

Institutions

Office for Democratic Institutions and Human Rights (ODIHR)

The Office for Democratic Institutions and Human Rights is the main institution for the OSCE's human security dimension, a broad security concept that includes: the protection of human rights; the development of democratic societies, with emphasis on elections, institution-building and governance; strengthening the rule of law; and promoting genuine respect and mutual understanding among individuals as well as nations.

The ODIHR also promoted tolerance and non-discrimination, through seminars, educational programmes on the Holocaust and by addressing a data deficit on hate crimes.

The ODIHR has more than 125 employees from 29 of the 56 OSCE participating States. Ambassador Christian Strohal, an Austrian diplomat, has headed the ODIHR since March 2003.

To help ensure democratic elections, the ODIHR deployed some 2,700 observers to 15 election observation or assessment missions in both new and long-standing democracies this year. The Office also supported efforts to increase the diversity of observers from across the OSCE region.

To support States' efforts to combat racism, anti-Semitism and discrimination, the ODIHR launched a new online information system that provides data, legislation and best practices for combating hate and xenophobia.

The ODIHR maintained a training programme for officials and civil society. Some 100 staff members from OSCE field operations were given in-depth briefings on human dimension issues, and numerous training courses were conducted for government

officials and members of civil society on issues ranging from anti-trafficking to trial monitoring.

The ODIHR helped prepare and follow up on OSCE meetings and conferences in the human dimension area, including the annual *Human Dimension Implementation Meeting* in Warsaw, the largest human rights conference in Europe, with about 1,000 participants from governments, international organizations and NGOs.

In addition to maintaining its regular publications programme, the ODIHR prepared a report on strengthening the effectiveness of the OSCE entitled *Common Responsibility: Commitments and Implementation*. The report, written in response to a specific task from the 2005 Ministerial Council and in consultation with



Ballot boxes in Minsk during the 19 March presidential election in Belarus



Residents of the capital, Minsk, register to receive ballots at a polling station during the 19 March presidential election in Belarus.

Election observation and assessment missions

Country	Type of Election	Date	Type of Mission
Canada	Parliamentary	23 January	Assessment
Belarus	Presidential	19 March	Observation
Ukraine	Parliamentary	26 March	Observation
Italy	Parliamentary	9-10 April	Assessment
Azerbaijan	Repeat parliamentary	13 May	Limited observation
Montenegro (Serbia and Montenegro)	Referendum	21 May	Observation
the former Yugoslav Republic of Macedonia	Parliamentary	5 July	Observation
Montenegro	Parliamentary	10 September	Observation
Bosnia and Herzegovina	General	1 October	Observation
Georgia	Municipal	5 October	Limited observation
Latvia	Parliamentary	7 October	Limited observation
Bulgaria	Presidential	22 October	Assessment
Tajikistan	Presidential	6 November	Observation
United States	General (mid-term)	7 November	Assessment
Netherlands	Parliamentary	22 November	Assessment

all participating States, contains a number of conclusions and recommendations for follow-up.

Elections

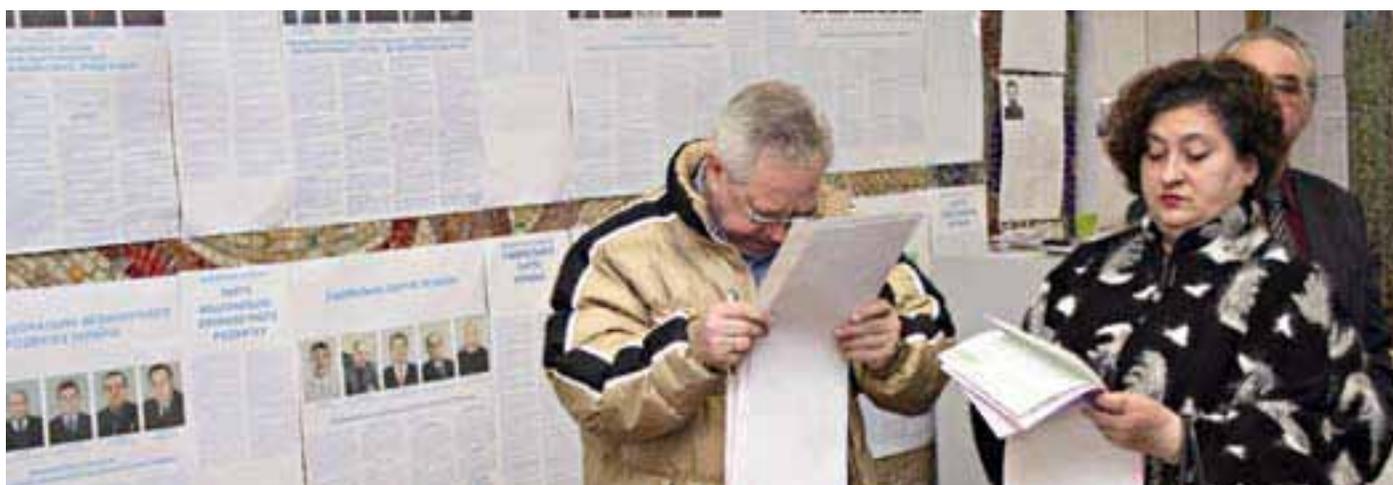
The ODIHR deployed more than 2,700 observers to ten election observation missions and five election assessment missions. To enhance the geographic composition of missions, 70 short-term and 28 long-term observers were financed through the ODIHR's Fund for Enhancing the Diversification of Election Observation Missions. This voluntary fund was established in 2001 to ensure participation of nationals from 19 participating States not in a position to regularly second individuals for ODIHR observation missions.

The ODIHR fielded five election support teams to help field operations monitor the following electoral events, to which an observation or assessment mission was not deployed: parliamentary by-elections in Kyrgyzstan, municipal by-elections in Ukraine, municipal elections in south Serbia and Azerbaijan and the gubernatorial election in Gagauzia, Moldova.

Election law reform and reviews. Thirteen legal reviews of electoral law, prepared together with the Council of Europe's Venice Commission, were published in 2006. These reviews, financed by a voluntary fund established by the ODIHR in 2001, contained recommendations on how to bring legislation into line with OSCE commitments.

Follow-up and implementation of recommendations. While follow-up is first and foremost the responsibility of States, the ODIHR supports these efforts, especially in response to signalled interest from the States concerned. In 2006, follow-up activities were conducted in Albania, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Serbia and the United Kingdom. These activities included reviews of election legislation, roundtables, conferences and expert discussions.

