



the MAX VAN DER STOEL award
2007

Commemorative book

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High Commissioner on National Minorities

the Netherlands Ministry of Foreign Affairs

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MAX VAN DER STOEP, FIRST OSCE HIGH COMMISSIONER ON NATIONAL MINORITIES, 1992-2001

Max van der Stoel Award

The Award of €50,000 named in honour of Mr. Max van der Stoel – a prominent Dutch statesman and the first to hold the position of OSCE High Commissioner on National Minorities – was established by the Netherlands Ministry of Foreign Affairs in 2001. It is awarded biennially to an individual or an institution in recognition of extraordinary and outstanding achievements aimed at improving the position of national minorities in the OSCE participating States



Award Winners

- | | |
|------|---|
| 2003 | Latvian Centre for Human Rights and Ethnic Studies, Riga, Latvia |
| 2005 | Memorial Historical, Educational, Human Rights and Charitable Society, Moscow, Russian Federation |
| 2007 | European Roma Rights Centre, Budapest, Hungary |

Max van der Stoel

Max van der Stoel was appointed as the first High Commissioner on National Minorities of the Organization for Security and Co-operation in Europe (OSCE-HCNM) in 1992. He served an unprecedented eight and a half years in this post. Born in 1924, van der Stoel is a senior statesman with a long and distinguished career. As well as being twice Minister for Foreign Affairs of the Netherlands (1973-1977 and 1981-1982), he held seats in both the upper and lower houses of the Dutch Parliament. He was also a member of the European Parliament (1971-1973) and the North Atlantic Assembly (1968-1973, 1978-1981) as well as the Council of Europe Consultative Assembly and the Western European Union Assembly between 1967 and 1972. Between 1983 and 1986 he served as Permanent Representative of the Netherlands to the United Nations and in 1992 was appointed by the UN Commission on Human Rights as Special Rapporteur on Iraq.

Van der Stoel became familiar with the work of the Conference on Security and Co-operation in Europe (CSCE later OSCE) in his roles as Foreign Minister during the Helsinki consultations from 1973 to 1975, as Chairman of the Netherlands Helsinki Committee for several years and as the Netherlands head of delegation during the CSCE conferences on the human dimension in Paris, Copenhagen and Moscow. After several renewals of his mandate as OSCE-HCNM, he was succeeded by Swedish diplomat Mr. Rolf Ekéus in July 2001.

In 1999 van der Stoel was awarded the Order of the Golden Lion of Nassau; the first citizen of the Netherlands to receive the award since 1919. He was also appointed Chairman of the Working Table on Democratization and Human Rights for the Stability Pact for South-Eastern Europe in the same year. Several honorary doctorates have been awarded to him; including the Cleveringa Chair at Leiden University and the Max van der Stoel Human Rights Award at the University of Tilburg is named in his honour.



2007

Account of 2007 Award Winner's activities

(AT DATE OF PRESENTATION)

The European Roma Rights Centre (ERRC) is an international public interest law organization engaging in a range of activities aimed at combating anti-Romani racism and human rights abuse of Roma. The approach of the ERRC involves, in particular, strategic litigation, international advocacy, research and policy development, and human rights training of Romani activists. Since its establishment in 1996, the ERRC has endeavoured to give Roma the tools necessary to combat discrimination and win equal access to government, education, employment, health care, housing and public services. The ERRC works to combat prejudice and discrimination against Roma, and to promote genuine equality of treatment and equality of respect.

Since its inception in 1996, the ERRC has increased public awareness of the human rights situation of Roma in Europe as an issue of major public concern and insured that it has become a high priority on the European human rights agenda. The Centre has exposed and condemned the systemic abuse of Roma rights in a number of countries, including EU member states as well as former USSR countries and former Yugoslavia, and has furthered effective access to justice for Roma and the redress of human rights violations. Other activities include, the campaigning for justice for victims of coercive sterilizations, for school desegregation and adequate housing, and for the adoption and implementation of comprehensive anti-discrimination laws.

The ERRC has published many highly relevant reports and policy documents on Roma issues, including the European Union policy paper "Roma in an Enlarged European Union" published in October 2004 by the European Commission, the "Roma Rights Quarterly" and several Country Reports. It operates within an informal network of human rights and Roma organizations and is a co-operating member of the International Helsinki Federation for Human Rights. The ERRC has consultative status with both the Council of Europe and the Economic and Social Council of the United Nations.



