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NATIONAL MINORITIES IN THE LABOUR MARKET: ECONOMIC AND LEGAL STUDY

ABSTRACT

The article provides a comprehensive economic and legal analysis of the position of national minorities in the labour market. To do this, a comparative analysis of the socio-economic and legal status of national minorities is carried out and an analysis of the situation of national minorities in the labour market is conducted while taking into account real and declarative indicators of the level of employment, which were determined by the author's survey and field experiment. It has been proven that discrimination in the labour market is characteristic of certain, but not all, groups of national minorities, in particular, the Roma. It is believed that the efficiency of the labour market of national minorities also affects tax revenues and the distribution of social costs. Ensuring equal opportunities for these groups contributes to the creation of stable social conditions, reducing the costs of social assistance and increasing the efficiency of social capital. The study of the labour market of national minorities also takes into account the importance of socio-economic stability. The main causes of discrimination of representatives of ethno-national groups in the labour market are singled out, and economic and legal measures to stimulate inclusion in the labour market are defined. Through the author's survey and the field method of fictitious questionnaires, the discrimination of certain groups of national minorities in Ukraine, among them Moldovans and especially the Roma, was proven, and it was proved that the unemployment rate in the region provokes an almost proportional decrease in the number of responses from employers from representatives of national minorities. The field of employment was not a significant factor in indicating certain features of discrimination based on the field of the labour market.

Keywords: labour market, employment, income, unemployment, national minorities, Roma, discrimination, economic factors, countermeasures, ethnonational state policy, legal relations

JEL Classification: J15, K31, O15, J71

INTRODUCTION

After the ratification of the Association Agreement between Ukraine and the European Union, the processes of European integration became more visible, which contributed to the revision of approaches to international relations in the country. These approaches are based on the principles of personal freedom and full recognition of individual rights and the implementation of high European standards in all spheres of life, including financial and economic, labour and legal.

The labour market is a socio-economic system where there is an interaction between employees who offer their labour services and employers who are looking for a labour force, it is a place where the demand and supply of labour force are formed, as well as working conditions, wages and various aspects of employment are determined. In the labour market, there is an interaction between workers with different levels of qualifications, experience and specialization and enterprises that have different labour needs. Working conditions, wages, opportunities for professional growth and social guarantees are determined through the interaction between these two main groups of market participants.

In connection with financial aspects, the efficiency of the labour market of national minorities also affects tax revenues and the distribution of social costs. Ensuring equal

opportunities for these groups contributes to the creation of stable social conditions, reducing the costs of social assistance and increasing the efficiency of social capital. The study of the labour market of national minorities also takes into account the importance of socio-economic stability. Understanding the problems and opportunities of these groups makes it possible to develop strategies to ensure the harmonious functioning of the labour market, which in turn contributes to the overall stability of the economic system. Therefore, the analysis of the problem of the labour market of national minorities is an urgent challenge of modern science, and it is especially relevant in connection with military challenges. Economic changes in the labour market are caused, among other things, by the fact that more than 7.6 million people fled from Ukraine to Europe, while there are 6.2 internally displaced persons within Ukraine [21].

LITERATURE REVIEW

The literature review provides an opportunity to take into account various aspects of this issue, including economic and legal dimensions.

The literature focuses on how a variety of economic factors, such as market conditions, employment structure, wages, and opportunities for career advancement, affect minorities. Jon Horgen Friberg and Arnfinn H. Midtbøen [9] point out that representatives of national minorities often come from migrant workers and are often concentrated in certain, often low-paid, segments of the labour market, and employers tend to assume that immigrants show (soft) skills, which make them particularly suitable for specific tasks. Less scholarly attention has been paid to the real and imaginary content of these skills and how employers may change their views over time.

An important aspect is also consideration of the legal environment that regulates the rights and obligations of national minorities in the field of work. A. Akhlaq [2] examines this problem on the example of the Finnish legal and social field.

There are many studies focusing on the problem of marginalization of representatives of national minorities in the labour market, especially emphasizing that the pandemic crisis provoked a significantly higher level of unemployment among the studied group than among other workers. This was convincingly proven statistically by R.W. Fairlie, K. Couch, and H. Xu [8] and R. Waitzberg, N. Davidovitch, G. Leibner et al. [28].

Korean scientists (Wang J.-Sh., Fang P.-H., Wu T.-M) analyzed the impact of discrimination on representatives of national minorities and proved that it manifests itself especially clearly in the financial and economic sphere, access to the labour market and discrimination in the labour sphere is almost twice as high [29].

Research by S. M. Watters, C. Ward and J. Stuart demonstrates that indigenous peoples and nationals are a part of society that is vulnerable to violations of basic human rights, especially in the sphere of economics and finance [29].

A. F. Vrdoljak describes the main problems faced by national minorities in the political and social dimensions, in particular, he devotes special attention to the factor of social insecurity of national minorities, their lack of competitiveness in the labour market due to a lack of significant educational and professional skills. The scientist investigated the level of observance of the rights of national minorities, coming to the conclusion that it is much lower for this ethno-national group than for other members of society [27].

Some studies indicate unequal opportunities in the labour market, discrimination and other challenges faced by representatives of national minorities, in particular due to educational problems, language issues and lack of inclusiveness in the living environment (B. Winkler [31]).

AIMS AND OBJECTIVES

The purpose of this study is a modern analysis of the labour market of national minorities, in particular access to the work of representatives of various ethno-national groups and manifestations of discrimination in the labour sphere. To achieve the goal, the following tasks are set: to carry out a comparative analysis of the socio-economic and legal status of national minorities; conduct an analysis of the situation of national minorities in the labour market, while taking into account real and declarative indicators of the level of employment, which were determined by the author's survey and field experiment; identify the main causes of discrimination of representatives of ethnonational groups in the labour market; determine economic and legal measures to stimulate inclusion in the labour market.

METHODS

The research methodology is based on a combination of economic and legal approaches. The economic aspect of the study involves the analysis of market trends, employment, wages, as well as the study of the interaction of national minorities with the economic infrastructure, based on the statistical analysis of data on employment, income, unemployment and other economic indicators. The legal approach includes an analysis of the legislation regulating the interaction between employers and employees, with a special emphasis on legislation related to the rights of national minorities in the field of labour and aspects of combating its discrimination. The combination of economic and legal analysis makes it possible to obtain a comprehensive view of the problems of the participation of national minorities in the labour market and to determine possible directions for improving their situation. The research paradigm is dominated by the combination of the method of economic nationalism as a factor of "subordination of the economy to national interests and the imperative to protect national identity" [4], and humanism as a method of prioritizing human rights and freedoms and ensuring their equality in the legal state.

The results of the study are based on a field experiment conducted to analyze the real state of discrimination against representatives of national minorities in the labour market of Ukraine. During the period from September 2021 to October 2023, 217 fictitious job search questionnaires were created and posted on popular online job search platforms in Ukraine (Rabota.ua., Work.ua., OLX.ua).

