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EDITORIAL

This winter the first issue of the ODIHR Newsletter for Central Asian was published. In that first issue we introduced ourselves - the OSCE/Office for Democratic Institutions and Human Rights. Those of you who just received this issue and are interested in obtaining more information about the ODIHR, please contact us directly. Just to remind you: the subscription is free of charge. Please note that our e-mail address has changed and our new account is : office@odhr.osce.waw.pl

In this Newsletter we want to report on OSCE/ODIHR activities in the region; review events related to the region; and inform our readers about the activities of our correspondents. Accordingly, in this issue, we wish to inform you about some of the work of two of the OSCE Missions in the Region: Tajikistan and Georgia. We also included the report from the OSCE Liaison office for Central Asia, which is located in Uzbekistan.

We present to you also the report from the Conference on the Role of the Media in the Conflict in Transcaucasia, which was organised by our office, the Mission in Georgia, Council of Europe and the Black Sea Press Agency. We will welcome your contribution to our Newsletter and we are waiting for the information about planned and held events.

The ODIHR Office makes a big efforts aiming to support local projects and initiatives. Due to the relative isolation of the Central Asian and Transcaucasia region within the OSCE area, it is the flow of information that becomes crucial. Therefore, we would be happy if our Newsletter could serve as a real forum on which different programs can be presented and various NGOs can introduce themselves and their activities. It is very much up to you, our readers, to make a good use of this Newsletter.

ODIHR MANDATE:

Assistance to the OSCE Missions

The importance of a close co-operation between the ODIHR and the OSCE Missions has been underlined in several OSCE Documents. In accordance with the provisions of the Budapest Document, the ODIHR advises Chairman-in-Office on the formulation of mandates before the creation of a long-duration mission, often sending experts as part of exploratory visits. Once the Mission has been established the ODIHR organises training courses for new members, on the human dimension, monitoring and on reporting techniques.

In co-operation with the Missions, the ODIHR designs specific projects, which may relate to the rule of law, aimed at promoting the informal sector and strengthening grassroots organisation. Lately, several Missions

have devoted much effort to assist states in establishing national human rights institution, such as ombudsmen. The ODIHR has consequently extended its technical assistance to these projects, including the evaluation of draft laws, training seminars for ombudsmen, promotion of study visits and formulation of comprehensive human rights programmes.

Since human dimension commitments are scattered over a great number of documents, it is often difficult for the individual to comprehend fully the implications of a specific fight. Therefore, the ODIHR has prepared compilations of commitments, concerning issues such as equal opportunities, racial discrimination, freedom of religion, the protection of minorities, international humanitarian law, etc. Currently the ODIHR sponsors the translation of the major OSCE documents into five languages spoken in the Central Asian Republics.

OSCE: UZBEKISTAN AND THE HUMAN DIMENSION

From the day of winning independence in 1991, Uzbekistan is trying to create a society based on the principles of democracy, and respect for human rights and fundamental freedoms.

On February 26, 1992 in Helsinki, the President of Uzbekistan Islam Karimov signed the 1975 Final Act of the Conference for Co-operation and Security in Europe and from that moment Uzbekistan has become an OSCE Member State, once again confirming its respect for the internationally accepted standards of international law.

The OSCE Office for Liaison with Central Asia was opened in July 1995 in Tashkent, which is a proof of the importance attached by the OSCE to the task of ensuring peace and stability, to the economic and human dimension in the Central Asian region. This has brought about for Uzbekistan a further opportunity for the exchange of information with other OSCE institutions and, for undertaking dialogue on all problems faced by the Central Asian nations in particular in Uzbekistan.

The government of Uzbekistan from the very beginning has extended manifold assistance to the work of the OSCE Office. President of Uzbekistan Islam Karimov, at a meeting with representatives of diplomatic missions and international organisations on 29 December, 1995 once again confirmed that the Government of Uzbekistan intended to continue its close collaboration with OSCE in all aspects of its business.