PRESENTATION OF THE MAX VAN DER STOEL AWARD 2007 TO VERA EGENBERGER AND DZAVIT BERISA OF THE EUROPEAN ROMA RIGHTS CENTRE. FROM L. TO R. THE INCUMBENT OSCE HIGH COMMISSIONER - KNUT VOLLEBAEK, ERRC RESEARCH AND PUBLICATIONS OFFICER - DZAVIT BERISA, THE NETHERLANDS MINISTER OF FOREIGN AFFAIRS - MAXIME VERHAGEN, ERRC EXECUTIVE DIRECTOR - VERA EGENBERGER, MAX VAN DER STOEL AND THE OUTGOING HIGH COMMISSIONER - ROLF EKÉUS.

The grounds on which the 2007 Award was made

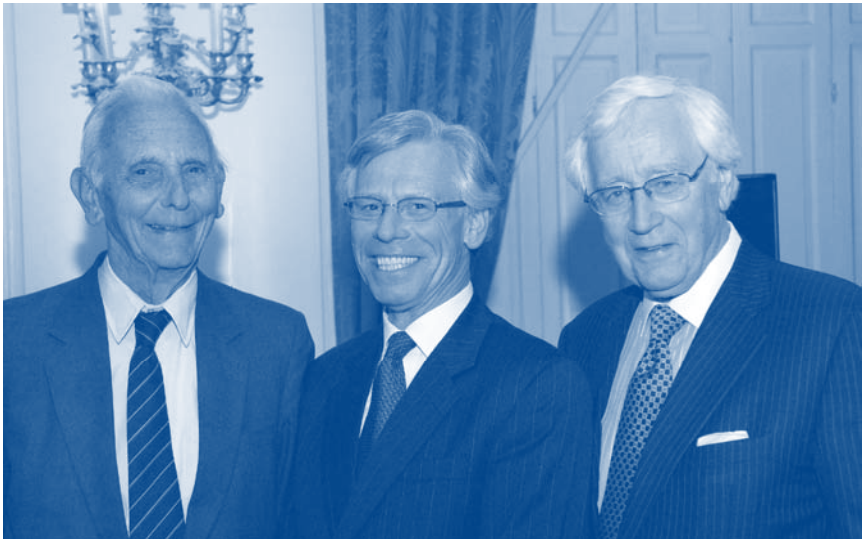
The Jury has decided to grant the Max van der Stoel Award to the European Roma Rights Centre for its long-term commitment to combating discrimination against Roma and its commendable efforts to attract attention to this pressing problem facing Europe as a whole.

The ERRC will receive the Max van der Stoel Award for its achievements in over a decade of hard work on a topic that should neither be overlooked nor forgotten. The question of Roma integration is as crucial and relevant today as it was a decade ago, and will continue to be one of the major challenges facing Europe in the field of protection of rights and integration of national minorities.

Transcript of Opening Address - 16 OCTOBER 2007
by Mr. Knut Vollebaek,
OSCE High Commissioner on National Minorities

Mr Minister, Excellencies, Ladies and Gentlemen,

It is a great pleasure for me to welcome you all to "Het Spaansche Hof" and the third presentation of the Max van der Stoel Award. A special welcome to Ms. Vera Egenberger and Mr. Dzavit Berisa representing this year's awardee, the European Roma Rights Centre, and to the Foreign Minister of the Netherlands, Mr. Maxime Verhagen who will present the prize to the laureate. We are also happy to have the former prize-winners represented in the audience this evening.



I am particularly honoured to welcome my two predecessors, Minister of State Max van der Stoel and Ambassador Rolf Ekéus.

Mr. Max van der Stoel certainly needs no introduction to any of you in this room. The Award we present today is a fitting tribute to his achievements, which are too numerous to name individually in this short speech. His unrelenting commitment to peace and justice for all, as well as his unyielding efforts to protect and strengthen these values during his career spanning more than sixty years, are well known. In particular, we are grateful for the almost nine years during which he set up, shaped

and developed the institution of the OSCE High Commissioner on National Minorities (HCNM). Taking on the job of Europe's fireman, in a turbulent period when ethnic conflicts were flaring up throughout the OSCE region, was a daunting task indeed.

