



## Defence of “common values of human security” tops agenda at Maastricht

By Richard Murphy

**M**AASRICHT — Foreign ministers from OSCE participating States, meeting amid unprecedented security in this Dutch city, approved an OSCE Strategy to Address Threats to Security and Stability in the 21st Century and a Strategy Document for the Economic and Environmental Dimension.

But lack of consensus on

specific political issues meant they did not agree on the traditional Ministerial Declaration nor on texts on the situations in Moldova and Georgia, the two regional issues that dominated the 11th OSCE Ministerial Council on 1 and 2 December.

Other major decisions related to stockpiles of conventional ammunition, shoulder-carried anti-aircraft weapons, the security of

travel documents, human trafficking and improving the situation of Roma and Sinti in the OSCE area. Ministers also agreed that Belgium would take on the OSCE Chairmanship in 2006.

Special guests in Maastricht included the Acting Georgian President, former Parliamentary Speaker Nino Burjanadze, and Afghan Foreign Minister Abdullah Abdullah. It was the first

international appearance of Georgia's interim president, who took office just seven days earlier when weeks of political turmoil culminated in a peaceful change of government in Tbilisi. And it was the first Ministerial Council for Afghanistan since it became an OSCE Partner for Co-operation in April 2003.

After a gruelling schedule of bilateral meetings with *continued on page 2*

## Applause and cheers as Georgia raises funds for elections

**W**ith Georgia's dramatic but peaceful change of government on 23 November still making headlines throughout the world, Chairman-in-Office Jaap de Hoop Scheffer decided to capitalize on the presence of dozens of foreign ministers in Maastricht to convene a donors' meeting to help Tbilisi's interim authorities to orga-

nize presidential and parliamentary elections.

In a packed, windowless basement room in the Maastricht conference centre, he chaired a meeting of interested countries which resembled a cross between a public auction and the Eurovision Song Contest, with ministers greeted by cheering and applause as they announced how much their country would donate.



2003 OSCE Chairman-in-Office Jaap de Hoop Scheffer with Acting Georgian President Nino Burjanadze

After a brief introduction from the CiO, Georgia's Acting President, Nino Burjanadze, outlined her country's acute budgetary problems and made an

urgent request for international assistance in organizing the elections.

The Head of the OSCE Mission to Georgia, Amba- *continued on page 2*

## INSIDE THIS ISSUE

NOVEMBER / DECEMBER 2003

- ▣ Defence of "common values of human security" tops Maastricht agenda .....1
  - ▣ Applause and cheers as Georgia raises funds for elections .....1
  - ▣ World's first manual to help fight illegal trade in small arms and light weapons .....4
  - ▣ Time for further action on OSCE's pioneering work on small arms control .....6
  - ▣ After Maastricht, OSCE to expand co-operation with Partner States ...7
  - ▣ Lord Robertson: OSCE has critical role to play in new European security environment .....8
  - ▣ Afghan Foreign Minister looks to OSCE for support .....9
  - ▣ Exchanging military information in a flash: Conflict prevention in the 21st century .....10
  - ▣ Healing former Yugoslavia: ICTY Chief Prosecutor urges closer ties with OSCE .....12
  - ▣ End of impunity for perpetrators of war crimes? OSCE strategy seeks to empower Serbian courts .....13
  - ▣ Monitoring war crimes before domestic courts .....14
  - ▣ Ambassador Craig Jenness: Weighing OSCE's Assets and liabilities in the field .....15
  - ▣ Clearing the way for a mine-free Tajikistan: Promising start for OSCE's first de-mining project .....18
- 
- ▣ Delegations, parliamentarians and Secretariat are natural allies: PA's Special Representative in Vienna ...22
  - ▣ CPJ receives 2004 OSCE Journalism Prize .....23
  - ▣ Guidelines launched on use of minority languages in broadcast media .....24
  - ▣ Staff security must be given highest priority .....25
  - ▣ Serbia's Slovak minority art exhibited at OSCE .....26
- 
- ▣ Index to main stories in 2003 .....27
  - ▣ Decisions adopted at 11th Ministerial Council .....28



OSCE/Lubomir Korek

Russian Foreign Minister Igor Ivanov and Bulgarian Foreign Minister Solomon Passy, OSCE Chairman-in-Office in 2004

### *Ministerial from page 1*

OSCE ministers and a donors' meeting convened by the Chairman-in-Office (CiO), Acting President Burjanadze left Maastricht with pledges worth more than seven million euros to help Georgia organize fresh presidential and parliamentary elections in 2004.

For Chairman-in-Office Jaap de Hoop Scheffer, the meeting marked not just the culmination of his one-year term directing the work of the Organization but also his swansong as Netherlands Foreign Minister. He relinquished both posts at the end of the meeting to take up his new position as NATO Secretary General in January 2004.

### **Intensive political debate**

Although he expressed regret over the

failure to agree on a Ministerial Declaration, the CiO said the OSCE had proved its relevance to all its 55 participating States by engaging in serious debate on significant issues such as Georgia and Moldova.

"Despite the differences, we engaged in an intensive political debate, which was better than if we had continued negotiating until we had consensus on a watered-down declaration," he said.

Summarizing the two-day meeting in a closing Chairman's statement, Joop de Hoop Scheffer said ministers had adopted substantial documents which would guide the work of the Organization in the years to come.

Singling out the strategy on new threats to security and stability, he ➤

### *Georgia from page 1*

sador Roy Reeve, told participants that the presidential election, scheduled for 4 January, was likely to cost some 2.6 million euros while a separate parliamentary election would cost around 3.5 million. "Time is short," he said. Ambassador Reeve will manage the special election projects fund.

The Director of the OSCE's Office for Democratic Institutions and Human Rights (ODIHR), Ambassador Christian Strohal,

announced that ODIHR was already preparing to send some 30 long-term observers and around 450 short-term observers to monitor the presidential election.

### **Clear obligation**

Canadian Foreign Minister Bill Graham was the first participant to take the floor. After his announcement of a donation of Can\$500,000 and the despatch of eight short-term monitors was greeted with loud applause, he told the CiO: "I hope this will get the auction going."

More than a dozen pledges of cash and election observers followed. The CiO initially announced that more than five million euros had been raised; however, the total was revised upwards to more than seven million euros the following day.

"The OSCE has a clear obligation to help Georgia and we have not failed," he told Acting President Burjanadze.



U.S. Secretary of State Colin Powell



German Foreign Minister Joschka Fischer with Chairman-in-Office Jaap de Hoop Scheffer

said: “Adopting this document is an important first step in positioning the OSCE as a modern security organization capable of responding to changes in the overall security situation.”

Russia’s Foreign Minister, Igor Ivanov, described the Threats Strategy as “undoubtedly the key document of our meeting”.

But he added: “It is not enough merely to adopt this document. It is important that all the participating States recognize their responsibility to carry out the tasks laid down in the Strategy and to do everything possible to ensure that it actually works — and works not selectively, but throughout the OSCE area.”

Mr. Ivanov’s comments were echoed by U.S. Secretary of State Colin Powell, who said both the Threats Strategy and the Economic and Environmental Strategy Document were guides for how the OSCE could “apply its practical experience to real-world problems”.

“The OSCE will be judged by actions, not words; by results, not intentions,” Mr. Powell said.

#### **Drawing on strengths**

The global fight against terrorism was a constant thread running through the Ministerial Council meeting, which took place shortly after a series of bomb attacks in Turkey and the killings of soldiers and civilians from a number of OSCE and partner countries in terrorist attacks in Iraq.

“Terrorists seek to undermine security, stability, democracy, fundamental freedoms and human rights — the values that unite us,” the CiO said. “The participating States are determined to defeat them, drawing on the strengths of the OSCE, while safeguarding democratic and legal standards and human rights.”

Minister de Hoop Scheffer said the threats facing the world required collective responses and no single state could deal with them alone.

“We are faced with a complex international agenda; an agenda that combines hard threats — such as terrorism, the proliferation of weapons of mass destruction, regional conflicts and trafficking in human beings — with soft threats such as poverty, discrimination and environmental degradation,” the CiO said. “I believe that, in several of these areas, the OSCE can make a difference.”

The Economic and Environmental Strategy Document is intended to address new threats to security from an economic and environmental perspective.

“The OSCE’s response is aimed at developing co-operation among participating States, action and policies to strengthen good governance, ensuring sustainable development and protecting the environment,” the CiO said.

His candid acknowledgement of the need for the OSCE to demonstrate its relevance and credibility in a constantly changing world was taken up by several other ministers.

Russian Foreign Minister Ivanov said the OSCE could only be effective if it took into account the interests of all participating States. “It will depend on all of us whether or not the Organization is able to adapt itself fully to the needs of the times and become an effective instrument for strengthening security and co-operation in the Euro-Atlantic space.”

His U.S. counterpart, Colin Powell, said the OSCE continued to make crucial on-the-ground contributions to the building of a democratic, prosperous and secure Europe. But, noting continued regional conflicts as well as flawed elections and threats to human rights in some OSCE countries, he added: “The promise of Helsinki has yet to be fully realized.”

The CiO said he had grown fond of “this unique Organization” during his year at the helm and he wished the incoming CiO, Bulgarian Foreign Minister Solomon Passy, every success in 2004. The new Ministerial Troika from January 2004 will be composed of Bulgaria, the Netherlands and Slovenia, which takes over the Chairmanship in 2005.

Minister de Hoop Scheffer reminded his ministerial colleagues never to lose sight of the basic human rights principles on which the OSCE was built.

“While we should be resolute in our response to threats and challenges, old and new, we must never forget that the overarching objective of our struggle is to defend our common values of human security and dignity,” he said.

The 12th Meeting of the OSCE Ministerial Council will take place in Bulgaria, under the country’s Chairmanship, on 6 and 7 December 2004.

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

# OSCE publishes world's first manual to help countries fight illegal small arms trade

By Keith Jinks

*Since 2000, the 55 OSCE participating States have been making steady progress towards introducing concrete measures to cut the vast number of small arms and light weapons (SALW) that every year fall into the wrong hands. During the 11th Ministerial Council in Maastricht, an important step forward was taken with the launch and handover — to the United Nations — of a new OSCE publication on best practices that governments can follow to reduce the SALW threat.*

While weapons of mass destruction figure frequently in the news, the blunt reality is that many more people are killed or maimed by weapons that pack far less destructive power.

Trafficked small arms — anything from revolvers to powerful assault rifles — are used, often by child soldiers, to terrorize and slaughter thousands of non-combatants each year. Light weapons such as portable anti-tank or even surface-to-air missiles are available on a well-organized black market to any

groups or forces with the ability to pay.

According to the Small Arms Survey, a Geneva-based independent research group, more than 630 million small arms and light weapons are currently in circulation worldwide. Why are so many of these weapons out there? Experts agree that typically they are transferred — for cash — out of earlier conflict areas, diverted from the legal arms trade, or stolen from poorly-guarded storage dumps, sometimes relics of the Cold War.

Regardless of source, such weapons cause instability, hamper efforts at post-conflict reconciliation and block attempts at reconstruction in many parts of the OSCE region, as well as in other areas of the world.

The OSCE's recently published *Handbook of Best Practices on Small Arms and Light Weapons* speaks volumes about how states participating in the Organization have been fighting this scourge and pushing forward with practical measures to help safeguard the lives of people in conflict areas. It is aimed at governments, parliaments, and non-governmental and international organizations as an aid in reviewing legislative proposals or formulating new pro-

grammes to reduce the availability of small arms.

## Significant threat

Opening a special event on the margins of the Maastricht Ministerial to launch the *OSCE SALW Handbook*, U.S. Ambassador Stephan M. Minikes said that trafficking in small arms was an especially significant threat today because it underpinned both terrorism and organized crime.