It can be said with confidence that Karimov's words find their accomplishment in practice. The fact is that one of the most pressing problems for Uzbekistan is the ensuring of regional security. Uzbekistan takes an active part in this process, understanding that within the concept of universal security, protection of human rights and safeguarding fundamental liberties, the supremacy of law and development of democratic institutions contribute to preventing conflict and serve as the basis for peace and security.

To improve guaranteed observance of constitutional rights and liberties of the citizens of Uzbekistani, the office of Human Rights Advocate was established in February 1995 at Oliy Madgliss (the Parliament), followed by the Commission for the Observance of Citizens' Constitutional Rights and Liberties created in May 1995 to render practical assistance to the Human Rights Advocate.

It should be stressed that Uzbekistan has been developing along that line active co-operation with OSCE and other international organisations. In February 1996 Uzbekistan was visited by the PROON (UN Human Rights Commission) headed by Ambassador Ion Popescu

For a period of three weeks the Commission's experts together with specialists from OSCE had more than fifty meetings and conversations with representatives of various state and social organisations,

parties, international structures and foreign diplomatic missions. Thus, the Mission's findings and recommendations reflect various ideas and assessments of the current situation in Uzbekistan.

The UN Mission's report says that Uzbekistan has been successful to establish basic democratic institutions with a short span of time, implement civil rights and liberties into practice; appropriate international agreements have been ratified and the structures of the civil society have been developed. Their effective functioning and further implementation of the legal system in Uzbekistan is still a timely issue.

The fundamental problem according to the Mission is the lack of legal information and relevant documentation, the lack of knowledge of international practices and experiences of similar institutions abroad.

The submitted programme, accounting for the existing problems, is scheduled for two stages. The first stage is to span the period between now and June 1997, and aims, above all, to extend technical assistance to State bodies of justice and government: courts, prosecution, Ministries and Parliamentary Commissions. In connection with that there is a need for both specialist education and training of the personnel of the given structures, as well as improvement of their technical facilities.

Within the second stage, which will last until the year 2000, it is planned to establish in Uzbekistan a number of major organisations and, in the first place, a special Human Rights Centre, which in time should cover the whole Central Asian Region.

Another Centre, named the Centre for Democratic Government is to attach openness and responsibilities to all State bodies and institutions, whose duty is to ensure the implementation and respect for human rights. It will also serve the function of consulting nature for State and Non-Governmental Organisations.

It may be said that the value of that programme as regards its concreteness and orientations aims at long-term effects.

The president of Uzbekistan, when meeting Ambassador Glover, stressed the continuity in the development of the relations between Uzbekistan and OSCE. He said that Uzbekistan is interested in widest possible co-operation with ODIHR, since today's Uzbekistan is implementing a wide range of political and social reforms, and it would be practical to employ the experience of OSCE along that line.

The ODIHR Delegation in the course of its visit to Uzbekistan had an opportunity to study the work of organisations and institutions dealing with the human rights issues, and came to the conclusion that Uzbekistan needs assistance in the field of the human dimension, and expressed its readiness to develop co-operation in this field.

In conclusion I would like to say that the road chosen by Uzbekistan towards building just, democratic society is the right, though difficult road, and it would need time to reach its other end.

Uzbekistan is but at the beginning of that road, but with active participation in the OSCE and other international organisations it can reach the assigned targets, that is full observance of human rights and fundamental liberties.

An important part here can be played by the OSCE Seminar on National Institutions for Human Rights, which will take place in Tashkent in September 1996.

OSCE MISSION IN TAJIKISTAN

Experiences and constraints in the field of Human Rights

The OSCE Mission in Tajikistan became operational in February 1994. In accordance with its mandate the Mission was asked to:

- maintain contacts with and facilitate dialogue and confidence building between regionalists and political forces
- actively promote human rights
- promote and monitor the adherence of OSCE norms and principles
- promote ways and means for OSCE to assist in the development of legal and democratic political institutions and processes
- to keep OSCE informed about further developments

It required close co-ordination and co-operation with the Tajik government, the United Nations Mission as well as other international organisations based in Tajikistan. In accordance with the division of labour between the OSCE and UN, the Mission was not involved directly in the negotiations between the government and opposition? as the latter was the responsibility of the UN. However the OSCE has been accorded observer status to the various sessions of the inter-Tajik talks.