I still vividly remember working with High Commissioner van der Stoel during my term as Chairman-in-Office of the OSCE in 1999. What impressed me most was his extraordinary aptitude for identifying and addressing those areas and issues where a discreet but firm intervention with the appropriate interlocutors could make a crucial difference in promoting peace and security in Europe. The main instrument of the HCNM is the ability to establish dialogue between different groups in order to forge compromises regarding tensions involving national minority issues. This is what our mandate is all about; this is how we are able to go about our task preventing inter-ethnic conflicts and providing early warning and early action on potentially destabilizing situations involving national minorities.

When Ambassador Rolf Ekéus took over as HCNM, he not only continued to employ the quiet diplomacy approach for conflict prevention but further expanded it into new geographic and thematic challenges. He took up the overwhelming task of initiating a process of reconciliation in Kosovo and he examined important new thematic areas such as the role of the police in multi-ethnic societies and the integration of so-called "new minorities".

This is also an occasion for me to express my sincere appreciation to the Government of the Kingdom of the Netherlands, first of all for its unwavering support for the institution of the High Commissioner from its very inception 15 years ago, and then for establishing and generously financing the Max van der Stoel Award. The Dutch Government has played a key role in the creation of the HCNM and in the drafting of its mandate, and remains to date one of its most outspoken and loyal advocates. I am very grateful for the continued support it extends to us. I would equally like to express my appreciation to the Municipality of The Hague for the welcome it provides to my office, in this city that rightfully aspires to be the legal capital of the world.

Last but certainly not least, I would like to thank the Members of the Jury for their participation in selecting the recipient of the Award; they are:

Ms. Helle Degn, former President of the OSCE Parliamentary Assembly, Denmark
Ms. Gay McDougall, UN Independent Expert on Minority Issues, USA
Prof. Adam Daniel Rotfeld, former Minister of Foreign Affairs, Poland
Prof. Ed van Thijn, Senator, the Netherlands
Dr Valeri Tishkov, Institute of Ethnology and Anthropology, Russia

I am particularly happy that Ms. Degn and Professor van Thijn are able to be present here with us this evening.



Now, without further ado, I would like to give the floor to Mr. van der Stoel himself, to share a few of his thoughts on the role of the HCNM and the continued importance of working to prevent ethnic conflicts.

*Transcript of Statement on behalf of the Jury
by Mr. Knut Vollebaek,
Chairman of the Max van der Stoel Award Jury*

Mr Minister, Excellencies, Ladies and Gentlemen,

The OSCE's *raison d'être* is, first and foremost, its mission to prevent conflicts between and within its 56 participating States. If we do not succeed in conflict prevention, the damage that conflicts cause to people, economies and the environment can last for decades and create a huge need for post-conflict rehabilitation.



The OSCE has a comprehensive approach to security, in which the political and military dimensions of security cannot be seen in isolation from economic and environmental security and respect for human and minority rights. The dignity of the individual is central to this comprehensive approach: human rights and security are inseparable. Or, as the first High Commissioner Mr. Max van der Stoel so rightly said, “where there is injustice, there is insecurity and this in time gives rise to instability and ultimately threats to peace”. Thus, we should continually remind ourselves of the need to address injustice as well as tensions before they become a conflict.

This applies to the situation of minorities in particular. Of all of Europe's countless minority groups, the Roma and Sinti are often regarded as Europe's largest and most disadvantaged minority. We should not underestimate the internal diversity of the Roma, in terms of language, religion, culture and also social and economic circumstances. One observation is certainly justified: millions of Romani women, men and children throughout the OSCE region face discrimination and exclusion.

This exclusion extends to almost every aspect of their lives. Romani men and women face unemployment, insufficient access to education, bad housing and inadequate health care. Romani communities are often the victims of hostile perceptions of the majority. Worse still, the Roma have been victims of racist violence, direct persecution, pogroms and even extermination. During the Nazi era several hundred thousand Roma were killed. Yet this aspect of the Holocaust – which the Roma call "Porajmos" – has been virtually ignored for decades.

In the last 15 years the Roma have been particularly hard hit by the dramatic changes that occurred in Central and Eastern Europe. While the emergence of new States and their transformation to market economies, and subsequent membership in the EU, have benefited most of their citizens, this has not always been the case for the Roma. These drastic changes have sometimes actually increased the pressure on the Roma to move away from their places of residence and home countries. And while a European policy on addressing the transnational aspects of the problems of the Roma should be introduced, there should be no doubt that the primary responsibility to respect and ensure the rights of Roma falls to the governments of the individual States. Roma are their citizens as much as anybody else.

