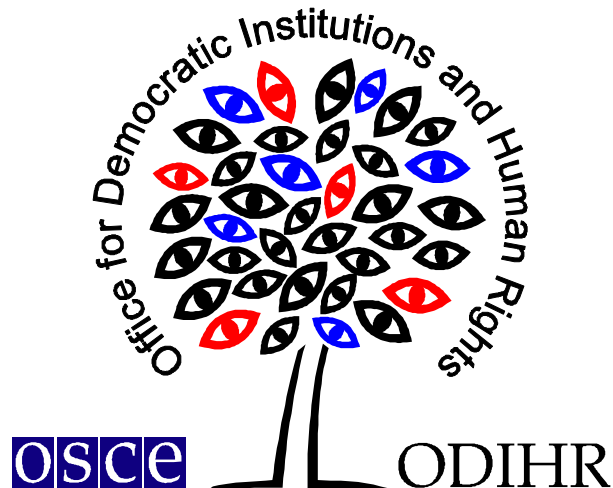


NGOs in the Caucasus and Central Asia: Development and Co-operation with the OSCE



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1. INTRODUCTION

The dissolution of the USSR fundamentally altered the conditions for development of civil society in the region. The process of creating new political structures and adopting new legal frameworks in its 15 successor States, combined with international assistance to help introduce democratic principles in the newly independent States, offered new opportunities and challenges to the emerging NGO community. Nearly ten years on, we see that the USSR successor States have developed in different ways, and that the influence of their Soviet legacy is stronger in some countries than in others. In the Caucasus and Central Asia, transition towards democracy has been a slow process, which has in turn created a varying number of obstacles to the development of civil society.

The presence of a strong civil society is crucial to promote democracy as a mechanism for stimulating public pressure and forcing state institutions into becoming more responsible and accountable. Non-governmental organizations (NGOs) play a fundamental role in the development and consolidation of democratic stability and pluralism. Their work to protect human rights, advocate legislative changes and voice the basic needs of the population makes NGOs an essential part of civil society.

In the CIS countries, the notion of a strong civil society as a precondition for democracy is not an obvious one. The awareness of governments of the role of NGOs is in many cases still influenced by the traditional Soviet definition. Under the Soviet system, grass-roots activities were mostly controlled and organized from above, principally to create support amongst the general population for the regimes' courses of action. The NGOs that took part in these endeavours could more accurately be described as GONGOs (governmentally organized NGOs). Changing this perception is a long-term undertaking.

Since the collapse of the Soviet Union, the important role played by active NGOs in the democratization process as potential intermediaries between the population and decision makers has become increasingly accepted in many of its successor States. At the same time, the new-found prospects for international funding of NGO activities resulted in the rapid establishment of numerous organizations all over the region, and many are now encountering problems in struggling to become self-sufficient. Furthermore, in some CIS States, where political activities are still restricted, a number of NGOs continue to be perceived as political opponents, and may suffer interference with their activities.

Assistance to promote civil society and support activities by the growing NGO community has been an increasingly important issue for the OSCE in recent years, as a tool to further democracy and human rights in participating States. Assisting the countries of the Caucasus and Central Asia in particular continues to be a priority for the Organization. The OSCE recently opened field presences in all the countries across these regions, and the OSCE's Office for Democratic Institutions and Human Rights (OSCE/ODIHR) has, since 1997, concluded Memoranda of Understanding with all the States (except Turkmenistan) in which supporting civil society is a central component.

The aim of this report is to give a general overview of the status of civil society and the role of NGOs in the Caucasus and Central Asia, and examine the lessons learned from international assistance to local NGO communities, including recent OSCE activities. The report will conclude by proposing a set of recommendations for future actions by the OSCE to further civil society development in these regions. The scope of the report will be narrowed to cover those parts of civil society which aim to promote human rights and democratic institutions. NGOs operating in the field of elections will not be covered by this report.

2. THE POST-SOVIET SITUATION AND THE EVOLUTION OF A CIVIL SOCIETY

2.1 FREEDOM OF ASSOCIATION AND ASSEMBLY IN THE OSCE FRAMEWORK

After the break-up of the Soviet Union, all its 15 successor States were accepted as independent members of the CSCE. In the course of 1991 and 1992, all the new States signed the Helsinki Final Act. Subsequently, as full CSCE participating States, the newly admitted States were obliged to adhere to the CSCE commitments. This included respecting the principles guaranteeing freedom of association and assembly.

