The first few months of 2005 have been an eventful period for ECMI’s Romania project. At the beginning of February, ECMI held a meeting in Romania for some of the members of the drafting committee of the status law on national minorities. At this meeting Professors David J. Smith and John Hiden discussed the theories and practicalities of cultural autonomy as a concept and provided a case study example of cultural autonomy in practice in Estonia. The deputy prime minister and the head of the DRI (Department for Inter-Ethnic Relations) also attended this meeting.

In order to ensure greater stakeholder participation in the drafting of the law, ECMI also organised a series of roundtables. The first of these took place on 17–19 March in Sinaia, Romania, which included the DRI, several national minority deputies from the Chamber of Deputies and the leaders of the organizations that sit on the Council of National Minorities. During this meeting short presentations were made on the problems of trying to define national minorities, the status of national minority organizations under Romanian law and cultural autonomy.

The meeting was well attended, with the deputies being very forthcoming and constructive in the discussions. They voiced their concerns and put forward suggestions for the law. At the meeting the national minority deputies were able to comment on the law and were also given the opportunity to learn more about the law before it became finalized and entered into the comment period.

In an effort to expand stakeholder involvement further still, ECMI, along with the DRI, co-sponsored a second roundtable meeting in Sinaia, Romania on 16–17 April. This roundtable incorporated various organizations from the NGO/civil society sector. These groups mostly included those that worked in the field of human rights and/or minority rights. The intention was to provide civil society representatives with an opportunity to make comments on the law, with a view to having their suggestions incorporated into the law by the drafters. In similar fashion to the national minority deputies in the previous meeting, the NGOs were very well prepared and proactive in their discussions about the law. As was hoped, the drafters in fact included several of the suggestions put forward by the NGOs into the draft.

With this meeting ECMI has been breaking new ground in terms of including stakeholders into the law drafting process in Romania, particularly with minority NGOs. Those that were involved were very pleased to have been able to take such an active part in the construction of the draft law. Several people noted that this was the first time any of the NGOs had had direct consultation with the government about a draft law.

ECMI was also involved in providing information to ministers and legislators about the international standards concerning the major issues of the draft law. As of the beginning of June, the Government has approved the draft law and it was submitted to the parliament.
The Senate passed the draft law and the only hurdle left is the Chamber of Deputies.

Once approved, the law will implement the Framework Convention for the Protection of National Minorities. Most importantly, the law contains a definition of a national minority, not unlike other European states. Under current Romanian law, national minority NGOs are entitled to undertake politics activities and participate in national and local election. Under the national minority law, a clear distinction is created between NGOs and political parties. Most importantly, the law grants minorities the chance to form institutions for cultural autonomy, which will allow the minority communities to take control of the important issues of education, language, culture and media.

Currently, ECMI and the DRI are in discussions about organizing a public event/press conference about the law. As there has been some resistance to the law from the government, it is hoped that public support for the law may assist its passage.

ECMI is also gearing up for the second phase of the project, namely, training the new legal unit of the Global Conflict Prevention Fund and is overseen by the British Embassy in Bucharest. Reports for the first three events can be found on ECMI’s Romania website at: www.ecmiromania.org. For further information on the project please see the website or contact the project’s manager, D. Christopher Decker, Senior Research Associate, at: decker@ecmi.de.
Development of New ECMI Programme in Ukraine

The November–December 2004 events in Ukraine — which are now often described as the Orange Revolution — created a strong impetus for the consolidation of democratic institutions in Ukraine. Hundreds of thousands of people, who took to the cold winter streets in peaceful, non-stop demonstrations against the semi-authoritarian political regime, demanded an end to the corrupt practices of the past and a radical overhaul of state–society relations in Ukraine. These events represent a watershed for what has always been the dream behind the century-long quest for Ukraine’s independence: for the promise of a free and fair society in a new European state.

The Orange Revolution brought about a new government and reinvigorated civil society. The first few months after the revolution have been characterized by some radical changes in political life, bureaucratic organization and civic activism. Ukraine now enjoys unprecedented levels of press freedom, government openness and political and civic participation. Nonetheless, skepticism over the new authorities’ ability to deliver on all pre-election promises is growing. This skepticism, however, has not become widespread yet. Recent public opinion polls registered unusually high (for Ukraine) levels of public support for the actions of the new president and cabinet. It seems like the new authorities are inclined to deliver on their promises.

