

Issue Number 3/2010



**Code of Conduct on Politico-Military Aspects
of Security**

**The seed from which the Helsinki movement grew
by Ludmilla Alexeeva**

**Kyrgyzstan:
Interview with Ambassador Tesoriere**



**Conference on Tolerance and
Non-discrimination in Astana**

**Dossier: Support to local
government**

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Thirty-five years of commitment to comprehensive security

Thirty-five years ago, 35 Heads of State or Government from Europe, the Soviet Union, the United States and Canada signed the *Helsinki Final Act*, confirming that military, political economic and environmental co-operation and human rights are all equal and essential components of security. The idea that security is comprehensive was groundbreaking at the time. The fact that the leaders of the two superpowers, Gerald Ford and Leonid Brezhnev, and the two Germans, Helmut Schmidt and Erich Honecker, confirmed they share the same values was revolutionary.

Today, the 56 countries that now participate in the OSCE are reviewing the progress they have made in implementing the full range of commitments they have agreed on since signing that seminal agreement.

The *Code of Conduct on Politico-military Aspects of Security* is an excellent example of how participating States adapted the *Helsinki Final Act* to new possibilities for co-operation that were opened up by their common embracing of democracy after the end of the Cold War. In this issue of the *OSCE Magazine*, *Code of Conduct* expert Alexandre Lambert discusses this agreement on the democratic control of armed forces.

Co-operation on economic and environmental matters has also evolved. One issue that has remained a constant concern, though, is energy security. Participating States, Partners for Co-operation, international organizations, business and academia met for an expert meeting on the topic in Vilnius on 13 and 14 September 2010. The article by meeting participant Karin Kneissl explores the relevance of energy security to the OSCE.

The *Helsinki Final Act* inspired the establishment of Helsinki Committees to monitor compliance with the human rights provisions. The Helsinki Committees and related groups are active in almost all participating States. This issue of the *OSCE Magazine* looks into how their activities have developed over the years.

Hate crimes, an increasing threat to security, were an important subject of the High-level Conference on Tolerance and Non-discrimination in Astana in June. Floriane Hohenberg, head of the tolerance department in the ODIHR, and Ronald Eissens, head of the non-governmental organization Magenta Foundation/ICARE, give their assessment of the Conference.

This has been a very difficult year for Kyrgyzstan. As this magazine goes to print, we are awaiting results of the parliamentary elections. Ambassador Andrew Tesoriere, Head of the OSCE Centre in Bishkek, speaks about the work of the Centre in response to the political crisis and unrest the country has experienced this year.

Finally, this issue of the *OSCE Magazine* features a dossier on some of the ways in which field operations are supporting democratic development of local government institutions.

In this issue

- 4 The 2010 review conference:
tooling the questions
Marc Perrin de Brichambaut

THE CODE OF CONDUCT ON POLITICO-MILITARY ASPECTS OF SECURITY

- 5 Interview with Alexandre Lambert:
The Code of Conduct: a sleeping revolution
Ursula Froese
- 8 Who must control what, how and why?
Victor Yves Ghébal

HELSINKI COMMITTEES

- 9 The Moscow Helsinki Group: the seed from
which the Helsinki movement grew
Ludmilla Alexeeva
- 11 Helsinki Voices
- 13 The Helsinki Citizens' Assembly
by **Siegfried Wöber**

ENERGY SECURITY

- 14 War and peace in the name of oil and gas: why
energy security matters for the OSCE
Karin Kneissl

KYRGYZSTAN

- 16 Interview with the Head of the OSCE Centre in
Bishkek, Ambassador Andrew Tesoriere:
Alleviating tensions

TOLERANCE

- 18 Time to show leadership on tolerance
Floriane Hohenberg
- 19 Seen through the eyes of an NGO
Ronald Eissens

DOSSIER: LIVING DEMOCRACY LOCALLY

- 21 Forging inter-municipal ties in Bosnia and
Herzegovina
Valerie Hopkins
- 22 Building democracy from the ground
up in Kosovo
Edis Arifagic
- 23 Depoliticizing the civil service
Mirije Sulmati
- 23 E-governance in Ukraine
Oksana Polyuga
- 24 Rewarding innovation:
Best practices in Montenegro
Mia Lausevic
- 26 Ushering in a new era for the City of Yerevan
Ruzanna Baghdasaryan and Gohar Avagyan

27 APPOINTMENTS



ON THE COVER: "Tolerance alive" (Eric Gourlan) This was one of five winning photographs in the OSCE 2010 photo contest on tolerance initiated and financed by Kazakhstan's 2010 OSCE Chairmanship. The winners were announced on 29 June 2010 at an award ceremony on the margins of the OSCE High-level Conference on Tolerance and Non-Discrimination in Astana.

The 2010 review conference: tooling the questions

by Marc Perrin de Brichambaut



The OSCE Review Conference begins in Warsaw, 30 September 2010. Left to right: OSCE Secretary General Marc Perrin de Brichambaut, Deputy Director for Conference Services Hans-Michael Plut, Kazakh Ambassador Kairat Abdrakhmanov, Special Envoy of the OSCE Chairperson-in-Office, Kazakhstan's Deputy Foreign Minister Konstantin Zhigalov. (Piotr Markowski)

When participating States decided this autumn to convene a Summit in Astana on 1 and 2 December, they also set the venue and dates for a review conference in three parts: in Warsaw from 30 September to 8 October, in Vienna from 18 to 26 October and in Astana from 26 to 28 November. For 17 days in total, they are meeting to identify problems, assess progress and find ways ahead in all three of the OSCE security dimensions: politico-military, economic and environmental and human.

The review conference is an opportunity for participating States to put on the table the commitments they have taken and confront them with the reality of developments on the ground. It is a chance to look squarely at issues where more work is required: the principles of the *Helsinki Final Act* and OSCE commitments are not being fully implemented; the use of force has not ceased to be considered an option for settling disputes; the *CFE Treaty* remains suspended; protracted conflicts remain unresolved. It is also a time for pulling together to confront new problems: the trans-national threats of terrorism and organized crime, cyber-security, climate change and the economic crisis all require a concerted response. It is a time to unite in a new resolve to bring the post-Cold War era to a close and shape an undivided security space encompassing the Euro-Atlantic and Eurasian region.

Review is, of course, an ongoing activity of the OSCE. Every week, participating States make use of the opportunity to remind each other of their duties and to report on progress or lack of it. But a review conference is more. It means surveying the whole range of topics on which participating States have agreed to co-operate, and assessing performance across the board, with the clear goal of determining what can be refined and where we can do more.

The review conference in the form it is held today goes back to a decision taken by participating States at the 1992 Helsinki Summit. The success of that Summit, at which many of today's institutional structures were established, had been assured by a thoroughgoing implementation debate in the months leading up to it. The Helsinki Follow-up Conference, as it was called,

benefited from the CSCE States' post-Cold War affirmation of common values. In a clear departure from the more trying Follow-up Conferences that reviewed implementation of the *Helsinki Final Act* in the 1970s and 1980s, this review exercise was pragmatic and forward looking.

In Helsinki, the participating States clearly stipulated that every OSCE meeting of Heads of State or Government would henceforth be preceded by a review conference. And they set out clear terms of reference: the conference would review the entire range of activities, as a whole and in detail, and would prepare a decision-oriented document to be adopted at the Summit meeting.

The review conference we are holding now benefits from optimal conditions for being a truly thorough evaluation of where we stand. Over the past two years, the Corfu Process, chaired by the Greek and Kazakh Chairmanships respectively, has been an occasion for intensive brainstorming on the future role of the OSCE and other actors in ensuring Euro-Atlantic and Eurasian security. This summer, when the foreign ministers met in Almaty on the invitation of Chairperson-in-Office, Kazakhstan's Secretary of State and Foreign Minister Kanat Saudabayev, they decided that the matters raised in the Corfu Process held so far warranted the holding of a Summit.

Now is the time to set our own house in order, to take stock, see where repairs are needed and where there is room for improvement. It is a time for stringent examination and for tooling problems and questions into constructive solutions. It will not and should not be easy. But the attention and energy that is invested in the three sessions of the 2010 review conference will have a direct bearing on the quality and the future impact of the Action Plan which it will be the task of our Heads of State or Government to draw up at the 2010 OSCE Summit in Astana.

Marc Perrin de Brichambaut is Secretary General of the OSCE.



INTERVIEW WITH ALEXANDRE LAMBERT

The *Code of Conduct* on Politico-Military Aspects of Security: a sleeping revolution

The OSCE *Code of Conduct on Politico-Military Aspects of Security* is a hidden jewel among OSCE documents. Unparalleled in any other international organization, its ultimate goal is to regulate the role of armed forces in democratic societies. Despite the *Code of Conduct*'s revolutionary character, it remains little known beyond diplomatic and military circles. Negotiated in the Forum for Security Co-operation (FSC) and adopted at the 1994 Budapest Summit, it deepens and codifies important principles of the *Helsinki Final Act* guiding relations between states, particularly concerning the non-use of force. However, the *Code* goes far beyond this conventional framework by adding unique norms of politico-military conduct within states. Most importantly, its sections VII and VIII detail the commitment by participating States to place their armed forces, including military, paramilitary and security forces, intelligence services and the police, under democratic civilian control.

Since 1999, the participating States have annually exchanged information on their implementation of the *Code of Conduct*, on the basis of a Questionnaire which was updated in 2003 and again last year. The new Questionnaire better reflects the structure of the *Code* and introduces a number of new

sub-questions, for instance on anti-terrorism. It also requests that participating States provide information on the different types of armed forces separately.

Participating States' answers to the Questionnaire have been posted on the OSCE's public website since 2008.

Two academic experts, Alexandre Lambert and Didi Alayli, were commissioned to analyse responses to the updated Questionnaire in 2010, with a view to elaborating a reference guide to help participating States compile their answers. They presented their findings to the FSC on 15 September 2010. Ursula Froese spoke with Alexandre Lambert after the presentation.

Ursula Froese: The *Code of Conduct* was a revolutionary document in its time. What about today?

Alexandre Lambert: The *Code* hasn't lost any of its revolutionary traits. Its most powerful innovation is to introduce the principle of democratic control of the armed forces within international law in the form of a politically binding regional regime. One of the main lessons of the civil conflicts in post-communist Europe, including those in the former Yugoslavia, was that security forces operating beyond the rule of law and democratic oversight can pose a serious risk to regional and international security.

Alexandre Lambert (left) and Didi Alayli report to the Forum for Security Co-operation on the results of their study of participating States' latest information exchange on implementation of the Code of Conduct, Vienna, 15 September 2010. (OSCE/Ursula Froese)

The *Code of Conduct*, by requesting participating States to place both conventional military forces and internal security services within a clear constitutional and legal framework, has become an important international confidence-building measure in the post-Cold War era, with the more general promise to contribute to both political and economic development. As a matter of fact, sustainable economic development is conditional on political stability.