Ambassador Minikes, who currently chairs the Forum for Security Co-operation (FSC), recalled that three years earlier, on 24 November 2000, the FSC had signed the first OSCE Document on Small Arms and Light Weapons.

“The OSCE developed this Document to establish politically binding standards to stem the uncontrolled spread of small arms,” he said. “It addressed issues which have now been translated into practical measures, for example, the requirement to put serial numbers on major weapons components to ensure proper tracing and accountability, enhanced storage requirements to increase security, as well as the most effective and efficient procedures for destruction.”

With the SALW Document, the OSCE had pioneered some of the world's strictest standards and mechanisms to restrain transfers, secure stockpiles and remove weapons from circulation.

“But implementing the SALW Document imposes a heavy burden, legally, financially and administratively, on some OSCE States,” the Ambassador pointed out.

To address this concern, and with the backing of the OSCE's Forum for Security Co-operation and the assistance of the Conflict Prevention Centre, a group of 12 countries volunteered to develop a *SALW Handbook*. The countries were Canada, Germany, Finland, France, the Netherlands, Norway, the Russian Federation, Spain, Sweden, Switzerland, the United Kingdom and the United States.

“Without their dedicated and greatly appreciated effort, we would not be here today to launch this *Handbook*,” said Jim Cox of the United States Mission to the OSCE, speaking on behalf of the FSC Chairmanship. ➤



OSCE/Labomir Kotek

Dr. Kuniko Inoguchi, Chair of the first United Nations Biennial Meeting of States on the implementation of the UN's own small arms Programme of Action, accepts a copy of the OSCE SALW Handbook from Ambassador Daan Everts.



At the launching of the *SALW Handbook*, Yuriy Kryvonos, Senior FSC Support Officer, underscored the need to prevent children from growing up in a world where weapons were ever-present: "In play-acting, children are drawn to weapons like they are to ice-cream. It doesn't matter whether the weapons are real or make-believe; in fact, there may be even more danger when they cannot perceive the difference."

Ambassador Daan Everts, Head of the Task Force representing the Netherlands Chairman-in-Office, said that completion of the book was not the end of the project:

"We now have a unique manual — a first among international and regional institutions — that amounts to a comprehensive set of 'best practice guides' on reducing the threat of small arms. It will need to be updated from time to time, to take advantage of the best technology and experience available.

"But above all it must be followed up by the OSCE and FSC with practical assistance and with projects that are implemented on the ground, sometimes by means of our unique network of missions."

#### Inspiring role

Accepting the book from Ambassador Everts on behalf of the United Nations, Ambassador Kuniko Inoguchi of Japan said that the OSCE played "a leading and inspiring role" in contributing to the UN process on small arms and light weapons. In July 2003, Dr. Inoguchi chaired the first UN Biennial Meeting of States on the implementation of the UN's own small arms Programme of Action.

"The *OSCE Handbook* will play a major role in efforts to combat trafficking in small arms and light weapons at global and regional levels," the Japanese Ambassador said. "I look forward to the adoption by consensus at the UN General Assembly of the OSCE Small Arms Res-

olution on the Best Practices Guidelines, adopted at the First Committee (on disarmament) this year."

The Project Director of the Small Arms Survey, Peter Batchelor, who helped edit the *SALW Handbook*, also drew the attention of participating States and journalists to a new publication, *Disposal of Surplus Small Arms*, a survey of

policies and practices in ten OSCE countries. It was jointly published by the Small Arms Survey, Bonn International Centre for Conversion, Saferworld and the British-American Security Information Council.

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

## OSCE Handbook of Best Practices on Small Arms and Light Weapons

To help participating States live up to their commitments relating to small arms and light weapons, the OSCE's Forum for Security Co-operation has developed eight *Best Practice Guides* on various aspects of control:

- \* Controls over manufacture
- \* Marking, record-keeping and tracing
- \* Export controls
- \* Controls over brokering activities
- \* Stockpile management and security
- \* Indicators of surplus stocks
- \* Destruction techniques
- \* Small arms measures within disarmament, demobilization and reintegration

The *Guides* are available in English, French, German, Italian, Russian and Spanish. They can be obtained as individual *Guides* or as a complete set. For further information, please e-mail: [fsc-projects@osce.org](mailto:fsc-projects@osce.org).

#### Useful links:

[www.osce.org/events/mc/netherlands2003/handbook](http://www.osce.org/events/mc/netherlands2003/handbook)  
[www.osce.org/events/mc/netherlands2003](http://www.osce.org/events/mc/netherlands2003)  
[www.osce.org/docs/english/fsc/2000/decisions/fscew231.htm](http://www.osce.org/docs/english/fsc/2000/decisions/fscew231.htm)  
[www.smallarmssurvey.org](http://www.smallarmssurvey.org)



By Kate Joseph

*The launch of the Handbook of Best Practices on Small Arms and Light Weapons (SALW) in Maastricht represented the culmination of many months of work for participating States, and should be seen as a major contribution to the control of small arms. But the Handbook is, in fact, only one of the OSCE's measures to combat this global scourge.*

Agreement on the OSCE Document on Small Arms and Light Weapons more than three years ago had already given the Organization a headstart, placing it at the forefront of international efforts to combat the proliferation and accumulation of SALW. More recently, agreements on ammunition and shoulder-fired rocket launchers have begun to create a web of small arms-related control measures that complement the OSCE's other standards in the politico-military dimension.

Meanwhile, the threat posed by small arms is now recognized as a major global concern. The Geneva-based Small Arms Survey estimates that 500,000 people die every year as the result of small arms-related violence — more than 20 times the number killed by anti-personnel landmines. The World Health Organization documents the incidence and impact of armed violence in the same way it does other global killers, such as tuberculosis, malaria and even HIV/AIDS.

#### **Astronomical costs**

The indirect impact of small arms-related violence — in terms of resources diverted to law enforcement and public health, as well as in lost earnings and social capital — is only just starting to be measured. And all early indications are that it is astronomical.

Some solutions are beginning to emerge as priorities for the international community:

# Time for further action on OSCE's pioneering work on small arms

◆ Export control criteria, based on respect for human rights and non-aggression, are being promoted at the global level. They are in the OSCE Document. A regime for marking and tracing illegal weapons is being discussed within the framework of the United Nations. The OSCE Document recognizes the critical importance of such measures.

◆ Efforts are under way to regulate the activities of arms brokers — with the OSCE leading the way.

◆ Norms and standards for the treatment and disposal of states' surplus weapons are absent from all multilateral agreements — except those of the OSCE.

There is no doubt that the work done by the OSCE has been of enormous value in creating norms on combating small arms proliferation and misuse, and that the OSCE's standards are more comprehensive and of a higher standard than those of almost all other multilateral agreements. The OSCE has indeed been a leader in this field.

#### **Practical implementation**

However, now is not the time for complacency. After a period devoted to setting agendas and generating political will, most organizations are working towards the practical implementation of these initiatives. The OSCE should be doing the same.

Long recognized by external actors as a major player on the small arms issue, the OSCE has so far not integrated small arms control into its broader agenda. There are a variety of reasons for this, some political, and some merely bureaucratic.

It is partly because the availability of small arms is still seen (with the exception of the work done in the economic dimension) as a military issue, even though its political, humanitarian, economic and social impacts are arguably more important and certainly more complex.

Innovative measures to control small arms and light weapons could be included in many different aspects of the Organization's work, such as police reform. And the resources devoted to helping participating States to implement their small arms commitments have never come close to matching the scale of the problem — or to matching other OSCE priorities.

As it moves towards a project-oriented approach, the Organization has a tremendous opportunity to build on the work already being done by designing and implementing small-scale projects tailored to the needs of participating States. The border management training programme for Uzbekistan and Afghanistan developed by the Conflict Prevention Centre is an excellent example of what the OSCE could do on a more regular basis, given the resources.

While the OSCE cannot and should not become a development agency, it could do a better job of helping participating States to meet their commitments, in co-operation with other organizations.

Most of these commitments place a major burden on governments, and the OSCE is especially well-placed to draw on a vast regional pool of expertise to conduct sorely needed training and capacity building on issues such as legislative reform, stockpile security and destruction, both within the region and even beyond.

The *Handbook of Best Practices on SALW* could provide the perfect framework, reference and tool to guide the OSCE in developing such an action-oriented approach.

*Kate Joseph is a Small Arms and Demobilization Specialist in the UN Development Programme's Bureau for Crisis Prevention and Recovery. She worked in the OSCE's Conflict Prevention Centre from 2000 to August 2003.*

# After Maastricht, OSCE to expand co-operation with Partner States

By Alexander Nitzsche

*Responding to a plea from their Mediterranean and Asian Partners for Co-operation, the OSCE's participating States have decided to considerably expand relations with them. For the first time, the ten Partners will be invited to observe sessions of the Permanent Council (PC) and the Forum for Security Co-operation (FSC) on a regular basis, and to participate in and contribute to the Organization's activities.*

At the Maastricht Ministerial Council meeting on 2 December, the OSCE foreign ministers built on several recommendations of this year's Mediterranean Seminar held in Aqaba, Jordan, on 20 and 21 October.

In their newly-adopted OSCE Strategy to Address Threats to Security and Stability in the 21st Century, participating States decided to "intensify co-operation with the Mediterranean and Asian Partners for Co-operation, by early identification of areas of common interest and concern and possibilities for further co-ordinated action".

In addition, the foreign ministers decided that the Organization should look for ways "in which OSCE norms, principles, commitments and values could be shared with other regions, in particular neighbouring areas". They expressed interest in interacting with Partners to enhance mutual security, through such arrangements as including them in information exchanges that form part of the OSCE confidence- and security-building measures regime.

Key suggestions from Aqaba included a new outreach programme with the Mediterranean Partners which would allow them to invite OSCE teams to conduct briefings, training sessions and workshops on OSCE-specific activities, such as confidence-building measures, election monitoring and police training. This programme will be further devel-

oped after the Maastricht meeting.

Partner countries warmly welcomed the Maastricht decision. "We are confident that such a step will foster the exchange of experiences, advancing our co-operation and mutual transparency," said Egypt's Foreign Minister, Ahmed Maher El Sayed.

Israel's representative at the Ministerial Council meeting, Ambassador Yoav Biran, said: "The forum that has been created in 1994, with the formation of the Mediterranean Partners for Co-operation, can be used for building bridges."

Thai Deputy Foreign Minister Sorajak Kasemsuvan hoped that the Asian Partners' participation as observers in PC and FSC meetings would make their co-operation with the OSCE more mutually beneficial and fruitful.

## Close link

The OSCE's co-operation with Partner States goes right back more than 25 years — to the 1975 Helsinki Final Act, which stated that "security in Europe ... is closely linked with security in the Mediterranean".

Since then, six countries on the southern rim of the Mediterranean — Algeria, Egypt, Israel, Jordan, Morocco and Tunisia — have established a special relationship with the Organization. They were later joined by Japan (1992) and Korea (1994), Thailand (2000) and, most recently, in April 2003, by Afghanistan. Besides having access to OSCE docu-



OSCE/Alexander Nitzsche

Ambassador Muhyieddeen Touq of Jordan (left) and Ambassador Ivo Petrov of Bulgaria, Chairman of the Mediterranean Contact Group in 2003 and incoming Chairman of the Permanent Council

ments, the Partners are entitled to submit views to the Chairmanship and to take part in various meetings and events.

"Last month, Jordan hosted the annual meeting of the OSCE with its Mediterranean partners, to examine how Europe's experiences from the OSCE could be relevant to the Middle East ... It could prove to be an important step in discussions aimed at finding the appropriate model for regional dialogue."