At the same time, both the Orange Revolution and the events and developments that followed that dramatic period revealed very significant tensions and divisions in Ukraine. These frictions are articulated along regional and ethnic lines and they pose a significant threat for Ukrainian society at large. If left unaddressed, they might threaten not only the success of the process of democratic consolidation but also the very foundations of the country’s stability. There is a growing realization on the part of both domestic and international decision-makers of the need to design and implement a number of measures that will diffuse these threats.

ECMI is in the process of designing a programme which should help efforts aimed at improving inter-regional societal integration and inter-ethnic cooperation in Ukraine. The programme includes three distinct but interrelated projects that ECMI plans to implement in the course of the following years. ECMI staff have prepared project proposals after fact-finding and needs assessment missions conducted in Ukraine during October/November 2004. ECMI staff continues to monitor developments in Ukraine on a regular basis, which allows ECMI to have, besides its comprehensive expertise in areas of conflict resolution and majority–minority relations, substantial knowledge of the fast-changing Ukrainian political scene.

The project, “Advancing Inter-regional Integration and Cooperation in Ukraine”, aims to assist in designing policies that will foster societal integration in Ukraine. There has been a profound lack of policy initiatives specifically aimed at bridging regional divisions in Ukraine. The project will try to rectify this situation by devising a set of specific policy proposals in the areas of education, media and cultural exchange. To elaborate these initiatives and supervise their implementation, the project will bring together domestic Ukrainian experts and representatives of ECMI’s international network of experts who have experience in addressing the problems of divided societies.

The project, “Addressing Minority Issues in the Process of Administrative–territorial Reform in Ukraine”, deals with minority aspects of a proposed administrative–territorial reform. The new government of Ukraine plans to launch the most comprehensive reform package in the history of independent Ukraine. The project seeks to help reformers in drafting legal provisions that detail local government’s responsibilities in the area of minority rights. Such provisions should enhance Ukrainian minority participation in the policy-making process at a local level and improve the competence and capacity of Ukrainian local governments in dealing with minority issues. By empowering local communities, these provisions, if implemented, should help to restructure the balance of power between regional authorities and individual communities. Empowering local communities should ultimately contribute to dampening separatist claims that (in the Ukrainian context) are usually articulated at the level of regional authorities.
As summer draws near, Kosovo’s Provisional Institutions of Self-Government (PISG) face the daunting task of meeting the requirements of the Kosovo Standards Implementation Plan (KSIP), the success of which will indicate just how democratic the territory has become in the past several years. Successful progress will significantly increase the likelihood of commencing discussions on Kosovo’s final status. Clearly, much is at stake and meeting the Standards has become the PISG’s top priority in 2005.

ECMI has too made Standards implementation a top priority by providing assistance to the PISG in a number of ways. One of these areas has been supporting the Ministry of Public Services in drafting the Law on the Use of Languages in Kosovo. To this end, ECMI established an informal working group to review the first draft of the law. The group’s work culminated in a workshop organized by ECMI for the working group members and other key actors from 8–10 April 2005 in Sveti Naum, Macedonia. The workshop was attended by members of the Ministry for Public Services, the Prime Minister’s Legal Office, representatives from the Serbian, Turkish and Bosniak communities in Kosovo, and the Office for Communities and Returns as well as United Nations Interim Administration Mission in Kosovo (UNMIK) staff and an international expert contracted by ECMI.

The ECMI-led meeting’s main focus was on adjusting a first draft of the law in order to ensure greater clarity of the draft law, as well as to achieve legal certainty with respect to the rights and obligations ensuing from this legislation. In addition, the meeting sought to ensure the compatibility of the draft law with international human rights standards; in particular, obligations under the Framework Convention on the Protection of National Minorities and the European Charter for Regional or Minority Languages. Finally, the members worked to ensure that the existing standards provided in the Constitutional Framework for Provisional Self-Government are maintained, as well as the rights guaranteed in the 1970 Law on Realization of Equality of Languages and Alphabets in the Socialist Autonomous Province of Kosovo.

The meeting of the PISG Working Group was held in a very constructive manner, with all participants showing a commitment to producing a quality draft text that might establish sufficient clarity with regard to the language rights guaranteed to Kosovo’s communities, as well as establish the obligations of public institutions in this area.