Simulated questionnaires were submitted for real vacancies in different regions of Ukraine, for different fields of employment: IT specialist, sales manager, administrative worker, cook, salesperson and accountant. Variations in candidates' interpersonal and educational skills were taken into account. The structure of resumes and cover letters was standardized, and they were adapted to the Ukrainian labour market. Cover letters indicated candidates' motivations for applying, and resumes provided background information such as age (26-32), contact information, educational attainment, and work experience (e.g., four years of relevant field experience). The legislation of Ukraine does not require an indication of nationality, but this criterion was necessarily indicated in the questionnaire among the main indicators after the surname and date of birth. Also, fictitious questionnaires contained a specific surname, which is directly or indirectly associated with a specific nationality. Otherwise, the questionnaires were identical to the focus group (Ukrainians).

Also, an author's online survey of recruiters and personnel from July 2022 to March 2023, representing 37 large and medium-sized enterprises of Ukraine, was conducted in order to study their views and practices regarding the employment of representatives of national minorities, designed using scientific methods of sociological research. The development of questions was aimed at studying the attitude to diversity in the work team. Statistical data were processed to obtain quantitative results and open-ended responses were analyzed to enrich the understanding of context and personal opinions. The obtained results of the study are aimed at highlighting the strong and weak aspects of recruitment practices in relation to national minorities and indicating possible ways to improve the situation.

RESULTS

The importance of the labour market institute is that it reflects the general economic and social trends of the country, reflects the level of unemployment, the dynamics of employment in various sectors of the economy, and also affects the distribution of working hours and working conditions. In the context of social significance, it is this institution that most closely connects the economy of the state and the well-being of an individual citizen, because the level of employment and the amount of income of citizens determine how efficient the economy is, and accordingly, reducing unemployment and increasing wages contribute to increasing the well-being of citizens. Interaction in the labour market is dynamic and changes under the influence of economic, technological and socio-cultural factors. The studied institute is a key element of socio-economic life, which determines the quality of life of employees and affects the efficiency of the economy as a whole. Employees in the labour market are not a homogenous group, so attention should be paid to the peculiarities of certain types of employees, in particular, representatives of national minorities.

Clear indicators of the combination of GDP and the labour market in 2023 in the EU countries are shown in Figure 1.

GDP and employment growth rates

(%, change over the previous quarter, based on seasonally adjusted data, 2023Q3)

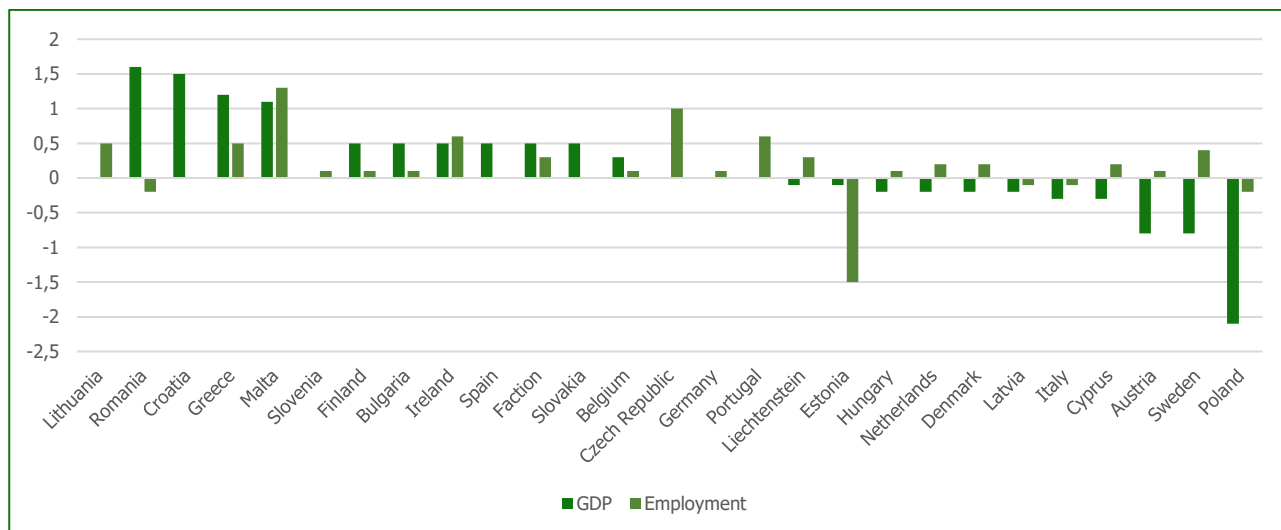


Figure 1. Quarterly national accounts – GDP and employment. (Source: Eurostat (https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Quarterly_national_accounts_-_GDP_and_employment_2023))

The labour market of national minorities plays an important role in the socio-economic context, determining the contribution of these groups to the economy and ensuring the diversity of the labour force, according to the data of the European Parliament, 300 different national minorities and linguistic communities live on the European continent alone [2, p.25], which is about 16 per cent of the population, and their number is growing. According to the estimates of the European Commission, by 2030 the working population of the EU will decrease sharply by 20 million. In many cities, 30% to 40% of children are of immigrant background; in some, this indicator reaches 60-70% [32].

Indicators of a significant increase in the number of representatives of national minorities in the USA are shown in Figure 2.

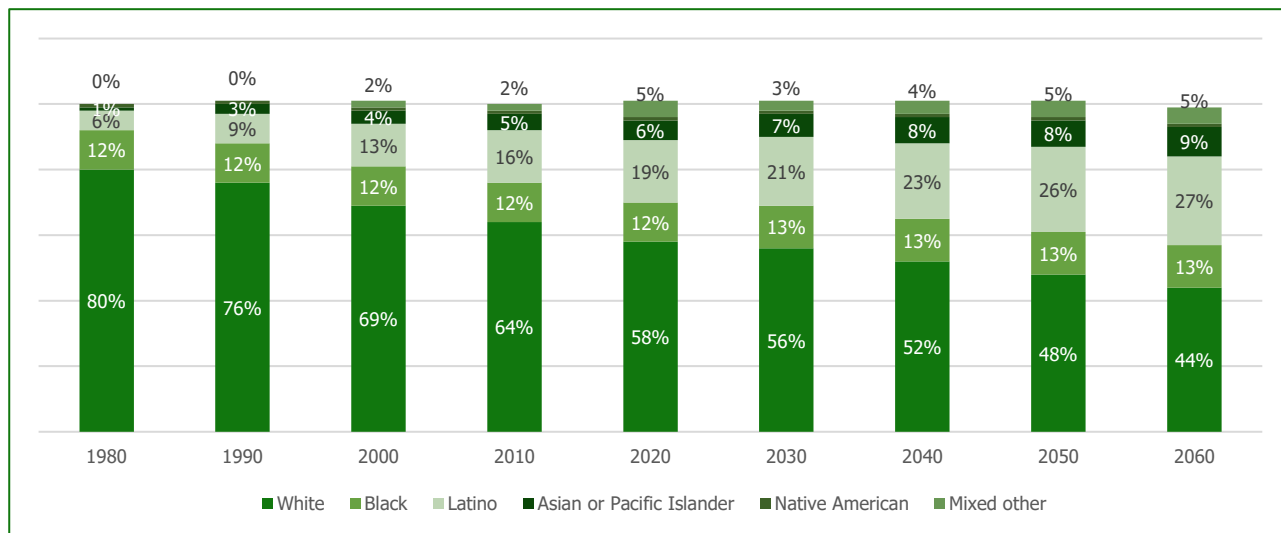


Figure 2. Race/Ethnicity: USA, 1980–2060. (Source: National Equity Atlas indicators, 2023)

The urgency of studying this topic is due to the need to settle inequalities and ensure the effective use of human resources in the context of global economic challenges. Taking into account the economic aspects, the study of the labour market of national minorities makes it possible to find out the dynamics of employment and their contribution to the GDP, and the correct management of this aspect is the key to optimizing labour efficiency and stimulating economic growth.