Both the Document of the 1990 Copenhagen Meeting on the Human Dimension and the 1990 Charter of Paris for a New Europe guarantee the basic right of every individual to freedom of association and peaceful assembly. In addition, the Document of the 1991 Moscow Meeting on the Human Dimension sets out principles relating to non-governmental organizations. In Article 43, the participating States have agreed to recognize as NGOs those which declare themselves as such, according to existing national procedures, and to facilitate the ability of such organizations to conduct their national activities freely in their territories.

At the 1999 OSCE Summit in Istanbul, Heads of State signed a new document, the Charter for European Security, Article 27 of which states that:

‘Non-governmental organizations (NGOs) can perform a vital role in the promotion of human rights, democracy and the rule of law. They are an integral component of a strong civil society. We pledge ourselves to enhance the ability of NGOs to make their full contribution to the further development of civil society and respect for human rights and fundamental freedoms.’

Under the Soviet system, freedom of assembly and association were subject to thorough restriction, and practices in this field differed from international norms. The Law on Public Associations, adopted in October 1990, created burdensome registration requirements for NGOs and regulated virtually all aspects of NGO activity. Unfortunately, the dissolution of the Soviet Union and subsequent independence did not change much in the way of NGO legislation or the prevailing bureaucratic tendency to control NGO activity. Most successor States adopted their respective versions of the 1990 USSR law, thus applying the same restrictive provisions. In the years since independence, the shortcomings of these legal texts have been highlighted by the practice of some government officials for interpreting the ambiguities and arbitrary powers of the law to restrict NGO development.

2.2 GOVERNMENT PERCEPTION OF NGOS

Participation in the international community has committed countries in the Commonwealth of Independent States (CIS) to accepting that democracy is a precondition for political and economic stability. In this context the international community is encouraging CIS States to recognize the need for a strong civil society to increase public participation and to understand the important role played by active

non-governmental organizations in the democratization process as potential intermediaries between the population and the decision-makers.

However, deeply rooted perceptions are difficult to change overnight. Under the Soviet system, grass-roots activities were mostly controlled and organized from above, essentially to create support amongst the general population for the regimes' courses of action. NGOs that took part in these endeavours could more accurately be described as GONGOs (governmentally organized NGOs). Some government officials and NGO members in the CIS region are still influenced by their Soviet legacy and the traditional definition of the role of NGOs.

In some CIS States, especially in Central Asia, certain representatives of civil society continue to be perceived as dissidents and political opponents, and suffer interference with their activities. This particularly affects human rights defenders and organizations known for their strong criticism of governmental failures to improve human rights records. Furthermore, the fact that there are sometimes individuals with purely political agendas hiding behind NGO labels, contributes to reinforcing some governments' reluctant attitude to NGOs. This has sometimes turned into a vicious circle. As governments seek to control illegal political activities, the entire independent NGO community suffers from restrictions. In turn, 'real' NGOs are often forced to operate underground, which limits the impact of their activities and encourages even more criticism of the governments.

The current difficult economic conditions have also left a number of CIS countries dependent on international aid. In most cases, willingness to promote democratic changes in society is a condition for receiving aid. Some of these States are still run by regimes with authoritarian tendencies, characterized by the tight control of society and the tolerance of very little political opposition. The promotion of civil society in these countries is subject to careful balancing acts by the governments. Some space for civil society to operate is permitted, but at the same time, the development of NGOs is controlled to such an extent that it raises doubts as to whether civil society has enough room or favourable conditions to be able to effectively promote human rights and democracy. One way of maintaining this control is through legislation.

2.3 NGO LEGISLATION

- General considerations

NGO legislation is the instrument which defines the relationship and co-operation between the State and the NGO sector, which will enable NGOs to function effectively. In order to reflect OSCE standards, legislation in this field has to depart from the general assumption that Freedom of Association is a fundamental right that is an important element of a pluralist democratic society. This means that any interference or control is to be seen as an exception to the rule. Such exceptions need to be construed in a narrow fashion, must be specified by law and strictly proportionate to the aim of the law.

A proper legal framework for NGOs should limit the active interference into NGO activities, but also positively safeguard the sector from abuse or arbitrary action by the

authorities, and hold governments accountable for their actions and obligations towards NGOs as an organized form of civil society. In other words, such laws should encourage the development of an independent civil society, and afford NGOs legal protection and benefits that make it possible for them to function.

