Borderlands*⁵

The events between 1944 and 1947 that resulted in an alteration of the Polish-Soviet border and the forced transfer primarily of Poles and Ukrainians effected the mostly involuntary movement of almost 3 million people across borders. This case is unique in two ways: it involved one of the few instances of organised armed resistance against the transfer (on behalf of Ukrainians), and it included the internal deportation and dispersal of about 140,000 Ukrainians within Poland to break their resistance and to eliminate the threat they posed to the consolidation of the post-war Polish state. In many other ways, however, this case of forced population transfers is similar to many others in this era. Although regulated by a treaty between Poland and the Soviet Union, the transfer was often chaotic and accompanied by violence against humans and property. Authorities in the receiving areas were unprepared, compensation for lost property was slow and insufficient, and the reception of the newcomers was often hostile, their integration taking many years. In addition, Polish-Ukrainian relations

⁵ A far more comprehensive treatment of this issue can be found in Ther and Siljak 2001)

in the period after the end of the Cold War were marred by unresolved issues resulting directly and indirectly from the forced transfers. As these were also incomplete, i.e., groups of Poles and Ukrainians (as well as Belorussians) were left behind in the expelling states, increased levels of often confrontational kin-state politics and the instrumentalisation of these minority groups has additionally contributed to difficult bilateral relations.

*The Expulsion of Germans from Poland and Czechoslovakia*⁶

Because of their significance, I now discuss in greater detail the repercussions of the expulsions of ethnic Germans from Poland and Czechoslovakia between 1945 and 1950. Initially, I will treat these two cases of expulsion jointly, primarily in terms of their origins, administration, and impact on Germany. Thereafter, I will distinguish the development of bilateral relations between Germany and Poland from that between Germany and Czechoslovakia/the Czech Republic.

Origins, Administration, and Impact of the Expulsions

The expulsions can be seen to have their origins in three distinct but related policy considerations: to prevent the instrumentalisation of external minorities for an irredentist foreign policy; to accommodate the westward shift of Poland; and to punish ethnic German minorities for the role they had played in German occupation policy in Central and Eastern Europe. The Allies gave their consent in the Potsdam Agreement to the 'humane and orderly transfer' of ethnic Germans from the *Sudetenland*, from the 'formerly German territories' of Poland, as well as from other parts of Poland and the Free City of Danzig.⁷ As a consequence of flight and expulsion, approximately 2 million ethnic Germans died from

⁶ In this section I am drawing extensively on Wolff (2000a and b) and Wolff (2001).

⁷ The introductory paragraph to section 'XII. Orderly Transfer of German Populations' of the Potsdam Agreement reads as follows: 'The Three Governments, having considered the question in all its aspects, recognize that the transfer to Germany of German populations, or elements thereof, remaining in Poland, Czechoslovakia and Hungary, will have to be undertaken. They agree that any transfers that take place should be effected in an orderly and humane manner.'

exhaustion, starvation, and attacks by local mobs and regular and irregular military units.

Despite the magnitude of the expulsions and further emigration after 1950, there are still ethnic Germans living in both countries: some 50,000 in the Czech Republic, who are, however, too dispersed and internally not sufficiently united in order to preserve a distinct ethno-cultural identity; in Poland, in contrast, the majority of the approximately half million ethnic Germans live relatively compact in Upper Silesia, being a local majority in a number of communities and districts. Ethnic Germans in both countries were subjected to force assimilation under the communist regimes, a policy which was largely successful in the Czech Republic, but failed in Poland. Because of the particularity of the situation in Central and Eastern Europe during the Cold War the continued presence of ethnic Germans in both countries had relatively little effect on bilateral relations, even though it complicated, among other things, the negotiations of the 1970 and 1973 treaties between West Germany and Poland and the Czech Republic. However, what should be noted is that the forced removal of such large numbers of people from the socio-economic and political processes in both countries had its effects: economically, it took both countries several years before the lack of (skilled) labour in industry and agriculture had been replaced. Politically, the expulsion of the ethnic Germans also contributed to the ease with which the communist regimes in both countries could be established and subsequently consolidated. The manipulation of fears among the population in Poland and Czechoslovakia of a return of the expelled Germans for many years served as justification for close relations with the Soviet Union, and today threatens both countries' accession to the European Union.