Emerging challenges. The ODIHR continued to identify challenges to the conduct of democratic elections, including those related to new election technologies and procedures. Electronic voting systems must maintain the same standards and principles as traditional systems of voting, especially as regards transparency, secrecy of the vote and accountability.



Voters examine their ballot papers as they stand next to lists of candidates during the Ukrainian parliamentary elections in Kyiv on 26 March.



A detachable screen at a Vienna, Virginia, polling station during the U.S. mid-term elections on 7 November.

OSCE/Urdur Gunnarsdottir



Law Professor Daniyar Kanafin speaks at the OSCE/ODIHR Summer School on Criminal Justice, in Almaty on 7 August.

OSCE

The ODIHR conducted an expert study of e-voting systems during local elections in Belgium in October. The purpose was both to increase knowledge of how such systems work in practice and to consider effective means of observing e-voting. Similar exercises were conducted during the assessment missions to the United States of America and the Netherlands.

In July, the ODIHR organized a meeting for e-voting experts and its election department on *Observation of Electronic Voting* to discuss the challenges of observing an electronic voting process and to identify areas in which the ODIHR's observation methodology could be developed to take into account the increasing use of new technologies in elections.

Methodology. Since its first *Election Observation Handbook* was published in 1996, the ODIHR has regularly updated the *Handbook* to take into account new challenges and experiences gained over more than a decade of observation. In 2006, the ODIHR worked on developing guidelines related to observation of voter registration processes and media monitoring during observation missions.

Training. The ODIHR launched a training programme for election observers to help ensure a common approach in the implementation of the ODIHR's methodology. The first training course was held in November at the OSCE Academy in Bishkek for short-term observers from 19 countries. The Office also continued to support national efforts, training Austrian, German, Norwegian and Russian observers to participate in election missions.

Democratization

In 2006, the ODIHR became the focal point for the implementation of the OSCE-Council of Europe *Co-operation Agreement on Local Government Assistance in South East Europe*, and supported the Belgian Chairmanship in its priority area, reform of criminal justice systems.

Rule of law. Criminal justice reform was at the top of the ODIHR's agenda this year for promoting the rule of law. At the *Human Dimension Seminar* in May, participants discussed challenges facing criminal justice systems across the OSCE area and shared

experiences from their jurisdictions. Participants concluded that threats to security, such as organized crime, required adequate responses from law enforcement agencies, but that these responses must not come at the expense of due process and the guarantee of a fair trial. Co-operation and exchange of best practices were deemed essential to the promotion of institutional and legislative reforms.

The ODIHR hosted 25 criminal justice practitioners from Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan at a Summer School on Criminal Justice in Almaty in August. Participants discussed how Central Asia could benefit from the experience of other OSCE countries in reforming their criminal justice systems. The use of degrading and inhuman treatment by law enforcement agents is a clear sign of a failing criminal justice system. The ODIHR continued to promote preventive mechanisms such as public monitoring of places of detention, and support States' efforts to improve their capacity to investigate allegations of mistreatment. A conference in May on the prevention of torture, organized with the Mission to Moldova, highlighted the need for reforms and discussed practical recommendations for policy makers.

In its function as a depository of best practices, the ODIHR has begun to compile a trial-monitoring reference manual based on OSCE experience, notably in the field operations in South-eastern Europe. The manual highlights the lessons learned from these activities.

The ODIHR supported practical seminars and training courses for defence lawyers in Kazakhstan, Kyrgyzstan, and South-eastern Europe. In addition, the Office facilitated policy-oriented debates on reform of the defence bar across Central Asia and the South Caucasus.

Legislative support. The ODIHR continued to provide expert assistance to participating States in their efforts to develop legislation that complies with OSCE commitments. The Office commented on numerous legislative acts concerning human trafficking, gender equality, extremism, police reform, freedom of association, political parties and freedom of assembly.

Methodologically, the ODIHR encourages local ownership of initiatives and follow-up activities to foster inclusive and transparent legislative processes. In Ukraine, for example, the ODIHR

and the Office of the Project Co-ordinator in Ukraine carried out a review of the *Law on Prevention of Domestic Violence*, which was followed by a roundtable organized by the authorities and attended by civil society organizations. Amendments to improve this law are being drafted.

The ODIHR is developing guidelines for legislation on freedom of assembly. A nine-person panel is overseeing the drafting, which involved consultations with national experts at four roundtables in Almaty, Belgrade, Tbilisi and Warsaw. The guidelines will provide legislators with a practical toolkit that incorporates the views and good practices of a variety of OSCE States.

The ODIHR maintains a legislative database (www.legislationline.org) that helps legislators identify good practices and observe patterns in legislative activity across the OSCE area. The database is currently being expanded to include materials on legislative processes and is being translated into Russian.

Democratic governance. The ODIHR continued to carry out its task of developing a methodology for improving legislative processes, as defined at the 2004 *Human Dimension Seminar*. The focus in 2006 was on ways to improve procedures and practices of preparing, drafting, adopting, publishing, communicating and evaluating legislation. The Office reviewed the transparency and inclusiveness of existing legislative frameworks and proposed remedies for the risks and gaps identified.

Following a pilot assessment of the legislative process in Georgia in 2005, the ODIHR and the Mission to Georgia continued to assist the Georgian parliament in managing its own reform process through the Centre for Parliamentary Reform. Similar assessments will be conducted in Kyrgyzstan, the former Yugoslav Republic of Macedonia, Moldova and Ukraine.

The methodology for the self-assessment of political parties, developed by the ODIHR in 2005, was piloted in Georgia in 2005 and 2006. The project resulted in a publication entitled *The Political Landscape of Georgia*. Based on research conducted by the Netherlands Institute for Multiparty Democracy, the ODIHR and the Caucasus Institute for Peace, Development and Democ-

racy, this publication contains a comprehensive analysis of the political party situation in Georgia and recommendations for its improvement.

Based on these findings, the ODIHR conducted workshops in Georgia for political parties' regional party politics, strategic planning and party funding. The workshops included training of trainers and the development of toolkits. The ODIHR is also developing a web-based tool on party programmes for citizen outreach.

In a related effort to strengthen democratic practices through local means, the ODIHR is co-operating with the Institute for Public Policy in Bishkek to increase local capacity for political research and analysis in Kyrgyzstan. They are training research fellows, helping organize internship exchanges with foreign think tanks and building the Institute's resources through a new library and added journal subscriptions.

Participation of women in democratic processes. The ODIHR conducts country-specific programmes in the South Caucasus and Central Asia aimed at increasing women's participation in democratic processes. In 2006, the Office's priorities included promoting co-operation between government and civil society at the national and local levels, building capacity and expertise in civil society and government structures, developing women's leadership, integrating gender-equality aspects into policy-making and preventing and combating domestic violence.

