

Racism, xenophobia and discrimination undergo intense scrutiny

The perils of hate speech on the Internet, religious extremism and Islamophobia were just some of the concerns that came under the scrutiny of some 400 representatives of participating and partner States and non-governmental organizations at a major OSCE conference on 4 and 5 September.

The aim was to harness the OSCE region's cultural, ethnic and religious diversity and the Organization's experience in balancing human rights and human security to promote greater tolerance and support for victims of prejudice.

In a videotaped message, U.S. Secretary of State Colin Powell told the con-

ference that on 11 September 2001, "We saw intolerance transformed into the most terrible hatred. There is no place for such hatred in our world. We must cleanse our planet of the pollution of intolerance in all its forms."

Lord Nazir Ahmed, a leading British peer of Kashmiri origin, said he supported the recommendations of an earlier OSCE conference on 19 and 20 June, focusing on anti-Semitism, especially the importance of interfaith work to bring down barriers. He urged participants to consider inserting Islamophobia in the list of major concerns, along with anti-

Semitism and racial, ethnic and religious discrimination.

Since the attacks in the United States, he said, the world had lived with the threat of international terrorism and the rise of the religious right.

"Nobody has felt the brunt of the tragedy more than the Muslims and our faith, Islam," Lord Nazir said. "One week after 11 September, over 700 incidents of attacks were reported in the United States on Muslims and thousands more in Europe. Even Sikh and Hindu communities have been victims of racist attacks."

The demonization of Muslims and Islam in the media had become the norm, he added, lamenting the fact that for certain television and print media, Islam and terrorism were now interchangeable.

Successful multiculturalism

Jean Augustine, Canada's Minister for Multiculturalism, said that her country's diversity — reflected in a population of

continued on page 2

"Ethnically filthy and proud of it"

Several of the keynote speakers at the Conference on Racism wove ironic wit and humour into personal history to address the complex issues of racism, xenophobia and discrimination. Here are excerpts from their remarks at their meeting with the press on 5 September:

Sir Peter Ustinov, actor, UNICEF Goodwill

Ambassador and "citizen of the world"

"I don't really know why, but I was invited to be here among some very interesting people and to listen to what they have to say. I'm myself Chancellor of Durham University in England, and we have a chair for the study of prejudice and its effect on people and politics, which runs very parallel to the aims of this



OSCE/Alexander Nitzsche

wonderful organization.

"I'm ethnically filthy, and very proud of it. I couldn't operate without a mixture of blood [Russian, German, Spanish, Italian, French and

Ethiopian] which has been given to me by my ancestors, and over which I had no control. I wouldn't know how to function without it. It also enabled me to study

INSIDE THIS ISSUE

SEPTEMBER / OCTOBER 2003

- ▣ Racism, xenophobia and discrimination undergo intense scrutiny1
- ▣ Peter Ustinov: "Ethnically filthy and proud of it"1
- ▣ CiO Jaap de Hoop Scheffer appointed NATO SG 4
- ▣ Curbing human trafficking: Policing experts share best practices 5
- ▣ *Lilja 4-ever*: Swedish film captures realities of human trafficking 6
- ▣ Moodysson: Making movies to "wake up people who are sleep"7

In focus: Croatia

- ▣ Croatian Foreign Minister: Reaffirming refugees' right to return 8
- ▣ On the road with Head of Mission: Giving return issue a human face ... 9
- ▣ Taking the temperature in Karlovac .11
- ▣ An American lawyer in Croatia ... 12

- ▣ Unlocking rich potential of Central Asia's SMEs13
- ▣ Seminar on SMEs paves way for 2004 Economic Forum 15
- ▣ Parliamentary Assembly: Interview with PA President Bruce George ... 16
- ▣ ODIHR: "Reality check" at Europe's biggest human rights gathering 18
- ▣ National Minorities: Latvian NGO receives first Van der Stoep Award ... 20
- ▣ Notes from the Secretary General: The UN and regional organizations .21

Commentary

- ▣ Who listens to a watchdog that barks when no one is at the door? 23

www.osce.org

Conference continued from page 1

more than 200 ethnic origins — was a source of its strength. Canada's significant progress in combating racism and discrimination suggested that any national strategy against racism entailed a strong legislative framework, an accessible judicial system, a healthy and active civil society, public education and awareness campaigns, and the elimination of barriers to economic advancement.

Ms. Augustine was born in Grenada in the West Indies. In 1993, she became the first African-Canadian woman to be elected to the Canadian parliament. Acknowledging that Canada was still a "work in progress", she said that the country's aboriginal people continued to be disadvantaged by lower rates of education and higher rates of poverty.

Nevertheless, she said, "We believe that Canada's experience on multiculturalism is successful — successful because

we are continuously evolving, learning from our mistakes, building on our achievements. We have and will continue to persevere to improve."



Jean Augustine, Canada's Minister for Multiculturalism

The Grand Mufti of Bosnia and Herzegovina, Dr. Mustafa Ceric, called for an approach to multiculturalism that stressed the spiritual side of humanity: "The real spirituality of a man is to be able to hold two opposing propositions in his mind

Proud continued from page 1

prejudice from the beginning of my life, because of the circumstances I was born in. It has just led me now, with my foundation, to open three university chairs [Budapest, Vienna, and Shanghai/Beijing] aimed at countering prejudice.

"Let me say that in these hard times, my university has just opened an Islamic centre. I'm not a theologian, but sometimes I wonder whether God and Allah are supposed to be the same person. Because if they are, then the conflicts are absolutely idiotic. If they are not, nobody has answered that question — to my satisfaction anyway.

"We have lots of Muslim students and all sorts of students. One organization that once wanted to join up with us

was the Catholic University of Australia. The principal wrote to me and said: 'Don't be put off by the title Catholic. We accept animists.' So, that's very good news, I'm very glad to hear that..."



Lord Nazir Ahmed of Rotherham, Member of the UK House of Lords

"I was the first Muslim appointed to the House of Lords. Today, we have over 30 parliamentarians, four ministers and two cabinet ministers from ethnic

minorities. There's no other country in the world like the United Kingdom that can give rights to ethnic minorities and to Muslims. Nowhere else can you get examples of someone who's gone into a country as a steel worker and his son makes it to the House of Lords, the highest legislative body.

"[At the OSCE conference] I talked about the UK's race relations legislation of 1976 and many more [laws] since then to protect ethnic minorities and to prosecute those who are responsible for racism and xenophobia, anti-Semitism and discrimination.

"And yet we have our own experiences of racism and xenophobia, and also Islamophobia since 11 September 2001. So, I'm hoping

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without losing his identity," he said.

Dramatically recalling the ethnic cleansing in the Balkans, he said that as a Muslim in Europe, "I fear European history and Europe fears my Islamic identity. Whose fears are more legitimate: mine, because of Srebrenica, 11 July 1995? Or theirs, because of New York, 11 September 2001?"

He concluded: "I believe that neither the meek nor the aggressive will prevail in the world, but those who co-operate for the common good of humanity."

Hate speech on the Internet

At a session devoted to the role of the media in conveying and countering prejudice, several speakers focused on the electronic media and called for strengthened legislation or the implementation of existing conventions to suppress access to websites that disseminate hate speech and racist messages.

Others felt that a legal approach was

either unacceptable or unlikely to be as effective as enhancing the offer of sites that promote human rights and more positive messages, and other means of meeting the challenge "in the market place".

Among the staunchest advocates for this position is the OSCE Representative on Freedom of the Media, Freimut Duve. "Since the Internet does not offer an equivalent to a bookshop's top shelf, this should be done mainly through information and education," he said. The Internet offered a "treasure chest of valuable information, even to counteract hate speech", and provided an unprecedented means for the exchange of ideas and information.

"Thus, while a clear position against xenophobia, racism and hate speech should be taken, new means of regulation must be established very carefully in order to guarantee freedom of the media in the future."

[A publication, *Spreading the Word on the Internet*, has recently been released by Mr. Duve's office. It is based on the Conference on Freedom of the Media and the Internet, which was organized in June 2003.]

Gerard Kerforn, head of the French NGO, *Movement Against Racism and for Friendship Among Peoples*, won support for his detailed recommendation on the gathering of statistics to help analyze the structure of the Internet resources used by racists.

The Conference on Racism, Xenophobia and Discrimination was the second event in 2003 held on this theme, following a decision by the Tenth Ministerial Council in Porto in 2002. The final report and speeches have been posted at: www.osce.org/events/conferences/discrimination

that from this conference we'll be able to encourage other countries of the OSCE, not only to have the legislation to protect everyone and make sure that all citizens are treated equally, but also to monitor this legislation."



OSCE/Alexander Nitzsche

Bruce George, MP and President of OSCE Parliamentary Assembly

"Since we are all admitting to our ethnic origins, I'm Welsh. The Welsh and the Scots and the Irish served the purpose of being discriminated against until, thankfully, the Asians arrived 800 years later and took the heat off.

"We aren't too bad about our legislation. John Wesley, the religious reformer, came to my constituency in 1737 and was beaten up. And when he came back a year later, he wasn't beaten up. And he wrote in his diary about how the people in the town had changed. Either God had changed their hearts and minds, or, more probably, chained the wild beasts up.

"The purpose of legislation is to chain the wild beasts up. You can't change their hearts and minds overnight, but at least you can change their pattern of behaviour and punish them if they operate outside the law.

"I think what is happening at this conference can be seen in the future as a significant development as far as the OSCE is concerned."