These national minorities constitute a significant part of the population of many states and regions. For Ukraine, the issues under consideration have geopolitical significance. Representatives of more than one hundred and thirty national minorities and nationalities live on its territory. In the labour market in some countries, they also make up a significant percentage, for example, every fourth worker in the US is a migrant worker or his children are from national minorities (mostly Mexican and Latin American communities). Visually, the data is illustrated in Figure 3.

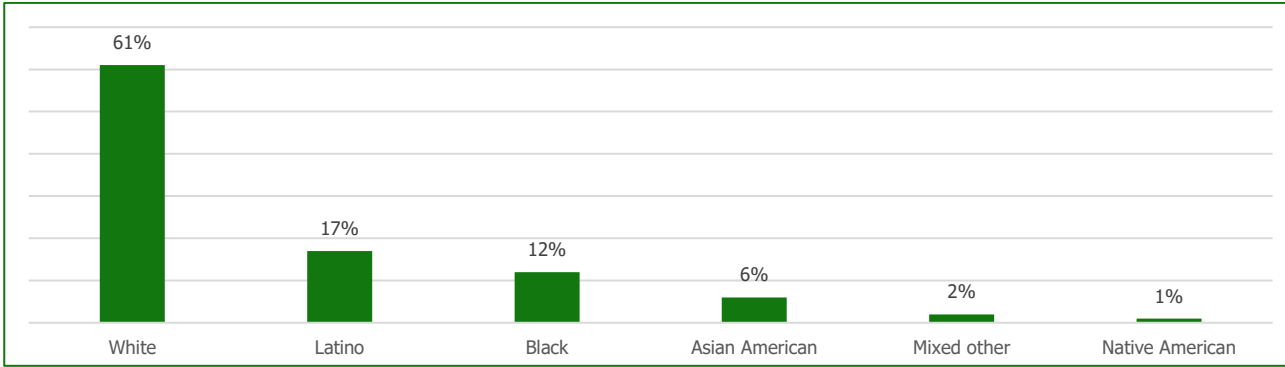


Figure 3. The US labour force. Note: Working-age population by race/ethnicity: United States. Age group: 25 to 64. (Source: *National Equity Atlas indicators, 2023*)

They are an indispensable part of society, influence the economic, cultural, scientific spheres, and also promote civilized exchange between regions and countries. However, the existence of such national minorities calls for the development of a complex system of administrative, political, economic and cultural measures. This makes it possible to achieve a balance between national and ethnic interests and ensure the harmonious development of society, otherwise, representatives of national minorities form one of the socio-economic and political risk groups. Economic indicators of the participation of national minorities in the state economy (using the example of the USA in 2022) are shown in Table 1.

Table 1. Economic indicators of the participation of national minorities. (Source: *Based on analysis of A Proclamation on Minority Enterprise Development Week, 2022*)

Criterion of economic participation	Indicator
The number of enterprises of national minorities, million	9.2
The percentage of enterprises according to the total number, %	18
Minority businesses; annual GDP, USD trillion	1.8
Participation of enterprises of national minorities in state contracts (as of 2022), %	10
Planned participation of enterprises of national minorities in state contracts (until 2025)	50

The problem is also that the development of ethnic regions and the protection of ethnic cultures are not harmonious [32]. Uncertainty of legal regulation, inconsistency of legal norms, collision of rules with international standards – these are significant problems of modern Ukraine.

The Framework Convention on the Protection of National Minorities, which was adopted by the Committee of Ministers of the Council of Europe on November 10, 1994, and entered into force on February 1, 1998, can be considered a specialized international benchmark in the field of ensuring the rights of national minorities. It is one of the most comprehensive lists intended for the protection rights of persons belonging to national minorities. The Parties to this Convention undertake to maintain the full and effective equality of persons belonging to national minorities in all spheres of economic, social, political and cultural life, together with conditions enabling them to express, protect and develop their culture and identity. The provisions of the Framework Convention cover a wide range of issues, including the following: prohibition of discrimination; support of effective equality; maintenance of conditions that include preservation and development of culture, religion, language and traditions; freedom of assembly, association, expression, conscience and religion; access to mass media and their use; freedom of speech (use of the language of minorities in the private and public sectors of life); education and the right to education in the minority language; participation in economic, cultural, social and public life; prohibition of forced assimilation.

Despite normative international recognition, the concept of "national minority" is still not defined at the legal level. Therefore, we should turn to national legislation, where our analysis leads to the possibility of distinguishing two groups of states based on the breadth of understanding of national minorities in national legislation. The first is *a simplified interpretation* of national minorities. A prominent representative here is Croatia, where the Constitution states that: "National minority is a group of citizens of Croatia, whose members traditionally reside in the territory of the Republic of Croatia and have ethnic, linguistic, cultural and/or religious characteristics that differ from other citizens and who are driven by a desire to preserve these characteristics" [22]. Bosnia and Herzegovina regulate in a special law (Article 1): for national minorities, it is necessary to belong to the citizens of Bosnia and Herzegovina, they do not belong to any of the three constitutional nations and include people of the same or similar ethnic origin, with the same or similar traditions, customs, religion,

language, cult and spirituality, as well as close or related history and other characteristics [5]. There is also another group – *a complicated interpretation*. The German federal government considers national minorities to be groups of the population that must meet the following five criteria: "1) be German citizens; 2) differ from the majority of the population by having their own language, culture and history, thus their special identity; 3) want to preserve their identity; 4) they traditionally live in Germany (usually for centuries); 5) they live in Germany within traditional settlements" [14]. The last criterion is defined as a mandatory requirement for compact living in the legislation of individual states rather rarely. We will also include Poland in this group, where legislation also defines a national minority if "ancestors lived on the modern territory of the Republic of Poland for at least 100 years"[26].

The new Law of Ukraine "On National Minorities (Communities) of Ukraine" [15] also provides an expanded interpretation of national minorities as a permanent group of "citizens of Ukraine who are not ethnic Ukrainians, traditionally living on the territory of Ukraine within its internationally recognized borders, united by common ethnic, cultural, historical, linguistic and/or religious features, are aware of their belonging to it, show a desire to preserve and develop their linguistic, cultural, religious identity." So, let's single out the legalized signs of national minorities in the current national legislation: lack of ethnic connection with Ukrainians; historical residence on the territory of Ukraine; unification by common features (ethnic, cultural, historical, linguistic, religious); awareness of belonging (self-identification); the desire to preserve ethnic uniqueness.

Anti-discrimination is one of the main aspects of social and legal status. The EU action plan against racism for 2020-2025 [7] provided for a comprehensive system of protection against discrimination and, first of all, effective enforcement of the legal framework in order to guarantee compliance with the rights and obligations of a person in practice.

The access of national minorities to the labour market determines their role in economic development, and ensuring equal opportunities for all labour forces contributes to the stability of economic systems and increasing competitiveness.