The main difficulties in the work of mission during the first few months resulted from the negative attitude of the authorities towards the issues raised by the Mission. Even more importantly, Tajikistan has been torn by a harsh civil war with newly established government, which may have been suspicious of the motives of the OSCE in opening a mission in Dushanbe. In addition, the lack of progress in the discussion of political issues between the government and the opposition made it difficult for the Mission to convince the authorities of the necessity to provide conditions for broader participation of the society into political processes and for undertaking concrete steps in the democratisation and institution building.

The OSCE Mission and Tajik Constitution

The Mission and the OSCE was very interested in the formulation and approval process of the new Tajik Constitution, which was regarded as a key to the future of the country. The Mission did everything possible to support the process and to provide technical expertise and assistance, forwarding the text to ODIHR and other international constitutional experts for comments and presented to the Tajik government. Unfortunately, some of the more important recommendations were not incorporated in the new constitution. The main criticism of the draft constitution was a lack of independence for the judiciary. Additional laws on the judicial system, adopted in March 1996, could be regarded as an effort to strengthen the independence of judiciary, but still they do not solve all problems and the issue still needs attention.

Elections

The referendum on the Constitution and the presidential and parliamentary elections, could have provided another opportunity for democratic development of Tajikistan. International observers, including the OSCE Mission, urged the government to open the political process, allow the formation of the political parties and conduct free and fair elections, observed by international organisations to ensure the functioning of the democratic process. Unfortunately, in the rush to gain political legitimacy

and to prevent the creation of an effective opposition, the government insisted on holding elections as quickly as possible.

Institution building

One of the most important efforts of the mission during past year has been the creation of an independent national institution for the protection of human rights in Tajikistan - a national Ombudsman. This effort was initiated in close co-operation with OSCE's ODIHR section and recommended by the Permanent Council on 9 March 1995. Initial discussions produced a draft presidential decree in May 1995 that has been worked on for almost a year. It was considered by the presence of an official Tajik delegation, and after some discussion and minor amendments the draft was approved at the PC session by the end of February. In March 1996, the PC agreed to provide financial assistance to the Ombudsman office. The decree was ready for signature of the Tajik president and it is believed that this is very important step in the progress of human rights to be taken. Unfortunately, soon thereafter, the Mission was informed that the government wanted to introduce additional changes to the already agreed text, e.g. removing the independence of the institution as well as OSCE's consultative role in the working of the institution and appointment of the Ombudsman. These changes were rejected by the Mission and after several discussions it was agreed to return to the original version. The draft decree is now waiting for the presidential signature. Since the decision of the PC was based on the agreed text, the Mission will review the final version, once it has been signed to ensure whether it is acceptable and will base its recommendations on funding support on that review.

In order to promote the understanding for democratic institutions among organisations and parties the Mission held on regular basis the discussion club with local NGOs, taking up the topics concerned with implementation of human rights and political situation in the country.

Human Rights

The active promotion of equal rights for all Tajikistan's citizens has been one of the Mission's principal goals and although recent improvements on behalf of the Tajik government, many problems still remain. Equal protection of the rights of all citizens, equal justice and many other legal issues require urgent attention. Though the Mission is pleased to report that many of the cases of particular concern like returning of property to the returnees etc. have been dealt with fairly and justly. However, many citizens of Tajikistan still are afraid or resistant to enter the justice system on their own.

Another major concern of the Mission has been the treatment of prisoners. The ICRC has offered to organise assistance for Tajik penal institutions, supported by the OSCE, but the Tajik government denied the access to prisons.

Concerning the freedom of speech and freedom of press, the government exerts considerable control over the electronic media, freedom of assembly and association of political organisations. The opposition parties are still banned, and most of the officially registered political parties exist only pro-forma, not allowing effectively to function a multi-party system. With regard to freedom of press and information there is a considerable concern regarding the freedom and safety of the journalists. Since 1992 more than 30 journalists have been killed and none of the killers have been caught.