OSCE/Alexander Nitzsche

The Grand Mufti of Bosnia and Herzegovina, Dr. Mustafa Ceric

"My wife asked me: 'Why did they invite you?' I said: 'Probably because I'm a Muslim, a professional Muslim. Probably because I'm from Bosnia or Bosnian, a Bosniak. And probably, because I might be European. I don't know.'

"Now you take whatever you like — on behalf of whom I'm speaking. I have four identities. If you don't understand all this, don't bother, I don't understand it either.

"I was very pleased with the visit of Prince Abdullah [of Saudi Arabia] to Moscow the other day. I heard from

reports that President Putin asked Prince Abdullah about Russia's becoming a member of the Organization of the Islamic Conference. This is a purely Muslim club, you know that; it is a political organization. And I was very, very much surprised and pleased. I said, you know, if Putin can ask Prince Abdullah about becoming a member of the OIC, why can't I ask the European Union that Bosnia become a member of the European Union? And this is why I'm here.

"So I still have a dream that I'll become a real European when my country becomes a member of the European Union. And don't tell us, 'You in the Balkans don't understand.' We understand more than you would expect. You have to help us build good universities, good roads, good students. We are 4 million people. Why should we be on the edge of hunger and poverty?"

OSCE CiO Jaap de Hoop Scheffer appointed NATO Secretary-General

The Chairman-in-Office of the OSCE, Netherlands Foreign Minister Jaap de Hoop Scheffer, has been appointed Secretary-General of NATO and Chairman of the North Atlantic Council starting 1 January 2004.



OSCE/Alexander Nitzsche

Secretary-General, Lord Robertson, who has been doing an outstanding job and who will be difficult to succeed," he said.

"At the same time," he added, "it must be underlined that I will remain in my position as Netherlands Foreign Minister and Chairman-in-Office of the OSCE until the end of the Dutch Chairmanship this year. A lot remains to be done, and I want to make it absolutely clear that the Netherlands attaches great importance to bringing this Chairmanship to a good and successful end."

Minister de Hoop Scheffer said preparations for the OSCE Ministerial Meeting in Maastricht on 1 and 2 December — the culmination of the Dutch Chairmanship — were in full swing. He had met a number of foreign ministers and heads of government from OSCE participating States in New York to discuss the Ministerial Meeting and other matters.

"I cannot think of a more natural choice," OSCE Secretary General Jan Kubis told the CiO in a

congratulatory message. "While I will look forward to co-operating with you in your new position, I am glad to hear that you have confirmed your strong commitment to continue steering the OSCE with the same dedication and

determination as up until now."

Lord Robertson said Minister de Hoop Scheffer was "superbly qualified" to lead NATO, adding: "As this year's Chairman-in-Office of the OSCE, he has carved out a reputation for professionalism and straight talking."

"These are challenging times for NATO, which is busier than ever, and has also embarked on a radical transformation to adapt to the new security environment, and I am delighted that we have found the right man to ensure NATO remains the world's most successful defence alliance," Lord Robertson said.

11th Ministerial Council set for early December

The 11th Ministerial Council Meeting of the OSCE will take place in Maastricht on 1 and 2 December 2003, at the invitation of the Netherlands Foreign Minister, Jaap de Hoop Scheffer.

This year's meeting will develop the Organization's strategy on responding to threats to security and stability in the 21st century. Regional conflicts, the fight against terrorism, combating human trafficking, and the promotion of tolerance and freedom of religion will figure prominently in the agenda.

How to curb human trafficking

Policing experts exchange best practices

By Keith Jinks and Andrew Carpenter

“Practical” is the key word to describe the first-ever OSCE Meeting of Police Experts on 18 and 19 September in Vienna.

More than 100 experts from police forces, interior ministries, international police bodies and civil society gathered to discuss concrete ways in which the OSCE can assist participating States to combat trafficking in human beings.

Richard Monk, the OSCE’s Senior Police Adviser and a former Scotland Yard commander, said the gathering served as an informal forum for a frank exchange between policing experts on their day-to-day work and long-term strategies to prevent and combat what is often called the biggest slave trade of the 21st century.

“I told everyone they should come without set speeches to be read into the record, as this was intended to be the kind of meeting where forms of words count less than the content of a real dialogue and free exchange of experience,” said Mr. Monk, Head of the Secretariat’s Strategic Police Matters Unit (SPMU), which hosted the event.

An important aim was to come up with a “laundry list” of practical ideas that might be implemented more widely across the OSCE region, employing the SPMU in a co-ordinating role.

“Everyone invited was an expert in a specific field and shared information about best practices and methods that have been tested and found successful,” Mr. Monk said. “But it was equally important for people to share failed approaches so that their colleagues could pick up valuable lessons and avoid making the same, sometimes tragic, mistakes.”

Ambassador Justus de Visser, Chairman of the Permanent Council, stressed

the significance of the pilot event: “The international community can discuss the issue and identify the obstacles to combating trafficking, but without proper implementation by police experts, our efforts will not prove effective.”

Intensified co-operation

OSCE Secretary General Jan Kubis suggested that co-ordination was being intensified: “We have learned to work closely with those agencies that are actively helping countries to develop their own national strategies, such as the Stability Pact Task Force on Trafficking in Human Beings. And we need to bring the police agencies of our participating States up to speed with the work that has been done outside the realm of law enforcement.”

The meeting drew experts from Interpol, Europol and the Stability Pact for South Eastern Europe. Several national and metropolitan police forces also sent participants, representing a range of countries that form the trafficking chain — as source, transit and destination points.

Madeleine Rees, Chief of Mission of the Office of the United Nations High Commissioner for Human Rights in Bosnia and Herzegovina, said:

“We have been talking about trafficking for many years and we all get into these circular discussions, when in fact it’s quite straightforward: you look at the crimes that are committed against the individuals and you prosecute [those committing them]. But we forget about them, because this is trafficking.

“So instead of dealing with things like sexual violence, instead of dealing



“You are not a commodity”: an awareness-raising leaflet in Russian

with organized crime in the way that police deal with organized crime and have traditionally done so, we put that on one side and we focus on the victim: is she a victim or is she in fact a prostitute or an irregular migrant whom we want to prosecute?”

Another participant was Paul Holmes, whose expertise is based on 30 years’ police service with New Scotland Yard, handling cases of child prostitution, paedophilia and the commercial sexual

exploitation of human beings. He offered another perspective:

“Just about the whole world is in this room, so it may be worthwhile to remind ourselves of the trends at the global level: the crime continues to grow at the internal, regional and intercontinental levels, and the types of exploitation continue to grow.

“It’s probably an open question as to whether sexual exploitation or labour exploitation is the most preponderant, but we shouldn’t ignore the growth in all the other sectors, including the abuse of children and trafficking for organ removal.

“We can also identify quite clearly the continued growth and control of this criminal phenomenon by organized crime because, unfortunately, despite our efforts, it remains a high-profit, low-risk form of criminal activity. This is why extremely skilful and resourceful criminals are taking it over.”

The meeting will report its conclusions and suggestions to the OSCE’s Permanent Council in the autumn.

Keith Jinks is Deputy Head of the Secretariat’s Press and Public Information Section.

Andrew Carpenter is Executive Officer with SPMU.

Trafficking victims

“Less than one per cent testify”

Paul Holmes, Consultant, International Organization for Migration:

“We have a broad disparity in the statistics [on trafficking victims], which I suspect we will always have. But whatever the true number is, this fact is true: significantly less than one per cent of whichever figure you choose ever went into a witness box in any one courtroom and testified against the people that had abused them. For law enforcement officers, that should be a source of shame. We should say, ‘Well that’s unacceptable and we are going to turn that figure around.’”

Justus de Visser, Chairman, Permanent Council:

“The Chairmanship proposes to go one step further. Our aim is to design a mechanism that can help, on the one hand, to keep the fight against trafficking on the OSCE agenda and on national agendas while, on the other hand, giving proper practical follow-up to the Action Plan by OSCE participating States. We are encouraged by the support for this initiative from various countries.”

Jan Kubis, OSCE Secretary General:

“From the law enforcement standpoint, the focus must be on criminals, not on the crime. Hence, intelligence-led policing, which requires the skills, equipment and systems to manage and analyze crime and criminal information. This is a policing requirement which our programmes of assistance are increasingly placing higher in our list of priorities.”

Helga Konrad, Chair, Stability Pact Task Force on Trafficking in Human Beings:

“The police ‘track down’ victims. They deport victims before support can be offered: detention instead of shelter. Surprise interrogations are sprung on victims as though they were criminals. Victims need time to recover, to regain and develop trust. The full truth only emerges over time. There needs to be a victim-centred approach, where the victim’s well-being is central.”

Madeleine Rees, UNHCHR Chief of Mission, Bosnia and Herzegovina:

“The State’s responsibility must be on arresting and prosecuting the real perpetrators. And even if a woman is an illegal migrant and a prostitute, what is the balance in the nature of her crime as opposed to those who are participating in organized crime?”

Lilja 4-ever

Too real for comfort

By Ilia Dohel



Memfis Film

and cynical trade in women and children,” the Foreign Minister said, shortly after the film’s release last year. She announced that Sweden’s Foreign Ministry would provide some funds for a version with English subtitles.

“We hope that by giving financial support, we will make it possible for the film to be shown to groups that would otherwise be unable to see it. It is important to fight attitudes that make this modern type of slave trade possible,” she said.

On 15 September, a subtitled copy made its way to the Hofburg Congress Centre for an awareness-raising event in Vienna, courtesy of the Office of the Coordinator of OSCE Economic and Environmental Activities.

