

ANNUAL REPORT



EUROPEAN CENTRE
FOR
MINORITY ISSUES

2009

REACHING THE BENEFICIARIES



Preface

If one were to characterize developments at ECMI in 2009 with one word, that word would be 'transition'. For in 2009 ECMI has seen a change in directorship, the framing of a new strategy, comprehensive review of its resources and activities, and the development of plans for the future.

I would like to welcome the new ECMI Director Dr Tove Malloy, who assumed her position on 1 September 2009. At her very first Board meeting in October, Tove Malloy presented an outline of the ideas and thematic areas that could serve as the basis for the new strategic plan for ECMI research and action.

Tove Malloy has taken over from Marc Weller, who left ECMI after ten years of intensive capacity building at the Centre and involvement in ethno-political conflicts in Europe. Under his guidance, the ECMI team contributed to the international discourse on minorities through the development of advanced legal provisions for minority governance and conflict transformation, and extensive research and publications.

With regard to activities in politically sensitive regions across Europe, ECMI Kosovo has continued to work towards the development of a stable multiethnic Kosovo through targeted project work in areas of importance to minorities, including political participation, education and decentralisation. ECMI Georgia has continued to implement a joint programme with the Council of Europe aimed at improving good governance and the rule of law in a key aspect of the modern state – democratic governance, including for minorities. This involved assistance to the new governmental structures, institution building and support to minority organizations.

The expansion and further strengthening of regional links has included greater ECMI cooperation with the University of South Denmark and the University of Flensburg, and closer collaboration with the University of Hamburg Peace Research Institute, resulting in joint conferences, teaching and publications. Regional minority fora have also benefited from ECMI competences, through a contribution to the FUEN anniversary congress and discussions on joint projects.

While engaging in all the above mentioned areas, ECMI has also continued its research and publication activities through a series of working papers, available from the ECMI homepage, and through peer-reviewed books published by renowned publishing houses.

We are all eagerly anticipating ECMI's upcoming activities in 2010. During that time, the Centre is expected to further consolidate its multidisciplinary approach, and develop capacities and competencies in its research, action and advisory work in all aspects of minority inclusion.

Dr Knud Larsen
Chairman, ECMI Board

ECMI Executive Board

Chairman Dr Knud Larsen

Honorary Professor at Copenhagen Business School, Former Permanent Secretary at the Danish Ministry for Research, Chairman of the Danish Refugee Council, Chairman of the Environmental Assessment Institute

Vice-Chairman Professor Rainer Hofmann

Co-Director of Wilhelm Merton Centre, Professor at Johann-Wolfgang Goethe University, Frankfurt

Mr. Niels Korsby

Danish Ministry of Science, Technology and Innovation, Head of Division

Ms. Karin Riis Jørgensen

Former Member of the European Parliament

Professor Bertel Heurlin

Jean Monnet Professor, Department of Political Science, Faculty of Social Sciences, University of Copenhagen

Ms. Maud de Boer-Buquicchio

Deputy Secretary General of the Council of Europe (new)

Ms. Caroline Schwarz

Minority Commissioner of the Land of Schleswig-Holstein

Mr. Ingbert Liebing

Member of the German Federal Parliament (new)

Mr. Brendan Moran

Director, Office of the High Commissioner for National Minorities, The Hague

ECMI in 2009

New research structure defined and implementation begun:

- Justice and Governance
- Politics and Civil Society
- Conflict and Security
- Culture and Diversity
- Citizenship and Ethics

Events

- 11 Research seminars
- 1 Library network meeting
- 1 Public lecture
- 1 Presentation to policy makers

Publications

- 1 Monograph
- 5 Working Papers
- 2 Issue Briefs
- 8 Peer reviewed journal article
- 1 Chapter in edited volume

Dissemination

- 19 Conference participations
- 2 Newsletters

Projects

Continuation of Council of Europe Democratization and Human Rights Programme including several trainings and other technical assistance

Networking

Memorandum of Understanding with the European Academy, Bolzano/Bozen, Italy

Staff news

New director appointed
27 internships

Staff development

6 staff trainings



Table of Contents

Preface 2

ECMI Executive Board
ECMI in 2009 3

Introduction 5
Changes in Europe, changes at ECMI

ECMI in brief 8

ECMI Flensburg staff 2009 9

Demos, or ethnos?
multiethnic societies as challenges
to liberal democracy 10

Topics in minority research 12
Minorities and Europeanization
Minorities and Non-Territorial Autonomy
Minority Indicators

ECMI GEORGIA 15

- Concept for tolerance and civil integration in Georgia
- The plight of a deported people: will the meskhetians return to Georgia?
- Enabling minority voices to be heard
- Minority civil society: A cornerstone for democracy in Georgia
- Minority civil society: a cornerstone for democracy in Georgia
- Minority governance trainings in Georgia

ECMI KOSOVO 22

- Decentralization: Empowering communities to govern themselves
- Getting the vote November 2009 elections in Kosovo
- Mainstreaming community issues: The office for community affairs (oca)
- Securing grassroots community engagement in Kosovo
- Minority education in Kosovo
- Bridging gaps in the delivery of minority education

The right to political participation 28

Minority representation:
democratic governance for all 29

Ethnic minorities in Russia 30

Addressing the Transnistrian settlement
from a power-sharing perspective
OSCE public lecture series in Moldova 30

The European charter for regional
or minority languages 32

Language transmission and identity
preservation among German minorities
in Russia 33

Models of minority language
enhancement in Europe 34

Institutional Networking 35

- Cooperation agreement with EURAC
- Foundations' Day in Schleswig-Holstein

World Citizen Day –
Minority Issues on the Blackboard 36

Expanding the global reach of
the ECMI library
... and documentation services 37

FIV-IBLK 38

ECMI in numbers 2009 41
Finances and Project Funds

ECMI core funds distribution 2009 44

ECMI Organization 2009 45

Advisory Council 2004-2010 46

Imprint 47



INTRODUCTION

CHANGES IN EUROPE, CHANGES AT ECMI

To be trusted with the task of leading the European Centre for Minority Issues into the twenty-first century is indeed an honour and a commission that I take very seriously. The Centre was founded on an idealistic idea with a pragmatic goal that has little if any duplication in Europe. The mission to research and promote legal protection and honourable accommodation for members of national minorities throughout Europe and the near abroad, as well as creating practical solutions related to these aims, is unique in character. It was with great pleasure that I accepted the directorship of this exceptional institution.

As minority policy making in Europe enters its third decade of standard setting and implementation through democratization, it also enters a new phase. Within the territory of the European Union (EU), minority politics is now in a transition period moving from the conflict management of the last decade of the twentieth century to a post-conflict mode of diversity management of the early twenty-first century. This poses challenges to how the momentum of the early 1990s is kept alive while new approaches are being conceptualized. In the EU's neighbourhood, conflict management remains the main issue in areas of refrozen conflicts. This requires new articulation of the perceived understanding of conflict management as ethnic groups fighting ethnic groups. Either way, attention has moved to implementation of minority rights through democratic and economic development cooperation seeking to operationalize minority standards at the micro level. At the international level, operationalization of existing standards is thus in focus, while at the local level participation and social integration are urgent topics. Minority policy is therefore seeing a trend of moving from the macro level to the micro level.

This means new approaches to minority programming. The micro level is where the actual implementation of minority standards takes place. Local authorities are expected to operationalize international standards through diversity management schemes. However, local authorities rarely have the toolkits or the knowledge to pursue normative implementation. ECMI programming in Georgia and Kosovo began addressing these issues in previous years, and 2009 saw important new steps in the right direction. As the two chapters on ECMI Georgia and ECMI Kosovo in this report respectively describe, ECMI has become very well anchored in these two regions, proving that the decision to focus on these areas was indeed a good one.

While the issues are very different in each of the regions, the rationality for being there is sound. Events in Europe in the late 1990s and early 2000s showed that addressing minority rights in Georgia and Kosovo was essential to developing better conditions for minorities in those areas. While much has been achieved in Kosovo with independence and a good constitutional document, there is much still to be done. In Georgia, the legal framework is improving but capacity building and institution building is needed to make minority governance sustainable. There are good reasons for ECMI to remain in these locations for some time to come. Moreover, there is increased consensus in academic circles that while the circumstances in these two regions are clearly different, similarities might be found that could be of value to the learning process and applicable in the quest for good minority governance.



The transition from the macro to the micro level also requires new approaches to minority research. Heretofore, minorities have been studied by and large as objects of minority policy rather than as subjects of minority politics. However, to take studies of participation and socioeconomic integration further it is necessary to see minorities as actors in both politics and socioeconomic life. ECMI took strides in this direction in 2009 with its Political Participation Programme and expects to address this challenge in several more areas in 2010. Some of the activities of the Political Participation Programme are described in this Report. Particularly forward looking are the databases that ECMI is creating, and we hope to institutionalize these better and make them available to colleagues in minority studies.

To meet the new challenges of both policy making and research, ECMI embarked in the second half of 2009 on a process of reframing for the future. A Framework Strategy for 2010-2012 was conceptualized. Even before the Framework Strategy was made public, ECMI began the reframing process by taking the first steps to redirect its research efforts in response to the changing politics as well as to the general challenges that national minorities face in the new world order. A reordering of ECMI research programmes resulted in the creation of five lusters of research. These clusters will be fully designed and strategized as well as populated with researchers in 2010.

Approaches to research have also changed in recent years. Research is now done mostly by international project teams, involving international scholars from several disciplines required to perform to certain conditions in terms of input, output, relevance, and timeframe. This means the individual researcher must be proactive, innovative, constantly networking, international and very flexible. In the second half of 2009, ECMI therefore took the first steps towards improving its instrumental networking strategies and capacities through intensifying its cooperation agreements with research institutions further afield. As described in this Report, an agreement was signed with the European Academy, Bolzano/Bozen, and several other agreements that have been negotiated await signature in 2010. These agreements are important tools for ECMI because of the additional dimension of institutional support needed in an era of fierce competition for grants and academic esteem.

International networking is all the more exiting when you can stage an event that truly brings together the brightest in our field. In November 2009, ECMI had such an opportunity through the Conference "Demos, or Ethnos? Multi-Ethnic Societies as Challenges to Liberal Democracy" co-organized with the Friedrich Naumann Stiftung. A long time friend of ECMI, Prof Sammy Smooha was keynote speaker and key person at this event. Prof Smooha has cooperated with ECMI since the Centre was founded, and the scientific ideas for his now well-known theory of ethnic democracy were developed partially during a visit-in-residence at ECMI in 2001. We are very proud to have been part of this. The feature article of this Report discusses the exciting conference that took place in Hamburg. If you wish to know more, please go to our website for a full description.

Finally, to compete in the European Research Area of the twenty-first century, a research and competence institution must master the tools of the information highway. In the last months of 2009, ECMI took steps to retool both in terms of electronic communication and communication output, including the scope and design of this Annual Report. We hope that you find this Report refreshing, helpful and accessible. New methods and products will be launched in 2010 to extend ECMI's reach in a timely and user-friendly manner.

On behalf of the entire ECMI Team, I am pleased to present to you the Team's own views of ECMI's accomplishments in 2009. We hope you enjoy this Report.

Dr. Tove H. Malloy
ECMI Director





ECMI IN BRIEF

The European Centre for Minority Issues (ECMI) conducts practice and policy-oriented research, provides information and documentation, and offers advisory services concerning minority-majority relations in Europe. It serves European governments and regional intergovernmental organizations as well as non-dominant groups throughout. The Centre co-operates with the academic community, the media and the general public through the timely provision of information and analysis.

The Centre organizes its activities around five thematic clusters. A Justice and Governance cluster is concerned with the evaluation and further development of legal standards that may assist in consolidating democratic governance on the basis of ethnic diversity and human rights. Other thematic clusters include Politics and Civil Society focusing on minority politics, especially the ability of minorities to participate both through public office and civil society functions. A Conflict and Security cluster focuses on constructive conflict-management and addresses conflicts with an ethno-political dimension in the wider Europe. A Culture and Diversity cluster addresses the cultural issues of minority existence, in particular language and education but is also concerned with the access of minorities to the media. A Citizenship and Ethics cluster focuses on both legal and socio-political aspects of membership in mainstream society, including ethical issues of toleration, respect and contribution.

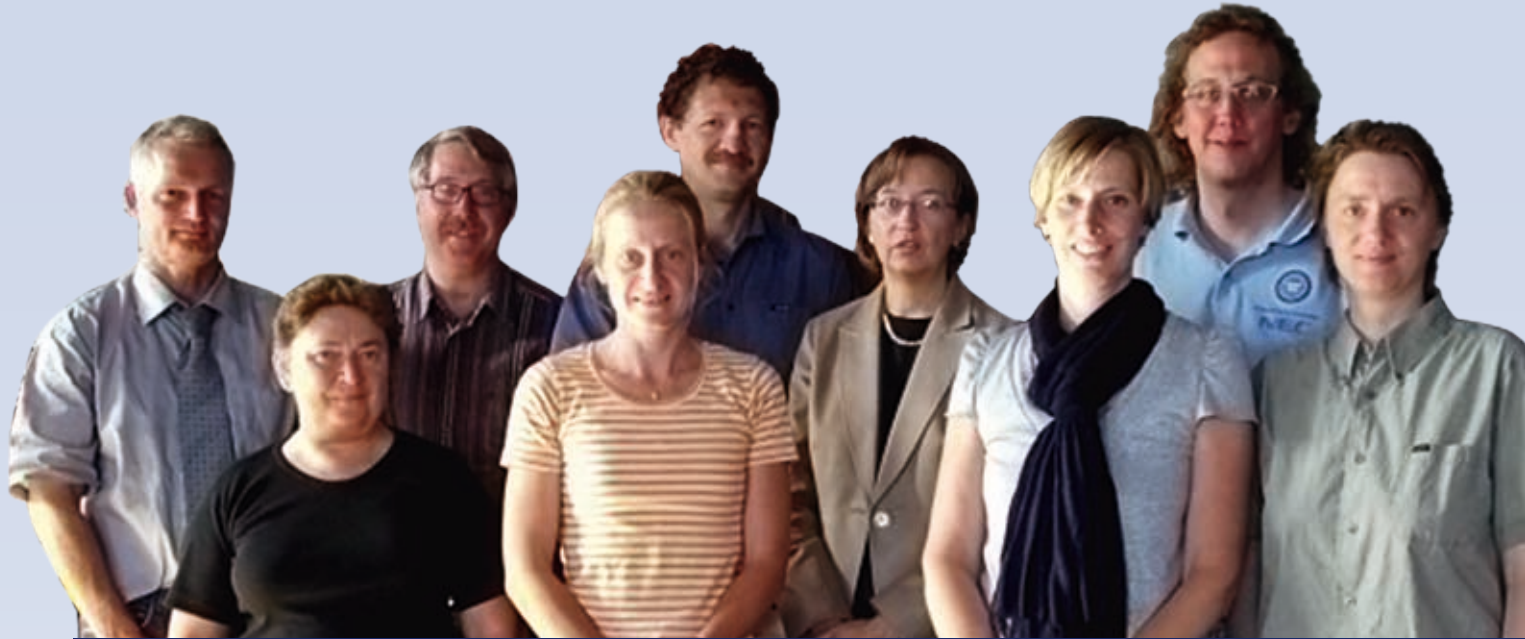
The Centre also maintains links to several regions of tension in Europe through its Regional Associates in Georgia and Kosovo and provides multi-level trainings in institution and capacity building. This focus is organized through a Technical Assistance and Training Unit in the head office and in corporation with numerous NGOs throughout Europe. In that regard, the Centre draws upon the successful history of managing minority issues in the German-Danish border area where it is based.