Activities of Field Offices

In October 1995 OSCE took over three former UNHCR field offices in Sharuz, Dusti and Kurgan Teppa, all in southern Tajikistan, with the aim to protect the rights of refugees and internally displaced persons. Since then these offices have become communication and information centres available not

only to returnees but also for all Tajik citizens. The offices work with cases of occupation houses and land, location of missing persons, equal distribution of humanitarian aid by local officials. They are making very important contribution to the development of democracy also at the grass-root level and introducing responsibility between citizens and authorities. The role and importance of the field offices, promoting observance of human rights and OSCE norms, is likely to expand as the local population recognises their contribution in finding local solutions to local problems. Close co-ordination with other organisations, particularly UNHCR, UNDP and ICRC will continue to be an important part of the field mission activities.

THE OSCE ROUNDTABLE ON PRIVATE LEGAL ASPECTS OF THE OMBUDSMAN INSTITUTION, Tbilisi, 11-12 March 1996

Introduction

On 11-12 March 1996, the OSCE organized a roundtable in Georgia on "Legal aspects of the ombudsman institution". The roundtable was a follow-up to ODIHR's recent evaluation of the draft constitutional law on the Ombudsman of Georgia. Its objective was to allow the involved Georgian parties to become acquainted with the ombudsman institutions in other countries and discuss selected legal issues before the draft law is adopted within the first quarter of 1996.

While the OSCE Mission conducted the seminar, the ODIHR financed the event and invited four international experts to present the ombudsman institution in their respective countries (Sweden, United States of America, Portugal and Russia). An ODIHR compilation of ombudsman laws in more than 30 countries was distributed to interested Georgian participants. The latter included members of the State Committee on Human Rights, the Parliamentary Committee on Human Rights, the Head of the Supreme Court, representatives of the Ministry of Justice, the Ministry of Interior Affairs and prominent Georgian scholars.

Presentation of ombudsman institutions in four countries

Since its introduction in Sweden in 1809, the concept of the ombudsman has spread to more than 100 countries. While the character of these officers, and even their title, varies greatly from one country to the next, all genuine ombudsmen share certain general characteristics. In short the classical ombudsman is an independent officer who receives complaints about the actions of state officials and, after reviewing them, gives recommendations that are not legally binding.

Sweden

Mr. Frank Orton, Swedish Ombudsman against Ethnic Discrimination presented a historical overview of the ombudsman institution since it was first established in the nineteenth century. He recalled that there are today several ombudsmen in Sweden. The Parliamentary Ombudsman is appointed by the Parliament and reports to the Parliament but enjoys full autonomy from its principle, which does not have the right to issue any directives. He supervises practically all state agencies and enjoys extensive powers, including prosecution of officials who are not complying with the law. However, prosecution is today rare as the ombudsman's criticism is taken very seriously, and his recommendations are generally enough to reverse erroneous decisions.

The other Swedish ombudsmen are appointed by the Government and also enjoy full independence. These institutions include:

- Consumer Ombudsman (1993);
- Equal opportunities Ombudsman (1980);
- Ombudsman against ethnic discrimination (1986);
- Children's Ombudsman (1993)
- Ombudsman for the disabled (1994)

Contrary to some of these mediators, the Ombudsman against ethnic discrimination does not have the right to bring a case before the Court; his power relies on the quality of the investigations and recommendations addressed to state bodies. In the words of Mr. Frank Orton, the powers of the ombudsman are to be found in: "the strength of his arguments, the achieved prestige of his office and the possibility of making his opinion publicly known, in individual cases as well as general matters".