The special screening and panel discussion were the OSCE Secretariat’s contribution to the efforts of its host country to examine its specific anti-trafficking challenges. The fact that Austria is one of the destination and transit points for a number of trafficked women is little-known to the public.

“I realize that watching *Lilja 4-ever* is hardly the most entertaining way to spend your evening,” discussion moderator Peter Fritz, chief of the foreign news desk of ORF (the Austrian public broadcaster), told the visibly moved guests.

A viewer remarked: “It’s not an easy film to watch, not because of its plot,

which is simple enough: a 16-year-old girl somewhere in the former Soviet Union ends up as a sex slave in Sweden. What makes it shocking is that it does not compromise to make the trafficking issue any less dreadful.”

Powerful portrayal

“Eerily real” was the reaction of many in the audience, which included Austrian policymakers and officials, representatives of local and international organizations, journalists and members of OSCE national delegations and the Secretariat.

Staff from non-governmental organizations, some of whom work closely with victims of trafficking in Austria, felt that *Lilja*’s horrifying plight, as played convincingly by teenage Russian actress Oksana Akinshina, was especially powerful in portraying:

- ✿ The desperate socio-economic circumstances that make women and girls vulnerable to trafficking in their search for a better life;
- ✿ The recruitment mechanism, which often starts with “friends” and even relatives — some of whom are part of a well-organized and hugely profitable criminal and business apparatus;
- ✿ The crucial role of police, who need to be guided by a clear legal framework, in the treatment of victims and suspected traffickers;
- ✿ The link with illegal immigration,

which leads the public and authorities to question whether victims deserve support and assistance; and

✿ The deep-seated historical, sociological and cultural roots of the problem, including the status of women.

“You could see that what Lilja wanted is what thousands of women and girls want — to live a normal life,” said Helga Konrad, Chair of the Stability Pact Task Force on Trafficking in Human Beings.

The former Austrian Social Minister said the problem was so complex that “to do something against it, we must take this complexity into account” by simultaneously addressing immediate and long-term and preventative measures, including the root causes.

Legislative framework

Details of legislation in Austria to pro-

tect victims were discussed, with several participants urging that the punishment of perpetrators also be given serious attention.

Terezija Stoisitz, Austrian MP and Chair of the Parliamentary Commission on Human Rights, said: “For me, the most important scene was when Lilja felt there was nobody she could run to because she felt that the police would not be on the side of a trafficked woman.”

Eva Kauffman, representative of LEFÖ, an Austrian NGO that provides trafficked women with advice, support and shelter, said the situation in Austria was not that bleak, citing good co-operation with the police.

“If a victim is considered to be in real danger, were she to be repatriated, a legal way for her to stay can be found,” Ms.

Kauffman said, although “it is not easy at all”. She also described the rare cases of trafficked women being granted temporary residence permits “if they are able to help the police to prosecute traffickers”.

Marcin Swiecicki, OSCE Economic Co-ordinator, pointed out that the *OSCE Action Plan to Combat Trafficking in Human Beings* encourages governments to seek assistance in developing relevant legislation. “We have been disseminating information on the best legislative examples,” he said. “Experts in Vienna and from our Office for Democratic Institutions and Human Rights in Warsaw are ready to assist.”

Ilia Dohel is an Intern with the Secretariat's Press and Public Information Section.

Making movies “to wake up people who are asleep”

Lukas Moodysson, 34, has been called the best young Swedish film director today by no less than Ingmar Bergman. *Lilja 4-ever*, his third internationally acclaimed work, which he also wrote, won the award for best Swedish film in 2002. Following are excerpts from an interview with Mr. Moodysson by Ilia Dohel, Intern with the Secretariat's Press and Public Information Section.



Lukas Moodysson during the filming of *Lilja-4-ever*

Ilia Dohel: I read that when you were writing the script for *Lilja 4-ever*, it did not occur to you that the movie could be interesting to people outside Sweden.

Lukas Moodysson: That is not quite accurate. When I made *Lilja*, I felt that for the first time, I had filmed a movie that was not specifically Swedish. Right from

the beginning, I knew this was a movie about the world in which we all live — a wonderful and horrible world full of kindness and evil.

Do you feel any sense of hope at all?

There is always hope. But for many people, this planet is not a nice place to be. We wake up in the morning and go to work as

usual without giving any thought to the 25,000 people who die of starvation every day, or to the 2 million women and children — children! — who fall victim to trafficking every year. We are numb, unconscious. I make movies to wake up people who are asleep. I make movies to break the silence in the brain-dead culture of consumption in which I, and most other people in the West, live.

You started learning more about trafficking after filming *Lilja*. What did you discover?

A lot. Among other things, I learned that even such a non-revolutionary organization as the United Nations says that this trade is the biggest slave trade in the history of humankind.

I have also learned a lot about how far people can go in the denial of obvious facts. I have learned a lot about the energy we put into closing our eyes.

Are Sweden and other countries doing enough to prevent and reduce trafficking?

No. The only way to stop the trade in women and children is to

drastically redistribute the world's resources so that the gigantic inequalities between rich and poor disappear. I do not see many politicians or authorities in the world moving in this direction.

What kind of feedback have you received on *Lilja*?

Some people hate the movie, some love it. The reactions that please me the most come from those people who, after having seen the movie, change their lives. For example, there was one woman who decided to go to Russia to work against prostitution.

Couldn't you have given *Lilja* a chance?

I tried to save her life when I was sitting in front of my computer writing the script, but I could not. When I wrote that someone came up to her and saved her, I felt that I was lying.

It is important to remember not to cast any blame on *Lilja* for taking her own life. It is not *Lilja* who should change. One should put the blame on the perpetrator, not the victim. From a wider perspective, one should put the blame on the rich part of the world, on the destination countries, on the market.

CROATIA

Reaffirming refugees' right to return

Croatian Foreign Minister encouraged by achievements

In an interview with the OSCE Newsletter, Foreign Minister Tonino Picula of Croatia acknowledged that facilitating the return of minority groups to the country after the conflicts in the 1990s has not been an easy task. However, he was encouraged by what had been achieved in the previous three years, which he attributed to the partnership between the Government and the OSCE Mission to Croatia.

OSCE Newsletter: How does Croatia see the role of the OSCE Mission in dealing with the legacy of conflict?

Foreign Minister Tonino Picula: The OSCE Mission was invited by the Croatian Government to assist in a vari-

ety of issues, including those relating to the return of refugees and the integration of national minorities into Croatian society. The significant achievements in this area, especially in the past three years, are the fruit of the co-operation with the Mission and the commitment shown by the Croatian leadership. Through this partnership, for example, we are now working with the Mission to launch a public awareness campaign aimed at accelerating returns and the process of integration.

Does the Government find OSCE advice and recommendations useful?

The advice given by the Mission is always greatly appreciated. Ambassador Peter Semneby, Head of the OSCE Mission to Croatia, has made clear his inten-

tion to put the Mission's capabilities at the disposal of our Euro-Atlantic aspirations. Indeed, we consider the Ambassador and his staff as partners on our path to joining the European Union and NATO.

Some non-governmental organizations complain that the rate of return of refugees is too low and question the strength of the Government's commitment to ensuring the returns. How would you comment?

I was recently reviewing some old reports from 1997 and I found that the international community at that time expected no more than 40,000 minority returns. Today, 105,805 Croatian citizens of Serbian nationality have returned, which is about one-third of the total number of refugees. The Croatian Government is committed to facilitating the return of all those who would like to come back to their homeland.

European history, unfortunately, has shown that the task involved in minority returns is not easy.

However, we are encouraged by what Croatia has achieved so far and we are confident that our partners in the OSCE region will give us their political and financial support aimed at fostering the return process.

Many returnees say they face major bureaucratic obstacles to getting their homes back or obtaining assistance for repair work. What is the Government's response?

Out of some 19,255 cases involving private property that was allocated to temporary users (mainly refugees from



OSCE/Alexander Nitzsche

Tonino Picula, 42, had just been elected to the Croatian Parliament in 2000 when he was appointed by the new Government to head the Ministry of Foreign Affairs. A graduate of the University of Zagreb's Faculty of Arts and Letters, he has held senior positions in the Social Democratic Party since joining it in 1990.

Bosnia and Herzegovina), 14,046 homes have already been returned to their legal owners. At the same time, the Croatian Government is providing financial compensation to property owners who are still awaiting restitution.

It is true that some in the international community would like to accelerate the restitution of property by evicting temporary users. The Croatian Government, however, will honour the European tradition of considering property as a right that can be limited when social criteria are applicable. In other words, we will return property to its legal owners and, at the same time, we will offer alternative dwellings to the temporary users. This is costly and entails some paperwork. The final goal, however, is not to set up bureaucratic obstacles but, rather, to extend to everybody the right to a home.

A letter from the OSCE Representative on Freedom of the Media in June suggested that pending legislation will be more restrictive of freedom of the press

in Croatia. How did you respond?

I stressed to Mr. Freimut Duve that the amendments to the Criminal Code were intended to bring more clarity and introduce some logical order into the chapter dealing with criminal offences against a person's reputation and credit. The amendments did not introduce new types of crimes. On the contrary, objective responsibility on the part of editors-in-chief was deleted.

As for the issue of defamation, it's important to point out that this was already a crime under Croatian law, as is the case in most European countries. However, sanctions imposed by Croatian criminal law are on the whole significantly milder than those in the rest of Europe. In addition, case law suggests that the judicial system is reluctant to apply them.