*From an article in the Financial Times, 16 November 2003, by Danish Foreign Minister Per Stig Moeller and Jordanian Foreign Minister Marwan Muasher*

For more on the 2003 Mediterranean Seminar in Aqaba, please access: [www.osce.org/ec](http://www.osce.org/ec).

*Alexander Nitzsche is a Press and Public Information Officer in the OSCE Secretariat.*

# “OSCE has critical role to play in new European security environment”

*Outgoing NATO Secretary General delivers upbeat message to OSCE delegates*

By Alexander Nitzsche

*Just a few weeks before he was to hand over his post as NATO Secretary General to Jaap de Hoop Scheffer, OSCE Chairman-in-Office in 2003, Lord George Robertson addressed the 55-nation OSCE Permanent Council in Vienna. He said that more than ever, co-operation between the OSCE and NATO was a strategic requirement, but that the two organizations needed to be more ambitious.*



Lord Robertson

Lord Robertson said at the meeting on 6 November that “a longstanding objective of NATO is one that we share with the OSCE: to contribute to the consolidation of Europe as a common security space from which wars will no longer start”.

Real breakthroughs had been made in co-operation in south-eastern Europe, “demonstrations of practical co-operation with a clear sense of purpose”, he

said. “They are models to follow as we deal with similar challenges — weak borders, lawlessness and organized crime — in other regions of the world and starting with Afghanistan.”

Lord Robertson told the Permanent Council that he saw scope for greater co-operation in the Caucasus and Central Asia, “strategically important regions where the OSCE has on-the-ground experience”.

He also urged the two organizations to explore how they could work together in Afghanistan, and to look for synergies in their work in the Mediterranean region.

“If we can foster greater security and stability there, we ourselves will also be more safe and secure,” he said.

Lord Robertson said that many of NATO’s activities pertaining to defence reform complemented the OSCE’s conflict prevention and post-conflict rehabilitation work. “This is another area where I believe we should continue to share information. We should optimize our co-operation in dealing with such concrete issues as border security, organized crime, and small arms and light weapons.”

He welcomed the new OSCE Strategy to Address Threats to Security and Stability in the 21st Century.

“September 11 has had a profound impact on the development both of NATO and of the OSCE,” he said. “Terrorism finds a fertile breeding ground where there is bad government, where there are dysfunctional institutions, and where there is no respect for human rights and fundamental freedoms. The OSCE is the standard bearer of these norms, and it has a critical role to play in the new security environment, alongside NATO and others.”

## **No longer competitors**

Lord Robertson’s speech was followed by statements by several OSCE delegations, including the Russian Federation, the United States and Italy on behalf of the European Union.

Italian Ambassador Guido Lenzi underlined the importance of improving co-operation between international organizations in dealing with the new threats to security.

“International organizations and institutions have to evolve and adapt themselves, thereby reinforcing the specific strengths of each one,” he said. “The 21st century presents so many challenges, both old and new, that we cannot afford to use our resources inefficiently.”

Ambassador Alexander Alekseyev from the Russian Federation said the ➤



OSCE and NATO should no longer be regarded as competitors.

“Today, NATO and the OSCE are united in their efforts to address an overriding strategic task — to find the appropriate response to the emergence of new transnational risks and challenges to security, among which the threat of international terrorism is taking centre stage,” he said.

The Russian ambassador recalled that the OSCE’s new strategy included an invitation to the Organization’s partners to think about the possibility of establishing a joint ad hoc consultative mechanism on current European security concerns.

“A mechanism of this kind is increasingly becoming an urgent necessity as a means of economizing on material resources and ensuring the effective co-ordination of the measures taken,” he told Lord Robertson and the Permanent Council.

#### More than words

U.S. Ambassador Stephan Minikes focused on several areas where NATO and the OSCE could broaden their co-operation. This included the disposal of ammunition stockpiles through Partnership for Peace Trust Funds, civil emergency planning, border security and the non-proliferation of conventional weapons.

The United States, he said, strongly supported efforts to assess possible contributions of the OSCE towards helping the Afghan authorities with police and election issues. “Given NATO’s presence in Kabul and its plans to expand into the provinces, NATO and the OSCE should co-ordinate there also.”

Ambassador Minikes also urged the two organizations to co-ordinate closely on human trafficking, the “modern form of slavery”.

Emphasizing the importance of bringing together the experience, resources and determination of the two organizations, Ambassador Minikes said: “Security is more than words, more than weapons, more than money, more than one country or one organization — it needs partnership.”

# Afghan Foreign Minister looks to OSCE for support

*Addressing the Permanent Council for the first time, Afghan Foreign Minister Abdullah Abdullah said on 4 December that his country, an OSCE Partner for Co-operation since April 2003, had already started benefiting from the Organization’s experience and expertise. He urged participating States to continue supporting Afghanistan’s efforts towards stability and security either bilaterally, through the OSCE, or in co-ordination with other organizations. Excerpts from his statement follow.*

“Thank you all for allowing Afghanistan to become an OSCE Partner for Co-operation. I have been witness to strong support and sympathy for our situation from the OSCE participating States as well as from the other Partners for Co-operation.

“Two years ago, Afghanistan was the centre of destabilization in the world. Events that are taking place all over the globe today can be traced to what was happening inside Afghanistan prior to 11 September 2001.

“The course of history has been reversed. Today, our story is about progress, achievement and challenges. Today, we are talking about general elections in 2004, a constitution, human rights, reconstruction and nation-building.

“Because of its location, Afghanistan can serve — and is already serving — as a land-bridge between South and Central Asia and between Central Asia and the Middle and Near East. We have signed several agreements with our neighbouring countries in trade, transit, transport, communication and cultural exchanges.

“Let me mention just a few areas that need support in terms of training and institutional capacity-building. De-mining is a major challenge. I believe that Afghanistan, because of several periods in its history, has more landmines than any other country. We are also faced with illicit trafficking in drugs and small arms.

“Afghanistan has a population of 25 million, out of which 55 to 60 per cent are women. They are benefiting from today’s

situation by the very fact that they are free. But simply feeling free is not enough. They need education, health services and job opportunities. In a country where education was once banned, there are now four million students, with girls comprising some 35 to 40 per cent of the total.



Afghan Foreign Minister Abdullah Abdullah

“We also need assistance towards building the institution of Human Rights Commissioner. And we are seeking the international community’s help in monitoring our elections in 2004.

“Combating trafficking in narcotics is one major area where the OSCE can play a role in partnership with the United Nations Office on Drugs and Crime. Other areas are border-control issues and police capacity-building, in which the OSCE has excellent expertise.

“The hope for a democratic, stable and prosperous Afghanistan has never been greater than it is today. While we remain grateful to the international community, a large part of the credit should go to the Afghan people for contributing to the success of the process.”



# Exchanging military information in a flash

## *OSCE's conflict prevention in the 21st century*

*The OSCE Communications Network, an indispensable tool for the exchange of military information between participating States, is poised to expand after its recent transformation with state-of-the-art technology. The ambitious initiative, launched in July 2002 to improve the system's efficiency, reliability and security, demonstrates participating States' commitment to implementing their obligations in the politico-military security sphere, reducing the risk of conflict.*



The year 2003 was a breakthrough in the way the capitals of participating States communicate with one another through the OSCE's computer-based Communications Network. "We succeeded in completing the system's upgrading on time and on budget," says Mark Werth of the Secretariat's Conflict Prevention Centre (CPC).

Armenia, Georgia, Iceland and Moldova have recently connected to the modernized Network, bringing the total membership to 44. Several other participating States have taken initial steps to link up with the system, now that costs are more affordable.

Members of Italy's Garibaldi Brigade answer questions posed by military representatives from OSCE participating and Partner States, who recently visited the Army Cavalry School near Lecce, Italy, as a confidence- and security-building measure under the Vienna Document 99. Information on these activities is exchanged via the OSCE Communications Network. Photos courtesy of Italian Ministry of Defence



The Communications Network, first set up in the early 1990s, is a vital channel for military information relating to various international agreements that call for confidence- and security-building measures. On average, some 250,000 messages are delivered per year.

"We should not take these agreed information exchanges and verification mechanisms for granted," says Mr. Werth. "They represent truly significant gains in reducing the threat of large-scale conventional conflict in post-Cold War Europe."

Some of the major agreements that set the stage for military transparency, contacts and co-operation in the OSCE area are:

- ◆ the **Vienna Document**, the latest version of which was adopted by the Organization's Forum for Security Co-operation at the Istanbul Summit in 1999;

- ◆ the **Treaty on Conventional Armed Forces in Europe (CFE)**, a landmark arms control agreement signed in 1990 by members of NATO and the former Warsaw Pact; and

- ◆ the **Open Skies Treaty**, signed in 1992, which provides for unarmed observation flights over the territories of the States Parties.

Although the CFE and Open Skies Treaties were not negotiated by the OSCE itself, their provisions apply to many of the Organization's participating States.

Ambassador Branislav Milinkovic, Head of the Permanent Mission of Serbia and Montenegro to the OSCE, says that by making the sharing of key information smoother and faster, the modernized Network has contributed significantly to the ability of the OSCE's toolkit to increase mutual confidence and ensure stability through military transparency.

"For instance, in the case of Serbia and Montenegro, which joined last year, the Network has proved to be very useful in exchanging critical, time-sensitive information on exercises, visits, inspections, and other military events," the Ambassador says. The participating States attach great importance to the implementation of commitments in the politico-military security dimension. The strengthening of the Network is yet another initiative that helps demonstrate this commitment."

The Network's focal points in the ➤

capitals are either within the Ministry of Foreign Affairs or the Ministry of Defence. From Vienna, the OSCE Communications Group — made up of representatives of participating States and chaired by Mr. Werth, the CPC's Senior Communications Network Officer — is responsible for overseeing the Network. The Group reports directly to the Forum for Security Co-operation (see box).

#### Before and after

The Network's control centre, which moved from The Hague to Vienna in 2001, is directly administered by Glenn Sibbitt and Karen Melikyan of the CPC.

Using before-and-after facts and figures, the two Network Management Officers describe the impact of the recent technological upgrade on the security, speed and reliability of the system.

◆ Just over a year ago, it took up to 30 minutes to distribute a message to all States in the Network. Now, average delivery time is a mere 30 seconds, including confirmation of receipt.

◆ Troubleshooting — detecting problems in the system and solving them — has also become much easier as the system offers more sophisticated tools for control and monitoring. Previously, it could take up to an hour or more even to discover that there was a problem with the connection or with the equipment in the capital.

◆ The information exchanged is more protected and secure than ever before because of improved firewall devices and a high level of encryption.

◆ System clocks in the capitals now follow Greenwich Mean Time, a synchronization that is crucial in reacting to time-sensitive information.

◆ The switch to modern technology has vastly reduced communication costs, paving the way for all countries to join the Network.

“Our success in meeting the targets set for the Network's modernization is testimony to the close co-operation between the OSCE Secretariat's Conflict Prevention Centre, participating States and an innovative information technology company,” Mr. Werth says. “All the parties were determined to overcome technical and financial obstacles in order to make the Network more accessible.”

## Types of Military-related information exchanges within the OSCE

In keeping with agreements negotiated within the Forum for Security Co-operation (FSC), the OSCE participating States exchange detailed information relating to their military forces.

The FSC, an autonomous decision-making body comprising delegations from all 55 OSCE participating States, plays a central role in helping the Organization fulfill the military aspects of its security mandate. It does so by creating an atmosphere of openness and transparency regarding military issues, and by developing measures to reduce the risk of armed conflict. The FSC has also begun addressing emerging security issues, such as the use of force in internal conflicts and the spread of small arms and light weapons.

The FSC holds weekly meetings in Vienna and reports to the OSCE's Chairman-in-Office and Ministerial Council.