Fortunately, there have been important positive developments too. It is encouraging to note that currently the plight of the Roma is much higher on the public and political agenda than it used to be 10 to 15 years ago. The Action Plan to Improve the Situation of Roma and Sinti within the OSCE Area was a clear sign of this as Ministers of OSCE participating States in Maastricht (2003) saw an urgent need to address the deteriorating situation of Roma and Sinti in the OSCE Area. At the regional level, other positive initiatives have also emerged. In 2005 nine countries of Central and South-Eastern Europe adopted the Decade for Roma Inclusion, in which they committed themselves to improve the socio-economic status and social inclusion of Roma within a regional framework in the period 2005-2015.

Equally encouraging is the fact that in the last 10 to 15 years we have seen an increase in the dynamism and involvement of the Romani movement. The consultation with and inclusion and involvement of many different elements of Romani communities in addressing the situation of the Roma is essential not only for the legitimacy but also for the success of all policies. Without Roma participation, without the political will of States or effective mechanisms for translating words into concrete action, countless so-called "Roma-programmes" were bound to fail. At the same time, the active engagement of the Roma in social, economic and political life empowers the Roma and helps to end dependency or passivity.

Let me now turn to the Award itself. Every other year, a Jury, composed of eminent figures such as those I have already mentioned, is tasked with choosing a laureate

who has acted in the spirit of Max van der Stoel. The Award is given in recognition of extraordinary and outstanding achievements aimed at improving the situation of national minorities in the OSCE Region. In my function as Chairman of this Jury, I would like to share with you our deliberations.

This year, even though all the organizations and persons that made it onto the shortlist would have been most worthy recipients of the Award, the Jury was unanimous in its decision on the selection of the laureate. The Jury has decided to grant the Max van der Stoel Award for 2007 to the European Roma Rights Centre (ERRC) for its long-term commitment to combating discrimination against Roma and its commendable efforts to highlight this pressing problem facing Europe as a whole. The Centre is represented here tonight by Vera Egenberger, Executive Director, and Dzavit Berisa, Research and Publications Officer.

The ERRC, established in 1996, is an international public-interest law organization that has campaigned effectively for the rights of Roma through a wide range of activities at national, regional and international level. While the ERRC has successfully brought the Roma question onto the agenda of international bodies, including the European Union, the Council of Europe, the OSCE and the United Nations, it is also very active in all countries of Europe where discrimination against Roma is prevalent.

The ERRC has developed an effective and innovative range of instruments to promote and protect the rights of the Roma. They include such diverse elements as the training of Roma activists and public officials, advocacy at national and international political forums, litigation before national and international courts and awareness raising among both the Roma and the general public in many European countries.

It is this combination of international and national advocacy, on the one hand, combined with grass-roots activism, on the other, which so impressed the Jury. The ERRC receives the Max van der Stoel Award for its achievements in over a decade of hard work in an area that should neither be overlooked nor forgotten. The question of Roma integration is as crucial and relevant today as it was a decade ago, and will continue to be one of the major challenges facing Europe in the field of protection of rights and integration of national minorities.

Mr. Foreign Minister, it is now my great pleasure to give you the floor to present the Award to the winner on behalf of the Kingdom of the Netherlands.

*Transcript of Presentation Speech
by Mr. Maxime Verhagen,
the Netherlands Minister of Foreign Affairs*

Mr Vollebaek, Mr Van der Stoel, Mr Ekeus, ladies and gentlemen,

I'm delighted to be here today to present the third Max van der Stoel Award. It's an honour to present such an important award – an award that honours the work of Max van der Stoel, one of my predecessors. When he retired as the first High Commissioner on National Minorities in 2001, the Netherlands decided to create an international award bearing his name, because of his special efforts to promote human rights, his expertise and his balanced approach to minority issues. The Max van der Stoel award is presented every two years to a person, group or organisation for special services to national minorities in the OSCE area.