About two-thirds of the refugees and expellees were resettled in the American and British occupation zones; of the remaining third sent to the Soviet zone

approximately forty per cent left for West Germany before 1961. The integration problem was initially one of housing, food, and employment, and accordingly hostile was the reception that many refugees and expellees received. Subsequently, however, the positive contribution to the economic and social modernisation, especially of relatively backward and underdeveloped areas in the later West Germany, such as Bavaria and Schleswig-Holstein, was both appreciated and publicly acknowledged, and contributed to the overall successful economic and social integration of the expellees. Apart from a brief period in the 1950s, expellees never had their own political party. Their integration in the political process of West Germany helped its stabilisation and consolidation into a three party system by the early 1960s.

The experience of many injustices during the expulsions and of the loss of home and property, however, also meant that particularly the older generation held deep feelings of resentment against Poland and Czechoslovakia and resisted, until the early 1990s, any form of reconciliation. Younger generations, who had only vague or no memories of flight and expulsion, proved to be more flexible and open to the idea of constructive reconciliation.

German-Polish Bilateral Relations in the Aftermath of the Expulsions

The major problem of German-Polish relations was the uncertain status of territories that had belonged to Germany before 1937 and that were placed under Polish administration in the Potsdam Agreement. The potential claim that Germany could make to these territories strained the relations between West Germany and Poland until finally, in 1990, the united Germany and Poland signed the so-called border treaty, finally and formally guaranteeing Poland's western borders. Prior to this, the danger of German irredentism had been confined by two factors – the Cold War division of Europe and the fact that West Germany, following the partition of Germany in 1949, no longer had a common border with

Poland, while East Germany had recognised the border as early as 1950 in the Treaty of Görlitz, despite the fact that in the Potsdam Agreement the Allies had postponed a settlement of the border question subject to a peace treaty with Germany. However, the deep cultural and personal significance attached to their ancestral homelands by many expellees, and their rhetoric to this effect, kept the danger clear and present in the view of successive Polish governments, but also in the eyes of many ordinary Poles, affecting negatively the policies towards the remaining ethnic Germans in Poland.

Another problem in the relationship between the two countries was the interpretation and teaching of their common history. This involved aspects as complex as the origin and existence of German minorities in Poland, officially disputed by successive Polish governments until 1989, German occupation of Poland during the Second World War, the reasons and extent of the expulsions of ethnic Germans, etc. In many ways, all these issues directly affected the ethnic German expellees and their identity, cultural heritage, and future. Thus, the more conciliatory an approach German governments took towards Poland from the late 1960s onwards, the more resentful expellees from Poland grew – towards their own government and towards Poland. This culminated in open defiance of German government policy and led increasingly to the marginalisation of political representatives of the expellees in the political and social spheres of German public life. Only after the expellee community began to embrace the new opportunities for constructive reconciliation with Poland from about 1993 onwards was this process reversed, and led to a rapprochement not only domestically, but surprisingly also between German expellees and Poland. This process was facilitated both by the democratisation of Poland and its desire for integration into NATO and the European Union, as well as by a generational and change of mind within the expellee community. However, in the context of Poland's NATO and EU integration, two still unresolved issues have regained some prominence: the

question of compensation for expellees and their right to resettle in their former homelands.

German-Czech Bilateral Relations in the Aftermath of the Expulsions

German-Czech relations were never burdened by unresolved territorial issues, as the territory in question, the *Sudetenland*, had never been part of a German state before 1937, and the invalidity of the Munich Agreement of 1938 was not disputed by any German government after 1949.⁸

The most important issue in German-Czech relations was and still is primarily one of the legitimacy of the expulsions and the way in which they were conducted. The collective victimisation of ethnic Germans (and of ethnic Hungarians) in the so-called Beneš Decrees and the subsequent amnesty granted for all crimes committed during the expulsions are deeply resented within the expellee community as well as within significant parts of the German political establishment.