Upon independence in 1992, most successor States adopted their respective versions of the USSR Law on Public Associations, which thoroughly regulated all aspects of NGO activity. The shortcomings of this law have in the last decade been highlighted by frequent examples of government officials' willingness to utilize the ambiguities and arbitrary powers of the law to restrict NGO development. This is not in accordance with the principles to which States have committed themselves as participating States of the OSCE.

The presumption behind NGO legislation should be that individuals, groups and legal persons are entitled to form associations for non-profit purposes. The establishment of an NGO should be voluntary, not mandatory, as was the standard practice under the Soviet system when supposedly 'grass-roots' activities were created from the top, instead of being allowed to surface from below. Regulations affecting NGOs should not be codified in the same law as regulations concerning political parties.

In this context it is worthwhile to mention that the internal structure of an NGO and the substantive implementation of its by-laws is an area of its autonomy. Consequently legal regulations of these areas need particular justifications.

There remain to the present day a number of particular concerns in the OSCE area. Among them is that new laws often lack proper implementation. Sometimes, laws are not interpreted with due regard to Constitutional freedoms in participating States and the role of internal regulations remains at times obscure.

Of particular concern remains the registration process of Non-Governmental Organizations (see Background Paper OSCE/ODIHR Background Paper 1998/5 – "Freedom of Association: The Question of NGO Registration"). The registration process must not pose additional hurdles to NGOs others than those strictly necessary. Administrative procedures must be expedient, fair, transparent and accessible to mention a few indispensable criteria. It should also be understood that there is no need for mandatory registration for a group of people who informally want to exercise their freedom of association. In other words, the registration of such a group of people should not be treated as a *conditio sine qua non* for the legality of the activity. Registration should only become an issue when the question of specific benefit or legal status is in question (for more details see Background Paper 1998/5, p. 5).

- Developments in Central Asia

In Central Asia in particular, NGOs have come across burdensome regulations which involve lengthy registration periods and high fees. Furthermore, the sometimes arbitrary rejection of certain kinds of NGOs raises suspicions that obstacles to allowing a variety of NGOs to surface are politically motivated, and that legislation is introduced only as a measure to prevent unwanted groups being active in society.

Nevertheless, a more positive trend is emerging as the influence of international actors, including the OSCE, has led to the recent adoption of new laws although it remains to be seen how these will be implemented. For example in 1999, Kyrgyzstan adopted a new Law on Non-commercial Organizations, which may alter the regulation of NGOs. It replaces a previous law which regulated the registration and on-going activities of NGOs, and also required NGOs to prepare detailed quarterly reports on their activities and finances. The reporting requirements under the previous law have been replaced by a simple requirement for open books. The new law also significantly reduces the cost of registration of NGOs.

The 1999 law also limits the arbitrary powers of the government and places the responsibility of regulation on the NGOs themselves. Conversely, the previous law compelled official registration of any group of people meeting in an organized manner and was consequently used as a method of making any unregistered group or organization illegal. The new law specifically allows unregistered groups or organizations to carry out non-profit activities, which is a positive signal to encourage grass-roots activities. However, the effectiveness of the recently adopted law ultimately depends on its implementation by government authorities and some human rights NGOs among them the Kyrgyz Committee for Human Rights have experienced serious problems in registering under the new law.

Uzbekistan also adopted a new Law on Non-governmental Non-commercial Organizations in 1999. Although this law is still not fully in accordance with international standards, it represents a step in the right direction. Requirements regarding registration and reporting have been simplified, and NGOs are allowed to establish their branches as legal entities. However as in the case of Kyrgyzstan, notwithstanding a new and improved legal text, implementation remains a problematic issue. The International Centre for Not-For-Profit Law (ICNL) in Uzbekistan reports that NGOs are still being registered according to the procedures in the previous law. In addition, an unwritten rule of so-called 'letters of support' exists. Each organization applying for registration must obtain a letter of recommendation from a governmental organization or institution working in the relevant field (e.g. gender, environment or youth) explaining how the activities of the particular NGO will contribute to that field.

2.4 THE ROLE AND RESPONSIBILITY OF LOCAL NGOS

The break-up of the Soviet Union and the creation of new States, encouraged and assisted by the international community to introduce democratic changes, helped underline the important role played by active non-governmental organizations in the democratization process as potential intermediaries between the population and decision-makers.

