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# SECURITY COMMUNITY

THE OSCE MAGAZINE



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French President Charles de Gaulle and German Chancellor Konrad Adenauer sign the Elysée Treaty, Paris, 22 January 1963. (Photos: AFP)

“My heart is overflowing,  
and my soul is grateful.”

Charles de Gaulle upon  
signing the Treaty

# Time to celebrate! Franco-German friendship

“Now the framework is in place to enable real co-operation, and to allow a sense of togetherness to grow between our two peoples that will withstand the rigours of the future.”

Konrad Adenauer, in a telegramme the day after

## Fifty years on from the Elysée Treaty

It’s hard to get a sense today of how shaky relations were between Germany and France when on a cold January day in post-war Paris half a century ago President Charles de Gaulle received his German counterpart Konrad Adenauer in the presidential Palais Elysée and together they put their signatures under the Treaty on Franco-German Co-operation. The step was daring, and anything but obvious.

In the compact text of the Elysée Treaty, as it is often called, the two countries committed themselves to “arriving, insofar as possible, at a similar position” on all the important economic, political and cultural issues.

“Almost revolutionary,” commented the French and German foreign ministers Laurent Fabius and Guido Westerwelle in a joint article they published to mark the Treaty’s 50th anniversary this year.<sup>1</sup>

“Probably the most spectacular example in history of how quickly a continent of war and conflict can be transformed into a continent of peace and co-operation,” said Thorbjørn Jagland, President of the Nobel Committee and Council of Europe Secretary General, describing the reconciliation during the presentation of the Nobel Peace Prize to the European Union last December.

Both the French and German permanent representatives to the OSCE drew the parallel to the 57 participating States’

task of seeking common ground on security as they marked the Treaty’s 50th anniversary at the Organization’s headquarters in Vienna.

“Reconciliation and friendship cannot be ordained from above but are rather the result of an ongoing process. This applies to the Franco-German relationship, which at present has to deal, for example, with overcoming the debt crisis together. It also applies to the OSCE, in which we have to confront the tensions in East-West relations that have grown in recent times,” German Ambassador Rüdiger Lüdeking stated. “The OSCE has recognized the importance of the work of reconciliation. In our view, it is equipped to do still more,” said French Ambassador François Alabrune.

1. In *Le Monde* and the *Frankfurter Allgemeine Zeitung*, 23 January 2013.

## Youth is the key

By Lily Gardner Feldman

Fifty years ago, in September 1962, French President Charles de Gaulle addressed the youth of Germany in Ludwigsburg. He reminded them of the dangers of a divided Europe and an uncertain world and called for solidarity in the face of challenge. The crucial content of such solidarity, he noted, “should be the work of young people.”

His counterpart, Chancellor Konrad Adenauer, agreed: “The efforts for co-operation between the French and the Germans must be increased, especially by youth organizations.” The fate of our two countries depended on it, he said.

Youth exchange began in an informal way soon after the war, through organizations like the Franco-German Institute opened in Ludwigsburg in 1948 and still active today.

When France and Germany signed the Elysée Treaty, the establishment of the Franco-German Youth Office was a core element of that commitment.

## The Franco-German Youth Office

**Who has taken part?** Eight million French and German young people in more than 300,000 exchange programmes. Also youth from other Western European countries and from Central and Eastern Europe.

**What kinds of events?** Exchange programmes, training events, festivals, conferences, seminars and internships, covering areas ranging from journalism to agronomy to employment.

**Who organizes them?** Youth associations, sports clubs, language centres, trade unions, schools and universities and town twinning organizations.

Check out 50 year anniversary posts on the Franco-German Youth Office website: [www.dfjw.org](http://www.dfjw.org)

## Other organizations that are bringing French and German youth together:

**Action Reconciliation**, founded in 1958 by the German Protestant church as a response to its passivity during World War II and the Holocaust, runs volunteer programmes that though small, have the huge ambition of “decontaminating history” and reducing stereotypes.

**The Robert Bosch Foundation**, created in the 1960s, engages young professionals in the arts, culture, higher education, journalism, business and politics.

Over the past six decades, youth have been a key to transforming Franco-German relations from the ground up. The secrets of success?

A clear goal: tolerance through education and familiarization; regular and long-term programmes; strong personal and professional commitment.

But in a century which still has multiple challenges we need to avoid complacency. Are young people ready for the type of commitment and leadership displayed by previous generations? Can institutions revamp their programmes to resonate with the challenges facing the current generation and animate their aspirations for the twenty-first century?

*Dr. Lily Gardner Feldman is the Harry & Helen Gray Senior Fellow at the American Institute for Contemporary German Studies, Johns Hopkins University.*

Read more!



## Lily Gardner Feldman, Germany’s Foreign Policy of Reconciliation: From Enmity to Amity (Rowman & Littlefield, 2012)

This book offers not only valuable insights into the making of Germany’s post World War II foreign policy, it also captures the very essence of international reconciliation as a defining cornerstone of that foreign policy. Few countries have confronted their own past as perpetrators with such strong moral convictions as Germany did in the post-World War II era. This is not only a model particular to

Germany, but one that offers lessons for reconciliation as an international process. Drawing on the cases of France, Israel, Poland and Czechoslovakia/Czech Republic, Gardner Feldman tells us about facing one’s own ‘horrible’ history as a nation; about the moral

and pragmatic motivations leading to a foreign policy rooted in reconciliation; about the coming together of fundamental catalysts that make reconciliation possible – an on-going and constructive confrontation with the past; an acknowledgment of grievances; visionary leaders and societal actors; reformed governmental institutions; and institutionalized multilateral frameworks.

# Linking Rivers Linking People

Water is not only a precious resource, it can also serve a key role in reconciling communities and states. Linking the waterways between France, Germany and Luxembourg was a true example of reconciliation in practice.



German President Heinrich Lübke, Grand Duchess Charlotte of Luxembourg and French President Charles de Gaulle inaugurate the opening of the Mosel River to large ships, 26 May 1964. Photo kindly provided by Alice Ackermann

France agreed to the Saarland being part of the Federal Republic of Germany but a condition was the canalization of the Mosel River. Negotiations led to a treaty signed by Germany, France and Luxembourg in 1956 – five months prior to the Rome Treaty that created the European Community.

Between 1958 and 1964, the three neighboring states sharing the Mosel River were involved in a joint project to make 270 kilometres of the river – from Koblenz to Thionville – permanently navigable.

Today the Mosel is one of the most travelled shipways of Europe.

## The OSCE promotes trans-boundary water co-operation



**Building confidence on the Dniester** In 2012, the OSCE contributed to the signing of a new treaty between Moldova and Ukraine on the sustainable management of the Dniester River Basin.

The treaty is the result of eight years of step-by-step

co-operation involving many stakeholders from both countries, including from the Transdniestrian region.

It is a framework for co-operation on water pollution prevention and control, water flow regulation, conservation of biodiversity and protection of the Black Sea environment.

The OSCE, the UN Economic Commission for Europe and the UN Environment Programme carried out joint surveys as part of the Environment and Security Initiative that showed severe water quality problems, declining biodiversity and deteriorating ecosystems along the river. The signing of the treaty was a timely response.

# #OSCE

## Ensuring freedom online

“With a scalpel, not a sledgehammer,” proposed Dawn Nunciato, speaking about strategies for regulating the Internet in her keynote address to the OSCE conference Internet 2013 – Shaping policies to advance media freedom in Vienna in February. Protecting children and minorities from online abuse is important, says OSCE Representative on Freedom of the Media Dunja Mijatović. But when considering regulation, states should ask themselves: is it necessary? is there an alternative? The Online Media Self-Regulation Guidebook published by the OSCE has some innovative solutions for including readers in the controlling of content, like open newsrooms or e-editor chat pages.



## Conventional arms control

“There is no current risk of major war in Europe. Explanations for this historically unusual state of affairs include the end of ideological dispute, the background inhibiting influence of nuclear weapons and the Treaty on Conventional Armed Forces in Europe’s success in reducing military equipment available for surprise attack – notably its famous, and justly trumpeted, destruction of 72,000 pieces of Treaty Limited Equipment. Yet now, at the strategic level within the OSCE area, there is also substantial and disturbing

reemerging distrust. This is why some action is needed to preserve the military transparency and predictability, which has been described as the jewel in the Euro Atlantic Crown,” said Paul Schulte of the Carnegie Endowment at the OSCE Security Day in Vienna on 4 March 2013. Schulte and other experts explored options for a new approach to conventional arms control.

The 57 participating States regularly discuss arms control and other issues related to military security in the Forum for Security Co-operation, currently chaired by Lithuania. The next dialogue on arms control is scheduled for 22 May.



## Engaging with Afghanistan

OSCE Secretary General Lamberto Zannier named the “ability to engage with Afghanistan in the broader setting of the wider Central Asian region” as a key added value of OSCE assistance to this war-torn country, as he welcomed guests to the Security Day in Vienna on 12 March.

The OSCE has developed over 30 projects to support Afghanistan, an OSCE Partner for Co-operation, since the 57 participating States decided to step up their engagement in 2011. It also supports the regionally led Heart of Asia process initiated by Afghanistan and Turkey in Istanbul in 2011 and will help to implement three of the six confidence-building measures the group recently agreed in Almaty, on counter-narcotics, counter-terrorism and education.



Through its Border Management Staff College in Dushanbe, Patrolling Programming and Leadership Project along the Afghan-Tajik border, OSCE Academy in Bishkek and five field operations in Central Asia, the OSCE provides training opportunities for border guards, law-enforcement officials and young professionals from Afghanistan and supports cross-border trade.

## Don't miss!

The OSCE Security Days 2013 in the Vienna Hofburg on 17 and 18 June 2013. Security experts and representatives of academia, think-tanks, civil society and the media from the entire OSCE region are invited to discuss the role of the OSCE in the twenty-first century. Security Days 2013 will also include a Night Owl Session targeted especially at a young audience. #secdays

## Improving our environmental footprint

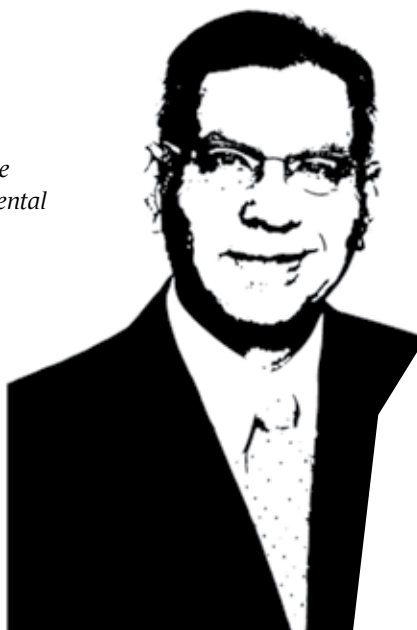
Increasing security and stability by improving the environmental footprint of energy-related activities is the focus of this year's Economic and Environmental Forum. Harnessing wind, solar and hydro power and increasing accountability in the traditional extractive industries were some of the topics discussed at the second preparatory meeting for the Forum in Kyiv on 16 April. “The good news is that the solutions to these challenges hold the potential for green job creation, innovation in our economies and green growth,” commented OSCE



Chairperson-in-Office, Ukrainian Foreign Minister Leonid Kozhara. The results of the two preparatory meetings (the first was held in Vienna in February) will feed into the final event of the Forum in Prague from 11 to 13 September.

# Meet Yurdakul Yigitgüden

*Dr. Halil Yurdakul Yigitgüden from Turkey assumed the post of Co-ordinator of OSCE Economic and Environmental Activities on 1 February 2013. He spoke with Security Community editor Ursula Froese.*



**You studied mining engineering in Aachen, Germany. How did this influence your future career?**

I had just begun studying in Ankara when I received a scholarship from a state-run mining company to study in Germany. Aachen was one of the best places you could study mining engineering, so I decided to study there. The programme was very interesting. One of the things I appreciated most is that it was quite generalist – we had a lot of courses also in law, economics and business management. I stayed on for PhD studies and worked as an instructor for four years and as assistant to the dean for two years. I liked this combination of scientific and administrative work, and it was very useful for me later on.

**What did you do when you returned to Turkey?**

For three years I worked as a project engineer for Etibank, the company that had given me the scholarship. Then I was asked to go to the State Planning Organization to promote investment in the mining and energy sectors, also to look at the tools other countries were using. I had the chance to travel to Japan, to study their regional development policies and visit their less developed regions, like Shimane, Tottori and the island Hokkaido in the north, and to see what incentives they were applying to develop these regions.

I enjoyed this work very much. I saw – and this of course is still relevant for our work today – that if we want to pursue development goals, these goals must always coincide with those of the people. Otherwise, we will never be able to achieve a real democracy or good governance. If people are hungry, they will not have much understanding for questions of global ethics.

“If people are hungry, they will not have much understanding for questions of global ethics.”

I returned to Etibank in 1987 as Vice President. I was of course proud to serve the company that had financed my studies at this high executive level.