After years of negotiations and crises, the 1997 German-Czech Declaration was the smallest common denominator the two governments could find on the two most critical issues – the role of the Sudeten Germans in the break-up of Czechoslovakia in 1938 and their collective victimisation and expulsion after the end of the Second World War. Yet, in the vagueness of its wording, it satisfied neither side completely. This is particularly the case because the Beneš Decrees remain part of the legal order of the Czech Republic, and there is strong public

⁸ There have been arguments, however, about whether the Munich Agreement had been invalid from the beginning, or whether it became invalid in the course of World War Two. While the Czech point of view has always been that, as a treaty signed under the threat of use of force, it had never been valid, successive German governments up to 1973 (and mostly for practical reasons, such as citizenship issues and the legality of marriage certificates) insisted on a later date of invalidation in accordance with the declarations by France and the United Kingdom in 1942 and of Italy in 1943 about the invalidity of the Agreement (Brach 1998: 172).

resistance against rescinding them, despite a call from the European Parliament to do so.⁹

Similar to Poland, the country's integration in NATO and EU has brought to the fore two still unresolved issues: compensation and the right for expellees to return to their former homeland.

*Forced Population Transfers in Cyprus*¹⁰

The competing interests of Greece and Turkey in Cyprus deeply affected the country once it had achieved independence from Britain in 1960. Competition between the two outside powers fuelled inter-communal strife between Greek and Turkish Cypriots and intra-community tensions in the Greek Cypriot community destabilised and finally led to the collapse of a power-sharing arrangement between the two communities. As a consequence and based on its interpretation of the Treaty of Guarantee,¹¹ Turkey invaded Cyprus in July 1974, quickly capturing about 37% of the island in which subsequently the Turkish republic of Northern Cyprus was established, which has not been recognised internationally by any country except Turkey.

The 1974 invasion provided the pretext to the creation of two ethnically homogenous parts of the island, in the course of which some 200,000 people, an estimated third of the population of Cyprus, became internally displaced. Between the two areas, the UN established a buffer zone 110 miles long and between two and four miles wide, which prevented further violent conflict between the two

⁹ In April 1999, a resolution was passed by the European Parliament in which its members called 'on the Czech Government, in the same spirit of reconciliatory statements made by President Havel, to repeal the surviving laws and decrees from 1945 and 1946, insofar as they concern the expulsion of individual ethnic groups in the former Czechoslovakia' (European Parliament 1999). Similar resolutions were passed in 2000 and 2001.

¹⁰ In this section I am drawing primarily on reports by UNHCR on its activities in Cyprus (UNHCR 1975, 1976, 1977, 1998).

¹¹ The Zurich-London agreements, signed in London on 19 February 1959, provided legitimacy to actions taken jointly or individually by Greece and Turkey, as well as by Britain, to uphold the constitution of Cyprus.

communities, except for sporadic incidents, particularly in the capital, Nicosia, where the buffer zone narrows to as little as 20 meters. The completeness of the population transfer becomes obvious from the following census figures: 78% of the island's population are ethnically Greek, and of them 99.5% live in the Greek Cypriot area. The ethnically Turkish population of Cyprus is about 18%, of whom 98.7% live in the Turkish Cypriot area. Other ethnic groups make up some 4% of the population, and of them 99.2% live in the Greek Cypriot area. This means that on either side of the buffer zone there are less than 1,000 people who are not of the same ethnic origin than the rest of the population in this area.