In Europe, we have achieved the highest standards in this field so far, and that's why our partner countries and other regions are so carefully observing what is happening here. For instance, both the African Union and ECOWAS have drafted their own codes of conduct and were using the OSCE as an inspiration. But there is a difference that concerns ownership. The African codes have been drafted with the technical assistance and advice of mainly non-African experts from overseas, whereas here, the participating States are also the owners of the process that led to the adoption of the *Code*. Every single provision was discussed in two years of multilateral negotiation and agreed by consensus.

Raising awareness at the regional level

FSC Decision No. 1/08 tasked the OSCE Conflict Prevention Centre with organizing one specialized event annually to increase awareness of participating States' commitments under the *Code of Conduct on Politico-Military Aspects of Security*. This year, a regional seminar was hosted by the Republic of Belarus. Around 40 participants and experts gathered in Minsk from 21 September to 23 September to share experiences in the *Code of Conduct's* implementation in the Eastern European region.

The seminar covered the *Code of Conduct's* provisions in a holistic manner and topics of discussion ranged from confidence- and security-building measures to the human rights of armed forces personnel.

It was concluded that the *Code's* principles — such as participating States' obligation to maintain only such military forces as are commensurate with individual or collective defence needs or their right to choose security arrangements — are at the core of the current discussion on the future of security in the OSCE area.

The event also highlighted the democratic civilian oversight of the security sector as a vital element for stability and prosperity.

The Conflict Prevention Centre has organized similar events in Kazakhstan (2008) and Bosnia and Herzegovina (2009). The seminars have been funded by Switzerland and Austria.



Regional Code of Conduct seminar, Minsk, 21 September to 23 September 2010. Left to right: Igor Petrishenko, First Deputy Foreign Minister of Belarus, Vladimir Gerasimovich, Head of the Department of International Security and Arms Control, Belarus, Laura Furuholm, FSC Support Officer in the OSCE Secretariat's Conflict Prevention Centre. (Alexandre Lambert)

This places the *Code*, like all OSCE decisions, in the rank of a politically binding instrument and improves implementation.

How is the *Code of Conduct* used by participating States?

The *Code of Conduct* is mostly used inside the FSC, where several follow-up events have taken place since its adoption and where the information exchange is regularly reviewed. Also, the Conflict Prevention Centre organizes seminars and workshops, often jointly with field operations and host countries. They usually meet in a regional setting, where sensitive security issues often remain, and invite the military experts and representatives from the foreign affairs departments and sometimes even members of parliament to jointly discuss the *Code's* implementation. And it works. So practically speaking, the *Code* is already used as a new confidence-building measure on the sub-regional level.

This is in addition to the OSCE information exchange on the basis of the Questionnaire, which is of course a principle use. But it still remains essentially inside the political-military establishment. Now, since 2008, all reports have been posted on the OSCE website. But I don't yet see any substantial efforts by participating States or the FSC to promote this new publicity on a broader scale. Given the main purpose of the *Code* to guide "the role of armed forces in democratic societies", as stated in the *Budapest Summit Document*, and the provision of paragraph 20 to "integrate the armed forces with civil society as an important expression of democracy", the *Code* must also be addressed by society at large.

So far, I see the *Code* a little like a holy cradle. It's very precious, because unique in the world, potentially revolutionary, but it's a revolution that is sleeping, has been sleeping for ten, soon 20 years. Perhaps due to its politically sensitive provisions under sections VII and VIII, there is concern that if the public accounts for it more generally, there will be more scrutiny by civil society. But my recommendation is actually to counter-react and use it in a constructive and pro-active way. Because if you can convince your public what you are actually doing, this increases your leverage and credibility as an institution. And you can say: What we are doing with this new generation of confidence-building measures is unparalleled in any other international security organization, including the United Nations.

What are your main recommendations on improving responses to the *Code of Conduct* Questionnaire?

The updated Questionnaire has clearly improved the information exchange in 2010, both quantitatively and qualitatively. But there is room for improvement. The challenge is to find new ways to extract the maximum benefit from the time and energy spent completing it. A prospective reference guide annexed to the Questionnaire could be a help in providing more consistent, reliable and comparable information, which could then be used and analyzed by the OSCE and participating States themselves as a means to further enhancing mutual transparency and trust.

The requirement to provide detailed information on the different types of internal security forces presents new challenges. As you know, military confidence-building measures are usually managed from within either defence departments or foreign affairs ministries. Many provisions of the *Code* emphasize the dimension of internal security. At the same time, states are not only restructuring but also increasingly outsourcing their security services. This adds a new complication to the reporting process because they have to co-ordinate across agencies and departments. The blurring of internal and external security requires collaboration with interior and finance ministries, or even border guards, customs services and immigration agencies. So perhaps there should be more dialogue on how states actually gather information when they establish the Questionnaire.

How does the *Code of Conduct* regulate the role of non-state actors in military operations?

Paragraph 25 [see box] of the *Code* is, broadly speaking, the “irregular forces” paragraph, which includes the opportunity to seek assistance. Irregular forces can be created by governments or inserted by non-governmental actors or even brought in from abroad in the sense of a covert operation. In an increasingly interdependent world, it has become less likely that two countries go to war against each other. Instead, internal conflicts have multiplied, while the root causes of conflicts do often have trans-national features. In other words: most instabilities and conflicts crystallize *within* countries but have considerable potential to rapidly spread across borders and destabilize entire regions. Sometimes it’s very difficult to figure out who is behind the activities that trigger the use of force and collective violence — also in view of the increasing number of non-state actors involved in contemporary, asymmetric armed conflicts. In any case, when it comes to the role of “irregular forces”, we have recently witnessed such a situation in southern Kyrgyzstan.

Unfortunately, the wording of paragraph 25 is one of the least clear in terms of semantics. Even paragraph 26 on paramilitary forces is somewhat watered down to a level where interpretations can broadly vary.

I have to say honestly there are a number of countries that do very detailed reporting on both paramilitary and internal security forces, but most just say they don’t have them, but then report on them indirectly in other items of the Questionnaire. So there is, unfortunately, what I call a deadlock of information on paramilitary and internal security. In order to enhance the effectiveness of the information exchange on the *Code*, ministries of the interior as well as specialized forces and security services could be more systematically implicated in the exercise.

Let me be very clear: I’m looking at the matter from the perspective of an academic and intellectual. From a political point a view, I give all the participating States a lot of credit for having had the courage and

Excerpts from *Code of Conduct*:

25. The participating States will not tolerate or support forces that are not accountable to or controlled by their constitutionally established authorities. If a participating State is unable to exercise its authority over such forces, it may seek consultations within the CSCE to consider steps to be taken.
26. Each participating State will ensure that in accordance with its international commitments its paramilitary forces refrain from the acquisition of combat mission capabilities in excess of those for which they were established.

forward-looking vision to embark on this exercise because, once again, this is really unparalleled in any other region of the world.

You have been calling the *Code of Conduct* a confidence-building mechanism. What is the connection between it and the Vienna Document 1999?

They are quite separate. The *Code*, if you wish, is a post-Cold War update of the *Helsinki Final Act* and especially its Decalogue, which is a normative blueprint of customary norms among states and their respective conduct. The *Code* builds on this heritage of comprehensive security beyond the conventional limits of politico-military affairs.

The *Vienna Document* is much more specifically focused on the politico-military dimension of security and essentially addresses conventional arms control. It is not only one of the most sophisticated sets of confidence- and security-building mechanisms (CSBMs), it also includes a very well-organized verification regime. Verifying the implementation of the *Code* by participating States would be a very complex undertaking, as it would require combining elements of all three security dimensions of the OSCE. So far, there hasn’t been even a dialogue on how to do this.

One could nevertheless imagine including some of the provisions of the *Code of Conduct* into the *Vienna Document* verification regime. When the delegations go and visit each other, they could perhaps consider adding items that are specific to the *Code*; it would also add value to the CSBM regime. This has been discussed. My perception is that there is not yet consensus on it. But it could be an opportunity to enhance the implementation process of the *Code*.

Do you think the *Code of Conduct* should be more widely publicized?

My answer, as someone coming from civil society, is affirmative. But if I put myself into the shoes of somebody from an OSCE participating State, I would think twice about how to do that. Confidence-building measures among states must not necessarily be shared by civil society, nor is it evident that broader public scrutiny and participation would automatically enhance the implementation process of politico-military documents. As long as these measures are transparent *within* those military-diplomatic ties, and there is confidence and trust established among all relevant parties, 90 per cent of the job is done. But since the *Code* really takes a comprehensive approach to security and addresses issues that go far beyond the boundaries and competencies of politico-military establishments, its ultimate implementation will require the participation of parliamentarians and civil society.

Alexandre Lambert is Academic Director and Professor at the School for International Training in Geneva. He was lead researcher on the OSCE *Code of Conduct* at the Graduate Institute of International and Development Studies.

Colonel Anton Eischer, Senior Military Advisor in the Permanent Mission of Austria to the OSCE and FSC Co-ordinator for the Code of Conduct, and Laura Furuholm, FSC Support Officer in the OSCE Secretariat’s Conflict Prevention Centre, assisted with the preparation of this article.

Who must control what, how and why?

OSCE historian Victor Yves Ghébalı called the *Code of Conduct* “the most important normative document adopted by the OSCE participating States since the 1975 *Helsinki Final Act*.” The following are excerpts from his publication, *The OSCE Code of Conduct on Politico-military Aspects of Security (1994): a paragraph-by-paragraph commentary on sections VII and VIII (Geneva Centre for the Democratic Control of Armed Forces (DCAF) Document No.3, 2003)*.

“Sections VII-VIII, which are related to the democratic control and use of armed forces, represent the real added value to the *Code of Conduct*. The latter can claim to be the first multilateral instrument embodying rules regulating, at both internal and international levels, a central area of political power: armed forces. The provisions concerning the democratic control and use of armed forces can be summarised by means of a comprehensive question — “Who must control what, how and why?”

The “Who” element refers to “constitutionally established authorities”. However, this necessary condition is not sufficient: such authorities must also be “vested with democratic legitimacy” (paragraph 21), that is to say representing the true will of the people. The competent authorities are the executive branch and the legislative branch of government operating in the context of a system of true separation of powers and, more broadly, of the rule of law.

“The “What” element concerns the “armed forces”, a concept that the *Code of Conduct* does not define in any way because of the diversity of national traditions and practices in the OSCE area. Nevertheless, the concept is illustrated in paragraph 20 by five (equally undefined) categories: military forces, paramilitary forces, internal security forces, intelligence services and the police.

“The “How” element is related to four core aspects which actually represent, as seen from the OSCE, the pillars of the democratic control and use of armed forces:

- a) The primacy of democratic constitutional civilian power over military power.
- b) The subjection of armed forces to the norms and prescriptions of international humanitarian law.

c) Respect of the human rights and fundamental freedoms of the armed forces personnel.

d) The regulation of the use of armed forces for internal security purposes.