A new area of responsibility opened up for me when the Transport and Communications Minister invited me to be his Deputy Under-secretary in 1991. For four years I worked in the area of infrastructure and civil aviation, in the Ministry and as Chairperson of the State Airport and Air Traffic Authority.

In 1995, I was quite happy to join the private sector. I went to Istanbul to lead a conglomerate company, Fenis Holding, which works in aluminum extrusion, textiles and construction – again something new. All my life, I have been given opportunities to learn new things – and this is continuing today at the OSCE!

From 1997 to 2003 I served as Under-Secretary at the Energy and Natural Resources Ministry, then worked as a consultant on various projects, mainly for international companies wanting to work in the region, before focusing for three years on a European Union project on energy efficiency and renewable energy in the Euro-Mediterranean Partnership (MEDA) countries. I travelled to all ten MEDA countries, helping them to adjust their legislation to make it more environmentally friendly.

### What did you achieve as Under-Secretary of the Ministry of Energy and Natural Resources?

My aim was, first of all, to restructure the Turkish energy sector. I truly believe in the strength of private sector investment as a way to achieve much faster results and better serve the community. When I assumed the post, our gas and electricity market was controlled 100 per cent by the government. Now it is 45 per cent owned by the private sector. I am very pleased that the market structure has changed and that we can expect to see more competition in the future.

Secondly, I wanted to help achieve Turkey's aim of developing stronger connections to the countries in the South Caucasus and Central Asia. It was a very interesting task. Turkey has been offering scholarships and economic aid to these countries since the early 1990s. I helped them connect with world markets, to market their energy resources, so that these resources could be used to increase the wealth and prosperity of their nations.

I was criticized because of the costliness of these projects, but I was thinking of the long-term benefit to my country. And indeed, many of these countries have become more prosperous and are engaging in more trade and are investing the money they have made from the sales of their hydrocarbon resources, also in Turkey.

### What are your hopes for your work at the OSCE?

I am looking forward to learning from the OSCE's work and in particular the work my office is doing. I don't believe in magic and I don't believe that as an executive you can change the direction of your ship overnight and immediately sail to new waters. First you have to conclude work that has already started and build on that.

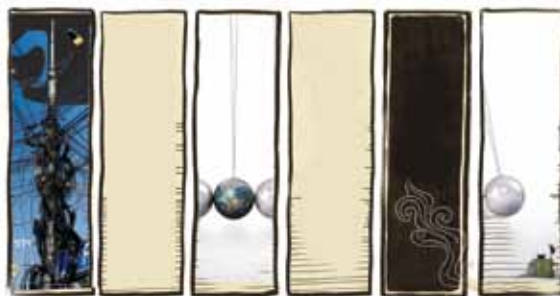
“I truly believe in the strength of private sector investment as a way to achieve much faster results and better serve the community.”

I am thrilled about the interconnections I see being made between security and economic development and environmental issues. Take for example our current work in the field of critical energy infrastructure protection: if the infrastructure is destroyed somewhere, this can also impact the environment, which in turn can have a negative influence on the wellbeing of the people living in the surrounding area. I do not know of any other organization that brings all of these issues together as does the OSCE.

### Is there a particular area you would like to explore?

I see economic development as crucial. If we can achieve more progress, then it will be much easier to move forward on issues of good governance, combating corruption, fighting trafficking and so on. We need to do more to help the participating States boost their economies and distribute this wealth more evenly to their citizens. I think this is essential. We may not have as many tools in our hands as, say, the international economic organizations, but we can co-operate with them to achieve this goal. Then, when we conduct our workshops on good governance, they will understand what this really means and will be able to follow up on our work. It will make our task much easier.

“I am thrilled about the interconnections I see being made between security and economic development and environmental issues.”



Read about the OSCE's economic and environmental activities  
[www.osce.org/eea](http://www.osce.org/eea)

# Paring off the hours

By Roel Janssens and Ursula Froese

Long days spent on the road are part of doing business for companies conducting cross-border trade, especially from landlocked countries. Over 40 per cent of transport time along Euro-Asian transport routes is lost at border crossings, says an International Road Transport Union (IRU) study.<sup>1</sup> The OSCE/UNECE Handbook of Best Practices at Border Crossings offers remedies. It is now available in Russian.

**The Handbook of Best Practices at Border Crossings—A Trade and Transport Facilitation Perspective**, published by the OSCE and the UN Economic Commission for Europe, covers a wide array of issues related to border management: legal instruments, inter-agency and international co-operation, balancing security and facilitation measures, processing of freight, risk management, design of border crossing points, use of ICT technologies, human resource management, performance measurement and benchmarking.





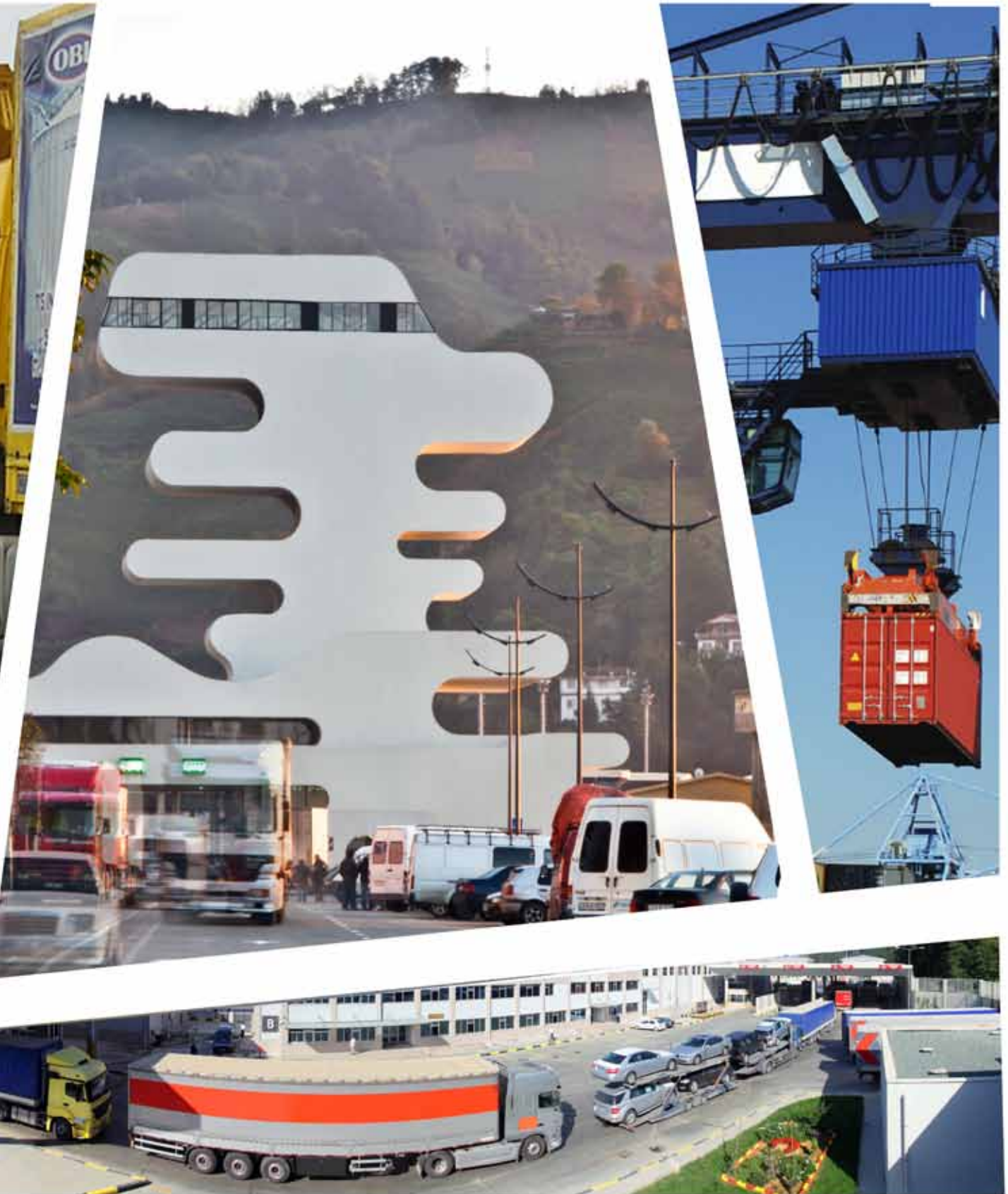


Photo credits: left: Miloš Kosanic; centre: Georgia Revenue Service; right: iStock; bottom: GTI

**A**zamat M. gears down his truck loaded with yarn as he prepares to enter Georgia from Turkey at the Sarpi/Sarp border crossing point. He has travelled over 3,500 kilometres since leaving Tashkent, Uzbekistan, transiting through Turkmenistan and Iran before entering Turkey. Only a few kilometres more to his destination the Georgian port of Batumi.

He cruises into the gate for passport control and vehicle registration, then moves on to the weigh station and presents his papers. The actual customs procedures will be conducted inland at the new Customs Clearance Zone in Batumi. Instead of long lines at the border, there is now a secure facility where vehicles complete their customs clearance prior to delivering goods to the customer. He parks and steps out to grab a quick sandwich at the food store before returning to his vehicle and easing back into the driver's seat. The entire process takes less than an hour.

For the past 15 years, Azamat has been hauling yarn to Turkish and Georgian ports. For most of that time, the border crossings were very different: long waits, no services. What now can take minutes used to take many hours or even days. Today, customs and other border procedures are all conducted at a single window where once there were queues at four or five separate approval points.

Over and above the frustration they caused, the delays meant more time spent in getting the goods to market, drastically increasing the economic distance from Tashkent to the open sea.



Georgia Revenue Service

The facilities at Sarpi/Sarp and most other Turkish border crossing points were modernized using a “build-operate-transfer” financial model that is a first worldwide.

The transformation happened when the Turkish Union of Chambers and Commodity Exchanges (TOBB) joined forces with 137 chambers and commodity exchanges to form the Customs and Tourism Enterprises Co. Inc. (GTI), and entirely at its own cost, built or renovated all the buildings at the sites, including entry-exit control units, search hangars, contraband storage facilities, weigh stations and truck park areas. It equipped them with the latest technology: X-ray vehicle scanning systems, card pass systems, closed circuit camera and security systems. It also constructed a whole range of passenger services: food and beverage stores, banks,

souvenir shops and duty-free stores.

GTI is recovering its investment in the project – around US\$200 million so far – with revenues it earns from operating the commercial facilities. The administrative facilities have been transferred to the government.

The project has not burdened the public budget: in fact, GTI's commercial activities at border crossing points have generated nearly US\$90 million additional tax revenues. And modernization has boosted trade: traffic passing through border crossing points that were modernized by GTI has increased fourfold and has now reached five million vehicles and 15 million passengers annually.

# Border Crossings HANDBOOK

## Two sides of a coin

Border security is important for the OSCE. Borders need to be able to intercept trafficking and terrorist activities. But equally important is the free flow of legitimate trade. Security and trade facilitation are two sides of the same coin.

The point is clearly made by Martin Marmy, Secretary General of the International Road Transport Union: “Road transport is the only mode capable of interconnecting, door-to-door, all businesses to every market the world over. If you penalise road transport you penalise the economy as a whole even more.”

The modernization of the Turkish border crossing points is just one of the best practices from the OSCE/UNECE Handbook. Another is the automated risk management system that Georgia has introduced for customs clearance of cargo. All cargo entering and exiting Georgia used to be subject to physical inspection. In practical terms, that meant superficial inspections and many opportunities for petty corruption. Under the new system, only 15 per cent of shipments are assessed as potential risks and subject to various levels of inspection. The remaining 85 per cent go through the so-called “Green Channel”, undergoing document review only. This has reduced the time needed to clear most shipments from at least three days to an average of two hours. The results: lower costs for both traders and revenue services, an increase in import-related trade turnover (11 per cent in 2012) and more effective detection. The risk-based inspections identify nearly twice as many violations than physical inspections did in the past.

<sup>1</sup> *The New Eurasian Land Transport Initiative (NELTI), 2008 -2011.*

Another possibility for cutting time spent at border crossings is for customs services to work together. At border crossing points between Norway and its neighbours Sweden and Finland customs officers of one state are authorized to control the implementation of customs, export and import provisions on behalf of the other. This makes it unnecessary to establish customs offices and deploy staff on both sides, saving both time and money.

## Landlocked countries

Efficient road transport is important for all countries, but especially for developing countries that have no direct access to the sea. Improving infrastructure and procedures to reduce the time it takes to get goods to the market is an important point in the 2003 UN-endorsed Almaty Programme of Action Addressing the Special Needs of Landlocked Developing Countries, which the OSCE promotes. A major review conference of the Almaty Programme of Action is planned for 2014.

Streamlining procedures at border crossing points is good for trade, for the economy and ultimately for stability and security. Some countries are farther from international markets than others. But for each of them, every hour that can be pared off from transport time is prosperity gained.