The ODIHR supported the Women's NGO Coalition, which organized activities throughout Georgia aimed at increasing women's political participation in local governance. The Coalition worked with women candidates to promote gender equality as an integral part of their electoral platforms and to raise awareness among the electorate of issues related to intra-party democracy and women's political participation. Out of a total of 1,734 district or municipal seats, 197 (11.36 per cent) were won by women.

In Azerbaijan, the ODIHR conducted a programme designed in co-operation with the Austrian Federal Police to provide training for the heads of police departments from 24 regions of the country. Follow-up workshops were held at the district and department levels in these regions. The ODIHR also assisted with the development of training materials on domestic violence for Azerbaijan's Police Academy.

Migration and freedom of movement. The ODIHR continued its programmes on protection of the human rights of migrants and migrant workers and development of effective migration policies in a number of OSCE States, in addition to launching new initiatives based on tasks received from the 2005 Ministerial Council.

In order to facilitate dialogue and co-operation between participating States, the ODIHR co-organized several workshops for senior government officials from countries of origin, transit, and destination of migrants as well as international migration experts.

In April, the ODIHR, in co-operation with the Centre in Almaty, the UN Educational, Scientific and Cultural Organization (UNESCO)



Marianne Mikko, an Estonian Member of the European Parliament, at an ODIHR conference on the institutional development of political parties, in Tbilisi on 17 March.

OSCE



OSCE/Urdur Gunnarsdottir

Participants at the Human Dimension Implementation Meeting in Warsaw on 10 October

Almaty Cluster Office and the Office of the Co-ordinator of OSCE Economic and Environmental Activities, launched a research project aimed at assisting with the development of migration policy in line with OSCE commitments in Kazakhstan.

The ODIHR assisted Albania with expert advice for the modernization of Albania's civil registration system and the implementation of the country's address system.

Human Rights

Anti-trafficking. Central to the ODIHR's anti-trafficking work is the promotion of the human rights of trafficked persons and those vulnerable to exploitation and abuse. The protection of victims of trafficking was a prominent topic at the *Human Dimension Implementation Meeting* in October.

The ODIHR encourages participating States to establish multi-agency National Referral Mechanisms as an effective means of identifying, protecting and assisting victims of trafficking. In order to promote compliance with OSCE commitments and Referral Mechanism standards, the ODIHR conducted assessments in 2006 in Belarus, France, Kazakhstan, Kyrgyzstan, the former Yugoslav Republic of Macedonia, the Russian Federation, Spain and the United Kingdom.

The ODIHR works to ensure that trafficking issues are taken into account in other programmes. In September, for example, a regional roundtable held in Tirana aimed to involve Roma associations in anti-trafficking work. The ODIHR also began working with migrants' rights organizations to formulate strategies for promoting and protecting the rights of those who are vulnerable to being trafficked.

Human rights and the fight against terrorism. The ODIHR helps participating States ensure that their counter-terrorism strategies are consistent with their human dimension commitments and international human rights standards.

The training courses on human rights and counter-terrorism for senior public officials that began in 2005 were continued this year, with courses for officials from Serbia and Kazakhstan held in June and September in Belgrade and Astana, respectively.

To supplement these courses, the ODIHR has been developing a manual on human rights protection in counter-terrorism, which is expected to be published in 2007.

In March, the ODIHR held a workshop on solidarity with victims of terrorism in Onati, Spain. In November, the ODIHR, together with the UN Office of the High Commissioner for Human Rights, hosted a technical workshop in Liechtenstein on human rights and international co-operation in counter-terrorism.

The ODIHR also produced research papers on human rights and combating terrorism and related offences, solidarity with victims of terrorism and protecting human rights while combating the use of the Internet for terrorist purposes.

Human rights training and education. A training programme developed by the ODIHR for NGOs working in the field of human rights was implemented in Armenia and Tajikistan. In October, participants met in Ukraine for a follow-up course that taught them the skills necessary to train others.

In February, the ODIHR concluded its training of NGOs from Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan in monitoring pre-trial detention centres. The final part of this training course was a session on writing monitoring reports and a regional seminar for NGOs and government representatives on preventing human rights abuses in places of detention.

The ODIHR continued to conduct quarterly human dimension courses for OSCE staff. To date, the ODIHR has trained more than 240 staff members from all the field operations.

Human rights and the armed forces. The ODIHR launched a programme on human rights and the armed forces, based on the premise that armed forces personnel will be more likely to uphold human rights in the discharge of their duties if their own human rights are protected in the institutions in which they serve.

The ODIHR and the Geneva Centre for Democratic Control of the Armed Forces collaborated on the preparation of a handbook on the human rights of armed forces personnel. Due to be published in 2007, the handbook will provide examples of how military structures can ensure respect for human rights while taking into account the realities and necessities of defence and military security. In this context, the ODIHR and the Geneva Centre organized two roundtables on issues related to the human rights of armed forces personnel. The first was held in September in Berlin and focused on the importance of the 'citizen in uniform' concept as a means of safeguarding the rights and freedoms of armed forces personnel. The second was held on military unions and associations in October in Bucharest.

Women and security. The ODIHR, in conjunction with the Mission to Bosnia and Herzegovina and the Gender Equality Agency of the Ministry for Human Rights and Refugees of Bosnia and Herzegovina, conducted a project on the implementation in South-eastern Europe of UN Security Council Resolution 1325, the main international instrument for promoting women's right to participate in the prevention and resolution of conflicts, peace-building and post-conflict reconstruction. The project included

two regional roundtables in March and September in Sarajevo that resulted in a plan for the regional implementation of the resolution.

In September, the ODIHR and the UN Development Fund for Women in the Commonwealth of Independent States organized a roundtable in Almaty on the implementation of Resolution 1325 in Central Asia. Government representatives and NGOs made recommendations on how to implement the Resolution, including the creation of a mechanism for interaction between civil society and a regional network of interested actors.

The ODIHR supported the Moldovan authorities throughout the year in their drafting of legislation to combat domestic violence. This involved organizing a study tour to Romania for officials and NGO representatives, a series of expert review meetings, meetings with the Parliamentary Committee leading the drafting process, as well as a regional event gathering key players including both civil society and government representatives and experts from Ukraine and Romania to discuss Moldova's draft law and to share experiences.

Death penalty. The ODIHR monitors developments regarding the death penalty in all 56 participating States, with the aim of facilitating exchanges of information, increasing transparency and encouraging compliance with international safeguards. The Office's annual review, *The Death Penalty in the OSCE Area*, which includes essays from five participating States on their experience in the use of the death penalty, was released at the *Human Dimension Implementation Meeting* in October.