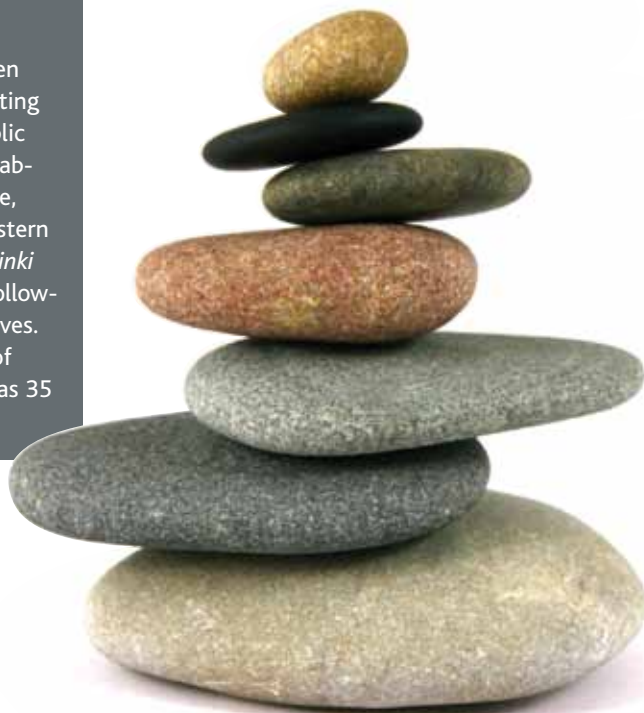
“Finally, the “Why” element is expressed through a provision specifying that the democratic control of armed forces represents “an indispensable element of stability and security” as well as “an important expression of democracy” (paragraph 20). The democratic control of armed forces is certainly, to quote one of the negotiators of the *Code of Conduct*, “a way to guarantee the internal stability of the state, its responsible behaviour towards its own citizens and other states, and as an instrument aimed at increasing the predictability of the state’s actions” Indeed, as put by another negotiator, it brings an important contribution to internal and international stability because democratically-controlled armed forces “pose a considerably smaller risk of threatening international posturing and of internal abuse”. Furthermore, the democratic control of armed forces represents, admittedly, a key element in the transition from authoritarian to democratic political systems: the building and strengthening of democratic structures can only succeed if armed forces enjoying true legitimacy and respectability are part of them. In a mature rule-of-law state, no important political issue should be allowed to escape effective democratic control. The ultimate aim of Sections VII and VIII taken as a whole is to promote an ethics, let alone a “conscience”, of the rule of law, human rights and international humanitarian law in the military establishments of the OSCE participating States.

Victor-Yves Ghébalı (1942-2009) was professor of political science at the Graduate Institute of International Affairs in Geneva, Switzerland.

Helsinki Committees

The 1975 *Helsinki Final Act* recognized respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief as one of the ten basic principles guiding relations between participating States. It affirmed "the right of the individual to know and act upon his rights and duties in this field."

The *Helsinki Final Act*, or the *Helsinki Accords*, as the agreement was often called, was published in full by the main newspapers of the 35 participating States, informing the people of what their leaders had signed up to. Public acceptance of human rights and fundamental freedoms inspired the establishment of Helsinki Committees in the Soviet Union and Eastern Europe, which were soon supported by similar groups in North America and Western Europe. It was dangerous at the time to report on violations of the *Helsinki Final Act*. In spite of the danger, their reports were tabled at the CSCE Follow-up meetings in the 1970s and 1980s and brought changes to people's lives. Violations of human rights continue across the OSCE region. The work of the Helsinki Committees and related groups is as relevant today as it was 35 years ago.



The Moscow Helsinki Group

The seed from which the Helsinki movement grew

by Ludmilla Alexeeva

A public group to monitor compliance with the *Helsinki Accords* in the USSR, the Moscow Helsinki Group (MHG), was established in Moscow on 12 May 1976 on the basis of the third "basket" of the *Helsinki Accords*, which contains the humanitarian articles of those *Accords*. These articles included basic human rights, whose observance members of the human rights movement in the USSR had been seeking for some ten years. Yuri Orlov, the founder and first chairman of the MHG, envisioned its goal as follows: "The Group will monitor compliance with the humanitarian articles of the *Helsinki Accords* on the territory of the USSR and inform all States that have signed that document along with the Soviet Union of any violations."

The *Helsinki Accords* lay down a compliance monitoring mechanism. Specifically, at annual conferences the heads of all the delegations were to evaluate the observance by all the partner States of the agreements they had signed. We hoped that the information we provided on violations of the humanitarian articles would be examined at these conferences and that the democratic States would demand that the Soviet Union

observe the *Helsinki Accords* in full measure, including the humanitarian articles. Violation of these agreements could have led to the collapse of the *Helsinki Accords*, something the Soviet leadership could not accept. It was very much in the USSR's interest to maintain what was for it an extremely advantageous treaty, considering that the country had been bled dry by lengthy isolation from the rest of the world and by a furious arms race. Monitoring the entire vast territory of the USSR might have seemed an impossible task for the 11 members of the MHG. After all, they were just as disenfranchised as all other Soviet citizens, and the Group's equipment consisted of two old typewriters. On the other hand, the Group did include experienced human rights activists who had by that time gathered a great amount of material on the subjects in question. What is more, foreign radio stations broadcasting to the USSR constantly carried reports on the work of the MHG, and we began to receive information on human rights violations from different ends of the country. We were informed of these matters by activists from the Ukrainian, Lithuanian, Georgian and Armenian national movements.

These reports contained information regarding infringements of the right to the use of one's mother tongue, to education in one's mother tongue, and the like. Religious activists (Baptists, Adventists, Pentecostals and Catholics) told us of violations of the right to freedom of religion. Citizens who were not members of any movement informed us of violations of the humanitarian articles of the *Helsinki Accords* that had affected either themselves or those close to them.

Later on, following the MHG model, the Ukrainian and Lithuanian Helsinki Groups were established in November 1976, the Georgian Helsinki Group in January 1977, the Armenian Helsinki Group in April 1977, the Christian Committee for the Defence of Believers' Rights in the USSR in December 1976 and the Catholic Committee for the Defence of Believers' Rights in November 1978. Helsinki committees also sprang up in Poland and Czechoslovakia.

Arrests began in the Ukrainian and Moscow Helsinki Groups in February 1977. One of the first persons to be arrested was the chairman of the MHG, Yuri Orlov. He was sentenced to seven years' imprisonment with hard labour and five years' exile. The Soviet court regarded his activities as anti-Soviet agitation and propaganda with the intention of undermining the Soviet State and social structure. By autumn 1977 more than 50 members of Helsinki groups had been deprived of their freedom. Many were given lengthy prison sentences, and some died before they were released. The media in the USSR's democratic partner countries under the *Helsinki Accords* covered the Helsinki process and the persecution of its participants in the USSR and its satellite States. The public in these countries responded to this persecution by establishing their own Helsinki groups and committees. The establishment of the American Helsinki Group was announced in December 1978. Similar organizations later sprang up in Canada and a number of Western European countries. The goal of all of them was to put a stop to the persecution of their colleagues and exert pressure on their national governments so that they would resolutely demand of the Soviet Union the implementation of the humanitarian articles of the *Helsinki Accords*.

These efforts bore fruit. Beginning with the Madrid conference in October 1980, the democratic participating States began at each conference to unanimously voice these demands. Gradually, observance of the commitments within the third "basket" became one of the main aspects of the Helsinki process. The Vienna conference of 1986 saw the signing of an additional protocol under which the human

rights situation in any country that was a signatory to the *Helsinki Accords* was recognized as a common concern for all partner countries.

In this way, the Moscow Helsinki Group became the seed from which the international Helsinki movement, with its influence on the content of the Helsinki process, was to grow. This was perhaps the first time in the history of diplomacy that public groups played this kind of role in agreements between States: the Soviet Union was charged with violating the humanitarian articles of the *Helsinki Accords* on the basis of documents provided by the Moscow, Ukrainian and Lithuanian Helsinki Groups.

Under pressure from the democratic partner countries, not only the members of the Helsinki groups but also all imprisoned persons convicted under the political articles of the Soviet Criminal Code were released in the USSR in 1987. In 1990 Soviet citizens were granted the right to freely leave the country and return, and the persecution of religious believers ceased.

The experience gained through this close co-operation with non-governmental organizations was reflected in the fact that the OSCE was the first international association of nations to include these organizations in its working process as equal partners. At human dimension conferences, representatives of non-governmental organizations participate on a basis of parity with official representatives of OSCE States and are granted the floor in the same way that they are.

The Moscow Helsinki Group, which at the time of its founding was the only independent public organization in the Soviet Union, today plays a leading role in the Russian human rights community and in the civil society that has evolved in the Russian Federation. The main area of the MHG's work continues to be the monitoring of the human rights situation. Today, however, that monitoring and protection of human rights is carried out not only on the basis of the humanitarian articles of the *Helsinki Accords* but also with the support of the *Constitution of the Russian Federation*, the *European Convention on Human Rights and Freedoms* and other international treaties on human rights signed by the Russian Federation.

Ludmilla Alexeeva was a founding member of the Moscow Helsinki Group and has been its Chairperson since 1996.

Helsinki voices

Several of the many Helsinki groups active today speak about their work.

“After the signing of the *Helsinki Final Act*, members of the U.S. Congress travelled to the Soviet Union and Central and Eastern Europe and witnessed with their own eyes the urgent need for continual monitoring of its implementation. By the summer of 1976, our country established the Commission on Security and Cooperation in Europe, also known as the U.S. Helsinki Commission.

Our commission continues to monitor OSCE States’ implementation of their commitments. Often we have been the platform for freedom — giving leaders silenced at home the chance to be heard abroad. But the real heroes are the human rights defenders working on the ground to expose abuses as they occur. Unfortunately, 35 years after the *Helsinki Final Act*, in some OSCE countries these modern heroes still work under threat and fear of retaliation. We still have a lot of work to do. The OSCE helps us do that work together. And we’re proud the U.S. Helsinki Commission has been at the leading edge of that effort in many cases.”

— **U.S. Senator Benjamin L. Cardin and U.S. Representative Alcee L. Hastings, Chairmen, Commission on Security and Cooperation in Europe**

“Although the world has changed, the *Helsinki Final Act* remains highly relevant for the work of the Norwegian Helsinki Committee, founded in 1977. Unfortunately, increasingly so. It is especially two features of the *Helsinki Final Act* that remain important. Firstly, that it was intended to establish a comprehensive framework for peace and stability in Europe. And secondly, that it included human rights and fundamental freedoms in that framework. The fact that some of the OSCE participating States have decided to target human rights defenders as enemies of the state constitutes an enormous setback for the advancement of Helsinki principles. That is why the upcoming OSCE Summit needs to reaffirm in strong language the letter and spirit of the *Helsinki Final Act*.