*Roel Janssens is an Economic Adviser in the Office of the Co-ordinator of OSCE Economic and Environmental Activities in the OSCE Secretariat in Vienna. Ursula Froese is the editor of Security Community.*

*On OSCE landlocked developing countries, see also the article by Roel Janssens and Susanna Loof in the OSCE Magazine, June/July 2007.*

The Handbook is widely used by international organizations and training institutions. The World Customs Organization, which unites over 179 customs administrations, employs it in its Regional Office for Capacity Building in Baku and network of six Regional Training Centres in countries across the OSCE region. It is a training tool in the OSCE Border Management Staff College's courses for senior customs officers, transport and trade officials. Even academic institutions as far away as the Australian Maritime College at the University of Tasmania have made it part of their teaching material.

The OSCE has held joint events on the Handbook with the UNECE, the Secretariat of the Black Sea Economic Co-operation and Transport Corridor Europe-Caucasus-Asia. Most importantly, it is being used by customs authorities themselves. “We use it as a reference source and set of guidelines in projects and studies on modernization of border crossing points and simplification of customs procedures,” said Didem Dirlik, Head of Department, at the Directorate General for the EU and External Relations, Ministry of Customs and Trade of Turkey.

The Handbook is available in English and Russian. Soon to appear in Albanian, Serbian and Macedonian languages.





# From bitter to sweet

## Historical reconciliation

The OSCE is talking about confronting bitter legacies inherited from the past as the way to a brighter future. On 18 December 2012 the Conflict Prevention Centre hosted a workshop that explored reconciliation as an essential building block for creating a security community ([www.osce.org/reconciliation](http://www.osce.org/reconciliation)).

“Reconciliation holds the prospect of breaking the cycle of enmity,” said OSCE Secretary General Lamberto Zannier. In the pages that follow, some of the participants tell how.



# Mending the rifts

By Matthew Rojansky

The 1975 Helsinki Final Act of the Conference on Security and Co-operation in Europe was a watershed moment for the people and states of North America, Europe and Eurasia. For the first time, representatives of the region made a unanimous commitment to basic principles of shared security and thereby acknowledged that security for themselves and for others in the region depended on co-operation. As importantly, the Conference recognized that the three key dimensions of security: politico-military, economic and environmental, and human, are inextricably linked.

What delegates to the Conference could not have imagined in 1975 is how quickly domestic politics and international relations in the region would evolve within a few decades, so that today it is not an exaggeration to say that the emergence of a security community – a space in which war has become impossible – among OSCE participating States is within sight.

Despite enormous progress, serious obstacles to the development of such a community persist. On a very basic level, these obstacles derive from insufficient trust between and among states and societies. This lack of trust, in turn, inhibits the kinds of concrete steps necessary to build mutual confidence and thus establish the foundations of a security community. It should be no surprise or great exaggeration to acknowledge that distrust between and among participating States has its origins to a great degree in bitter historical experience, which imposes lingering tension on relations on every level. For this reason, historical reconciliation is an urgently needed next step in the development of a genuine security community for the Euro-Atlantic and Eurasian region.

## Difficult but necessary

What exactly is historical reconciliation? It is simplest to begin with what it is not: historical reconciliation is not the achievement of perfect harmony, it is not the resolution of all disagreements within or between states or societies, nor is it the mere absence of war or conflict.<sup>1</sup> It is, rather, an ongoing process whereby groups undertake jointly to examine the deep historical roots of distrust that fuel tension, and move gradually but steadily from a posture of confrontation to one of co-operation and even friendship.

Historical reconciliation in the Euro-Atlantic region is also not merely an academic exercise or a tool for retrospective analysis. It is a response to pressing challenges and destructive conflicts that inhibit peace and prosperity. Consider the degree to which enduring legacies of distrust and recrimination based on collective memory and the traumas of the past undermine potential partnership among close neighbors such as Russia, Ukraine, and the Baltic States, retard the growth and development of societies in transition throughout the post-Soviet space and block the conditions needed for lasting resolution of protracted conflicts in places such as Moldova, Nagorno-Karabakh and Cyprus. Simply put, the costs of not engaging in processes of historical reconciliation are too high to permit delay.

The truism “time heals all wounds” does not apply to festering conflicts over history. On the contrary, as time passes, individuals who possessed personal knowledge and experience of disputed events to which they might attest, as well as the unique brand of empathy that comes of living through inhuman suffering, are disappearing. They are being gradually displaced by new generations, for which disputed historical events are at best received memories, and at worst highly mythologized narratives of victimhood.

Yet these received memories are no less sensitive. They are all the more explosive precisely because younger generations understand them in black and white, essentially abstract terms, often with far less capacity to appreciate complexity and moral ambiguity than those who personally lived through the past. For some societies, particularly those in Eastern and Central Europe struggling to assert a legacy of strong statehood after decades of domination by outside powers, mythologized narratives of historical victimhood have even become the main basis of modern national identity.

If historical reconciliation is so obviously necessary to resolve conflicts that obstruct peaceful co-operation and development, why has it not yet been undertaken more broadly? The simple answer is that no reconciliation process is linear; rather, each begins at a different stage and may appear to stumble backwards, sometimes for years, before significant forward progress can be made. The more complex reason is that it is hard to break out of cycles of distrust, wherein a sense of insecurity inhibits the confidence necessary for either side to offer concrete gestures or proposals, or to properly interpret and appreciate those which may be offered by the other.

Yet it is not impossible. In the most successful cases, the immediate motivation to do so has come from a combination of vital national interest—that is when political leaders recognize the unavoidable need to resolve conflicts with neighbours—and moral imperative, often underscored by courageous spiritual leaders or civic groups who are

persuaded that reconciliation is simply the right thing to do, even as a matter of faith. Consider the letter Polish bishops sent in 1965 to their German counterparts, widely seen as the beginning of the Polish-German reconciliation process. In either case, bold leadership is indispensable, especially to defend and sustain the reconciliation process against inevitable assault from all sides.

In practice, the breakout moment for historical reconciliation may be quite unexpected. It may occur through tragedy, such as when a Polish airliner carrying dozens of senior government officials, including the country's president, crashed near Smolensk, Russia, killing all aboard. In this case the foundations of a historical reconciliation process were already in place, but the tragedy served as a dramatic wake-up call to previously indifferent publics on both sides, who could neither downplay nor deny the traumatic impact on Poles or the symbolism linked to the 1940 Katyn massacre. Of course, breakout moments have also occurred thanks to determined planning and leadership: Witness Willy Brandt's famous "Kniefall" at the Warsaw ghetto monument, the visits of other German leaders to memorial sites throughout Central and Eastern Europe, Turkish-Armenian football diplomacy, reciprocal high-profile visits by presidents, parliaments, and faith leaders and other events both commemorative and symbolic. A breakout moment may even stem from anonymous actions, such as the leakage of state secrets or archival records, though their impact depends on the freedom and integrity of the media and public discourse.

“If historical reconciliation is so obviously necessary to resolve conflicts that obstruct peaceful co-operation and development, why has it not yet been undertaken more broadly?”

## “Peace comes dropping slow”

– William Butler Yeats

Reconciliation is underway throughout the OSCE area. After conflicts long past or near, it is a work of patience and perseverance.



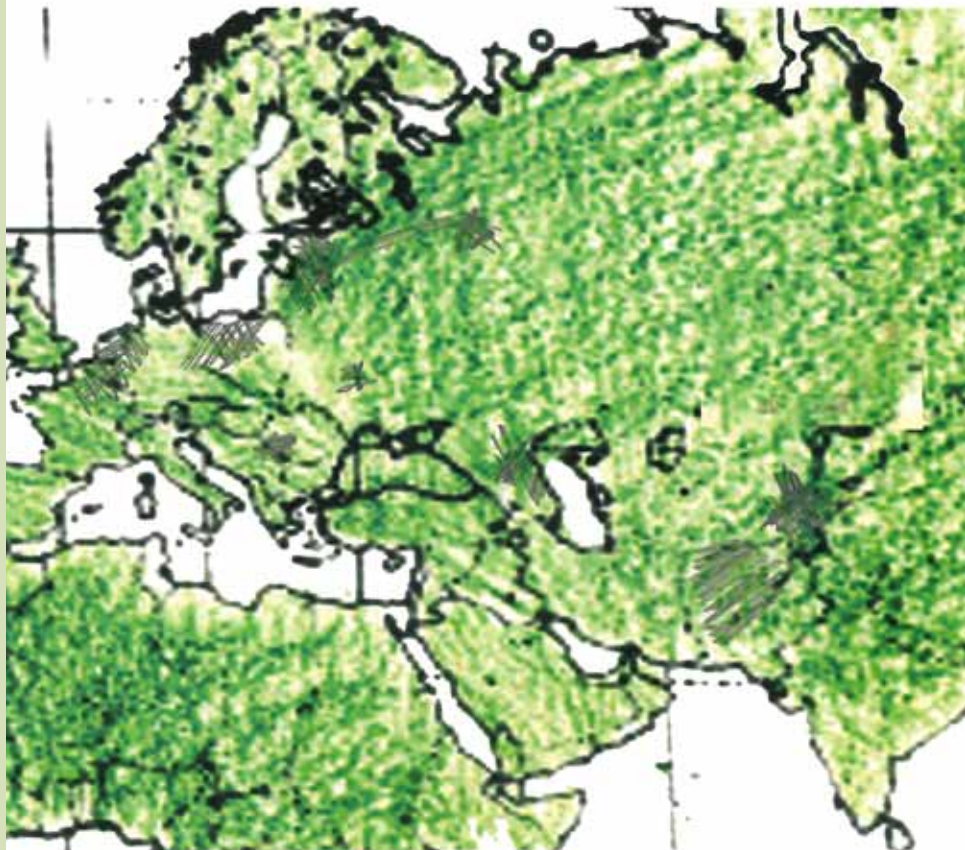
The Good Friday Agreement that ushered in a new era of constructive reconciliation in **Northern Ireland** was the result of 30 years of peace work .

**France and Germany** celebrated half a century of friendship this year.

The **Polish-Russian** Group on Difficult Matters is working for historical reconciliation between these two countries.

Reconciliation in the **Baltic states** must deal with conflicting memories of the double occupation by the Nazi and Soviet regimes.

**Serbia and Kosovo** reached a long-awaited agreement on power-sharing in northern Kosovo on 19 April 2013.



Working groups on topics such as the environment, telecommunications, health, transportation and law enforcement build confidence between **Chisinau and Tiraspol**.

Water projects on both sides of the dividing line between **South Ossetia and Georgia**, in support of the Geneva International Discussions, can be a first step towards reconciliation.

**Nagorno-Karabakh:** “The leaders of the sides must prepare their populations for the day when they will live again as neighbours, not enemies,” stated the foreign ministers of the OSCE Minsk Group Co-Chair countries in Dublin on 6 December 2012.

In post-civil war **Tajikistan**, officials, civil society, political parties, religious organizations and the media meet in the Social Partnership Club to discuss security, economic development and social stability.

**Afghanistan** will need to embark on a comprehensive and inclusive reconciliation process to achieve internal peace and national unity after NATO troops leave in 2014.

## Advancing the process

Once the urgent need for historical reconciliation is recognized and the cycle of distrust is at least interrupted, societies may adopt a wide variety of mechanisms to advance the process of reconciliation itself. However, successful processes are likely to demonstrate several common characteristics. Each of these should be undertaken on a mutual and reciprocal basis between or among as many as possible of the states or sub-national groups interested in the reconciliation process.

First, the process must be oriented toward uncovering and documenting truth. This means not only establishing facts and figures through forensic historical or archaeological research, but memorializing the testimony of participants in the events, on all sides, including the thoughts and feelings of those affected by the events in subsequent generations. This deep and detailed truth-gathering process must be of a high professional quality, and yet open to public participation, rather than limited to the cloistered world of academic historians. Student and professional exchanges, film, art and cultural exhibitions, and even public hearings—with appropriate expert management and oversight—all have a role to play in such a truth-gathering process, as these are tools to enhance outreach to “whole bodies politic”, rather than just elites or advocates. Ideally, the process should also bear the blessing and imprimatur of governments on each side, yet without countenancing intervention or politicization of any kind.

Second, the process should entail a clear element of accountability, in place of amnesty or forgetting. In practically every case in which it has been tried, especially in Europe, the imperative “forgive and forget” has proved an unhelpful burden on successful reconciliation. Even Spain, which was famous for its post-Franco “pact of forgetting”, has begun to grapple with the need for reconciliation over events stretching back to the 1936-39 Civil War. At the same time, accountability need not—indeed probably should not—equate to some form of legal liability, particularly for events in the more distant past. It is crucial that the biblical and juridical principle that children shall not be punished for their parents’ sins be respected, and that when responsibility is truly shared by a whole society, it may be understood as collective responsibility, but not collective guilt. In order to ensure

productive and satisfying engagement from all sides, the potential consequences for those accepting accountability must be clearly delimited to exclude fears of retroactive criminal prosecution, confiscation of property, defamation of cherished ancestors, or protracted court battles as a consequence of the truth-seeking process. While individuals must of course remain free to seek their own legal remedies, truth uncovered through a reconciliation process should not carry any special evidentiary weight in court, so that the purpose and practice of historical reconciliation remains squarely focused on the moral dimensions of truth and accountability.