Discrimination against national minorities in hiring is manifested in the systematic unequal attitude towards representatives of different ethnic or national groups during the hiring process. This may include limiting access to employment opportunities, making decisions based on stereotypes or prejudices, and negatively affecting the career development and opportunities of national minorities. Such discrimination can be both overt and covert, and endangers the principles of equality and fairness in the labour market. American researchers prove that ethnic minorities are discriminated against in employment, and this indicator is more significant compared to other discriminatory features, such as gender or sexual orientation [19].

However, it should be noted that ethnicity is broadly classified, as some ethnic minority groups face higher levels of discrimination than others [2]. The results of minority group inequality are represented in Figure 4.

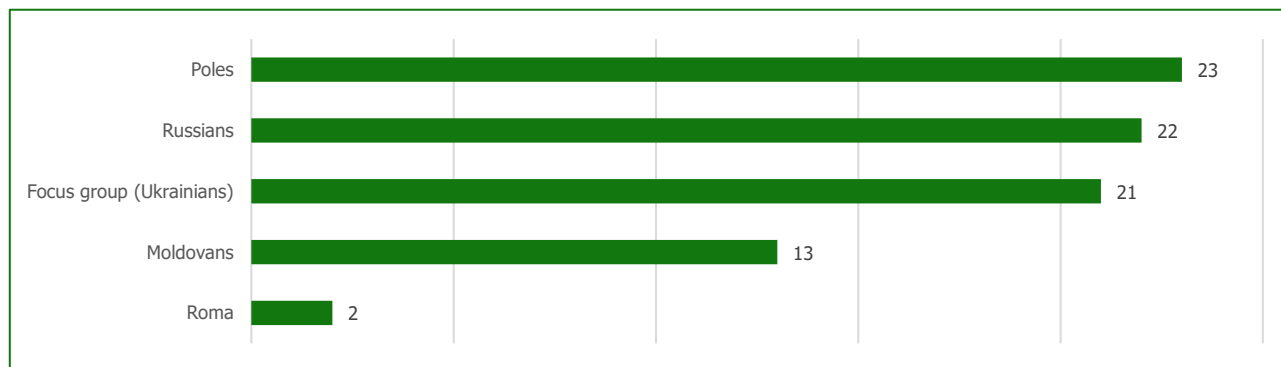


Figure 4. Number of responses received according to nationality of applicant (quantitative). (Source: the results of the analysis of the author's field experiment, 2021-2023)

So, when for certain national minorities (Poles, Russians) the question of discrimination could not arise, since the answers to the questionnaire were even higher than for the focus group of Ukrainians, then for others (especially acute for Roma) answers from employers were rare. At the same time, only the IT sphere was concerned. However, in general, the field did not have a significant effect on the results of the answers to the simulated questionnaires.

The negative attitude of the public is typical of the Roma in any country. Roma communities in Albania, Bosnia & Herzegovina, Moldova, Montenegro, North Macedonia, Serbia, and Ukraine were all facing socio-economic exclusion and marginalisation before the COVID-19 pandemic, thus international organisations were warning very early on that Roma communities were at serious risk during lockdowns, including in the fields of employment or loss of income [33]. The problem

is known at the international and European levels. The EU Committee of Ministers expresses deep concern about the growth of anti-Gypsy sentiments, anti-Roma rhetoric and violent attacks on Roma, which are incompatible with the standards and values of the Council of Europe and constitute a serious obstacle to the successful social integration of Roma and full respect for their human rights [6].

Most countries report a slow improvement in the labour situation of Roma. In particular, Bulgaria notes a reduction in the gap between working and unemployed Roma, but it is still impressive, that more than 40% of Roma are unemployed. Hungary indicates that Roma spends 1.4 months longer looking for a job than other citizens. Montenegro, Spain, and Serbia recognize the significant unresolved problem of unemployment among Roma women and youth. At the current stage, in general, improvements in the field of employment should be noted. In some countries, prospects have improved, and more than 60% of Roma are now employed. Only two in five of this group aged 20-64 (43%) have been working full-time, part-time or doing temporary work in the past four weeks.

Discrimination of Roma in this area is significant. According to the report of the ombudsman of Bosnia and Herzegovina, 43 appeals were related to the field of work, 5 – violations of gender equality, seven – of social rights, and only 2 – violations of political rights [3].

The right to work is related to the right to a decent standard of living. It is difficult for the Roma to provide it since they are the poorest social group. According to the Roma Inclusion Index, in Albania their situation compared to the general population has improved, although Roma still faces serious difficulties, poverty, living on 40% less income than others. For example, in Bulgaria, the income is lower by 74% of the total population, in Macedonia – by 58% [23, p.19].

Spain indicates a significant worsening of the situation in the context of growing Roma poverty, despite significant economic investments from Europe (reports by the Fundación Secretariado Gitano show that the situation has worsened dramatically over the past 14 years) [10].

According to the results of a survey of 10 European countries in 2021, the situation has not changed in relation to poverty and the member states are far from achieving the targets set for those at risk of poverty by 2030. Four out of five Roma (80%) live on the poverty line. They live in households where the equivalent income after social transfers is less than 60% of the average income in their country. Approximately 83% of Roma children under the age of 18 are at risk of poverty [23, p.14] Roma women find work much less often than men. In 2021, only 28% of Roma women aged 20–64 were employed, compared to 58% of Roma men in the same age category. The gender gap in employment was no less than in 2016 (27 points in 2016) [23, p.17].

So we see that the problem of Roma labour is essential for all countries. Unemployment gives rise to poverty and, as a result, destructive actions or deviant behaviour, therefore, at the state level, it is important to ensure the possibility of obtaining work for representatives of the Roma national minority. According to approximate estimates of Roma public organizations, only 38% of Roma living throughout Ukraine have a job [2, p.18].

We also made another conclusion - the level of unemployment in the region provokes an almost proportional percentage decrease in the number of responses from employers, therefore, within the scope of our study, fictitious employees received the largest number of responses from employers from Kyiv and the region (Figure 5).

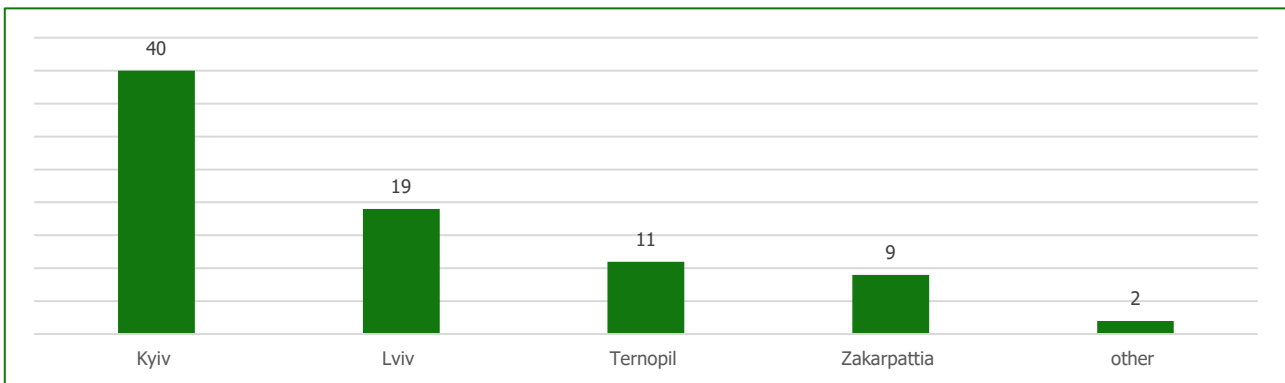


Figure 5. Regional representation of employers' responses. (Source: the results of the analysis of the author's field experiment, 2021-2023)