United States of America

Mr. Dean Gottehrer, Former President of the American Ombudsman Association, presented the basic features of the ombudsman system in the United States. Generally known as the "Complaints Department", the ombudsman may be defined as an independent and neutral third party which investigates complaints against the public administration. Unlike Sweden, there is no national ombudsman, although there is a "classical" mediator within the federal government. In addition to mediators within the federal, state and local governments, the United States has ombudsman dealing with problems faced by individuals within the private sphere (for instance in relation to the press and universities). None of these Ombudsmen have the formal power to prosecute, but they may of course address recommendations to the concerned bodies. As an illustration of how the American system works in practice, Mr. Gottehrer spoke in detail of the ombudsman of Alaska, his appointment, mandate and other procedures relating to his office.

Portugal

The Portuguese ombudsman was established after the "carnation revolution" in 1974. Mr. João Manuel da Conceição Gonçalves described the mediator as an organ of the state, independent of any sovereign entity, elected by Parliament, by a majority of two thirds of the Members present, with powers to oversee public administration and to request the Constitutional Court to take a stand and pass a ruling on the illegality and unconstitutionality of any rules made by public entities. In addition, the mediator has the following tasks :

- To address to the competent organs recommendations aimed at correcting illegal or unfair acts of public authorities, or aimed at improving the services of the latter;
- To point out shortcomings of the law and accordingly to make recommendations concerning the amendment or repeal of the relevant provisions, as well as to make suggestions for new legislation;
- To promote the widespread knowledge of the substance and meaning of the fundamental rights and freedoms.

Any citizen may submit to the mediator claims concerning actions or omissions of the public powers. In order to carry out his duties, the mediator may initiate inquiries and, if needed, inspections of central, regional and local administration (including civil and military public services and prisons).

Russia

Finally Mr. Sergei Sirotkin spoke of his experiences as Assistant to Mr. Sergei Kovalev, the former Commissioner for Human Rights of the Russian Federation. The concept of the ombudsman was first mentioned in the Declaration on the Protection of Human Rights (1991) and later introduced in the new Russian Constitution, adopted by referendum in December 1993. The Constitution said nothing about the ombudsman's powers and merely noted that he is to "act in accordance with a federal constitutional law". The problem was that no federal constitutional law had been adopted before Mr. Kovalev was appointed Commissioner in January 1994. Mr. Kovalev therefore started working in extremely difficult conditions with practically no legal basis (apart from the Constitution), inadequate staffing, a deteriorating political climate and an increasingly hostile political establishment. Following the publication of his critical annual report on the human rights situation in Russia, and his strong condemnations of violations in Chechnya, Mr. Kovalev was removed as Commissioner in the beginning of 1995.

Specific issues

Nomination of the ombudsman: The second day of the seminar was devoted to themes selected in accordance with the wishes of the Georgian participants. Concerning the nomination of the ombudsman, it was noted that a wide range of procedures exists. Historically, the ombudsman has been appointed by the Parliament - and still is in a great number of countries, notably the Scandinavian ones but also in Holland, Portugal, Spain and Austria. The reason for this is that the ombudsman is traditionally the representative of the Parliament with the task of overseeing actions of the executive power.

However, in some countries the ombudsman is appointed by executive bodies, such as the Council of Ministers (France), President (Ireland) or Prime Minister (United Kingdom). The trend towards executive involvement is especially noticeable in developing countries. In some countries, the ombudsman institution is seen as politically sensitive and political leaders therefore wish to retain some executive influence over the appointment procedure. In other countries, the influence and prestige of the legislative is limited, thus making it an inappropriate body to make such an appointment.

Between these two extremes, there are alternative appointment procedures. For instance, in Papua New Guinea the appointment is made by the Governor-General acting in accordance with the advice of a specially constituted Ombudsman Appointments Committee, made up by members of both the executive and legislative powers. Whichever system is chosen, the crucial requirement for appointees is that they should be demonstrably neutral and persons of high integrity and standing. The ombudsman should most of all enjoy the trust and confidence of the people.

Removal of the ombudsman: In most jurisdictions the ground for removal of an ombudsman are similar to those relating to the judiciary. Thus commonly an incumbent is removable only for inability to perform the duties of office by reason of physical or mental incapacity or misconduct or misbehavior. While executive involvement exists in the appointment procedures of some countries, the legislative power is commonly involved in removing the ombudsman. Any law on the ombudsman should be clear regarding the conditions of removing the ombudsman and the body to initiate such a procedure.