The ODIHR supported the efforts of a human rights group in Uzbekistan that conducted awareness-raising activities among the general public on abolition of the death penalty.

Trial monitoring. The ODIHR concluded its trial-monitoring projects in Kazakhstan and Kyrgyzstan. Reports will be prepared for the governments of both countries and will include recommendations for improving their criminal justice systems.

National human rights institutions and human rights defenders. In recognition of the crucial role played by independent national human rights institutions and the difficulties faced by human rights defenders in many situations, the ODIHR, in response to a recommendation made at the *March Supplementary Human Dimension Meeting*, established a focal point for national human rights institutions and human rights defenders, and developed a programme of activities for 2007 in this area.

Tolerance and non-discrimination

Combating hate crime. One of the major difficulties in combating hate crime is the lack of accurate statistics. Having identified gaps and deficiencies in the collection of hate crime data, the ODIHR developed tools, including working definitions and a police reporting form, to support States' efforts to improve data collection and legislation related to hate crime.

A meeting on *Addressing the Hate Crime Data Deficit* was held in Vienna in November, allowing practitioners to share their exper-



Law enforcement officials listen during a seminar on responding to hate crimes, organized by the ODIHR and the French Gendarmerie in Paris from 11 to 13 December.

tise. This resulted in the creation of a network of experts who will be available to support States wishing to develop methodologies for collecting data on hate crime.

In October, the ODIHR launched its Tolerance and Non-Discrimination Information System (<http://tnd.odihr.pl>), which provides access to action plans, statistics, legislation and information on initiatives from participating States and organizations.

The ODIHR issued its first report on *Challenges and Responses to Hate-Motivated Incidents in the OSCE Region* for the period January to June 2006. This marked the ODIHR's first effort to provide an overview of trends pertaining to hate-motivated incidents, focusing on examples provided by OSCE participating States.

The ODIHR's *Law Enforcement Officer Programme on Combating Hate Crime* was implemented in Croatia in 2006, resulting in an increased awareness of the need to address the issue of hate crime and to co-operate closely with affected communities. As a follow-up measure, Croatia's Interior Ministry decided to integrate hate crime training into the national police training curriculum. In November, the ODIHR conducted a needs assessment in Poland with respect to future implementation of the programme. In December, the ODIHR organized a training-of-trainers seminar in Paris that provided an overview of the programme for police and prosecutors from 14 countries.

Freedom of religion or belief. The ODIHR's 60-member Advisory Panel of Experts on Freedom of Religion or Belief, which serves as an advisory and consultative body to OSCE States in their efforts to advance religious freedom, provides legislative assistance to individual States and also comments on specific cases. The Panel responded to requests for legislative reviews from six participating States in 2006, the former Yugoslav Republic of Macedonia, Tajikistan, Ukraine, Serbia, Albania and Romania.

The Panel also initiated a project to develop guidelines on teaching religion at state schools in the OSCE region in order to promote increased awareness and tolerance of religious diversity among youth.

Mutual respect and understanding. The ODIHR co-operated with international organizations, institutions and experts,

especially with the International Task Force on Holocaust Education, Research and Remembrance, on the development of tools for educators. Suggestions for Holocaust memorial days were developed together with Yad Vashem, Israel, and 12 national experts and are available in ten languages. Country-specific teaching materials on anti-Semitism were also developed for seven OSCE States by the ODIHR, the Anne Frank House in Amsterdam and national experts. These materials have been tested in schools and will be available for the next school year.

The ODIHR compiled and assessed information on strategies and initiatives for promoting respect for diversity in formal education systems throughout the OSCE region. The conclusion of the assessment was that long-term strategies to include the topic of diversity in formal education are sorely lacking. Development of curricula and teacher training were identified as key areas to remedy this situation.

The ODIHR also contributed to an organization-wide effort to support the UN *Alliance of Civilization* initiative.

Building the capacity of civil society. The ODIHR organized preparatory roundtables for NGOs prior to three tolerance implementation meetings in Almaty, Dubrovnik and Vienna.

The ODIHR continued to support the efforts of NGOs to address, monitor and report on hate crime and violent manifestations of intolerance. The ODIHR's focus was on strengthening NGO networks throughout the OSCE region. For example, the ODIHR supported the establishment of a complaints bureau on Internet hate speech in Slovakia, thus broadening the scope of activities of the International Network against Cyberhate, an Amsterdam-based civil society network.

In May, the ODIHR and the Personal Representative of the Chairman-in-Office on Combating Intolerance and Discrimination against Muslims convened a roundtable to discuss measures to discourage stereotypical and prejudiced representations of Muslim communities in public discourse. Participants underlined the need for regular training for journalists on reporting on diversity-related issues, particularly on Muslims and Islam. Participants also stressed the role political leaders can play to increase the representation of Muslim communities in political discourse.

Contact point for Roma and Sinti issues

A number of States took steps to rid their societies of anti-Roma bias, both by adopting legislation to combat discrimination and by establishing institutions to enforce such legislation. Some countries have also developed national strategies to improve the situation of Roma and related populations.

The ODIHR facilitates reviews and assessments of the implementation of the *Roma Action Plan*. The Contact Point for Roma and Sinti Issues has been particularly active in this area, using conferences and other events to reassert commitments on Roma-related issues, distribute documentation related to the situation of Roma throughout the OSCE region and to facilitate the participation of Roma and related groups in these events. The ODIHR was involved in several initiatives in 2006 in an attempt to determine how international organizations can better co-ordinate their Roma-related efforts. It participated, for example, in the international conference *Implementation and Harmonization of National Policies for Roma, Sinti and Travellers: Guidelines for a Common Vision* hosted by the Romanian government in Bucharest. The focus of this initiative, which involved the combined efforts of several international organizations, was to examine successful joint measures to improve the living conditions of Roma, Sinti and Travellers and to make recommendations where more progress is needed.

In 2006, the ODIHR sent a questionnaire to all participating States to elicit feedback on initiatives that had been launched under the *Action Plan*, as well as on challenges that States have faced in attempting to implement it. The Office is preparing a report that analyses the information received as part of a broader effort to develop a methodology for reviewing and assessing implementation of the *Action Plan*.