Examples of types of information currently exchanged within the OSCE Communications Network are:

#### Military contacts, annual calendars and constraining provisions

These exchanges, under the *Vienna Document 99*, which take place no later than 15 November each year, cover information on extensive contacts and co-operation between participating States, including visits to air bases and other military facilities, observation visits and demonstrations of new types of major weapons systems.

#### Annual exchange of military information

These exchanges under the *Vienna Document 99* and *CFE Treaty*, which take place no later than 15 December each year, cover the organization and staffing of military forces and major weapons and equipment systems, including their planned deployments for the coming year. The Network notifies members on updates to this information.

#### Inspections

Under the *Vienna Document 99* and *CFE Treaty*, States conduct inspections and evaluations of each other's military forces. The Network notifies members about these activities and related announcements.

#### Overflights

Under the *Open Skies Treaty*, States may announce overflights of one another's territory, during which aerial photographs are taken for verification purposes.

Two major examples of information exchanges that have assumed even more importance in the global fight against terrorism but currently take place outside the OSCE Communications Network are:

#### Small Arms and Light Weapons (SALW)

The *Document on SALW* contains seven information exchanges:

Five one-time exchanges, completed in 2001 and 2002, covered: national marking systems, manufacture control procedures, export policy, destruction techniques, and stockpile management and security.

In 2002, participating States initiated two annual information exchanges on numbers of small arms seized and destroyed and, most importantly, on small arms imports to — and exports from — other OSCE participating States. Deadline for this information: 30 June each year.

#### Code of Conduct Questionnaire

The *Code of Conduct on Politico-Military Aspects of Security* commits participating States to specific obligations regarding the conduct and control of their armed forces. In addition, participating States have agreed to share information on the implementation of these obligations through a questionnaire, which must be completed by 15 April each year.



ICTY Chief Prosecutor Carla del Ponte

*Confronting the past to heal the scars of conflict, however emotionally and politically painful, was the message of Carla del Ponte to the countries of the former Yugoslavia on 4 November. The Chief Prosecutor of the International Criminal Tribunal for the Former Yugoslavia (ICTY) suggested concrete ways in which the OSCE could further strengthen its co-operation with the Tribunal, especially in the field.*

Chief Prosecutor del Ponte told the Permanent Council in Vienna that the OSCE's mandate had a direct relevance for the ICTY's mandate. She highlighted one area in which the OSCE could help the ICTY complete its task: the establishment of national judicial institutions capable of trying war crimes in accordance with international standards.

This was of paramount importance as the UN Security Council had set out a strategy for the ICTY to close its doors by 2010: the ICTY would focus on "high-level perpetrators" and leave "small- and medium-level perpetrators" to domestic courts.

The former Swiss Attorney General, who was appointed to her post in The Hague in September 1999, highlighted key elements she deemed essential in setting up the proper framework for war crimes trials in the region.

◆ Before cases can be transferred to countries, credible courts with well-trained staff and proper legislation must be established.

# Healing former Yugoslavia

*ICTY Chief Prosecutor urges closer ties with OSCE*

◆ The ICTY would need guarantees that cases would be fully prosecuted and judged.

◆ Witness protection programmes would have to be created, since "the risk of intimidation is obviously much higher close to home".

◆ Furthermore, "proper monitoring of war crimes trials would have to be accepted, both by international institutions such as the OSCE or the ICTY, and also by local non-governmental organizations".

## Truth and reconciliation

Regretting the fact that a serious process of coming to terms with the past had yet to be launched in former Yugoslavia, she suggested that the OSCE could play a role in creating truth and reconciliation commissions in the region.

She strongly believed that this process was necessary to remove the seeds of future conflicts and atrocities. "A more immediate reason is the need for the victims and their families to understand what happened to their loved ones and to see justice done," she said. This would also strengthen long-term reconciliation and peace in the region.

"Perhaps the international community should consider getting active in this area," she added. "I would see the OSCE as the natural partner of civil society and of the governments in former Yugoslavia in such an endeavour."

Ms. del Ponte appealed to governments in the region to step up their efforts towards establishing democratic and civilian control of their security forces and strengthening the judiciary, as the lack of reforms was impeding the work of the ICTY.

"Ten years ago, some countries around this table managed to undergo swift in-depth reforms of their police, military and intelligence structures.

Their experience could be very useful," she said.

"I know the OSCE can have an invaluable influence on speeding up and strengthening these essential but very difficult reform processes," she added. "Pushing them forward would help these countries to fulfil their international obligations towards the Tribunal and help them move swiftly on the path towards integration into European and Euro-Atlantic institutions."

## The ICTY's completion strategy

The International Criminal Tribunal for the Former Yugoslavia was established by the United Nations in 1993 in the face of serious violations of international humanitarian law committed in the territory of former Yugoslavia since 1991, and as a response to the threat to international peace and security posed by these violations.

In her address to the Permanent Council, Chief Prosecutor Carla del Ponte said:

★ The ICTY's tight timetable for completing its work foresees completion of all investigations by the ICTY by the end of 2004 and all first-instance trials by the end of 2008, with two more years to handle appeals.

★ The Tribunal is currently handling 13 "high-level" ongoing investigations.

★ Still at large are 21 accused, benefiting from "support networks" in the countries concerned.

In line with the ICTY's completion strategy, the Tribunal will refer 12 cases involving 48 suspects to Bosnia and Herzegovina, and a more limited number of cases to Croatia and to Serbia and Montenegro.

# End of impunity for perpetrators of war crimes?

## *OSCE strategy seeks to empower Serbian courts*

By David Diaz Jogeix

The Government of Serbia and Montenegro has demonstrated significant political will by taking the first few steps on the long, hard road to ending the impunity for war crimes and rendering justice to the victims and their families. The decision to create the post of a Special Prosecutor and a Special Court went into effect with the adoption of the Law on War Crimes in July 2003, in the aftermath of Prime Minister Zoran Djindjic's assassination in March.

Following up this initial commitment with unwavering government support and action is not impossible but is likely to be fraught with difficulties, and it would be prudent for the international community to keep expectations in check.

The need to strengthen the national judicial system has taken on greater urgency as the deadline set by the International Criminal Tribunal for the Former Yugoslavia (ICTY) to complete its work will depend largely on whether it can hand over certain cases to the domestic courts.

"Helping the country to build up its capability to conduct its own war crime trials

has been a major priority of the OSCE Mission to Serbia and Montenegro for the past year," says the Head of Mission, Ambassador Maurizio Massari. "But before drawing up details of our assistance strategy, including concrete projects, we first had to ask ourselves a battery of questions."

The most pressing of these questions were:

- ◆ In conducting war crime trials, is the judicial system capable of ending the impunity enjoyed by perpetrators, and providing defendants with full guarantees to due process of law?

- ◆ Does the Government have the long-term political commitment to give the judiciary full support?

- ◆ Will the Government appoint independent and efficient prosecutors to ensure proper indictments?

- ◆ Will investigative teams be working under conditions in which they do not encounter resistance by individuals and institutions targeted by the investigations?

The answers — as well as the search itself — formed the basis for the OSCE Mission's comprehensive assistance strategy.

"With the help of leading



OSCE Mission to Serbia and Montenegro/Milan Obradovic

The new War Crimes Panel at the Belgrade District Court

international experts, we've completed the first two steps in our strategy," Ambassador Massari says. "We've done an overall assessment of the needs of domestic courts and we played an active role in establishing a legal and institutional framework for processing war crimes."

The Mission's legal advice to the Serbian Ministry of Justice led to the Serbian National Assembly's adoption of the Law on Organization and Jurisdiction of Government Authorities in Prosecuting Perpetrators of War Crimes. Apart from creating a War Crimes Prosecutor and a War Crimes Panel at the Belgrade District Court, the Law has introduced some unique procedures, including the questioning of witnesses via a video link.

The OSCE Mission's efforts in facilitating the collection of solid evidence — a formidable challenge in war crime cases — have been gathering momentum. Equally significant are measures to ease the co-operation and information exchange between the national judiciary and the ICTY, as well as between Serbia and the Croatian and Bosnian governments on a bilateral basis.

Yet another essential pillar of the OSCE Mission's strategy are programmes on education and awareness-raising, especially because "ordinary citizens and politicians alike have not fully understood the issue of co-operation with the ICTY," says Ambassador Massari.

"We plan to launch a public information campaign to 'demystify' the conflicts and to explain, in unambiguous terms, how crucial it is for reconciliation and sustainable peace to put every war crime suspect on trial so that those who are culpable — whichever side they might have been on — are brought to justice," the Head of Mission says.

The recent mutual apologies between Croatia and Serbia and Montenegro, as well as the request for forgiveness presented by Serbia and Montenegro to Bosnia and Herzegovina have been welcomed as courageous moves by many international observers.

The country's leaders should summon more of the same courage to explain to the public that dealing with the past is a way of paving the way for a promising future, says Ambassador Massari. ►

“All too often, political parties use the issues of co-operating with the ICTY and conducting war crime trials in domestic courts for their own political ends, which is counter-productive.”

Despite the daunting work ahead, Ambassador Massari’s message to the host country remains encouraging: “Let’s deal with these issues in a pragmatic, European way. Let’s roll up our sleeves and

support the institutions that are already in place and make them work. Let’s empower the domestic courts, step by step, to mete out justice in accordance with universal standards.”

*David Diaz Jogeix was Head of the Department of Rule of Law-Human Rights in the OSCE Mission to Serbia and Montenegro in 2003. He has recently taken up a new post with Amnesty International.*

## Monitoring war crimes before Serbian courts

By Branko Nikolic and Sandor Zavarko

Since 1996, Serbia and Montenegro has conducted about a dozen war crime trials before domestic courts. Most of them have involved indictments of ordinary soldiers and lower-ranking officers in the security forces, usually for murder or other serious war crimes.

From January to October 2003, we monitored two of these trials as they unfolded before Serbian Courts: the “Podujevo case” (involving two defendants who were tried in Prokuplje in southern Serbia) and the “Sjeverin case” (involving four defendants who were tried in Belgrade).

Our goal was twofold: to gather as much accurate information as possible about the problems and constraints faced by the Serbian judiciary in conducting these sensitive trials; and, in doing so, identify the specific support needed by the courts to do their job properly.

Our monitoring activities, which ran parallel to the OSCE Mission’s strategy to enhance the professionalism of

domestic courts, were part of a larger Selected Trials Monitoring Project which is being funded by the Netherlands Embassy in Belgrade.

For the sake of continuity, we wrote preliminary reports after each session.

In all our reports, covering a total of 17 hearings, we focused on the procedural aspects of the trials and their compliance with applicable

domestic laws and international standards concerning human rights and fair trials. We did not consider the quality of the evidence.

In a 76-page booklet, entitled *War crimes before domestic courts*, we offered an analysis of the capacity of the Serbian judiciary to conduct war crime trials in line with universally adopted standards. We outlined several critical measures — including the need for

command responsibility to be recognized in the Serbian legal system — that should be put in place before domestic courts can successfully conduct war crime trials. We summarized the trials that the domestic courts have conducted in the past eight years.

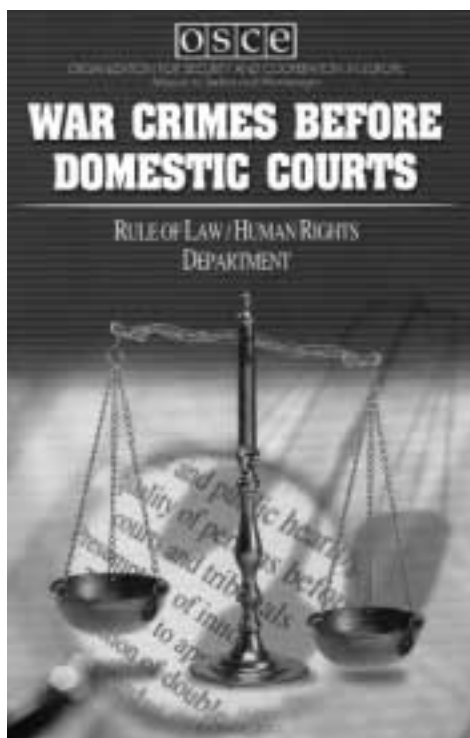
With the help of governmental bodies and national and international organizations, we also attempted to forecast the number and the nature of war crime cases that could potentially be tried by the Serbia and Montenegro judiciary.