The ECMI was founded in 1996 by the governments of Denmark, Germany and Schleswig-Holstein. It is an independent and inter-disciplinary institution which draws upon an international core staff, supplemented by

a number of non-resident Senior Research Associates from all over Europe and beyond. The Centre also maintains active relations with other academic institutions and NGOs involved in conflict resolution and inter-ethnic relations and engages in collaborative projects in these fields. While its core funding is provided by its founding governments, the Centre actively pursues project-based funding to support its activities. The ECMI is governed by an Executive Board of nine members from Denmark, Germany, the OSCE, the Council of Europe and the European Union, and it is supported in its mission by an Advisory Council of eminent experts in the field of minority issues. The working language of ECMI is English.

The Centre occupies an historic building in the centre of Flensburg where it conducts workshops, seminars and conferences. Its specialized library provides the hub for the ECMI's research projects and Internet information programme. These activities are supported by a dedicated administrative staff and library team.

Maj-Britt Risbjerg Hansen
Project Coordinator, Head of Secretariat



ECMI Flensburg Staff 2009

Dr. Marc Weller Director (until 30 June 2009)	Annette Seesemann Financial Assistant
Dr. Tove H. Malloy Director (since 01 September 2009)	Gisa Marehn Executive Secretary
Ewa Chylinski Deputy Director, Head of Language and Culture Diversity Programme	Michael Mathea Maintenance
Dr. Oleh Protsyk Senior Research Associate, Head of Political Participation Programme	Katherine Nobbs Publications Coordinator, Research Assistant to the Director (until 31 August 2009)
William McKinney Librarian	Ulrike Schmidt Junior Programme Assistant (until 1 February 2009)
Maj-Britt Risbjerg Hansen Project Coordinator, Head of Secretariat	Anne-Marie Tscheuschner School Intern (November – December)
Bernd Dummer Senior Financial Officer	Sandra Arthus Assistant (until 30 June 2009)



Ethnic Democracy

The break-up of the Soviet Union, Yugoslavia and Czechoslovakia has unleashed two grand forces: a drive for democratization on Western lines and the resurgence of ethnocultural conflicts. It is anticipated that these post-Communist states may develop a new regime that combines institutionalized dominance of an ethnic majority with democratic rights for all. This mixed, non-Western type of system is analyzed in Sammy Smooha's book, *The Fate of Ethnic Democracy in Post-Communist Europe*, co-edited with Priit Järve (LGI/ECMI, 2005).

On 20 November 2009, the topic Ethnic Democracy became the focus of a joint ECMI/Friedrich Naumann Stiftung conference in Hamburg, Germany.

The conference brought together scholars from various countries and regions (Middle East, Asia, Europe) to discuss the potential for peaceful development or conflict in multiethnic societies, from the standpoint of democratic theory as well as political practice. As these topics are highly relevant to changes in attitudes and the political reshaping of states, they are at the core of ECMI objectives.

ECMI's contributions were an opening speech by ECMI Director Tove Malloy, two panelists (Priit Järve, Michal Vasecka), and moderation of a panel on Central and Eastern Europe (Ewa Chylinski).

DEMOS, OR ETHNOS? MULTIETHNIC SOCIETIES AS CHALLENGES TO LIBERAL DEMOCRACY

Since the end of the 1980s, traditional democracies based on the nation-state have been under siege, confronted by the model of 'multicultural democracy'. However, this supposedly up-to-date construction of 'liberal democracy' does not sufficiently take into account opposing tendencies, such as the strengthening of ethnic elements in different regions of the world. Worldwide, more than 6,000 different peoples ('ethnoses') can be identified, across 192 states. This simple statistics makes it clear that the multiethnic societies of today are the rule rather than an exception. However, this normality is addressed very differently in the constitutions and institutional structures of different states. One can conclude from experience that where state power is monopolized by one ethnic group, and marginalized ethnic groups or minorities are not afforded the opportunity to participate or share in that power, then these minority groups will often rebel against it. How are the individual interests and participation rights of different population groups regulated? What are the instruments and mechanisms that ensure stable and peaceful coexistence? What are the contributions of supranational organizations such as the European Union? All these questions were debated from different theoretical approaches and illustrated by cases from Europe and Asia.

Prof Dr Sammy Smooha (University of Haifa)

An element of threat as key ingredient of ethnic democracy – a classic no longer viable?



More than ten years ago, Sammy Smooha, an Israeli sociologist, developed the concept of 'ethnic democracy', based on an analysis of the internal structure of democracy in his homeland.

This model of democracy combines the principle of equality of all citizens with the recognition of special privileges for one ethnic group. Since its development, this concept and its application to the political systems of Israel and other countries with multiethnic societies have been the subject of intense and controversial academic discussion. Such reflections undoubtedly constitute a challenge for theories of liberal democracy, which postulate that it is not permissible to treat citizens differently on account of their religion, ethnicity, or further characteristics. However, it is also a fact that in many (new) democracies, such as those of Southeast Europe, ethnic principles play an important role in the structure of the state as well as political representation.

Smooha briefly recalled how he originally arrived at the models. When looking at the realities of Israel, with its strong Arab minority, he could not apply existing models of classical liberal democracy or consensus democracy. Liberal democracy, based on individual rights, did not fit as the Arab minority also enjoyed collective rights. Nor was consensus democracy appropriate, as many power-sharing mechanisms did not exist in Israel. Although the model was developed for the Israeli case, it could also be applied in other societies.

The essence of ethnic democracy is the institutionalization of state control by the ethnic majority but with democratic rights for all, a hybrid regime combining hegemony of the ethnic majority with universal citizenship rights. Obviously, ethnic democracy does not offer full equal political equality; Smooha argues that this is due to the perceived threat that the minority poses to the majority. This is the case of Israel, where the Arab minority could act as a '5th Column'. Opponents argue that institutionalized hegemony of the majority cannot coexist with true democracy. However, Smooha refuted that argument by pointing to most national states, whose symbols, values and goals were based on those of the ethnic majority.

Yet another argument was then introduced. Should so-called 'ethnic democracies' be regarded as stable societies or as potential sources of new, intensified conflict? How should rights of representation and political participation of various population groups be regulated? Which current political provisions in multiethnic societies have been tested and proven to be especially stable promoters of peace? In answer to these questions, Smooha argued that even if ethnic democracy is to be regarded as a transitional regime, which might at some point be rejected by minorities, the existence of Israel for the last 60 years is proof of the potential realization and strength of such a regime.



Prof Dr Klaus Eder (Humboldt University)

From 'us and them' to 'we'

With his opening speech on the theoretical aspects of "Democracy between universality and particularism", Klaus Eder presented an empirically based historical thesis that Ethnos as well as Demos are "extension models of the first modernity". They are successively replaced by the new institutional creations of polities. He supported his thesis with evidence of geographic mobility, diversification of social groups, reduced assimilation pressures and cultural heterogeneity, which have become the norm rather than the exception. According

to Eder, Ethnos and Demos, in the traditional sense of democracy theory, have outlived themselves, as neither can stand the irreversible cultural heterogeneity of modern societies. The opinion often expressed in normative discourse, that Ethnos is less democratic than Demos, was refuted by Prof Eder who argued that "both are potentially democratic or un-democratic, as both are particular 'we' constructs". In the concept of Ethnos, this particularity is explicit, while the Demos differentiates on the basis of citizenship and human rights for a particular group who are covered by 'citizens' rights'. The related question is then: what would be the mechanism of political communalization that could replace Ethnos or Demos? For Prof Eder, the answer to that is the European Union, which can construct a political community that manifests all the characteristics of a culturally heterogeneous society, and allows migration between states as well as in or out of the EU. The fundamental question is then whether Europe can develop a collective 'we' that through the EU political community fits the liberal premise. Europe has no common identity and although the European project aims towards that it does so without a firm description, it is a narrative process, a never-ending story that will not necessarily lead to an Ethnos or Demos, argued Eder.

The stories are intertwined, brought together under the umbrella of the EU, an association of national states rooted in their own traditions. For that reason the EU modifies the idea of a nation's implicit exclusivity of one national story, which is articulated politically as a requirement for sovereignty, economically as a national economy, and culturally as a national culture. In that sense, Europe has more than one story. National Demos and Ethnos become part of a regional-private remembrance of culture, with typical national folklore attributes.

Therefore the question is not so much whether a 'we' will develop, but rather what forms this 'we' will take in the course of European integration. For now, it is amorphous – oscillating between extreme Ethnos and Demos, between unity and plurality, between Ethnos and Ethnoi and Demos and Demoi.

Ewa Chylinski
Deputy Director



TOPICS IN MINORITY RESEARCH

ECMI has embarked on new areas of minority research in 2009. European integration, under-explored modelling and new tools for monitoring implementation are among these areas destined for further research at ECMI in the years to come. A few cross-cutting issues within these areas are discussed below. We believe that these are of cutting edge relevance and deserving our attention.

Minorities and Europeanization

In Europe minority rights are discussed primarily in terms of normative frameworks and national compliance to these as well as state practices of implementation. This has put the EU in a bad light since there are no minority rights standards in the *acquis communautaire* and new member states have argued that there is a discrepancy between the level of minority standards in old and new member states. Moreover, as a result of poor implementation of the minority rights framework in many countries the focus of minority research has turned to evaluating effective participation in public life. Here the empirical data shows even worse performances. However, with the findings in the Danish-German border region, it would appear that the Europeanization process, especially the Regional Policy of the EU has an impact on this normative framework and thus warrants more attention in terms of minority participation. We may have to rethink, therefore, the role of the EU from the perspective of normative compliance with the right to effective participation of national minorities.

This is because the right to participation is at the same time both a normative ideal and a democratic ideal. And the latter is where the spheres of the EU and the Council of Europe overlap in aim. Since the Maastricht Treaty (1991) there is no longer a doubt that the EU aims not only at economic integration but also at political integration according to democratic ideals. The Council of Europe was of course founded with the primary aim to democratize the European Continent after the devastating experiences of totalitarianism. What has happened essentially is that the cohesion policies which the EU has instated and backed up with ample funds have in fact resulted in seconding the Council of Europe's democratization efforts which were not able to yield much funding from European governments. One might say **what one preaches, the other practices**. What is happening in the border region is essentially a convergence of the **ex post** process of European integration through EU policies and the **ex ante** process of democratic participation at the local level ensured through the Council of Europe's democratization processes. Thus a new political space has been created in the border region which allows for both regional politics and minority politics to be in play.



Debating Europeanization

The relations between minority rights and Europeanization as experienced in the Danish-German border region were discussed by ECMI Director Tove Malloy during the 39th UACES Annual Conference in Angers, France from 3-5 September 2009. Dr. Malloy presented her paper, "Minority Rights and the Dynamics of Europeanization: Convergence in the Regional Governance of the Danish-German Border Region" in the section "European Integration and Minority Rights in the New Europe" organized by the University of Aberdeen. The paper was prepared under the aegis of the project "Minorities as Standortfaktor in the German-Danish border region" at the European Academy in Bolzano/Bozen.

UACES is one of the largest academic organizations in Europe, committed to exchanging ideas on Europe. It provides an independent forum for informed debate and a clearing house for information about European affairs. It is directly involved in promoting research and establishing teaching and research networks. Since 1969, UACES has brought together academics involved in researching and teaching on Europe with practitioners active in European affairs.

Since minority politics is a stable part of border region politics, the space created for regional development politics has slowly become linked to the politics pursued by the national minorities. This has not created conflict however, as the minority political parties have been pursuing regional development politics in their political platforms for years. The novelty of this political space is thus the forging of the friendship between minority groups and local leaders on both sides of the border. According to observers, the saying goes in the region that "we used to be against each other; then we started working with each other, and now we are working for each other." The novelty for minority studies is that the convergence of EU and Council of Europe policies puts the European minority rights regime in a new light – the light of Europeanization.

Minorities and Non-Territorial Autonomy

The influence of the Lund Recommendations on OSCE member states to adopt Non-Territorial Arrangements (NTA) is difficult to discern. The rate of positive developments in the OSCE area with regard to NTA is mixed. While small steps have been taken in some countries, confusing maneuvers appear to have happened in other countries. In addition, it is also possible to report developments of 'alternative' types of NTA. However, it is not clear whether these developments are influenced by the Lund Recommendations or by other international instruments or simply the general internationalization and globalization of bottom-up participation. In general, NTA get limited attention in the national minority participation discourse. This is ironic given that the concept of NTA speaks both to security and justice issues

The essential feature of NTA is of course that they seek to de-territorialize minority politics. Globalization is one of the most effective tools of de-territorialization right now and there is no reason why NTA could not be part of this. Thus, a progressive view of cultural autonomy that extracts culture from its 19th century patriotism and brings it into the 21st century modernism would support this de-territorialization at the same time as minority participation would be broadened. Moreover, a concept of NTA that embraces both public and private law would expand the application of the instrument as a

de-territorializing mechanism while supporting minority participation. Finally, if we wish to overcome the security-justice dichotomy and see NTA not only as a conflict prevention tool but also as a democratization ideal, we need to explain this to governments in terms of self-empowerment through participation.