While the 1948 *Universal Declaration of Human Rights* gave an authoritative international definition of human rights, the 1975 *Helsinki Final Act* brought those rights to the doorsteps of all CSCE/OSCE countries. For the Norwegian Helsinki Committee, the main task remains to bring those rights over that doorstep in order to make them fully operative in all countries of the OSCE area.”

— **Gunnar M. Ekeløve-Slydal, Deputy Secretary General, Norwegian Helsinki Committee**

“Human Rights Watch began in 1978 with the creation of Helsinki Watch, whose purpose was to support the citizens groups established throughout the Soviet bloc to monitor government compliance with the 1975 *Helsinki Accords*. A network of Watch Committees monitored human rights also in the Americas, Asia, Africa and the Middle East, and the network adopted the all-inclusive name Human Rights Watch in 1988.

New human rights challenges in the 1990s led to important innovations in the work of Human Rights Watch, including real-time reporting of atrocities and in-depth documentation of cases to press for international prosecutions.

Today, Human Rights Watch works on a broad range of issues worldwide, ranging from domestic violence to terrorism response. Combining its traditional on-the-ground fact-finding with new technologies, such as statistical research, satellite photography and bomb data analysis, and innovative advocacy keeps Human Rights Watch on the cutting edge of promoting respect for human rights worldwide.”

— **Human Rights Watch**

“The Helsinki Committee in Poland is a direct offspring of the European human rights movement, which was inspired by the signing of the *Helsinki Accords*. It was founded as a citizen’s initiative in 1982, and in the early years the activists were forced to work underground, as they had to fear repression from the government.

Nowadays, the Helsinki Committee in Poland is a group of respected individuals making statements on high profile human rights violations of concern. The daily human rights’ work is done by the Helsinki Foundation for Human Rights, a non-governmental organization with over 40 employees that promotes the protection of human rights in Europe. The main areas of the HFHR’s activity are education in the field of human rights (especially in former Commonwealth of Independent States territory) and different monitoring, advocacy and strategic litigation activities aimed to enhance protection of human rights in Poland.”

— **Helsinki Foundation for Human Rights, Poland**

“The Albanian Helsinki Committee was founded in 1990 at a time when the totalitarian regime was collapsing. Initially, it was called the Forum for the Protection of Fundamental Human Freedoms and Rights, and it was the first organization of its kind in the history of Albania.

It is the mission of the Albanian Helsinki Committee to contribute to a better respect of human rights and to strengthen the rule of law and human rights in accordance with the *Helsinki Final Act* and its follow-up documents, and with the international legal obligations set by the Council of Europe, the United Nations and the European Union.”

— **Vjollca Meçaj, Executive Director, Albanian Helsinki Committee**

“The Netherlands Helsinki Committee (NHC) was established in 1987, when the prospects for co-operation in Europe on democratization and promotion of human rights became greater. Since then, the NHC and its local partners have carried out dozens of projects on capacity-building of civil society and governmental bodies in Central and Eastern Europe, with a focus on improvement of the rule of law: strategic litigation on human rights (in particular the European Human Rights Convention), prison reform, developing ombudsman services and fighting human trafficking. The NHC founded the journal *Helsinki Monitor* (renamed *Security and Human Rights* in 2008), devoted to human rights, peace and security in the OSCE region. In November 2010, the journal is launching an OSCE weblog at www.shrblog.org. An under-resourced part of the NHC mission is advocacy on the implementation of human dimension and human rights commitments in greater Europe. Plans are to beef up this aspect of the work in the coming years.”

— **Harry Hummel, Executive Director, Netherlands Helsinki Committee**

“The Bulgarian Helsinki Committee was established in 1992 after the fall of communism. Most of the founding members, however, were active in human rights groups already during communism and operated in opposition to the regime. We were inspired by the *Helsinki Final Act*, as well as by the subsequent CSCE commitments. Our organization was founded to monitor the implementation of these commitments, as we strongly believe that this process requires the attentive eyes of non-governmental public watchdogs. Since our foundation we have investigated and reported on a broad range of human rights violations in Bulgaria. We publish annual reports on human rights developments in Bulgaria and raise public awareness on specific human rights problems affecting vulnerable groups in our society. We also take individual cases to adjudicating bodies and participate in the reviews by the United Nations and the Council of Europe of the human rights situation in Bulgaria.”

— **Krassimir Kanev, Bulgarian Helsinki Committee**

“Our Committee started its work in 1994. It’s predecessor, the Yugoslav Helsinki Committee, simply dissolved like Yugoslavia did, and new groups emerged. Especially in the founding phase, the Helsinki principles were of great importance for us and for the other newly established organizations.

During the 1990s, our Committee lived through difficult times. As wars were still raging, our activities focused on refugees, minorities, war crimes, genocide, the intimidation of human rights defenders, and the ethnification of the public sphere.

Today the focus of our work lies on the implementation of laws affecting human rights and on human rights education. Although we have already achieved a lot in Serbia, there is still a long way ahead.”

— **Sonja Biserko, Helsinki Committee for Human Rights in Serbia**

“The foundation of Helsinki España — Human Dimension was initiated during an OSCE conference in Moscow in 1991. The aim was to promote the OSCE’s human dimension through the education of human rights, fundamental liberties, democracy and the rule of law within the university context.

To carry out its educative work, Helsinki España acts through an International University Network, comprising 140 universities from 53 different countries. Within this network, Helsinki España organizes international university meetings on human rights, offers courses to prepare experts for their participation in peace missions of international organizations, including the OSCE, the United Nations and the European Union. Helsinki España also trains university volunteers to teach human rights sessions in primary and secondary schools.

— **Ana Nieto, Executive President, Helsinki España – Human Dimension**

“The *Helsinki Final Act* with all the related texts enriching it since the 1990s has been the driving force behind many NGOs, including the Greek Helsinki Monitor, in their efforts to help improve democracy in the OSCE countries by securing the respect of all rights of every social group — especially the most vulnerable ones. Moreover, the Helsinki/OSCE process that installed a public dialogue between civil society and states has often helped solve specific human rights problems, as democratic states cannot afford to be embarrassed in such forums. The Greek Helsinki Monitor today focuses on minority rights, including Roma rights, lesbian, gay, bisexual, and transgender rights, freedom of religion and state neutrality towards religions, reports to United Nations and Council of Europe expert bodies and litigation before Greek and international courts.”

— **Panayote Dimitras, Greek Helsinki Monitor**

“The birth of Bridging the Gulf was inspired by the Helsinki process, arising out of the 1975 *Helsinki Final Act*, which emphasized the peaceful co-existence of states, mutual non-interference and the respect for human rights, as well as economic and personal contacts across borders. Our initiative is based on the conviction that peaceful and respectful contacts from outside the region will lessen the tensions in the area and positively influence regional and international co-operation.

We promote and advocate human security, human rights, women’s rights and the development of civil society in the Gulf region. At the same time, the foundation aims to build a bridge between the Gulf region and Europe by establishing platforms for dialogue and exchange and by promoting the understanding of the Gulf region in Europe.”

— **Wilco de Jonge, General Secretary, Bridging the Gulf**

Prepared by Vera Mair, Intern at the OSCE Secretariat’s Press and Public Information Section

The Helsinki Citizens' Assembly

by Siegfried Wöber

What can citizens do towards building the united, peaceful and secure Europe, which the CSCE participating States envisaged in the Helsinki Accords? For more than 20 years, peace activists from East and West have worked together for this joint goal, united in a platform called the Helsinki Citizens' Assembly.

The Helsinki Citizens' Assembly was founded in Prague in October 1990. Vaclav Havel, the new President of Czechoslovakia, spoke at the founding assembly, which brought together more than 1,000 people from all over Europe. The decision to create such a network went back to the second half of the 1980s, when members of the Western European peace movement took up contact with opposition groups behind the Iron Curtain and developed the strategy of "détente from below".

From the very beginning, the Assembly focused on regions of tension and possible conflict, with the aim of creating a pan-European civil society. It promoted peace and understanding through citizens' dialogue and diplomacy — providing support and solidarity to groups in difficult and dangerous situations, simultaneously lobbying different governments and international institutions — something that was much more cumbersome before the advent of the Internet.

In the 1990s, the Helsinki Citizens' Assembly network was a relatively well-organized body with branches in more than 20 countries, while still retaining the character of a grassroots movement. Its Yugoslav branch was founded in Sarajevo in May 1991. A peace caravan was held in September of that year. Some 40 European activists travelled by bus through Slovenia, Croatia, Serbia and Bosnia, connecting with local anti-war activists. The caravan culminated

in Sarajevo, where a human chain of 10,000 people linked the mosque, the synagogue and the Orthodox and Catholic churches. The ties forged during the visit of the peace caravan were sustained, by and large, throughout the war — a war led "against the values of tolerance, mutual respect and individual autonomy that were the centre-piece of the original eighteenth-century conception of civil society," as one leading Helsinki Citizens' Assembly activist, Mary Kaldor, later wrote.

The Helsinki Citizens' Assembly also became active early on in the South Caucasus. National committees established in Armenia, Azerbaijan and Georgia were among the first NGOs in the region. The movement, supported by Assembly members from the West, successfully worked on the liberation of hostages and prisoners of war and on maintaining contacts and building trust between citizens across frontlines. This work is still going on, since the rights of families of missing persons are often neglected and involuntary disappearances continue all over the region. In October 2000, Helsinki Citizens' Assembly Azerbaijan organized the fifth international Assembly in Baku. More than 500 civil society activists from all over the world, including 41 Armenians, of which 12 came from Nagorno-Karabakh, attended. Some of these persons recently created the "Civil Minsk Process".

In the past decade, the Helsinki Citizens' Assembly, chaired by Arzu Abdullayeva from Azerbaijan and Bernard Dreano from France, has undergone various transformations. Some of the assemblies have turned into think-tanks — the South Caucasus Institute of Regional Security in Georgia is an example. The fight against terror and changing foreign aid policies have certainly had an impact. New activities have been launched in the Middle East — in Israel, Palestine and Iran.

Still, the original aims and the eclectic nature of the network remain. Active groups or persons associating themselves with the Helsinki Citizens' Assembly can still be found in Bosnia, Montenegro, Austria, France, the Netherlands, the South Caucasus, Moldova, Poland and Turkey, where the next annual School of International Dialogue and Understanding will take place. Istanbul will also host a 20-year jubilee event in October, to provide time for reflection and space for a generational change. Some might claim the "Helsinki spirit" is gone, but there is still more than enough energy in this movement to keep it alive.

Siegfried Wöber has been involved in the Helsinki movement since 2000. He is a staff member of the OSCE Secretariat's Conflict Prevention Centre in Vienna.