Following the forced population transfers, a humanitarian disaster could only be prevented by the swift action of the United Nations whose humanitarian relief operation was coordinated by the UNHCR. As early as August 1974, a first assessment of the UNHCR estimated the requirements for emergency relief at \$22 million for food, shelter and medication. A further \$18 million were spent in 1975 and over \$30 million in 1976. Thereafter, the annual cost of the humanitarian relief operation decreased to under \$10 million by 1997 when the UNHCR officially ended its involvement, having assisted a total of 265,000 internally displaced persons in both parts of the island in that same year. During the two decades of its involvement, UNHCR humanitarian aid priorities had shifted from emergency relief to programmes helping the displaced to achieve self-sufficiency. These efforts were initially hampered by the total disruption of economic processes on the island as a consequence of the fighting in 1974 and the subsequent quasi-partition. However, within a few years, refugees in the Greek Cypriot part of the island became rather well-integrated and began to share in higher standards of living, comparable to those in other parts of Western Europe. The integration of Turkish Cypriots was more difficult because of the embargo imposed by the Republic of Cyprus and the non-recognition of the country internationally. Only the extensive levels of Turkish aid provided some

relief, and standards of living among Turkish Cypriots, too, began to increase gradually, yet remained under the levels attained in the Greek part of the island. Integration efforts for refugees were coordinated in both communities by special government agencies who worked closely with local UNHCR personnel.

Relations between the two communities remain difficult and dependent upon the relations between Greece and Turkey. Despite recently renewed efforts to achieve a comprehensive settlement in the context of Cyprus's pending EU accession, major progress has not been achieved. This is also due to a number of internal factors: There has been quite extensive settlement of mainland Turks in the northern part of the island, mostly in properties that had to be abandoned by Greek refugees from the area. The property question in general has not been resolved, nor that of a return of refugees or the cases of more than 1,500 mostly Greek Cypriot persons that have been missing since 1974.

The partition of, and the forced population transfers in, Cyprus has led to the involvement of a variety of international governmental organisations in order to establish a just settlement of issues related to the conflict, including the UN and a variety of European institutions. While these have been successful in stabilising the situation and preventing further military confrontation, their efforts to resolve the underlying conflict have so far been futile.

*Ethnic Cleansing in the Former Yugoslavia*¹²

The ethnic cleansing that occurred in the context of the disintegration of Yugoslavia in the 1990s has been the latest in the long history of forced population transfers in twentieth century Europe. In scale and ferocity it is second only to the events in East Central Europe at the end of the Second World War.

¹² In this section I am drawing primarily on reports from UNHCR (1997 and 2000) and my own fieldwork, including interviews with former UNHCR staff in Belgrade. I exclude from the discussion the events in Macedonia in 2001.

Forced population transfers occurred linked to two distinct events – the wars in Bosnia-Herzegovina and Croatia and the Kosovo conflict. The former produced approximately 2.8 million refugees and internally displaced persons (IDPs). The bulk of internal displacement occurred in Bosnia-Herzegovina (1.1 million) and Croatia (200,000). The three largest refugee contingents went to Serbia (650,000), Western Europe (616,000, of which more than half went to Germany) and Croatia (187,000). Fewer people sought refuge in Slovenia (22,000), Hungary (9,000) and Macedonia (9,000).

Forced population transfers in the Kosovo conflict occurred in two waves: initially some 850,000 mostly Kosovo Albanians were forced from their homes as a result of the Serbian campaign against the Kosovo Liberation Army before and during the NATO air strikes in the first half of 1999. Subsequent retaliation against the Serb and other non-Albanian population groups in Kosovo produced almost one quarter of a million IDPs from Kosovo who went to Serbia and Montenegro and an additional quarter million of refugees (approximately 15,000 Albanians from southern Serbia), IDPs (35,000 Albanians), other 'residents at risk' (100,000 Serbs, 30,000 Roma, 5,000 members of other minority groups) and some 65,000 returnees from the Albanian majority (50,000) and various, predominantly Serb minorities (15,000) in Kosovo itself.

The overall situation in the region is complex. This is partly caused by the large-scale forced population transfers and their consequences, including the policies applied to address them. In turn the transfers and their consequences also add to the difficulties that still exist in dealing with the aftermath of the violent disintegration of Yugoslavia.