Dr. Tove Malloy
ECMI Director

Reassessing Non-Territorial Autonomy

In May 2009, the High Commissioner on National Minorities organized a seminar at the University of Lund to mark that 10 years have passed since the Lund Recommendations on the Effective Participation of National Minorities in Public Life were adopted. The recommendations aim to encourage states to adopt measures to alleviate tensions related to national minorities.

The seminar hosted many eminent scholars within the area of minority protection, and ECMI was represented by both the outgoing and the incoming director.

See further:

Marc Weller, "Advisory and Consultative Bodies for the Promotion of Effective Participation of National Minorities", *International Journal on Minority and Group Rights*, Vol. 16, No. 4 (2009)

Tove H. Malloy, "The Lund Recommendations and Non-Territorial Arrangements: Progressive De-territorialization of Minority Rights", *International Journal on Minority and Group Rights*, Vol. 16, No. 4 (2009)



Minority Indicators

Piloting indicators for measuring the performance and impact of public policies is increasingly a requirement in international policy making but has only recently entered the European minority rights discourse. While the 1990s were the decade of standard setting, the first decade of the 2000s has seen the minority rights discourse turn its attention to assessing the effectiveness of standards. Indicators in this new environment are particularly important because the ultimate aim of piloting indicators is collective learning and accumulation of knowledge. Although 'minority indicators' are a concept in the making, the ongoing conceptualization of indicators tangential to minority existence by international actors is an important factor in this new process. Of course, purposes for indicators vary. Indicators on social integration have been conceptualized in the development discourse and in the realm of European Union's (EU) Lisbon Strategy. Through such policies as the Open Method of Co-ordination (OMC), EU member states are thus exposed to the need to measure

the social integration of immigrants in Europe. Parallel to this, cultural indicators have been the focus of international organizations, such as United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Council of Europe, and intercultural relations and diversity are increasingly seen as parts of this effort. Moreover, Canada and New Zealand have also grappled with cultural indicators, in particular in terms of social cohesion. Of course, social, territorial and regional cohesion are also the goals of the EU's Lisbon Strategy, but the aspect of culture in the social integration of ethnic minorities has not received strong attention from member states' governments yet. In short, there does not exist a consolidated index compiling 'minority indicators'.

Dr. Tove Malloy
ECMI Director

Why Indicators?

When the Council of Europe celebrated the 10th anniversary of the European Framework Convention for the Protection of National Minorities in an impact-assessment conference titled, "Enhancing the Impact of the Framework Convention: Past Experience, Present Achievements and Future Challenges" it set in motion a new process to begin piloting indicators for monitoring the implementation of the Convention.

There is a sense in Europe that the Framework Convention has reached far in terms of adopting standards in many member states but the assessment of its implementation lacks practical tools. ECMI is committed together with the European Academy in Bolzano/Bozen to continue supporting the Council of Europe in this endeavour.

See further:

Malloy, Medda and Lantschner, "Measuring the Security of Persons Belonging to National Minorities: Indicators for Assessing the Impact of the FCNM in its State Parties", Security and Human Rights, Vol. 20, No. 4 (2009)

ECMI GEORGIA

CONCEPT FOR TOLERANCE AND CIVIL INTEGRATION IN GEORGIA

The entry into force of the Framework Convention for the Protection of National Minorities in Georgia in April 2006 sparked a process of policy development on minority issue, and in May 2009, the Georgian Government adopted a national "Concept for Tolerance and Civil Integration and Action Plan". The main goal of the Concept "is to support the building of [a] democratic and consolidated civil society that is based on common values, which considers diversity as a source of its strength and provides every citizen with the opportunity to maintain and develop his/her identity".

The adoption of the Concept – which constitutes an outline of the government's policy on national minorities – is indeed a milestone. The Concept lists the core principles for a national strategy and identifies objectives in six main areas: the rule of law, education and the state language, media and access to information, political integration and civil participation, social and regional integration, culture and the preservation of identity. The accompanying Action Plan specifies activities and programmes, which are to be implemented over the next five years in accordance with the strategic directions of the Concept. Technically, it is the Office of the State Minister for Reintegration that is responsible for coordinating the implementation of the Concept, while actual implementation falls to different ministries within their respective fields of work. Implementation of the national Concept for Tolerance and Civil Integration and the Action Plan is to be funded primarily from the state budget.

In close collaboration with the Council of Europe and the Georgian Government, ECMI Georgia has undertaken a number of efforts to help execute the Concept and Action Plan. As part of Denmark's Caucasus Programme 2008-2009, which ECMI Georgia implements in partnership with the Council of Europe, a number of seminars, conferences and trainings have been carried out with the aim of setting the implementation process into motion.

Following the adoption of the Concept, a large conference was held between 19 and 21 June in the mountain resort of Gudauri to initiate consultations between the authorities and minorities on implementation. Almost a hundred representatives of state bodies and minorities convened at the event, and the proceedings resulted in a set of recommendations and suggestions for amendments to be introduced into the Concept and Action Plan.

ECMI Georgia

Minority Governance in the Making

Since 2003 ECMI Georgia, supported by various donors, has been engaged in assisting the Georgian government, Georgian civil society and minority groups in initiating and developing a dialogue on inclusive society, integration of marginalized ethnic groups and defusing interethnic tensions. ECMI Georgia has concentrated its advisory work in Georgia proper, outside the regions of sustained conflict with Abkhazia and South Ossetia. The focus of ECMI Georgia's civil society capacity building has been in regions with large non-Georgian population of Armenians, Greeks and others in Samtskhe-Javakheti and of Azeri in Kvemo Kartli. An important aspect of an initiative to build up institutions for minority governance was the establishment of a Council of National Minorities under the auspices of the Georgian Public Defender (Ombudsman). On the government side, assistance has also been focused on capacity building in order to increase competencies within legal structures, political bodies, public administration and other decision makers and enable them to deal effectively with minority issues, in accordance with the European standards to which Georgia subscribed when entering the Council of Europe in 1999.

www.ecmigeorgia.org





ECMI GEORGIA

The conference also helped prepare the ground for the creation of a coordination body, and on 3 July a State Inter-Agency Commission was established with the aim of coordinating implementation of the Concept and Action Plan. The Inter-Agency Commission, which is headed by the Deputy to the State Minister for Reintegration, Ms Elene Tevdoradze, consists of 26 representatives of various state bodies. The Commission convened for the first time at an ECMI Georgia-organized seminar that took place between 21 and 23 September, where the members were able to consult on implementation issues with experts from the Secretariat and the Advisory Committee for the Framework Convention for the Protection of National Minorities and ECMI Georgia. Subsequently, ECMI has conducted a number of additional trainings for the members of the Commission, including specialized trainings on language and education issues. ECMI Georgia's support to the government's implementation of the national concept and the Framework Convention for the Protection of National Minorities will continue in 2010-2012 as part of Denmark's Caucasus Programme.

Tom Trier
ECMI Regional Representative

THE PLIGHT OF A DEPORTED PEOPLE: WILL THE MESKHETIANS RETURN TO GEORGIA?

As part of Georgia's obligations and commitments to the Council of Europe when it became a member in 1999, it pledged to repatriate the Meskhetyans before 2012. However it was only in 2007 that a law on repatriation was finally adopted. Although the law does not provide for any assistance to repatriates, it does provide the legal possibility for Meskhetyans to repatriate. According to the law, Meskhetyans who wish to repatriate must have applied for repatriation status before the end of 2008. However, due to the political turmoil in Georgia and the August war of 2008, this deadline was eventually postponed until the end of 2009. There are now about 12,500 persons who applied for repatriation by that deadline. The relatively low number of applicants can be partly explained by the very complicated procedures, which for example only allows for the submission of applications in Georgian and English and not in Russian and Turkish, the languages usually spoken by Meskhetyans. A large number of supporting documents are also required, which creates additional obstacles. However, another reason is that many Meskhetyans today – 66 years after the deportation – are well integrated into the societies where they now live and are unlikely to willingly exchange their current living conditions for

an uncertain future in a country that many have only heard about in stories told by their parents or grandparents.

ECMI Georgia has played a key role in relation to the Meskhetyan repatriation process since 2004. However, solutions to the Meskhetyan issue – that is, the wish to return – should be found not only in repatriation but also through better integration into the countries where Meskhetyans now live or, when needed, through programmes to resettle Meskhetyans to third countries, such as a recent resettlement programme for Meskhetyans from Russia's Krasnodar Krai where they were exposed to serious discrimination. From this region, the majority of Meskhetyans – over 11,000 persons – were resettled to the United States between 2004 and 2006. Indeed, integration, repatriation and resettlement are not mutually exclusive processes, but can take place in parallel.

However, the process of repatriation is a thorny path. Although the Law on Repatriation was adopted over two and a half years ago, physical repatriation has yet to begin. The policy of the Georgian government has been to await the closure of the application deadline before initiating the process of actual repatriation. Although the applications have now been received, reviewing them may well be a lengthy process. To accelerate this phase, the OSCE High Commissioner on National Minorities, in collaboration with ECMI Georgia

and UNHCR, are currently implementing projects to support the ministry responsible, the Ministry for Refugees and Accommodation, in processing of applications.

While the Georgian government is indeed facing a host of difficulties, including the issue of the 200,000-250,000 internally displaced persons from Abkhazia and South Ossetia, it is clear that the issue of repatriation of Meskhetyans ranks rather low on its list of priorities, and few efforts have been made to seriously commit to the repatriation process. There is still a strong need to establish a proper government coordination mechanism for repatriation issues and develop a strategy for integrating repatriates. Here, it must also be remembered that the Meskhetyans originate from the Samtskhe-Javakheti region, now with its large Georgian and Armenian populations, some of whom were forcibly resettled to the region to replace the deported Meskhetyans. Efforts are required to ensure that repatriation does not lead to renewed ethnic tension. To allay concerns and negative attitudes towards Meskhetyan repatriation in the Georgian society, there is also a serious need for awareness raising activities in the coming period.

Tom Trier
ECMI Regional Representative

The Meskhetyans

The Meskhetyans – a population group that was deported collectively during the Second World War from Georgia to Central Asia – are hoping for the possibility of returning to their ancestral lands. Stalin feared that this Turkish-speaking population, which inhabits a region along the external border of the Soviet Union with Turkey, might become a fifth column in the event of a conflict with Turkey. Hence, during three traumatic weeks in November and December 1944, the entire population of Meskhetyans was transported in cattle wagons to the steppes of Kazakhstan, Kyrgyzstan and Uzbekistan. Ever since, the Meskhetyans have been unable to return. When the Soviet Union fell apart, political unrest erupted in Georgia, which again prevented Meskhetyans from returning to their ancestral homeland. Later, various governments of an independent Georgia opposed their repatriation, and it is only very recently that Georgian decision makers have more seriously considered the issue of their return.

Publications

Working Papers

Jonathan Wheatley

#42: "Georgia and the European Charter for Regional or Minority Languages" June 2009, 53 pp., appendix. (also available in Russian and Georgian)

Giorgi Sordia

#43: "Institutions of Georgia for Governance on National Minorities: An Overview" September 2009

Jonathan Wheatley

#44: "The Integration of National Minorities in the Samtskhe-Javakheti and Kvemo Kartli provinces of Georgia. Five Years into the Presidency of Mikheil Saakashvili"

Giorgi Sordia

#45: "Ossetians in Georgia. In the Wake of the 2008 War" September 2009

Salome Mekhuzla and Aideen Roch

#46: "National Minorities and Educational Reform in Georgia" September 2009

Issue Briefs

Giorgi Sordia

#21: "A Way Out? Initial Steps towards Addressing Romani Issues in Georgia" May 2009

Jenny Thomsen

#22: "The Recent flow of Asylum-Seekers from Georgia to Poland" December 2009



ECMI GEORGIA

ENABLING MINORITY VOICES TO BE HEARD

The ECMI Georgia-facilitated Council of National Minorities (CNM) has functioned under the auspices of the Public Defender of Georgia since 2005 (supported by Denmark's Caucasus Programmes, and since 2006 also by the United Nations Development Programme). To date, the CNM has been very successful in providing input into governmental policies. Convening some 85 organizations, the Council has engaged thoroughly in elaborating policy recommendations based on the standards set in the Framework Convention for the Protection of National Minorities. Some of these recommendations were taken into account in the drafting of the government's national "Concept for Tolerance and Civil Integration and Action Plan", although there are still many areas where Georgian state bodies have not accommodated the concerns and interests expressed by minority representatives. Indeed, the development of an ethnically inclusive society and implementation of European-inspired policies on minority governance cannot happen overnight; rather, it is a long and time-consuming process. However, one of the fundamental conditions for the improvement of standards on minority governance, and the protection of the rights of minorities and the integration of minority communities, is that minorities are heard and consulted on issues that are of concern to them. Here, consultative bodies are immensely important. In Georgia, the Public Defender also operates a Council of Religious Minorities for dialogue with congregations other than the dominant Georgian Orthodox Church.

Over the coming three-year period, ECMI Georgia will continue to support and facilitate the Council of National Minorities as part of Denmark's Caucasus Programme, which is implemented in partnership with the Council of Europe. In 2010, the Council will work on the development of a long-term strategy for its work, and monitor implementation of the government's newly adopted Concept and Action Plan for Tolerance and Civil Integration.

Tom Trier
ECMI Regional Representative



Tom Trier (Denmark) Regional Representative for the Caucasus

Tom Trier has been with ECMI since the Centre started. With a background in social anthropology, Tom specialises in ethnonational and migration issues in Eastern Europe and the CIS, particularly in the Caucasus region. From 1997-99, he acted as ECMI Regional Representative for Ukraine, and after three years as Country Director for the Danish Refugee Council and the International Rescue Committee in Russia (covering especially Chechnya and Ingushetia) and a shorter deployment for UNHCR in Afghanistan, he returned to ECMI in late 2002 as Senior Research Associate and Head of Department for the Caucasus. In 2003, Tom Trier also acted as Head of Programmes supervising ECMI's overall project portfolio, while in the second half of 2004 he acted as Deputy Director. As of January 2005, Tom Trier is deployed in Tbilisi, Georgia as Regional Representative for the Caucasus.