Assistance to non-governmental organizations has been included in most international programmes to aid and support the promotion of democracy in the last decade. This international attention has greatly contributed to a positive surge in NGO activities. In Georgia, for instance, a group of law students became involved in the legislative reform process in the early 1990's as part of their Degree course. This group later formed an association which, assisted by Western funding, has been offering legal

advice to the public, including advice to other NGOs on how to interpret the NGO legislation, how to apply for tax benefits, how to qualify for grants, etc. This represents a very good example of how local initiative groups have taken on the responsibility of helping strengthen civil society in their own country.

Unlike Western democracies, where civil society has gradually formed over many years, the new political environment and increased possibilities for international support have resulted in very rapid development of the NGO sector, based on criteria which were quite different from what existed under the Soviet Union only a few years before. In many countries, this has had a very positive effect on raising awareness of the human rights situation. At the same time, however, the rapid creation of many new NGOs has also had its problems.

Many new actors had little experience of the role and responsibilities of non-governmental organizations in emerging democratic societies. Encouraged by the breakdown of the Soviet structure and international support to promote Western-style democracy, local human rights defenders began to comment on State affairs and voice criticism. In some cases, their lack of experience meant that some NGOs began addressing existing problems in a highly critical manner, which did little to change some governments' perceptions of independent NGOs as political enemies of the State. From being in a position of more or less total control of civil society, some governments regarded the new critical attitude adopted by many NGOs as a threat. This effect was exacerbated by governments' sensitivity to critique as a result of political instability and struggling economies. In some cases this has made governments unwilling to develop plans or take action to promote civil society.

The influx of international aid, which helped establish many new NGOs as implementing partners in international assistance programmes, has also had some unfortunate results. The new-found possibilities for funding have in a few cases led to the establishment of NGOs solely to seek donor funding. Furthermore, international attention has in some cases also resulted in a divisive competition for funds within the NGO community. Instead of undertaking joint efforts to lobby for common causes and co-ordinate their strategies to achieve common goals, much energy has been spent on developing parallel projects.

3. THE OSCE APPROACH

Assistance to promote civil society and support activities by the growing NGO community has been an increasingly important issue for the OSCE in recent years as a tool to further democracy and human rights in its participating States. The main OSCE institution dealing with the human dimension, the Office for Democratic Institutions and Human Rights (OSCE/ODIHR) has, since 1997, developed assistance programmes for each of the countries in the Caucasus and Central Asia. Assistance to civil society is one of the main pillars of these programmes.

Furthermore, the recent decisions to establish OSCE representation in all countries across the Caucasus and Central Asia have greatly contributed to expanding the OSCE's contacts with local NGO communities. Such presences in the field provides the OSCE with a direct link to activities taking place on the ground, and this contact with NGOs is essential for monitoring the development of democracy and the fulfilment of OSCE commitments in the different countries. For this reason, all the OSCE missions and field activities have staff member(s) responsible for the human dimension, including establishing and maintaining contacts with NGOs. The ODIHR co-operates closely with these human dimension officers in their work to promote civil society.

3.1 THE ODIHR STRATEGY

With the restructuring and expansion of the ODIHR in 1997, the Office launched a more comprehensive approach to project implementation. The countries of the Caucasus and Central Asia were defined as priority regions. New assessments were conducted and programmes were designed to offer technical assistance in a variety of fields to support democratization, in place of *ad hoc* projects and seminars. National authorities, local NGOs, international organizations and OSCE missions were all consulted during the preparation phase.

In order to ensure full government support during the implementation of these programmes, the different projects were pulled together and signed as agreements, or so-called Memoranda of Understanding (MOUs). The first MOU was signed with Uzbekistan in October 1997, and in 1998 MOUs were prepared and signed with the Presidents of Armenia, Azerbaijan and Georgia, and with the Foreign Ministers of Kazakhstan and Kyrgyzstan. In 1999, an MOU was also signed with the Government of Tajikistan. In Turkmenistan, the signing of an MOU is still pending, partly because questions remain as to the role of NGOs in the implementation of some of the intended projects. The empowerment of civil society is an element of each MOU.

In working to promote civil society, the ODIHR has been focusing its priorities on two methodologies. The first seeks to encourage a new dialogue between state officials and representatives of local NGOs on different human rights issues. This approach has been implemented in particular in the countries of Central Asia, where interaction between the State and NGO sectors has been very limited up to now. The second focuses on using experienced NGOs to raise public awareness of important changes in society, mostly in the legislative field. This methodology was included in

MOUs signed with countries in the Caucasus, where a variety of specialized NGOs already exists.