Powers and restrictions of the ombudsman's jurisdiction: Mr. Dean Gottehrer presented a comprehensive check-list concerning the powers and restrictions of the ombudsman's jurisdiction. The aim of the check-list was to examine which issues should be included in a future ombudsman law. The questions of ex officio powers, investigations, inspections, recommendations, reports, human rights education and enforcement of the ombudsman's recommendations were all commented upon.

Most ombudsmen have the right to make investigations, obtain official documents of relevance to a case, make inspections, propose legislative changes and - naturally - address recommendations to the concerned

authorities. In many countries, such as Portugal, the ombudsman has the right to take up a case on his own initiative (i.e. without any previous complaints). This procedure is often used in relation to violations of human rights directed against groups, or individuals who are not able to file complaints themselves (for instance mentally handicapped). Few ombudsmen have the right to prosecute state officials as in the case of the Swedish Parliamentary Ombudsman. However, Mr. Orton noted that the Ombudsman against ethnic discrimination may of course report an encroachment to the police and - under specific circumstances - compel an individual to attend deliberations with him under penalty of a fine.

As the formal powers are generally very limited, ombudsmen have to rely on other methods to get their message across to the public, inter alia : participate in public debates, appear in the media, mobilize the "good forces of society" and try to influence important institutions (labor unions, banking associations, governmental authorities, NGOs, the head of the Church, etc.).

Complaints procedures: Any individual with a grievance which falls within the jurisdiction of the ombudsman is entitled to lodge a complaint. In addition, many laws on ombudsmen provide that groups and third parties have the right to submit complaints. Oral complaints are frequently accepted and are becoming increasingly common (e.g. by telephone or fax). Usually, anonymous complaints are not accepted, and there is a time limit for submitting complaints. However, the latter rules are not absolute; the ombudsman often has a certain margin of discretion when it comes to admitting or rejecting complaints.

The law does not have to regulate every aspect of the complaints procedure. Nevertheless, the law should at least indicate :

- whether the ombudsman may receive complaints from citizens, persons inside or outside the country, non-governmental organizations and third parties;
- against whom the complaints may be directed (government, private institutions and/or semi-private institutions);
- whether the complaint should be formulated in writing and within a certain time limit; and
- whether the ombudsman may investigate a case without previous complaints.

Relationship between the ombudsman and other national institutions: The law should be clear concerning the relationship between the ombudsman and other national institutions. The new institution should be structured in such a way as to complement existing bodies, not to compete with them. In particular, it was emphasized that the ombudsman may only complement - never replace - a properly functioning judiciary, and the final jurisdiction belongs with the courts.

Working structure/Apart of the ombudsman's staff: Following a description of the working structure of the Portuguese and American ombudsman offices, the ODIHR representative commented upon the virtues and disadvantages of having an integrated versus multiple ombudsman institution. A system featuring several ombudsmen enables the mediators to reach a wide cross-section of society and to provide appropriate expertise on specific issues. On the other hand, the "inflation of ombudsmen" in some countries has created problems of delineating their competencies and guiding the public to the rights place.

Many experts currently favor an integrated structure, notably because it promotes co-operation between members of different disadvantaged groups and gives each an interest in the protection of others. Secondly, expertise and experience in one area of administration or human rights, both in legal interpretation and in

practical measures, will frequently be relevant in other areas. Finally an integrated body makes possible more effective use of resources and specialized expertise.

The participants also discussed issues such as the number of employees, the provision of an adequate and independent budget and the location of an ombudsman office. Costs may be reduced by making use of outside assistance provided by NGOs and international organizations. In order for the ombudsman office to be perceived by the public as independent, it should be located away from government offices and bodies.