Finally, while no process of historical reconciliation will ever reach a single, definitive end point, all participants should agree to move with reasonable speed toward the development of a common future agenda, so that enhanced trust from the reconciliation process can be put into practice in the form of concrete co-operation with benefits for all sides. This progress will also help reassure skeptical participants and observers that the ultimate purpose of the reconciliation process is not to determine winners and losers. Relations among individuals, groups or nations that have been subject to traumatic shared history can never be without sensitivity, yet over time, and through deliberate implementation of the mechanisms described here, it should be possible to replace mutual hostility and estrangement with friendship and even normalization.

Reconciliation can also benefit greatly from institutional engagement of various kinds. Among the parties to the process—whether states or sub-national groups—it is helpful to establish expert groups and other institutional support structures, which can, in turn, pursue formal or informal partnerships with foreign counterparts. Groups committed to truth-seeking and accountability through reconciliation, such as the Polish-Russian Centers for Dialogue and Understanding established in Warsaw and Moscow, help sustain the momentum to continue reconciliation processes as time goes on, for the simple reason that they concentrate resources and expertise on the problem.



## Role for the OSCE

In this respect, the OSCE could play a vital role in future reconciliation processes throughout the Euro-Atlantic and Eurasian space. Under the terms of the Helsinki Final Act and its successor declarations, the OSCE already bears a mandate to address causes of tension and to “strengthen confidence among [participating States] to contribute to increasing stability and security in Europe.” In keeping with this mandate, the OSCE could formally recognize the role of historical grievances as drivers of conflict, and seek to serve as an independent, neutral repository for documents and best practices related to historical reconciliation, as well as a platform for events and dialogue, perhaps under the auspices of a new special representative of the OSCE Chairmanship. Such a representative could convene contact groups of national civil society representatives around key conflicts, making a special effort to engage younger people in the process. The Chairmanship could further support nascent historical reconciliation processes by inviting respected senior figures from throughout the Euro-Atlantic region to share best practices with their counterparts, and by setting a positive example through its own commitment to reconciliation internally and with neighbours.

Historical reconciliation is not a golden rule or panacea for enhanced security or the creation of a durable security community in the OSCE space. However, it is almost certainly a necessary first step. Deep-seated historical grievances fuel persistent distrust among regional states, which in turn severely hampers the vision of a coherent and inclusive security community for the region as a whole. With adequate political will and application of some of the strategies described here, processes of historical reconciliation offer a reasonable prospect of overcoming that distrust and enabling a fundamental transformation of the Euro-Atlantic and Eurasian region into an enduring security community.

*Matthew Rojansky is deputy director of the Russia and Eurasia Program at the Carnegie Endowment for International Peace.*

1. For insights into the broader principles and context of historical reconciliation, the author would like to thank the distinguished members of the EASI Commission’s working group on historical reconciliation, particularly Rene Nyberg, Adam Daniel Rotfeld and Istvan Gyarmati. Appreciation is also due for advice and insight from Lily Gardner Feldman at the American Institute of Contemporary German Studies. Her work on the broader topic of reconciliation has been invaluable background for this analysis. [See also page 6 above.]

## Reconciliation:

# What does it take?

## An individual approach

By Adam Daniel Rotfeld

*Dr. Adam Daniel Rotfeld is the Polish Co-Chair of the Polish-Russian Group on Difficult Matters. The above is an excerpt from the presentation he gave at the OSCE workshop Towards a Strategy for Reconciliation in the OSCE Area in Vienna on 18 December 2012.*

Each and every conflict has its specificity. Conflict prevention and conflict management require a holistic approach. There is a need to take into account the complexity of the situation with its different layers and dynamics. There is a need to find specific forms of institutionalization of the reconciliation process.

The process of reconciliation between Poland and Germany after the Second World War was primarily made possible by the changes that took place in Germany and among the Germans. The Third Reich lost the war and the occupying powers imposed the process of de-Nazification of public life. Responsible political forces in Germany worked together to overcome the Nazi past, bring the criminals to justice and establish good relations with all the neighbours in East and West. Poland and Poles also changed radically. Yet in order to made these changes irreversible, it is essential to institutionalize the whole process and keep making persistent efforts in all possible spheres.

The point of departure and criteria are quite different in the case of building good-neighbourly relations between Poland and Russia. The Soviet Union did not lose the war, it was one of the great victors. For millions of Russians, that victory is inseparably linked with the name of Joseph Stalin. Yet he was a dictator responsible for countless crimes before, during

and immediately after the conclusion of the war. It was the Russians, and many people of other nationalities inhabiting the Soviet Union, who were the main victims of mass-scale Stalinist crimes. In other words, the Russian people have been left with a deep sense of having been victims rather than perpetrators. From a psychological point of view there is no analogy between the attitude of Germans to Hitler and the NSDAP and the attitude of Russians to Stalin and the Bolshevik party.



The conclusion here is that the process of reconciliation between Poles and Germans has followed quite a different course from the ongoing dialogue between Poles and Russians. However, recognition of universal moral and political values and truthfulness in addressing the future was pivotal in both cases.

Finding peaceful political solutions to the bloody conflicts that erupted within the former Soviet empire, for example in the Caucasus and in Trans-dniestria, requires a completely different approach than the process of reconciliation with Poland. In these cases, it is the present day, rather than history, that is the cause of confrontation. We are witnessing here friction between ethnic,

national, religious and language groups. Past animosities have come to life, coupled with the aftermath of political decisions by the Bolsheviks, repressions and persecution of minorities and the uprooting of whole nations (Crimean Tatars, Chechens, Volga Germans) condemned by Stalin and blamed for their lack of loyalty to the USSR during the German occupation. The communist authorities used similar arguments when justifying mass deportations to Siberia and Central Asia of citizens of Estonia, Latvia and Lithuania, following the Baltic States' incorporation into the Soviet Union.

One has to avoid applying the means and mindsets of the Cold War to new political circumstances and requirements. Inherited historical distrust has to be replaced by a confidence based on shared interests, transparency and predictability.

There is a need for more timely and determined efforts to control an emerging crisis situation. In such situations, a more sustained engagement of the international community is needed. The main challenge now is to prevent the development of political populism based on aggressive nationalism and chauvinism as newly established states search for their national identity. The politics of identity aims to differ with others rather than to accept common values and historical roots.

States, especially great powers, take multilateral security organizations as instruments of their own national strategies, but they are not willing to be instrumental for these common security institutions.

## The whole, complex truth

By Ainars Lerhis

*Dr. Ainars Lerhis is Professor at the Institute of Latvian History, University of Latvia in Riga.*

Unfortunately, there are two divisive historical social memories in Latvia. The majority of people recognize the facts of both Nazi and Soviet occupation of Latvia during World War II. Another part of society (mostly people who arrived in Latvia from 1940 to 1991) does not. Some even try to use

the victory over Nazism for the purposes of justifying the crimes of the Soviet regime. This makes reconciliation very difficult.

It is vitally necessary to research the experience of the victims, to identify and condemn Nazi and also Communist crimes. In some post-Communist societies, there are many victims of Communism who have not benefited from any satisfaction or even admission of guilt and regret. These societies are still experiencing cases where perpetrators of such crimes are acquitted, even praised. Some media promote reconciliation,

while others reproduce myths glorifying those crimes. The use of media to propagate a once-sided interpretation of history does not contribute to the consolidation and historical reconciliation of Latvia, and even cleaves this society.



**Read More:** *White Spots-Back Spots. Difficult Issues in Polish-Russian Relations 1918-2008* (Warsaw-Moscow, 2010). Edited by Adam D. Rotfeld and Anatoly W. Torkunov, Co-Chairs of the Polish-Russian Group on Difficult Matters. Published in Polish and Russian. English translation published by Pittsburgh University Press.

In countries which have suffered from more than one totalitarian regime in the twentieth century, an approach whereby the fault of only one is underlined and highlighted and the other is not condemned will automatically lead to a public confrontation as to the evaluation of that other regime's legacy. There can be no reconciliation without truth and justice.

Open archives are an important precondition for historical reconciliation. There must be no cases in which separate documents are being dug out from closed archives by politically biased historians with access to restricted documents, and used for propaganda and confrontation.

Since 1998, the Commission of the Historians of Latvia has done extensive research on difficult issues of the twentieth century history of Latvia. The Commission's research topics are: crimes against humanity on Latvia's territory from 1940 to 1941 (the first Soviet occupation); crimes against humanity during the Nazi occupation (from 1941 to 1945); the Holocaust during the Nazi occupation; and crimes against humanity during the second Soviet occupation (from 1945 to 1991).

Another commission – the bilateral Latvian-Russian Joint Historians' Commission – was established in 2011. It met most recently in Riga in November 2012, when the team of researchers from both countries

discussed their plans to produce a first document collection entitled Latvian-Soviet relations during the period between the First and Second World Wars.

Reconciliation is not possible without a difficult and complicated process, including measures to recognize that crimes happened, to investigate them, to evaluate them and, finally, to admit and forgive them.



*The Proceedings of the Commission of the Historians of Latvia, 27 volumes in total, can be viewed on the website of the President of Latvia: [www.president.lv](http://www.president.lv)*

## More than a brokered peace

By Ayscha Hamdani

*Ayscha Hamdani is an independent consultant and former political adviser to NATO and the EU in Afghanistan.*

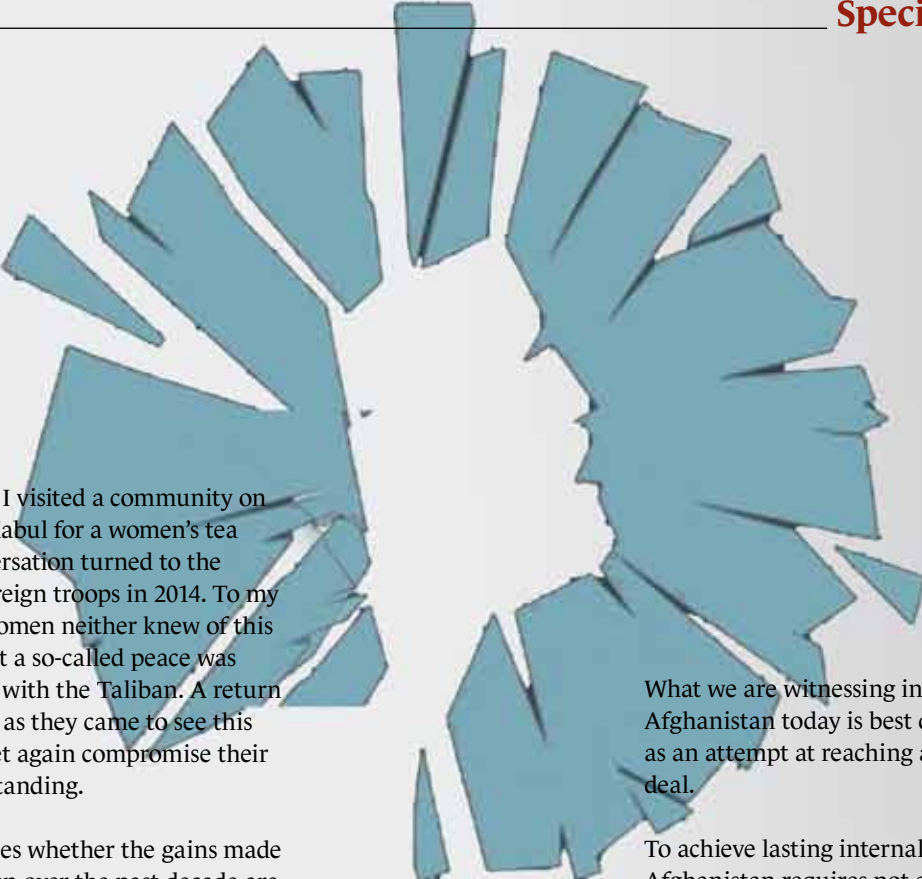
It was during the presidency of Mohammad Najibullah that Afghanistan first underwent a process dubbed “national reconciliation”. In fact, it was an attempt at power sharing that not only failed but re-fuelled already existing conflict. In 1996, shortly before his execution, he stated: “Afghans keep making the same mistake”.

Seventeen years on it seems history is repeating itself. What President Najibullah attempted with the

Mujahedin, President Karzai is trying with the Taliban.