The draft text prepared at the meeting offers a strong basis for the regulation of languages in Kosovo’s institutions by unifying the existing fragmented regulations, as well as by providing a relatively high standard for the use of minority languages in municipal institutions. In this regard, the efforts of ECMI in supporting the PISG will now focus on promoting the draft law in public discussions. ECMI is strongly encouraging the PISGs to organize public consultations and, in particular, a meeting with representatives of minority communities to explain the guarantees provided in the draft law and to allow them to voice their interests to ensure that these guarantees address the real needs and interests of minority communities.

By engaging all of Kosovo’s communities during this final stage, the PISG can be sure that the law that will finally be promulgated will be the best law possible and will not only fulfil an important Standard but, more importantly, will benefit all of the people of Kosovo.
Enhancing Minority Governance in Bulgaria

ECMI held its second regular workshop for minority experts within the context of the project, “Enhancing Minority Governance in Bulgaria”, on 29 March. More than 30 participants discussed the importance of political participation, current issues in Bulgaria and made specific recommendations on how to improve the political participation of minorities in Bulgaria and, in particular, the Roma. The questions discussed at the workshop are very much on the agenda in Bulgaria, which is preparing to have its general elections in June 2005.

Experts from various public institutions and minority organizations continue to analyze needs and evaluate legislation, strategies and plans on minority issues in the three Working Groups facilitated by ECMI. These groups examine: access to public services, economic opportunities and political participation. In addition, a meeting with participants from so-called “smaller” minorities was held, which provided opportunities for participants to share information and to discuss specific issues in areas such as culture, education in minority languages, support for minority media and access to national media for members of small minorities. The meetings are a follow-up to the ECMI workshop in December 2004, in which good governance issues, including monitoring and evaluation of minority policies, were discussed. In addition, ECMI was invited to present written material about its activities at a Mayors Conference organized by the Association of Municipalities in Bulgaria.

Under the auspices of ECMI’s “Ombudsmen Network” Project and with assistance from the ECMI Bulgaria Office, planning is now underway for ECMI to host a meeting of ombudsman institutions in South-eastern Europe in Sofia, Bulgaria for a training workshop. The training will follow up on the 2004 workshops (in Tbilisi, Ohrid and Flensburg) and will explore topics related to human and minority rights and the role of the ombudsman institution in the promotion and protection of minority rights. This event will bring together representatives of ombudsman institutions and relevant ministries from Albania, Croatia, Bosnia and Herzegovina, Hungary and Serbia and Montenegro. Participants will also include the newly-elected ombudsman in Bulgaria, as well as the newly-appointed head of the Bulgarian Anti-discrimination Commission.

Romani Expert Groups for Romani Integration

On 5 April 2005, ECMI organized the first official joint meeting of the Romani Expert Groups for Romani Integration in Skopje, Macedonia. This Sida-funded ECMI project, which follows on from the first global assessment of the needs of Macedonia’s Romani population (also conducted by ECMI with Sida support), establishes all-Romani Expert Groups in the areas of education, health, civil rights and employment. Conceived to undertake their own research as a prelude to the design and implementation of concrete policy measures to remedy Roms’ comparative disadvantages, in late 2004 the Expert Groups also played an important role in contributing to the revision of the Macedonian government’s Draft Strategy for Roma in the Republic of Macedonia.

At the meeting, the ECMI project and the Expert Groups were introduced to representatives of various ministries, political parties, media groups, and international organizations. Also presented at the meeting were the topics of the research projects to be conducted by the Expert Groups from April to June 2005. The research results will be presented in September 2005 to key actors in the field of Romani integration as well as to the broader public. Through their work, it is expected that the Expert Groups will form a crucial link among similarly oriented initiatives.

Serbia & Montenegro Union Ministry Support Initiative

The collaborative project between ECMI and the Danish Institute for Human Rights (DIHR) aims to enhance the capacities of the Union Ministry of Human and Minority Rights of Serbia and Montenegro. The project began in the Autumn of 2004. The key objective of the project is to assist the Ministry in enhancing its effectiveness in accomplishing the tasks assigned to it by the Constitutional Charter and legal framework of the State Union. The overall long-term aim is to enhance the legislative commitment to human and minority rights in Serbia and Montenegro by: assessing the possibility of strengthening the organizational and institutional capacity of the Ministry within its mandate; identifying of potential strategic intervention or focus areas within the mandate of the Ministry; and assessing to what extent assistance can be provided to the Ministry within the framework of the Stabilization Process with the EU in regard to the realization of the Copenhagen Criteria.