The ODIHR used the occasion of the *Human Development Implementation Meeting* to discuss this methodology with interested partners. The Office shared lessons learned from its review of the implementation of Poland's and Romania's national strategies on Roma. During the meeting, the ODIHR also facilitated a number of side events on particular issues addressed by the *Action Plan*, including gender issues, policing in multi-ethnic societies, formalizing informal settlements, facilitating Roma integration into labour markets and policies concerning Roma, Ashkali and Egyptians within the framework of the settlement of Kosovo's political status.

Revised unified budget: €13,303,600
www.osce.org/odihhr

High Commissioner on National Minorities (HCNM)

Armed conflict between States over territory or economic resources has diminished in the OSCE region in recent decades, but conflict generated by internal tensions between different groups within States has been on the rise. Friction over ethnicity, religion or language, often in the context of majority-minority relations, has flared into violence.

To respond to this challenge, the CSCE, the forerunner to the OSCE, established the post of the High Commissioner on National Minorities in 1992. The High Commissioner's role is to provide early warning and take appropriate early action to prevent ethnic tensions from developing into conflict. His mandate describes him as "an instrument of conflict prevention at the earliest possible stage".

The OSCE High Commissioner on National Minorities is Rolf Ekeus of Sweden. He took up his duties on 1 July 2001.

Throughout the year, the High Commissioner continued to promote dialogue, confidence and co-operation among OSCE participating States on tensions involving national minority issues, and sought to contain and de-escalate majority-minority frictions in individual participating States.

He also continued work on thematic issues which affect inter-ethnic relations throughout the OSCE region, such as policing and integration policy.

In February, the High Commissioner presented the fifth set of recommendations elaborated under his auspices by internationally recognized independent experts, namely the *Recommendations on Policing in Multi-Ethnic Societies*. The Recommendations establish a detailed roadmap for building trust and confidence between police services and persons belonging to national minorities. They provide States with practical guidance for policy makers, police, national minority communities and NGOs on how

to approach policing and address the issue of police-minority interaction in multi-ethnic settings across the region.

The High Commissioner also addressed the thematic issue of finding the right balance between integration and respect for diversity. This concept is central to the growing debate on integration in many participating States. With a view to illuminating it, the High Commissioner commissioned an extensive study on integration policies in diverse societies. He presented this study, which covers the policies of seven Western democracies together with his own analysis, at the July session of the OSCE Parliamentary Assembly in Brussels.

The study found parallels between the High Commissioner's aim and approach and those followed by the countries included in the study. The High Commissioner considers this balanced approach and the need to develop more inclusive societies as relevant for all diverse societies regardless of whether this diversity



South Kyrgyzstan: police-minority communication is vital for community safety

OSCE/Medimir Kiyusha



Central Asian States agreed to co-operate on minority education issues at the conference sponsored by the High Commissioner in Tashkent, Uzbekistan.

OSCE

stems from relatively recent immigration or from the long historical multi-ethnic character of a State.

The High Commissioner was particularly active in Central Asia over the year. His work in 2006 culminated in a regional ministerial conference entitled *The Challenge of Educational Reform in Multi-ethnic Central Asia* held in Tashkent, Uzbekistan, in November. At the conference, the States of Central Asia decided to establish an institutionalized process for future dialogue to promote practical co-operation on curriculum and textbook development, language teaching, teacher training, in-service training, distance learning and information technology. The agreement reached at the conference will help the States address common challenges in the modernization process of their educational systems – including minority education – as well as in the integration of communities that have ethnic and cultural ties with neighbouring countries.

Country Reports

Croatia. The High Commissioner met representatives of the Government and minorities and discussed issues related to the implementation of the constitutional *Law on the Rights of National Minorities* during a visit to the country in April. Together they looked at proportional representation in the state administration and the judiciary, the tendency of ethnic separation of students in a number of schools in eastern Slavonia and issues related to refugee returns to Croatia. The High Commissioner found some improvement in the area of refugee returns and was encouraged by steps taken to address the separation of students in eastern Slavonia. He stressed to authorities the importance of promoting further integration in the area of education and implementing the *Law's* provisions in the area of minority representation in the judiciary and the administration.

Georgia. During a November visit, the High Commissioner noted increased Government attention towards minorities. The Government informed him that it had taken numerous measures to improve the social and economic situation in the regions of Samtskhe-Javakheti and Kvemo-Kartli, which are mostly populated by Armenian and Azeri minorities, respectively. The Government renovated dozens of schools and kindergartens and reconstructed many roads. In municipal elections, ethnic minorities received election-related information in their mother tongue



A Georgian-language lesson in the region of Samtskhe-Javakheti, which is mostly populated by an Armenian minority

and the Central Election Commission set up a toll-free hotline operating in six languages to answer the public's inquiries. The High Commissioner welcomed these positive developments and encouraged the Government to ratify the *European Charter for Regional and Minority Languages* and to develop its law on national minorities – two important commitments made by Georgia upon its accession to the Council of Europe.

The Government welcomed the High Commissioner's conflict prevention and civic integration activities in Georgia, in particular his projects in the regions of Samtskhe-Javakheti and Kvemo-Kartli. In 2006, in addition to the eleven projects already being implemented in the Samtskhe-Javakheti region, the High Commissioner launched six projects in Kvemo-Kartli which replicate the successful activities underway in Samtskhe-Javakheti. Within the framework of the *Management of Inter-Ethnic Relations* Project alone, for example, 225 civil servants from Kvemo-Kartli attended seminars aimed at increasing the sensitivity of civil servants to their multi-ethnic society and provided training in effective management of inter-ethnic relations. In Abkhazia, the High Commissioner completed the first phase of his project *Teachers for Understanding*, which aims at enhancing the skills of Georgian- and Abkhaz-language teachers and at building confidence between the two communities, including teachers. The language-teaching methodology seminars carried out during the first phase of the project reinforced the instructional skills of approximately 100 teachers working in 33 schools of Abkhazia.

Kazakhstan. The High Commissioner advised the authorities on the best ways to reinforce the role of the State language while also respecting the linguistic rights of national minorities. Within the framework of his ongoing co-operation with the Committee on Languages, the High Commissioner hired a consultant in June to develop recommendations for the authorities focused on effective methodological support of a sustainable State language acquisition system for the adult population of Kazakhstan. The recommendations, which were presented to the authorities in Astana, will serve as the basis for discussion on further co-operation between the High Commissioner and the Committee on Languages.

Kyrgyzstan. The High Commissioner worked closely with the Ministry of the Interior on enhancing co-operation and communication between the police service and persons belonging to national minorities. The High Commissioner and the Minister of the Interior signed a memorandum of understanding under which human resources departments were assigned the function of minority focal points. This followed up on a successful conference entitled *Modernizing Police and Promoting Integration: Challenges for Multi-Ethnic Societies*, organized with the Ministry of the Interior and with the support of the OSCE Strategic Police Matters Unit in June. The co-operation with the Ministry of the Interior also included training programmes in the management of sensitive inter-ethnic relations in southern Kyrgyzstan.