In short, our goal was to protect the rights of Croatian citizens more effectively, not to restrict the freedom of the media. At the same time, we remain open to a constructive dialogue with all the

interested parties, including the OSCE Representative on Freedom of the Media.

How does Croatia view the future of the OSCE?

There is no doubt that the OSCE is a key institution in the European security structure. It is unique because of its comprehensive approach to security; in this regard, we fully support the initiative to rebalance the Organization's three dimensions. We do not see the OSCE as an alternative or a competitor to the EU, NATO or the Council of Europe. On the contrary, there is a place for each institution.

It is also clear that the enlargement of the EU and NATO is expanding the zone of security and prosperity to central and south-eastern Europe. Therefore, it makes sense for the OSCE to refocus on the situation in the Caucasus and Central Asia, where it can make a difference by providing essential support to democratization.

Giving the return issue a human face

On the road with the Head of Mission in Croatia

By Richard Murphy

Standing in the tent that has been his home for three years, Gojko Jasníc, 67, describes his efforts to win assistance from the Croatian authorities in rebuilding the gutted ruin behind him that was once his family house.

In August 1995, Mr. Jasníc, an ethnic Serb, fled his home in the gentle countryside of Zimic, near Karlovac in Central Croatia. He was one of countless refugees from all ethnic groups who were displaced by the bloody conflict that engulfed the former Yugoslavia in the 1990s. On his return more than four years ago, he found his house almost destroyed.

"I lived in the part of the house that was still habitable," he told Peter Semneby,



Drazen Breitenfeld/Vecemjji List

Ambassador Peter Semneby

Head of the OSCE Mission to Croatia. "Then one night the roof collapsed. Luckily I was not inside or I would probably have died. For the past three years, I have been living in this tent."

Mr. Jasníc's case is one of many that

have been referred to the OSCE Mission since it was established in 1996. Assisting the Croatian government in meeting its commitment to support the return and integration of all refugees and displaced persons is a key part of the Mission's mandate.

"It is tragic that a person has to live in a tent for three years," Ambassador Semneby says. "It is an example of the kinds of bureaucratic and administrative obstacles that returnees face. It should be possible to resolve these issues quickly to avoid people having to spend a very long time under conditions that are absolutely unacceptable."

Forceful action

Mr. Jasníc, an upholsterer by



OSCE/Alessandro Fracassetti

Refugee Gojko Jasnic has been living in a tent for the past three years.

trade but who is presently jobless, is one of three returnees visited by Peter Semneby and his staff. They were accompanied by a group of Zagreb-based journalists on a damp, humid day in late summer. “By bringing these cases to a wider audience, we are giving the more abstract return issue a human face,” Ambassador Semneby says.

In one of a series of television interviews, the Ambassador welcomed the Prime Minister’s call in June for all displaced persons to return to Croatia.

“But this needs to be followed up by forceful action. Those who have had their houses destroyed should be given reconstruction assistance. Those who have had their houses occupied should be able to repossess them without any further delay. Those returnees who had occupancy or tenancy rights should be given replacement apartments.”

The Mission to Croatia was set up under a Permanent Council decision of April 1996 with a mandate to assist and advise the Government and other relevant groups in the fields of democratization, human rights and the rule of law.

In 1997, the mandate was extended to include “assisting and monitoring implementation of Croatian legislation and

international commitments on the two-way return of all refugees and displaced persons and on protection of their rights”.

“The return issue is still the most important part of our work,” says the Ambassador.

He pays tribute to the Croatian Government, which hopes to join the European Union by 2007, for its determined efforts to meet its international commitments and for making the necessary legislative and administrative changes. But he adds: “Implementation is poor.”

“This is an issue that requires continued and even stronger political commitment on the part of the political establishment at all levels,” he says.

Unique position

Peter Semneby, 44, is an experienced Swedish diplomat who headed the OSCE Mission to Latvia — now closed — before moving to Zagreb in 2002. He regularly criss-crosses the country for talks with local and regional politicians, minority representatives, journalists and non-governmental organizations.

A typical outing in the summer involved an intensive two-day schedule of meetings in Split with Mission staff, journalists and members of local

national minority councils, a late-night flight back to Zagreb, early-morning staff meetings at Mission headquarters and then a day-long trip in a convoy of OSCE vehicles to meet individual returnees in the Karlovac area and learn about their problems at first hand.

He is constantly on his mobile phone with his staff, government contacts, colleagues at the Secretariat in Vienna and the OSCE Chairmanship.

“The OSCE is in a unique position to assist Croatia in fulfilling the requirements it has agreed to,” Ambassador Semneby says.

“We are the only international organization with an extensive field presence in Croatia, which means that we can provide assistance not only at the central level in Zagreb, but also throughout the country at the regional and local levels.

“Conversely, the advice that we give to the Government at the central level can be based on a good understanding of the situation throughout the country.”

The Mission has 67 international staff and about 170 local staff, based at its headquarters in Zagreb, field centres in Vukovar, Sisak and Knin, and seven field offices.

Apart from refugee returns, the Mission is actively involved in minority rights, judicial reform, media legislation and police reform. It also works closely with NGOs.

Returnee Gojko Jasnic responded with remarkable equanimity to the disruption of his rural peace by OSCE Mission staff and television crews.

“I did not return to Croatia to live in a refugee centre,” he said. “I am not interested in ethnic issues. I have nothing against anyone, whether Croat or Serb. I don’t hold a grudge against anyone. I know there are many other people in a similar situation. I understand that even bureaucratic things take a lot of time. I am not bitter. I would like to live in my own home again.”

Richard Murphy is OSCE Spokesperson/Head of Press and Public Information in the Secretariat.

Taking the temperature on the ground in Karlovac

KARLOVAC, CROATIA— The OSCE field office in this urban area, close to the former front line of the conflict and just over half an hour's drive from Zagreb, is headed by Andrey Kandybko, a 41-year-old Russian. A former army major who has had extensive experience in United Nations peace-keeping operations, he previously worked for the field office in Petrinja, Croatia, and before that served for two years with the OSCE Presence in Albania.

Andrey, who speaks fluent Croatian, enjoys the close contact with the local population which working in a field office involves.

"The OSCE has a unique capacity with its extensive network of field presences," he says. "They take the temperature on the ground, which means we are often able to assist in individual cases.

"We work in post-conflict societies which are different from the societies in other countries in transition; tensions and hatred still run deep. Extensive contact with the local community is very important.

"Being able to speak the language helps dramatically — it's a confidence-



OSCE/Alessandro Fracassetti

A Serbian returnee who lost her home talks about her concerns with Andrey Kandybko, Head of the Croatian Mission's Field Office in Karlovac.

return process in all its manifestations, focusing mainly on the restitution of property and restoration of ownership rights. We co-ordinate the efforts of NGOs, which provide legal and other forms of assistance to returnees. And we assist in and monitor developments aimed at institutionalizing the national minority councils."

Despite the inevitable frustrations, Andrey clearly enjoys his work.

"The most satisfying part is working with the

building measure.

"People get to know you, so they are not afraid of international monitors and they start to feel that you may be able to help them, that you are not just there to write reports to Vienna."

The Karlovac field office, one of seven in Croatia, has a staff of nine, including two internationals. The issue of refugee returns takes up much of their time.

"Our role in the field is twofold: we get involved in specific return cases and try to assist in the development of regional and local policies on matters involving returns and minority integration," says Mr. Kandybko, a native of St. Petersburg.

"We closely monitor and assist in the

people. When we help to bring about even some improvement, I feel very rewarded. Many returnees say that if it were not for the international community putting pressure on local and central government, the process of return would be even slower than it has been."

Asked to compare his UN experiences with life in the OSCE, he replies: "OSCE missions get involved in a much wider variety of issues and have a more diverse staff. Their mandates are often more proactive. The OSCE offers a special chance to widen your approach, to use new techniques, to work more with local governments and to provide input into some very concrete activities on the ground."

Croatia: Facts and Figures

Population: 4,437,460

Croats: 3,977,171 (89.63%)

Serbs: 201,631 (4.54%)

An estimated 300,000 Croatian citizens of Serbian nationality left Croatia during and after the 1991-1995 conflict. As of 1 October, some 105,805 had registered as having returned.

About 195,000 housing units (for residential or business purposes) were destroyed during the armed conflict, out of which 121,340 have been reconstructed.

Sources: 2001 census; Ministry for Public Works Reconstruction and Construction

An American lawyer in Croatia

Using law as an instrument of peace

By Alessandro Fracassetti

Just like many people serving in the OSCE Mission to Croatia, Mary Wyckoff became interested in the region during the armed conflict in 1991-1995.

“I was riveted by the television images, particularly from Sarajevo. I thought: the people I was seeing getting killed on the way to work could be me,” says the American human and civil rights lawyer from New Jersey.

Now she is based in Zagreb, heading the OSCE Mission’s Rule of Law Unit, which includes some 30 lawyers Mission-wide. Since her area cuts across the whole range of issues covered by the Mission — from refugee return to police reform — extensive co-operation with other units is of the essence.

“Our aim is to assist Croatia and all its citizens in the development of a state where the rule of law is respected,” Ms. Wyckoff says. “We are here not only to resolve substantive issues, but also to assist Croatia in developing institutions that can solve the problems of its people without the need for the international community’s intervention. It is a long-term process.”

As a lawyer, she sees the issues as clearly fundamental ones: defining an individual’s relation to the State and how law can be used either as an instrument of war, or as an instrument of peace and justice.