- Fostering dialogue between the State and NGO sectors

Recognizing that it takes time to establish trust and partnership in countries where independent NGOs were previously an unwanted element of society, the ODIHR has focused on encouraging the gradual development of a culture of consultation between the authorities and civil society. In a series of meetings over the last few years in Kazakhstan, Kyrgyzstan and Uzbekistan, State officials and representatives of local NGOs have been invited to discuss the impact of government policies in selected areas under the auspices of the OSCE. During these meetings NGOs have had the opportunity to ask direct questions to the responsible authorities, and have been encouraged to offer practical recommendations for future action.

The objective of this strategy is to gradually change the government perception of civil society actors, from regarding NGOs as merely unconstructive critics to recognizing NGOs as natural partners, who should be offered a consultative role in the decision-making process based on their competencies.

In Kazakhstan this approach has worked well. For example, during three NGO-Government meetings in three different regions of Kazakhstan in 1999, discussion of issues relating to the prevention of torture was on the agenda. This was the first time this sensitive topic had been debated in such a forum. Under the OSCE's auspices, representatives of local human rights NGOs met with officials from the Presidential Administration, the General Prosecutor's office, the Supreme Court and the Ministries of Interior and Justice to discuss prison conditions, penitentiary reform and how to combat illegal methods of interrogation and investigation in Kazakhstan. Despite the sensitivity of the issue, the meetings were characterized by a very constructive dialogue between the government agencies and the NGOs, and resulted in a list of recommendations for follow-up action. Ultimately, the ODIHR hopes that this dialogue between Governments and NGOs will become institutionalised.

Maintaining an independent role in society and enabling NGOs to raise human rights issues in a convincing manner depends in part on the professional qualities of local NGOs. In order to strengthen the monitoring and reporting capacities of local human rights NGOs, the ODIHR and the OSCE Liaison Office in Central Asia have recently launched a new training programme for NGOs in Uzbekistan. The project aims to develop co-operation and co-ordination among local human rights activists and improve their information sharing, thereby contributing to increased impact from lobbying.

- Raising public awareness of human rights

With accession or impending accession to the Council of Europe all three countries of the South Caucasus are gradually reforming their legal frameworks to meet Council of Europe standards. However, increased legal protection of citizens' rights ultimately

depends on the implementation of the reformed legislation and the awareness of citizens on how the reforms should improve the domestic human rights situation.

Recognizing the expertise of local NGOs, the ODIHR seeks to involve NGOs as key partners for raising awareness of human rights issues. In a series of public awareness projects, the ODIHR has focused on promoting human rights through informing the public of new legislation in selected fields, commenting on the laws' conformity with international standards and explaining how they protect the rights of the population.

In Armenia, the ODIHR has implemented one such project under the MOU. Here, the project involved a series of television programmes, each explaining how rights of particular groups in society are protected by national legislation. All the programmes were produced in the Armenian language, and have been broadcast at prime time on Armenian state television. In 1999 five topics were covered: the rights of the disabled, the rights of detainees, the rights of women, the rights of refugees, and the rights of prisoners.

In the design and implementation phase, local NGOs were consulted and provided valuable input based on their field of expertise. The ODIHR contracted an Armenian NGO to act as co-ordinator for the project in-country, whose main tasks included drafting the script with the involvement of relevant local actors, and supervising the filming and editing processes. The airing of the programmes on State television allowed them to reach a wide audience across the country and the producer of the programmes was ultimately awarded a prize for the best investigative journalism of 1999 by the Yerevan Press Club. All the programmes have since been made available on video for distribution to schools, community centres, etc. for educational purposes.

3.2 GRASS-ROOTS PROJECTS

Outside the framework of the MOUs, where a set of larger projects are designed to be implemented during a defined timeframe, the ODIHR decided in 1999 to allocate a part of its project budget to so-called grass-roots projects. As a result of increasingly close co-operation with OSCE missions and field activities, the ODIHR also began receiving requests from the field to support various small-scale projects designed by local NGOs. Such activities are regarded as highly positive and complementary to the MOU programmes, particularly to the civil society assistance projects.