The two predominant problems are the devastation of almost the entire regional economy and the political and institutional instability and uncertainty that engulfs most of the successor states of the former Yugoslavia and some of their neighbours. The former has meant that it has been impossible so far to create conditions under which the refugees and IDPs would achieve a certain level of economic self-sufficiency; rather they continue to depend on humanitarian aid provided primarily by UNHCR, whose annual budget for Kosovo-related programmes alone is close \$80 million. The political and institutional instability, in particular in Bosnia-Herzegovina, Serbia and Montenegro and Kosovo has so far made it extremely difficult to devise, let alone implement, any long-term solution. Because of the regional dimension of the problem and the strained relations between the different political entities (e.g., within the FRY and within Bosnia-Herzegovina, but also between these two states and between either of them and Croatia), any long-term solution must be conceived at a regional rather than country level. However, at the same time, no regional solution will be possible without cooperation at the level of the different entities involved. With the future of Kosovo and, to a lesser extent, that of the FRY unclear and the security situation in Kosovo and Bosnia-Herzegovina still dangerous, there is currently little optimism to achieve this. With international actors seeking to undo the forced population transfers that have occurred, the fact that very little return migration has taken place testifies for the failure so far to achieve a comprehensive solution. On the contrary, refugees and IDPs seem to 'settle' for the permanent loss of their homes, thus adding to the difficulties international actors face in their relations with local political elites and administrations in the implementation of return strategies. At the same time the large number of refugees and IDPs serves as a constant reminder of the atrocities committed and the forcibly transferred population groups pose additional risks for regional political stability as they could potentially be radicalised by ethno-nationalist ideologues, especially if their permanent integration into their new host-societies

does not succeed at least in the mid-term. In addition, it must be noted that, in particular in Serbia, the arrival of such great numbers of refugees in the mid-1990s led to an aggravation of local tensions between ethnic groups in areas like Vojvodina and Kosovo and in some instances to the displacement of locally resident minorities.

The temporary acceptance of refugees in Western Europe, adopted in the context of the war in Bosnia-Herzegovina and to a lesser extent also in the Kosovo conflict, was quite a novel strategy to deal with the immediate impact of ethnic cleansing, but it could not, nor was it supposed to, provide a long-term solution. On the contrary, it led to additional difficulties in relation to refugee repatriation, as this has occurred often against the refugees' will and under conditions far from conducive to successful repatriation. Refugees often returned to their places of origin only to find them destroyed or now situated in areas under the control of hostile ethnic groups, thus merely adding to the number of IDPs and further aggravating the anyway difficult humanitarian and security situation in the region.

Bosnia and Herzegovina was the worst affected country in the region, and despite a massive international effort to address the consequences of the forced population transfers that occurred progress has been slow and painful. This is best illustrated by the difficult process of the Property Law Implementation Plan, which had been designed to enforce the rights of those rightfully owning or otherwise entitled to properties occupied by others. While decisions on rightful ownership and occupancy were made, it was estimated in 2000 that at the then rate of implementation, it would take another 22 years in the Bosnian-Croat federation (at an implementation rate of just under 29%) and another 40 years in the Republika Srpska (at an implementation rate of just over 13%) to resolve the issue. Even though figures improved considerably by January 2002 to an

implementation rate of just over 32% in the Republika Srpska and to just under 51% in the federation, this is still a far cry from resolving the problem of displacement, in particular because it runs the danger of prolonging temporary solutions rather than addressing the crucial issue of property right comprehensively. Overall, the magnitude of the problem becomes clear if one considers that over six years since the Dayton Agreement which ended the war in Bosnia-Herzegovina, for some 600,000 Bosnian refugees and IDPs a long-term solution has yet to be found.

The situation in the FRY, especially in Serbia, is equally difficult. The country has currently (December 2001 figures) to cope with over 800,000 refugees and IDPs, of which about 600,000 reside in Serbia and Montenegro and about 200,000 in Kosovo. While this is a decrease of just under 20% over the course of 2001, it will take, theoretically, another 4 years or more to fully resolve the issue. However, in practice, the current situation in the region does not lend itself to optimistic predictions about the possibility of a permanent return or other acceptable long-term solution for even the majority of those affected from forced population transfers.