It is a pleasure to present the award in the company of Mr van der Stoel's eminent successors, Mr Ekeus and Mr Vollebaek. I would like to thank Mr Ekeus for his tireless efforts to promote the rights of minorities over the last six years. And I welcome Mr Vollebaek in his new position. I am pleased that someone with such a wealth of experience at the OSCE – both as Chairman-in-Office and as Chair of the Panel of Eminent Persons – will hold this post, and I wish you all the best in the years to come.

Ladies and gentlemen,

Protecting minorities is an important part of Dutch human rights policy. Promoting human rights and ensuring they are observed and respected are central concerns of my

foreign policy. Because for me, foreign policy is not about abstract ideas. It is about people, about their freedom and about their rights. Especially now, when it seems

human rights can't be taken for granted. That is why I will present a new human rights strategy to Parliament shortly.

Drawing attention to human rights is not something we do for show, but from a deep moral conviction. Human dignity, justice, freedom, mutual respect, tolerance and solidarity are the cornerstones of a civilised society. These are values that we in the Netherlands cherish, and that we seek to promote abroad. Human rights are the expression of these values. You cannot have stable, democratic and prosperous societies, that offer legal certainty, without respect for universal and indivisible rights.

The message at the heart of our human rights policy is very simple: human rights apply to everyone, everywhere and at all times. There can be no compromise on this point. Universality is a key concept in human rights. Nobel Prize winner René Cassin, speaking of the Universal Declaration of Human Rights when it was newly drawn up in 1948, underlined this in the following words:

“The other salient characteristic of the Declaration is its universality: it applies to all human beings without any discrimination whatever; it also applies to all territories, whatever their economic or political regime.”

Anyone, whether they are a Roma in Moldova, a Buddhist monk in Burma, a victim of the conflict in Darfur, a journalist in Iran or a farmer in Zimbabwe, should enjoy the same protection from the international human rights system. Because all of them are equally human. Cultural or religious differences may never be an excuse to undermine the universality of human rights.

Ladies and gentlemen,

One of the cornerstones of the human rights system is the principle of non-discrimination. It comes up time and again in all the main human rights conventions. A state should treat all its citizens equally, without discrimination on the basis of race, sex, religion or other grounds. Our own Constitution enshrines this principle. It is of particular importance to minorities, who often occupy a vulnerable position in society. The key to protecting minorities lies in equality before the law and non-discrimination.

Human rights violations often involve discrimination and intolerance towards minorities. Threats to the rights of minorities increase the risk of conflict. Adequate protection of the rights of national minorities can help to reduce tensions that may spark violence within states. In the words of Max van der Stoep:

“(...) respect for human rights, including minority rights, is the basis of peace and security. It should be no surprise, then, that the blatant and persistent disregard for

the rights of persons belonging to minorities has led to so many wars both within and between States.”

Respect for the rights of minorities is specifically included in the accession criteria for states seeking to join the EU. These criteria are rightly mentioned in the EU reform treaty.

But I see protecting minorities as more than a means to an end. We should also be moved by humanitarian considerations. In other words, guaranteeing the rights of minorities is not just in our collective interests. It is also our moral duty.

Ladies and gentlemen,

The human dimension of the OSCE involves protecting and promoting human rights, fundamental freedoms, democratic institutions and the rule of law. It is just as important for maintaining peace and stability as the two other dimensions – the economic and environmental dimension and the political and military dimension. All 56 OSCE participating States have pledged to respect democratic principles and human rights as a whole. This follows from the OSCE’s position that a failure to respect human rights can be a destabilising factor.

The importance of maintaining the OSCE as the human rights platform for the entire OSCE area cannot be over-stressed. In this respect, the role of the High Commissioner on National Minorities is paramount, because when human rights are violated, it is often minorities who suffer. The High Commissioner’s task is to identify and seek early resolution of ethnic tensions. This involves working with OSCE missions, the OSCE special representatives, OSCE institutions and the OSCE chairmanship, as well as engaging in constructive dialogue with the governments and minorities involved. For example in Kosovo the OSCE role in protecting human rights, including those of the Serbian minority, is crucial for the stability in the region. That is why the Netherlands has seconded four human rights experts to the OSCE mission in Kosovo.