In the field of education, the High Commissioner assisted authorities in implementing the *2004 Report and Recommendations of the Working Group on Integration through Education* and supported the related activities of the Multi-cultural Education Sector of the Ministry of Education, Science and Youth Policy.

Latvia. The High Commissioner focused on issues surrounding education reform and the naturalization process during a visit to Latvia in April. He continued to stress the need to ensure that the quality of education does not suffer as a result of the implementation of education reform. The High Commissioner welcomed the establishment, in October 2005, of the State Agency for Evaluation of General Education Quality. Furthermore, he underlined the need to make all necessary material and training available, and to carry out sufficient quality checks in the schools in question at regular intervals. The number of non-citizens in Latvia remains high and the High Commissioner urged the authorities to accelerate the naturalization process in the country. He also stressed the need for the government to pay special attention to non-citizens who find it difficult to meet the present naturalization requirements, especially the written language test, due to their age or education. He also recommended the allocation of additional resources and funds to the Naturalization Board to enable it to handle the growing number of applications in an orderly and timely manner.

During the period under review two experts commissioned by the High Commissioner completed a *Practical Implementation Guide* for the state language inspectors of Latvia. The Guide will assist the State Language Centre and the language inspectors to achieve a balanced and effective implementation of the *State Language Law*, taking account of relevant national and international legislation.

The former Yugoslav Republic of Macedonia. The High Commissioner followed developments at South East Europe University, established to provide ethnic Albanian students with high-quality academic education in a multi-ethnic educational environment. Since its founding, it has significantly improved ethnic under-representation in higher education in the country with total enrolment exceeding 5,000 students, 75 per cent of whom are ethnic Albanians.

In 2006, the High Commissioner concluded the *Transition Year Project*, which sought to increase the number of ethnic Albanian students admitted to state universities in Skopje and Bitola. The project, which ran over nine years, provided intensive preparation courses for examinations in 13 subjects in the Macedonian language for Albanian-speaking pupils in their fourth year of secondary school. Throughout its implementation, seven high schools located in mainly ethnic Albanian areas in the country and about 1,000 students took part. In some schools, up to 88 per cent of the student body participated. The High Commissioner plans an in-depth evaluation of the *Project's* impact in early 2007.

In 2006, three seminars were organized in Ohrid, Resen and Struga in support of the *Project*, one of the High Commissioner's most ambitious. They were designed to encourage ethnic Albanian teachers to network with one another and to take part in ethnic sensitivity training.

Moldova. In March, the High Commissioner visited Chisinau for meetings with senior government officials as well as representatives of civil society and the media. He also travelled to the autonomous region of Gagauzia where he has been supporting a language-training project for civil servants of Gagauz and

Bulgarian origin. Because the High Commissioner believes that a strong command of the State language is the key to national minorities' successful integration into mainstream society, many of his projects in Moldova focus on language teaching and training. The High Commissioner decided to continue the successful Gagauz project for another year in order to better address the needs of the local population, especially of those employed in public service. In addition to the language training, the High Commissioner intends to launch a media project together with Moldovan schools of journalism. The project's aim is to assist lecturers in developing and delivering a course on balanced reporting, covering issues such as identity, ethnicity, inter-group relations and conflict.

Montenegro. On 10 May, prior to the referendum on independence, the Parliament of the Republic of Montenegro adopted the *Law on Minority Rights and Freedoms*. The High Commissioner had been actively involved in the preparation and drafting of the law since its 2003 inception. The adopted version of the law is considered compatible with generally accepted international standards, though some issues will require further clarification in the course of its application and implementation.

Following a referendum on independence and September elections, Montenegro has begun to draft a Constitution. The High Commissioner is following this process closely to help ensure that appropriate minority rights are enshrined in that document.

Serbia. The High Commissioner highlighted several issues related to the integration of national minorities in the areas of the judiciary, police and education during visits to Belgrade in January and September. He assisted in promoting co-operation and integration in the education system in south Serbia and encouraged authorities to ensure adequate representation of national minorities in the judiciary to help them comply with their obligation to provide bilingual court proceedings in areas where national minorities reach a specified threshold.

Regarding Vojvodina with its unique ethnic diversity, the High Commissioner emphasized the need to respond in a timely manner to inter-ethnic incidents, in order to prevent tensions rising in the province due to a lack of proper reaction from law enforcement bodies. While some progress has been made, the High Commissioner encouraged the authorities to continue to take a pro-active stance in order to make further improvements.

During his visit to Belgrade, the High Commissioner also sought support for his engagement to promote reconciliation in Kosovo.

Kosovo. The High Commissioner sought ways to provide assistance to international efforts in support of minority rights and to promote improved relations between communities during a visit to Kosovo in February and September.

In October in Stockholm, Sweden, he launched a process intended to support a long-term, structured and systematic approach to seeking truth and achieving reconciliation in Kosovo. The goal of the initial meeting was to establish a common language which could be used to discuss reconciliation and issues of transitional justice. The participants included high-ranking

members of political parties from both the Kosovo Albanian and Kosovo Serbian communities as well as members of civil society, opinion makers, educational leaders, representatives of the media and members of family associations.

Uzbekistan. The High Commissioner resumed his dialogue with Uzbek authorities on matters pertaining to his mandate in the area of national minority issues during a November visit. He informed himself about the situation of national minorities in Uzbekistan and discussed ways in which he could assist Uzbekistan in the further integration of its ethnic communities with respect for their educational, linguistic and other rights.

Romania. The High Commissioner co-operated with the Romanian authorities on a number of legislative initiatives concerning national minorities. He provided a detailed analysis of the draft Law on the Statute of National Minorities in Romania, which Parliament is currently discussing. He also commented upon the draft Law on Romanians Abroad and designated experts from his office to take part in the public debate on the draft legislation organized by the Foreign Ministry.

The High Commissioner supported a Romanian-Ukrainian initiative to set up a joint monitoring mission that would look into the situation of Romanian minorities in Ukraine and Ukrainian minorities in Romania. He endorsed this initiative as a positive example of bilateral co-operation in the sphere of minority protection, appointing two members of his staff to take part in the monitoring mission and assist the Governments. The first phase of the monitoring was successfully completed in October and November and a follow-up is scheduled for spring 2007.