Common Problems in the Context of Forced Population Transfers

The previous short case studies of major incidents of forced population transfers in Europe in the twentieth century have highlighted a number of factors that cause problems in the short, medium and long term for the states directly affected by the transfers, but also for international actors concerned with humanitarian and security aspects of forced population transfers.

Violence: Forced population transfers always involve high levels of violence regardless of whether they are carried out by regular or irregular armed forces. This has resulted in some cases in excessive casualty rates. The often purposeful

humiliation of those to be transferred has long-term negative implications for both return and/or bilateral and inter-community relations.

Economic devastation and material losses: Most of the cases of forced population transfers outlined above occurred in the context of war. Added to the damage caused by military actions, the large-scale removal of populations from one socio-economic environment to another brings with it further economic difficulties adding to the humanitarian problems, such as disruption of economic processes, destruction of privately owned enterprises and farms and creation of economically not self-sufficient population groups. In addition, most of those forcibly transferred will have suffered material losses exceeding compensation offers and capacities of the states involved. Thus, apart from the brain and skills drain, forced population transfers are mostly also accompanied by a loss of capital that would be necessary for the economic reconstruction in both receiving and expelling states.

Instability in the receiving state: This occurs usually as a consequence of the large-scale and often poorly regulated and coordinated influx of refugees. In most cases studied, tensions exist between the resident population and the newcomers and between both and the authorities of the host-state. In some cases, the refugee influx has also led to follow-on displacement of previously resident populations and to the escalation of already existing tensions between different ethnic groups in a particular area, whose numerical and power balance was altered as a consequence of the arrival of refugees. Such a contagion effect is particularly likely when the ethnic demography of a particular region or of individual countries within it prevents the proponents of forced population transfers from achieving the creation of ethnically homogenous territorial entities. In addition to altering volatile ethnic balances, large-scale population influxes can also change political balances in the receiving state, especially if refugees enjoy

voting rights at different levels of government and can be mobilised as a single constituency rather than integrating into an existing party political system.

Instability in the expelling state: This normally arises when the forced population transfer remains incomplete, i.e., when significant numbers of members of the population groups transferred remain in their original host-country. Then the original 'problem' is not solved, but merely reduced in scale. Contrary to propagated aims of the population transfer, the problem can actually be intensified by a politically more active kin-state and a resentful and committed irredentist movement made up of the transferred section of the original population group.

Citizenship: Failure to resolve the citizenship issue for those affected by the forced population transfer can add to the instability in both receiving and expelling states. Long-term uncertainty about their actual status in the receiving state diminishes the ability of refugees to integrate and be integrated, while it also leaves open the possibility of their return to their places of origin, thus potentially creating a constant level of tension between the states involved.

Bilateral relations between receiving and expelling state: These are often characterised by mutual recrimination and high levels of tensions. The actual forced transfer of populations is one, but often not the only issue in bilateral relations. However, it often serves as a catalyst for rising levels of tension and is easily exploitable in mobilising public opinion for confrontational foreign policies.

Many of these problems have their sources in the following two factors that also appear to be a common feature of forced population transfers.

Incompatibility of goals sought to accomplish with forced population transfers: While the 'official' justification of forced population transfers is often the creation of ethnically homogenous states because of their alleged greater viability and stability, the actual transfers themselves are often driven by a desire for revenge. This leads to high and indiscriminate levels of violence against the people affected and their property. While it may achieve ethnically homogenous states, it intensifies problems in other areas, such as the expelling state's economy and its bilateral relations with the receiving state. In other words: contrary to proclaimed goals, internal stability may be endangered and external security diminished.

Combination with partition or other boundary changes leading to territorial disputes: Decreased external security often also has its reasons in the combination of forced population transfers with partition or other boundary changes, which lead to long-term international territorial disputes.

Lessons to Be Learned?