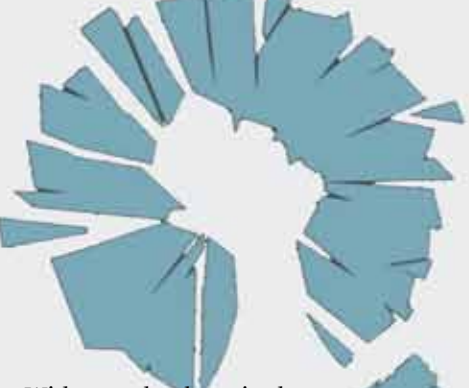
With current media coverage of Afghanistan, one does become confused and is left to wonder what process Afghanistan is actually undergoing – national reconciliation? a High Peace Council-led process? peace deals? power sharing with the Taliban? or maybe confidence building with Pakistan? With messages veiled in obscurity, the negotiating parties and themes remain largely unknown.





Not too long ago I visited a community on the outskirts of Kabul for a women's tea round. The conversation turned to the withdrawal of foreign troops in 2014. To my surprise, these women neither knew of this intention nor that a so-called peace was being negotiated with the Taliban. A return to Taliban times, as they came to see this process, would yet again compromise their already limited standing.

The question arises whether the gains made for Afghan women over the past decade are tangible and sustainable or just symbolic and superficial. Can the current women, peace and security agenda in Afghanistan actually progress or does it require substantial redesign to become a realistic, viable process?



With a mother born in the aftermath of World War II and growing up in German society, I was educated to understand that peace processes take a lot of effort. They are well-informed, well-designed, sustained, supported by public consent and committed to bringing about gradual change that leads to the betterment of society.

What we are witnessing in Afghanistan today is best described as an attempt at reaching a political deal.

To achieve lasting internal peace, Afghanistan requires not a brokered peace but rather a national reconciliation process, led and owned by the entire population and supported by the Afghan government.

It requires a process that is accountable: the government and the international community must become transparent about their activities and identify stakeholders and the topics debated to retain public support.

And it requires a process that is inclusive. In the current Afghan peace process, women, who make up fifty per cent of Afghan society, remain excluded. In line with UN Security Council Resolution 1325, equal participation and full involvement of women in achieving durable peace and security must be ensured and women integrated into decision-making processes, conflict prevention and resolution.

# Acknowledging wrongdoing

By Daniel Serwer

*Dr. Daniel Serwer is a scholar at the Middle East Institute and professor at the School of Advanced International Studies (SAIS). Visit his blog at [www.peacefare.net](http://www.peacefare.net) or follow him on Twitter @DanielSerwer.*

Reconciliation is hard. Do I want to be reconciled to someone who has done me harm? I may want an apology, compensation, an eye for an eye, but why would I want to be reconciled to something I regard as wrong, harmful, and even evil?

At the personal level, I may be able to escape the need for reconciliation. I can harbour continuing resentment, I can emigrate, I can join a veterans' organization and continue to dislike my enemy. I can hope that my enemy is prosecuted for his crimes and is sent away for a long time. I don't really have to accept his behaviour. Many don't.

But at the societal level lack of reconciliation has consequences. It is a formula for more violence. If we remain trapped in it, we end up in a cycle of violence. Victims, feeling loss and the desire for revenge, end up committing aggression against those they believe to be perpetrators, who eventually react with violence.

What takes us out of the cycle of violence and retaliation? The critical step is acknowledging wrongdoing, a step full of risk for perpetrators and meaning for victims. But once wrongdoing is acknowledged, victims can begin to accept loss, manage anger and confront fears. This initiates a virtuous cycle of mutual understanding,

re-engagement, admission of guilt, steps toward justice and writing a common history.

What has all this got to do with the OSCE? It seems to me that in at least some parts of the OSCE area, we are still stuck in the inner cycle of violence, despite a good deal of dialogue. The vital step of acknowledging wrongdoing has either been skipped entirely or given short shrift.

I know the situation in the Balkans best. We aren't really past the step of acknowledging wrongdoing in Bosnia and Kosovo, and I fear even in Greece and the former Yugoslav Republic of Macedonia we are far from breaking out of a cycle that could become violent. The situation seems less than fully reconciled in Turkey, the Caucasus, Moldova and, I imagine, other places that I know less well.

So can, and should, reconciliation be a new vision for the OSCE? That question is for the leadership of the organization and the participating States to decide, but here are a few questions I would ask if I were entertaining the proposition:

How pervasive is the need for reconciliation in the OSCE? Would it make a real difference if reconciliation could be established as a norm?



If it did become a new norm, how would we know when it is achieved?  
What would we do differently from what we do today?

Dialogue is good. Reconciliation is better.  
Maybe the OSCE should take the next difficult but logical step.



### Read more on historical reconciliation

**Charles Kupchan, *How Enemies Become Friends: the Sources of Stable Peace* (Princeton University Press, 2010)**

“Deft diplomacy, not trade or investment, is the critical ingredient needed to set enemies on the pathway to peace,” contends Charles Kupchan. In this diplomatic road map for turning enemies into friends, he exposes prevalent myths about the causes of peace and presents historical case studies of three types of stable peace: rapprochement, security community and union.

**Timothy Snyder, *Bloodlands. Europe Between Hitler and Stalin* (Basic Books, New York 2010)**

American historian Timothy Snyder recounts the fate of the 14 million non-combatants killed under the Nazi and Soviet regimes between 1933 and 1945. “Murder did not make the nations, but it still conditions their intellectual separation, decades after the end of National Socialism and Stalinism. This study brings the Nazi and Soviet regimes together, the Jewish and European history together, and the national histories together,” he writes in the preface.

***Politorbis 50: Dealing with the Past* (Swiss Federal Department of Foreign Affairs, 3/2010)**

A collection of essays on a holistic approach to dealing with the past and the challenge of implementation

**William J. Long and Peter Brecke, *War and Reconciliation: Reason and Emotion in Conflict Resolution* (MIT, 2003)**

Comparative case studies of civil war and international conflict clarify the role of forgiveness in national and international reconciliation.

*The sections on historical reconciliation and Franco-German friendship were prepared with the advice and assistance of Alice Ackermann, Senior Operational Adviser in the Conflict Prevention Centre in the OSCE Secretariat in Vienna.*

BOSNIA AND  
HERZEGOVINA

## Breaking the vicious circle

By Fletcher M. Burton

Srebrenica – the most terrible killing field in Bosnia and Herzegovina. Visitors to the town often remark that, by some climatic fluke, the place seems beset by either a suffocating heat or eerie chill. Srebrenica – it's either fire or ice.

Early last July, I was standing in the scorching sun in the large graveyard at the Srebrenica memorial site. Over 30,000 grieving women and men had gathered. They had all arrived for this day, some from far abroad, some from nearby towns. They had converged to remember those relatives and friends – over 8,000 men and boys -- who never made it out of the town in 1995. For Srebrenica, July is the season for the annual commemoration of the genocide, for the remembrance of those who perished, and for the burial of remains.

The moment swept me back to my time in Sarajevo during those fateful days in July 1995, when I was serving at the United States Embassy at the very time of the murderous assault on Srebrenica. Now, with the OSCE, my task was to help people both remember the past and reimagine the future.

Tension was even higher than usual last summer in Srebrenica because of the run-up to the municipal elections slated for the fall. For the first





Photo: Reuters

time since the war, a Bosniak candidate could wield no special legal claim on the mayoral position. Bosniaks and Serbs would have to compete at the ballot box.

The OSCE Field Office in Srebrenica became our operational hub. We moved its facilities to the heart of the town, a more central location to forge strong ties with all those involved in the election campaign, from individual candidates to activist groups to municipal authorities. We then opened lines of communication among these local players, as well as a reporting line to international actors. As a result, OSCE helped defuse tension and improve understanding.

The work culminated months later in a multi-ethnic municipal administration.

### **How does one break the vicious circle of hate and recrimination after a conflict?**

The question remains a crucial one for Bosnia and Herzegovina – and for the OSCE Mission, which was established shortly after the conflict ended 18 years ago. A central strand of continuity in the Mission's work has been the belief that reconciliation is central to breaking the cycle of violence and to fostering sustainable peace.

## How do we promote reconciliation?

One way is to intervene directly when tensions arise, as we did in Srebrenica. We have recently begun placing more emphasis on negotiation and mediation.

The impetus was given by a Ministerial Council decision taken in 2011 to strengthen the OSCE's capabilities in early warning, early action, dialogue facilitation, mediation support and post-conflict rehabilitation. When we acted last summer, we were applying a methodology of conflict analysis that we developed in pilot projects in Srebrenica and two other centers, Brčko and Mostar, both potential flashpoints in the country.

Perhaps even more important is the work we have been doing over the years to strengthen the country's "civic architecture", working in the courtroom, the classroom and the committee room. Well-established democratic institutions are essential for reconciliation to take hold; so, too, is a vibrant civil society that makes use of those institutions.

### Courtroom

The courtroom is at the heart of the Mission's efforts to address war crimes and hate crimes. We monitor trials throughout the country to assess compliance with domestic legislation and international obligations. Establishing the facts about crimes that were committed during the war and bringing perpetrators to justice enable victims to deal with the past and prevents a recurrence of violence.



Photo: Reuters

We support Bosnia and Herzegovina in implementing its National War Crimes Strategy. We provide assistance to jurisdictions at all levels, including a major initiative aimed at increasing the capacity to process war crimes cases through a multi-donor project that will transition into an EU-funded effort in mid-2014.

As long as the dissemination of inter-ethnic hatred is tolerated, the wounds inflicted by past conflict will remain open. Recently, we carried out a study to determine how we could best assist with the identification, reporting and prosecution of hate crimes. Our report emphasized the importance of civil society and civic leaders in creating an environment where hate crimes are not tolerated.



Photo: OSCE/Vedran Pribilovic

### Classroom

The classroom is the place where values and attitudes that promote tolerance and trust can be developed. The Mission is implementing the Index for Inclusion to bring teachers, parents and community leaders together to develop plans for creating inclusive and integrated schools.

Further, thanks to the Mission's efforts, almost thirty history textbooks have been revised to remove instances of hate speech and an exclusive ethnic narrative, and almost 100 history teachers have been trained.

## Committee room

There are 14 parliaments in Bosnia and Herzegovina, a reflection of the institutional layering of the country with one state, two entities, ten cantons, and the Brčko District. These institutions are highly visible. They deal with important issues. They represent citizens. Parliaments set the institutional framework for reconciliation. Effective parliaments, whose members prioritize the public interest over political or ethnic concerns, can set a positive example. They can provide a platform for resolving contentious issues.

The Mission's approach to strengthening parliamentary democracy is exemplified by our work to develop parliamentary committees responsible for democratic oversight of the defense and security sectors. The establishment of stronger oversight in these areas contributes to the reconciliation process by transforming former instruments of repression or indifference into instruments of public service.

## Building a bigger box

The 2012 award of the Nobel Peace Prize to the European Union symbolizes the importance of the international dimension in fostering reconciliation. This award has a special resonance for our work in Bosnia and Herzegovina, where various international organizations have reshaped themselves to give primacy to the European Union. The EU integration has come to the fore. Its importance is fundamental because it defines a future for the country that enjoys broad consensus. Integration at the international level can help to build bridges at the local level.

Our Mission supports the accession process. For instance, we helped shape the Structured Dialogue on Justice between Bosnia and Herzegovina and the EU. We drew on our long experience in monitoring trials in the country to propose ways to align the country's judicial system with EU requirements.

Other international integration processes are also important for overcoming the painful legacy of war. Fourteen thousand refugees and

internally displaced persons from Bosnia and Herzegovina will be able to resume normal lives under the Regional Housing Programme, made possible by co-operation among the governments of Bosnia and Herzegovina, Croatia, Serbia and Montenegro. Our Mission is working with other OSCE field operations, the EU, the UN High Commissioner for Refugees and the United States government to co-ordinate and fund this huge undertaking, which will benefit 74,000 persons in total. Regional problems demand regional solutions.

## Conclusion

Confidence-building and reconciliation are long-term endeavours. We at the OSCE Mission to Bosnia and Herzegovina have learned from experience that progress is not linear. That it is important to be realistic. That there will be setbacks. That reconciliation cannot be imposed, although it can be assisted. And that it is important to be creative and flexible, to design interventions to meet particular needs, to be principled and even-handed. In Srebrenica, the Mission also learned the importance of trust. We worked hard to maintain the trust of all parties. Trust – easily burnt up, easily frozen out – is a wellspring of reconciliation.

*Fletcher M. Burton is Head of the OSCE Mission to Bosnia and Herzegovina.*

*Trefor Williams and Diane Brown of the OSCE Mission to Bosnia and Herzegovina assisted with the preparation of this article.*

## KYRGYZSTAN

# Turning around Suleiman-Too

by Zoltan Filep



When I first arrived in Suleiman-Too in July 2011, mistrust of the police was so strong, you could practically reach out and touch it. This was one of the districts in the city of Osh worst hit by the clashes between Kyrgyz and Uzbeks that had devastated southern Kyrgyzstan the previous year.