Parents of missing soldiers from Armenia and Azerbaijan, under Georgian and international mediation, who prepared the first joint Armenian-Azeri publication on the topic. Photo: Alexander Russetski





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War and peace in the name of oil and gas

Why energy security matters for the OSCE

by Karin Kneissl

Oil and natural gas are strategic commodities, for it is not the law of supply and demand that determines the price in the short run, but geopolitics. This has been the case ever since these fossil fuels started to dominate our daily energy mix. High expectations are placed on a gradual transformation to other forms of energy for the sake of reducing CO₂ emissions. Natural gas is often called the “bridging energy” from a fossil age to a new era. However, we should not believe that renewable energy will liberate us from geopolitical interdependence.

Oil is essential for the production of synthetics, and photovoltaic cells need commodities like lithium and iridium, which are also scarce raw materials. Some major reserves are believed to be found in the OSCE area. So the topic of energy security will continue to be of vital concern, even if we manage to fundamentally change the energy mix, a rather improbable development in the short run.

THE CONCEPT OF COMPREHENSIVE SECURITY

A comprehensive approach to security that sets human, economic and environmental concerns alongside politico-military questions is the hallmark of the OSCE. Whether we discuss energy from the point of view of consumers, producers or transit countries, it always comes down to security. While consumers are obsessed with security of supply, producers and transit country require security of demand to ensure a return on their huge investments. While the military have long understood that all forms of energy have a security dimension, it took civilians a while to grasp this. None of the classic economic thinkers, whether we refer to Adams, Marx or Keynes, ever included energy costs in their calculations. It was all about capital, labor and soil. Energy was only recognized as a factor of its own once prices sky-rocketed, in 1973 due to geopolitics in the

Middle East, in 2004 due to new demand volume with the rise of China's quest for oil, or in 2008 because of speculation. Today, all types of economy, new or old, run on oil and gas. So we can hardly discuss comprehensive security without addressing the many facets of energy.

PIPELINES AND SECURITY

There is an old saying in the oil business: "Oil makes and breaks nations." This holds true for Gulf producers such as Iraq, whose borders were drawn on the basis of the pipeline agreement of San Remo in 1920. It eventually might be the case for commodity producers in the Caspian Basin. Oil alliances and pipeline routes determine geopolitics. That was clearly reflected in the choice of the venue for the political decision on the Baku-Tbilisi-Ceyhan (BTC) pipeline. The intergovernmental agreement in support of BTC was signed by Azerbaijan, Georgia, and Turkey on 18 November 1999 at the OSCE Summit in Istanbul. So the OSCE has served before as a forum for strategic decisions in the ambit of energy affairs.

THE ADDED VALUE OF THE OSCE

Energy is not a new topic, but it is seemingly rediscovered again and again. The oil price shock of 1973 triggered a series of normative and technical innovations to make importing states less dependent on the Organization of Petroleum Exporting Countries (OPEC). The United States created the International Energy Agency (IEA) as a counterweight to OPEC to defend consumers' interests. With the steep decline of the oil price in the 1990s, energy debate was off the agenda. Things rapidly changed with the price hikes starting in 2004. Energy conferences mushroomed on a global level. The European Union (EU) agreed on its fairly ambitious Energy Strategy for 2020, in which climate change and energy efficiency concerns dominate. OPEC expanded its various dialogues, including with the EU, China and the IEA, to such a degree that it established a special department for multilateralism. The Energy Charter Secretariat was created to deal with technical and normative aspects of producing and managing energy.

But when we take a closer look, we can see that each of these agencies has different priorities. For instance, EU energy policy is primarily concerned with the consolidation of an internal European energy market. However, the 27 EU Member States have to import large volumes of their energy needs. When it comes to co-ordination of those supply lines, we can detect an approach often based on purely national interests. Rivalry in pipeline projects is only one aspect of this lack of a common EU energy policy.

Certainly, when we consider the role of the OSCE, the risk of overlapping mandates is not to be ignored. Given the OSCE's traditional role as a forum of dialogue, we should, however, be aware of its utility as the largest regional organization that offers producers and consumers a common meeting ground.

WHAT CAN THE OSCE OFFER? THE IMPORTANCE OF SOFT LAW

The OSCE has experience and a record of achievements in the area of soft law. As opposed to hard law, which makes up international law proper, soft law is a body of standards, commitments, joint statements and declarations of policy or intention. The *Helsinki Final Act* of 1975 is a classic reference for the creation of soft law. Instead of being obliged to agree on legally binding commitments, states can subscribe to agreed guidelines for common policies. Whether in the area of human rights or the environment, soft law can prepare the ground for the gradual formation of customary rules or treaty provisions. In other words, soft law may gradually turn into law proper.

The OSCE can gather 56 participating States to develop certain common positions on energy co-operation. Given the unique experience of the OSCE field operations, guidelines on basic common goals regarding pipeline routes, terminals and other aspects of energy infrastructure could be envisaged. Soft law is a convenient option when, for political or economic reasons, negotiating parties may not be prepared to make major legally binding commitments, but still wish in the meantime to negotiate something in good faith.

However, we should also bear in mind that high financial and political interests are at stake, so that the energy business will always remain a difficult ground for true transparency. The ambiguous relations between governments, energy companies and the financial sector have to be taken into consideration. Nevertheless, certain political benchmarks for the drafting of texts might serve common interests.

The energy business of today is not only determined by difficult calculations of supply and demand and national security interests, but also by huge uncertainties linked to the fragile global economy. Building confidence is indispensable to creating a geopolitical context in which reliable investments can be made. Permanent OSCE dialogue can contribute to this goal.

Dr. Karin Kneissl teaches in the Department of International Relations at Webster University in Vienna. She is author of the book, *Der Energiepoker* (Energy Poker), published in a second edition in 2008.



INTERVIEW WITH THE HEAD OF THE OSCE CENTRE IN BISHKEK, AMBASSADOR ANDREW TESORIERE

Alleviating tensions

The OSCE Centre in Bishkek, which has been in operation since 1999, has been at the heart of the OSCE's response to the political crisis in Kyrgyzstan since unrest on 7 April led to the establishment of a new provisional government and ethnic violence broke out in the south of the country in June. In September, Ambassador Tesoriere, who heads the Centre, spoke about his work.

OSCE Magazine: How does a typical day look for you as Head of Centre?

Ambassador Tesoriere: I have no typical day nowadays since the upheavals of April and June. The issues in Kyrgyzstan are not straightforward. Moreover the dangers of Kyrgyzstan's internal difficulties spreading in the sub-region are very real.

Although I must be ready to adapt my day given the fluid political situation, I do observe certain staple daily disciplines. I have to keep apace with what the media is reporting and key statements made by political and civic leaders. I have to take constant soundings through contacts at different levels across national life. I have to ensure the Centre provides a regular and reliable flow of reporting to the 56 participating States. I look to drive my dedicated and multi-skilled team — the Centre has over 100 permanent staff members — to achieve results

from the 200-plus activities we operate at any given time.

On a personal note, I believe self-balance and composure are important in these uncertain times. Making good judgement calls in the heat of a crisis is essential. Taking a long look before work at the perennially snow-capped mountains reminds me there is always a longer-term, bigger dimension to consider than just the rush of daily events and quick-fix decisions.

What makes the work of the Centre different from that of other international organizations, how can they complement each other?

I would make three distinctions, but without in any way detracting from the co-ordinated tripartite approach and joint action plan the OSCE, the United Nations and the European Union have adopted towards Kyrgyzstan in the aftermath of the April crisis.

Firstly, compared with other major international and regional organizations, the OSCE has a distinctive, holistic approach to security, housed under one organizational roof. In practice, this means that in a large field operation like Bishkek, our different teams co-ordinate their activities very closely. For example, our

Ambassador Tesoriere meets with police and prison personnel and NGO partners at Talas pre-detention centre in Western Kyrgyzstan. (OSCE)

work on borders simultaneously addresses border security, trade facilitation, good governance and respect for travellers' rights.

Secondly, unlike the United Nations or European Union agencies, the OSCE does not undertake development or humanitarian work, although we do work to create security conditions that allow economic and humanitarian assistance to take place.

And thirdly, the OSCE's presence in Kyrgyzstan, with its field office in Osh and field representatives in the other five provincial capitals, enjoys a comparative advantage by virtue of its long-standing and extensive network of programmes and contacts throughout the country.

Can you describe some of the long-term activities and achievements of the Centre?

I would highlight our support for building a professional and modern police service; for the judicial system; for the drafting of national legislation compliant with international best practice and Kyrgyzstan's OSCE commitments; the protection of human rights; the encouragement of good governance, transparency and accountability; and the development of a political party-based system which provides for equitable representation and dialogue.

We have newer, large programmes in customs and prison reform, border management and counter-terrorism. We work with many committed national partners to enable women to live lives free of fear or subjugation.

I would also like to mention the OSCE Academy in Bishkek, established in 2002, which delivers a Master's Programme in security studies and has students from all the five Central Asian republics and also Afghanistan.

What measures of emergency response to the present crisis is the Centre undertaking?

The OSCE was quick to respond to both the April and June unrest. The OSCE Chairperson's Special Envoy was on the scene within 48 hours of the 7 April violence, mediating a political way forward throughout the following turbulent week. By late April, the OSCE participating States had already provided a stabilization package of financial support for the Centre, and the Permanent Council supplemented and increased this financial support in July.

In brief, the Centre has worked closely

with the interim government, the provincial authorities and civil society to develop a range of rapid stabilization measures, which support public order, alleviate tensions and address the issues of dialogue and reconciliation. These measures include the use of mediators among the protagonists, the deployment of public order joint civil-police patrols, ways to fill the information vacuum with reliable information and attention to human rights violations.

What role do the media play in a conflict situation? What initiatives has the OSCE Centre in Bishkek undertaken to support free media?

Worldwide, the media fundamentally shapes and conditions public opinion. In times of stress and conflict, it can harden opinions. Media reporting has the power to inform accurately, but equally to misinform, distort facts and fuel prejudices and tension. The risk to life for reporters also increases in conflict, not only from the dangers of the fighting but also from those who wish to muzzle their reporting. Therefore accuracy, a plurality of views and safety become vital ingredients in ensuring the media can play their rightful role.

With this in mind, the Centre quickly embarked on ways to encourage national journalists to remain in the areas of tension by providing them with certain security safeguards and reliable means of communication. The Centre also provided reporters with training in responsible, impartial and accurate reporting in conflict situations. And beyond all this, the Centre, alongside the OSCE Representative for Freedom of the Media and the High Commissioner on National Minorities, offered support to create Central Asia's first public broadcasting system in Kyrgyzstan, catering to citizens of all ethnic origins.

How is the Centre supporting preparations for the October 10 parliamentary elections?

The Centre's focus has been to encourage the implementation of OSCE/ODIHR recommendations on past elections, including the recent constitutional referendum of 27 June.