Since 1999, OSCE missions and field activities can now apply for support including funding of up to EUR 5000 for small-scale human dimension projects that include support for, and involvement of local NGOs. The grassroots projects are national and local initiatives identified by OSCE field presences aimed at advancing particular aspects of human rights and democracy. The projects may deal with the rule of law, NGO development, human rights education, advancing the human rights of women, etc. Preference is given to projects that include local partners in implementation and strengthen their capacity to make sustained contributions to human rights and democracy. The ODIHR supports approximately a dozen grassroots projects per year in the Caucasus and Central Asia.

One example of such a project was ODIHR support for an NGO co-ordination conference in Kyrgyzstan that gathered together representatives of 170 non-governmental organizations from all regions of the country to provide a framework for the development of civil society in Kyrgyzstan. Support through the grass-roots fund enabled the NGOs to work out a strategy for their role in local communities and co-operation with local and central authorities as well as for co-operation among themselves.

3.3 CO-OPERATION WITH LOCAL NGOs WORKING IN THE HUMAN DIMENSION

Most ODIHR democratization projects include an NGO element. By involving local NGOs in its projects, the ODIHR seeks to build local capacities and increase the professionalism of domestic actors, aiming to help NGOs become more self-sustainable and independent of international support. For example, the assistance provided to establishing national human rights institutions and ombudsman offices always involves making them accessible to the public and may include training domestic NGOs in how to approach these institutions. Without an active civil society, such institutions would not in reality function properly. The following are some examples of ODIHR co-operation with NGOs in specific human dimension issues.

- Gender

NGO co-operation and capacity building is a key element of ODIHR gender projects. Government and NGO co-operation aimed at increasing the role of NGOs in the development and implementation of policies relating to gender equality and women's rights has been developed through joint strategy meetings, for example on domestic violence in Azerbaijan. ODIHR's Gender Unit also works to provide leadership, network building and advocacy training to NGO leaders. This furthers co-operation amongst NGOs, and promotes the development of effective strategies to increase the political participation of women. In addition education, awareness raising and legal literacy projects on gender and women's rights for target groups in the population use skilled NGO representatives as trainers. The role of NGOs and local partners in project design, implementation and evaluation has been maximized. NGO partners work as advisory and working group members on projects and conduct training. NGO capacity is being used to systematically provide education on gender equality and women's rights in regions outside national capitals.

- Trafficking in Human Beings

In Kazakhstan, the ODIHR has supported the prevention work of one NGO that has been active in education and raising public awareness about trafficking. In Kyrgyzstan, NGOs were consulted during a research project implemented by the International Organization for Migration in collaboration with the ODIHR. As a result of this research, there is greater awareness of the problem in the country and one priority for future action will be to strengthen the capacity of NGOs to address the root causes of trafficking and to provide direct services to victims.

- Rule of Law

Almost all rule of law projects involve local NGOs in some capacity. Such involvement ranges from local NGOs being invited to workshops to having a local NGO as one of the sponsors of a workshop or seminar. The goal is to build the capacity of the local NGOs so that they can monitor governmental activity, particularly in such fields as torture prevention, criminal justice and prisons.

For example, a local Kazakh human rights NGO is currently co-sponsoring a prison service training project along with the Ministry of the Interior. Local NGOs in Central Asia are the focus of a project on visiting places of detention. When conducting legislative review projects NGOs are generally involved in the initial information gathering phases and also in the round tables that are held after the review has been completed.

- Migration/Freedom of Movement

Most of ODIHR's Migration/Freedom of Movement unit's projects involve NGOs. In Southern Caucasus, ODIHR is working with NGOs specializing in improving the legal situation of Internally Displaced Persons (IDPs) and increasing awareness among IDPs of their rights. In Kazakhstan, the Migration/Freedom of Movement Unit co-operated with a local NGO in organizing a round table on freedom of movement. As a result of the round table, representatives of the Government of Kazakhstan expressed receptiveness to abolish the requirement of exit permissions for citizens wishing to travel abroad.

3.4 INTEGRATION OF NGOS INTO THE OSCE PROCESS

In some transition countries local NGOs still depend heavily on the initiative and support of their Western donors. To increase their confidence, professionalism and independence, and thus eventually help them design, present and implement their own professional projects, it is important for NGOs to establish strong links with their partners in other regions, as well as with major NGO networks with many years of experience.