I had come as an international police advisor to join the OSCE Community Security Initiative, dubbed CSI. Our task was to help local police reconcile the community. Our work needed to start from the ground up, and it needed to start with people's hearts. We set up a forum for residents and police, but progress was slow.

On 4 April 2012, the Chief of the Suleiman-Too Police Substation entered our office to announce that three days prior, a 19-year-old girl of one ethnicity had been raped by four men of another. Three had been caught, one was still at large.

### **Was this the spark many were dreading, which would rekindle unrest?**

Our first fears were allayed when the media, which picked up the story that same day, refrained from mentioning the victim's or perpetrators' ethnicities.

And as things have turned out, the shock of this hideous crime led to a series of hopeful events that are turning this community around.

### **A helping hand**

The girl who had suffered the attack lived with her grandmother and sister – her mother was seeking employment abroad. She had sustained visible bodily injuries, and was surely in need of psychological care.

I called a friend who I knew could help: Angela Morales, head of an Osh-based NGO, who specializes in counselling victims of domestic violence and sexual assault. She has worked with women in Kyrgyzstan for years and understands the cultural cues that need to be respected when approaching such a sensitive topic. She readily agreed to meet with the girl, provided she was willing.

The Substation Chief promptly welcomed the offer. He asked the neighbourhood inspector to pass it on to the girl, who accepted.

She was surprised and grateful to learn that the police had proposed the assistance!

### **Changing mindsets**

Violence against women is all too prevalent in Kyrgyzstan. Despite legislation to protect women's rights, complaints are routinely ignored by the police.

One in four women suffers physical abuse in the home, according to an April 2010 report by the United Nations Special Rapporteur on Violence Against Women.

The same report indicates that anywhere from 35 to 75 per cent of all marriages in the country are the product of bride kidnapping, a brutal traditional practice whereby a man abducts a woman and coerces her to marry him.



I had often reflected on these matters, but the incident with the 19-year-old girl pushed me to action. If gender-based violence was going to be taken seriously in this community, I would have to try to change people's mindsets.

Since coming to Suleiman-Too, I have made it part of my daily rounds to visit the Local Crime Prevention Centres (LCPCs) in the district. I received their endorsement to organize a workshop on domestic violence and bride kidnapping. Akkach Zholdosheva of the Centre for Gender and Psychological Support agreed to assist me.

Forty community and police representatives gathered for the workshop on 10 May. It started on shaky ground, with several participants voicing the opinion that bride kidnapping was a legitimate cultural tradition. But we reviewed legal provisions and after much laboured discussion reached consensus that it was a form of abuse.

We distributed information materials explaining where victims of domestic violence requiring legal counselling, psychological counselling or emergency housing could go for help. In the month that followed, the crisis centres Aruulan, Ak-Jurok and Meerban received more victims than ever before, with seven asserting that their LCPC had referred them.

## The community takes up the torch

Shortly after the workshop, the Osh City Police Press Secretary, Zamirbek Sidikov, approached our office with an idea. He wanted to raise public awareness of domestic violence, and had thought of setting up billboards throughout the city. Could we assist him? We jumped at the chance.

My fellow international police advisor, Sergey Sizov, and I informed the crisis centres. They were thrilled, particularly because the idea came from the police. Sergey and I realized our role should be limited to that of intermediaries and mentors. This was an independent police and community initiative.

The mayor's office provided six billboards free of charge for two weeks; a printing house agreed to print the signs without costs; the city lighting company hung the billboards at no charge; and the traffic police managed the safety of the whole operation.

The billboards hung in prominent places in Osh from 17 to 31 October 2012. Printed in Kyrgyz and Russian, they included contact information for the crisis centres, the police, and the State Department of Social Development.

The impact was indisputable. The Aruulan crisis centre reported that the number of visits from victims rose from 19 in August to over 100 in November. Thirty-four visitors asserted that the billboards had alerted them to the possibility of receiving assistance.

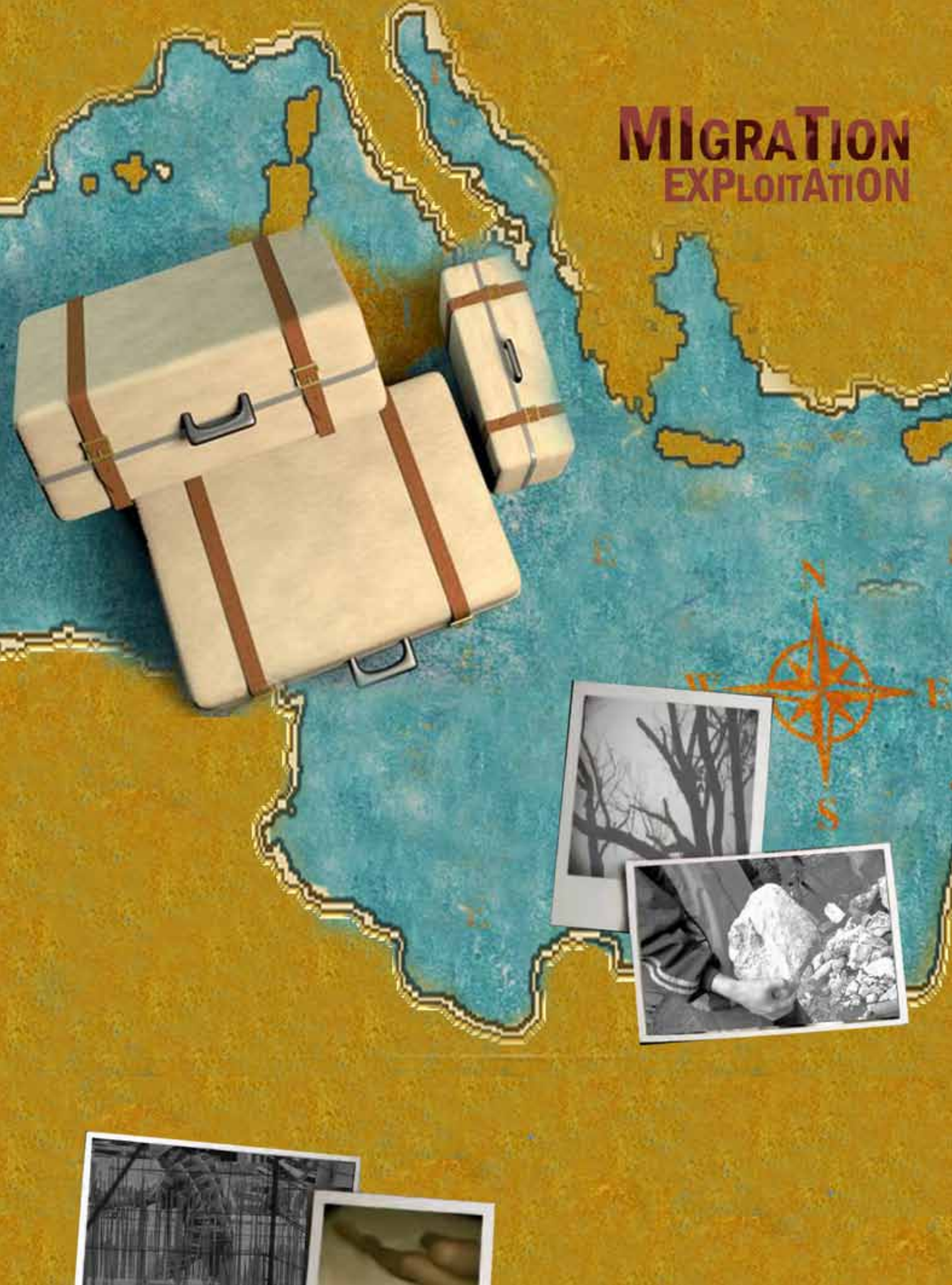
Another result of the campaign was that the police resolved to create a separate police register for gender-based violence.

What impressed me most was the way the district came together to see this project through. No costs were incurred throughout the process and local people built respect and appreciation for one another. In a community which two years prior was torn apart through conflict, partnerships were being fashioned out of mutual concern for their fellow residents' well-being.

Change was never going to be overnight in Kyrgyzstan. Change is never that fast anywhere. But undeniable progress is being made. I see it every day in my work, in the attitude of my counterparts who are more appreciative of what has been achieved, in the public's more positive view of the police. I am content simply to be one part in that greater movement bringing new trust to Suleiman-too.

*Zoltan Filep is an international police advisor from Serbia, with the OSCE Community Security Initiative in Kyrgyzstan.*

# MIGRATION EXPLOITATION



# The Mediterranean connection

Undocumented migrants, why do they come? For a hundred different reasons.

A 14-year-old Tunisian boy may risk the perilous boat trip across the sea for adventure. Italy! Europe! Maybe one day go north to Scandinavia!

Nigerian girls are shunted over Libya, forced into prostitution, and moved on to southern Europe, often bound to their fate through Voodoo rites, with the support of their unwitting families.

A journey to flee the killing in Afghanistan can be worth €10,000 paid to an international smuggling ring.

Some would-be African agricultural labourers arrive in Italy in good faith, with working papers which fraudulent employers then refuse to validate.

No matter what their story, undocumented migrants are vulnerable to exploitation. If they are not already trafficked when entering the country, they are easy prey.

## Patterns are changing

It used to be that most trafficking victims were female sex workers. But a substantial percentage in fact are now men. They are exploited in hard labour on construction sites or in fields during the orange or watermelon harvest, for little or no pay, living in isolated locations under horrific conditions. Women and girls are also exploited at work, for example in households.

A new trend has recently emerged: not only migrants, but also nationals are falling victim to labour exploitation.

In the wake of the Arab spring, the number of irregular migrants arriving on the northern shores of the Mediterranean skyrocketed, now the numbers are down. States on the African shore, formerly almost exclusively sources of trafficked persons, are also becoming countries of destination.



On 8 February 2013, Maria Grazia Giammarinaro, the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, invited high-level representatives of 22 participating States, six Mediterranean Partner States, an Asian Partner, and civil society representatives from the OSCE region, North Africa and the Middle East to discuss how to better prevent human trafficking in the Mediterranean region. In the pages that follow, some of the participants share their views. For more information on the OSCE's work to combat human trafficking, visit [www.osce.org/cthb](http://www.osce.org/cthb).

“Migrants, in particular undocumented migrants, are still amongst the groups and individuals who are most vulnerable to exploitation and human trafficking. The sheer extent of human tragedies the migration from the Maghreb and Mashreq to the European Union has produced is unspeakable and has made it impossible to look away.”

“Both sides of the Mediterranean need to take responsibility: countries of origin and transit and countries of destination. There is a lot of common ground in terms of what needs to be achieved, and it can only be achieved by joining forces, with an understanding of shared responsibility, by learning from each other and building on each other's experience. I am committed to promoting access to justice and remedies for all exploited migrants, and to enhancing prevention also through the prosecution of traffickers and the confiscation of the proceeds of crime.”

—Maria Grazia Giammarinaro





## PORTUGAL

# Learning to see

By Teresa Morais

The profiles of victims of trafficking in Portugal are changing. It used to be the case that many came from Africa, Brazil and Eastern European countries, and they were mainly women trafficked for sexual exploitation.

Prostitution of vulnerable women is still a serious problem. But if we can believe the data we have, the majority of trafficked persons in our country are now men. Many are being trafficked inside of the country, and they are being trafficked for labour exploitation.

Sometimes they work in agriculture, sometimes in construction. They live in very poor conditions, without documents, without the possibility of contacting their families or friends or anyone. Because of this seclusion, this silence, it is sometimes difficult to detect them from the outside. They don't look for help. They don't have the means to express themselves outside of the circle in which they are enclosed.

Of the 93 cases of trafficking identified in 2012 and still under investigation, 76 are cases of labour exploitation. Forty-three of the presumed victims are men. I suppose this is a trend that is common to other European countries as well.

The numbers we have are not very high. They may not entirely reflect the dimensions of the oppression taking place in our midst. If we had more efficient methods of identifying victims of trafficking, for instance among illegal immigrants, perhaps we would have different figures. So we are not resting easy. Here are some of the things I believe we should do, and are doing – to better see what may not be visible at first sight.

## Train labour inspectors

We need to better train our labour inspectors to go to the agricultural sites, the wine producers, the factories that are more hidden and seek out cases of exploitation with an expert eye. We already trained 100 labour inspectors last year and I am working with the Authority for Working Conditions to train about 300 more in 2013, to sensitize them to the problem and equip them to better detect these cases. ►

## Give people time to speak

We must be aware that exploited people don't tell us everything right away. Under Portuguese law, presumed victims of trafficking are given 30 to 60 days reflection time to tell their story, regardless of whether they wish to collaborate in the police investigation. There have been times when it has taken longer.