Earning trust

In the past year, the Mission has strengthened its emphasis on supporting the Constitutional Court and the Ombudsman to enforce human rights. The aim is to help these bodies enhance their work, in turn earning the trust of both the public and the Government.

There have been some breakthroughs, notably the passage of a Constitutional



OSCE/Alessandro Fracassetti

Lawyer Mary Wyckoff heads the Croatian Mission’s Rule of Law Unit.

Law on the Rights of National Minorities, which grants minorities representational rights at all levels of government and the judiciary, as well as cultural and language rights.

“The Mission, together with the OSCE High Commissioner for National Minorities, was actively engaged in discussions that led to the adoption of the law,” Ms. Wyckoff says. “Now we are assisting in the law’s implementation through monitoring, training, information and other support.”

Sovereign country

Mary Wyckoff’s involvement in Croatia started in 1996, in the Eastern Slavonia region, which was then under the administration of the United Nations. She served as Deputy Director of a joint U.S.-Norwegian project to establish free legal aid offices for displaced persons and refugees.

After several years in other parts of the region, she returned to Croatia in 2002 to join the OSCE Mission. She has

been finding it challenging to work in a sovereign country where the international community does not exercise executive authority.

“What makes working here interesting is that the issues are sufficiently ripe, institutions exist and there are basic legal ingredients to work with. A lawyer requires functional institutions to be of professional use,” she says.

Before specializing in south-eastern Europe, Ms. Wyckoff worked for a U.S.-wide legal organization as a federal court litigator on behalf of the rights of minorities and women and families.

She would like to see the OSCE redouble its current efforts aimed at upholding its principle of gender equality, especially at the upper echelons in missions.

“I sometimes find myself feeling a bit lonely at high-level meetings when I am one of the few women present,” she says.

Alessandro Fracassetti is Spokesperson for the OSCE Mission to Croatia.

Unlocking the rich potential of Central Asia's SMEs



OSCE/Alexander Nitzsche

An entrepreneur with his display of pomegranates in Tashkent, Uzbekistan

The OSCE's efforts to rebalance its activities in Central Asia were hailed by the region's leaders when they met the Chairman-in-Office on his trip to the former Soviet states in July.

They welcomed the fresh infusion of funds early this year especially intended for the Organization's economic and environmental dimension, some of which are being channelled into the development of small and medium-scale enterprises (SMEs). In an interview with the OSCE Newsletter, Helen Santiago Fink, Senior Economic Affairs Officer in the Office of the Co-ordinator of OSCE Economic and Environmental Activities (OCEEA), explains how SMEs can help kick-start Central Asia's economies.

OSCE Newsletter: Why is the development of small and medium enterprises such an integral part of the OSCE's economic strategy in Central Asia?

Helen Santiago Fink: SMEs form a vital component in the growth and development of market economies. Since they focus on labour-intensive activities, SMEs play an important role in promoting entrepreneurship and market principles, in creating badly needed jobs and in alleviating unemployment, which is quite high in the Central Asian countries.

At the same time, SMEs help reduce poverty and promote income-generation, contributing towards the long-term stability and security of countries in transition — especially those that cannot rely on substantial foreign investment for sustained growth.

Given its strategic location and historic legacy as a trading route, Central Asia holds tremendous potential for the development of private-sector business activities. Its natural trading partners are

neighbouring Russia and China. And its own market of 54 million customers still needs to be fully tapped.

Let me mention some examples:

- ✂ Uzbekistan could make use of its low labour costs to achieve international competitiveness in the processing of metals and textiles and other raw materials.
- ✂ Turkmenistan has an under-developed energy sector and a promising textile industry, which grew by 21 per cent in 2001.
- ✂ In Kyrgyzstan, new investment and less border restrictions on the part of its neighbours could help to advance the country's agricultural sector and expand the food processing industry.
- ✂ Kazakhstan has the potential to accelerate the growth of its telecommunications sector and improve its energy transportation infrastructure for export and domestic markets.
- ✂ Tajikistan offers opportunities in light manufacturing, agro-business and the under-developed aviation sector.

What are the OSCE's main programmes in support of SME development?

Most of our programmes consist of small projects: conducting training workshops for SMEs, publication of legal requirements, building the capacities of business associations, and supporting micro-credit financing institutions. Several projects seek to raise the authorities' awareness of the importance of SMEs in order to secure the political commitment so essential to their development. We are targeting specific geographic areas and vulnerable parts of the population that stand to benefit most from the increased economic opportunities.

One of our first initiatives is the Youth Entrepreneurship Seminar (YES) programme, which introduces young people between the ages of 15 and 25 to market principles and the basic elements of starting a business. The concept proved successful in Bosnia and Herzegovina, where it was jointly implemented by the OSCE Mission and the Southeast Enterprise Development (SEED), an affiliate of the World Bank Group. We hope to apply the scheme's lessons to Central Asia. In Uzbekistan, activities have already started.

We also carry out activities that foster co-operation between the business com-

munity and government authorities. We are assisting chambers of commerce, which are traditionally state-controlled bodies, to become more responsive to the needs of SMEs. In Kazakhstan, in partnership with the Eurasia Foundation, we are assessing the micro-finance sector with a view to increasing the availability of financial resources for entrepreneurs. At the same time, to help SMEs understand government regulations and procedures, we publish information material explaining subjects such as international trade, tax policy and starting a business.

Currently, we are exploring closer working ties in the region with the European Bank for Reconstruction and Development (EBRD) in London and its technical assistance unit for SMEs. Through regular consultations at both the headquarters and field level, the OSCE and the EBRD are working towards strengthening the operational capacity of the SME sector and developing new economic market opportunities through ecotourism and other areas.

If you recall, in his address to the OSCE Permanent Council in April, EBRD President Jean Lemierre urged the participating States to support SMEs, calling them "the backbone of wealthy economies". He invited the OSCE to co-operate more closely with the EBRD, since there is a tight link between economic growth and socio-political stability. Indeed, Central Asia's high unemployment rate makes it a breeding ground for crime and corruption and drives away the region's valuable human capital.

What are the main constraints to SME development in Central Asia and what can governments do to remedy them?

The five Central Asian republics' individual strengths and weaknesses vary, so it is difficult to speak in general terms.

- ☞ In Turkmenistan and Uzbekistan, foreign exchange laws serve to restrict trade and to discourage SMEs from expanding and entering the export market.
- ☞ In Kyrgyzstan, high foreign debt, a slow reform process and excessive

What exactly is an SME?

There is no single accurate definition of small and medium enterprises. An SME may be a restaurant, a hand-craft producer, a small machine shop or a computer firm — each operating under different circumstances and with varying degrees of skills and sophistication.

Depending on the country, the size of an SME can range from five to 250 employees — the S (small) ranging from 5 to 50, and the M (medium) from 100 to 250. The European Union has established, for policy purposes, an upper ceiling of 250 employees.

In contrast to micro-enterprises, which are usually found in the so-called semi-formal and informal sectors, SMEs are more growth-oriented and tend to operate in the formal sector.

— Helen Santiago Fink

interference in business must be hurdled to help bring about an SME-friendly environment.

- ☞ In Tajikistan, low incomes, a dilapidated infrastructure, a weak administrative capacity and an under-developed financial sector are pressing problems.
- ☞ And in Kazakhstan, economic diversification and better governance in both the public and private sectors are major priorities.

There are, of course, a multitude of shared concerns as well, many of which have their roots in controlled economies and authoritarian systems. Some of the urgently needed measures are:



A market niche in Bukhara, Uzbekistan



OSCE/Alexander Nitrosche

A row of shops in Bukhara, Uzbekistan

- ☞ Dismantling cumbersome bureaucratic policies and practices;
- ☞ Making laws transparent and supporting their enforcement;
- ☞ Ensuring greater access to information, credit and business development services; and
- ☞ Strengthening institutional capacity and overhauling the banking system.

These macro-economic reforms, if backed by a strong political will to open up markets to competition, would stimulate the growth and creation of SMEs, attract domestic and foreign investment, encourage the informal sector to join the formal economy, and discourage corrupt practices.

Such a commitment, coupled with a willingness to cooperate as a region, would transform the prospects for Central Asia. It could become a serious economic and trading player in the global economy, boosting national confidence, stability and security in the region as a whole.

The choice lies with the leaders and citizenry of Central Asia.

Seminar on small and medium enterprises paves way for 2004 Economic Forum

Supporting the development of SMEs is the theme of an OSCE seminar to be held on 17 and 18 November, in Yerevan, Armenia. The event is the first in a series of three seminars leading up to the OSCE's Twelfth Economic Forum, to be held in Prague from 31 May to 4 June 2004.

In Yerevan, representatives from the private, public and non-governmental sectors from the OSCE's participating States will examine:

- w The legislative and institutional framework for SME development;
- w Direct assistance facilitating SME development;
- w Developing national legislation and business-friendly policies in key areas;
- w Entrepreneurship education;
- w Financial and technical assistance towards starting up and developing businesses;
- w Existing international guidelines and practices;
- w The role of state support institutions;
- w The role of business associations; and
- w The OSCE's role in supporting the development of SMEs

The event will feature a special exhibit of printed material and audio-visual productions illustrating effective practices and successful case studies in the SME sector throughout the OSCE region.

The importance of a healthy investment climate will be discussed at the second preparatory seminar, to be held in Dublin, on 16 and 17 February 2004. The final seminar, focusing on building human capital resources, will take place in Bishkek, Kyrgyzstan, in March 2004.

The three seminars will pull together practical recommendations on strengthening the OSCE's role in helping build institutional and human capacity for economic development and co-operation, which is the theme of the Economic Forum.