It supported the negotiation process and signature on 11 August of a code of conduct by 26 political parties. It is backing free and equal access of the political parties to the media through TV debates, and working to maximise the participation

of youth, women and the elderly in the national debate and the ballot. The core technical focus of the Centre's electoral support is on the Central Election Commission and its subordinate commissions in the provinces and districts. In addition to supporting the election observation teams from ODIHR and the OSCE Parliamentary Assembly, the Centre is widening the cadre of trained domestic observers, who rightly bear the main responsibility of observation.

What will be the role of the OSCE Centre in Bishkek in support of the planned deployment of the OSCE Police Advisory Group in Kyrgyzstan?

The Police Advisory Group and the Centre are intertwined and will pursue a co-ordinated approach. I work closely with the newly-appointed Head of the Police Advisory Group, Ambassador Markus Mueller. The three main objectives of the Police Advisory Group — to bolster public order; to foster inter-communal relations; and to enhance the effectiveness of policing and its relationship with the public — will mirror and complement the Centre's wider ongoing efforts in its cross-dimensional Police Reform Programme.

The Centre recently initiated training for Afghan Customs Officers at the Customs Training Facility in Bishkek. How does your experience in Afghanistan help you in your present job?

You are right. I have a long and intimate acquaintance with Afghanistan, its languages and intra-Afghan mediation, spanning over 35 years. This has perhaps given me a heightened sensitivity to the complexities and subtleties of Afghanistan's predicament and to the underlying importance of Afghanistan's good co-operation with its neighbours and near-neighbours in achieving a durable future. These insights, I trust, enrich the OSCE's overall efforts to support Afghanistan's revitalization in the areas of customs, counter-narcotics, border management and conflict prevention training. The Centre is facilitating Afghan customs training as well as Afghan graduates at the OSCE Academy. On a personal note, I hope I shall have a future opportunity to contribute, either on or in Afghanistan, towards peace and development there.

Time to show leadership on tolerance

by Floriane Hohenberg

Throughout the last decade, the OSCE has attached great importance to fighting intolerance and promoting mutual respect and understanding. Participating States have reiterated their determination to condemn and act upon manifestations of intolerance and to foster pluralistic and inclusive societies, where diversity is not only respected but also valued. The OSCE has set standards in this area with a broad range of commitments taking into consideration both the generic features of intolerance and the unique experience of particular victim groups, addressing the need for leaders at the highest level and for officers at street level to react resolutely and effectively. The recent decision on hate crimes adopted by the Ministerial Council in December 2009 in Athens is the only international standard dealing exclusively with bias-motivated violence.

HIGH-LEVEL CONFERENCE IN ASTANA

Demonstrating the sustained level of political interest in this matter, the OSCE held a High Level Conference on Tolerance and Non-Discrimination in Astana from 28 to 30 June 2010. Building on the outcomes of past conferences, the participants assessed progress made and discussed current challenges and upcoming priorities.

There was general acknowledgement among participants that intolerance, violence and hate crimes are a persistent and even growing problem in the OSCE region. Hate crimes against religious groups, minorities, migrants and Roma were mentioned frequently, as were crimes against persons based on their sexual orientation and gender identity.

There were accounts of hate-motivated incidents that escalated into wider conflicts across the region. The risk of escalation in post-conflict situations where ethnicity has played a part was underlined by some participants. These examples confirmed the need for trustworthy, prompt and effective conflict resolution mechanisms. But it appeared that hate crimes have escalated also in countries with no recent history of conflict.

Participants identified the scarcity of statistical information on bias-motivated intolerance as a serious problem that makes it difficult to



ERIC GOURLAN

conduct sound analysis, design effective policies or evaluate measures taken in response to manifestations of intolerance. They noted that governments and civil society have launched information-gathering initiatives, but more of an effort needs to be made to honour reporting commitments.

They also qualified the numerous accounts of public figures openly stigmatizing specific groups as worrying. In Ministerial Council

decisions taken in 2006 and 2007, OSCE participating States had expressed deep concern at the use of racist, xenophobic and discriminatory public discourse, and particularly the rise of political parties and movements advocating violence. The participants recommended more effective responses to this problem. At the same time, they recalled participating States' duty to ensure that measures aimed at protecting targets of intolerant speech, including on the Internet, did not unduly encroach on the right to freedom of expression.

Another topic discussed was the importance of education in preparing young people to live in increasingly pluralistic societies. Participants mentioned efforts to foster an appreciation for the positive contribution of cultural and religious diversity to society, such as awareness-raising campaigns, inter-cultural educational initiatives and inter-religious dialogue. They also stressed the responsibility of education systems to address specific national or local manifestations of discrimination and intolerance — whether historical or current — and to combat prejudice and negative stereotypes.

Finally, the valuable role of civil society organizations as partners in promoting tolerance was a major theme throughout the conference. The contribution of civil society in monitoring, collecting data, fostering cultural and religious exchanges, raising awareness and disseminating positive messages and assisting victims was praised on many occasions. The quality of the debates that took place during the civil society preparatory meeting on the day before the conference and the quality of the recommendations adopted by the participants were unanimously praised.

TOLERANCE IS A FUNDAMENTAL RIGHT

In conclusion, it seems that although the OSCE can be proud of its achievements with the establishment of a comprehensive normative framework, still a lot needs to be done in order to translate these words into deeds. It is the time for participating States to reaffirm their unconditional adherence to all OSCE commitments. The interdependence of commitments on tolerance and non-discrimination, on the one hand, and those on fundamental rights and freedoms, including freedom of movement, freedom of religion or belief, freedom of expression, freedom of assembly and freedom of association, on the other, must not be forgotten. It is the time to display leadership when translating these commitments into policy.

Ground-level assistance programmes have little prospect of sowing the seeds of sustainable change if at the highest level political commitment is not displayed. Combating discrimination and intolerance cannot produce effective results if the rule of law does not prevail. Educational programmes and dialogue initiatives will not bear durable fruit if all parts of societies, including governments, are not accountable to laws that are equally enforced and independently adjudicated. The state must promote the principle that in a pluralistic, *tolerant* society, everyone is accountable, including the state. Finally, all citizens need to contribute in a responsible way to the existence of an open society where ideas and opinions that may be offensive, disturbing or even shocking can be exchanged without the threat of reprisals.

Floriane Hohenberg is Head of the Tolerance Department at the OSCE Office for Democratic Institutions and Human Rights in Warsaw.

Seen through the eyes of an NGO

Ronald Eissens, who heads the NGO Magenta Foundation/ICARE, answered the following questions on his organization's attendance of the Astana Tolerance Conference's preparatory meeting for civil society.

Why did you attend the civil society meeting in Astana?

We attended the civil society preparatory meeting in Astana to present our new service, ICARE Hate Crime News.

How is an OSCE event different from other events for a civil society organization?

Most of the time, at OSCE meetings NGOs and participating States meet and discuss on an almost equal footing, which is very unlike meetings of the UN or other inter-governmental bodies.

What was the main benefit of this meeting?

Local and regional NGOs had the chance to speak somewhat more freely than usual. All

the NGOs present were able to streamline and agree upon a set of recommendations for the governmental conference.

What did you find the most interesting at the meeting?

The different viewpoints on religion and freedom of speech.

What would you do differently?

At the start of Civil Society Preparatory meetings, give a presentation on what the OSCE and ODIHR is, what it offers for civil society and what civil society can mean for the OSCE/ODIHR.

How does ICARE co-operate with the OSCE?

ICARE disseminates OSCE information, assists and supports the ODIHR Tolerance and Non-Discrimination Department on occasion with the organization of NGO events and contributes to reports.



ICARE Hate Crime News is an online platform that contains articles (English only) about hate-motivated incidents and crimes in the 56 OSCE participating States. It is supported by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and can be accessed through www.hatecrimenews.icare.to

Living democracy locally

One of the basic rights citizens enjoy in a democracy is to autonomously determine the conditions of their common life in society. Local government is where they can exercise it most directly.

The OSCE participating States agreed in Copenhagen in 1990 to strengthen democratic institutions at all levels. And at the Summit in Helsinki in 1992, they agreed that they would “endeavour, in order to strengthen democratic participation and institution building and in developing co-operation among them, to share their respective experience on the functioning of democracy at a local and regional level.”

Democracy at the local level can only function if officials are elected and have both the legal authority and the financial means to manage the affairs of their town. The notion of “local self-government”, as defined by the Council of Europe’s 1985 European Charter of Local Self-Government expresses this: “Local self-government denotes the right and the ability of local authorities, within the limits of the law, to regulate and manage a substantial share of public affairs under their own responsibility and in the interests of the local population.”

A majority of OSCE participating States have signed the European Charter of Local Self-Government and in the 1992 Helsinki Summit document they explicitly express their support for the Council of Europe’s work in this field.

Many OSCE participating States are making the transition from an authoritarian government system and are in the process of transferring substantial competencies to elected municipal bodies. OSCE field operations support the establishment of local self-government where it does not yet exist and promote its good functioning where it does. In South-Eastern Europe, the OSCE field operations have been working closely with the Council of Europe on the basis of a well-functioning co-operation agreement since 2005.

The task of ensuring vital municipal governance just begins when the legal structures are in place. Maintaining transparency and encouraging civic participation are ongoing challenges for all participating States. This is why they agreed in Helsinki to share their experiences, and it is in this spirit that the six stories on the following pages recount different ways in which OSCE field operations have supported local government in their host countries.

Forging inter-municipal ties in Bosnia and Herzegovina

by Valerie Hopkins

In mid-May, mayors and municipal officials from Teočak, a town in northeastern Bosnia and Herzegovina, traveled across the country to Posušje, in the southwest, to investigate a matter of vital interest to them: waste disposal mechanisms. For two days, they discussed local development methodologies and ways of collaborating with private utility companies and neighbouring municipalities for efficient and environmentally sound regional garbage collection and disposal. The guests from Teočak, which is much in need of a sewage system and is beginning to plan one, also had the chance to visit Posušje's water management infrastructure. This was conducted as part of a study visit organized by the OSCE Mission to Bosnia and Herzegovina as part of its Local First initiative.

The Mission launched the ambitious Local First programme in March 2009. Based on the premise that strengthening democracy starts at the level closest to the people, it lends municipalities a strong helping hand in providing quality constituent services and ensuring citizens are engaged in the process.

Of Bosnia and Herzegovina's 143 municipalities, all but 19 are participating in the Local First initiative. In close co-operation with the Mission's field staff, each municipality chose from seven possible areas of improvement: municipal assembly and council support, municipal management and accountability, community engagement, inter-municipal learning and support, media and communication, youth access to employment and project management.

Within its selected components, each municipality now works in tandem with the Mission, assessing its needs and developing action plans to meet specific good governance standards.