One of ECMI Georgia's main objectives is to improve majority-minority relations by enhancing dialogue between minority and state actors on issues of concern to national minorities. To this end, ECMI Georgia promotes the establishment of institutions for proper consultation between minorities and governments. One such institution is a minority consultative council, where representatives of minority organizations can present their grievances and contribute constructively to policy making on areas that affect their communities. During the past decade, ECMI Georgia has assessed the experiences of other countries in setting up such permanent consultative bodies, both at the central level and in local regions.



Post-presidential
elections protests,
Tbilisi, June 2009

MINORITY CIVIL SOCIETY: A CORNERSTONE FOR DEMOCRACY IN GEORGIA

Over the years, this dialogue process has indeed transformed mutual suspicion between Javakheti and Tbilisi actors of earlier days into a constructive consultation process. The Javakheti Citizens' Forum (JCF) has developed into a vibrant civil society partner. This does not mean that there is no longer a range of outstanding problems and grave issues to be resolved, but the very fact that an established structure for policy dialogue is at hand has proven very helpful in creating trust and in deescalating tension between regions and the centre.

It is perhaps especially in the field of education that the JCF can record discernable results. Since 2004, the Georgian government has embarked on a thorough reform process of the education system, and at times the reforms have not adequately taken the worries of national minorities into account. For example, entry exams into institutions of higher learning were conducted in Georgian, with the unintended result that many persons belonging to minorities in the regions, who did not speak Georgian, could not pass the tests and were thus excluded from access to higher education. The negative effects of the entry requirements have been thoroughly documented by ECMI Georgia and recommendations developed by the JCF listed ways that would better accommodate the special needs of minorities. As a result of these consultations, the language requirements in the entry exams have been gradually softened. In November 2009, the Law on Higher Education was again amended, and it is now possible to pass the entry exam in Azeri, Armenian, Abkhazian and Ossetian. Upon entering university, minority language students will then have to spend an extra year at the beginning of their education devoted to intensive

Georgian language studies in order to prepare for the standard university program in the Georgian language. This model largely satisfies the needs of ethnic non-Georgian students in higher education, and the amendment to the law has been received with excitement by minority representatives.

The Javakheti Citizens' Forum has also received capacity building support through ECMI Georgia trainings and mini-grants to encourage organizational development and project competence among local civil society. Moreover, the JCF has received technical assistance such as computers and other hardware. All this has contributed to turning JCF into the main civil society structure in the region. There is little doubt that the long-term commitment to support JCF has contributed to its success; the Forum became sustainable in 2009 and functions on the basis of voluntary work and occasional external donor support for specific project activities.

Based on the successful model in Javakheti, ECMI Georgia has sought to develop similar networks in other regions of Georgia with significant populations of minorities. Between 2005 and 2007, ECMI Georgia facilitated the establishment of a number of NGOs in the multiethnic Tsalka district (located in the Azeri Kvemo Kartli region), and in 2007 the Tsalka Citizens' Forum (TCF) was formed. The Tsalka Citizens' Forum has yet to become sustainable, and with the formation of an all-region network in Kvemo Kartli in 2009, the Kvemo Kartli Citizens' Forum (KKCF), it is expected that TCF will become a district partner in that larger network. It is noteworthy that the Kvemo Kartli Citizens' Forum was established on the initiative of regional NGOs, themselves inspired by the success story in Javakheti. Naturally this initiative is most welcome, and ECMI Georgia provides the group with support. KKCF unites 39 NGOs in Kvemo Kartli, representing most ethnic groups there, including Azeris, Georgians, Armenians and Greeks.



ECMI GEORGIA

However, there are also minorities in parts of Georgia other than Samtskhe-Javakheti and Kvemo Kartli. In the eastern region of Kakheti, 16% of the population belongs to national minorities, among them Azeris, Ossetians, Russian, Ukrainians and North Caucasian people such as Kists, Avars and Udins. In the western provinces of the country, and particularly in the autonomous region of Adjara, there are also significant minority populations. Seeking funds from the government, ECMI Georgia hopes to implement a new programme from 2010 to 2012, which will support the development of civil society in these regions and foster closer contact and coordination with the local authorities.

Tom Trier
ECMI Regional Representative



Minority Regions

Since 2003 ECMI Georgia’s interventions have focused primarily on the development of civil society in regions inhabited by national minorities. Especially in the south of the country, in the region of Samtskhe-Javakheti bordering Armenia, and the Kvemo Kartli region on the border of Azerbaijan, there are large concentrations of minorities, particularly Armenians and Azeris. Both groups remain weakly integrated into Georgian state structures and the majority of the Armenians and Azeris in these regions do not speak or understand the Georgian language. This is a legacy from the Soviet era, when the lingua franca was Russian, and when there was no need for persons belonging to minorities to learn Georgian. However, in the current era of Georgian statehood, there is a growing need to ensure effective integration of regionally concentrated

minorities in social, linguistic and indeed economic infrastructures. While Georgia’s regions were largely ignored in the 1990s, the current government has committed to enhancing regional integration. But integration is a two-way process that also requires the commitment of regional populations. Minorities in the regions, and particularly the Armenians and Azeris in southern Georgia, have often viewed government policies with suspicion. In the almost exclusively ethnic Armenian region of Javakheti (a part of Samtskhe-Javakheti), calls for autonomy were frequently heard in the 1990s and in the first part of the last decade. At the same time, there was a tendency at the central level to consider the regions’ Armenians with distrust and as potential secessionists, illoyal to the interests of the Georgian state.



MINORITY GOVERNANCE TRAININGS IN GEORGIA

At the request of the Georgian Ministry of Reintegration, ECMI Georgia and ECMI Flensburg, in cooperation with the Council of Europe and the Georgia State Ministry for Reintegration, provided a series of seven training sessions between March and December 2009.

The trainings addressed practical issues of minority governance and standards in European states, focusing on the key issues of legal provisions for minority protection and preservation of identity, including participation in political and public life. The practical aspects of providing public services to minorities, language policies and planning for minority languages in education and in media were the topics that received most attention. The final cumulative policy-oriented joint training included representatives of various ministries and members of minority organizations who drew on European experiences and good practices with the aim of feeding into future policies in Georgia.

The target groups were government agencies, the Office of the Public Defender, the Council of National Minorities, the State Public Broadcasting of Georgia, the regional administration, and minority organizations and groups.

During the delivery, an inter-ministerial coordination group on minority issues was formed and received training on minority standards.

Ewa Chylinski of ECMI Flensburg came to Georgia in early March to deliver a series of trainings. As part of this initiative, Ms Chylinski delivered a lecture on “Ethnic and National Minorities in Europe – Cultures, Borders, Governance” at the State University of Tbilisi, Faculty of European Studies.

Tom Trier
ECMI Regional Representative

Georgia Office Staff 2009

Tom Trier
Regional Director for the Caucasus

Shorena Kobaidze
Senior Programme Officer

Khatia Shamugia
Head of Finances and Administration

Giorgi Sordia
Research Officer (Departed September)

Salome Mekhuzla
Project Manager Civil Society (Commenced December)

Giorgi Arakishvili
Project Officer for Kvemo Kartli

Denola Chkhartishvili
Project Assistant

Ekaterine Dolaberidze
Accountant

Lali Kharabadze
Administrative Assistant

Elene Proshikian
Part-time Project Assistant

Bakar Lomsadze
web-site developer, part-time technical assistant

Vakhtang Danelia
IT support

Kvemo Kartli
Regional Sub-office

Monika Khristianova
Project Assistant

Samtskhe-Javakheti
Regional Sub-office

Seda Melkumyan
Project Assistant

Secondments
Izabela Osipova
Secretary, Council of National Minorities

Interns 2009
Joanna Zeber (Poland)
Salome Giorgadze (Georgia)
Christian Buchner (Germany)
Jenny Thomsen (Sweden)
Alfred Le Prevost (UK)
Shaina Sherer (USA)
Bobi Apkhazava (Georgia)



ECMI KOSOVO

DECENTRALIZATION: EMPOWERING COMMUNITIES TO GOVERN THEMSELVES

The process of decentralization foreseen in the internationally-sponsored 2008 constitutional settlement developed by United Nations Special Envoy Martti Ahtisaari is now well underway, empowering minority communities at the local level and creating the political space to enable them to mould the forces that shape their lives. Public confidence in the Kosovo institutions is gradually improving among minority communities, and in areas where 'parallel' institutions still exist it seems that these are slowly loosening their grip over local populations.

For decades minority communities in Kosovo lived isolated lives, but in the aftermath of the 1999 conflict Kosovo society became increasingly segregated, with some communities making exclusive use of a 'parallel' system of service delivery, run by Serbia and affecting most areas of life from political institutions to health care and education.

To address this issue, Kosovo institutions initiated a far-reaching process of decentralization, foreseen in a central chapter of the Ahtisaari settlement and one of the top priorities of the Kosovo government. Decentralization aims to provide minority communities, particularly Kosovo Serbs, with a viable alternative to the parallel institutions by according them extensive rights of self-government. At its core is the transfer of competencies from the central to the municipal level, and the creation of six new Serb-majority municipalities with enhanced competencies in areas of particular concern to minority communities (local self-government, education, security, and so on).

ECMI Kosovo actively supports the decentralization process through the project Support to Minority Communities during and after the Decentralization Process, financed by the Ministry for Foreign Affairs of Finland. In addition to providing capacity-building assistance to the Ministry for Local Government and Administration, the lead institution in the process, it has worked closely with local institutions and civil society to raise awareness and increase participation among minority communities.

The success of the decentralization process will be largely contingent on levels of minority community engagement and a sense of local ownership. Unfortunately, the public debate has been highly politicized and knowledge of procedure and practicalities is often low. Throughout 2009, ECMI Kosovo worked with local civil society actors to address this issue by promoting a depoliticized discussion of the concrete implications of decentralization for minority communities.

Adrian Zequiri
Director ECMI Kosovo

ECMI Kosovo

In the dynamic environment of a post-independence Kosovo, ECMI Kosovo has been working hard to ensure that the rights foreseen for minority communities in the constitutional settlement are shored up with concrete institutional and financial support. Crucially, ECMI Kosovo has sought to place communities at the centre of debates and developments on community rights and interests, at all levels of government and across the territory.

Lectures

University of Leeds:
"The Final Status of Kosovo: Implication for Self-Determination"
(Marc Weller)

Lancaster University Law School:
"The Kosovo Precedent: One Year on",
"Kosovo and Remedial Secession" (Marc Weller)

Publications

Marc Weller,
"Contested Statehood: Kosovo's Struggle for Independence",
Oxford University Press (2009)



GETTING THE VOTE NOVEMBER 2009 ELECTIONS IN KOSOVO

On 15 November 2009 municipal elections were organized across Kosovo, including in four of the new Serb-majority municipalities. Previous elections were boycotted by the Serb community, so this new round was widely regarded as a critical test of the credibility of the decentralization process.

ECMI Kosovo chose to focus a significant amount of energy on raising awareness among citizens of the new municipalities. In coordination with the International Civilian Office and the Central Election Commission of Kosovo (CEC), it designed a voter education programme, aimed at convincing community members of the importance of the elections and providing them with administrative information on how to participate effectively. Implementing a grassroots outreach strategy, the decentralization team aired radio spots on local stations, put up posters throughout the new municipalities, and distributed leaflets and flyers from door to door.

Crucially, the ECMI Kosovo decentralization team spent two months in the new municipalities, talking directly to community members, listening to their concerns and answering their questions. While most community members were willing to engage, they often had no information or had been misinformed, were disillusioned by both Serbia and Kosovo, and were experiencing pressure from the 'parallel' institutions to boycott.

On election day, ECMI Kosovo acted as an election monitor, under the auspices of an association of NGOs approved by CEC. In this capacity, the decentralization team witnessed first hand how many community members braved political pressures and practical complications to cast their vote, taking a first but important step towards a better future. Few incidents occurred at minority community polling stations and, crucially, turnout was relatively high. The elections were widely considered a success, giving a first positive indication that if decentralization is properly managed it may be a powerful enough tool to convince Kosovo Serbs to move away from isolation and segregation, and towards integration within Kosovo society. However, much will depend on how effectively the newly elected municipal administrations execute their powers and resources, and ECMI Kosovo will work hard to support them in their new responsibilities.

Adrian Zequiri
Director ECMI Kosovo



Towards a comprehensive governmental approach to communities – communities as a cross-cutting issue

The 2008 constitutional settlement contained advanced rights for the protection and advancement of minority communities, especially in areas of particular relevance such as political representation, local governance, the protection of religious and cultural heritage, education, culture, language, and so forth. Since independence, these constitutional rights have been bolstered by domestic legislation, such as the Law on the Protection and Promotion of the Rights of Communities and their Members, and implementing administrative instructions

However, effective implementation of this exemplary legal framework remains a core challenge for the Kosovo institutions, which are themselves undergoing a complex process of post-independence institutionalization and operationalization. The evolving institutional landscape continues to be characterized by significant overlap in the mandates and functions of government institutions, and there is a noticeable absence of centralized coordination in the development and implementation of laws and policies on minority community issues.



ECMI KOSOVO

MAINSTREAMING COMMUNITY ISSUES: THE OFFICE FOR COMMUNITY AFFAIRS (OCA)

Since 2006 representatives of minority communities have called for the creation of a government body with access to all relevant ministries and government offices, to bring coherence to the governmental approach to communities. To investigate this further, ECMI Kosovo undertook a comprehensive study of governmental structures in 2007, with support from the Federal Department of Foreign Affairs of Switzerland. Working with an adviser to the Prime Minister, ECMI Kosovo found ample evidence of an absence of centralized coordination on community issues, and advocated for the creation of a strategic unit within the Office of the Prime Minister.