Conclusion

One of the main conclusions of the roundtable - often reiterated by the invited experts - is that there is no universal or "ideal" Ombudsman model. Every country has to adopt a system which corresponds the best to its political situation. For instance, while some states may wish to have an integrated structure, many Federal State have established regional Ombudsmen. Having said this, it remains clear that some elements are always required to allow for an efficiently functioning Ombudsman. In particular :

- the ombudsman should enjoy full independence and trust by the society at large;
- the ombudsman should be able to examine complaints from individuals or groups;
- the ombudsman should be allowed to make formal investigations;
- the ombudsman should be able to make recommendations and reports to the concerned authorities;
- the office of ombudsman must be provided with adequate staff and other resources;
- above all, the law establishing the ombudsman should avoid any form of ambiguities and conflicts of competencies with other national bodies.

Reference was made to the recommendations included in the so called "Paris Principles" relating to the status of national institutions, and adopted by the United Nations General Assembly in 1993.¹ Among possible follow-up actions to the Georgian seminar, it was mentioned that a joint UNDP-OSCE mission could be undertaken in order to evaluate the technical needs of the future Georgian ombudsman. Possible internships and study visits could be sponsored by international organizations, and training seminars organized by the Office for Democratic Institutions and Human Rights.

To make a small, rather informational article reviewing missions in general and pay particular attention to 1-Mission in Georgia and 2-Assistance Group to Chechnya, this way all four missions will be reviewed.

CONFLICT IN TRANS-CAUCASUS AND THE ROLE OF MASS MEDIA 22-25 April 1996, Kobuleti, Georgia by Paulina Merino

The conference was organised by OSCE ODIHR, OSCE Mission In Georgia, Council of Europe and the Black See Press Agency from Tbilisi. The participants represented media professionals from the Trans-Caucasus region and also governmental institutions responsible for creating mass media policies. The aim of the conference was to develop awareness of and working recommendations for the journalists working in the conflict regions on the role that media can play in preventing and resolving conflicts. Another goal of these conference was to give the journalists across the conflict borders an opportunity to meet, discuss common problems and establish personal contacts, promoting the exchange of information among the sides of the conflicts.

The Conference in Kobuleti achieved its goals. As noted by the participants, the most important results of it were firstly, the possibility of re-establishment of contacts and channel for future communications among them and secondly, the conclusions they came to about the role, responsibilities and ethics of the journalistic work, and its influence on the peace-building process in their countries. The conference was a challenging experience. The magnitude of sensitivities constantly coming up, required careful negotiations which were conducted by the organisers. At the same time however, it provided a good working experience for the participants to learn, during the negotiations processes, to overcome long-existing communication difficulties, animosities and prejudices.

Excerpts from the Final Document Adopted by the Participants of the Conference

The participants express satisfaction with the proceedings of the Conference which confirmed their adherence to the principles of the universality of human rights, freedom of speech, and objectiveness of information.

The participants call upon all journalists reporting on the conflicts in Trans-Caucasus:

- To refrain from publishing materials based on unconfirmed data, which may lead in the end, to regarding whole nations as the personification of the image of the enemy;
- To refrain from approving cruelty and terror, no matter what seems have been proclaimed by the persons resorting them;
- To inform the broad public fully and in due time about the documents regulating the legal situation in conflict-ridden areas;
- To refuse using, in the material devoted to conflicts, propaganda clichés {note to the proof-reader: word cliché is spelled in French, that is with the apostrophe over the letter “e”} and mutual references to ethnic or confessional “inferiority’s”;
- To refrain from using provocative or insulting language;
- To assist in the search of models of conflict settlement aiming to guarantee stable peace and eliminate the possibility of renewed militia actions; and also to support all efforts aimed at sustaining stability in the Region.

The conference condemns all cases of political censorship preventing the press from taking up important subjects and discussing important events. Or denying reporters access to the scene of action.

The conference calls upon the conflicting parties to broaden the scope for negotiated problems and address such issues as the necessity to overcome informational alienation and to stimulate information exchange.

The participants appeal to the conflicting parties and mediators in negotiations to assist in the execution of the agreements achieved by the Conference and to contribute to the convocation of further meeting of this kind.

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