Inter-municipal learning networks are an important part of the Local First programme. When Teočak chose the municipal management and accountability component and identified strategic development planning and waste management as priorities, pairing it up with Posušje was a logical choice. Posušje had drafted and implemented a strategic waste management plan several years before, which won it accolades in another Mission local government programme, the Beacon Scheme [see p. 24].

Since the visit to Posušje in March, officials from Teočak have started the process of amending municipal legislation on waste removal and establishing a partnership with a waste management company. "Having the chance to see Posušje's infrastructure enabled us to expedite the implementation of our own solutions," says Amir Šabačkić, the municipality's Deputy Mayor.

The visit has also triggered future co-operation: Posušje representatives plan to attend the opening of a water factory in Teočak, while Posušje's mayor will accompany the owner of a local business, Welplast, to explore Teočak and propose the development of a sewage system. This is encouraging, because inter-municipal networks are not just about exchanging technical know-how. Posušje is a Croat-majority municipality that went to a Bosniak-majority town. The co-operation that the two municipalities have established has only begun. It is just one example of the Mission's strategy of using inter-municipal co-operation to address common objectives and build functional relationships across ethnic lines.

Valerie Hopkins is an Editor in the Press and Public Information Office of the OSCE Mission to Bosnia and Herzegovina.



Building democracy from the ground up in Kosovo*

by Edis Arifagic



Gulcan turned 18 last year and cast her vote for the first time in the Kosovo-wide local elections that were held in November 2009. She is a resident of Mamuša/Mamushë/Mamuša, a recently established municipality with a Kosovo Turk majority in southern Kosovo. To exercise her right to vote, Gulcan produced an old birth certificate issued in Prizren, a 40-kilometre round trip away. With the establishment of Mamuša/Mamushë/Mamuša, however, Gulcan can have key documents, such as birth certificates and ID cards, issued in her own village.

Kosovo's first practical step along the path of local governance reform was taken in 2005, with the establishment of three pilot municipal units, Hani Elezit/Đeneral Janković, Junik, and Mamuša/Mamushë/Mamuša. The three have gradually assumed critical local government competencies transferred from the primary municipalities.

The process was not devoid of political and operational challenges, but all three are now full-fledged municipalities, hailed by the Minister of Local Government Administration, Mr. Sadri Ferati, as "evidence of a successful local government reform process."

The involvement of the OSCE Mission in Kosovo was, in many respects, critical to the municipalities' successful development. While initial assistance focused on ensuring that they had the basic skills and knowledge to fulfil their principal competencies, the Mission gradually assumed the role of mentor and coach, helping to identify and address gaps in their performance.

On 15 November 2009, the residents of the three former pilot municipalities went to the polls in their own voting districts for the very first time. The voter turnout in all three was substantially higher than the Kosovo average.

Nurturing a culture of civic involvement

The OSCE Mission in Kosovo assists with local government reform on many levels. In 2007, it launched the Municipal Leadership Forums, which institutionalized dialogue between central and local governments, first on budget preparation and later on the transfer of social service competencies. Ultimately, the Mission's goal is to include municipal residents in this dialogue. For reform to take root, it must be supported by the public. Introducing public participation into the local political culture is a lengthy and complicated endeavour. With its field teams in every municipality, the Mission is ideally equipped to help. It follows a two-sided approach, supporting civil society groups on the one hand and encouraging local authorities to develop participatory mechanisms on the other.

The process has not always been smooth or error-free. Kosovo has witnessed an unprecedented proliferation of civil society organizations since 1999. The Office for the Registration of Non-Governmental Organizations (NGOs) at

the Ministry of Public Administration places the number of currently active NGOs at over 3,300.

The OSCE Mission in Kosovo works successfully with a number of well-established NGOs — the Association of Kosovo Municipalities is a prime example. But many NGOs are not sustainable in the long run, and their independence from political parties is questionable. Often, they have limited community backing, making them ill at ease with their advocacy role. Furthermore, their proliferation has led to the abandonment of traditional, community-based forms of civic participation.

Restoring the old, encouraging the new

Recently, there are increasing calls to revive some traditional forms of civic engagement. As a grass-root unit of local democracy, a village council can contribute to the strengthening of the democratic institutional system. The Mission is disseminating best practices for successful co-operation between municipalities and village councils where they exist and promoting their establishment through formal elections where they do not.

Consultative committees are a new addition to the repertoire of municipal participatory mechanisms. They provide an opportunity for community members with expertise in a certain area to assist in decision making. The Mission has been conducting workshops through its regional offices over the past two years to encourage their formation, with 700 participants so far. Some municipalities have already created consultative committees. Vushtrri/Vučitrn, for example, has established four in the following areas: education, culture and sports; economic development; environmental protection; and social and welfare issues.

Municipal institutions are increasingly acknowledging that public participation in policy-making is an important source of information and of legitimacy — providing the Mission with an important indicator of the success of its work.

Edis Arifagic is Chief of the Analysis and Reporting Cell in the OSCE Mission in Kosovo's Democratization Department.

*All references to Kosovo institutions/leaders refer to the Provisional Institutions of Self Government.

Depoliticizing the civil service

The OSCE Spillover Monitor Mission to Skopje offers human resources training

by Mirije Sulmati

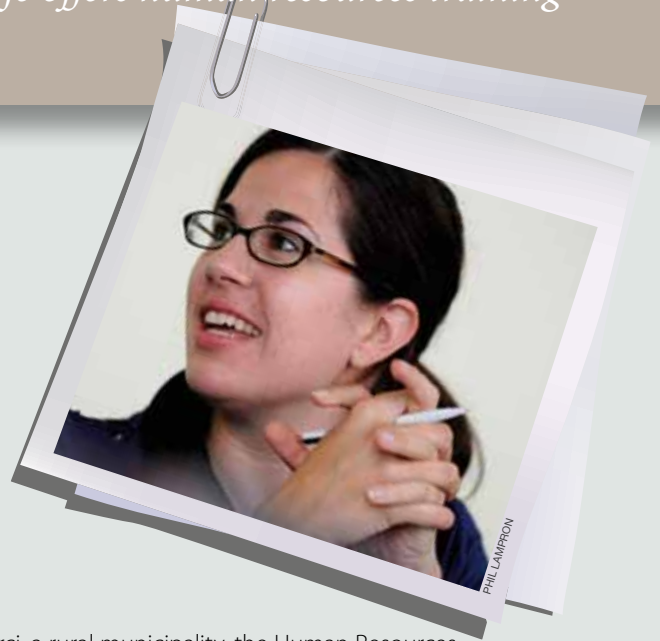
A municipal civil service can consist of pencil pushers that blindly follow instructions or dynamic and creative professionals working for the benefit of the community. Ensuring good human resources management can go a long way towards eliminating the paralyzing effect of undue political influence among local government officials.

This is the strategy being followed by the OSCE Spillover Monitor Mission to Skopje in a project it launched in April 2010, which has received local acclaim and also the support of the national Civil Service Agency.

Human resources managers from 14 municipalities are receiving training in professional tasks such as preparing detailed job descriptions and preparing training needs assessments and training plans.

"The novelty of this project is that the participants receive individual on-the-job assistance in their home communities from international coaches for two weeks following the general training course," explains Lola Ansedo, Public Administration Officer at the OSCE Spillover Monitor Mission to Skopje. The coaches are Peace Corps Volunteers from the United States of America.

The coaching period helps the OSCE to evaluate the project's immediate impact. It is also an opportunity for municipalities to share their best practices with the coaches.



In Kavadarci, a rural municipality, the Human Resources manager Jasminka Gjorgjieva and the international coach Christine Moore developed a fruitful relationship working together for two weeks. In Jasminka's opinion, the project would be beneficial for higher officials, too. Christine agrees. "The co-operation with Jasminka was excellent," she says, "and I look forward to replicating the project in other neighbouring municipalities".

Mirije Sulmati is Public Administration Assistant at the Spillover Monitor Mission to Skopje.

E-governance in Ukraine

by Oksana Polyuga

Rural residents in Dnepropetrovsk region in eastern Ukraine used to embark on a tedious and sometimes lengthy trip to the nearest larger town whenever they needed to do the paperwork to claim municipal services such as energy and water supply subsidies. Thanks to a pilot project the OSCE Project Co-ordinator in Ukraine (PCU) is implementing together with local authorities, they now can save themselves the trip.

Twenty-two e-governance websites like the one pictured here are providing citizens municipal, communal and even some central government services online. With 736,000 registered Internet users in the region and publically accessible facilities in administration buildings and schools, virtually all residents of the region can benefit.

For the governments, the websites reduce the administrative burden. Perhaps most importantly, they increase transparency, thus minimizing the potential for corruption.

As a result of the first phase of the project implemented in 2010, visits by village residents to district offices have been reduced by 30%.

To help local officials get on a friendly footing with the new method of service provision, the PCU trained 668 representatives of local village councils in the basics of e-governance.

A new phase of the project is digitalizing more administrative services, introducing e-signatures and providing further training. The experience gathered will be shared with other regions of Ukraine.

Oksana Polyuga is National Programme Co-ordinator for the OSCE Project Co-ordinator in Ukraine.



Rewarding innovation

Best practices in Montenegro

by Mia Lausevic

I admit I was a bit disheartened as I prepared to open the big blue folder with the formidable title “Best Practices Programme for Local Authorities”. Elastic strips struggled to contain the bulging contents, 18 neatly printed applications from ten Montenegrin municipalities — 150 pages in all — that I had been asked to review. I took a deep breath and lifted the first application from the pile, expecting a dry, boring read. I could not have been more wrong!

As I read, the grayness of the pages gave way to 18 real-life stories of how people working in local government had come up with ways of improving citizens’ participation, protecting the environment or making their services more efficient. Each of these municipalities was putting in a bid for the annual award for best practices that the Union of Municipalities of Montenegro has been offering since 2008.

The OSCE Mission to Montenegro provides financial assistance to the award and is a member of the selection panel.

Herceg Novi’s tale was one of perseverance. Four years ago, the town’s public utility proposed constructing a facility to dispose of municipal waste in an environmentally friendly way. Finally, last year, the recycling yard equipped with a transfer station, the first of its kind in Montenegro, became a reality.

In Danilograd, ingenuity led the municipal advisor and inspector, Zdravko Bogetic, to develop a unified computer database and tax

accounting system, which has brought a three-fold rise in municipal revenues and made business procedures like issuing work permits quick and easy.

But it was Tivat’s story that really caught my imagination. The amendment of a mere detail in the town’s parliamentary rules of procedures had actually triggered a new, vibrant culture of NGO participation in municipal decision-making.

Each of these three towns won a prize in the 2009 competition, but actually, all applicants were winners for having each made the lives of their citizens better. And, as the Secretary of the Union of Municipalities, Rajko Golubovic, emphasizes, the benefits of the award can be felt throughout the country as local governments, in a competitive spirit, adopt each other’s good practices.