Code of Labour Laws of Ukraine in Art. 2¹ defines the principle of equality, indicating that "Any discrimination in the field of labour is prohibited, in particular, violation of the principle of equality of rights and opportunities, direct or indirect restriction of the rights of employees depending on race, skin color, political, religious and other beliefs, gender, *ethnic*

(highlighted by us – Yu. Kovnyi), social and foreign origin, age, state of health, disability, gender identity, sexual orientation, suspicion or presence of HIV/AIDS, family and property status, family responsibilities, place of residence, membership in a trade union or other public association, participating in a strike, applying or intending to apply to the court or other authorities for the protection of their rights or providing support to other employees in the protection of their rights, reporting on possible facts of corruption or corruption-related offenses, other violations of the Law of Ukraine "On the Prevention of Corruption", as well as assisting a person in making such a report, based on language or other features unrelated to the nature of the work or the conditions of its performance" [12]. However, the presence of a declarative norm does not correct the situation. Employers usually have a stereotypical attitude towards this national group and, despite the fact that the principles of combating discrimination in the labour sphere are regulated at the legislative level, from the point of view of practice, the problem remains.

We will illustrate this with the results of a survey conducted by us based on the author's questionnaires. Thus, the interviewed recruiters declared that they are generally tolerant of the ethno-national identity of the applicants, only 6% indicated that this characteristic of the worker is important (Figure 6). Accordingly, the represented Graph reflects, for the most part, the correspondence between the personal intentions of the employer and the requirements of the law.

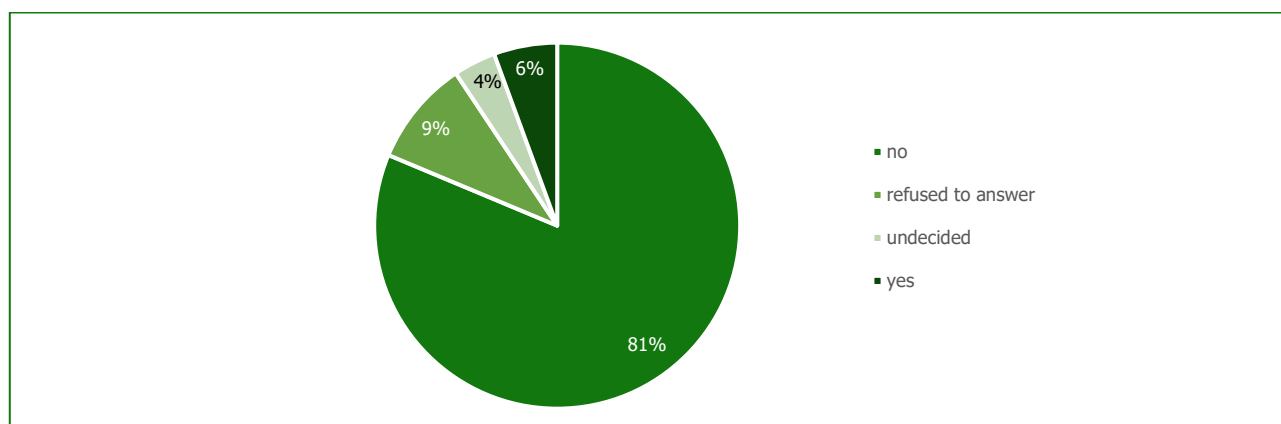


Figure 6. Do you pay attention to the candidate's nationality? (Source: analysis of the author's survey, 2021-2023)

However, another (control question) that can indicate the real situation indicates a sufficiently significant level of intolerance towards representatives of the Roma nationality. Only 67% of respondents indicated that they would hire a Roma employee (Figure 7). We emphasize one more factor – a significant number of respondents refused to answer or indicated that they could not decide on an answer, which we explain by the respondents' reluctance to demonstrate internal stereotypes about national minorities.

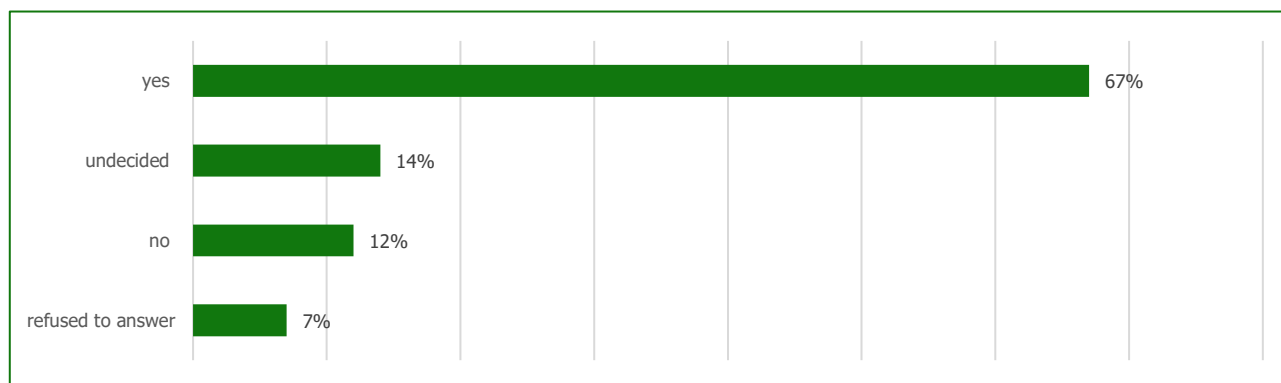


Figure 7. Are you ready to hire a Roma person? (Source: analysis of the author's survey, 2021-2023)

Ethnic discrimination in the labour market can broadly be related to two aspects.

First, ethnic discrimination in employment can be considered through the prism of economic rationality and the influence of information, while also taking into account certain shortcomings in the decision-making process. Economic rationality can determine a managerial decision regarding a person's work through pragmatic economic considerations. However,

when economic rationality takes the form of ethnic discrimination, this attracts the reverse process, which can have negative consequences for the enterprise, since considering candidates only with economic benefit can lead to the loss of an employee who has significant potential from different ethnic groups.

Lack of information also plays an important role in the formation of ethnic discrimination. Incomplete or superficial information can lead to the formation of stereotypes and prejudices that influence hiring decisions so that decisions are based on incorrect or distorted beliefs about the abilities and qualifications of applicants. Norwegian sociologists have proven that employers make hiring decisions based on performance and risk assessment factors, as well as prejudice against ethnic minorities [9]. This can be explained by the fact that not having complete information about the applicant and the lack of resources to find it led to the identification of an individual candidate with his ethnicity, but research proves that "if employers have perfect information about the performance of a job seeker, they will not discriminate on the basis of ethnicity" [9].

This approach to hiring can create unfavourable conditions for the development of intercultural relations in the working environment and undermine social cooperation in the organization. A lack of diversity can lead to a loss of competitive advantages, as different cultural perspectives often foster creative thinking and innovation within a team.