*War crimes before domestic courts* was presented to representatives of the Government, the international community and non-governmental organizations at a roundtable, held at Belgrade’s Sava Centre on 12 November. Foreign Minister Goran Svilanovic of Serbia and Montenegro, who is also President of the National Council for Co-operation with the ICTY, and the Serbian Minister of Justice, Vladan Batic, addressed the gathering.

The roundtable was also an occasion for the Mission to thank other national and international partners for providing their expertise and financial resources to help the Serbian judiciary conduct war crime trials successfully.

*War crimes before domestic courts: OSCE monitoring and empowering of the domestic courts to deal with war crimes* can be accessed on: [www.osce.org/sim/documents/reports](http://www.osce.org/sim/documents/reports).

*Branko Nikolic and Sandor Zavarko, both lawyers, work in the Rule of Law Unit of the Mission to Serbia and Montenegro. They will continue monitoring trials in 2004.*





Ambassador Craig Jenness was Head of the OSCE Spillover Monitor Mission to Skopje from August 2001 to November 2003.

Prior to this, he served as Deputy Head of the OSCE Mission in Kosovo (September 1999 to December 2000) and as Head of the Human Rights Department, and Special Deputy Head of the OSCE Mission in Bosnia and Herzegovina (February 1996 to July 1999). In

BiH, as Chair of the National Elections Results Implementation Committee, he oversaw the negotiations establishing the first post-war multi-ethnic municipalities. Born in Ottawa in 1960, he holds a Bachelor of Laws from Ottawa University and a B.A. in Economics from Queen's University in Ontario, Canada.

# Weighing the OSCE's assets and liabilities in the field

## *An interview with Ambassador Craig Jenness*

*The former Head of the Spillover Monitor Mission to Skopje, Ambassador Craig Jenness, reflects on the OSCE's strengths and weaknesses from the vantage point of seven years' service in leadership positions in the field.*

**OSCE Newsletter: Having served in three OSCE Missions in different functions, you must hold some firm views on the strengths and weaknesses of the Organization's work in the field. Could you share some of these insights with us?**

**Ambassador Craig Jenness:** I have seen this Organization do so many great things. Just to give one example: in Bosnia and Herzegovina (BiH), the return of half a million people to their pre-war homes is an achievement of his-

torical proportions. Although others played a part, I can assure you that the OSCE was the driving force behind the reversal of ethnic cleansing.

Like any organization, we have to play to our strengths. Our political and operational strengths are quite well known. Politically, our asset is our great diversity. All of us, including especially the United States, the countries of the European Union (EU) and the Russian Federation, sit as equals (at least theoretically) around the same table. Operationally, it's

no secret that we can move and change gears more quickly than any other major multilateral civilian organization.

As for weaknesses, during my time in south-eastern Europe (SEE), two stand out: First, the OSCE's political authority in SEE countries does not compare with that of the EU and NATO. No doubt, this relates largely to their common membership aspirations. But it also relates to a second weakness — our somewhat limited programme money, particularly for institution-building. We saw these ➤

two factors play out during the debate in Bosnia over who would take over the policing mission from the United Nations.

I believe that this combination of strengths and weaknesses makes us particularly well suited for crisis management and conflict prevention, but perhaps less suited — at least in SEE — to longer-term institution-building. The closer we get to development work, the less we can offer.

### **Do you think that the way the OSCE is structured works to the advantage or disadvantage of field missions?**

In crisis management and immediate post-conflict situations, constant change and unhappy surprises are the norm. A mission must be able to move people and resources quickly and efficiently, and must be empowered to make difficult political decisions without undue delay.

The OSCE does this better than most. On many occasions over the years, representatives of other organizations privately expressed admiration — and even a little envy — at what the OSCE could do, and how fast we could do it.

We could make a decision after a five-minute call while they waited until the next morning — or the next week — for written instructions. We could have an expert or programme in place within days while others waited months. So the

OSCE's flexibility, relatively light bureaucracy, and the Head of Mission's direct line to the Chairmanship and the Secretary General are huge advantages in the field.

There are, of course, structural matters that are less appealing. The annual change of political direction can be refreshing, but it doesn't necessarily help when dealing with long-term strategic issues. The staff secondment system obviously has its weaknesses. And the bifurcation of responsibility between the Chairman-in-Office and Secretary General can be confusing at times.

### **Countries hosting OSCE Missions are themselves part of the Organization — and therefore have a say in important decisions. Is that a strength or a weakness?**

It should be a strength. The process might be more complicated, but the end-product should be better.

However, whether or not this potential is realized depends on the attitudes that are brought to the table. Countries hosting missions should not be approached as "patients". They are part of the OSCE family. Families can be brutally honest in disagreement but should take care to be constructive in their criticism. Families are less willing to impose and more willing to consult. And, of course, assistance offered in this spirit should be accepted by host countries in the same spirit.

Clearly though, some mandates are more amenable to harmonious relations with host countries than others. A monitoring and reporting mandate makes for a delicate relationship with the authorities. After all, no one is over-enthusiastic about having their mistakes recorded and made known to one's colleagues.

### **Do you think the experience of the OSCE in SEE can be "exported" to the Caucasus or Central Asia?**

I agree with those who believe OSCE's focus should increasingly be in these regions. The OSCE's political diversity — so aptly captured in the phrase, "from Vancouver to Vladivostok" — makes us uniquely suited to play a leading role.

I believe we will increasingly get more political return for our euro in Central Asia and the Caucasus than we will elsewhere. Slowly but surely, the situation in SEE is normalizing, and comparatively speaking, there may even be some overcrowding of international organizations.

Something that is not universally exportable from SEE is the EU and NATO accession processes. These are extraordinarily effective instruments for reforms, and OSCE missions have increasingly been taking advantage of their role as political leverage to further the Organization's work. But even where we cannot tap into this advantage, ►

Ambassador Craig Jenness (centre) and his staff were regular participants in the OSCE-sponsored "Blossom Run", an annual fundraising event for the handicapped from all ethnic groups. "I enjoyed my time in Skopje immensely and it would have been very comfortable to stay on for a while longer, but it was the right time to leave," he told the OSCE Newsletter. "For everything, there is a season, and it was clear that my season there was over."



OSCE/Spillover Monitor Mission to Skopje





The number of graduates from the multi-ethnic Idrizovo Police Academy near Skopje passed the 1,000th mark in July, surpassing the target set under the Ohrid Agreement of August 2001. "The general public has responded very positively to the increased policing presence representing the country's different minority groups, which has boosted confidence," said Ambassador Jenness. "The Mission is prepared to assist the Interior Ministry with additional training in 2004."

close relations with the EU, NATO, the UN and other key bilateral and multilateral players are in our interests.

### What were some of the low and high points that you experienced during your time in former Yugoslavia?

I have many good memories: proud faces of the newly graduated police cadets; peaceful election days, where people made it clear to their leaders that they wanted things done a different way; many enjoyable hours at the informal Financial Committee [Editor's note: said with a smile].

Perhaps the day I remember most was 7 June 1998. That was when, after a year of negotiations, the OSCE convened the first post-war elected government in Srebrenica. Twenty or so elected councillors — displaced and living throughout Bosnia — were the first Bosniacs to set foot in Srebrenica since the massacres. Some 2,000 NATO troops and Republika Srpska police stood guard.

The Serbs and Bosniacs voted together for a mixed local government, with a Bosniac mayor and a Serbian head of council. There was much fear and many tears. I will never forget the sight of a Serbian and a Bosniac councillor — former enemies — together hoisting the BiH State flag. This was the first time the new flag was flown in the Republika Srpska.

We are all aware that there are still many serious problems in Srebrenica, but

that day was a historic step away from the horror towards peace and reconciliation.

I guess my best memories involve the people I worked with. There are so many decent, hard-working, committed and honourable people — national and international — in the OSCE and its missions.

There have been many bad memories as well. Many involved arrogance — human and institutional. Some had to do with uninformed superiority complexes *vis-à-vis* the people of the countries in which we serve. Fortunately, these cases are not so common in the OSCE.

### What should the "exit strategy" look like in these countries when the job is done?

I must confess I'm somewhat puzzled by the controversy and emotions surrounding this topic. It is undeniable that OSCE missions — in SEE and elsewhere — are instruments, not objectives. They are not intended to exist in perpetuity. The question is not whether they will close, but when — and I suppose, how.

Clearly, there are many factors that will influence a final decision. But in the end, I think the only way to do it properly is the most obvious — to look at the mandate. If a mission has done what it was principally sent to do, it should end. Or the Permanent Council should give it a fresh mandate and resources to do something new. We should not be afraid of finishing tasks; we should be afraid of giving the impression that we will never finish our tasks. People and organizations

that finish tasks tend to get new ones. To me, it's as simple as that.

Although many other organizations take this approach instinctively, it is hugely controversial within the OSCE. The undertone — rarely articulated but clearly prevalent — seems to be that the OSCE cannot be a strong and relevant organization without large field missions in SEE. I think this is simply wrong.

Firstly, I think we will be just as strong — or stronger — if we tackle even more resolutely problems in other parts of the OSCE area. More than half the OSCE budget still goes to missions in SEE. Does this truly reflect evolving European security priorities?

Secondly, I would not like to see this Organization reduced to being a *demandeur*. This diminishes all the great things the OSCE has achieved. We will not maintain our relevance simply by insisting, or by talking about everything that we have achieved in the past. Our relevance will depend on how we deal with today's changing landscape and the new threats of the 21st century. We must be dynamic. If we stand still, we will be left behind.

I would not want to be misunderstood. There is much important work remaining to be done by my friends and colleagues in the missions in south-eastern Europe: all have different mandates, and thus different finish lines to cross. But it's about time we began to discuss this matter a bit more openly and strategically. We must get beyond the point where the phrases "wind down", "exit strategy" and "closure" are considered heretical or traitorous or words that should never be spoken. The subject is serious and deserves serious discussion.

### How did you feel last summer as you witnessed the 1,000th minority recruit graduating from the OSCE-run police training centre near Skopje?

I was very proud. The negotiators at Ohrid gave the OSCE some very important tasks, with some very difficult deadlines. I think the Organization rose to the challenge.



De-mining with the use of a special probe



De-mining team on its way to a training site

# Clearing the way for a mine-free Tajikistan

## *Promising start for OSCE's first de-mining project*

By Salla Kayhko

*It has been more than six years since the end of Tajikistan's bloody five-year civil war, but its tragic legacy lingers. Thousands of live landmines strewn throughout the country kill 30 or more people every year. Now, relief is finally in sight. Earlier this year, the OSCE and a Swiss non-governmental organization (NGO) launched the country's first internationally assisted mine-clearing project with the support of Canada, the Swiss Canton of Geneva and Belgium.*

Imagine that the whole of Luxembourg was mined — all 2,586 square kilometres of it.

That is just about the total ground area in Tajikistan that is infested with mines and unexploded ordnance. Although this adds up to only about two per cent of the country's territory, it is valuable arable land that cannot be put to productive use in this mountainous, agriculture-based country.

Under the project, initiated and co-ordinated by the OSCE Centre in Dushanbe, Tajik teams are being trained in special techniques to enable them to identify dangerous zones, draw the minefields' exact boundaries and de-activate the mines. Safety measures, medical assistance and evacuation methods are an integral part of the training, which follows the International Mine Action Standards.