Let me give you an example, recounted by an inspector of the judicial police in a seminar we organized for judges in Lisbon last October. He told us that in a sex trafficking case he investigated, one presumed victim kept insisting that she had not been under any coercion. She was clearly frightened and vulnerable and she went to stay in a women's shelter, but for four months she never spoke. The police did not give up on the investigation and worked around her part in the story, but several pieces of the puzzle did not fit. Then one day, the girl asked for the police. After four months, she said "I am ready to tell what happened." She admitted that she had not come to the country voluntarily. She told her whole story. Because she was protected in a shelter for victims of violence, and

she had the time to think. We need to give immigrants who enter the country illegally the time, the space and the protection they need to tell the true story of what brought them here.

## Sensitize the judiciary

Why do we have so many cases where there is suspicion of trafficking but the judicial system treats them as cases of supporting illegal immigration or exploiting prostitution, crimes with a legal sanction that is weaker than for trafficking? There must be some reason, in law or in practice, which would explain this.

Of course it is not the competence of the Portuguese government or any government to interfere with the autonomy of the judicial system. But together we can look for causes.

This year, with the support of the attorney general's office, my office is travelling to district attorney offices throughout Portugal to discuss the matter. We are also working with the Judiciary Centre of Studies in Lisbon to develop e-learning materials on human trafficking for judges in training.

## Work with external partners

Situated on the southern tip of Europe, Portugal receives many positive influences from beyond its shores, but is also exposed to the dangers. We have a rich tradition of co-operating with our neighbours on trafficking in human beings and also on migration in general and problems related to illegal immigration.

We do that in the European Union, the Council of Europe, and we have several bilateral agreements, for example with France, Spain, Morocco, Algeria and Tunisia. We have been very active in the 5/5 dialogue between five countries from the European side of the Mediterranean and five from North Africa. As for the OSCE and its initiatives to combat trafficking in human beings, Portugal will remain fully engaged, as it has been from the start.

*Teresa Morais is Secretary of State for Parliamentary Affairs and Equality of Portugal.*

MOROCCO

# Dispelling ignorance

By Mamadou Bakayoko

We are a group of sub-Saharan Africans, Asians and Moroccans, united under the name Joint Action for Those Forced to Emigrate (JAFEM). We provide social assistance to migrants and help to protect them from exploitation and trafficking. We work in the major cities and border towns – Oujda, Rabat, Casablanca, Nador, Tanger, Taza and Maghania, the last town in Algeria before one enters Morocco.

Near the borders, migrants live mostly in forests, unfinished houses or individual flats. In the cities, they reside in the poor neighbourhoods. They typically share a flat to afford the rent, living six or eight to a room.

A strict hierarchy reigns within the migrant community. This can lead to internal trafficking, largely unknown to the public. At JAFEM, we have the expertise to penetrate this milieu and we work to identify victims.

Near the borders, migrants may be forced into prostitution or begging to pay for what they call “ghetto rights” or “protection rights”. At the same time, they are easy prey for thieving Moroccan youths, themselves pressured by their family or peers to bring in some money by whatever means.

In the city suburbs, frequent raids by the police and the threat of deportation leave many migrants drained. Those too weak to go out to work may be subject to violence or sexual abuse.

Migrants employed as domestic workers are often subjected to unlimited working hours, contrary to the initial agreement, and their passports are confiscated to prevent them from running away. Agricultural work is often underpaid and migrants are sometimes forced to do supplementary non-negotiated work before they are paid their wages.

Criminal networks of migrant and Moroccan traffickers recruit young men and women over the Internet, posing as major employers. The recruits are forced to repay the cost of their tickets and other expenses: “employment taxes”, “working rights”, “declaration papers”, all lies invented to deceive them. Sometimes the traffickers force the girls into prostitution and confiscate their income, making them believe they will help them travel through Europe.

These are just a few of the cases of exploitation and human trafficking we at JAFEM have come across over the years, in the course of our regular work to assist migrants.

Many victims live in ignorance and do not know how to escape. Wherever there is a high concentration of migrants, we organize workshops. We explain cases of labour exploitation and trafficking and the conduct that must be followed in a state where there is rule of law. We have received many victims referred to us by local organizations for placement in our emergency shelters. We bring them to health centres for medical and psychological care. And we follow cases of voluntary return.

Our most urgent concern is the lack of legal assistance for trafficking victims. Almost all are undocumented migrants. As such, they have no access to justice or even to the police. On the contrary, they are criminalized. They are therefore afraid to declare their plight. Whistle blowers are not protected either.

We are trying to get Moroccan lawyers on board who are willing to join our fight. We continue to develop strategies to get to the bottom of the information we receive, stop the perpetrators of these crimes, protect the victims and – hopefully – find ways to compensate them.

*Mamadou Bakayoko is the Co-ordinator of Joint Action for Those Forced to Emigrate (JAFEM).*





SOS Rosarno

**“The bargain-priced oranges and mandarins we find in our supermarkets – who picks them?”**

**In Rosarno, Italy, it is often migrants, exploited for very little pay, typically by small producers who feel backed against the wall by supermarket chains that require a price that barely covers the cost of collecting the fruit.**

**At SOS Rosarno we are trying another way. Putting into direct contact local producers, buying groups and mainly African labourers, recruited at union rates – €45 a day plus benefits. Cutting out all the steps that jack up prices. So workers and owners can live in dignity and consumers can buy a quality product at a fair price.”**

**–Giuseppe Pugliese, activist of the NGOs Africalabria and SOS Rosarno**



ITALY

# A conviction to fit the crime

By Cataldo Motta

Italy has great expertise in investigating trafficking for sexual exploitation. But labour exploitation is a different matter; this is something new.

In the province of Lecce, we recently had two major investigations in this field. One was in the agricultural sector and the other concerned the installation of photovoltaic systems for alternative energy – heavy solar panels, which have to be lifted manually. Both cases involved hundreds of undocumented migrants who had landed illegally in Pachino, Sicily.

Migrants used to enter Europe by land, over Greece and Turkey. Now they come to Lampedusa and Pachino. It's like a system of interconnected pipes, closing one tap opens another. The routes are long, exhausting and cost the migrants a lot of money.

There is a criminal organization operating in Sicily that specializes in moving migrants to the various regions of southern Italy for exploitation in the agricultural sector. Depending on the season, they get sent to northern Puglia for the tomato harvest, for example, or to southern Puglia to pick watermelons.

The case with the solar panels involved a Spanish company called Tecnova, which was installing solar panels in the provinces of Lecce and Brindisi in the winter of 2011. In Italy, when you install solar panels, you receive money from the state, but there is a deadline after which you lose the subvention. In this case, the deadline was very tight.

So the owner of the company turned out to be a criminal organization – similar to the organization recruiting agricultural workers in Pachino, but in this case the organization was Spanish.

They used a few migrants as gang masters, and by word of mouth recruited about 400 undocumented migrants, who were sent to about 20 different construction sites. They were subjected to harsh conditions and an exhausting work schedule, in order to finish on time.

One Indian worker, who could not take it anymore, filed a complaint in Lecce and we started an investigation. Another investigation was started simultaneously following a report to the prosecutor of Brindisi. Eventually, almost all of the workers filed complaints, and we joined these two investigations into a single proceeding.

The prosecutor of Brindisi ordered the interception of telephone conversations between the gang masters and the company. The stories I heard were terrible. Workers went so far as to say that the slaves working in the cotton fields had been better off than they were. They were constantly working in the mud, in boots procured by the company that were too small. There is a phone conversation in which the company told a worker who complained to cut off his feet or the tip of the boot. Another worker complained about his hands being covered in blood from carrying the panels without gloves. He was told to keep working.

In light of the evidence, we asked for prosecution for human trafficking, under article 600 of the penal code. The judge for the preliminary investigation gave us the conviction, but the review court

acquitted the defendants, saying among other things that the required safety equipment had been made available to the employees. The Supreme Court upheld this decision.

But we have gathered new evidence, and are going to ask for a retrial.

If we want to help the victims of labour exploitation in Italy, we need to change some of the concepts of our penal code. The definition of trafficking, for instance. It is not working. The problem is that there is a fundamental difference between trafficking for purposes of sexual exploitation and for the purpose of labour exploitation. In both cases, the law requires a state of continuous subjection and a state of dependency. These requirements are often met in cases of sexual exploitation. For example, girls are deprived of their passports and they are kept in enclosed spaces. In the case of labourers, this is much more difficult to prove, because they return home in the evening or sleep in common facilities such as dormitories.

What needs to be done is to create a new legal standard. We need to start re-interpreting the law from scratch.

*Cataldo Motta is the Chief Prosecutor of Lecce, Italy.*

TUNISIA

# Embracing mobility

By Khalil Amiri

There was a huge peak in irregular migration originating from Tunisia after the revolution. Now it has subsided. In fact it has dropped by a factor of ten, from over 30,000 persons in 2011 to about 3,000 in 2012. But no matter what the numbers, irregular migration means vulnerable people, and clearly there is a connection with trafficking.

We have an agreement with our Italian neighbour on readmitting irregular migrants. We think it is very important for people that return to succeed in reintegrating, because it will encourage others to stay. I think a lot of undocumented migrants are afraid to return. There is the social stigma of having tried and not succeeded. We are trying to provide support for them, but more needs to be done.

Tunisia has always been a source and, to a lesser degree, a transit country for migrants. But now we are becoming also a country of destination. Demographically, Tunisian society is aging. There was a successful policy of family planning after independence and now we have fertility rates that are close to those of developed countries. Also, we have invested in education, and as a result a

large proportion of our young people are educated. So we are seeing in fact a shortage of unqualified laborers. The Institut arabe des chefs d'entreprises, the largest executive association in the Arab world, which has its headquarters in Tunisia, reported that there is a shortage of roughly 100,000 workers in Tunisia, mostly in agriculture and construction. You see it on the ground. There were major problems last year with collecting olives, which is still a manual operation in Tunisia. We had to bring in the military to help with the harvest.

**I** believe we need collectively to build on the conviction that, in the age of globalization, more trade is better. And that you cannot have a global flow of capital, goods and services without the actual lifeblood that supports it.

Because at the end of the day, if we can find legal avenues for people to promote that flow, it is going to lead to better regional economies and probably to more stability, even in the source countries, and better support for receiving countries.

The easy solution, if there is a problem of undocumented migrants, is just to close the doors. Yes, we need to respect laws and crack down on illegal migration. But we should not make the mistake of closing the doors on regular migration. Because in the long term, ensuring a more fluid mobility of people, especially qualified professionals and service providers, is a natural complement to the increasing free circulation of capital, goods and services. All are essential to vibrant and growing regional economies and thereby to mutual development, peace and stability.

*Khalil Amiri is the Senior Advisor to the Secretary of State of Tunisia for Migration and Tunisians Abroad.*

# WHEN I GET ANGRY, I GET GOOD IDEAS

## VICTIM COMPENSATION

When perpetrators of human trafficking are caught and tried in court, the injustice suffered by the victims often gets compounded. Typically, obtaining a conviction takes precedence and victims are either not compensated at all or required to initiate a separate civil claim for damages.

That is why the exemplary judgment obtained in Aquila, Italy last year granting €50,000 immediate compensation to 17 Nigerian women forced into prostitution, in large part the achievement of the young lawyer Carla Quinto of the Rome-based NGO BeFree, is such a sensation.

The story began four years ago, with the launch of an investigation in Aquila into the case of the women, who were trafficked to Italy under brutal conditions and forced into prostitution by a large criminal organization. BeFree and another NGO, On the Road, supported these women and led them to overcome their terror and provide useful information about the members of the trafficking ring, leading to their prosecution. All 19 defendants were found guilty of conspiracy for the purpose of trafficking, slavery and illegal immigration.





OSCE/Ursula Froese

But the lawyers working with BeFree and On the Road wanted more: they wanted the victims to be compensated from the assets seized from the ruthless racket. The court had confiscated money and real estate from the Nigerian traffickers. Also the cars in which the Italian taxi drivers, who collaborated with them, had taken the girls to where they were made to work the streets. But the requests for compensation on the part of the victims and the NGOs were rejected. So they appealed the decision. Carla Quinto tells the story:

“After the unfair decision at the first level, I got very angry. And when I get angry, I get good ideas. There is a European Union directive encouraging compensation for trafficking of victims, which unfortunately has not yet been translated into Italian law. But I found an article on which we could base our appeal: article 600, paragraph 7 of the Italian penal code, which concerns exploitation for prostitution.

It states that goods can be confiscated by the state only if they are not needed by the victims. So here we had an argument that the right of the victims to the goods precedes that of the state. And we were successful. On 25 April 2012 the Court of Assizes in L’Aquila revoked the confiscation that had been ordered in the original trial.

The judge accorded each victim €350,000 in damages, with €50,000 to be paid immediately. Be Free and On the Road got €10,000 each. How did he arrive at these amounts? When damage to a person is so great that it cannot really be calculated – and this is typically the case for prostitution – there is a procedure in Italian law called *via equitativa* whereby the judge determines the damage on the basis of a global estimate. This is what he did.