Critics claim that the “West” has imposed the human dimension and applied it to the “East” in a too one-sided manner - the Russian Federation, Belarus, the Caucasus and now Central Asia. They say that OSCE activities in this field are not spread evenly across Europe and North America. May I stress that the same principles apply to the entire OSCE region. When checking that human rights and democratic principles are being upheld, we must also look west of Vienna. An integrated and balanced approach is necessary. And yet we must alas conclude that abuses concerning human rights and election processes are still more numerous east of Vienna. This has to do with the legacy of the Cold War: many East European countries simply have less experience of open, democratic societies.

However, this does not mean that we can turn a blind eye to events west of Vienna. Western Europe is experiencing growing tensions due to the presence of “new minorities”. The rights of these minorities, too, need to be protected.

It is against this background that I welcome the efforts of the three special OSCE representatives that promote tolerance and combat all kinds of discrimination. In addition, it is my view that the High Commissioner on National Minorities, in carrying out his mandate, should also take steps when the rights of new minorities are under pressure. Former High Commissioner Ekeus has taken some interesting initiatives in this respect.

The OSCE provides a bridge between countries to the east and to the west of Vienna. The Netherlands will make every effort to ensure that it continues to play this important role. But for this to happen, all the countries in the OSCE area need to be able to identify with the organisation. And concrete results need to be achieved in various fields. These include conflict prevention and resolution, promoting tolerance and the principle of non-discrimination. The OSCE is and remains a political community of shared norms and values that we wish to see reflected throughout the entire OSCE region, from Vancouver to Vladivostok.

Ladies and gentlemen,

It is time to present the third Max van der Stoep Award, which this year goes to the European Roma Rights Centre in Budapest. The presence of some eight million Roma in Europe transcends the East-West debate within the OSCE. For the Roma live both west and east of Vienna.

What the Roma share – throughout Europe – is their often segregated and marginalised position in society. The European history of the Roma and Sinti peoples has been marked by persecution, repression and expulsion.

For many years, now, the European Roma Rights Centre has done excellent work to safeguard the Roma’s human rights. It does this through publicity, active lobbying, legal support and monitoring of countries and regions. The Centre also draws attention to abuses to enable a quick and effective response.

In recent years many OSCE countries have made progress in protecting the rights of Roma minorities. European antidiscrimination directives have been made law in all the new member states. At Maastricht, during the Dutch OSCE Chairmanship in 2003, the ministers adopted an Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area.

And yet the Roma still suffer discrimination in many countries, both in and outside the EU. According to a recent OSCE Status Report, racism and discrimination against

Roma have increased during the last 15 years in the OSCE region. This applies in particular to racially motivated crimes, social and economic rejection and new forms of hostility such as (cyber-) hate speech. This is a matter for grave concern. It makes the work of the European Roma Rights Centre all the more relevant. That is why I am pleased that I will shortly be presenting the European Roma Rights Centre with the Max van der Stoep Award. May I congratulate its representative!

Ladies and gentlemen,

It is time to conclude and to present the award. Respect for human rights – including the rights of minorities – is a precondition for lasting peace, security and stability. The quality of a society is reflected in the way it treats its minorities.

Thank you.

Transcript of Acceptance Speech by Ms. Vera Egenberger and Mr. Dzavit Berisa, the European Roma Rights Centre

Vera Egenberger:

The information that the European Roma Rights Centre was awarded the Max van der Stoel prize caught us very much by surprise. This is a very happy moment for us. I am the Executive Director only since February this year and do not feel that I have yet extensively contributed to the success of this organisation. This is why I am delighted that my colleague Dzavit Berisa is here with me.



As you can imagine the work achieved by the ERRC required many people and skills such as analysts, strategists, politicians, diplomats, managers, administrators and financial experts to make this work happen. I would therefore like to introduce to you the hands of the ERRC that have done all this work, the legs that have gone all the way to achieve what the ERRC has achieved, the heads that have developed the ideas and strategies and the faces of the ERRC.

In fact, I am missing out all the people that have contributed to the work of the ERRC in the past years. First and foremost I would like to mention Dimitrina Petrova, the former Executive Director, who is unfortunately not able to be with us. She has lead the ERRC for the past 10 years. She was the mastermind behind the work of the

organisation. I would also like to mention Jim Goldston, the former legal Director who is now temporarily working at the International Criminal Court and is heading the Open Society Justice Initiative. I am delighted that he is with us tonight. Claude Cahn, the former Programme Director and all the others that have put their energy and commitment into the organisation are amongst the recipients of this award

I have received very enthusiastic feedback from the ERRC Board of Directors and they are sharing the joy on receiving this prize. Our colleagues and Board members are with us in their minds.