Especially the problem of discrimination in the labour market manifests itself in crisis economic and political events. The pandemic threat has demonstrated this very clearly – minorities face greater difficulties in applying physical distancing measures and face obstacles in gaining access to information, testing and health services compared to the majority of the population, especially during emergencies, and also have particular crises in the labour market. The average unemployment rate in the USA was up to 31.8% during the pandemic crisis (14.7% in the pre-pandemic period), then among Latin Americans it was 33.4% (18.2%), so the last group was disproportionately affected by COVID-19 [9].

Data on national minorities in Israel, in particular the ultra-Orthodox Jewish community, make up 12% of the total population. During March 2020, cities populated mainly by ultra-Orthodox Jews became centres of the outbreak of COVID-19 because they are characterized by large families (in 2017 the birth rate was 7.1 children per woman), low levels of preventive medicine, crowded living conditions, intense social and community life, and greater dependence on public transportation – these are factors that provide an ideal environment for COVID-19. The unemployment rate increased by 3.6% in this group [28].

In our opinion, the second reason for the discrimination of representatives of ethno-national groups in the labour market is the educational and professional level of the candidates.

The lack of equal opportunities in the field of education often leads to limited prospects for representatives of national minorities in choosing a professional path and career growth.

Low-quality education or lack of access to high-quality educational institutions can put national minorities in a precarious position in the labour market. They may be at higher risk of occupying low-skilled positions, which are often characterized by low pay and limited career development opportunities.

Professional training that does not meet the modern requirements of the labour market can also become a factor that makes it difficult for representatives of national minorities to obtain high-paying jobs. This can create inequalities in economic opportunities and widen the gap between these groups and the rest of society.

Thus, education and professional training determine not only personal development but also the economic prospects of national minorities. Inequality in these areas can act as a structural economic factor that deepens socio-economic inequalities in society.

However, it should be noted that education is the area that has progressed the most as a result of the report on the situation of the EU Roma during the previous decade of the accelerated integration plan, in particular, due to the acquisition of primary education and basic secondary education, the reduction of early school leaving. However, cases of segregation of Roma students in education have increased. According to Council Directive 2000/43/EU of June 29, 2000, on the implementation of the principle of equal treatment between persons regardless of racial or ethnic origin ("Racial Equality Directive"), the European Commission initiated infringement proceedings against three countries: the Czech Republic (2015), Hungary (2017) and Slovakia (2016) for the segregation of Roma children in schools.

Social data collected by the latest Romanian census indicate a very low level of formal education among the Roma population. Of the total Romanian population aged 10 and over, 3% are people with no formal education, and 1.36% are functionally illiterate. Compared to these national averages, 20% of the total Roma population has limited formal education, and 14.12% are illiterate [11]. According to other data, significant segregation in the field of education is also noted, for

example, in Hungary, the chances of a Roma child graduating from secondary school are three times lower than those of a non-Roma child, and the chances of Roma applicants entering university are eight times lower than those of their non-Roma peers [24].

The diversity of society presents a challenge in creating effective strategies to improve the situation. Expanding educational and professional opportunities, promoting intercultural understanding and active anti-discrimination policies can serve as means of improving the integration of national minorities in the labour market. It is also important to create conditions for flexible employment and the use of remote forms of work.

The implementation of such ideas requires the creation and implementation of a set of measures at the national level. These activities should cover various areas, including organizational, legal, informational, technical and political aspects. The main goal is to improve the situation of national minorities in the country, which accordingly includes the development and implementation of specific measures to ensure the equal status of each person, regardless of their nationality.

Let's highlight the main ones.

First of all, these state measures to create support for enterprises of national minorities can be a wide range of initiatives and policies aimed at stimulating entrepreneurship and developing the economic potential of these groups.

Among such measures, in our opinion, the following will be effective: provision of financial instruments, such as subsidies, loans, grants or investment funds for entrepreneurs of national minorities; providing access to educational programs and consultations for representatives of national minorities on business creation and management; implementation of mentoring and coaching programs, where experienced entrepreneurs can provide advice and help to newcomers from national minorities; development of specialized business parks or incubators aimed at supporting enterprises of national minorities; organization of professional trainings and courses for representatives of national minorities in order to improve their skills and qualifications in the field of entrepreneurship; implementation of measures to support enterprises of national minorities in the field of public procurement and state contracts; simplification of administrative procedures and reduction of bureaucratic restrictions for entrepreneurs from national minorities; promoting the development of the network of enterprises of national minorities and establishing connections with other companies. These measures can help create favourable conditions for the development of entrepreneurship among national minorities and provide them with equal opportunities in the field of business.

Second, at the state level, taking measures to combat discrimination at all levels and in all spheres of public life, including the labour market. Recommendations on the Effective Participation of National Minorities in Social and Economic envisage the obligation of the state to take measures to achieve, gradually, the full realization of social and economic rights for all. States must be transparent about available resources and their priority; national minorities should be treated fairly and in proportion to the majority in the distribution of resources, with additional resources allocated as needed to achieve effective equality. In addition, at the European level, emphasis is placed on the need for legitimate positive discrimination: "States must establish special conditions for persons belonging to national minorities, which promote the effective participation of all in social and economic life. Reasonable and proportionate measures taken in this regard, which are carried out, are not discrimination" [16].

Third, economic stimulation and support for regional programs aimed at promoting sustainable development and strengthening minority communities play a strategic role in creating an inclusive and sustainable economic environment. These measures are aimed at stimulating the development of the economy in the regions where national minorities live and take into account the specifics of their needs and opportunities. Economic stimulation may include financial support for the development of small and medium-sized businesses in these regions, the provision of special economic benefits or the creation of financial instruments for national minorities, including through "liberalization of entrepreneurship conditions and stimulation of entrepreneurship, taking into account the legal basis and organizational and legal forms of management in Ukraine" [27].

Support for regional programs contributes to the development of infrastructure and social services in communities of national minorities. This may include building and upgrading infrastructure, such as transport, education, health care, in order to improve the quality of life and the attractiveness of regions for living and doing business. In addition, such programs can provide for the creation of innovative economic projects and startups that take into account the national and cultural characteristics of local communities. This not only contributes to economic development but also enriches and sustains traditional industries and crafts, contributing to the preservation of cultural heritage.

This approach is designed to support sustainable economic transformations and create conditions for the growth of economic activity and self-determination of national minorities in regional contexts. Overall, these activities contribute to building an open and inclusive society where diversity is seen as a source of strength and innovation.

Fourth, taking financial and economic measures to support and overcome poverty in crisis conditions, since national and ethnic minorities are often the group of the poorest, marginalized citizens. Positive was the practice of Israel, where the government approved a special one-time assistance for national children for the Passover holiday in the amount of 500 shekels (USD ~125) per child and up to 2,000 shekels per family, without any means tests and a grant in the amount of 500 shekels for the elderly (for which the criteria have not yet been made public) [28].

Fifth, organizational and management measures to overcome unemployment. Let's turn to the positive experience again. Romania carried out measures of a specialized nature, that is, activities related to the employment of the Roma national minority, and state monitoring in the employment sector showed satisfactory progress in achieving the set goals. In total, for the period 2016-2020, 96,117 persons belonging to the Roma minority benefited from active measures, of which 13,608 got a job after accessing the measures. The target indicators were obtained much higher than originally planned (13,608 compared to 4,500) [18]. Although such a positive effect is due, in our opinion, to state-administrative measures – the provision of subsidies to employers for the employment of people belonging to vulnerable population groups or with difficult access to the labour market and more than five times exceeded the planned indicator until 2020.