“It’s a very important precedent and it was all over the Italian news. It is really difficult to get a result like this, and we are obviously very proud,” says Oria Gargano, the director of BeFree.

“Will we be able to replicate it?” asks Carla. “We are trying. But this was a very lucky case, because the pimps had assets that could be seized. In most cases, there is nothing; traffickers have sent their money out of the country. Still, we are trying. There should be a state fund for compensation. That is what we are aiming for,” she concludes.

*Security Community editor Ursula Froese spoke with Oria Gargano, Carla Quinto and Marta Mearini of BeFree on 11 February 2013.*

# Max Kampelman

The American scholar, lawyer, statesman and human rights negotiator Max Kampelman, who died on 25 January 2013, will perhaps be best remembered as head of the United States delegation to the Conference on Disarmament held in Geneva from 1985 to 1989. Less well known, but equally crucial was his role as head of the United States delegation to the CSCE Follow-up Meeting in Madrid from 1980 to 1983.

Kampelman was practicing law in Washington in 1980 when President Jimmy Carter asked him to lead the delegation to the CSCE. After the presidential election later that year President Ronald Reagan asked him to stay on.

In Madrid, Kampelman pursued a hard-nosed policy of naming names on human rights abuses and insisted on holding a press conference every day. But he also developed a productive working relationship with his Soviet counterpart.

In an interview he gave to Sarah B. Snyder in Washington, D.C. on 12 July 2010 as part of the OSCE's oral history project, he tells of a deal for which he had been sworn to secrecy at the time, which resulted in the release of many people of Jewish and other religious confessions from the Soviet Union.

Years later, he recounts, his negotiating partner in the deal, General Sergey Aleksandrovich Kondrashov, who had been deputy head of the Soviet Union delegation, gave him a present of a book in which he had inscribed: "To my friend Max Kampelman who taught me the importance of liberty and democracy."

In the following excerpt from the interview, Kampelman tells how the deal was born as he spoke to President Reagan in a secret White House briefing.



APA

"And then [the President] says, 'Max, come on here for a minute.' So Shultz [George Schultz, Secretary of State] stays by the door and I come up. He opens up his drawer and he takes out a sheaf of papers this thick and he says to me, 'See what you can do about getting these people out.'

Shultz and I go out to sit down in the secretary's office to see what they were – lists of Jewish dissidents. And I never knew he had them. Shultz didn't know he had them. This must have happened during the previous administration. It did not surprise me. I knew it would surprise the Democrats and I'm a Democrat, I knew it would surprise the journalists and the press, but I saw in this what I saw every time I came by to talk to him [Reagan] about the Soviet Union and what was happening.

Anyhow, I got back to Spain and I called Sergey Kondrashov, the man who spoke English, the man who became a good friend of mine in Spain. [...] He was a civilized human being and he knew what I was doing. He didn't like it, but he knew what I was doing, you see. He knew America, also he'd been in America. Anyhow, I called him and I said, 'We've got business.' And I levelled with him. I told him exactly what happened, totally.

**Max Kampelman tells of a deal for which he had been sworn to secrecy at the time, which resulted in the release of many people of Jewish and other religious confessions from the Soviet Union.**

And he exploded, just exploded, ‘This is no way to do business. Here, we’ve been doing business together for a few years, we’ve been fighting, but we’ve been doing [it] according to the rules. This is terrible, you cannot do this! We cannot tolerate this!’

I said, ‘Sergey, you may not be able to tolerate this, but I have brought you a message from the President of the United States for your boss. And you do not have the authority to withhold it from your boss.

You have got to tell your boss. You can tell him everything you don’t like about it, but you’ve gotta go and tell it to him.’ And he knew that.

And a few days later, he called me on the telephone to meet, so we met. ‘I have authority to negotiate with you,’ he said, and we did.”

The interview with Max Kampelman was commissioned by the Prague Office of the OSCE Secretariat in the framework of its CSCE Oral History Project. The integral transcription of the original interview and its audio-visual version are deposited in the OSCE Prague Archives and can be accessed by subscribing to the Researcher-in-Residence programme.

# in Madrid

**The Madrid Follow-up Meeting to the Conference on Security and Co-operation in Europe (CSCE)** took place from 11 November 1980 to 9 September 1983. The meeting was stalled on several occasions. Some of the reasons were: the presence of the Red Army in Afghanistan, the imposition of martial law in Poland in December 1981 and the shooting down of a Korean Airlines passenger airplane that had strayed into Soviet airspace on 1 September 1983, killing 269 passengers and crew members. The meeting finally concluded after three years with a document that included a provision on the right to establish and join trade unions.

# YOUR VIEW

Ten years ago in Maastricht, the OSCE Ministerial Council adopted the OSCE Strategy to Address Threats to Security and Stability in the Twenty-first Century. The Strategy notes the importance of active, substantive OSCE engagement with civil society. The wonderful offer by the OSCE Chairperson-in-Office, the Minister of Foreign Affairs of Ukraine Leonid Kozhara announced in Vienna on 17 January 2013 to host an international event engaging the young people of the OSCE could be implemented to contribute to the anniversary of the adoption of the Maastricht Strategy. This would be in line with the UN-endorsed World Programme of Action for Youth, which identifies the need for the full participation of young people in society and in decision-making.

**Giedrius Petruzhis**  
Director of the International  
Institute of Political Sciences  
Klaipeda, Lithuania

[Note: The Ukrainian OSCE Chairmanship is hosting an OSCE Youth Summit in Artek, Ukraine from 20 July to 1 August 2013.]

Threats to security have always existed, but for a long time they were mostly local. Today they are global and global action is the order of the day.

**Jean Cévaër**  
Pornichet, France

The powerful cover their traces and protect their crimes and those whom they have assigned to commit them. Our fervent hope is for a new world where such people are not permitted to rule the lives of others and where all are truly equal under the law, rich and poor alike.

**Will Kelly**  
The Bogside Artists  
Derry, Northern Ireland  
United Kingdom

Congratulations for the new magazine! I hope that it will be a very helpful tool for a better understanding of our world and our society.

**George Tsoumaris**  
Xanthi, Greece

I strongly believe that anything that improves the relationships between civilizations, cities or communities, such as your new magazine Security Community, builds a path towards peace and unity.

**Felio A. Vilarrubias**



Thank you that I received a copy of Security Community over here in Nigeria. I was unable to resist reading it until I finished the entire publication. I want to commend the article by Ambassador Heidi Tagliavini. The points she has enumerated are not only relevant for women and their applicability is not limited to peace missions. They apply to our daily lives as far as the struggle to make the world a better place is our primary concern. More power to you and your team!

**Saviour O. Akpan**  
Executive Director  
Community Policing Partners for Justice, Security  
and Democratic Reform  
Abak, Akwa Ibom State, Nigeria



A new OSCE consensual document on “safety and security of persons held in custody” could go a long way to guaranteeing human rights in penitentiary institutions. Monitoring of states’ compliance with their obligations under such a document could be assigned to either the Office for Democratic Institutions and Human Rights or an OSCE authority specially designed for this purpose.

I personally spent six and a half years in custody on charges of economic crime, which were later dropped. It took ten years for the European Court of Human Rights to rule that I should receive monetary compensation for the abuse of my rights. In many cases it is impossible to resolve legal questions in a timely manner. The OSCE could respond swiftly by political means to ensure that persons held in custody, which is a punishment in itself, are protected from torture and other abuse. This is a fitting role for an organization that has the goal of creating a security community from Vancouver to Vladivostok. A security community is impossible without guarantee of the exclusion of torture.

**Sergejus Ivanovas**  
Vice-Chairman of the Lithuanian Association for  
Security and Co-operation in Europe  
Secretary of the International Union of Young Farmers  
Lithuania

Very good magazine! Also very good that you paid so much attention to Moldova – much neglected in Scandinavia. Excellent that you ended up with a Ukrainian Borsch!

**Arne Westling**  
Sollentuna, Sweden

**The OSCE encourages discussion and debate. It takes no responsibility for the opinions expressed on these pages, which are solely those of the authors.**

**We’d like to hear from you!**  
**Reconciliation, what does it take?**  
**Send your views to**  
**[oscemagazine@osce.org](mailto:oscemagazine@osce.org).**

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Security Community nurtures the development of a community of people committed to furthering trust and stability across the OSCE area. Written contributions on aspects of politico-military, economic and environmental or human security are welcome. Texts are subject to editing.

The cover of Security Community is a space for a visual debate on the idea of a security community and related issues. Artists are invited to contribute. Copyright remains with the artist.

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The OSCE thanks all authors and artists for their contributions.

#### Front Cover

FINE (Detail) 360 cm x 440 cm (eight-part)  
Acrylic on canvas 2012

Stylianos Schicho  
Copyright: all rights reserved by the artist

Viennese artist Stylianos Schicho works are a blend of painting and drawing. In the words of the artist: “There is always someone missing from the picture and that is the person who is standing in front of it.”

Current exhibition: “Visual soliloquies”, Galerie Kaethe Zwach, Schörfing am Attersee, Austria, 4 May to 3 June 2013

More information: [www.stylianosschicho.com](http://www.stylianosschicho.com)

## Time for outrage!



**Stephane Hessel (1917 to 2013) wrote “Time for Outrage!” and its sequel “Engage!” when he was 93 years old as a message to the young.**

A brilliant German-born French diplomat who helped to draft the Universal Declaration of Human Rights, Hessel embodied the best of German-French relations. His own indignation stemmed from his experience of those relations at their worst. Mobilized in the French army in the Second World War, he was captured and barely escaped with his life before joining the French resistance.

“My wish for all, for each of you, is to have your reason for indignation. It is precious. When something makes you feel outraged, as I was outraged by Naziism, you become militant, strong and engaged.”

At the same time, Hessel makes a strong case for non-violence. He makes a distinction between indignation and the exasperation that can lead to violence and terrorism.

“Exasperation is denial of hope,” he writes. “It is comprehensible, I would almost say it is natural, but it is not acceptable. Because it cannot achieve the results that hope can achieve. [...] I am convinced that the future belongs to non-violence, to the reconciliation of different cultures.”

## How to make friendship éclairs



Choux pastry:  
150 g flour  
250 cl milk  
100 g butter  
5 g sugar  
pinch of salt  
dash of nutmeg

Bring all ingredients except flour to a boil. Add flour and stir vigorously while over the heat. Let cool, add five eggs and mix to form a smooth dough. Using a piping bag with a star-shaped nozzle, arrange éclairs in zigzags onto a greased baking pan. Bake in the oven at 190 degrees about 10 minutes until crisp.

Filling:  
Beat 700 g vanilla pudding until smooth. Add 350 g whipped cream. Flavour with vanilla and a splash of Cointreau. Cut 600 g strawberries in small pieces.

Slice open the éclairs. Fill the bottoms with half of the cream. Put on strawberries and cover with the rest of the cream. Dust the lids with powdered sugar and carefully place on top.

Recipe by Gerhard Weber  
Created at LeStube, Paris, to commemorate the 50th anniversary of the Elysée Treaty.  
[www.lestube.fr](http://www.lestube.fr)

## Recent OSCE Publications

**2012 Annual Report of the OSCE Secretary General** Published by the Office of the Secretary General, Press and Public Information Section (English, other OSCE languages appearing soon)

**OSCE Guide on Non-military Confidence-building measures** Published by the Conflict Prevention Centre, Vienna (English, Russian)

**2013 Social Media Guidebook** Published by the Representative on Freedom of the Media (English, Russian)

**The Online Media Self-Regulation Guidebook** Published by the Representative on Freedom of the Media (English, Russian)

**Guide to the Digital Switchover, Bosnian language version** Published by the Representative on Freedom of the Media (Armenian, Bosnian, Russian, Serbian, Tajik)

**Handbook of Best Practices at Border Crossings: a Trade and Transport Facilitation Perspective, Russian language version** Published by the OSCE and the United Nations Economic Commission for Europe (English, Russian)

**The Moldovan-Administered Latin-Script Schools in Transnistria** Published by the OSCE Mission to Moldova and the High Commissioner on National Minorities, The Hague (Romanian)

**Reporting on Human Trafficking Manual** Published by the Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, with the Moscow State University Faculty of Journalism and the Russian Union of Journalists (Russian)

**Manual for Teaching Human Rights in the Armed Forces** Published with the support of the OSCE Office in Yerevan (Armenian)

**Defamation and insult** Prepared by the Europe in Law Association with the support of the OSCE Office in Yerevan (English, Armenian)

**Violence, intimidation and legal cases against journalists and media in Armenia 2012** Prepared by Investigative Journalists with the support of the OSCE Office in Yerevan (English/Armenian)

## Launch

The OSCE MenEngage Network was launched in Vienna on 28 January 2013. The Network brings together men connected with the OSCE who will engage in promoting gender equality. Care to join? Contact Robert Hampshire at the OSCE Secretariat or Lieutenant Colonel Simon Macrory-Tinning at the Permanent Mission of the UK in Vienna.

## OSCE in the Vienna City Marathon