Regular OSCE meetings on the human dimension represent one forum for increased networking among NGOs and with Governments and international organizations from different regions. The bi-annual OSCE Review Conferences and Human Dimension Implementation Meetings, the annual Human Dimension Seminars in Warsaw and the thrice yearly Supplementary Human Dimension Implementation Meetings in Vienna, have all in recent years been characterized by increasing NGO involvement.

Some OSCE participating States and international donor organizations operating in the field have contributed to increased participation of NGOs from the Caucasus and Central Asia at recent meetings, by providing funding for their travel to human dimension meetings in Warsaw and Vienna. OSCE missions and field activities are able to approach NGOs working in the relevant fields and inform them of upcoming

meetings, and assist them in obtaining visas and arranging their travel in co-operation with the ODIHR. For example, at the Human Dimension Supplementary Meeting on Gender Issues in Vienna in June 1999, a large contingent of women's NGOs from Central Asia participated and contributed to its success by sharing their first-hand experiences with the other participants, and by presenting valuable recommendations on how to enhance the role of women in Central Asia.

At the same time, the recently introduced practice of guaranteeing NGOs equal access to the list of speakers at OSCE meetings, instead of allowing them to speak only towards the end, has contributed to more lively discussions and has focused increased attention on the concerns voiced by NGOs. The ODIHR also seeks to facilitate increased networking by providing opportunities for NGOs to undertake joint lobbying. During large OSCE events, special office space is designated exclusively for NGOs, enabling them to prepare and co-ordinate their statements. In addition, NGOs are encouraged to organize side-meetings to informally discuss key human rights issues with government delegations, international organizations and other NGOs. More and more often, State delegations see the human dimension meetings as an opportunity to approach NGOs and get updated information on the human rights situation in specific participating States.

4. LESSONS LEARNED

As a result of international attention over the last decade, a large number of NGOs have been established to help implement international assistance programmes. Some of these have already ceased to exist, but many others have acquired organizational skills and are becoming increasingly self-sufficient. Furthermore, the degree of civil society development varies considerably across the region. Governments in the Caucasus and Central Asia have, since their independence, applied different policies towards NGOs, and some States have created more favourable conditions for the NGO community than others.

The OSCE has the necessary elements in place to give valuable support to the development of civil society. The organization has a high degree of flexibility and an ability to adjust to changing circumstances. Furthermore, the combination of presence in the field and the experience of the OSCE's autonomous institutions has the potential to offer targeted projects and ensure efficient implementation.

- Presence in the field

The NGO community is rapidly evolving in a number of CIS States. As a result of international funding possibilities, and the newly-learned skills on how to organize and qualify for these funds, new NGOs are established on a regular basis. Keeping track of this growth is difficult for small OSCE centres with few staff to monitor developments in all human dimension areas and even harder to follow the development of new NGOs. On top of this, the centres are increasingly involved in trying to implement local development projects.

The human dimension officer in the field is the direct contact-point with the OSCE for local NGOs. However, the NGO portfolio is just one of the many included in the broad mandates of the OSCE missions/field offices and these offices have limited staff. Still, the responsible officers should be prepared and trained to work with NGOs. On a number of occasions in recent years, new mission members have not been informed of their specific tasks before deployment, which limits their ability to prepare properly. Not all mission members have experience of working with NGOs, and many may wish to establish contacts with major international NGOs active in their countries of destination, for example the International Helsinki Federation, Amnesty International and Human Rights Watch.

Although conditions for civil society development vary from country to country, there are a number of challenges which remain the same. To date there has been little regular contact between the OSCE human dimension officers deployed in the five Central Asian States, and between the officers in Armenia, Azerbaijan and Georgia, to exchange experiences and identify ways of addressing similar problems and formulating a more coherent approach to regional issues.

- Project implementation

The ODIHR in co-operation with OSCE field presences should assess the reliability of potential local partners. In this context, it is important to ensure that the experience of departing field staff is transferred to newly deployed human dimension/NGO officers.

There are positive examples of improved co-operation among NGOs in several fields. Women's NGOs, for instance, have been very successful in establishing networks in many countries across the region, and are working together to lobby for women's rights and to improve the situation for women in their societies. In Uzbekistan, the OSCE Liaison Office has initiated the creation of an NGO network. A series of meetings among NGO leaders from different regions of Uzbekistan has resulted in the establishment of an Assembly of NGOs and Initiative Groups. Within this framework, local NGOs have agreed to work jointly towards achieving common goals. This strategy could also be initiated in other countries.