We identify the following necessary measures that will increase the guarantee of the right to work of citizens of the national minority:

- increasing the level of employment of representatives in the public sector to a level proportional to the number of the national minority in the total population;
- improving the level of awareness of workers from the national minority and employers regarding opportunities in the labour field;
- increasing the level of their territorial mobility in the field of professional development;
- implementing certification and professional development programs; providing support for startups to representatives of the national minority.

Sixth, measures to improve the educational and professional level. To improve qualifications in education, it is necessary to implement special national programs, develop innovative teaching methods in schools, spread the practice of after-school education, introduce a functional literacy program, expand training programs during vacations, provide training on intercultural understanding in educational institutions, and other measures.

Inclusive education is an established practice in Ukraine, as the policy of implementation of the rights of children with special educational needs was carried out at the state level, primarily in relation to children with disabilities. The principles of inclusion are general and create a proper foundation of an organizational and legal nature for the education of national minority persons as well. However, the actual practice of providing an inclusive environment (especially at school) has not yet reached the desired level. Some progress has been made in the educational level of teacher training, the development of inclusive skills of teaching staff to support all learners and create favourable working conditions for this.

DISCUSSION

The debatable aspects are reflected in two similar experiments, one of which involved 53 ethnic minority groups and was conducted in six countries: Germany, Norway, the Netherlands, Spain, Great Britain and the United States [2], where significant differences in the levels of discrimination in different countries are indicated. Our analysis indicates that Ukraine belongs to the states that are particularly vulnerable to discriminatory manifestations in the field of work of representatives of national minorities, as both in a comparative study and in ours it has been proven that compared to the majority of the population, ethnic minorities have much lower chances of finding work. The main contribution of our research is the comparison of discrimination of the same groups of ethnic minorities in different spheres of the labour market in the regions of residence within Ukraine. In addition, through the author's survey, we analyze the attitude of recruiters to discrimination in hiring and the importance of stereotypical thinking regarding the ethno-national identity of candidates.

Also, the data of our analysis are correlated with other studies, which prove that candidates of Moroccan origin are six percentage points less likely to receive a positive response from an employer in Spain, and fourteen percentage points less likely in the Netherlands [20]. Within the limits of our experiment, the indicators are lower only for certain groups of national minorities, in particular the Roma.

CONCLUSIONS

The modern world faces a number of challenges in the field of sustainable development, including a harmonious relationship between economic growth, social justice and ecological balance. However, it is important to pay due attention to another key aspect of sustainable development – the inclusiveness of society, which includes the support and protection of the rights of national minorities. This task has an important socio-cultural, political and economic dimension because the successful solution of this issue is a prerequisite for building an equal and harmonious society.

Through the author's survey and the field method of fictitious questionnaires, the discrimination of certain groups of national minorities in Ukraine was demonstrated, among them Moldovans and especially the Roma, and it was proved that the unemployment rate in the region provokes an almost proportional decrease in the number of responses from employers to representatives of national minorities. The field of employment was not a significant factor in indicating certain features of discrimination based on the field of the labour market.

Two prerequisites for discrimination of national minorities in the labour market have been proven: stereotypical thinking and the educational and professional component. However, it can be pointed out that, in general, recruiters do not accept personal responsibility for discrimination against national minorities.

A set of measures to combat poverty and discrimination of national minorities in the labour market is proposed: state measures to create support for enterprises of national minorities can be a wide range of initiatives and policies aimed at stimulating entrepreneurship and developing the economic potential of these groups; taking measures to combat discrimination at all levels and in all spheres of social life, including the labour market; economic stimulation and support of regional programs aimed at promoting sustainable development and strengthening communities of national minorities, that play a strategic role in creating an inclusive and sustainable economic environment; implementation of financial and economic measures to support and overcome poverty in crisis conditions; organizational and management measures to overcome unemployment of a specialized nature; measures to increase the educational and professional level.

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CONFLICT OF INTEREST

The Authors declare that there is no conflict of interest.

REFERENCES

1. Aháborútán magyarorszá gra érkezett kárpátaljai romacsál á dok helyzete Romaversitas Alapítvány (2022). https://romaversitas.hu/wp-content/uploads/2022/11/Karpataljai_romak_HU_2021_FIN_AL_oldalparos.pdf
2. Akhlaq, A. (2020). When the name matters: an experimental investigation of ethnic discrimination in the