In January 2008, the Prime Minister announced his intention to create such a body in a speech to the UN Security Council. ECMI Kosovo provided legal assistance in drafting the mandate of the Office for Community Affairs (OCA), which was formally established in September 2008.

The OCA is a small unit with a large mandate that includes advice to the Prime Minister, coordination and development of policy and legislation on communities, monitoring and evaluation, the provision of public information, and addressing gaps in community programming. ECMI Kosovo support focuses on building capacity among OCA staff, and providing the Office with technical assistance.

From vision to reality

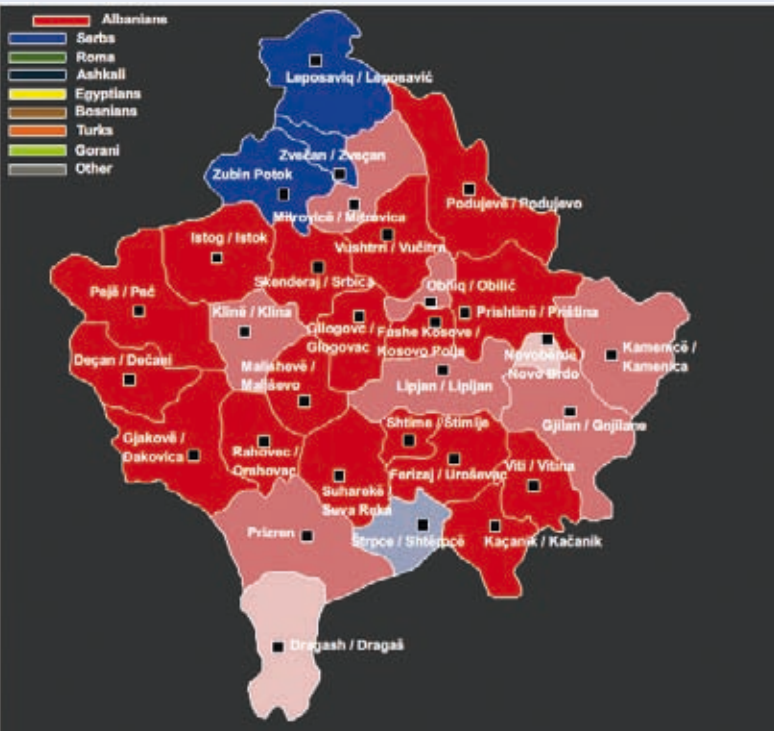
The OCA, after developing its strategic and operational plan, has begun to deliver its terms of reference. Kosovo is currently reviewing all legislation passed under the UN Mission in Kosovo (UNMIK) to ensure compatibility with Kosovo Constitution and the European Union acquis communautaires. In this context, the OCA is charged with ensuring that the emerging legal framework respects the rights and interests of minority communities. With ECMI Kosovo legal assistance, the OCA has delivered substantive

comments on draft laws of vital interest to communities, including the draft Law on Health and the draft Law on Pre-University Education. Furthermore, the Office undertook an evaluation of the impact of policy on minority communities, dedicating its first yearly policy study to the representation of communities in the public sector.

The Office also played a significant role in the adoption of the Action Plan for the Strategy on Integration of Roma, Ashkali and Egyptian Communities, and in 2010 will play a primary role in its coordination, monitoring and evaluation. ECMI Kosovo will support the Office in enabling meaningful involvement of the three communities in the process.

Through strategic programming and fundraising from international donors, the OCA has also contributed significantly to improving the quality of life of minority communities. For example, the Office is financially supporting and fundraising for a project to relocate approximately 140 mainly Egyptian families, currently living in deplorable conditions, to new houses and provide them with socioeconomic assistance.

Adrian Zequiri
Director ECMI Kosovo



Consultation with communities

The work to continue implementing the constitutional settlement has been done by the Office for Community Affairs to ensure that the governmental approach to minorities is both coordinated and streamlined. However, if the real needs and concerns of minority communities are to be effectively addressed, members of those communities must themselves be active in the initiation, development and implementation of the legislation and policy that affects them. While the ongoing process of decentralization is gradually giving minority communities the confidence and the political space to administer their own lives at the local level, direct consultation is also required at the central level to enhance the authenticity and legitimacy of government legislation and policy, and to engender in minority communities a sense of ownership in the central Kosovo institutions and the political process as a whole.

A core pillar of ECMI Kosovo strategy has been to secure an institutional framework to facilitate government consultation with community civil society. The organization lobbied heavily during status negotiations to transform a then temporary consultative body for minority communities into a permanent institution within the Office of the President. On 15 September 2008, the Consultative Council for Communities (CCC) was formally established by presidential decree and, with technical support from ECMI Kosovo, became fully operational by the end of that year. Today, the Council comprises community representatives from civil society, political parties and the Kosovo government, and serves as a forum through which members of minority communities can access key government ministries and influence the legislative and policy-making processes on core community issues. The Council is convened once a month, and is administered by a permanent secretariat which receives ongoing technical and legal support from ECMI Kosovo.



SECURING GRASSROOTS COMMUNITY ENGAGEMENT IN KOSOVO

In its first year of operations, the substantive work of the Council focused on the issue of education, and on expanding the membership of the Council to include the Montenegrin community. As a nascent institution, much energy was devoted to defining clear operational procedures and guidelines, and developing a strategic working plan.

ECMI Kosovo has also been working to maximize the legitimacy of the consultation process by strengthening the link between the central-level Consultative Council and grassroots community civil society.

As the Council's first term drew to a close, ECMI Kosovo held a series of workshops and training sessions to inform community civil society groups about the work and role of the Council, and guide them through the administrative requirements for nominating the next round of community members. Once nominees were agreed, ECMI Kosovo also provided follow-up legal and technical support to community NGOs. The new Council was appointed by the President at a ceremonial conference on 3 March 2010.

Adrian Zequiri
Director ECMI Kosovo



MINORITY EDUCATION IN KOSOVO

A basic education is essential to living a successful life and central to a child’s intellectual and social development towards adulthood. Providing education for minority communities requires a delicate balance between the recognition and protection of each community’s distinct culture, identity and language, and the need to promote an integrated multicultural society.

In Kosovo, over half the population is under 25 years old, increasing the importance of education as a vehicle for social change and improved interethnic relations. At the same time, the Kosovo education system remains weak and lags significantly behind European standards in terms of its approach to learning, the quality of teaching, and the inclusion of minority communities.

During 2009, the Kosovo Ministry of Education, Science and Technology (MEST) undertook substantial reforms to improve the standards of education available to all children and to ensure the inclusion of children from every community. ECMI Kosovo has worked with MEST, municipal officials and civil society organizations to improve the education of minority communities, aiming to strengthen community participation and increase minority rights awareness in the development and delivery of education.

Adrian Zeqiri
Director ECMI Kosovo

ECMI KOSOVO

Adrian Zeqiri
(Kosovo), Regional
Director ECMI
Kosovo, Prishtina



Before joining ECMI in Kosovo in 2002, Mr Zeqiri served at the OSCE Mission to Kosovo where he also completed an Academic Training Programme on Political Theories, Conflict Resolution and Project Management Skills.

Being fluent in Albanian and Serbian, Mr Zeqiri has had direct access to local civil society, identifying and implementing projects for the development of NGOs and civil society at large, organizing and developing youth groups and activities in the municipality, establishing and maintaining contacts with local and international NGOs to identify training and material needs as well as key players and potential projects. His contacts at both civil society level and in the Kosovo government structures at the highest level have allowed him to conduct many informal discussions on Kosovo’s status, generating a positive environment for the wide inclusion of various Kosovo minority communities in a constructive approach to the position of communities in the negotiation process.

Kosovo staff

Adrian Zeqiri, Regional Director
Kelley Thompson, Project Manager
Lars Burema, Project Manager
Gaelle Cornuz, Project Manager
Katherine Nobbs, Project Manager
Gazmen Salijevic, Project Assistant
Zihnie Gurmani, Project Assistant
Burim Gagica, Finance Officer

Interns 2009:

Dana Landau (Switzerland)
Aljaž Sentinc (Slovenia)
Alex Duncombe (UK)
Elizabeta Haziri (Germany)
Eva Linde (Germany)

BRIDGING GAPS IN THE DELIVERY
OF MINORITY EDUCATION

While the development of overarching education standards, such as national curriculum, begins at the central level, municipal governments have primary competency in delivering education services. Furthermore, as a result of the decentralization process local authorities are under an obligation to implement a series of new laws impacting upon, and designed to improve, minority education. However, through a needs-assessment exercise conducted in early 2009, ECMI Kosovo found that municipal officials have either been unduly slow or passively resistant in doing so, potentially illustrating a lack of will, a failure to understand the particularities of minority rights, or an absence of pressure on the part of civil society to guarantee minority rights implementation.

Through the project Improving Minority Rights Awareness and Service Delivery at the Municipal Level, financed by the United Nations Children’s Fund, ECMI Kosovo has worked to improve the delivery of minority education by municipal officials in three main ways: increasing the minority rights awareness of education officials, strengthening the capacity of civil society organizations to advocate for their education rights, and building cooperation between municipal officials and civil society organizations. These activities were piloted in three municipalities (Ferizaj/Uroševac, Peja/Pe and Prizren/Prizren) and resulted in three major publications:

- 1) **Minority Education in Kosovo:** A Manual for Municipal Officials which identifies the major problems, outlines the relevant roles and responsibilities of the municipal government, and provides concrete recommendations on how to improve minority education;
- 2) **Education Advocacy for Minority Communities in Kosovo:** A Guidebook for Civil Society, which provides a systematic approach to advocacy at the municipal level, with a special focus on minority education; and
- 3) **Minority Education:** Guidelines for Building Cooperation between Civil Society and Municipal Governments in Kosovo, which provides municipal officials and civil society with information on best practice for cooperation at all levels of minority education decision-making.

Adrian Zeqiri
Director ECMI Kosovo

Inclusive education for all
communities in Kosovo – the
Independent Commission for
Serb Curriculum Review

Albanian and Serbian are the official languages of Kosovo, with equal status in all respects, including access to education; the government has a legal obligation to provide pre-school, primary and secondary education in both official languages. However, MEST is currently offering education in the Albanian, Bosnian and Turkish languages only, and children from the Serb community are obliged to attend ‘parallel schools’, managed by the Republic of Serbia and offering the Serbian curriculum. Serb children remain divided from Kosovo’s other communities, with little opportunity for integration or cross-community exchange.

Providing Serbian-language education within the framework of a holistic Kosovo education system would constitute a critical step in the creation of an inclusive education system for all children in Kosovo, and is accordingly a MEST priority and a key concern of ECMI Kosovo.

The Ahtisaari settlement made special provision for education in the Serbian language, allowing Serbian-language schools to apply curriculum and teaching materials produced by the Republic of Serbia, pending approval by an Independent Commission. That Commission was officially established by MEST on 11 November 2009 and fully staffed by September 2010, with an elected chairperson and a detailed action plan.

At the request of MEST, ECMI Kosovo has worked to guarantee participation of the Serb community, to ensure adherence to the Ahtisaari settlement, and to furnish the Commission with technical and administrative support as needed.



THE RIGHT TO POLITICAL PARTICIPATION

The Federal Union of European Nationalities (FUEN) 60th Anniversary Congress, which took place in Brussels between 29 September and 2 October 2009, was testament to the importance attached by FUEN member organizations to questions of political participation.

FUEN, an ECMI regional cooperation partner, has been based in the German–Danish border region since its establishment in 1949. With 86 members of minority organizations in 32 European countries, FUEN is the largest umbrella organization of autochthonous minorities in Europe. The right to political participation was selected by FUEN member organizations as the topic for their anniversary meeting, with the EU capital providing a symbolically important backdrop to the discussion.

At the Congress, a draft document on “The Right to Political Participation for Autochthonous National Minorities in Europe” was presented and debated. The paper provided a detailed log of minority entitlements in areas such as electoral participation and voting, political party activity, legislative and executive decision-making, consultative mechanisms, minority self-governance and autonomy, and highlighted the importance of political participation for minorities in realizing their diverse objectives. ECMI took an active role in the process, advising on a draft during the preparatory stage.

The delegates of the Congress adopted the draft, which has now become a part of an official framework under the FUEN Charter for Autochthonous National Minorities in Europe. The document will give direction to upcoming FUEN activities in the field of political participation.

The question of which electoral designs secure optimum representation for minorities was a recurrent topic throughout the discussion. The advantages and limitations of minority participation through ethnic minority parties, as opposed to participation through mainstream parties, was another issue that drew a lot of attention from congress delegates.

FUEN’s interest in obtaining expert input has chimed well with ECMI’s long-standing research into forms and mechanisms for ensuring effective participation of minorities in public decision-making. This research has multiple policy implications and makes ECMI a natural partner for organizations seeking to enhance their competence in the area of minority political participation.

Dr. Oleh Protsyk



Minority political participation and representation

One of the most important elements of democracy in multiethnic societies is minority representation in state institutions, in particular in the electoral system, the executive government and legislative bodies.

To date, the emphasis has been on the representational effects of different electoral systems, how different electoral formulas affect the ‘descriptive’ or ‘mirror’ representation of minorities – whereby persons from minority groups physically represent their communities – and ‘substantive’ representation – whereby the policy concerns of minorities are addressed by representatives from any group. Minority representation in the executive government has also been of interest to ECMI. Cabinet-level representation is an important indicator of minority inclusion in national-level executive politics.

Research Staff

Dr. Oleh Protsyk (Ukraine)

Interns

Evgeniya Bakalova (Tatarstan)
Elena Ceban (Moldova)
Olena Chepurna (Ukraine)
Irina Bykova (Russia)
Deniz Dag (Turkey)
George Hill (UK)
Stauroula Xristodoulaki (Greece)
Serhiy Dekhtyar (Ukraine)

Publications

Oleh Protsyk
“Representation and Democracy in Eurasia’s Unrecognized States: The Case of Transnistria”, 25 (3) Post-Soviet Affairs (2009)

MINORITY REPRESENTATION:
DEMOCRATIC GOVERNANCE FOR ALL

The emphasis has been on the representational effects of different electoral systems. Alternative formulas for proportional representation, single member districts and minority reserved seats have led to different outcomes with regard to the identity of minority representatives, and their responsiveness and accountability to minority constituencies. ECMI is continuing its efforts to collect detailed data on the background and legislative behaviour of minority representatives across a number of national parliaments. Large datasets have already been developed and updated for the Romanian and Moldovan parliaments. These include detailed information on minority deputies’ draft law initiatives, sponsorship of parliamentary resolutions, and other types of legislative output. Similar data sets have also been developed for Bulgaria and the Ukraine.