The Forum and its preparatory meetings are organized by the Office of the Co-ordinator of OSCE Economic and Environmental Activities and the OSCE Chairmanship.

For regular updates on the preparations for the 2004 Economic Forum, please access www.osce.org/eea



Neither adversarial nor sycophantic: that is how OSCE Parliamentary Assembly President Bruce George describes the relationship he would like to see between the Assembly and the Permanent Council, the Organization's main day-to-day decision-making body in Vienna.

In a wide-ranging interview for the OSCE Newsletter, shortly after he was elected in July to a second one-year term as President of the Assembly, the veteran British parliamentarian also spoke of his desire to see the OSCE deepen its relations with non-participating States, especially in the Middle East, and possibly consider engaging in some "out-of-area" activities.

With other international organizations "snapping at its heels" in some areas of its activities, the OSCE needed to work harder to remind citizens of the 55 participating States of the unique and important role it played in European security, Bruce George said.

Following are excerpts from his interview with Richard Murphy, OSCE Spokesperson and Head of Press and Public Information.

OSCE should pursue "exceptionally good value" with more vigour

Even though it is rather cumbersome in its structure and even more cumbersome and difficult in its decision-making, I believe the OSCE is doing a pretty good job. But there are a number of other organizations snapping at our heels.

I don't think we are in immediate danger, but there are some warning signals that have to be heeded. NATO is now doing a number of things that the OSCE has done or could do. In the new member States of an enlarged European Union, the OSCE may face a "No Entry" sign because these countries will consider themselves perfectly competent to deal with their own problems. The Council of Europe is in an expansionist mode as well.

The OSCE has to continually evaluate its structure, its decision-making mechanisms and its performance to ensure that it stays ahead of the game and is able to assure citizens and governments that it has areas of competence and expertise that are unique. There have been reforms, but reform is not a once-and-for-all process. It has to be continuous.

We have to really pursue much more vigorously those areas where we are exceptionally good. I think that the field missions represent exceptionally good value and are at the cutting edge of the OSCE, but they are under-funded and I feel their budgets should be increased even more.

I am very pleased that the OSCE is moving more and more into the sphere of policing. There is great scope for more engagement with those countries that wish to have advice and expertise in this area.

Unique selling point

The great thing about the OSCE is its diversity, flexibility and adaptability. We have to sell this to our constituents, to our national parliaments.

We are unique in our having interrelationships between so many seemingly disparate issues, and in having security and human rights within the same organization. I spoke at a conference in Bern a few months ago on promoting small and medium-sized enterprises. A few weeks later, I was at a conference on civilian control of the military and then at another one in Moldova on federalism. It's pretty incredible that one organization can turn its hand very effectively to such disparate areas of policy.

PA-PC relations

So far, neither the Assembly nor the OSCE has got the structures and the ethos quite right for this important relationship. There has been progress, though, and I'm very pleased that we now have Ambassador Andreas Nothelle as the Assembly's Special Representative in Vienna to help bridge the geographical and political chasm.

Some tensions in the relationship are inevitable, but I might add that things are infinitely worse in the relationship between national parliaments and governments, which is one of creative tension, of occasional periods of closeness, punctuated by longer periods of dissent between the legislative and executive arms of government.

The relationship between the Assembly and the Permanent Council should not be adversarial, nor should it be sycophantic. What I have been trying to do is

to emphasize that we are two sides of the same coin. We are both part of the OSCE family. Our message to the PC is that we in the Assembly are very supportive of you; we'd like to do more, but please open up more to the Assembly.

It is not the Assembly's role to be like American cheerleaders at a ball game, although there are occasions when we would wish to do that. We have a positive contribution to make. We were all elected, and in our midst are people who have been senior ministers or speakers of national parliaments and who continue to chair significant committees in their national legislatures.

We're not a bunch of nobodies who have been plucked out of our national capitals. We are people who can make a real contribution, but the success of our contribution will depend on the willingness of the PC to engage us more. We would like to be alerted to policy formulation at an early stage, just as the European Parliament is involved in the preparatory stages of EU legislation and decisions.

Ministerial Councils

I think an acid test of how governments perceive the importance of the Organization is their willingness to come for a day to focus exclusively on OSCE issues. It is profoundly embarrassing for me as a Brit to see how poor the attendance of British ministers has been at OSCE meetings.

New directions

Part of the strength of the OSCE is the way we have links to countries outside the Organization which take the time to nurture their relationship with the OSCE. We have our Asian partners, and I am delighted that the OSCE is now developing a relationship with the new Afghan administration. Then there is our relationship with our Mediterranean partners, which I think has a good chance of moving to a much higher and more effective and serious level.

The Mediterranean is an area where we could do things that NATO and the EU, and other organizations, cannot do as well as we can. One of the strengths of the OSCE is that it is such a mixture of nations, regions and different political and economic systems, with no one

Bruce George was elected President of the OSCE Parliamentary Assembly in July 2002 and was re-elected for a further one-year term in July 2003.

He has been a Member of the British Parliament since 1974, serving as Chairman of the House of Commons Defence Committee since 1979.

Since becoming a member of the OSCE PA at its first gathering in Budapest in 1992, the British MP has been at the forefront of many of the Assembly's activities.

Recently, he was appointed as the Chairman-in-Office's Special Co-ordinator of the OSCE Election Observation Mission in Georgia's parliamentary elections on 2 November and in the Russian Federation's parliamentary elections on 7 December.

Asked how he manages his schedule, Mr. George said, "I try to take care of my OSCE commitments and responsibilities between meetings of the Defence Committee on Wednesdays and my regular 'surgeries' — advice bureaus — for constituents on Saturdays."

dominant. That should be attractive for countries that are largely Islamic.

The Assembly is not as constrained as the OSCE is in expanding co-operation with Mediterranean partners and engaging them on issues they want to talk about. With the support of members of the Mediterranean Group, we are entering into uncharted territory as far as the OSCE family of organizations is concerned. Creating that relationship with Mediterranean partners will be a very significant development.

A number of organizations have moved "out of area". I don't know whether one would get consensus for the OSCE to do so. I think there are areas where we might bring our expertise to bear, so it's a possibility.

I want the Assembly to monitor more presidential elections, something we haven't really done so far. The issue of terrorism is also one of growing concern. In some ways, it doesn't fit quite as neatly into the responsibilities of the OSCE as the "softer" issues we have traditionally dealt with. But this is an area where the OSCE is playing an increasing role, and it is ideally placed because of its membership from Muslim countries.

Decision-making

At the Ministerial Council Meeting in Porto in December last year, I ever so delicately pointed out that consensus had great advantages because once you

have an agreement, it should be binding on all the participants. But the negative side is that it can be paralyzing. It can mean that because of just one country, you can't take decisions you want to take, or the decisions you do take are diluted beyond any recognition or reality.

In the Assembly, decisions are sometimes made on the basis of consensus minus one; a number of decisions in committees are based on a simple majority; and in the plenary, it's up with your hands, and the winner takes all — although one hopes that the winners have in their resolutions some built-in recognition of other views.

I think there could be some sort of variable geometry in voting methods in the OSCE and a concept of approximate consensus. You have to be very careful that the smaller countries don't see this as a big-State veto. I am not suggesting that the OSCE should ram through decisions that a substantial minority oppose. What I am saying is that there are certain kinds of votes where it is not a matter of life or death for a government and where there can be a slightly more flexible approach.

However, even though the Porto speech generally was very positive, my gentle presentation of the drawbacks of consensus has met with a definite consensual silence.



OSCE/ODIHR annual “reality check”

A layperson’s guide to Europe’s biggest human rights gathering

By Curtis Budden

For the uninitiated, the OSCE’s annual Human Dimension Implementation Meeting in Warsaw can be overwhelming. Its sheer size (some 800 participants this year), its duration (two weeks) and its scope (a full catalogue of human rights and democratization issues) have rightly earned it the description, “the biggest human rights gathering in Europe”.

“Human dimension” is the collective name given by the 1989 Vienna Conference of the Conference on Security and Co-operation in Europe (CSCE) to the plethora of human rights and humanitarian undertakings by the participating States.

Christian Strohal, the Director of the OSCE’s Warsaw-based Office for Democratic Institutions and Human Rights (ODIHR), which hosts the event, explains what the meeting is all about in down-to-earth terms.

“It’s a reality check,” he says. “OSCE participating States review how they have been faring in implementing the commitments they have signed on to in the human dimension. They look back at the past year with an eye to the future and try and seek solutions to help improve their performance.”

One notable absentee at this year’s meeting, which took place from 6 to 17 October, was Turkmenistan; for the third year in a row, it did not send a delegation.

“I appeal to the Turkmen authorities not to disenfranchise their state and their people from the possibility of accepting standing offers of co-operation with a view to advancing human security,” Ambassador Strohal said at the closing plenary session. “And I call on Turkmenistan to become engaged in meaningful dialogue, which is what this meeting is all about.”

How it works

The meeting’s first week is devoted to the review process. National delegations tackle the broad spectrum of human rights and democratization issues — which are at the core of the human dimension — as they relate to the OSCE’s concept of comprehensive security.

Whether the items fall within the realm of fundamental freedoms, tolerance and non-discrimination, rule of law, democratic institutions, or humanitarian affairs, “they all pose a formidable challenge to our States, as they go to the heart of how our societies function,” says Ambassador Strohal.

The meeting’s second week, focusing on carefully selected themes and project activities, serves as a discussion forum for representatives from governments, OSCE institutions and field missions, international organizations and non-governmental organizations.