The jury has decided that we deserve this prize. We agree out of the following reason:

Within the, what we call, the Roma Rights Movement, the ERRC has extensively contributed to changing the discourse on Roma. A decade ago Roma were prevalently seen as a social problem. Through extensive research and advocacy work in the past years the ERRC was able to change this approach to seeing the Roma communities being individually and systemically discriminated groups. This moves strategies for the inclusion of Roma from solely offering social welfare to a 'rights based approach' of equal treatment and non-discrimination. Governments in their contribution to the Decade of Roma Inclusion, just to mention one example, have now accepted to a large extent this approach and aim to use non-discrimination measures to improve the situation in education, housing and employment for Roma.

This is illustrated by the *Nachova vs Bulgaria* case, where ERRC was able to successfully argue that the murder of two Roma men by military police officers was based on racist sentiments and that Article 14 (non discrimination article) of the European Convention on Human Rights was for the first time used in a grand chamber judgement of the European Court of Human Rights. In 2004 and 2005 respectively, as this judgement was announced I was still working in a EU based anti-racism network of NGOs. This judgement tremendously helped us building our arguments towards state authorities during this time.

Dzavit Berisa:

In the past years the ERRC has carried forward cases like the 'Prague airport case'. British immigration officers at the Prague airport refused people, planning to travel to the UK, who were suspected of applying for asylum there, to board the plane. People being refused to board were to a large extent persons of Roma background. We brought the case to the House of Lords which ruled that this practise was 'inherently and systematically discriminatory'.

Other milestones of our work are the legal and advocacy work on coercive sterilisation of Roma women in former Czechoslovakia. We have achieved some legal success but only in one very recent case compensation to the victim was granted.

Only a few months ago we were able to successfully close the “Hadareni” case after several years of legal battle. To recall: In 1993 an anti-Roma pogrom in the village of Hadareni, Romania happened, where three men of Roma origin were killed, many more injured and houses were burned down with some involvement of local police. Romanian authorities were for long reluctant to investigate the case. However, earlier this year Romanian authorities accepted the claims and provided compensation for the victims, 10 years after the incident.

What we are trying to illustrate is that Roma Rights work needs a long breath and the collective responsibility of governments, non-governmental organisations and the Roma communities.

Let’s also look on the Roma rights movement itself. The NGO landscape has changed over the past years, meaning the work setting of the ERRC has changed. Roma organisations have been established over the recent years, voicing the concerns from within the Roma communities, international human rights instruments include Roma rights work as a strand in their assessment.

However, the situation for the Roma communities has not improved visibly. We still face extensive exclusion, outright racism and poverty in the Roma communities. We are painfully aware of this fact.

This award is therefore rather an acknowledgment of the effort made by the ERRC and not of the achievements. However, this prize gives us a new boost in going our way. The jury and all of you here have helped to make this possible. This way needs to lead into betterment of the situation of Roma in Europe in order to prevent that the current situation further turns into an openly burning conflict, endangering the security and stability of society.

Vera Egenberger:

ERRC will define its future strategy for the coming years. The organisation will keep its focus on legal protection for victims of human rights violations. We will continue to carry out advocacy work, capacity building and research. But we are planning to do this in a more focused manner and with more visibility towards the interested public. For this, the award will help us to improve our technical capacities to target our publications, information and statements to the right audience. We will furthermore work on improving the website of the ERRC to provide a better

instrument for Roma rights material in specific the material, ERRC has produced, such as legal analysis on cases at the European Court of HR.

In order to ensure that the high quality work is continued we are looking forward to maintain our constructive relationship with ours donors. Furthermore we will need to reconnect to the grassroots level in receiving information on the situation of Roma communities as well as cooperating and supporting the communities with our legal expertise and advocacy capacities. With our core or project related funding we are only to a very limited extend able to do such improvements. The financial part of the award as much as the award itself is therefore highly appreciated.

This is an exiting period in ERRC and I would like to emphasis that receiving this public acknowledgment through the Max van der Stoel award is giving us here and the team at home plenty of energy to continue our work.