The results already obtained, along with new findings generated by this research, will improve understanding of how different electoral formulas affect the descriptive representation and substantive representation of minorities.

Minority representation in the executive government has also been of interest to ECMI. Cabinet-level representation is an important indicator of minority inclusion in national-level executive politics. Information has been collected detailing which ethnic minority members are included in the highest ranks of executive government in Moldova, and what policy jurisdictions (cabinet portfolios) they control when in government. This data provides a basis for examining the feasibility of using cabinet representation as an indicator for minority inclusion in executive government at the transnational level.

Another aspect of ECMI research on political participation is the effectiveness of a minority presence in legislative bodies. This research focuses on how different features of parliamentary organization shape the ability of minority representatives to affect the outcome of the legislative process. The issues examined include: agenda setting, deliberation and accountability relations. Rules and procedures that regulate parliamentary activity in each of these areas can have a significant impact on how ethnic minority claims and demands are first articulated and then processed within the legislative arena.

Dr. Oleh Protsyk

Research seminars

Bilge Yabanci
“Representation of Minorities in the Executive”

Velimir Delovski
“Minority Representation in Macedonia”

Katarina Djokic
“Political Participation of Ethnic Minorities in Serbia”

Armin Dervoz
“Electronic Map of Slovenia and the Case of the ‘Erased’”

Dmitry Foryy
“Minority Representation in the Russian Parliament”

Mindaugas Kuklys
Dr. Phil. Candidate, Institute of Sociology, University of Jena
“Ethnic Control, Ethnic Democracy or Ethno-liberal Democracy? Political Elites and Ethnic Minorities in the Baltic-States after 1990”

Dr. Klemens Buescher
Senior Political Advisor, Organization for Security and Cooperation in Europe High Commissioner on National Minorities
“Accomplishments and Challenges of the HCNM OSCE”

Dr. Daniel Bochsler
Post-doctoral research fellow, Centre for the Study of Imperfections in Democracies (CEU)
“Local politics in ethnically divided countries under restrictive electoral systems”



ETHNIC MINORITIES
IN RUSSIA

ECMI, together with the Institute for Minority Rights of the European Academy (EURAC) in Bozen/Bolzano, has initiated an international study group on ethnic minorities in the Russian Federation (RF). The unique ethnic composition of the RF, with its 186 officially recognized distinct groups and its long tradition of dealing with territorial, linguistic and other forms of minority arrangements, warrants deeper examination of the relationship between different aspects of minority governance. In two workshops – one in Flensburg and one in Bozen/Bolzano, both planned for 2010 – the group aims to generate policy-relevant knowledge about the challenges of accommodating ethnic diversity in the Russian Federation in accordance with Council of Europe standards of minority protection and promotion. The overall goal is to support the Council of Europe/EU programme (2009-2011) for ratification of the European Charter for Regional or Minority Languages by the RF through academic background research and analysis, and to provide the Council of Europe’s monitoring mechanisms on national minority rights with practical tools.

Dr. Oleh Protsyk

Conferences

American Political Science Association, Toronto, Canada
Oleh Protsyk, ECMI
“Parliamentary Representation”

Queens University
Oleh Protsyk, ECMI
“Consultations and Presentation on ECMI’s Minority Representation Project”

ASN Conference, Columbia University, New York
ECMI panel on
“Ethnic and Multi-Ethnic Parties: Strategies of Political Recruitment”
Oleh Protsyk, ECMI
“Why not Ethnic Minority Parties in Moldova and Ukraine?”

The Royal College of Defense Studies, London
Marc Weller, University of Cambridge
“International Law in Conflict Management in Diverse Societies”

University of Bath, European Research Institute (ERI), UK
Marc Weller, University of Cambridge
“Europe’s Dilemmas in Dealing with Eurasia’s Non-Recognized States”

ADDRESSING THE TRANSNISTRIAN
SETTLEMENT FROM A POWER-SHARING
PERSPECTIVE

OSCE public lecture series in Moldova

In Moldova, the Transnistrian settlement is often discussed in rather narrow terms, without proper knowledge of other power-sharing models used in the OSCE area and beyond. For the second time, therefore, the OSCE Mission to Moldova offered a public lecture series on “Autonomy, Federalism, Devolution – Power-sharing Models in the OSCE Area”. ECMI participated with a lecture on “Power-sharing and Democracy”

The lecture series was designed to bring international experts on ethno-territorial conflicts and minority issues to Moldova in order to inform local academic and expert communities about international standards and practices in approaches to conflict resolution and minority accommodation. Topics covered included “The Concept of Power-sharing in Modern Europe”, “Autonomy Solutions (Aaland Island, South Tyrol)”, “Devolution of Authority (United Kingdom: Wales and Scotland and the Role of England)”, “Asymmetric Federal Solutions (Spain, Russian Federation, Canada)”, “Symmetric Federal Solutions (Germany, Belgium, United States)”, “Dependent Territories (Greenland)”. The aim of the lectures was to draw the attention of the Moldovan scholars and the larger public to theories and practices of power-sharing, relevant to the Transnistrian conflict settlement process, in order to prepare the ground for a lasting solution.

The ECMI lectures launched the series in the spring of 2009. The central themes of Dr. Protsyk’s lectures were the importance of democracy, and issues relating to the openness and fairness of the political process. The lecture provided an opportunity to revisit some fundamental principles of conflict resolution and to highlight the key role of democratic governance in achieving conflict settlement goals and ensuring genuine representation of minority groups. Two lecture presentations, held in Chisinau and Tiraspol, drew large audiences of students and policy experts.

Dr. Oleh Protsyk

ECMI in Moldova

ECMI’s involvement in Moldova, which began in 2005, has continued in the form of research cooperation with the OSCE Mission to Moldova. It has aimed to identify the positions of Moldovan political parties on issues of ethnoterritorial conflict resolution and minority accommodation. The study is based on a survey of two groups of respondents: party functionaries and independent experts. The research will provide policy-relevant knowledge on how key domestic political actors plan to address the main challenges generated by the country’s ethnocultural diversity. The findings from the survey of party functionaries (also known as ‘party elite surveys’) indicate, for example, that Transnistrian conflict-related issues continue to be perceived by political elites as more important challenges than problems of economics or national sovereignty.





Saami Rockband Somby – the winner of the Liet Lavut contest in 2009

Language and Cultural Diversity

There is a general consensus that language is usually a very clear identity marker of minority groups, particularly in Europe. The prevention of language loss and the underlying cultural expression that language represents is often of critical importance to minorities.

ECMI has focused its research on language and cultural diversity on the unique culture of many ethnic and national minorities in Europe, and on the ways in which these are supported by the Council of Europe’s European Charter for Regional or Minority Languages.

Project Staff
Ewa Chylinski

Interns

Leon Martins (Brasil)
“Culture as Public Good”

Rada Krstanovic (Serbia)
“Cultural Rights in Serbian Minority Protection”

Kristof Michalowski (Poland-UK)
“Institutional Arrangements between States for Minority Support (Poland and Germany)”

Emanuela Ignatiou-Sora (Romania)
“Status Law on National Minorities in Romania – An Unfinished Business?”

Genevieve Wickenden (Canada)
“Music as Cultural Expression for Minorities; State Support to Cultural Minority Organizations and Areas (ECRML States)”

Zorana Kataranovski (Serbia)
“Education System and Minorities”

Lecture by Ewa Chylinski on “Minorities in Europe – Cultural Survival Strategies and Strengths”, Peoples University, Flensburg

THE EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

The Council of Europe’s European Charter for Regional or Minority Languages (ECRML), is the only international legal convention that serves not just to guarantee the functional role of language in important areas such as education, public administration, media and cultural institutions, but to protect the languages themselves. While most efforts by state bodies and minority or regional groups, are concerned primarily with language maintenance, revitalization and development, these can ignore the underlying culture that is expressed through language, notably the role of language as a carrier of particular cultures and a vehicle for culture transfer. In that cycle, language feeds into the cultural sphere through new vocabulary, meanings and expressions. By virtue of this connection, supporting culture also means supporting language, including sports, music, nature experiences and city tours, in addition to literary works.

To assess the ECRML in that context, a study was initiated to track how the ECRML supports culture through language. The analysis was conducted among states parties to the ECRML (24 had ratified in 2009), and began by looking at how language protection and promotion is supported under Part II and Part III of the Charter and how languages are promoted under Article 11 (Media) and Article 12 (Cultural Activities and Facilities). Two reviews address: 1) Cultural Rights in Serbian Minority Protection; and 2) Charting Growth: Minority Cultural Representation in the European Charter for Regional or Minority Languages.

The reasons for choosing Serbia for the analysis were its multilingual and multicultural outlook (20 recognized minorities and 11 languages), its long tradition of enhancing cultural diversity and its ratification of the ECRML in 2007. The review of minority cultural representation will cover all states that have ratified the ECRML, with the aim of identifying and assessing how that provision is reflected in practice, including through financial support from the state.

The research is based on periodic state reports to the treaty body, comments from the Committee of Experts, and other sources related to the ECRML, including those of minority organizations, national and international non-governmental organizations (NGOs) and national institutions involved in minority governance. The analysis should result in the publication of working papers, which assess the effectiveness of ECRML implementation in supporting culture and language.

Ewa Chylinski
Deputy Director

German minority representatives brainstorming on identity preservation



LANGUAGE TRANSMISSION AND IDENTITY PRESERVATION AMONG GERMAN MINORITIES IN RUSSIA

As part of a Council of Europe–EU joint programme 2009-2011 on “National Minorities in Russia: Language, Culture, Media Civic Development”, aimed at securing ratification of the European Charter for Regional or Minority Languages by the Russian Federation, a large gathering of various German minority organizations took place in Moscow in October 2009. The meeting was convened by the umbrella organization for German minority NGOs, the International Association of the German Culture, to discuss the issues of education, transmission of culture and language and language revitalization.

The German minority is one of the largest minorities in the Russian Federation, with over 1.5 million people dispersed throughout the territory, from Murmansk to Vladivostok, Southern Russian and Siberia. The participants were representatives of German minority organizations, researchers, teachers, representatives of the Moscow Goethe Institute which promotes German language and culture as a world culture (also assisting German minorities in language maintenance through resource centres), the German Technical Cooperation (GTZ) and other organizations. The conference was supported by the RF Ministry of Regional Development, which is responsible for minority issues, and by the German Federal Ministry of the Interior.

Language and identity maintenance is a critical issue for the German minority in Russia, in part as a result of the deportations that took place during the Second World War to Siberia, Russian Far East, Central Asia and the intensive repatriation process that has been ongoing since the late 1970s.

The linguistic background of the German minorities, who began coming to Russia in the eighteenth and nineteenth centuries, is rooted in the dialects of their ancestral home regions and not in literary high German. Nonetheless, affiliation and identification with their German background is very important to the minority, especially among those who lost their language and would now like to recover at least some of those skills.

Contributing to this at times quite emotive discussion, ECMI detailed the experiences of other European regions in revitalizing, maintaining and developing languages ‘at risk’ – for example, Scottish Gaelic and Breton – and provided input as to how the minority itself could develop language policies and strategies on the particular situation of German in the local context. It also discussed the relevant implications of ratification of the European Charter for Regional or Minority Languages by the Russian Federation.

Ewa Chylinski
Deputy Director



Liet International

One of the best-known European events for expressing minority culture through music is Liet International – a festival to find the best new song in a European minority language. The Liet festival began in Friesland in 2002, and was originally a Frisian song contest. However, after ten successful years, the organizers initiated a similar event at the European level, with the aim of providing bands who sing in a minority language with an international stage on which to perform. In seven years Liet International has grown to be the antithesis of the Eurovision song festival, with the big difference that Liet prohibits singing in English. Today the festival is one of the largest events promoting minority languages. It is organized by the Frisian Foundation Liet International, and supported by the Council of Europe ECRML Secretariat in collaboration with partners in many minority areas – Scotland, Scandinavia, Italy and Spain.

The Minority Song Contest “Liet International”, which promotes contemporary new songs in minority languages, celebrated its 6th anniversary on 31 October 2009 in Leeuwarden, Ljouwert (The Netherlands). Bands performed in Asturian, Saami, Frisian, Irish, Karelian, Latgalian, Occitan, Gaelic, Low German, Friulian and Sardinian, and competed for a prize sponsored by the Council of Europe Charter for Regional or Minority Languages. The jury award went to Saami rockband Somby, while the public award went to Sardinian band Drer en crc Posse.



**MODELS OF MINORITY LANGUAGE
ENHANCEMENT IN EUROPE**

At two conferences in 2009 – Association of the Studies of Nationalities (ASN) in New York, and the International Conference on Minority Languages XII in Tartu (Estonia) – Ewa Chylinski gave presentations on the European system of minority language protection and promotion, generating lively discussion among participants. On one hand, the long tradition of linguistic diversity in Europe has been modified by the existence of the ECRML as a ‘universal’ international legal instrument, and by its subsequent ratification by a number of states. On the other hand, the Charter has extended the applicability of certain language provisions to spheres of public life that were previously reserved almost exclusively to the state language. It is possible to further model language relations in Europe, and to what extent is the European model applicable to other contexts? Could it become a universal approach to language diversity management? Models assessment is not a fashionable trend nowadays, but testing models can nevertheless be valuable exercise in societies where minority languages need to find their role not just as a cultural expression of minority identity but as a permanent ingredient of the societal culture of which they are part, and of European diversity.