Turkmenistan. As part of the ongoing dialogue with the authorities in Ashgabad, the High Commissioner met the country's leadership during a March visit and focused on ensuring the rights of national minorities in the multi-faceted process of nation-building unfolding in the country. During his trip, which included a visit to the Lebap region in the north, he also discussed the situation in the field of education as well as the programme of resettlement for some members of minority communities located in the northern border areas.

Turkey. The High Commissioner travelled to Ankara in December, following up on previous visits aimed at creating a dialogue with Turkish authorities.

Ukraine. The High Commissioner raised issues of inter-ethnic relations in Crimea and the integration of Crimean Tatars into Ukrainian society during an October visit. The discussions focused on problems in the areas of housing, infrastructure, employment and education as well as with regard to the land property rights of Crimean Tatars. The High Commissioner will be exploring ways to help address the complex issue of language education in Crimea. A balanced approach meeting the educational needs of all communities is of utmost importance for inter-ethnic harmony. Considering the peculiarity of the multi-ethnic peninsula the High Commissioner will also seek to initiate a dialogue in Crimea on international standards and best practice in the area of policing, based on the recently published *Recommendations on Policing in Multi-ethnic Societies*.

During the second half of the year, the High Commissioner launched a project on the management of inter-ethnic relations in Crimea. The project will involve training seminars for local civil servants and representatives of local ethnic communities with the aim of promoting mutual tolerance, trust and co-operation.

In addition to the situation in Crimea, the High Commissioner addressed issues of minority and language policy in Ukraine during his visit. A particular priority is the amendment of minority-related legislation. The High Commissioner continues to provide assistance to Ukrainian authorities in their efforts to bring legislation and practice into line with European standards.

Revised unified budget: €2,766,700
www.osce.org/hcnm

Representative on Freedom of the Media (RFOM)

The youngest of the specialized OSCE institutions, the Representative on Freedom of the Media was formally established in 1997 following a decision taken at the 1996 Lisbon Summit. Recognizing freedom of expression as a basic human right, the Representative's mandate is to ensure free, independent and pluralistic media in the participating States.

His primary tasks are to:

- observe relevant media development in OSCE participating States to provide early warning on violations of freedom of expression; and
- in close co-operation with the Chairman-in-Office, assist participating States by advocating and promoting full compliance with OSCE principles and commitments regarding freedom of expression and free media.

The second Representative on Freedom of the Media took up his position in March 2004. A writer and former dissident, Miklos Haraszti was one of the founders of the Hungarian Democratic Opposition Movement.

The Representative's office in Vienna has some 15 employees.

The right to freedom of expression and freedom of the media continued to be under threat worldwide, including in the OSCE region. Journalists were harassed, arrested, insulting publications criminalized, newspapers and television stations closed down and Internet sites blocked. And, despite the more than 15 years that have passed since far-reaching political change took place in Eastern Europe, the transition from State media to public service broadcasting remained a challenge.

Sadly, threats and even killings remained an intimidation to the media in the OSCE region. The murder in October of Anna Politkovskaya, who in 2003 received the OSCE Prize for Journalism and Democracy, was a tragic example. The Representative

repeatedly urged the authorities in the OSCE participating States to track down the killers, not only for the sake of justice but also to protect journalistic freedom.

The controversy over cartoon depictions of the prophet Mohammed dominated the agenda of the Representative for much of 2006. Conferences were held in Warsaw, Vienna and Budapest to address the issue of the responsibility, particularly in relation to religious freedom, which goes hand in hand with freedom of the press. Participants identified ways to foster tolerance and understanding and counter hate speech without endangering freedom of expression.



The cartoon controversy and media freedom issues were discussed at a media conference in Vienna on 13 and 14 July.



Ali Dilem, cartoonist with the Algerian daily *Liberte*, during his presentation on artistic depictions and media freedom at an OSCE media conference in Vienna on 13 and 14 July.

Another topic of concern in quite a number of countries, especially in Western Europe and in the United States of America, was the searching of news outlets and the imprisonment of journalists who refused to identify their sources after publishing allegedly classified information.

Country reports. In addition to interventions in dozens of individual cases of violation of the freedom of the press, the Representative continued his series of assessment visits to various countries. In April, he visited Kosovo to follow up on his previous report on the March 2004 riots, and published a report on the state of media freedom in Kosovo.

The high number of media outlets is also one of the reasons for the fragility of the still nascent media environment in Kosovo. Media outlets operating at a loss are an accepted feature, and this translates into low-budget journalism of uneven quality, vulnerable to interference with editorial independence.

The Representative also published a report on the state of media freedom in Armenia after his assessment visit, which said that although Armenia has substantially improved media legislation, media pluralism remains limited to the independent, financially weak and less influential print media. By contrast, pluralistic information offered by the broadcast outlets remains limited to a few opposition voices present in some of the programmes, even though State television has been transformed into a public-service broadcaster and numerous private channels exist.

Internet. Freedom of the media on the Internet remained high on the Representative's agenda. On 30 April, a two-year project, *Guaranteeing Media Freedom on the Internet*, was completed. The project comprised the second and the third Amsterdam Internet Conferences and a new publication, *Media Freedom Internet Cookbook*, in English and Russian. As a direct result of the project, Internet issues have acquired a higher profile in the OSCE region.

A follow-up project, *Internet Governance in the OSCE Region*, was launched this year and a first workshop was held in Paris in December. A publication with practical guidelines is envisaged for the spring of 2007.

The Office also participated in workshops of the first UN *Internet Governance Forum* in Athens and is active in a dynamic coalition on media freedom on the Internet under the UN umbrella.

Access to information. There is a growing and legitimate demand in the participating States for stronger security measures. However, governments also need to respect the media's right to information of public interest. Recently, journalists have come under increased pressure because of investigative pieces that used confidential information, or for not revealing their sources. That trend threatens to weaken the media's ability to uncover and inform about wrongdoing, including corruption, undermining its role as the fourth estate.

The Representative conducted an in-depth review of existing legislation and practices in the participating States on access to information, including sanctions for publishing classified materials or for refusing to reveal journalists' confidential sources. The purpose of this study was to assess the impact of those sanctions on freedom of the media.

The Representative, who plans to present the results of this review to the Permanent Council in 2007, will report that there is a tendency among some OSCE participating States to deny journalists their right to publish confidential information. He believes the liability for disseminating unauthorized information should lie solely with the officials who were obliged to maintain the secrets. The review will include recommendations for the participating States.

Libel and defamation. Libel and insult provisions of criminal codes are often used to silence journalists and to prevent critical reporting. In February, best practices of handling defamation cases were shared during a conference in Skopje. A resolution was adopted prompting the country to abolish imprisonment as a possible punishment for defamation. The Government elaborated and approved amendments to the *Criminal Code*, which Parliament passed by unanimous vote on 10 May.