"Each de-activated mine means people saved from death or severe injury," says David Smyth, Programme Manager of the Swiss Foundation for Mine Action (FSD). This NGO is responsible for recruiting and training survey teams and later deploying them to the affected sites.

Although most of the minefields laid during the civil war are in less populated areas, the actual number of deaths may well be higher than the estimated 30 per year because of under-reporting and lack of access to medical facilities.

Most of the victims are people simply going about their daily business — tilling their fields, herding animals, gathering firewood or mushrooms, and visiting relatives and friends in the northern Sughd region. Many are women and children.

The Government's recent report on Tajikistan's mine situation includes proposals for action and identifies its mined areas. The zones to be surveyed and cleared encompass 2,500 square kilometres of land and 700 kilometres of roads: Central Tajikistan's Tavildara district, Sagirdasht area and Rasht valley; the Gorno-Badakhshan southern border districts; and the border areas of Khatlon region in the south and Sughd region in the north.

In the Tavildara district alone, mines have killed at least 60 people and injured up to 100 in the past three years, in addition to the loss of livestock. ➤

### Considerable patience

A variety of techniques can be used to clear mines, depending on how heavily the area is affected, explains David Smyth, who conducted the four-week training course for an initial two teams, mostly servicemen from the Tajik Defence Ministry Engineer Battalion.

“Excavation is the slowest method. It is used in intensively shelled or bombed areas such as roadsides, or in and around buildings and areas where heavy fighting has taken place,” says Mr. Smyth. “The ground has been larded with a huge amount of metal fragments and bullets, which means that mine detectors cannot be used. So you cut the grass with scissors, hoe the weeds and prod the ground with metal probes.”

This requires considerable patience. “Well-trained experts can clear an area up to 50 to 60 square metres a day depending on the area’s contamination,” he says.

From September until the beginning of November, after completing their training in the summer, the two ten-member teams surveyed and re-surveyed 285 communities, villages and locations in the sprawling areas of Tavildara and Sagirdasht, and along the Karateghin (Rasht) valley, up to the Kyrgyz border. The general survey covered some 14,000 kilometres of roads. Some 30 areas contaminated with mines and unexploded ordnance were identified, recorded and marked.

The project’s survey results are being fed into the information management system of the Tajik Mine Action Cell (TMAC), the national co-ordinating body which was created

and given a jump-start by the British Government through the United Nations Development Programme. Sifting through the information, the TMAC is able to determine which future mine-clearing operations are the most urgent.

De-mining is costly, and Tajikistan, one of the poorest ex-Soviet republics, needs all the assistance it can obtain towards healing the social, economic and political wounds of war. The project’s initial budget of 500,000 euros covers activities over a six-month period, including the costs of equipment and vehicles.

Ambassador Yves Bargain, Head of the OSCE Centre in Dushanbe, told participating States in October that he hoped this first-ever OSCE mine action project would become a dynamic, multi-year programme, garnering increased support along the way.

Norway’s recent announcement that it would contribute 100,000 euros towards project activities augurs well for the future. In 2004, the two existing teams will fan out to more areas, and two additional 26-member teams will be recruited and trained in manual mine clearance, and eventually deployed.

“We are confident the money will be well spent,” said Norwegian Ambassador to the OSCE, Mette Kongshem, in Vienna. “The management of the project seems to be efficient and in good hands.”

*Salla Kayhko served as Spokesperson for the OSCE Centre in Dushanbe during 2003. Alexandru Codreanu, Deputy Head, and Igor Mikhailevsky, Security Officer, contributed to this article.*

## OSCE and Tajikistan: Healing the wounds of war

In July 2002, Tajikistan had an estimated population of 6.7 million. Tajikistan’s civil war, fought from 1992 to 1997, resulted in an estimated loss of between 60,000 and 100,000 lives. About one million people were forced to flee their homes.

According to official sources, at least 16,000 mines were laid in consecutive phases: during the conflict period along the Tajik-Afghan border; during the civil war by both sides; after the civil war by border guards along the border; and since September 2000 on the Tajik-Uzbek border.

By initiating the mine action project and taking a leadership

role in co-ordinating the roles of its various partners, the OSCE Centre in Dushanbe is helping Tajikistan implement its commitments under the Ottawa Convention, the comprehensive framework for addressing the global landmine problem.



De-mining requires considerable patience and expertise.

The OSCE’s operations in Tajikistan started in February 1994 with the establishment of a Mission, which later helped facilitate the peace process and served as a guarantor of the Tajik Peace Agreement of June 1997.

In October 2002, the Mission was renamed the OSCE Centre in Dushanbe, in a sign of recognition that considerable progress had been achieved since the end of the civil war. The OSCE’s re-focused mandate has allowed a broadening of activities.

The OSCE Centre in Dushanbe and its five field offices have 16 international staff and more than 70 local staff.

# Combating torture: Will the battle ever be won?

*Commitment needed at highest levels*

By Mikhail Evstafiev

*The closest most people will ever come to a torture scene is at the movies or through the written word. In a powerful encounter of a different kind, some 200 representatives from the OSCE area heard torture victims, human rights advocates and health professionals share their insights into one of the cruellest and most appalling violations of human dignity. The occasion was a meeting on the prevention of torture, organized by the Office for Democratic Institutions and Human Rights (ODIHR) on 6 and 7 November in Vienna.*

When you are hung upside down on bars, they call it “The Parrot Perch”. When you are hung by the arms, outstretched like a cross, they call it “The Palestinian Hanging”. When a gas mask nearly suffocates you, they laugh and call it “The Baby Elephant”. When you are put in a cage so small that you can only lie down on your hands and knees, they call it “The Tortoise”.

They are the perpetrators of torture. They have a large arsenal of ways and means to make a person talk in custody. They are experts in beating, raping, suffocating, burning and inflicting all manner of physical and psychological pain on their victims — and their family members — to make them confess to crimes, whether they committed them or not.

And they get away with it, even if the practice of torture is prohibited and punishable under international law.

The complex framework of legal guarantees in the fight against torture was the subject of much commentary at the Supplementary Human Dimension Meeting on the Prevention of Torture, held in Vienna.

“Yes, these technical discussions are important, but we



“It really gets under the skin”: an Amnesty International campaign against torture

should not forget the essence of the challenge: how to prevent a state from deliberately inflicting pain on an individual whose human rights it is obliged to protect under international law,” said Ambassador Christian Strohal, Director of ODIHR.

## Rational value

As the meeting noted, ratifying international conventions is clearly not enough. The vast majority of OSCE participating States have ratified the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and the European Convention for the Prevention of Torture. Yet, according to Dr. Jens Modvig of the University of Copenhagen’s Institute of Public Health, torture and ill treatment are still practised in at least half of the OSCE’s 55 participating States.

So just why is the world not winning the battle against torture?

“Torture happens, unfortunately, not because of irrational evil, or passive silence, but because police, prosecutors and judges see a rational value to it,” says Cynthia Alkon, Head of ODIHR’s Rule of Law Unit.

“In many countries, evidence obtained through torture is admissible in court. Cases are considered solved when confessions have been obtained — regardless of the means used. In fact, criminal justice systems often rely on confessions as the main piece of evidence in a case.”

She says that as part of their performance evaluation, police officers in many countries are rewarded with promotions and financial bonuses when they “solve” cases, and penalized when they don’t. “Solving” cases, therefore, takes priority over any consideration for the rights of detainees and suspects.

“Any efforts to reform the criminal justice system must address changing the way in which criminal cases are tried and how evidence obtained through torture is used,” says Ms. Alkon. “This is why torture prevention is integrated into the ODIHR’s work on reforming the judiciary. Preventing torture is better than trying to redress it after it happens.”

#### Highest levels

Participants emphasized that reducing or eradicating torture required determination and commitment at the highest levels of government. They acknowledged that some governments lacked the political will to stem the practice, since it often served as a key instrument to maintain control, to keep citizens in a constant state of fear, and to repress the opposition and ethnic minorities.

In addition to casting a wary eye on confessions and looking at other forms of evidence, authorities were urged to devote increased attention to the proper processing of torture cases, to the systematic documentation and investigation of facts, and to the support given to reporting mechanisms.

“Someone must always be held accountable for torture,” Ms. Alkon says. “The practice of unannounced visits to prisons and detention centres should continue, as monitoring at the national level is one of the most effective means of prevention. The media’s attention to the subject is absolutely essential.”

Last but not least, several participants highlighted the crucial role played by the OSCE-run police schools in the Balkans and other police-related work in Central Asia and the Caucasus.

“It takes a long time to bring about changes in the police force, but it is well worth it,” says Richard Monk, the OSCE’s Senior Police Adviser.

“Without effective law enforcement and respect for the rule of law, there is little chance for genuine social, political and economic stability to take root, and torture will continue to be a tool to put pressure on the detained. Training police officers in professional investigation skills and techniques goes a long way towards reducing the use of torture to extract confessions.”  
*Mikhail Evstafiev is a Press Officer in the Secretariat’s Press and Public Information Section.*



## OSCE/ODIHR: Anti-torture measures focus on prevention

The OSCE’s strong field presence came in for high praise at the meeting on combating torture. Participants noted that the Organization serves as a platform for implementing preventative measures in collaboration with non-governmental organizations and public institutions. Key OSCE/ODIHR projects and programmes include:

- ★ reforming criminal law in several countries, using an integrated approach to assist judges, prosecutors, defence lawyers and legislators;
- ★ reforming prisons in Central Asia, the Caucasus and south-eastern Europe, which clearly contributes to eliminating torture, since most acts of torture occur during detention;
- ★ facilitating the creation of national strategies and action plans against torture — as in Georgia, Tajikistan and Uzbekistan — which also serve to launch the process of changing behaviour and attitudes at all levels;
- ★ encouraging discussions on legal and practical measures aimed at combating torture — as in the experience-sharing between Kazakhstan and Kyrgyzstan;
- ★ supporting the efforts of participating States to establish national visiting or monitoring mechanisms. As recommended by the Optional Protocol to the UN Convention against Torture, these bodies will work together to conduct regular visits to places of detention.

# Delegations, parliamentarians and Secretariat are “natural allies”

*Reflections of PA’s Special Representative in Vienna*

By Ambassador Andreas Nothelle



*Ambassador Andreas Nothelle was seconded by the German Bundestag to serve as the Special Representative of the OSCE Parliamentary Assembly to the Permanent Council and to OSCE Institutions. He also serves as head of the PA’s Liaison Office in Vienna, which officially opened on 13 January 2003.*

*The 48-year-old lawyer has served in the Bundestag for more than 18 years. His most recent post was head of the Interparliamentary Affairs Division and Deputy Director of the Bureau of Parliamentary Relations.*

When I arrived in Vienna at the end of November 2002, I could sense an uneasy feeling among the OSCE community. A Special Representative of the Parliamentary Assembly (PA), an ambassador who was to liaise with an assembly of delegated parliamentarians from the 55 participating States, a sub-office of the Assembly’s Secretariat in Copenhagen — what was that supposed to mean?

There had been many previous visits by Presidents of the PA to Vienna, as well as by other parliamentarians. The Secretary General of the Assembly, Spencer Oliver, frequently attended meetings here, as did some of his staff.

But having a permanent resident in Vienna, tasked with being part of the structures, was new and — to say the least — unusual. In fact, I believe this first phase was enormously valuable because it made everybody — including the PA itself — reflect on what our respective roles are.

Many questions arose. Can concepts that apply to nation-states, such as the status of different branches of government and the relationships between them, be transferred to the international level?