Rules of Procedure

Max van der Stoel Award

1. GENERAL

- 1.1 The Max van der Stoel Award will be presented in recognition of extraordinary and outstanding achievements aimed at improving the position of national minorities in the OSCE area. It will be awarded to international organizations, non-governmental organizations, research institutes, government bodies or individuals with a record of excellence in this field.
- 1.2 The Award shall be presented every two years.
- 1.3 The Award shall consist of a cash sum of €50,000 and a certificate.
- 1.4 Award winners must indicate in advance how they wish to receive the cash award.
- 1.5 Award winners may spend the cash award as they deem appropriate. No restrictions may be imposed in this respect.

2. MANAGEMENT

The management of the Award will be executed by the office of the OSCE High Commissioner on National Minorities (OSCE HCNM) in The Hague.

3. THE JURY

- 3.1 The HCNM will be responsible for the constitution of the Jury.
- 3.2 Members of the Jury shall be appointed for a maximum period of three terms leading to the presentation of the Award. When selecting candidates for the Jury, preference shall be given to persons with an international reputation for their work on behalf of national minorities and European security policy in relation to national minorities.
- 3.3 If a member of the Jury has a hierarchical or comparable relationship with a prospective Award winner (e.g. is on the board or the supervisory council of a legal entity or is a relative or partner of a natural person), the Jury member in question shall not take part in compiling the list of five nominees for the Award. If, at the deadline for nomination, a relationship of this kind exists between more than two members of the Jury and prospective Award winners, the Jury shall be dissolved for one year. A new Jury shall be appointed for a period of eight months, consisting of the uncontested members of the previous

Jury and the reserve members next in line on the reserve list, subject to the rules set out above concerning hierarchical or comparable relationships.

- 3.4 The Jury shall formulate, in writing, the grounds on which the Award is given.

4. NOMINATIONS

- 4.1 Nominations for Award winners shall be submitted to the Jury by:
- a) The OSCE Missions and Institutions;
 - b) the OSCE participating States through their Permanent Representations with/Representatives to the OSCE in Vienna¹;
 - c) and the OSCE HCNM in The Hague.
- 4.2 The Award may not be shared.

5. AWARD CEREMONY

- 5.1 The Award shall be presented by the Minister of Foreign Affairs and the HCNM. The Minister shall incorporate in his speech the grounds for the Award, as formulated by the Jury.
- 5.2 Two representatives of the winning organization, or, if the winner is a natural person, the winner and one other person, shall be entitled to travelling expenses to The Hague and hotel accommodation for three nights, and shall receive the equivalent of the UN daily subsistence allowance (DSA). An extra allowance shall be granted if hotel bed and breakfast rates exceed 50 per cent of the UN DSA rate.
- 5.3 In consultation with the Netherlands Ministry of Foreign Affairs, the HCNM shall produce the certificate and a commemorative book, to be published for each award ceremony and sent to all guests present on those occasions.

The commemorative book shall include, if possible:

- a) a photograph of the presentation;
- b) a transcript of the Minister's speech in English and in the language of the Award winner's country;
- c) information about the Max van der Stoel Award and a photograph of Mr. van der Stoel;

¹ Amended by The Netherlands Ministry of Foreign Affairs on 16 February 2006 (before the amendment, only Dutch Embassies to the OSCE participating States were entitled to nominate candidates)

- d) the grounds on which the Award was given;
- e) an account of the Award winner's activities;
- f) a chronological list of previous Award winners;
- g) the rules of procedure for the Max van der Stoel Award, in English.

6. ACCOUNTABILITY

The HCNM shall submit biennial reports to the Security and Defence Policy Division of the Ministry of Foreign Affairs for approval by the Ministry's Financial and Economic Affairs Department. Both the Ministry's internal and external accountants shall be authorized to inspect and comment on the reports.

Members of the Jury

Ms. Helle Degn,
former President of the OSCE Parliamentary Assembly, Denmark

Prof. Adam Daniel Rotfeld,
former Minister of Foreign Affairs, Poland

Prof. Ed van Thijn,
former member of the Senate and former Minister of the Interior, the
Netherlands

Dr. Valeri Tishkov,
Institute of Ethnology and Anthropology, Russia

Ms. Gay McDougall,
UN Independent Expert on Minority Issues, USA

Amb. Knut Vollebaek,
OSCE High Commissioner on National Minorities, Norway (Chairman)

The first four members of the Jury listed above have now carried out their
duties for the maximum period of three terms and will be replaced in 2009.