- Finnish labour market. *Socio. Inq.*, 90(3), 468-496.
<https://doi.org/10.1111/soin.12276>
3. Annual Reports (2022). Annual Report on results of the activities of the Institution of Human Rights Ombudsman of BiH for 2022. <https://rm.coe.int/5th-sr-bih-en/1680a7ca9a>
 4. Bluhm, K., & Varga, M. (2020). Conservative Developmental Statism in East Central Europe and Russia. *New Political Economy*, 25(4), 642-659.
<https://doi.org/10.1080/13563467.2019.1639146>
 5. Bosnia and Herzegovina (2012). The Law on Amendments to the Law on Rights of National Minorities. *Official Gazette of Bosnia and Herzegovina*, 76/05, 10/31/05.
https://adatabase.ohchr.org/IssueLibrary/BOSNIA%20AND%20HERZEGOVINA_Law%2012-03%20on%20the%20rights%20of%20national%20minorities.pdf
 6. Declaration of the Committee of Ministers on the Rise of Anti-Gypsyism and Racist Violence against Roma in Europe (2012). <https://rm.coe.int/16800c0adc>
 7. European Commission (2019). EU Anti-racism Action Plan 2020-2025. https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/eu-anti-racism-action-plan-2020-2025_en
 8. Fairlie, R.W., Couch, K., & Xu, H. (2020). The Impacts of COVID-19 on Minority Unemployment: First Evidence from April 2020 CPS Microdata. *WORKING PAPER*, 27246.
<https://doi.org/10.3386/w27246>
 9. Friberg, J H., & Midtbøen, A. H. (2018). Ethnicity as skill: immigrant employment hierarchies in Norwegian low-wage labour markets. *J. Ethnic Migrat. Stud.*, 44(9), 1463-1478.
<https://doi.org/10.1080/1369183X.2017.1388160>
 10. Fundación Secretariado Gitano Estudio comparado sobre la situación de la población gitana en España en relación al empleo y la pobreza 2018. (2018). Madrid. Fundación Secretariado Gitano.
https://www.gitanos.org/estudios/estudio_comparado_sobre_la_situacion_de_la_poblacion_gitana_en_espana_en_relacion_al_empleo_y_la_pobreza_2018.html.es
 11. INS Report (2011). National Institute of Statistics Report. Recensământul Populației și al Locuințelor din România. <http://www.recensamantromania.ro/rezultate-2/>
 12. Kodeks zakoniv pro pratsiu Ukrainy: zakon vid 10.12.1971 № 322-VIII Vidomosti Verkhovnoi Rady URSR vid 17.12.1971 –1971 r., Dodatok do N 50.
https://zakononline.com.ua/documents/show/169906_169906
 13. Lancee, B. (2019). Ethnic discrimination in hiring: comparing groups across contexts. Results from a cross-national field experiment. *J. Ethnic Migrat. Stud.*, 47(2), 1-20. <https://doi.org/10.1080/1369183X.2019.1622744>
 14. Nowak, M. (2005). UN Covenant on Civil and Political Rights: CCPR Commentary, Kehl. Engel Publishers.
<https://academic.oup.com/ejil/article/18/1/220/362838>
 15. On national minorities (communities) of Ukraine (2022). Law of Ukraine No. 2827-IX dated 13.12.2022. *Official Gazette of Ukraine* dated January 13, 2023. No. 3. Art. 1210. <https://zakon.rada.gov.ua/laws/show/2827-20#Text>
 16. OSCE (2023). Recommendations on the Effective Participation of National Minorities in Social and Economic Life. October 2023.
<https://www.osce.org/files/f/documents/2/3/553783.pdf>
 17. Postiinyi feis-kontrol i klas «Ch»: yak zhyvut romy v Lytvi (2022). *Zaborona*, 26 zhovtnia 2020.
<https://zaborona.com/yak-zhyvut-romy-v-lytvi/>
 18. Primul Raport Național de Monitorizare Împreună cu metodologia finală de M&E (prima parte) Livrabil 3. Dezvoltarea unui sistem funcțional de M&E la nivel județean pentru implementarea Strategiei de incluziune a cetățenilor români aparținând minorității rome (2022).
http://www.anr.gov.ro/images/2022/rapoarte/Roma-ME-Output-3-First-National-Monitoring-Report-part-1_RO.pdf
 19. Quillian, L., Pager, D., Hexel O., Arnfinn, H., & Midtbøen, A. H. (2017). Meta-analysis of field experiments shows No change in racial discrimination in hiring over time. *Proc. Natl. Acad. Sci. Unit. States Am.*, 114(41), 10870-10875.
<http://dx.doi.org/10.1073/pnas.1706255114>
 20. Ramos, M., Thijssen, L., & Coenders, M. (2021). Labour market discrimination against Moroccan minorities in the Netherlands and Spain: a cross-national and cross-regional comparison. *Journal of Ethnic and Migration Studies*, 47(6), 1261-1284.
<https://doi.org/10.1080/1369183X.2019.1622824>
 21. ReliefWeb (2022). Ukraine Situation Flash Update #32. <https://reliefweb.int/report/ukraine/ukraine-situation-flash-update-32-7-october-2022>
 22. Republic of Croatia (2002). The Constitutional Law on the Rights of National Minorities. *Official Gazette*, 155/2002, Article 5.
[https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL\(2003\)014-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL(2003)014-e)
 23. Roma in 10 European countries, (2022). Roma Survey 2021 – Main results. Vienna.
https://fra.europa.eu/sites/default/files/fra_uploads/fra-2022-roma-survey-2021-main-results_en.pdf
 24. Romaversitas Foundation. (2023). Annual Report. <https://romaversitas.hu/annual-reports/2023>.
<https://romaversitas.hu/our-vision-and-mission/>
 25. The Strasbourg Manifesto on the protection of national minorities and languages within the framework of the European Union (2014, April 17).
<https://en.efhr.eu/2014/05/05/the-strasbourg-manifesto/>
 26. Ustawa o mniejszościach narodowych i etnicznych oraz o języku regionalnym: Ustawa z dnia 6 stycznia 2005 r. (2005). <https://www.gov.pl/web/mniejszosci-narodowe-i-etniczne/ustawa-o-mniejszosciach-narodowych-i-etnicznych-oraz-o-jezyku-regionalnym>
 27. Vrdoljak, A. F. (2018). Indigenous Peoples, World Heritage, and Human Rights. *International Journal of Cultural Property*, 25(3), 245-281.
<https://doi.org/10.1017/S0940739118000218>

28. Waitzberg, R., Davidovitch, N., Leibner, G., et al. (2020). Israel's response to the COVID-19 pandemic: tailoring measures for vulnerable cultural minority populations. *Int J Equity Health*, 19, 71. <https://doi.org/10.1186/s12939-020-01191-7>
29. Wang, J.-Sh., Fang, P.-H., & Wu, T.-M. (2017). An Inquiry into Wage Discrimination Based on Nationality: The Case of the Korean Baseball Organization. *International Journal of Sport Finance*, 12(4), 359-385. <https://fitpublishing.com/articles/inquiry-wage-discrimination-based-nationality-case-korean-baseball-organization>
30. Watters, S. M., Ward, C., & Stuart, J. (2020). Does normative multiculturalism foster or threaten social cohesion? *International Journal of Intercultural Relations*, 75, 82-94. <http://dx.doi.org/10.1016/j.ijintrel.2020.02.001>
31. Winkler, B. (2023). Looking Forward to the Future: Europe's Societies Are Undergoing Change. United Nations. <https://www.un.org/en/chronicle/article/looking-forward-future-europes-societies-are-undergoing-change>
32. Willis, C. (2022). Roma and the First Wave of the Covid-19 Pandemic: Income Loss and Its Effects Across Roma Communities in Seven Non-EU Countries. *Journal on Ethnopolitics and Minority Issues in Europe*, 21(2), 10-34. <https://doi.org/10.53779/AQQL3201>
33. Zhao, F., Zhang, S., Du, Q., Ding, J., Luan, G., & Xie, Zh. (2021). Assessment of the sustainable development of rural minority settlements based on multidimensional data and geographical detector method: A case study in Dehong, China. *Socio-Economic Planning Sciences*, 78, 101066. <https://doi.org/10.1016/j.seps.2021.101066>

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НАЦІОНАЛЬНІ МЕНШИНИ НА РИНКУ ПРАЦІ: ЕКОНОМІЧНО-ПРАВОВЕ ДОСЛІДЖЕННЯ

У статті проводиться комплексний економіко-правовий аналіз становища національних меншин на ринку праці. Для цього здійснено компаративний аналіз соціально-економічного та правового статусу національних меншин і проведено аналіз становища на ринку праці національних меншин, при цьому враховуючи реальні та декларативні показники рівня прийняття на роботу, які визначені шляхом авторського опитування та польового експерименту. Доведено, що дискримінація на ринку праці характерна для окремих, а не всіх груп національних меншин, зокрема для ромів. Обґрунтовано, що ефективність ринку праці національних меншин також впливає на податкові доходи та розподіл соціальних витрат. Забезпечення рівних можливостей для цих груп сприяє створенню стабільних соціальних умов, зниженню витрат на соціальну допомогу та підвищенню ефективності соціального капіталу. Дослідження ринку праці національних меншин також ураховує важливість соціально-економічної стабільності. Виокремлені основні причини дискримінації представників етнопонаціональних груп на ринку праці та визначено економічні й правові заходи стимулювання інклюзії на ринку праці. Шляхом авторського опитування та польового методу фіктивних анкет доведено дискримінацію в Україні окремих груп національних меншин, серед них молдавани та особливо роми. Доведено, що рівень безробіття в регіоні провокує практично пропорційний відсоток зменшення кількості відповідей від роботодавців від представників національних меншин. Сфера працевлаштування не була суттєвим фактором, щоб указувати на певні особливості дискримінації в царині ринку праці.

Ключові слова: ринок праці, зайнятість, дохід, безробіття, національні меншини, роми, дискримінація, економічні фактори, засоби протидії, етнопонаціональна державна політика, правові відносини

JEL Класифікація: J15, K31, O15, J71