If so, is it not contrary to the concept of separation of powers to have a representative of the legislative body attending meetings of the “executive” side — the Permanent Council? Many in Vienna jumped to that conclusion, without considering its logical consequence, which would have been to attribute to the PA the same powers which a national parliament enjoys with regard to a government.

This is not the place to discuss the

desirability or feasibility of such a concept, and, besides, it is clear that national governments are far from accepting that the PA should have any of the powers typical of a national parliament. (These would at a minimum include the election of the Secretary General and full scrutiny of the budget, as is the case with the Council of Europe, to which most OSCE participating States belong.)

In any case, the PA has consistently refrained from requesting such powers. Assembly President Bruce George and his predecessors have stressed that the goal of a closer relationship between the PA and the executive structures of the OSCE is not to replicate that between their counterparts at national level.

## **Democratic foundation**

Rather, the goal is to facilitate the work of both sides by providing a better flow of information and a certain division of labour, to increase awareness among parliamentarians about the OSCE and to provide the Organization with a direct democratic foundation in the form of contacts with the directly-elected representatives of the citizens. This should also make the OSCE more visible to a politically aware public.

The Helsinki Final Act as well as the Charter of Paris, which created the PA, the Secretariat, the Office of Free Elections, and the Conflict Prevention Centre, can be considered to be the founding documents, the “Constitution” of the OSCE.

The PA is made up of more than 300 elected, autonomous individuals with outstanding parliamentary experience, often at the international level, rather

than of representatives of States. They constitute a necessary counterbalance to the bureaucracy within the national structures dealing with the OSCE as well as within the Secretariat, with its hierarchical structure and its strict rules. Hierarchical structures are obviously essential, but fostering creativity is not their strong suit.

Both sides, therefore, have a complementary role to play, which they can do best if they interact closely. The concept of separation of powers does not strictly apply here and therefore does not contradict our participation in the OSCE's work in Vienna.

Incidentally, an international organization's leadership structure would normally be expected to show a clear separation between those who make the rules and regulations, those implementing them and those who provide independent and objective oversight. In Vienna, we see the Permanent Council uniting all three functions. This makes it even less logical to use any of the national constitutional arguments.

#### **Natural allies**

Take the budget, for instance. The national delegations in Vienna have to

make sure that the contributions which the participating States have paid are being used in an efficient manner. So does the PA, whose members are very interested in ensuring that taxpayers' money is spent economically and efficiently. In this respect, delegations and the PA should be natural allies.

The Parliamentary Assembly, as an integral part of the Organization, wants to contribute to the fulfillment of the OSCE's objectives, in particular to activities that effectively prevent or solve conflicts, promote economic development and the rational use of the environment, and ensure democracy, freedom and justice on its territory.

Parliamentarians, with the support of the Secretariat in Copenhagen, work hard to achieve these objectives. The Assembly does far more than pass resolutions. It is the leading organizer of the parliamentary component of election observations. With its ad hoc committees and field visits, it contributes to confidence-building and conflict resolution and it has a high profile in the field of democracy-building and the protection of human rights.

Together with my one assistant and,

occasionally, (unpaid) interns, I try my best to facilitate a productive and mutually beneficial exchange of information and ideas, updating Copenhagen, our Ad Hoc Committee on Transparency and Accountability, and anyone from the Parliamentary side or the OSCE community in Vienna who displays interest in a specific topic.

One year after the start of my work in Vienna, I have the strong impression that — with the help of the previous, the present and the incoming Chairmanships — this has been understood by most and that everybody is aware of the benefit of our presence here.

If the last obstacles to my full involvement in the work done in the Permanent Council and its informal committees are removed, if it becomes the norm to include me in informal consultations on the OSCE's activities, and if we continue to get sincere feedback on the PA's resolutions and recommendations, this will be to the good of the whole Organization.

And it would be excellent preparation for our next full-scale interaction during the Parliamentary Assembly's Winter Meeting in February 2004.

---

OSCE Parliamentary Assembly Vienna Office • Neustiftgasse 3 / 8 • 1070 Vienna, Austria  
Tel: + 43 1 523 3002 • e-mail: specialrep@oscepa.dk

---

## Committee to Protect Journalists receives 2004 OSCE Journalism and Democracy Prize

The Committee to Protect Journalists (CPJ), a non-profit, non-partisan organization dedicated to the global defence of press freedom, has been awarded the 2004 OSCE Prize for Journalism and Democracy.

The news was announced by the President of the OSCE's Parliamentary Assembly (PA), Bruce George, at the Ministerial Council Meeting in Maastricht on 1 December. The prize, worth \$20,000, will be presented at the OSCE PA's Winter Meeting in Vienna on 19 February 2004.

"Granting CPJ this honour is a strong statement by the Parliamentary Assembly in support of a courageous and professional organization which defends the right of journalists to report news without fear of reprisal," said Mr. George.

Executive Director Ann Cooper told the *OSCE Newsletter* from the CPJ's offices in New York that she and her colleagues were deeply honoured to receive the prestigious recognition.

"We have been active in defending some of the previous winners of

this prize, who have shown particular courage in their dedication to independent journalism and press freedom," she said. "We thank the OSCE Parliamentary Assembly, and look forward to meeting with its members in February."

The CPJ began 23 years ago as a volunteer initiative by American journalists, dedicated to defending the rights of their colleagues around the world. Today, Ms. Cooper said, "we monitor press freedom conditions in more than 100 countries, document more than 500 cases of attacks on journalists each year, and take action to protect journalists from imprisonment, physical assault, censorship, or other steps aimed at impeding the free flow of information and ideas".

The OSCE PA has awarded the prize annually since 1996 to journalists, or groups of journalists, who have promoted the principles of free journalism as laid down in the OSCE Budapest Declaration of 1994. In 2003, the prize went to Russian Anna Politkovskaya for her courage in pursuing her work in conflict regions, especially in Chechnya.



## Guidelines launched on use of minority languages in broadcast media

by Dmitri Alechkevitch

*Managing linguistic diversity is a challenge for governments across the OSCE region. The task is even more complex in broadcasting, with its wide variety of outlets and regulatory approaches. How can States regulate the sector so that the needs and interests of diverse audiences, including linguistic minorities, are taken into account?*

Minorities and the media, specifically the use of a minority language as a means of communication in the media, is a recurring theme in the work of the OSCE High Commissioner on National Minorities (HCNM).

In response to several requests by OSCE participating States to address this often contentious issue, High Commissioner Rolf Ekeus commissioned independent experts to undertake two separate but closely related studies:

- ◆ a survey of State practices in the OSCE region to set out the basic facts relating to the regulation of minority lan-

guages in the broadcast media; and

- ◆ an analysis of the specific content of relevant provisions set out under international instruments, and the drafting of new guidelines clarifying these provisions.

Complementing these efforts is a project spearheaded by the outgoing OSCE Representative on the Freedom of the Media (RFOM), Freimut Duve, who has been examining the actual operating environments and conditions of free and responsible media in multilingual societies.

A group of internationally recognized independent experts has integrated the results of these related activities into the *Guidelines on the Use of Minority Languages in the Broadcast Media*, which the High Commissioner presented to an international conference on 25 October in Baden, Austria. The conference was jointly organized by the HCNM and the RFOM, with the participation of inde-

pendent experts, government officials and leaders of civil society from 30 OSCE participating States.

The *Guidelines*, which follow international standards, are intended to assist parliamentarians and policy makers in developing legislation and practices relating to the use of languages in broadcast media. The prime consideration is balancing the needs and interests of the population.

“I hope the *Guidelines* will serve in the long-term as a useful tool for policy makers and others working on this issue,” Mr. Ekeus told the participants. “I also plan to bring them to the attention of the international community and encourage their implementation in the situations I am involved in.”

The *Guidelines* and the survey of State practices were presented to the OSCE Permanent Council in December and will be made available at [www.osce.org/hcnm](http://www.osce.org/hcnm).

### *Kyrgyzstan's education initiative: Cornerstone of inter-ethnic relations*

Education as a vehicle for integration in multi-ethnic societies was the focus of an international conference held in Bishkek, Kyrgyzstan, on 3 and 4 November.

The conference was jointly organized by the HCNM, Kyrgyzstan's Ministry of Education and Culture and the Assembly of the People, following an invitation from the President of Kyrgyzstan.

In his opening remarks, Kyrgyz President Askar

Akaev said education served as a cornerstone of friendly inter-ethnic relations because of its key role in shaping the values of tolerance and mutual understanding between ethnic groups.

The High Commissioner, Ambassador Rolf Ekeus, stressed the significance of the concept of integration in ensuring the human rights of both the majority and minority populations, and in building more stable and harmonious societies.

“Education is a core element of successful social integration policies and can be a means of promoting the diversity of cultural and linguistic experiences that make our societies such rewarding places in which to live,” Ambassador Ekeus said.

The conference led to a decision by the Education Ministry and the Kyrgyz Assembly of the People to form a new working group on education and integration, which will include represen-

tatives of national minorities. The group will examine multicultural education matters in greater detail and draft a set of concrete recommendations for Kyrgyzstan in education policy, based on the principles of integration.

Welcoming the initiative and promising to assist the new group in its work, Ambassador Ekeus said: “The proposed recommendations could serve as a positive example to all States of what can be achieved in this important area.”

*Dmitri Alechkevitch is Assistant Political Officer in the office of the HCNM.*



# Staff security must be given highest priority

In my statement to the recent Ministerial Council in Maastricht, I described staff security and safety as my top priority. And for good reason. This past year, members of the international and humanitarian community found themselves increasingly vulnerable to deliberate and deadly attacks. Tragically, the United Nations' blue flag and the symbols of the Red Cross and the Red Crescent no longer serve as immunity from violent acts; sometimes quite the opposite is the case.

Prompted by the horrific attack on the UN compound

in Baghdad in August, subsequent assaults against UN staff in Afghanistan, outrages within the OSCE geographic area and beyond, and the findings of the *Report of the Independent Panel on the Safety and Security of UN Personnel in Iraq (the Ahtisaari Report)*, I initiated a review of the OSCE's security management system.

I felt that as the OSCE is the world's largest regional security organization, we urgently needed to take a fresh look at our security arrangements both in headquarters and on the ground.

We comprise some 3,500 civilian national and international staff exposed to varying degrees of risk in the field, hundreds of staff in the Secretariat and OSCE Institutions, and hundreds of members of OSCE Delegations.

Notwithstanding the fact that the host country has primary responsibility for the security of international and diplomatic personnel, the Organization should also have its own security arrangements to meet its specific needs in today's global security reality.

Although the review is ongoing, and the OSCE's senior management and the small number of staff dedicated to security matters have been vigilant, it was immediately obvious that the Organization's comprehensive security management system had to be strengthened.

### Security functions

In my initial proposal to the participating States, the Organization's security functions will be centralized under my direct supervision. The office of the Senior Security Co-ordinator, to be located within the Office of the Secretary General, will:

- ◆ serve as the clearing-house for the OSCE's personnel security matters;
- ◆ define the OSCE's security and safety policy and standards;
- ◆ co-ordinate and supervise the OSCE's security management system;
- ◆ act as the main management technical support mechanism for the Organization's managers in meeting their security responsibilities;
- ◆ develop and maintain

close contact with host country authorities to ensure that they fully meet their responsibilities towards the staff's safety and security; and

- ◆ develop closer working relations with our major partners in the international and non-governmental communities, especially those active in the field.

I have proposed enhancing the office with the addition of two officers, who will assume responsibility for field security and for buildings and protective services.

My proposals will also have a far-reaching impact on other areas of the OSCE:

- ◆ The OSCE's Institutions will be fully integrated into the security management system. As was seen on a number of occasions this past year, election observation is not without its challenges, requiring special security arrangements to enable the polling teams to carry out their tasks in a reasonably secure environment.