This year’s themes, chosen for their relevance to the Organization’s efforts to define new threats and challenges in the 21st century, were: discrimination, racism, xenophobia, anti-Semitism, national minorities and migrant workers. These topics had also been subjected to close scrutiny at major OSCE and ODIHR conferences during the year.

Side events

An essential feature of each Human Dimension Implementation Meeting is the number of small side events, which provide NGOs, OSCE institutions and others with an opportunity to explore specific topics that may not garner a lot of attention in the larger sessions.

This year’s offerings, several of which attracted press attention, included: “The Media in Central Asia” (organized by the OSCE Representative on Freedom of the Media); “The Chechnya Conflict from a Human Rights Perspective” (International Helsinki Federation for Human Rights); “Internally Displaced Persons” (Norwegian Refugee Council); “The Death Penalty in the OSCE Region” (Open Society Institute); and “The EU and the OSCE: Together for Human Rights” (EU Presidency).

Publications

The meeting also serves as a convenient launching pad for new booklets and reports published by the OSCE and by other international organizations and NGOs.

This year, the OSCE/ODIHR released five new publications:

- The OSCE’s first handbook for domestic election observer groups;
- A handbook for OSCE field personnel on dealing with individual complaints of human rights violations;
- A progress report on the compilation of existing commitments for democratic elections in OSCE participating States;

- ☞ The ODIHR's annual background report on the death penalty in the OSCE region; and
- ☞ A Russian-language introduction to human rights, which was published in co-operation with the Norwegian Helsinki Committee.

The recommendations at the annual Human Dimension Implementation Meeting are examined by the OSCE's Ministerial Council Meeting in December, which in turn provides guidance to the Organization on its work in the coming year.

Curtis Budden is a Public Affairs Officer at the ODIHR.



Ambassador Anton Pinter of Slovakia (left) and Nicolae Gheorghe, Head of the ODIHR's Contact Point for Roma and Sinti Issues (right) find a quiet discussion corner at the OSCE/ODIHR meeting.

“Here they can't avoid listening”

By Urdur Gunnarsdottir

WARSAW — More than 200 non-governmental organizations were represented at the Eighth Human Dimension Implementation Meeting in Warsaw in October.

Ranging in scope from Amnesty International and Human Rights Watch to Kyrgyzstan's Civil Society against Corruption and the Caucasus Women's Research and Consulting Network, the NGOs came to make their voices heard.

“The Warsaw Meeting is a place where legal obligations are reaffirmed, where moral questions are asked, where heads of governments are held responsible, where solidarity is expressed and where views are exchanged,” says Anne Marit Austbo, Adviser for the Norwegian Helsinki Committee.

But, she adds, it's also much more than that.

“The meeting is an unusual forum for human rights advocates like us because we get to participate on an equal foot-

ing with representatives of States. It offers us a great chance to present our views and to challenge States on their human rights practices.

“We meet other NGOs and share experiences. And we attend the side events, which enable us to explore certain issues more thoroughly and engage in a real debate.”

Ms. Austbo says some government officials have remarked that she is in an enviable situation: she can speak her mind and criticize States for doing too little — or too much.

“Of course it's a privilege to be in on these discussions,” she says. “But the Human Dimension Implementation Meeting does not solve everything. Many paradoxes remain. Some matters deserving of more attention are not discussed, or are touched on only superficially.

“I appreciate the fact that any dialogue with authorities who are under fire for their human rights record has to be constructive. But this factor

should not be allowed to get in the way of open and frank discussions.”

NGOs from countries with poor human rights records find that they are especially well served by the meeting. “It makes it possible for us to meet and confront our own officials who successfully manage to avoid us at home,” says one participant. “Here they can't.”

Lawyer Andrei Arjupin, Legal Adviser with the Tallinn-based Legal Information Centre for Human Rights, says the meeting is also an ideal vehicle for absorbing interesting tips and ideas from other NGOs in such areas as how to communicate messages more effectively.

This was his third time to take part in the Warsaw meeting, and he feels it has made a positive impact on the Centre's work, which involves collecting and disseminating information on citizens' rights, providing free legal aid, and conducting training workshops for other NGOs.

“We have been able to establish ourselves and to make ourselves known to key organizations,” Mr. Arjupin says. “We feel that we are now being taken more seriously, that we are not merely delivering statements that are immediately forgotten.”

Despite coming away from the Human Dimension Implementation Meeting with a deep sense of satisfaction at having made a contribution, Anne Marit Austbo does worry that it has become more and more difficult for States to keep human rights on the agenda since the fight against terrorism.

“They should regard respect for human rights not as an obstacle to security but as a means to avoid conflict,” she says.

Urdur Gunnarsdottir was recently appointed Spokesperson for the ODIHR. She served as Spokesperson for the OSCE Mission in Bosnia and Herzegovina from 2001 to September 2003.

Latvian NGO receives first Van der Stoel Award

By Falk Lange and Dmitri Alechkevitch

A small ten-year-old non-governmental organization in Riga has been chosen by an international jury to receive the first Van der Stoel Prize for being “an authoritative and objective source on human rights and inter-ethnic issues in Latvia”.

The Latvian Centre for Human Rights and Ethnic Studies (LCHRES) was presented with the prize of 50,000 euros at a ceremony in the historic *Ridderzaal* (Hall of Knights) in The Hague, on 1 October.

The OSCE Chairman-in-Office, Netherlands Foreign Minister Jaap de Hoop Scheffer, praised the Centre for being a “shining example” in its field and thanked its staff for their tireless work and their contribution towards reducing tension and conflict. The Chairman-in-Office was confident that by continuing its important work, the Centre would lead the way for others.

The Foreign Ministry of the Netherlands has established the biennial prize in honour of Max van der Stoel, the first OSCE High Commissioner on National

Minorities (HCNM) and a former Dutch Foreign Minister. The award recognizes significant contributions towards the improvement of the situation of national minorities in the OSCE participating States.

“This Centre was chosen because of its outstanding record of achievement in addressing minority-related issues and its important contribution to improving inter-ethnic relations in Latvia,” said Rolf Ekeus, the current OSCE High Commissioner on National Minorities. “This cause was central to the work of Mr. van der Stoel and remains one of my priorities too.”

Accepting the award on behalf of the Centre, its Director, Ilze Brands Kehre, thanked Mr. van der Stoel and Mr. Ekeus for their encouragement. This support was vital, she said, as the work of NGOs on minority rights could only be effective if it was carried out in tandem with international actors that were accepted as legitimate by the State and the public.

“Progress on minority rights issues in countries in transition such as Latvia has been, and continues to be, quite hard-fought for,” she said. “A successful and important dimension of OSCE work is the strengthening of the legitimacy and morale of local NGOs such as ours, enhancing our ability to carry out our activities.”

Established in 1993, the LCHRES has developed a reputation for timely and thoughtful research and analysis. Its approach to awareness-raising and shaping of public opinion is widely considered to be credible and well-balanced.

Among the Centre’s notable achievements have been:

- ☞ Playing a leading role in an advocacy

campaign to grant citizenship to stateless children;

- ☞ Informing and influencing policy-makers and the public regarding the abolition of the controversial language requirement for candidates for public office; and

- ☞ Advocating the lifting of language restrictions in private broadcasting.

Commenting on the Centre’s future, Ms. Brands-Kehre said that she and her staff of ten and a handful of volunteers would pursue other pressing integration issues, while continuing their work on citizenship and language matters and their harmonization with international standards.

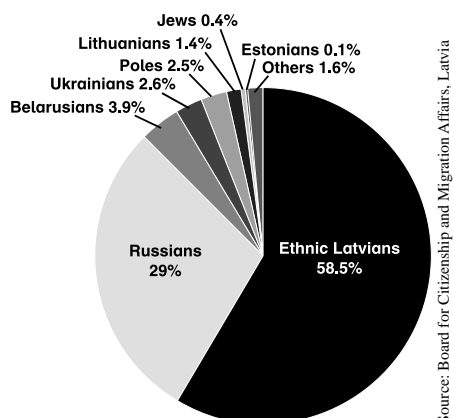
Asked about what the Centre planned to do with the prize money, Ms. Brands Kehre said: “It certainly gives us an excellent opportunity to upgrade both the software and the hardware in our Centre and to expand our library collection, as project financing normally does not cover these needs.”

The international jury of the first Van der Stoel Prize was chaired by the current High Commissioner, and comprised Helle Degn, Commissioner of the Council of the Baltic Sea States on Democratic Development; Daniel Adam Rothfeld, State Secretary of the Polish Foreign Ministry; Ed van Thijn, Member of the Dutch Parliament’s Upper House; and Valeri Tishkov, Director of the Institute for Ethnology and Anthropology of the Russian Academy of Sciences.

Falk Lange is Senior Adviser, and Dmitri Alechkevitch is an Assistant Political Officer in the OSCE HCNM, based in The Hague.



Ilze Brands Kehre, Director of the Latvian Centre for Human Rights and Ethnic Studies, accepts the Van der Stoel Prize from OSCE CiO and Dutch Foreign Minister Jaap de Hoop Scheffer



Source: Board for Citizenship and Migration Affairs, Latvia

Latvia's ethnic mix: Percentage of population (as of July 2003)

The UN and regional organizations

Complementing each other's strengths

"Most of the challenges we face are bigger than any single one of us."