The project has made significant progress in the previous 3 months. Three team meetings with the participation of the entire project team have been held in Belgrade. During these meetings emphasis was placed on the importance of focusing on methodology and process. The meetings concentrated on preparing material for the working groups and agreeing upon future activities. Further meetings within the groups are scheduled for May and June and constitute an opportunity for the participants to exchange views on the draft material, ideas prepared during the past couple of months, as well as the opportunity to harmonize the principles for future cooperation.

The second track of the project — reporting and monitoring — has involved a series of meetings between the staff responsible for UN conventions in the Ministry for Human Rights, DIHR and ECMI. A manual has been drafted to provide the basis for developing a system for reporting on Serbia and Montenegro’s international human rights commitments. The manual will be presented on May 18 to the working group, which will then develop detailed guidelines for the individual conventions.
The Lisbon Strategy and Ethnic Minorities

Rights and Economic Growth

Following the re-launch of the Lisbon Strategy by the European Council in March 2005, the European Commission published a blueprint for growth and jobs in support of a refocused Lisbon Strategy on 12 April 2005. The blueprint identifies a number of factors that have contributed to the slow growth rate in Europe, acknowledging, among others, that social exclusion is a major factor, especially among unemployed women and young and older workers.

To alleviate this, members of the European Union (EU) must adopt macroeconomic policies for growth and jobs that will secure economic stability, economic sustainability and efficiency. They must ensure a dynamic and well-functioning Euro area, make it more attractive to invest and work in Europe, improve productivity and improve investment in research and development to spur knowledge and innovation for growth.

However, while the young and older workers and women are of vital importance to the rejuvenation of Europe’s economy, ethnic minorities appear ostracized from this new process. The new set of Employment Guidelines referred to ethnic minorities only once, as a sub-category of older workers. Finally, a recent working paper issued by the European Commission, entitled The Economic Costs of Non-Lisbon: a Survey of the Literature on the Economic Impact of Lisbon-type Reforms, makes no mention of ethnic minorities.

Making the Labour Market Inclusive

In setting out the blueprint for how to make the European economy grow through job creation and social inclusion, the refocused Lisbon Strategy calls for a renewed effort at creating an inclusive labour market for job seekers and disadvantaged people. Out of twenty-three guidelines, only one pertains to minorities and that is in relation to combating discrimination.

This appears minimal, particularly as the Race Directive of 2000 requires Member States to implement the principle of equal treatment irrespective of racial or ethnic origin. Moreover, the so-called Wim Kok report that prepared the terrain for a relaunched and refocused Lisbon Strategy referred to ethnic minorities only once, as a sub-category of older workers. Finally, a recent working paper issued by the European Commission, entitled The Economic Costs of Non-Lisbon: a Survey of the Literature on the Economic Impact of Lisbon-type Reforms, makes no mention of ethnic minorities.

Questioning Assumptions

The assumption that social exclusion of ethnic minorities is but an economic burden to society continues to reign among European policy makers. Hoping that eliminating social exclusion would balance the books and jump-start the economy, they do not take into account that social exclusion is a drawback to economic growth because they see it as a static phenomenon rather than an investment opportunity. EU policy makers would gain by recognizing that ethnic minorities constitute an untapped asset in society, a dynamic force that is amenable, adjustable and willing.
Edited by Jørgen Kühl & Marc Weller, assistant editor: Marnie Lloyd.

On the occasion of the 50th anniversary of the Bonn-Copenhagen Declarations, this new book places the Danish-German efforts in the field of minority-majority issues in the wider European context. It demonstrates the significance of the Danish-German border region experience for Europe. The topics covered are divided into three main sections. The first section introduces the regional experience of Germany and Denmark. The second section focuses on the position of national minorities in the European Union. The final section examines the position of minorities in the wider European context. Nine internationally renowned authors have contributed to the volume, which is the outcome of cooperation between the European Centre for Minority Issues in Flensburg (Germany) and the Institut for Grænseregionsforsknings at the University of Southern Denmark in Aabenraa.