Thanks to the combined efforts of the Government, the Mission to Croatia and the Representative, the amendments to the

Criminal Code of Croatia entered into force on 28 June, dropping imprisonment as an option for punishment for defamation.

The Representative's long-term campaign against criminal defamation laws and disproportionately severe punishments in civil cases has resulted in increased understanding among governments and legislators of the need for change. A growing number of nations have actually made reforms. Seven OSCE participating States – Bosnia and Herzegovina, Cyprus, Estonia, Georgia, Moldova, Ukraine and the U.S. – have removed criminal libel and insult provisions from their penal codes. Some participating States – including Bulgaria, Croatia, the former Yugoslav Republic of Macedonia, Montenegro, Romania and Serbia – have removed imprisonment as a punishment option for defamation. The Representative has conducted this campaign in co-operation with the Council of Europe, which has also helped raise awareness of this issue within European Union institutions.

Self-regulation. The Representative continued to promote the creation of self-regulatory mechanisms by and for media professionals independent of government control in order to foster ethical standards and media quality while preserving editorial independence. His position is that such self-regulatory mechanisms, for instance codes of ethics or press councils, are more promising as instruments for the promotion of cultural respect and mutual understanding than the passage of regulatory legislation.

Hate speech and intolerance. At an international conference on hate speech organized by the Central European University and other international academic institutions in Budapest on 31 March and 1 April, the Representative initiated the special event, *Panel of Diplomats*. During the discussions, the Heads of Mission of the Russian Federation, U.S., France, Turkey and Slovakia debated their different perceptions on legitimate limitations to speech, thereby taking an important step towards the development of a common view.

Training. The Office continued its successful series of training projects, *Interaction between the media and the State press*

services. The training course aimed to teach press and public information officers new techniques of effective management of press services. The course included modules on the legal bases of interaction with journalists and an overview of international experience and practice in this sphere. The training also focused on improving journalists' professional and ethical skills.

In summer, the Office, together with the Project Co-ordinator in Ukraine, conducted an extensive training programme in several Ukrainian cities. About 150 press secretaries and journalists attended the seminars, which were held in Sebastopol, Kharkov, Donetsk and Odessa. In July, in co-operation with the Office in Baku, the Office organized a three-day training course for journalists from the main Azerbaijani media outlets as well as for spokespersons and representatives of the press services of key government bodies. The seminar was a follow-up of an earlier session held in Baku the previous year, which took place at the initiative of the Azerbaijani Foreign Minister. In September, the same workshop was held in Kazakhstan, jointly organized by the Office and the Centre in Almaty. The representatives of the official press services in Astana, including from the presidential administration, the Government and the parliament, as well as journalists from various Kazakhstani media outlets, seized the opportunity to discuss information exchange between media and the authorities. Given positive feedback from participants, the Office plans to develop the training to include self-regulation issues in 2007.

As a follow-up to the *3rd Amsterdam Internet Conference*, the Representative, together with the International Research and Exchange Board, developed an Internet training programme for young online journalists from Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan. The training courses were carried out in the summer in Osh, Kyrgyzstan and Khujand, Tajikistan, by a team of Research and Exchange Board experts. Some participants will serve as trainers in similar projects in the South Caucasus region, enhancing the training's sustainability.

Improving public access to government information at the regional level by increasing transparency and strengthening relations



IREX/Colin Guard

An OSCE-sponsored training programme for young journalists, administered by the International Research and Exchanges Board in Tajikistan, from 14 to 18 August

between the authorities and the media was the main topic of a seminar held in Almaty, Kazakhstan, in November, organized jointly by the Representative and the Centre in Almaty.

Legal assistance. Providing legal assistance to OSCE participating States is another focus of activity. During the year, the Representative commented on a number of laws or draft laws, including the Albanian *Law on State Secrets*, the Moldovan *Audiovisual Code*, proposed Irish Defamation and Privacy Legislation, the draft EU Directive on Audiovisual Media Services, the *Media Law* in Kazakhstan, draft defamation legislation in Azerbaijan and digital broadcasting legislation in Armenia.

Media conference and training event. The *Central Asia Media Conference and Training Event*, organized together with the Centre in Bishkek and conducted by the Eurasia Foundation, took place on 19 and 20 October. This year, in response to feedback from participating States and the media about changing needs, the focus was on *The Business of Media* and included practical training for local media on management issues and business skills. A similar event took place in Tbilisi on 2 and 3 November, also focusing on media as businesses.

Supplementary Human Dimension Meeting. The *Supplementary Human Dimension Meeting* held in Vienna on 13 and 14 July looked at three major challenges in the domain of freedom of the media. First, it addressed the issue of access to information, a precondition for the journalistic task of implementing the public's right to know about issues of public importance and hold government officials accountable for their words and actions. Second, a high-profile panel of speakers discussed the interrelation between artistic expression and self-regulation and respect for cultural sensitivities, especially in light of the recent cartoon controversy. Third, the last session focused on the administrative difficulties faced by independent media outlets in some participating States. Independent media can only exist if the administrative requirements *vis-a-vis* the media, be they governmental or privately owned, are applied in a non-discriminatory manner. It was agreed that such media regulations should pro-actively uphold provide relevant OSCE commitments and provide for a legal environment that allows journalists to carry out their work without fear of physical or administrative reprisal.

Co-operation and networks. In order to carry out its enormous task of monitoring the media situation in all 56 participating States, the Office has over the years developed a close network of co-operation throughout the OSCE region with: other international organizations; international, regional and local NGOs; and journalists and press associations. This network guarantees the Representative's capacity to respond swiftly to any violation of freedom of the media and to be ahead of current legislative proposals and other developments in the region's media landscape.

The Representative met with parliamentarians of different countries, including members of the Parliamentary Assembly and the European Parliament. He continued to co-operate closely with the Council of Europe and UNESCO and strengthened his contacts with European Institutions. His Office participated in the first UN *Internet Governance Forum* and a series of other national and international meetings.

At year-end, a Joint Statement condemning violence against journalists and urging increased self-regulation was issued by the Representative, the United Nations Special Rapporteur on Freedom of Opinion and Expression, Ambeyi Ligabo, the Organization of American States Special Rapporteur on Freedom of Expression, Ignacio J. Alvarez and the African Commission on Human and Peoples' Rights Special Rapporteur on Freedom of Expression, Faith Pansy Tlakula.

Revised unified budget: €1,133,800
www.osce.org/fom