UN Secretary-General Kofi Annan
29 July 2003, New York

The United Nations Secretary-General was referring to the changing nature of modern security challenges, which calls for well co-ordinated and concerted global, cross-boundary and cross-regional strategies and solutions. While the primary responsibility for the maintenance of international peace continues to rest with the United Nations and its Security Council, regional organizations have also been playing an increasingly important role.

This year proved to be a period of unprecedented collaboration among these bodies. The United Nations spared no effort to intensify its dialogue with international and regional organizations and to encourage them to forge stronger ties between themselves.

In fact, I took part in three high-level meetings hosted by the Chairman of the Counter-Terrorism Committee of the UN Security Council (in March), the President of the Security Council (in April) and the Secretary-General (in July).

High Point

The Fifth High-Level Meeting between the United Nations and

alternating with follow-up working level meetings.

This year, the main theme centered on the new challenges to international peace and security, including international terrorism.

Three main messages emerged from the July Meeting:

- ✿ What is new is not so much the challenges themselves as the speed of their development;
- ✿ While terrorism poses a threat to people in all parts of the world, any counter-measures should not infringe on human rights and personal freedoms;
- ✿ The definition of threats should be kept broad in order to include so-called "soft" threats, such as poverty, under-development and AIDS.

"Inter-operability"

The discussions left little doubt that the heads of the regional organizations all felt the need for strengthened working relationships — regardless of regional boundaries. There was a spirit of readiness and willingness to exchange information regularly, with the aim of

Chapter VIII of the United Nations Charter — had grown in relevance as a response to a changing world. I pointed out that the Organization's comprehensive and inclusive concept of security also encompassed "soft" threats.

I said that, on the subject of failed States, it was important for the main global actors to agree on common standards and to develop ready-made tools that take advantage of modern technologies. This would allow the international community to respond rapidly and efficiently to rehabilitation and reconstruction needs, including the creation of a functioning administration in a specific post-conflict situation. The vision that I shared centred on better "inter-operability" among the various international players and with the governments of host countries.

I also mentioned that the Bucharest Ministerial Council Meeting in 2001 had agreed that the OSCE should serve as a framework for *inter-* and *intra-*regional consultations, in accordance with the Platform for Co-operative Security.

Since then, our relations with a number of organizations beyond the OSCE area have been enhanced. The list



Re-regional Organizations, which took place on 29 and 30 July, was the high point of the regional dialogue in 2003. The UN Secretary-General convenes this gathering every other year,

tackling security-related, cross-boundary issues.

In my opening remarks at the meeting, I stressed that the OSCE — the only Euro-Asian regional arrangement under

includes the League of Arab States, the Organization of the Islamic Conference, the African Union, the Organization of American States and the Association of South East Asian Nations.

Results-oriented exchange

Earlier in the year, in April, the new threats and challenges to international peace and security also dominated the first-ever meeting between the UN Security Council and regional organizations.

Early co-ordination

Participants stressed the need to develop a comprehensive and integrated approach to conflict prevention, management and resolution. A proposal was made to promote co-ordination between the Security Council and regional organizations at an earlier stage.

The OSCE is also an active partner in the discussions between the Counter-Terrorism Committee of the UN Security Council (CTC) and regional organizations.

At its first high-level Special Meeting on 6 March, the CTC recognized the OSCE's important role in the fight against terrorism, commending the OSCE and the Organization of American States for their high level of co-operation and for the counter-terrorism efforts that they had already been implementing.

Both organizations were encouraged to support other organizations in working towards the same degree of interaction.

On that occasion, in New York, and again at the second CTC Special Meeting in Washington, D.C., on 7 October, I proposed that the UN Office on Drugs and Crime and the OSCE co-host the next Special Meeting in Vienna on 11 and 12 March 2004. The Committee has welcomed the invitation, and we are now preparing an agenda that we hope will lead to a dynamic and results-oriented exchange.

I look forward to the event and expect that it will demonstrate how a regional and an international organization can harness their resources and special strengths for a common cause: the global action against terrorism.

New Heads of Delegation to the OSCE



Ambassador Omar Zniber of Morocco (Mediterranean Partner for Co-operation), effective 6 June 2003



Ambassador Alisher Kayumov of Uzbekistan, effective 23 June 2003



Ambassador Janez Lenarcic of Slovenia, effective 3 September 2003



Ambassador Geo Rennel of Estonia, effective 19 August 2003



Ambassador Bertrand de Crombrugge of Belgium, effective 10 August 2003, with Secretary General Jan Kubis (right)

OSCE photos

QUIS CUSTODIET IPSOS CUSTODES?

*Who listens to a watchdog that barks
when no one is at the door?*

By Douglas A. Davidson

In his commentary entitled, “Why criticize the United States over media freedom? In one word: precedent” (*OSCE Newsletter*, July-August 2003), Alexander Ivanko argues that the OSCE Representative on Freedom of the Media must criticize the United States because “any measures which infringe on media freedom provide a very ominous precedent for certain other participating States”.

Alas, the facts do not support his argument.

According to Mr. Ivanko, by detaining two sets of French journalists at Los Angeles International Airport last May, the U.S. violated “the spirit and the letter” of its OSCE commitments on freedom of expression. He maintains that these journalists’ “only misdeed was honesty: telling immigration authorities that they had come to the United States as journalists and not as tourists”. (Of course, as television crews bearing equipment that no tourist carries, they may have found it difficult to contend otherwise.)

But that is not quite correct. U.S. immigration law requires foreign journalists to obtain an “I” class visa before they travel. These journalists failed to do this. The United States, Mr. Ivanko is really saying, violated an OSCE commitment by denying entry to people attempting to breach its borders under false pretences.

In an era when the OSCE is devoting itself to helping participating States improve border security, this is an odd argument to make, especially with regard to a country with understandable concerns about the possible intentions of foreign visitors after 11 September 2001. Nor has the United States displayed a pattern of denying visas to journalists, even French journalists, or rebuffing them when they arrive at its borders with proper visas.

Mr. Ivanko goes on to point out that, in the U.S., “local civil liberties organizations are keeping a close eye on the government’s activities and are raising the alarm at any legislation with even a hint of authoritarianism”.

One such piece of legislation is the USA Patriot Act. It so troubled Mr. Ivanko’s boss, Freimut Duve, that he felt the need to raise it twice at the OSCE Permanent Council, charging that it gave FBI agents unlimited power to monitor Americans’ reading habits. When queried about this charge, Mr. Duve justified his criticism in virtually the same words as Mr. Ivanko’s.

The U.S. is, he said, a model for others.

Unfortunately, Mr. Duve’s assertions were also incorrect. In fact, no library or bookstore to date has been ordered to produce customer records under the Patriot Act. And “unless they’re the subject of a national security investigation into international terrorism or spying, and unless a federal judge is convinced of that fact,” a spokesman for the U.S. Department of Justice recently explained, “we can’t get their records.”

This hardly constitutes an infringement of media freedom. In fact, it is questionable whether it falls into the category of a “freedom of the media issue” at all.

Mr. Duve’s expressions of concern during the recent hostilities in Iraq about embedded journalists also seemed at odds with reality. He suggested to the Permanent Council that this voluntary programme was a means by which the U.S. military would control the news emanating from the battlefield. He also charged, in an interview with ZDF (German television) that the American media was, unlike the German, failing to show the horrors of war.

Consider, however, this passage from the book, *The March Up: Taking Baghdad with the 1st Marine Division*:

Practically all reporters carried satellite phones that connected to their laptops, and they were filing within hours after each fight. They mixed easily with the troops and had access to the commanders ... They were reporting accurately, with specific locations, dates, and events, on what they were actually seeing ... By the end of the first week of the war, the frontline stories in hundreds of newspapers and on network and cable TV news shows indicated that the U.S. forces were having trouble throughout southern Iraq ... from the point of view of the administration, the major stories had been harsh and disturbing...

This, too, scarcely seems the stuff of infringement of media freedom.

Finally, Mr. Duve once expressed concerns before the Permanent Council over a press release by the Screen Actors Guild, presumably lest the prospective action it decried — a blacklist — inspire similar moves in other participating States.

Of course, no such blacklist transpired. In raising this issue, the Representative once again stretched his mandate quite considerably, for the hiring practices of the American entertainment industry do not fall readily within the realm of OSCE media commitments.

Mr. Ivanko and his colleagues are correct to criticize the United States when it fails to comply with its OSCE commitments regarding freedom of the media. But they should not let their reach exceed their grasp. Where criticism is unwarranted or unfounded, credibility suffers.

Watchdogs that bark constantly, when no one is at the door, soon cease to be taken seriously.

Douglas A. Davidson is Deputy Chief of the U.S. Mission to the OSCE. As with Mr. Ivanko’s commentary, the views expressed here are solely those of the author.



Pope commends OSCE's "high-profile" defence of religious freedom

Pope John Paul II received members of the OSCE Parliamentary Assembly at the Vatican on 10 October, encouraging them to continue their important work.

"I invite you, dear legislators, to embrace the commitment that your countries have made within the OSCE in the area of religious freedom," he said. "The OSCE is also to be commended for recognizing the institutional weight of this freedom."

Referring to a paragraph in the Concluding Document of the CSCE Follow-up Meeting, 1986-1989, he said: "Such a high profile defence

of religious freedom is a strong deterrent to the violation of human rights on the part of communities that exploit religion for purposes that are foreign to it."

The President of the Parliamentary Assembly, Bruce George, congratulated the Pope on the 25th Anniversary of his Pontificate and expressed appreciation for his important contribution to world peace and human dignity.

The Papal audience took place after the PA's Conference on Religious Freedom, held in Rome at the invitation of the Italian Parliament.

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