To be ordered from the Department of Border Region Studies – University of Southern Denmark, Persillegade 6, DK 6200 Aabenraa, telefax +4574623169, e-mail: ifg@sam.sdu.dk


The Yearbook provides a critical and timely review of contemporary developments in minority-majority relations in Europe. It combines analysis, commentary and documentation in relation to conflict management, international legal developments and domestic legislation affecting minorities in Europe. Part I contains scholarly articles and, in 2003/4, features two special focus sections (on the Impact of Islam in Europe and Economic Participation of Minorities), accompanied by a miscellaneous articles section. Part II reviews the implementation of minority legislation and international standards at the universal and regional levels as well as new developments in relation to them and contains a list of international norms. The European Yearbook is edited in collaboration with the Minorities and Regional Autonomies Department of the European Academy Bozen/Bolzano.

For more information see the ECMI website here or to order click here.

Edited by Marc Weller

This commentary offers a detailed article-by-article analysis of the Convention, by a group of international legal experts in minority rights. Their commentary draws upon the Convention’s negotiating history and implementation practice, in addition to examining the pronouncements of the Advisory Committee, which is the implementation body attached to the treaty. It offers a clear sense of the concrete meaning of the provisions of the Convention to scholars, students, and members of minority rights groups.

To order this publication from Oxford University Press click here.

Ombudsman Institutions and Minority Issues — A Guide to Good Practice
Editor: Marnie Lloyd; Contributors: Robert Dunbar, Dženana Hadžiomerović, Kristin Henrard, Andrea Krizsán, Brigitte Kofod Olsen and Alan Phillips

The Guide has been developed as part of ECMI’s ongoing project “Network of Ombudsman Institutions Addressing Minority Issues in Europe”. Supported by a team of experts in the field, who are the authors of this Guide, ECMI has for the past 2 years managed a network of ombudsman institutions in the wider Europe: supporting them in their work with minority issues; encouraging the establishment of specialized structures for minority issues within those institutions; and facilitating the exchange of information through training workshops, conferences and online resources. The Guide to Good Practice is our latest endeavour toward our project goals.

The Guide is structured into three main parts:
1. Mandate, Powers and Functions;
2. Establishment and Foundational Criteria; and
3. Operations and Organization.

Each part consists of a number of key points or statements, followed by discussions and analyses, which provide alternatives or discuss suitable solutions reached in practice by institutions. This Guide does not attempt to provide set answers or even ‘best’ practice but, rather, it represents examples of good practice and experience from various countries. Part IV of the Guide contains essential resources, including literature, websites and legal documents.
New ECMI Publications

Annual Report 2004 published

The annual report for 2004 contains detailed information on ECMI’s project work in 2004, its organizational improvements, as well as more general information on ECMI’s staff, structure, capacity and expertise.


Recent ECMI Reports, Working Papers and Briefs

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Calendar of Events

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<th>Date</th>
<th>Event Description</th>
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<td>07 February</td>
<td>Visit by Dr. Rein, German Ministry of the Interior and Dr. Kemper, new appointed Minority Representative of the German Government, Flensburg, Germany</td>
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<td>02 March</td>
<td>Opening of Bonn-Copenhagen Agreement Exhibition, Skt. Petri Church, Copenhagen, Denmark</td>
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<tr>
<td>05 March</td>
<td>First joint meeting of ECMI’s Romani Expert Groups for Romani Integration, Skopje, Macedonia</td>
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<td>07-11 March</td>
<td>Visit to ECMI by FUEN representatives from Graubünden canton, Switzerland</td>
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<td>08 April</td>
<td>ECMI Board Meeting, Copenhagen</td>
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<td>12 April</td>
<td>Open Research Meeting with presentation by ECMI Visiting Researcher, Ms Dilek Kurban on: “Glass Half Full? The Impact of the European Union Accession Process on the Protection of Minorities in Turkey”, Flensburg</td>
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<tr>
<td>17-19 March</td>
<td>Regional Research and Minority Meeting, Flensburg, Germany</td>
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<td>ASN Convention, Columbia University, New York, ECMI-sponsored panel “The Role of Dayton”</td>
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<td>Visit by Flensburg’s Mayor Klaus Tscheuschner and City President Hans-Hermann Laturnus, Flensburg</td>
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<td>28 May</td>
<td>Danish Annual Meetings</td>
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