“In my opinion, innovative and good practices in service delivery by local government should always be encouraged and supported, as their result is a capable and responsible local government and better quality of life for all.”
— *Ambassador Paraschiva Badescu, Head of the OSCE Mission to Montenegro 2006-2010*

More municipal awards supported by OSCE field operations

The Beacon Scheme in Bosnia and Herzegovina

Modeled on a similar programme in the United Kingdom, the Bosnia and Herzegovina Beacon Scheme annually recognizes nine municipalities for excellence in local government. It was started in 2005 by the OSCE Mission to Bosnia and Herzegovina and transferred to authorities in the Bosnia and Herzegovina government in 2009. Towns that are awarded Beacon status are charged with sharing their knowledge with other municipalities. Being recognized as a Beacon also helps them receive more funds from the federal government.

Rewarding excellence in Kosovo

Local governments across Kosovo will compete next year for the Municipal Excellence Award the OSCE Mission in Kosovo is instituting. The municipalities that display the highest commitment to transparency and accountability in the conduct of municipal affairs will win project grants. Special recognition will be given to municipalities’ efforts to encourage public participation in financial and urban spatial planning processes.



Profile of a winner

Tivat's municipal parliament fills its empty chair

As it stood back in 2007, the project *Empty Chair for NGOs* in the Montenegrin port town of Tivat was already a good thing. At the sittings of the local parliament, one seat was reserved for the representative of an NGO. This meant that the party-line views of the municipal councilors were complemented by a voice advocating the interests of citizens regardless of political affiliation.

It was an example of how at little expense other than a healthy portion of good will, municipalities could improve public participation in their local government. "It basically meant earmarking some additional money for printing extra copies of the document for the sitting," says Jovanka Lalicic, Advisor to the Mayor of Tivat.

Tivat began implementing the empty chair project in 2007, following the lead of the municipalities of Podgorica and Bar.

But as time went on, it became apparent that things were not going as planned. Tivat NGOs were not making much use of their opportunity. This is where the municipality of Tivat took one extra step to make a good thing better.

Together with the Centre for Development of NGOs (CRNVO), which had initiated the project, and the Union of Municipalities, it looked into the matter and found that the way NGOs were selected to participate in parliamentary sittings was not quite clear. There was a selection process, but the results were announced by the president of the local parliament just days before the meeting. Furthermore, only one NGO could attend a given sitting. CRNVO recommended allowing NGOs to choose among themselves who should attend. It also suggested expanding their participation to one NGO per agenda item.

Tivat lent an open ear to CRNVO's advice and reacted promptly. In October 2008, the councilors unanimously adopted amendments to the selection rules.

What may look like small procedural changes have made a big qualitative difference. NGOs are now empowered to contribute substantially to agenda items that fit their expertise. And going that extra mile won Tivat first prize in the Union of Municipalities' best practices programme for local municipalities, supported by the OSCE Mission to Montenegro.

Mia Lausevic is Public Information Assistant at the OSCE Mission to Montenegro.



Q&A

Marijana Misic Skanata who works for Tivat's local radio station, Radio Tivat, is President of the NGO European House. Mia Lausevic spoke with her about Empty Chair for NGOs.

Mia Lausevic: How does the Empty Chair project work in practice?

Marijana Misic Skanata: Approximately two weeks prior to a sitting of the local parliament, NGO representatives are invited to a meeting. Together with a representative of the local administration, we discuss the agenda and select among ourselves the representatives to take part at the sitting, depending on the topic, our scope of work, experience and interest. I have to underline that we receive the material for the sitting at the same time as the councilors, so we have the same amount of time to prepare for the discussion.

Do you feel the NGOs are respected?

The situation has improved considerably. It is now up to the NGOs to make the most of the opportunity for making their voices heard. As the number of NGO representatives taking part in the discussion is limited to one per agenda item, the need for close co-operation is very important. If I am the one taking part in the discussion, I am happy to present the opinion of other NGOs and the citizens of Tivat, thus making the most of our presence.

Is there still room for improvement?

The civil sector is getting used to its right to take part in the discussion. But I would not like to see NGOs exercising this right just pro forma, by just sitting there. We need to prepare thoroughly. And if we have nothing substantial to say, I think it is better to stay away, not to waste anyone's time.

Is there a way for citizens to follow the parliamentary discussions?

The sittings themselves are broadcast live by Radio Tivat. The station also airs shows on the work of the local parliament.

Can you name an example of how your NGO's participation has been useful?

Last March, there was a discussion on the local spatial plan for Tivat, a very important strategic document, with regard to a major project to build a marina, golf course, hotels and apartments on the peninsula Lustica. This was in addition to a huge facility for mega yachts already being built. European House voiced concern that two such projects could be too much for a small coastal town like Tivat. The developing company learned of our objections and invited us to a presentation in which he explained the project in detail and addressed our concerns. In my opinion, this was a very positive development.

Ushering in a new era for the City of Yerevan

by Ruzanna Baghdasaryan and Gohar Avagyan

“More powerful, responsible and independent local self-governance” — this was one of the tasks set before Armenia upon its admission to the Council of Europe in 2001. Back then, the work ahead was truly daunting — there was no tradition or knowledge to draw on for modernizing and decentralizing an inherently centripetal Soviet system. The first step was a thoroughgoing reform of the constitution, which was amended through a national referendum in November 2005. One of the most noteworthy changes was that the capital city of Yerevan was given the status of a community. Previously, this 2791-year-old city, home to some one million Armenians — around a third of the national population — and the centre of the country’s political, business and cultural life, had been considered a province under the jurisdiction of the state government, with an appointed mayor and no independent budget.

It wasn’t until 2009, when the *Law on self-governance in Yerevan* was passed, that one of the most controversial questions was resolved: how Yerevan’s mayor should be chosen. The political weight of this post can hardly be overestimated. The constitution left the matter relatively open, stipulating that the city’s mayor can be elected either through direct or indirect voting.

The *Law on self-governance in Yerevan* prescribes an innovative system under which residents vote for Yerevan’s city council — the parliament of the city. If one of the parties wins an absolute majority, the number one of its party list automatically becomes mayor. Otherwise, the city council votes separately to select one of several mayoral candidates. The mayor forms the municipality — the city’s executive branch — and appoints heads of 12 administrative districts. The first elections of the Yerevan City Council took place in May 2009, marking the beginning of a new era in the life of the city.

OSCE involvement

The challenges faced by the two-tiered municipal administration are considerable. It has a budget to maintain and administer, taxes to collect, and it independently regulates many aspects of the city’s life, including social, economic and environmental matters.

The OSCE Office in Yerevan, under its good governance programme, has recently begun offering capacity-building services to the city, drawing on the expertise it has developed while

training Armenian National Assembly expert staff over the past six years.

“Worldwide, big cities face challenges which cannot be solved and financed by the authorities alone,” says Hans Teerlink, an expert from the Rotterdam-based International Institute of Urban Management of Erasmus University, whom the Office commissioned to visit Yerevan from 4 to 11 July 2010 and assess its training needs. “Administering a city the size of Yerevan poses special problems requiring complex solutions. Involvement of the private sector, non-governmental organizations and the community at large require new skills in resource mobilization, participatory strategic planning and action planning, while the public administration has to become more performance oriented, transparent and communicative,” he explains.

Learning from contemporary approaches and best practices in other cities therefore forms an integral part of the three-week training courses the Office is currently offering city officials. Selected participants will participate in exchange visits to efficiently run European municipalities.

Looking ahead

The system of local self-government in Armenia is still young, and many questions, such as striking the right balance in allocating powers and funding, remain to be resolved. What is undisputable, however, is that further democratic development of the country is impossible without strong and independent self-governing local bodies with clearly defined functions and a well-prepared professional staff. In this matter, the OSCE Office in Yerevan stands ready to continue rendering assistance and support to its Armenian counterparts.

Ruzanna Baghdasaryan is a National Associate Programme Officer working in the Good Governance Programme of the OSCE Office in Yerevan.

Gohar Avagyan is a National Public Information Officer at the OSCE Office in Yerevan.



OSCE Appointments



OSCE/SUSANNA LÖÖF

Knut Dreyer took up his post as Senior Police Adviser on 30 August 2010, succeeding Kevin Carty. Dreyer comes to the OSCE Secretariat from Sweden, where he was programme officer for bilateral development in Africa with the Swedish National Police Board. He served the OSCE as police reform advisor and programme manager at the Centre in Bishkek in Kyrgyzstan from 2007 to 2008 and as head of the Police Affairs Unit of the OSCE Mission to Croatia from 2005 to 2007. He has over 20 years of experience as a senior police officer. Possessing a law degree, he also has extensive experience in administrative and judicial matters.



OSCE/ARMANDO BABANI

Eugen Wollfarth from Germany took office as Head of the OSCE Presence in Albania on 16 September 2010, succeeding Ambassador Robert Bosch from the Netherlands. A seasoned German diplomat with extensive experience in the Western Balkans, Ambassador Wollfarth was head of the counter terrorism force in the German Foreign Office prior to coming to Albania. From 2005 to 2007, he headed the German Liaison Office in Pristina. Before that, he was head of division in the European Department in Berlin, counselor in German embassies to Washington and Chile and deputy head of the Bosnia and Herzegovina Desk in the political department in Bonn. Ambassador Wollfarth studied economics and engineering and also law in Germany, the United States and the United Kingdom.



OSCE/AMA LAUSEVIC

Šarūnas Adomavičius from Lithuania took up his post as Head of the OSCE Mission to Montenegro on 1 October 2010, succeeding Ambassador Paraschiva Badescu from Romania. Ambassador Adomavičius comes to the Mission from the Lithuanian Ministry of Foreign Affairs, where he was Foreign Vice-Minister. Prior to that, he occupied a series of posts in the Foreign Ministry, including Ambassador to Italy from 2005 to 2009 and Ambassador to the international organizations in Vienna from 1999 to 2003. He has a doctorate in Social Sciences specializing in law. His main areas of interest are criminology, international law and public law. He contributed to the drafting of the Constitution of the Republic of Lithuania and many other legal acts.



OSCE/SUSANNA LÖÖF

Penny Satches Brohs from the United States of America assumed the position of Senior Border Issues Advisor in the Secretariat's Conflict Prevention Centre on 5 July 2010. Penny comes to the OSCE from the United States' Department of Homeland Security (DHS), where she was Director of the London Office for the DHS Science and Technology Directorate. Her responsibilities included co-operation with Eurasian counterparts to identify and develop new technologies to secure all types of borders while facilitating legitimate cross-border activity. She served as Acting DHS Attaché to the United Kingdom during 2009 and Senior DHS/Federal Emergency Management Agency Representative to NATO from 2003 to 2007. Prior assignments focussed on arms control and threat reduction programs.

The Organization for Security and Co-operation in Europe works for stability, prosperity and democracy in 56 States through political dialogue about shared values and through practical work that makes a lasting difference.

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