- ◆ The Office of Internal Oversight will include security audits in its activities.

- ◆ The Department of Human Resources will ensure that all staff working in hazardous situations have adequate insurance coverage.

- ◆ The Situation Room will continue to have a central role in security matters, including monitoring security developments in the OSCE area and beyond. It will have a greater part to play in maintaining essential personnel tracking systems, as well as being the Organization's main point of contact outside office hours and on weekends and holidays. ➤



OSCE Mission to Georgia/Bogdan Udriste

Senior Security Co-ordinator Declan Greenway and Ambassador Roy Reeve, Head of Mission, discussing the security situation in Georgia

◆ Training courses will be further improved and developed to ensure that all staff are sufficiently prepared for the field.

### Robust approach

The review, as I said, is ongoing. I plan to analyze and address the whole area of threat-and-risk-assessment. I will also present further recommendations, including the development of a table indicating various levels of threats and risks. This should allow for a continuous evaluation of the situation, as well as properly co-ordinated, Organization-wide responses.

Our concerted efforts also include drawing up a policy that clearly spells out the various levels of authority and responsibility — and the practicalities of implementation and financing — in case activities are temporarily suspended and field operations are evacuated or temporarily relocated.

I am confident that by taking this more robust approach, the Organization will be better placed to meet new threats and challenges. We have been allowed the luxury of preparation, which our UN colleagues in Iraq and elsewhere did not have. As well, we are fortunate to have the *Ahtisaari Report* as a benchmark for our performance in carrying out measures to protect our staff.

Security is a management responsibility and a staff member's right and duty. As in all partnerships, however, the OSCE's security management system will work only if all sides honour their obligations and jointly commit themselves to complying with its requirements.



Pavel Babka (left), the visionary behind the “Babka gallery” in Serbia and Montenegro, and Secretary General Jan Kubis at the Hofburg exhibition

OSCE/Ayhan Evrensel

## Serbia's Slovak minority art exhibited at OSCE

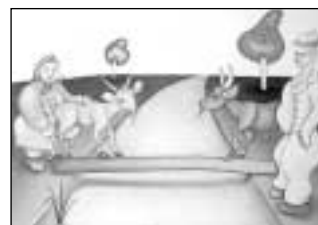
The works of Slovak rural artists living in Kovacica, a village 49 kilometres north of Belgrade in Serbia and Montenegro, went on exhibition at the OSCE's conference premises at the Hofburg in mid-December.

Founded two centuries ago by Slovak immigrants, Kovacica enjoys worldwide fame for its tradition of naïve painting.

Pavel Babka, founder of the International Ethno Centre Babka, was on hand to guide OSCE Secretary General Jan Kubis and other guests through the exhibit. Open all year round, the centre preserves and promotes the unique artistic values and heritage of the local community.

“Kovacica is like an oasis

that has been almost untouched by global trends,” said Mr. Babka, whose family settled in the village from Slovakia five generations earlier. “It is a place where one can closely experience a dream-like simplicity of living and creating. Our ancestors succeeded in preserving the village, making it richer and passing it on



Babka Centre

Naïve art by Jan Chlpka  
Visit [www.babka-center.com](http://www.babka-center.com)

to us, for which we are deeply grateful. They also taught us how important it is to respect the culture of

others such as the Serbs, Hungarians and Romanians, who live in neighbouring villages.”

The UNESCO-supported paintings and handicrafts have been displayed in international expositions and in several cities around the world.

Secretary General Kubis, who is himself from Slovakia, is on the International Consulting Committee for Building the Ethno Centre Babka. The exhibition at the Hofburg was a joint effort by Ambassador Branislav Milinkovic of Serbia and Montenegro and Ambassador Anton Pinter of Slovakia, two of the 55 Permanent Representatives to the OSCE.

*Ayhan Evrensel, Press Officer, OSCE Secretariat*

## January/February (Vol. X No. 1)

Dutch Chairmanship sets brisk pace at helm of OSCE  
Ambassador Christian Strohal is named new Director of ODIHR  
Forum for Security Co-operation: Standing the test of tradition and relevance (Interview with Ambassador Branislav Milinkovic)  
Asia-Plus on the air: Dushanbe's dynamic new radio takes flight  
Central Asia and the OSCE: Intensifying partnership spirit  
Kyrgyzstan launches its OSCE Academy  
In Cleveland or Kyrgyzstan, police work is police work  
Border monitoring in Caucasus  
Interweaving lives: The making of "Kosovo/Kosova", a reconciliation film

## March (Vol. X No. 2)

CiO pursues dialogue on Chechnya and Turkmenistan  
Winner of journalism award pleads for solution in Chechnya  
Anna Politkovskaya: Just doing a "normal" job  
Parliamentarians urged to help strengthen democratization: Parliamentary Assembly's Winter Meeting  
Ten years of the High Commissioner on National Minorities  
Plan of action against trafficking in human beings sharpens focus: Interview with Ambassador Danielle del Marmol and Vera Gracheva  
Internal trafficking in human beings: Kosovo's growing problem  
"Modern-day slavery": Economic impact examined  
Doing right by Bosnia and Herzegovina's returnees  
Tajikistan: Improving the media's working conditions

## April (Vol. X No. 3)

Central Asia at centre stage: Interview with CiO Jaap de Hoop Scheffer  
Annual Report profiles 2002 activities  
Afghanistan becomes tenth OSCE Partner for Co-operation  
Experts agree: Trafficking in drugs devastates national economies  
Fresh funding boosts economic-environmental work in Central

Asia  
Anti-trafficking education as antidote: The case of Albania  
Election observation benefits from lessons learned: Interview with Hrair Balian  
OSCE stays the course in Serbia and Montenegro: Fighting organized crime stepped up in post-Djindjic era  
Permanent Council hears strong pitch for harnessing power of partnerships: EBRD, UNODC, UNHCR and Open Society Institute  
Media in multilingual societies: Combating prejudice and intolerance  
The OSCE, the Internet and media freedom  
Implementing IRMA: Countdown to the OSCE's integrated resource management system

## May/June (Vol. X No. 4)

OSCE urged to continue to play full role in recovery of the Balkans  
Inside Moldova: Withdrawing the Red Army's arsenal  
Personal Envoy Martti Ahtisaari intensifies Central Asian-OSCE dialogue  
Examining the economics of trafficking: Moving on from rhetoric to results  
Roma and Sinti: Closing intentions-implementation gap  
Freedom of the media and the Internet: Resisting the regulatory reflex  
*In Focus: REACT marks second anniversary*  
◆ "Political will" holds key to mission staffing: Interview with Sean Hand  
◆ "Pre-mission training reaps rewards  
◆ "A just-in-time staffing solution in Bosnia and Herzegovina  
◆ "How a farming community in Wales rose to REACT  
◆ "European Commission project and REACT share strong bond

## July/August (Vol. X No. 5)

Chairmanship engages Central Asia in direct dialogue on democratization  
A Central Asian chronicle: On the road with Chairman-in-Office  
OSCE launches police assistance programme in Kyrgyzstan

Central Asia's prison personnel go to summer school  
Netherlands Chairmanship sees "good progress" on OSCE agenda: Interview with Ambassador Justus de Visser  
OSCE adopts Action Plan to fight human trafficking  
OSCE holds first conference on ways to combat anti-Semitism  
OSCE inaugurates Annual Security Review Conference  
Blitz visit to OSCE provides news break for Albanian journalists  
Georgian journalists get a taste of the OSCE  
Commentary by Alexander Ivanko: Why criticize the U.S. over media freedom?  
Secretary General: "Georgian-OSCE partnership is alive and well"  
OSCE community grieves for friends who died in Baghdad

## September/October (Vol. X No. 6)

Racism, xenophobia and discrimination undergo intense scrutiny  
Peter Ustinov: "Ethnically filthy and proud of it"  
CiO Jaap de Hoop Scheffer appointed NATO SG  
Curbing human trafficking: Policing experts share best practices  
Lilja 4-ever: Swedish film captures realities of human trafficking  
Moodysson: Making movies to "wake up people who are asleep"  
Unlocking rich potential of Central Asia's SMEs  
Interview with Parliamentary Assembly President Bruce George: OSCE should pursue "exceptionally good value" with more vigour  
OSCE/ODIHR annual "reality check": A layperson's guide to Europe's biggest human rights gathering  
"Here they can't avoid listening": NGOs at Human Dimension Implementation Meeting  
Latvian NGO receives first Van der Stoel Award  
Secretary General: The UN and regional organizations  
Commentary by Douglas A. Davidson: Who listens to a watchdog that barks when no one is at the door?

## In Focus: Croatia

- ◆ "Croatian Foreign Minister: Reaffirming refugees' right to return
- ◆ "On the road with Head of Mission: Giving return issue a human face
- ◆ "Taking the temperature in Karlovac
- ◆ "An American lawyer in Croatia: Using law as an instrument of peace

## November/December (Vol. X No. 7)

Defence of "common values of human security" tops agenda at Maastricht  
Applause and cheers greet donors as Georgia raises funds for elections  
OSCE publishes world's first manual to help countries fight illegal trade in small arms and light weapons  
Commentary by Kate Joseph: Time for further action on OSCE's pioneering work on small arms control  
After Maastricht, OSCE to expand co-operation with Partner States  
Lord Robertson: "OSCE has critical role to play in new European security environment"  
Afghan Foreign Minister looks to OSCE for support  
Exchanging military information in a flash: OSCE's conflict prevention in the 21st century  
Healing former Yugoslavia: Chief ICTY Prosecutor urges ties with OSCE  
End of impunity for perpetrators of war crimes? OSCE strategy seeks to empower Serbian courts  
Monitoring war crimes before domestic courts  
Ambassador Craig Jenness: Weighing the OSCE's assets and liabilities in the field  
Clearing the way for a mine-free Tajikistan: Promising start for OSCE's first de-mining project  
Combating torture: Will the battle ever be won?  
Delegations, parliamentarians and Secretariat are "natural allies": Reflections of Parliamentary Assembly's Special Representative in Vienna



## Decisions adopted at the 11th OSCE Ministerial Council

Maastricht, Netherlands

1-2 December 2003

OSCE Strategy to Address Threats to Security and Stability in the 21st Century

OSCE Strategy Document for the Economic and Environmental Dimension

Decision No. 1: The Annual Report

Decision No. 2: Combating Trafficking in Human Beings

Decision No. 3: Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area

Decision No. 4: Tolerance and Non-discrimination

Decision No. 5: Elections

Decision No. 6: Terms of Reference for the OSCE Counter-Terrorism Network

Decision No. 7: Travel Document Security

Decision No. 8: Man Portable Air Defence Systems

Decision No. 9: OSCE Document on Stockpiles of Conventional Ammunition

Decision No.10: OSCE Chairmanship in the Year 2006

Decision No.11: Time and Place of the Next Meeting of the OSCE Ministerial Council

Permanent Council Decision No. 570: Forwarding of Draft Documents to the Ministerial Council

Permanent Council Decision No. 571: Broadening Dialogue with Asian and Mediterranean Partners

For more information on the Maastricht Ministerial, please access: [www.osce.org/cio/netherlands](http://www.osce.org/cio/netherlands)

The **OSCE NEWSLETTER** is published by the Secretariat of the Organization for Security and Co-operation in Europe. The views expressed are those of their authors and do not necessarily reflect the official position of the OSCE and its participating States.



Kärntner Ring 5-7, A-1010 Vienna, Austria

Tel.: (+43-1) 514 36-180 / Fax: (+43-1) 514 36-105 / E-mail: [info@osce.org](mailto:info@osce.org)

Patricia Sutter, Editor / Alexander Nitzsche, Deputy Editor / Keith Jinks, Associate Editor

[www.osce.org](http://www.osce.org)



NEWSLETTER