These themes will be discussed further at the ICML XIII in 2011, organized by ECMI in cooperation with the University of Flensburg, Germany, and the Department of Border Region Studies of the University of Southern Denmark in Sønderborg

Ewa Chylinski
Deputy Director



Research seminars

Prof Dr Robert Millar
Aberdeen
“Dialectalised Languages – The State
Perception of Regional Languages: Case
Studies of Scots, Occitan and Low German”

Tereza Blahoutova
University of Brno, Czech Republic
“Implementation of the European Charter
for Regional or Minority Languages in the
Czech Republic, the Case of Polish”

Prof. Dr Uffe Østergård
Copenhagen Business School
“The Role of Nation States in the EU”

Rada Krstanović (Serbia)
“Cultural Rights in Language
Protection in Serbia”

Emanuela Ignatiou-Sora (Romania)
“Legal Aspects of Minority Language
Enhancement in Romania”

Sylva Svejdarova (Czech Republic)
“Minority Languages in the Czech Republic”

Genevieve Wickenden (Canada)
“Charting Growth: Minority Cultural
Representation in the European Charter for
Regional or Minority Languages”

Zorana Kataranovski (Serbia)
“Education System and Minorities”

INSTITUTIONAL NETWORKING

Cooperation Agreement with EURAC

A Memorandum of Understanding (MoU) was signed on 6 November 2009 between the European Academy (EURAC), Bolzano/Bozen, South Tyrol, and ECMI with regard to future cooperation. Both institutions are working in the area of minority research and projects. EURAC and ECMI are building on longstanding relations, for example in their joint publication of the peer-reviewed journal *European Yearbook on Minority Issues*.



President of EURAC Dr Stuflesser and ECMI Chairman of the Board Dr Knud Larsen, signing the agreement



ECMI at the Foundations' Day in Kiel

Foundations' Day in Schleswig-Holstein

Since 2003 a tradition has developed of presenting and promoting the work of various foundations as an expression of civil society engagement. This biannual event takes place in different locations across Schleswig-Holstein, with a growing number of participants each time. ECMI participation extends back to 2nd event in Lübeck in 2005.

ECMI participated for the 3rd time in the Foundations' Day 2009 in Kiel. This recurrent forum for local foundations has been quite popular among the population of the region, with people visiting the premises to acquaint themselves with the many different foundations and their mandates. It is also a good forum for ECMI to make itself known within the region.

Next Foundations' Day will be taking place in the Frisian minority region, in the city of Husum.

Ewa Chylinski
Deputy Director

International and regional cooperation

Partnerships, networking and collaborative relations are a ‘survival kit’ for most research institutions and scholars. ECMI, as a small independent centre, sets great store in being part of such integrated relationships, which enable it to stay abreast of research developments in minority issues, but also to mark its unique profile and position. In addition to existing cooperation with the University of Flensburg and the University of Southern Denmark, the next step is the extension of further formal agreements beyond the nearest region and the creation of stronger links.

Memoranda of Understanding, 2009:
European Academy, Bolzano/Bozen

Cooperation agreements renewed in 2009:
University of Southern Denmark
Flensburg University



**World Citizen Day –
Minority Issues on the Blackboard**

From March to June ECMI collaborated with students of the Master's Programme at the European Studies and the International Department of the University of Flensburg, under the theme "Minorities in the World" within the framework of UN World Citizen Day.

It was the first test of such an arrangement in Flensburg and the inspiration to take up the minority theme came from the seminar delivered by ECMI Senior Research Associate Dr Oleh Protsyk on "Ethnic Politics in Europe" with a contribution by Ewa Chylinski on "Minority Governance and Language Issues" for the students of Master of European Studies at the University of Flensburg. ECMI provided lectures for those students who decided to do the research and essay writing

The students worked in a competitive way on presentations of minority issues in many different ways – from cookery, to photo exhibitions, dance and drama, to writing essays and introducing minority issues to the staff and fellow students on chosen themes. Four teams focused on "Roma and the European Integration", "Minorities and National State", "Social Marginalization of Maoris in New Zealand" and "Capacity Building of Minority Women through Health programmes". The culmination of the World Citizen Day was prize awards in different categories. Together with colleagues from the University of Southern Denmark ECMI participated in the jury.

On the final competition day, ECMI provided a prize – a volume of the "European Yearbook on Minority Issues" – to the winning essay team.

Ewa Chylinski
Deputy Director

Poster of
"World Citizen Day"



EXPANDING THE GLOBAL REACH OF THE ECMI LIBRARY

... AND DOCUMENTATION SERVICES

Publications exchange agreements

Publications exchange agreements continued to play a significant role for the ECMI Library in 2009, with due consideration to the fact that ECMI library resources are limited. In 2009, the ECMI Library reached an agreement for cooperation with the Main Central Library (Zentralhochschulbibliothek ZHB) of Flensburg University. In addition, a recent cooperation agreement with the Südost Institut Library in Regensburg, Germany, means that the ECMI Library receives key Südost Institut publications in exchange for supplying the Südost Institut Library with ECMI publications. The ECMI Library also has cooperation agreements with the EURAC Library in Bozen, Italy, as well as with the SIPRI Library in Sweden. The EURAC and SIPRI agreements are also based on the reciprocal exchange of publications. Strategic relationships have continued with the DCISM Library for International Studies and Human Rights in Copenhagen, as well as with the University of Frankfurt Library, Frankfurt am Main, the University of California at San Diego Social Science Library, and the Special Subject Collection Political Science and Peace Research of the Hamburg University Library.

Dissemination of ECMI publications

In 2009, selected ECMI publications were available to view both at the Frankfurt Book Fair and the Leipzig Book Fair. These fairs, which are key events for book publishers and for media, serve to acquaint an ever-widening circle of readers with ECMI publications. Also in 2009, the ECMI Library made available ECMI Working Paper # 60 for the PLATON+ booth "Networking the Social-economic Sciences and Humanities" at the conference "Research Connection" in Prague, attended by more than 1,000 interested visitors. The PLATON+ project is funded by the Seventh Framework Programme of the European Union.

In terms of online sources for dissemination, the ECMI Library contributed the full text of selected Working Papers and JEMIE articles for inclusion in the Social Science Open Access Repository (SSOAR) database, based in GESIS Berlin. The ECMI Library continues to contribute to the online library of the University of Hamburg, a project supported by the Deutsche Forschungsgemeinschaft (DFG), the German Research Association. Full text indexing and abstracting of ECMI publications continues to be disseminated on the International Relations and Security Network (ISN), of which ECMI is a Principal Partner. ECMI publications are also available on the EINIRAS website. The HeinOnline website also continues to make ECMI publications available, which results in increased awareness of ECMI's work in law libraries. In the field of international relations, it is worth noting that ECMI publications also continue to be available on the Columbia International Affairs Online (CIAO) website, a comprehensive online source for theory and research in international affairs.

**Ethnopolitical
Map of Europe**

The Ethnopolitical Map of Europe database is a major documentation project that over time will highlight minority issues across Europe. The aim of the Ethnopolitical Map is to offer quick and easy access to comprehensive information on background, population and socioeconomic statistics, international responses to crisis management, as well as carefully selected links and bibliographies. The Ethnopolitical Map of Europe database has been frequently cited on the internet, for example by the Council of Europe Internet Bibliography on National Minorities, the Human Security Report Project Human Security Gateway, and the Evifa Virtual Subject Library on Ethnology. The ECMI Ethnopolitical Map of Europe has been rated by external experts as a highly useful educational tool for practitioners, politicians, and academics, including students and professors of international relations and diversity and conflict studies. In 2009, a great deal of useful material was collected for upcoming entries on South Ossetia and Serbia, as well as updates to the Bosnia and Herzegovina and Kosovo entries. Suggestions for new entries to the Ethnopolitical Map, as well as ideas for areas of improvement, are welcomed.





In order to widen the circle of online dissemination even further, in 2009 the ECMI Library signed licence agreements for ECMI publications to be included in EBSCO and Proquest databases. EBSCO and Proquest are both among the leading producers of research database for libraries and educational institutions worldwide.

Online Library Catalogue

This 24/7 around-the-clock database can be searched by title, author, ISBN number, free keyword search as well as by year of publication. Catalogue entries have added value, as foreign language entries and summaries are translated into English. The entries also include Library of Congress Subject Headings, free text keywords and extensive tables of contents.

Library networking and cooperation

A world class library on minority issues cannot stand on its own. This underlines the importance of library networking and cooperation, all of which was further developed in 2009. With regard to the delivery and management of information resources in particular, network cooperation at the regional, national and European level has continued significance for the ECMI Library. This is why the Library extended its membership in the German–Danish Library Forum, a loose association of libraries and library systems north and south of the border.



The ECMI Enriched Links Database

This database, available on the internet at <http://www.ecmi.de/elinks/>, has been referred to by outside experts as a highly useful reference tool for researchers.

These links have been carefully selected and are monitored regularly to ensure quality and timeliness. The links are enriched in the sense that for each link, substantial information is provided as to the contents of each link, including its institutional affiliations and whether or not for example downloadable texts, statistics and government documents are included. The Internet sources are listed in fourteen subject categories for the convenience of the user.

The following categories are available for users to search: Country Information, General Minority Information, Constitutional and Legislative Sources, General Human Rights sources, and Interethnic Conflict Management. A free text keyword search is also possible. Practitioners, politicians and academics, including students and professors of international relations, conflict studies and cultural and diversity studies are encouraged to use and contribute new websites to the ECMI Enriched Links Database.

FIV-IBLK

For the FIV-IBLK database **World Affairs Online**, the ECMI Library also continues to contribute indexing of all ECMI publications, including articles for the **Journal on Ethnopolitical and Minority Issues in Europe (JEMIE)** and external publications such as the **European Yearbook of Minority Issues**, as well as the print publication **International Journal of Minority and Group Rights** and the online EURAC journal **European Diversity and Autonomy Papers (EDAP)**. **World Affairs Online** is one of the largest social science bibliographical databases in Europe, with more than 800,000 references to articles/chapters from periodicals and books (55%), monographs, reports (27%), and official publications (4.5%). Regularly updated, and also available as the print and online FIV-IBLK **Current Bibliography International Relations**, the usefulness of **World Affairs Online** has been attested to by experts from the German Bundestag as well as experts from institutes in Austria. An example of the latter is the “IBLK-Filter”, which by special agreement with FIV-IBLK is a production of the WWEDU Center for European Studies, which has received awards from Austria for its achievements as a security research institute. The “IBLK-Filter” selects bibliographic references from the FIV-IBLK **Current Bibliography International Relations and Area Studies** on the basis of the fields relevant to the WWEDU Center for European Studies. **World Affairs Online** and the seven-language **European Thesaurus on International Relations and Area Studies** is available on the FIV-IBLK portal IREON, a central point of access to scholarly literature in the field of international relations and area studies. The **European Thesaurus on International Relations and Area Studies** contains more than 8,000 special terms, each in seven languages, systemized according to more than 800 fields on 400 pages, with seven alphabetical monolingual indexes, and is also available for purchase either in hardback or in the ECMI Library collection.

William McKinney
ECMI Librarian



JEMIE - Journal on Ethnopolitics and Minority Issues in Europe

JEMIE is a peer-reviewed electronic journal edited under the auspices of the European Centre for Minority Issues (ECMI). JEMIE is a multi-disciplinary journal, which addresses minority issues across a broad range of studies, such as ethnopolitics, democratization, conflict management, good governance, participation, minority issues and minority rights. It is devoted to analysing current developments in minority-majority relations in the wider Europe, and stimulating further debate amongst academics, students and practitioners on issues of instability and integration that are hampering democratic development in Europe - both East and West.

As an electronic journal, JEMIE aims to make scholarly debate available to as wide an audience as possible, providing easy access to cutting-edge academic literature and creating a forum where young scholars and practitioners can present their ideas alongside more established academics.

Twice each year, a Special Focus section highlights a topic of particular interest to students of minority issues and ethnopolitics.

www.ecmi.de/jemie

Specialized Information Network FIV-IBLK meeting at ECMI Headquarters, June 2009



Platon + booth "Networking the social-economic Sciences and Humanities" at the EU-funded "Research Connection" conference in Prague, May 2009



This terminological handbook for specialized documentation is extremely useful for academics as well as practitioners in the fields of international relations and area studies. The European Thesaurus on International and Area Studies was developed over a number of years within the framework of the European Information Network on International Relations and Area Studies (EINIRAS), as a cooperation project between the library and information departments of specialist European research institutes in these fields.



EINIRAS is an association of European research institutions working with information and documentation on international relations in research and political practice. The long-term objective of EINIRAS is to establish a common European database (EDN) on international relations and area studies. Its short-term objectives include the expansion of practical cooperation and the exchange of information, bibliographical data and publications. EINIRAS members include, among others, Stiftung Wissenschaft und Politik, the Council of Europe, the Finnish Institute of Foreign Affairs, The Centre of International Information and Documentation in Barcelona, the Royal Institute of International Affairs, and the Stockholm International Affairs (SIPRI).