In the face of the problems listed above, it is somehow astonishing that forced population transfers are occasionally still advocated as providing durable solutions to self-determination conflicts.¹³ Quite apart from the fact that both the populations transferred and those allegedly benefiting from the transfer because of the creation of ethnically more homogeneous entities hardly ever experience a real increase in self-determination, not least because the transfer occurs against their will and they continue to live in conditions they would normally not have chosen for themselves, states rarely see a net increase in internal stability and external security. At best, the constellation of threats that they are exposed to changes, requiring that different policies and mechanisms for their management be found. On the other hand, the apparent 'success' of some forced population

¹³ The debate on the viability of forced population transfers (and partitions) was re-ignited by Posen (1993) and Mearsheimer and Pape (1993). The most prominent advocate is probably Chaim D. Kaufmann (1996 a and b and 1998). See also Byman (1997) and for a book-length treatment from an international law perspective Henckaerts (1995).

transfers seems to provide evidence that such policies can work, i.e., provide internal stability and external security for the states affected and thus also contribute to a larger set of conditions under which people can exercise their right to self-determination.

Nevertheless, given the human suffering occurring in the course and as a consequence of forced population transfers and the fact that the trade-offs in internal stability and external security are at best marginal, the European experience of the twentieth suggests that ethnic cleansing should be avoided and prevented wherever possible. However, it would be unwise to expect that this will always be possible. Therefore, it is equally important to look at the previous case studies and examine under what conditions forced population transfers once they have occurred can contribute to the internal stability and external security of the states involved. That is, how can it be avoided that gains in internal 'ethnic' stability (prevention of ethnic strife and of minorities being used as instruments of irredentist foreign policies) are offset by other social, economic and political problems that occur as a consequence of the forced population transfers both at a domestic and an international level. The most common 'solutions' to the problems frequently occurring in the context of forced population transfers appear to be the following.

Reciprocal population exchanges instead of one-directional expulsions: The advantages of this are often seen in serving the interests of two states at the same time, i.e., creating two ethnically homogenous and therefore internally more stable states, which then have a shared interest in preserving a newly attained *status quo*. In addition, reciprocal exchanges offer ways of dealing with the issue of compensation by exchanging properties between transferees on an equally reciprocal basis.

International facilitation of the transfer and of the subsequent integration of the transferees in their new host-societies: The involvement of international actors is considered as beneficial in two ways – contributing to a ‘humane and orderly transfer’ of the populations concerned and subsequently providing sufficient levels of aid to avoid humanitarian disasters and contributing to the successful long-term integration and thus economic self-sufficiency of the refugees in the receiving and expelling states.

Integration of transferees: Rather than insisting on their eventual return and thus creating an often prolonged period of uncertainty and dependency on aid, the permanent economic, political and social integration of transferees in the receiving states is meant to prevent their internal instability and to contribute to a rapid stabilisation of their bilateral relationship.

Reconciliation between states and populations involved: In the long term, the goal of increasing states’ external security on the basis of forced population transfers can only be achieved if there is a process of reconciliation between the states involved in, and the populations affected by, the transfers. This has to include a permanent settlement of any territorial disputes and (symbolic) gestures of acknowledgement, apology and compensation in relation to the suffering and losses of those transferred.

Supra-regional integration of states involved: Further stabilisation and prevention of open hostilities between the states involved can also be achieved through their integration in supra-regional organisations and the use of the latter’s mechanisms and procedures to resolve outstanding issues.

The foregoing discussion of policies to cope with the problems that accompany forced population transfers should not be constructed as an argument in support

of ethnic cleansing as a viable policy to resolve ethnopolitical self-determination conflicts. If anything, these policies should be considered as alternatives if efforts aimed at preventing forced population transfers have failed or if attempts to undo them are unlikely to succeed and/or contribute to the internal stability and external security of the states involved. The overall verdict, however, from this brief study of the European experience with ethnic cleansing in the twentieth century remains: It is less costly in terms of human suffering, material losses and long-term instability to seek alternatives to forced population transfers.

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