The strategy of fostering dialogue between government officials and representatives of NGOs aims to gradually change government perceptions of civil society actors. It seeks to achieve this by creating mechanisms for the two sectors to discuss joint action to address existing problems relating to the human rights situation. Examples from Central Asia illustrate common obstacles in this process. For example, the OSCE has encountered several problems regarding the unwillingness of some governments to accept the participation of unregistered NGOs. In Uzbekistan, the refusal of the Government side to allow unregistered NGOs to take part in the NGO-Government meetings weakened the impact of this project, as the most experienced human rights organizations were prevented from participating.

- Human Dimension Meetings

The OSCE has traditionally taken an inclusive approach to NGO involvement in major OSCE events including the bi-annual Review Meetings which has led to an ever-increasing participation by NGOs both in numbers and in the substance of the discussions and recommendations. NGOs are invited to take an active part in Human dimension seminars and supplementary meetings including as introducers and keynote speakers and have access to speakers' list on a equal basis with Government representatives. This policy of openness toward NGO participation is rare among major international organizations and is regarded as a very positive development which has enriched discussions on the human dimension.

5. RECOMMENDATIONS FOR FUTURE OSCE ACTION

- Commitments

Given OSCE commitments guaranteeing freedom of assembly and association, participating States should declare their firm support for the efforts undertaken by independent NGOs. In this context, the 2000 Vienna Ministerial Conference should:

1. address the question of domestic NGO registration,
2. reiterate the OSCE principle of openness towards NGOs and
3. declare that no NGOs or human rights defenders should be prevented from taking part in activities organized by the OSCE due to restrictions in national legislation.

- Human Dimension meetings

The OSCE's traditionally inclusive approach toward NGO participation in OSCE Human Dimension meetings should be continued and the OSCE should ensure the participation of at least a small number of NGO representatives from the Caucasus and Central Asia by establishing a fund to cover travel and accommodation costs to the meetings.

- NGO Legislation

The OSCE should encourage the adoption of regulatory frameworks for NGOs which comply with OSCE commitments and monitor their implementation.

- Networking

The ODIHR and OSCE missions/field offices should facilitate networking between:

1. Regional NGOs and those based in the capital,
2. Local and International NGOs and
3. Local NGOs and Government.

All OSCE field presences should organize regular meetings with local NGOs to inform them about OSCE activities and about how the organization aims to support civil society. Such meetings would also provide an opportunity for local NGOs to discuss how to approach issues of common concern. In addition, NGOs should be encouraged to exchange information about their own activities and plans in order to increase transparency within the community and prepare the grounds for joint action.

Where relevant, OSCE missions and field activities could offer to be a co-ordinating framework for international organizations working to increase interaction with local NGOs in the countries where they are active.

- Building local capacities

The ODIHR and OSCE missions/field offices should, through grass-roots projects or other activities, seek to integrate a variety of different NGOs in their work. The OSCE should pay particular attention to newly-established NGOs and aim to enhance their capabilities by including them in OSCE activities, instead of only co-operating with well-established and traditionally reliable NGOs.

The ODIHR should institutionalize the co-operation with local human rights NGOs in its monitoring activities. In order to assist in building local capacities, local NGOs should be encouraged to provide the ODIHR with regular reports on the human rights situation in the relevant country.

- Promoting dialogue between State and NGO sectors

The OSCE should continue to facilitate the development of a culture of consultation between the authorities and NGOs, in order to promote representatives of civil society as partners in decision-making processes.

With the assistance of the ODIHR and with input from other international organizations, OSCE missions and field activities should regularly inform local and national authorities of the positive results of their co-operation with NGOs.

The OSCE should assist governments in developing mechanisms for using NGOs to raise public awareness on human dimension issues.

- Institutional co-operation

Heads of OSCE missions and field activities should identify the portfolio of all new mission members before their arrival in the field. This would give every human dimension/NGO officer an opportunity to prepare him/herself in advance. Future human dimension/NGO officers could for instance request a meeting with the International Helsinki Federation in Vienna in conjunction with their briefings at the OSCE Secretariat.

Officers responsible for NGO issues in the OSCE offices in Baku, Tbilisi and Yerevan should meet regularly to discuss problems and strategies, as should the corresponding officers in Almaty, Ashgabad, Bishkek, Dushanbe and Tashkent. Except where such co-ordination meetings are requested by the OSCE Secretariat, the ODIHR could take responsibility for initiating regular meetings of this kind.