ECMI IN NUMBERS 2009

Information resources

Table 1. Access frequency on the main website www.ecmi.de

SITE/PAGE AREA	UNIQUE VISITORS	AVERAGE UNIQUE VISITORS/DAY
www.ecmi.de (The Whole Website)	485,953	1,331
/elinks/ (ECMI Links Database)	166,696	457
/jemie/	75,580	207
/emap/(ECMI electronic Map)	71,516	196
/doc/FCNM Parallel Reports/	21,889	60
/doc/ombudsman/	16,370	45
/rubrik/49/comir minority resources/	2,451	8

Table 2. Frequently visited ECMI programme sites

SITE/PAGE AREA	UNIQUE VISITORS	AVERAGE UNIQUE VISITORS/DAY
Ecmirom.org	40,865	112
Ecmigeorgia.org	25,285	69.3
Ecmikosovo.org	1,260	3.5
Language & Culture Diversity	870	2.4
Political Participation	312	0.85
Equal Economic Opportunities	308	0.85

Table 3. The Most Active Visitors' Countries (ecmi.de)

1.	Germany	34.90 %
2.	United States	11.05 %
3.	United Kingdom	6.84 %
4.	Italy	3.17 %
5.	Poland	3.03 %
6.	Serbia	2.59 %
7.	France	2.40 %
8.	Georgia	2.39 %
9.	Canada	1.97 %
10.	Netherlands	1.73 %



ECMI IN NUMBERS 2009

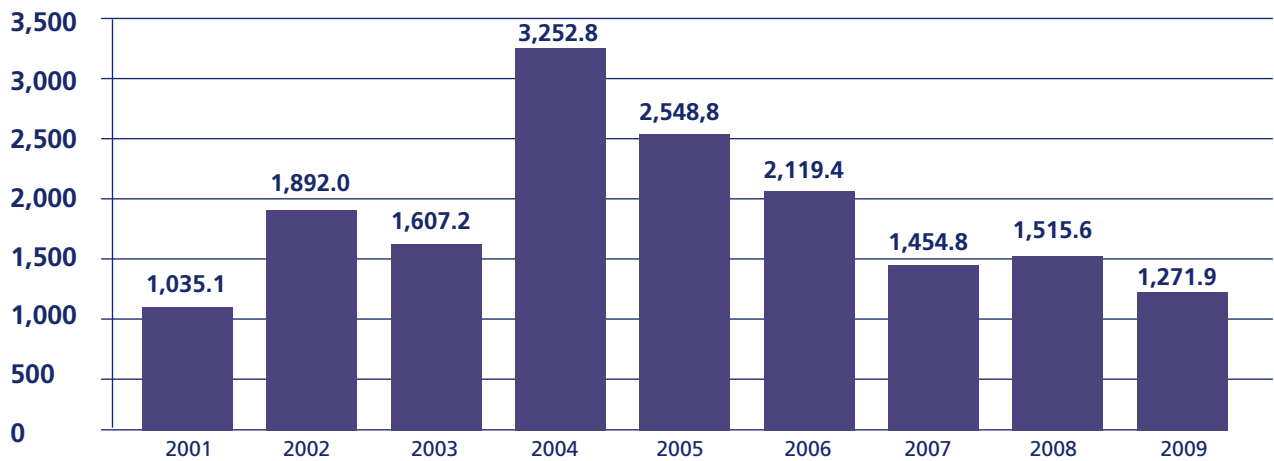
Finances

Finances and Project Funds

In 2009 ECMI received funding from its institutional founders covering the costs of the core staff at headquarters in Flensburg. Additionally ECMI also raised funds for several international projects.

ECMI Total Funding 2007-2009
Contributions from founders and other donors in EUR

	2007	2008	2009
Kingdom of Denmark	346,000	346,000	346,000
Republic of Germany	187,000	187,000	187,000
State of Schleswig-Holstein	141,100	141,100	142,000
Subtotal contribution from founders	674,100	674,100	675,000
Contributions from donors	758,897	812,429	586,000
Other funding	21,849	29,061	10,908
Total	1.454,846	1.515,590	1.271,908



ECMI Externally Funded Projects 2009
Region and Project Title

Donor

Georgia

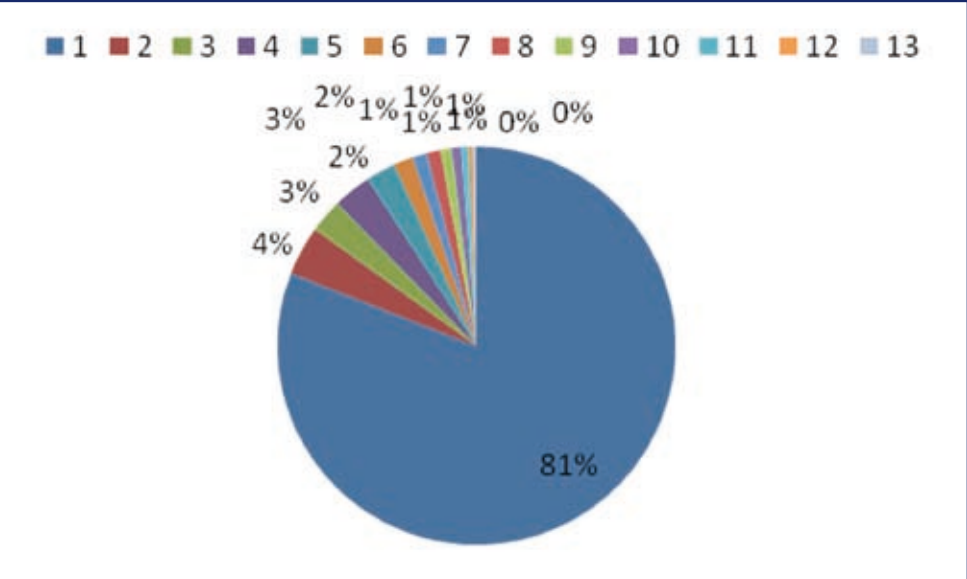
"Enhancing minority governance and empowering civil society in minority regions in Georgia"	Norwegian Royal Ministry of Foreign Affairs
"Enhancing good governance - Human rights and the rule of law in Georgia"	Council of Europe Denmark's Caucasus Programme
Several training events Denmark's Caucasus Programme	Council of Europe

Kosovo

"Support to minority communities in the Kosovo during the Kosovo status transition period"	Swiss Federal Department of Foreign Affairs Switzerland
"Support to minority communities during and after the decentralisation process in Kosovo"	Ministry of Foreign Affairs of Finland
"Enhance and integrate community concerns within the work of the government of Kosovo"	Swiss Federal Department of Foreign Affairs Switzerland
"Development of the annual strategy, action plan and implementation tools for the Kosovo Community Consultative Council"	Foreign and Commonwealth Office Great Britain
"Institutionalisation of Kosovo Consultative Council for Communities"	Federal Minister for Foreign Affairs Federal Republic of Germany



ECMI core funds distribution 2009

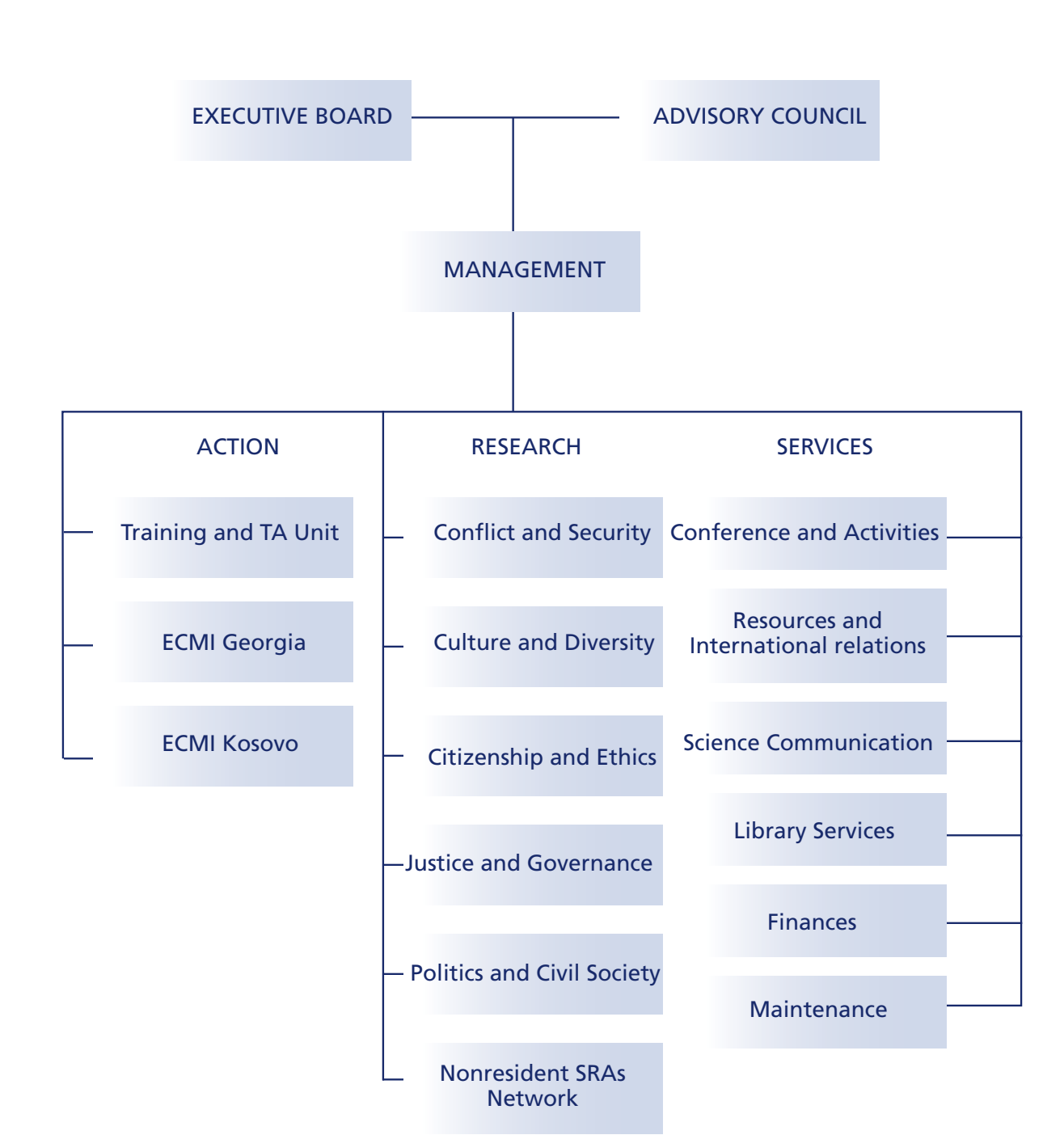


1. Staff salaries	527,000
2. Equipment/Communication	26,000
3. Maintenance	18,000
4. Services	20,000
5. Library acquisitions	16,000
6. IT	10,000
7. Board meetings	8,000
8. External costs	7,000
9. Representation	6,000
10. Events	5,000
11. Publications	4,000
12. Staff development	2,000
13. Diverse administrative costs	2,000
14. Other	24,000

Total funds	671,000
-------------	---------

ECMI ORGANIZATION 2009

Chart





**ECMI ORGANIZATION 2009
Advisory Council 2004-2010**

1. **Professor Gudmundur Alfredsson**, emeritus (Sweden)
2. **Ambassador Peter Dyvig**, retired (Denmark)
3. **Prof. Alyson J.K. Bailes**, Visiting Professor, Dept. of Political Science, University of Iceland, Reykjavik (UK), Chairperson ECMI Advisory Council
4. **Dr. Tarja Cronberg**, Minister of Labour (Finland)
5. **Professor Asbjørn Eide**, Professor Emeritus at the University of Oslo, Norwegian Institute of Human Rights, University of Oslo (Norway)
6. **Professor Hurst Hannum**, Department of International Law, Fletcher School of Law and Diplomacy, Tufts University (USA)
7. **Prof. Will Kymlicka**, Canada Research Chair in Political Philosophy at Queen's University, Kingston (Canada)
8. **Professor André Liebich**, Professor at the Institut Universitaire de Hautes Études Internationales (IUHEI), Geneva (Switzerland)
9. **Professor John McGarry**, Professor and Canada Research Chair in Nationalism and Democracy, Dept. of Political Studies, Queen's University (Canada)
10. **Professor Brendan O'Leary**, Director of Solomon Asch Center for Study of Ethnopolitical Conflict; Department of Political Science, University of Pennsylvania, USA (Ireland)
11. **Mr. Alan Phillips**, UK Independent expert on Advisory Committee of the Framework Convention for the Protection of National Minorities and Vice President of Advisory Committee (United Kingdom)
12. **Professor Allan Rosas**, European Court of Justice, Luxembourg (Finland)
13. **Professor Wojcieh Sadurski**, Professor of Law, Sydney Law School at the University of Sydney, Australia (Poland)
14. **Professor Patrick Thornberry**, Professor emeritus, (United Kingdom)
15. **Professor Stefan Troebst**, Professor of East European Cultural Studies, University of Leipzig, Germany, and Deputy Director of the Leipzig Centre for the History and Culture of East Central Europe (Germany)

© Copying the photos in this publication is not allowed unless explicit permission is obtained from the photographers and bureaus listed below.

Photographs:	
Friedrich Naumann Stiftung	p. 10,11
ECMI Georgia	p. 15
ECMI Kosovo	p. 23, 25, 26
Ewa Chylinski	p. 19, 22, 32, 34, 35, 39
FUEN	p. 28
Der Nordschleswiger	p. 35
William McKinney	p. 40

© European Centre for Minority Issues (ECMI)

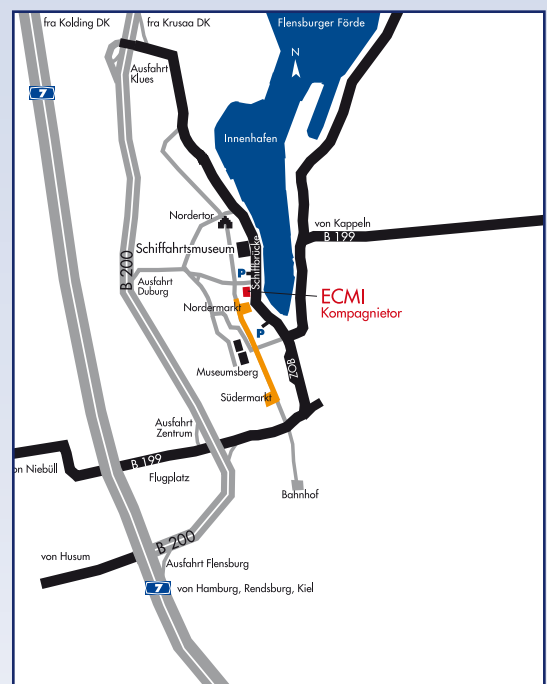
Editors:
Ewa Chylinski and Tove Malloy

Graphic Design:
RAINER PRÜSS
wirtschafts- und kulturkonzepte, Flensburg

Print:
Druckhaus Leupelt, Handewitt

European Centre
for Minority Issues (ECMI)
Schiffbrücke 12
Kompagnietor
D-24939 Flensburg

Fon: 0461 - 1 41 49-0
Fax: 0461 - 1 41 49-19
e-mail: info@ecmi.de
Internet: www.ecmi.de



European Centre
for Minority Issues (ECMI)
Schiffbrücke 12
Kompagnietor
D-24939 Flensburg

Fon: 0461 - 1 41 49-0
Fax: 0461 - 1 41 49-19
e-mail: info@ecmi.de
Internet: www.ecmi.de